



COUNTY OF SAN MATEO
Inter-Departmental Correspondence
County Manager's Office



DATE: August 31, 2011
BOARD MEETING DATE: September 13, 2011
SPECIAL NOTICE/HEARING: None
VOTE REQUIRED: Majority

TO: Honorable Board of Supervisors
FROM: David S. Boesch, County Manager
SUBJECT: County Manager's Report #8

A. Assembly Bill 1103 (Huffman), Land use: housing element.

RECOMMENDATION:

Adopt a resolution in support of Senate Bill 450 (Lowenthal), Redevelopment.

BACKGROUND:

Community Redevelopment Law (CRL) allows local governments to establish redevelopment areas and capture all of the increase in property taxes that is generated within the area (referred to as "tax increment") over a period of decades. Existing law also requires redevelopment agencies to deposit 20 percent of tax increment into a Low and Moderate Income Housing Fund (L&M fund) to be used to increase, improve, and preserve the community's supply of low and moderate income housing at affordable housing cost. L&M Funds must be expended on the construction, preservation, and rehabilitation of affordable housing. Existing law also prescribes certain obligations of Redevelopment Agencies (RDAs) to provide replacement housing for housing destroyed as a result of redevelopment activities and provides inclusionary housing requirements for low- and moderate-income households. CRL further establishes various standards for expenditure of L&M funds and contains provisions requiring that the L&M funds be spent and not allowed to accumulate to the point of excess surplus. RDAs also are required to report all affordable housing activities every five years.

DISCUSSION:

Senate Bill 450 (Lowenthal) would impose restrictions and requirements on the use of L&M funds by RDAs, as well as establish stricter reporting requirements. Generally, the bill would place a limit on the L&M funds for planning and general administration costs, prohibit certain expenditures, impose additional requirements and enforcement mechanisms, expanding reporting and oversight, provide funding for audits of RDA housing programs by the California Department of Housing and Community Development (CDHCD), allow the State Controller to conduct quality control reviews of

independent financial audits conducted by the CDHCD. The bill also states that it is the intent of the Legislature that L&M funds be used to the maximum extent possible to defray the actual cost of producing, improving, and preserving L&M housing and reasonably restrict L&M funds for planning and general administrative costs. The bill would also modify the proportionality requirement by requiring that at least 75 percent of the agency's expenditures from the L&M fund directly assist extremely low-, very low-, low- and moderate-income for each RDA to expend over each 10-year period.

The Legislative Committee has reviewed the bill and recommends the Board support the bill.

Approval of this resolution contributes to the Shared Vision of 2025 of a Livable Community by supporting policies that promote the responsible use of L&M funds for the production of affordable housing stock. The Resolution has been reviewed and approved as to form by County Counsel.

FISCAL IMPACT:

None to the County.

B. Assembly Bill 420 (Davis), Redistricting

RECOMMENDATION:

Adopt a resolution in support of Assembly Bill 420 (Davis), Redistricting.

BACKGROUND:

Existing law, as added by constitutional initiative (Proposition 11 of 2008), created the 14-member Citizen's Redistricting Commission (CRC) and changed the process undertaken once every ten years of drawing geographic boundaries for the state's 120 legislative districts (Assembly and Senate) and four Board of Equalization districts. Existing law provides that a person does not gain or lose a domicile, for the purposes of the state's voter registration laws, solely by reason of their presence or absence from a place while kept in prison.

DISCUSSION:

Assembly Bill 420 (Davis) would require the Department of Corrections and Rehabilitation (CDCR) to provide the CRC, between April 1 and July 2020, the last known residence of each inmate. The bill requests that the CRC to deem each incarcerated person as residing at the last known place of residence, rather than at the institution of their incarceration. It also defines "last known place of residence" as the address at which an inmate was last living prior to their current term of incarceration, as determined by court records of the county in which the inmate was sentenced. Inmates who are foreign nationals or whose last known residence is outside of the state would be excluded. The bill would only apply for the 2020 census and the subsequent redistricting process only—not the current process.

The Legislative Committee has reviewed the bill and recommends the Board support the proposed legislation.

Approval of this resolution contributes to the Shared Vision of 2025 of a Collaborative Community by supporting policy changes that would ensure that the HSRA is more accountable to both the Executive Branch and Legislature and that the membership of the HSRA has the necessary expertise to manage the project, which is slated to run through San Mateo County. The Resolution has been reviewed and approved as to form by County Counsel.

FISCAL IMPACT:

None to the County.

C. Senate Bill 770 (Steinberg), Health care coverage: mental illness: developmental disorder and autism

RECOMMENDATION:

Adopt a resolution in support of Senate Bill 770 (Steinberg), Health care coverage: mental illness: mental illness developmental disorder and autism.

BACKGROUND:

Under existing law, the Department of Managed Health Care licenses and regulates health care service plans. Health insurance policies are required to provide benefits for specified mental health conditions. Existing law also requires that health care service plan contracts and health insurance policies provide coverage for all medically necessary treatment for individuals with pervasive developmental disorder or autism.

