



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



DATE: January 31, 2012
BOARD MEETING DATE: February 14, 2012
SPECIAL NOTICE/HEARING: None
VOTE REQUIRED: Majority

TO: Honorable Board of Supervisors
FROM: John L. Maltbie, Acting County Manager
SUBJECT: County Manager's Report #2

A. Agreement with Political Solutions, Inc.

RECOMMENDATION:

Adopt a Resolution waiving the Request for Proposals (RFP) process and authorizing the County Manager to execute an agreement with Political Solutions, Inc. for state advocacy services for the term of January 1, 2012 through December 31, 2012, in the amount of \$157,500.

BACKGROUND:

Since May 2009, after a request for proposals, your Board authorized the County Manager to contract with Political Solutions, Inc. for state advocacy services. Since then, your Board has renewed the County's contract with Political Solutions, Inc. on an annual basis.

DISCUSSION:

Political Solutions, Inc. has successfully served as the County's state legislative advocacy firm for over two and a half years. In 2012, staff recommends a modest 5 percent increase in the contract amount for state advocacy services. The new contract total with Political Solutions, Inc. will not exceed \$157,500, or \$13,125 per month.

Approval of this Resolution contributes to the Shared Vision of 2025 of a Collaborative Community by ensuring that the interests of the residents of San Mateo County are effectively represented in the state capitol. The Resolution has been reviewed and approved as to form by County Counsel.

Performance Measure(s):

Measure	FY 2010-11 Actual	FY 2011-12 Projected
Federal/State Measures analyzed and acted on	48	50

FISCAL IMPACT:

The total cost to the County will be \$157,500 per year, \$13,125 per month. Funding was included in the FY 2011-12 County Budget.

B. Resolution approving the 2012 Legislative Program for San Mateo County**RECOMMENDATION:**

Adopt a resolution approving the 2012 State Legislative Program for San Mateo County.

BACKGROUND:

The 2012 Legislative Program articulates the state and federal legislative priorities for the County. These priorities, in combination with positions taken by the Board of Supervisors, guide the County's legislative advocacy efforts.

DISCUSSION:

In addition the state legislative priorities in the proposed 2012 Legislative Program and consistent with previously adopted legislative policies, the County will advocate for the following: 1) passage of a measure to allow the County to conduct an all mail-in ballot for a yet-to-be determined election; 2) health care district reform; and 3) changes to the AB 900 Local Jail Construction Funding program to expedite the use of these funds by counties in a position to construct facilities.

The Legislative Committee reviewed the proposed 2012 Legislative Program and recommends its approval.

Approval of this resolution contributes to the Shared Vision of 2025 of a Collaborative Community by providing the County with a basic policy framework on the Board of Supervisor's positions on a range of proposals, priorities and policies that impact the County. The resolution has been reviewed and approved as to form by County Counsel.

Performance Measure(s):

Measure	FY 2010-11 Actual	FY 2011-12 Projected
Federal/State Measures analyzed and acted on	48	50

FISCAL IMPACT:

None.

RESOLUTION NO. _____

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

*** * * * ***

**RESOLUTION AUTHORIZING THE COUNTY MANAGER TO EXECUTE AN
AGREEMENT WITH POLITICAL SOLUTIONS, INC. FOR STATE ADVOCACY
SERVICES FOR THE TERM OF JANUARY 1, 2012 THROUGH DECEMBER 31,
2012, IN THE AMOUNT OF \$157,500**

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

WHEREAS, following a request for proposals process in April 2009, the Board of Supervisors authorized the County Manager to contract with Political Solutions, Inc. for state advocacy services; and

WHEREAS, Political Solutions, Inc. has successfully served as the County's legislative advocates for a period of over two and a half years; and

WHEREAS the Legislative Committee has recommended renewal of their contract in 2012; and

WHEREAS, it is in the County's best interest to continue to contract with Political Solutions, Inc., for state advocacy services, and thus, has waived the RFP process; and

WHEREAS, the Board has been presented with a form of the Agreement and has examined and approved it as to both form and content and desires to enter into it.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the County Manager is hereby authorized and directed to execute an agreement for state legislative advocacy services with Political Solutions, Inc. for and on behalf of the County of San Mateo.

* * * * *

**AGREEMENT BETWEEN THE COUNTY OF SAN MATEO AND
POLITICAL SOLUTIONS, INC.**

THIS AGREEMENT, entered into this _____ day of _____, 20_____,
by and between the COUNTY OF SAN MATEO, hereinafter called "County," and Political
Solutions, hereinafter called "Contractor";

W I T N E S S E T H:

WHEREAS, pursuant to Government Code, Section 31000, County may contract
with independent contractors for the furnishing of such services to or for County or any
Department thereof;

WHEREAS, it is necessary and desirable that Contractor be retained for the purpose
of state advocacy (lobbying) services.

