

## AGENDA

## ASSEMBLY BUDGET SUBCOMMITTEE NO. 5

## PUBLIC SAFETY

ASSEMBLYMEMBER NORA CAMPOS, CHAIR

MONDAY, APRIL 4, 2016

2:30 P.M. – CALIFORNIA STATE CAPITOL ROOM 437

VOTE ONLY ITEMS		
ITEM	DESCRIPTION	
<b>0690</b>	<b>Office of Emergency Services</b>	<b>1</b>
ISSUE 1	CALIFORNIA SEXUAL VIOLENCE VICTIM SERVICES FUND - CHAPTER 366, STATUTES OF 2014 (SB 782, DE SAULNIER)	1
ISSUE 2	Proposition 1B Reduction	2
ISSUE 3	PUBLIC SAFETY COMMUNICATIONS OFFICE TRANSFER	3
<b>7870</b>	<b>Victim Compensation and Government Claims Board</b>	<b>4</b>
ISSUE 4	SHIFT GOVERNMENT CLAIMS PROGRAM TO THE DEPARTMENT OF GENERAL SERVICES	4
ISSUE 5	INCREASE SUPPORT TO JOINT POWERS AND CRIMINAL RESTITUTION COMPACTS	5

DISCUSSION ITEMS		
ITEM	DESCRIPTION	
<b>0690</b>	<b>Office of Emergency Services</b>	<b>6</b>
ISSUE 1	Drought Funding	6
ISSUE 2	Youth Crisis Line/ Homeless Youth and Exploitation Program	9
ISSUE 3	Capital Outlay	11

**VOTE ONLY ITEMS****(ALL VOTE ONLY ITEMS ARE SUBJECT TO FURTHER DISCUSSION WITHOUT NOTICE)****0690 OFFICE OF EMERGENCY SERVICES**

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<b>VOTE ONLY ISSUE 1: CALIFORNIA SEXUAL VIOLENCE VICTIM SERVICES FUND - CHAPTER 366, STATUTES OF 2014 (SB 782, DE SAULNIER)</b>
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**Request:** The Office of Emergency Services requests \$250,000 in expenditure authority to allow disbursements from the California Sexual Violence Victim Services Fund.

**Background:** SB 782 (2014 - De Saulnier) allows an individual to designate on his or her tax return that a specified amount be transferred to the California Sexual Violence Victim Services Fund, which was created by the bill.

SB 782 specified that moneys in the California Sexual Violence Victim Services Fund, upon appropriation by the Legislature, must be allocated to the Office of Emergency Services for distribution under a grant program to specified rape crisis centers.

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**Staff Recommendation: Approve as budgeted**

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<b>VOTE ONLY ISSUE 2: PROPOSITION 1B REDUCTION</b>
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**Request:** The Office of Emergency Services requests a reduction of \$20 million in 2016-17 and \$80 million in 2017-18 (Proposition 1B Bond funding) to align expenditure authority with the level of expenditures projected for the last two years of the program.

**Background:** The Highway Safety, Traffic Reduction, Air Quality and Port Security Bond Act of 2006 (Proposition 1B - 2006), authorized the issuance of \$19.9 billion in general obligation bonds over the course of ten years for specified purposes including grants for transit system safety, security and disaster response projects.

Government Code section 8879.23(h) directed \$1 billion be deposited in the Transit System Safety, Security, and Disaster Response Account (TSSSDRA). The Proposition 1B program, administered by Cal OES, draws funding from the TSSSDRA to allow for an allocation of \$100 million for each of the program's 10-year lifespan.

*Total program funding available over 10 years: \$1 billion*

*Maximum available for State Operations (Administration): \$30 million (3%)*

*Minimum available for Local Assistance: \$970 million (97%)*

<b>Fiscal Years</b>	<b>Local Assistance</b>	<b>State Ops (Administration)</b>	<b>Total Expenditures</b>
<b>SFY 2007-08</b>	\$100,000,000	\$ 503,000	\$ 100,503,000
<b>SFY 2008-09</b>	\$100,000,000	\$ 402,000	\$ 100,402,000
<b>SFY 2009-10</b>	\$100,000,000	\$ 1,416,000	\$ 101,416,000
<b>SFY 2010-11</b>	\$100,000,000	\$ 2,287,000	\$ 102,287,000
<b>SFY 2011-12</b>	\$100,000,000	\$ 2,015,000	\$ 102,015,000
<b>SFY 2012-13</b>	\$100,000,000	\$ 1,188,000	\$ 101,188,000
<b>SFY 2013-14</b>	\$100,000,000	\$ 769,000	\$ 100,769,000
<b>SFY 2014-15</b>	\$100,000,000	\$ 839,000	\$ 100,839,000
<b>SFY 2015-16</b>	\$100,000,000	\$ 2,723,000	\$ 102,723,000
<b>SFY 2016-17</b>	\$ 80,000,000	\$ 2,726,000	\$ 82,726,000
<b>SFY 2017-18</b>	\$ -	\$ 5,132,000	\$ 5,132,000
<b>Total</b>	<b>\$980,000,000</b>	<b>\$ 20,000,000</b>	<b>\$ 1,000,000,000</b>

