



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Board Report

File #: 17-1161, **Version:** 1

- a. Receive and approve the status report on Board Referral 2017.14, County Mandated Services;
- b. Direct departments to diligently work with staff to complete the referral; and
- c. Provide direction to staff as appropriate.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Receive and approve the status report on Board Referral 2017.14, County Mandated Services;
- b. Direct departments to diligently work with staff to complete the referral; and
- c. Provide direction to staff as appropriate.

SUMMARY:

On April 26, 2017, a member of the Board of Supervisors requested staff to develop a process to identify “Back to Basics” analysis of what are mandatory and discretionary County services. This request was assigned to the CAO-Intergovernmental & Legislative Affairs (IGLA) Office.

On August 29, 2017, the Board of Supervisors approved Board Referral 2017.14, County Mandated Services. The Board Referral is to inform the Board and the public about County mandated services and receive direction about the budgeting process for both mandated and non-mandated programs. Generally, Federal or State Law Mandates, County Self-Imposed Mandates or County Discretionary programs and services do not impose a quantifiable level of service that is required for the County to provide. This referral should show the scope of services provided by the County.

Staff conducted an initial review of the scope of work that will be required to complete the Board Referral. The work entails department analysis and will require several resources to complete the study. Due to time sensitivity and impact on resources to existing department priorities, the Board Referral was divided into two sections:

1. A Board presentation presenting information on core and mandated County responsibilities and services, including Board imposed mandates and discretionary programs; what they are; how they are funded and the function of the County budget process in ensuring funding for our mandated responsibilities.
2. A Board Workshop at a later date to discuss the criteria/guidelines for adding and funding the level of service for mandates and other beneficial, non-mandated services; and the function of the County budget process in prioritizing funds for level of service and non-mandated functions.

Due to timing and an effort to meet the target response date, staff is presenting the list of vetted department programs/services by type as the first in a series of presentations on County Mandated Services.

DISCUSSION:

Early in 2017, the Board of Supervisors requested staff to research, analyze and develop a process to identify County mandates and incorporate a process to use this information with the budget allocation process.

On August 29, 2017, Board Referral 2017.14 was approved. The referral requests staff to inform the Board and the public about County mandated services and receive Board direction regarding the budgeting process for non

-mandated programs. California counties are responsible for three general areas of municipal services:

1. Delegated state and federal programs;
2. Countywide public services; and
3. Essential services for residents not receiving those services from a city or special district.

Generally, mandates are laws passed by Congress or the State of California Legislature or regulations issued by agencies that direct counties to undertake specified governmental actions with or without funding. To that end, typically there is often not a specified minimum level of service that is required for the County to provide that service.

Early in the process, staff determined that the understanding of mandates correlated with municipal revenues is a complex issue which will require a significant amount of staff time and resources. During the period of September - October 31, 2017, CAO-IGLA and County Counsel staff logged hours 268 hours of work time dedicated to this request. Staff will continue to track work time during this project. The estimated time does not include individual department hours. Phase One of the study will include, but not be limited, to the following.

Phase One

1. Departments will identify mandates by program or service area and provide the legal citation crediting and referencing the authoritative documents and sources.
2. CAO-IGLA and County Counsel will review and vet the department lists.
3. Based on the vetting, each program/service and citation will be categorized with a Criteria Type.

Criteria Type

Criteria Type Definition

Mandatory

Programs or services that are required by federal or state law.

Self-Imposed
Mandates

Programs or services that are mandated by Board action (See Board Resolutions, County Code or General Plan) or that are a current County functions that once undertaken must meet statutes or regulation (e.g. hospital staffing levels).

Discretionary

Programs or services that are optional at the discretion of the department or Board of Supervisors.

Needs More
Research (NMR)

This citation required additional research and work between departments, County Counsel and IGLA staff.

4. Staff will report the Monterey County Mandates and request additional direction, if needed.
5. Staff will continue to work with departments and County Counsel to resolve all the NMR Criteria Types.
6. Staff will continue to work with departments and County Counsel in reviewing the list and make changes, as agreed and necessary.
7. Staff will work with departments to identify high level funding streams for each mandatory, self-imposed mandate, or discretionary program/service.
8. Staff will formulate a high-level process map to correlate Monterey County Core Services with the Budget Process and present to the Board of Supervisors.

Staff recommends that all departments diligently and collaboratively work with the CAO-IGLA Office to

complete this referral. Staff will return to the Board of Supervisors with an update on Phase One Step Nos. 4-8 in early 2018.

OTHER AGENCY INVOLVEMENT:

All County departments have been involved in the process of identifying programs and services with related citations. County Counsel assisted in vetting the lists and made appropriate corrections.

FINANCING:

Receiving and approving this report will not result in additional general fund contributions.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

All departments submitted mandates by program/service area. County Counsel assisted in reviewing and vetting the list.

Mark a check to the related Board of Supervisors Strategic Initiatives:

- ☒ Economic Development
- ☒ Administration
- ☒ Health & Human Services
- ☒ Infrastructure
- ☒ Public Safety

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cc: Charles McKee, County Counsel
Dewayne Woods, Assistant County Administrative Officer

Attachments: A - Board Referral No. 2017.14
B - Monterey County Programs and Services by Criteria Type.