**NOW, THEREFORE, IT IS HEREBY AGREED BY THE PARTIES HERETO
AS FOLLOWS:**

1. Exhibits and Attachments

The following exhibits and attachments are included hereto and incorporated by reference
herein:

Exhibit A—Services

Exhibit B—Payments and rates

2. Services to be performed by Contractor

In consideration of the payments set forth herein and in Exhibit "B," Contractor shall
perform services for County in accordance with the terms, conditions and specifications set
forth herein and in Exhibit "A."

3. Payments

In consideration of the services provided by Contractor in accordance with all terms,
conditions and specifications set forth herein and in Exhibit "A," County shall make payment
to Contractor based on the rates and in the manner specified in Exhibit "B." The County
reserves the right to withhold payment if the County determines that the quantity or quality
of the work performed is unacceptable. In no event shall the County's total fiscal obligation
under this Agreement exceed ONE HUNDRED AND FIFTY SEVEN THOUSAND, FIVE
HUNDRED DOLLARS, \$157,500.00.

4. Term and Termination

Subject to compliance with all terms and conditions, the term of this Agreement shall be from January 1, 2012 through December 31, 2012.

This Agreement may be terminated by Contractor, the Deputy County Manager for Intergovernmental and Public Affairs or his/her designee at any time without a requirement of good cause upon thirty (30) days' written notice to the other party.

In the event of termination, all finished or unfinished documents, data, studies, maps, photographs, reports, and materials (hereafter referred to as materials) prepared by Contractor under this Agreement shall become the property of the County and shall be promptly delivered to the County. Upon termination, the Contractor may make and retain a copy of such materials. Subject to availability of funding, Contractor shall be entitled to receive payment for work/services provided prior to termination of the Agreement. Such payment shall be that portion of the full payment which is determined by comparing the work/services completed to the work/services required by the Agreement.

5. Availability of Funds

The County may terminate this Agreement or a portion of the services referenced in the Attachments and Exhibits based upon unavailability of Federal, State, or County funds, by providing written notice to Contractor as soon as is reasonably possible after the County learns of said unavailability of outside funding.

6. Relationship of Parties

Contractor agrees and understands that the work/services performed under this Agreement are performed as an independent Contractor and not as an employee of the County and that Contractor acquires none of the rights, privileges, powers, or advantages of County employees.

7. Hold Harmless

Contractor shall indemnify and save harmless County, its officers, agents, employees, and servants from all claims, suits, or actions of every name, kind, and description, brought for, or on account of: (A) injuries to or death of any person, including Contractor, or (B) damage to any property of any kind whatsoever and to whomsoever belonging, (C) any sanctions, penalties, or claims of damages resulting from Contractor's failure to comply with the requirements set forth in the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and all Federal regulations promulgated thereunder, as amended, or (D) any other loss or cost, including but not limited to that caused by the concurrent active or passive negligence of County, its officers, agents, employees, or servants, resulting from the performance of any work required of Contractor or payments made pursuant to this Agreement, provided that this shall not apply to injuries or damage for which County has been found in a court of competent jurisdiction to be solely liable by reason of its own negligence or willful misconduct.

The duty of Contractor to indemnify and save harmless as set forth herein, shall include the duty to defend as set forth in Section 2778 of the California Civil Code.

8. Assignability and Subcontracting

Contractor shall not assign this Agreement or any portion thereof to a third party or subcontract with a third party to provide services required by contractor under this Agreement without the prior written consent of County. Any such assignment or subcontract without the County's prior written consent shall give County the right to automatically and immediately terminate this Agreement.

9. Insurance

The Contractor shall not commence work or be required to commence work under this Agreement unless and until all insurance required under this paragraph has been obtained and such insurance has been approved by Risk Management, and Contractor shall use diligence to obtain such insurance and to obtain such approval. The Contractor shall furnish the County with certificates of insurance evidencing the required coverage, and there shall be a specific contractual liability endorsement extending the Contractor's coverage to include the contractual liability assumed by the Contractor pursuant to this Agreement. These certificates shall specify or be endorsed to provide that thirty (30) days' notice must be given, in writing, to the County of any pending change in the limits of liability or of any cancellation or modification of the policy.

- (1) **Worker's Compensation and Employer's Liability Insurance** The Contractor shall have in effect during the entire life of this Agreement Workers' Compensation and Employer's Liability Insurance providing full statutory coverage. In signing this Agreement, the Contractor certifies, as required by Section 1861 of the California Labor Code, that it is aware of the provisions of Section 3700 of the California Labor Code which requires every employer to be insured against liability for Worker's Compensation or to undertake self-insurance in accordance with the provisions of the Code, and I will comply with such provisions before commencing the performance of the work of this Agreement.
- (2) **Liability Insurance** The Contractor shall take out and maintain during the life of this Agreement such Bodily Injury Liability and Property Damage Liability Insurance as shall protect him/her while performing work covered by this Agreement from any and all claims for damages for bodily injury, including accidental death, as well as any and all claims for property damage which may arise from contractors operations under this Agreement, whether such operations be by himself/herself or by any sub-contractor or by anyone directly or indirectly employed by either of them. Such insurance shall be combined single limit bodily injury and property damage for each occurrence and shall be not less than the amount specified below.