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**Staff Recommendation: Approve as budgeted**

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**VOTE ONLY ISSUE 3: PUBLIC SAFETY COMMUNICATIONS OFFICE TRANSFER**

**Request:** The Office of Emergency Services requests 1.0 permanent position and \$83,000 to be transferred from the Department of Technology (CDT), the creation of a new Public Safety Communications Revolving Fund (9751), to be administered by Cal OES, and the transfer of existing funds from the Technology Services Revolving Fund (TSRF, 9730). This request completes the transfer of Public Safety Communications from CDT to Cal OES, initiated July 1, 2013.

**Background:** This proposal represents the last step to complete the Governor's Reorganization Plan of 2012 for the transfer of Public Safety Communications to Cal OES. CDT has maintained 1.0 Accounting Officer (Specialist) position to update accounts receivable, transfer funds through the State Controller's Office, deposit payments made outside of the transfer process, monitor and manage the monthly reconciliation of cash and coordinate the annual reconciliation of retained earnings in compliance with the federal Office of Management and Budget Circular A-87 for Cal OES.

Cal OES and PSC work with the same public safety agencies at the local, state and federal levels to achieve interoperability, reliability, and sustainability of public safety radio communications program initiatives. Finalizing the integration of PSC within Cal OES provides the greatest direct benefit to the State's first responder network by ensuring the coordinated implementation of California's safety network.

In order to ensure a successful transition of PSC to Cal OES, the transition was conducted in phases. Since Cal OES had never worked with an internal service fund, both departments agreed that PSC staff would be transferred to Cal OES but CDT would continue to administer PSC revenues deposited into the TSRF.

Currently, Cal OES collects financial information and sends invoices to customers monthly. The invoices for state agencies are collected through fund transfers made by the State Controller's Office. These invoices, except for fixed rate program cost recovery (radio maintenance, California Multiple Agency Radio Systems, and Microwave Program), are billed three to four months in arrears due to the length of time to collect information and create an invoice. These costs are typically the project services requested by clients and provided by PSC. Nearly one-half of PSC's expenditure authority and revenue is related to project services. At year-end, there are typically three months of expenses PSC owes and/or has paid but have not been collected. These costs cannot be determined and collected until the project services are actually provided. This outstanding receivable creates a cash flow issue.

To mitigate this issue of delayed billing/collections, Cal OES is proposing provisional language to allow for borrowing General Fund dollars for cash flow purposes, to assure adequate funding is available to maintain the program. The borrowed funds would be required to be repaid four months after year-end (October 31, 2017 for the 2016-17 fiscal year).

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**Staff Recommendation: Approve as budgeted**

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**7870 Victim Compensation and Government Claims Board****VOTE ONLY ISSUE 4: SHIFT GOVERNMENT CLAIMS PROGRAM TO THE DEPARTMENT OF GENERAL SERVICES**

**Request:** The Victim Compensation and Government Claims Board (VCGCB) requests the elimination of \$1,359,000 and 9.0 positions in reimbursement authority; the transfer of all Government Claims Programs (GCP) and related statutory authorities to the Department of General Services (DGS), (excluding Penal Code section 4900 claims); and an augmentation of \$121,000 General Fund to support the current staff processing Penal Code section 4900 claims.

Transferring the GCP to DGS will provide a stable, ongoing funding source and will better align the GCP with the department that processes and resolves other claims against the State.

**Background:** As part of the 2015-16 Budget, the Legislature agreed to shift the Government Claims Program from the Victim Compensation and Government Claims Board to the Department of General Services (beginning in 2016-17).