DISCUSSION:

Senate Bill 770 (Steinberg) would ensure that behavioral health treatment is considered a covered benefit, when it is medically necessary, for the treatment of pervasive developmental disorder or autism. This bill also expands the list of qualified providers to include any nationally certified or licensed professional and any vendor of a regional center which contracts with the Department of Developmental Services to provide services for those with autism.

The Legislative Committee recommends the Board support the bill.

Approval of this resolution contributes to the Shared Vision of 2025 of a Healthy Community by supporting policies that support the provision of medically necessary behavioral health treatments for persons with autism. The Resolution has been reviewed and approved as to form by County Counsel.

Performance Measure(s):

Measure	FY 2009-10 Actual	FY 2010-11 Projected
Federal/State Measures analyzed and acted on	57	60

FISCAL IMPACT:
Unknown.

RESOLUTION NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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**RESOLUTION IN SUPPORT OF SENATE BILL 450 (LOWENTHAL),
REDEVELOPMENT**

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, under current Community Redevelopment Law, local governments are allowed to establish redevelopment project areas and capture the increase in property taxes that is generated within such areas as a result of these activities; and

WHEREAS, existing law requires redevelopment agencies to deposit 20 percent of the tax increment generated in a project area into a Low and Moderate Income Housing Fund to be used to increase, improve, and preserve the community's supply of low and moderate income housing; and

WHEREAS, Low and Moderate Income Housing funds must be expended on the construction, preservation, and rehabilitation of affordable housing; and

WHEREAS, Senate Bill 450 presents a comprehensive package of reforms relating to how redevelopment agencies expend their housing funds and how the state and others oversee RDA compliance; and

WHEREAS, Senate Bill 450 would enact clear requirements and establish robust oversight mechanisms to ensure that all agencies maximize the use of their Low and Moderate Income funds to produce affordable housing for all income groups.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the Board of Supervisors, by the adoption of this resolution, hereby supports Senate Bill 450 (Lowenthal) regarding redevelopment.

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RESOLUTION NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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RESOLUTION IN SUPPORT OF ASSEMBLY BILL 420 (DAVIS), REDISTRICTING

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, Proposition 11 of 2008, a constitutional amendment, created a 14-member Citizens Redistricting Commission (CRC) and changed the process of drawing geographic boundaries for the state’s legislative districts and four Board of Equalization districts, which is undertaken once every ten years; and

WHEREAS, under current law, (Elections Code Section 2025), incarcerated individuals are deemed to remain legal residents in their home communities, and are not to be considered legal residents of the places where they are confined for the purposes of California’s voter registration laws; and

WHEREAS, for census and redistricting purposes, the state relies on data from the Census Bureau that counts incarcerated persons at their prisons and not at home (or their last known residence); and

WHEREAS, the result has been that minority inmates are counted in districts far from their urban communities resulting in the dilution of the voting strength of African American and Latino communities; and

WHEREAS, Assembly Bill 420 would rectify this problem by requiring the California Department of Corrections and Rehabilitation, each decennial, to timely furnish the CRC information regarding the last known residence of each inmate incarcerated in a state adult correctional facility, except an inmate whose last known residence is outside California, and requesting that the CRC deem an incarcerated person as residing at his or her last known residence in accordance with California's voter registration laws; and

WHEREAS, Assembly Bill 420 will apply to the 2020 census and the subsequent redistricting process, and each census and redistricting process thereafter.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the Board of Supervisors by the adoption of this resolution hereby supports Assembly Bill 420 (Davis) regarding redistricting.

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RESOLUTION NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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**RESOLUTION IN SUPPORT OF SENATE BILL 770 (STEINBERG), HEALTH CARE
COVERAGE: MENTAL ILLNESS: DEVELOPMENTAL DISORDER AND AUTISM**

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, an estimated 1.5 million individuals in the U.S., and tens of millions worldwide, are affected by autism, a developmental disorder that affects the brain's normal development of social and communication skills, and

WHEREAS, the number of children diagnosed with autism spectrum disorders in San Mateo County has increased from 236 in 2000 to 973 in 2009, according to the California Department of Education, and

WHEREAS, Senate Bill 770 would require health insurance plans and health care service plans to provide coverage for behavioral health treatment for pervasive developmental disorder or autism; and

WHEREAS, Senate Bill 770 would require health care service plans and health insurers to maintain an adequate network of qualified autism services providers, and defines this term to include unlicensed providers that are supervised by licensed providers; and

WHEREAS, Senate Bill 770 would define behavioral treatment as evidence-based treatment prescribed by a licensed physician and surgeon and provided by a qualified autism service provider; and

WHEREAS, Senate Bill 770 is intended to ensure that that health plans and insurance companies provide adequate clarity with regard to the issues of coverage for pervasive developmental disorder or autism.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the Board of Supervisors, by the adoption of this resolution, hereby supports Senate Bill 770 (Steinberg) regarding health care coverage, mental illness, developmental disorders and autism.

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