Specifically, the Assembly's Action was as follows:

- 1) *Approve Governor's proposal to shift Government Claims Program to DGS.*
- 2) *Approve the Governor's proposal to partially fund the program with the DGS statewide surcharge in 2015-16.*
- 3) *Adopt an alternative to the Governor's ongoing funding proposal beginning in 2016-17, by approving a funding structure that continues to incentivize desired behaviors.*

**STAFF COMMENTS**

As in prior years, staff remains concerned with the idea that departments would no longer be held individually responsible for their actions resulting in claims and litigation against the state. Meanwhile, state entities operating in a manner that avoids claims and litigation against the state would be forced to shoulder additional costs. Furthermore, based on claim filing data, it appears the fee and surcharge have been effective in reducing the number of claims filed against the state. It would be unfortunate if the proposed change resulted in a rebound in the number of claims filed against the state.

**Staff Recommendation: Approve funding and retain an instrument for incentivizing departments to avoid claims and litigation against the state.**

**VOTE ONLY ISSUE 5: INCREASE SUPPORT TO JOINT POWERS AND CRIMINAL RESTITUTION  
COMPACTS**

**Request:** This proposal requests an increase of \$707,000 from the Restitution Fund (Fund) to the Local Assistance portion of the Victim Compensation and Government Claims Boards (VCGCB) budget beginning in FY16-17. The Local Assistance line item supports the California Victim Compensation Program (CalVCP) Joint Powers (JPs) contracts and the Criminal Restitution Compact (CRCs) contracts.

This increase is needed to maintain the current level of services provided to VCGCB under these contracts. The JP contracts would be increased by \$578,451 and the CRC contracts would be increased by \$128,549.

**Background:** The economic downturn of 2008 and 2009 affected county governments in 2010 and 2011, at the same time that the Local Assistance item in VCGCB's budget incurred a five percent across-the-board reduction. The requested resources will assist the counties' JP and CRC offices in meeting their obligations to fund the annual rise in wages, benefits, and operating costs.

Most of the JP contracted staff and all of the CRC staff are county employees. Their wage increases and benefit levels are strictly governed by civil service systems at the county level. In some counties, county budget problems have reduced the amount of in-kind support the counties have been able to provide to JPs, so more of the contract funds have been devoted to operating expenses such as rent and utilities, resulting in further reductions in staff. Additionally, JPs and CRCs have been forced to redirect funds, and not to fill positions as turnover occurs, due to annual increases in operating costs. If the funding for JP contracts is not increased at some point and erosion in the number of contracted staff continues, processing time of applications will be affected.

VCGCB received federal funding beginning in FFY 2013-2014 that is expected to foster an increase in applications. Vision 21, a report authored by the federal Office for Victims of Crime (OVC), calls for states to engage in research and strategic planning efforts to more completely meet crime victim needs. In conjunction with Vision 21, in 2013, CalVCP was awarded a federal grant to perform an analysis of compensation usage in California, identify underserved victim communities and assess crime victims' unmet needs. The results of that study has led to implementation of strategies that will increase the number of victims CalVCP reaches and will likely bring new applicants into the program. As part of the grant, CalVCP is also increasing training and executing a robust collaboration plan to reach new partners in community-based organizations across the state. CalVCP is in the process of translating the victim compensation application, correspondence and outreach materials into 13 languages.

It will be crucial to prevent further loss of contracted staff to maintain efficient processing times and keep up with an expanded caseload of victims from underserved communities. The proposed resources will at least maintain staffing at the JP and CRC offices at their current level for the next several years.

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**Staff Recommendation: Approve as budgeted**

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**DISCUSSION ITEMS****0690 OFFICE OF EMERGENCY SERVICES**

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**DISCUSSION ISSUE 1: DROUGHT FUNDING**

The Office of Emergency Services will open this issue with a brief discussion on the proposal to provide the Office with requests \$4.5 million (General Fund) in 2016-17 to cover operating costs associated with the ongoing drought in California.

This proposal also includes \$22.2 million (General Fund) to continue supporting local jurisdiction utilization of the California Disaster Assistance Act (CDAA) program.

**PANELISTS**

- Office of Emergency Services
- Department of Finance
- Legislative Analyst's Office
- Public Comment

**BACKGROUND**

On December 17, 2013, Governor Brown directed Cal OES, the Department of Food and Agriculture, State Water Resources Control Board (SWRCB), and Department of Water Resources (DWR) to convene an inter-agency Drought Task Force to meet weekly and review expected water allocations, California's state of preparedness and whether conditions warrant declaration of a statewide drought. This direction also included coordination with federal and local agencies to respond to water shortages and protect people and natural resources. On January 17, 2014, Governor Brown proclaimed a state of emergency due to the current drought.

In early January 2014, Cal OES activated the State Operations Center and Regional Operations Centers to assist local government agencies with Local Assistance Centers. The State and Regional Offices facilitate assistance to local jurisdictions and Local Assistance Centers that provide local communities with technical guidance and disaster recovery support. This support includes staff working in the State Operations Center supporting local operational areas (e.g. counties) and their political subdivisions (e.g. cities) and citizens and Public Assistance/Individual Assistance staff supporting the response and recovery phases of the drought.

On September 19, 2014, Governor Brown proclaimed Cal OES shall provide local government assistance as it deems appropriate for the purposes of providing temporary water supplies to households without water for drinking and sanitation purposes under

the authority of the CDAA. Additionally, on April 1, 2015, Governor Brown directed SWRCB to implement mandatory water reductions in cities and towns across California to reduce water usage by 25 percent.

Under the CDAA program, the state can provide funding to cities, counties, special districts, school districts, community colleges and certain private non-profits for cost effective emergency distribution of water to households. In general, the state's share is no more than 75 percent of total eligible costs. A private non-profit providing assistance at the request of local government may be reimbursed for 100 percent of extraordinary costs associated with the distribution of water to households for drinking and/or sanitation. Examples of eligible costs include, but are not limited to:

- Temporary connections to existing public water lines,
- Emergency water supplies for sanitation, such as providing portable toilets,
- Portable showers or laundry services in a centralized location; and/or
- Installation and removal of temporary water tanks to provide potable water to households for drinking and sanitation.

In SFY 2015-16, Cal OES was appropriated \$22.2 million specifically for drought related local assistance reimbursement through the CDAA program.

This proposal is to fund the extraordinary costs Cal OES anticipates related to the continued drought response. Since this is a state declared emergency, federal funds are not available at this time to cover the extraordinary costs. Due to the severity of California's drought conditions, the State Operations Center and Regional Operation Centers continue to be activated and are providing coordination response to drought issues throughout the state. The Public and Individual Assistance Programs in Cal OES are responding to Local Assistance Centers to help those impacted by insufficient water, lost crops, and lost jobs due to the drought.

Cal OES currently has \$39.1 million appropriated for disaster local assistance. Cal OES uses this funding to provide the state's share of previously proclaimed disasters (e.g., Northridge Earthquake, Napa Earthquake) as projects are completed, and to reimburse local agencies.

In SFY 2015-16, Cal OES received an appropriation of \$22.2 million specifically for drought local assistance. The appropriation has been used for the Temporary Tank (TT) program. As of December 9, 2015, there are 2,588 reported dry wells impacting 12,940 residents statewide. The TT program has installed and/or serviced 868 tanks. Cal OES provided CDAA funding for emergency water supplies to households without water for drinking and/or sanitation purposes (typically private non-profits), to the following counties: Fresno, Kern, Madera, Mariposa, Merced, Stanislaus, Tulare, and Tuolumne.

These reimbursements were for extraordinary expenses including, installation of group site showers and toilet facilities, purchase and installation of tank systems at individual households, and delivery of potable water to individual households, for trucking, site preparation for homes without water for drinking and for sanitation purposes, as well as bulk water facilities.

This proposal is for funding to continue providing services for the TT program. The CDAA guidelines have been updated for the TT program whereby more individual households will be eligible to take advantage of the program, therefore Cal OES will have on-going costs for the same purposes as noted above. As drought conditions are continuing, at this time Cal OES projects SFY 2016-17 will have not only the same number of affected residences as SFY 2015-16, which require ongoing services, but an equal number of additional households/individuals in need of these program services. Therefore, Cal OES fully expects the services currently being provided to affected households will double in SFY 2016-17.

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**Staff Recommendation: Approve as budgeted**

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**DISCUSSION ISSUE 2: YOUTH CRISIS LINE/ HOMELESS YOUTH AND EXPLOITATION PROGRAM**

The Office of Emergency Services will open this item with a brief overview of the California Youth Crisis Line and Homeless Youth and Exploitation Programs.

**PANELISTS**

- Office of Emergency Services
- Kimberly Lewis, Legislative Advocate, California Coalition for Youth
- Department of Finance
- Legislative Analyst's Office
- Public Comment

**BACKGROUND****Youth Emergency Telephone Referral Network**

The Youth Emergency Telephone Referral Network, now called the California Youth Crisis Line (CYCL), is the only 24-hour statewide, toll free comprehensive source for referrals, information and crisis counseling for youth, parents, law enforcement, and community members concerned about the youth of California. The Crisis Line has been in operation since 1986. Professionally-trained staff and volunteer counselors respond to 20,000 calls annually with crisis intervention counseling and resource referrals to service providers in the caller's local community. The Crisis Line has access to more than 5,500 free or low-cost resources for youth and families across California.

For the current budget year, funding was increased by \$200,000, for a total General Fund appropriation of \$314,000. At this level of funding, CYCL is able to:

- Focus on outreach, which has resulted in an increase in calls by over 40% over the same time period of last year.
- Move towards providing chat and text as a means of communicating with our callers. The new funding provided for implementation of the new program overall and specific training for the counselors on counseling through chat/text. The Chat and Text Counseling Program begins in February 2016.
- Transition the website to be viewed on mobile devices, which is critical for youth who communicate by phone.
- Plan for a statewide advertising campaign to raise awareness about CYCL. The campaign launches in March 2016 and concludes in June 2016.

The Governor's 2016-17 State Budget does not include a continuation of the additional \$200,000, taking the state funding for the CYCL back to \$114,000. The lower funding level will result in:

- Discontinuation of providing chat and text counseling as an option. The advertising campaign which raised the awareness of this availability will result in texts not being answered.
- Letting go one of the two Lead Counselors provided for as part of the new funding.

### **Homeless Youth and Exploitation Program (HYEP)**

The Homeless Youth and Exploitation (HX) Program was developed pursuant to the 1986 Welfare and Institutions Code §13703 and California Penal Code §13837. The HX Program assists homeless youth in exiting street life and provides specialized services to youth involved in sexually exploitive activities.

A youth is considered homeless if he/she is under the age of 24 and does not have a permanent residence, has run away from home, has been pushed out of his/her home by parents or guardians, has aged out of the foster care system and is now homeless, is living in a shelter, and/or is living on the streets. A youth is sexually exploited if he/she is under the age of 18 and exchanges sexual favors for money, shelter, clothing, and/or other goods/services. Also included in this criterion is a youth who is involved in commercial exploitation such as stripping or pornography.

Services provided through the HX Program include:

- Food;
- Shelter;
- Counseling;
- Outreach services;
- Referrals to other agencies;
- Screening for basic health needs and
- Long-term stabilization planning.

In addition to the above services, the HX Program educates the public on the issues and dangers that homeless youth in California, and elsewhere throughout the nation, confront each day.

The HYEP was provided with \$721,500 from the State Victim Witness Assistance Fund and \$356,000 from General Fund in 2015-16. This amount of funding supports four organizations, which per statute, must serve the counties of Los Angeles, San Diego, San Francisco, and Santa Clara.

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#### **Staff Recommendation:**

- 1) Extend \$200,000 appropriation for CYCL into for one year.**
  - 2) Hold Homeless Youth and Exploitation Program issue open**
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**DISCUSSION ISSUE 3: CAPITAL OUTLAY**

The Office of Emergency Services will open this item with a brief overview of the department's Capital Outlay proposals.

**PANELISTS**

- Judicial Council
- Department of Finance
- Legislative Analyst's Office
- Public Comment

**BACKGROUND**

**Relocation of Red Mountain Communications Site, Del Norte County.** The Office of Emergency Services requests reappropriation of the 2015-16 appropriation for the Relocation of Red Mountain Communications Site project to allow completion of the working drawings phase. This reappropriation is necessary due to delays encountered during the preliminary plans phase associated with securing an architectural and engineering contract and pursuing long-term leases for two of the three new sites. These delays will result in the working drawings phase starting later than previously anticipated.

The item requested for reappropriation is: Item 0690-301-0001, Budget Act of 2015 (Chapters 10 and 11, Statutes of 2015) \$1,261,000.

**Southern Region Emergency Operations Center Replacement. Los Alamitos.** This proposal requests funding to design and construct a new Southern Region Emergency Operations Center at the Joint Forces Training Base in Los Alamitos. The scope of the project includes design and construction of a new approximately 30,000 square foot building that meets the requirements of the Essential Services Buildings Seismic Safety Act of 1986 and serves as an alternate State Operations Center. This new building will replace the two existing modular buildings totaling approximately 7,200 square feet that are also located at the base. This proposal requests funding in fiscal year 2016-17 for the working drawings phase of this project.

The total estimated project cost is \$24.6 million.

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**Staff Recommendation: Approve as Budgeted**

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