Such insurance shall include:

- | | |
|---|-------------|
| (a) Comprehensive General Liability | \$1,000,000 |
| (b) Motor Vehicle Liability Insurance | \$1,000,000 |
| (c) Professional Liability | \$1,000,000 |

County and its officers, agents, employees and servants shall be named as additional insured on any such policies of insurance, which shall also contain a provision that the insurance afforded thereby to the County, its officers, agents, employees and servants shall be primary insurance to the full limits of liability of the policy, and that if the County or its officers and employees have other insurance against the loss covered by such a policy, such other insurance shall be excess insurance only.

In the event of the breach of any provision of this section, or in the event any notice is received which indicates any required insurance coverage will be diminished or canceled, the County of San Mateo at its option, may, notwithstanding any other provision of this Agreement to the contrary, immediately declare a material breach of this Agreement and suspend all further work pursuant to this Agreement.

10. Compliance with laws; payment of Permits/Licenses

All services to be performed by Contractor pursuant to this Agreement shall be performed in accordance with all applicable Federal, State, County, and municipal laws, including, but not limited to, Health Insurance Portability and Accountability Act of 1996 (HIPAA) and all Federal regulations promulgated thereunder, as amended, and the Americans with Disabilities Act of 1990, as amended, and Section 504 of the Rehabilitation Act of 1973, as amended and attached hereto and incorporated by reference herein as Attachment "I," which prohibits discrimination on the basis of handicap in programs and activities receiving any Federal or County financial assistance. Such services shall also be performed in accordance with all applicable ordinances and regulations, including, but not limited to, appropriate licensure, certification regulations, provisions pertaining to confidentiality of records, and applicable quality assurance regulations. Further, Contractor certifies that the Contractor and all of its subcontractors will adhere to all applicable provisions of Chapter 4.106 of the San Mateo County Ordinance Code, which regulates the use of disposable food service ware.

In the event of a conflict between the terms of this agreement and State, Federal, County, or municipal law or regulations, the requirements of the applicable law will take precedence over the requirements set forth in this Agreement.

Contractor will timely and accurately complete, sign, and submit all necessary documentation of compliance.

11. Non-Discrimination and Other Requirements

- A. *Section 504 applies only to Contractor who are providing services to members of the public.* Contractor shall comply with § 504 of the Rehabilitation Act of 1973, which provides that no otherwise qualified handicapped individual shall, solely by reason of a disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination in the performance of this Agreement.
- B. *General non-discrimination.* No person shall, on the grounds of race, color, religion, ancestry, gender, age (over 40), national origin, medical condition (cancer), physical or mental disability, sexual orientation, pregnancy, childbirth or related medical condition, marital status, or political affiliation be denied any benefits or subject to discrimination under this Agreement.

- C. *Equal employment opportunity.* Contractor shall ensure equal employment opportunity based on objective standards of recruitment, classification, selection, promotion, compensation, performance evaluation, and management relations for all employees under this Agreement. Contractor's equal employment policies shall be made available to County of San Mateo upon request.
- D. *Violation of Non-discrimination provisions.* Violation of the non-discrimination provisions of this Agreement shall be considered a breach of this Agreement and subject the Contractor to penalties, to be determined by the County Manager, including but not limited to
 - i) termination of this Agreement;
 - ii) disqualification of the Contractor from bidding on or being awarded a County contract for a period of up to 3 years;
 - iii) liquidated damages of \$2,500 per violation;
 - iv) imposition of other appropriate contractual and civil remedies and sanctions, as determined by the County Manager.

To effectuate the provisions of this section, the County Manager shall have the authority to examine Contractor's employment records with respect to compliance with this paragraph and/or to set off all or any portion of the amount described in this paragraph against amounts due to Contractor under the Contract or any other Contract between Contractor and County.

Contractor shall report to the County Manager the filing by any person in any court of any complaint of discrimination or the filing by any person of any and all charges with the Equal Employment Opportunity Commission, the Fair Employment and Housing Commission or any other entity charged with the investigation of allegations within 30 days of such filing, provided that within such 30 days such entity has not notified Contractor that such charges are dismissed or otherwise unfounded. Such notification shall include the name of the complainant, a copy of such complaint, and a description of the circumstance. Contractor shall provide County with a copy of their response to the Complaint when filed.

- E. *Compliance with Equal Benefits Ordinance.* With respect to the provision of employee benefits, Contractor shall comply with the County Ordinance which prohibits contractors from discriminating in the provision of employee benefits between an employee with a domestic partner and an employee with a spouse.
- F. The Contractor shall comply fully with the non-discrimination requirements required by 41 CFR 60-741.5(a), which is incorporated herein as if fully set forth.

12. Compliance with Contractor Employee Jury Service Ordinance

Contractor shall comply with the County Ordinance with respect to provision of jury duty pay to employees and have and adhere to a written policy that provides that its employees shall receive from the Contractor, on an annual basis, no less than five days of regular pay for actual jury service in San Mateo County. The policy may provide that employees deposit any fees received for such jury service with the Contractor or that the Contractor deduct from the employees' regular pay the fees received for jury service.

13. Retention of Records, Right to Monitor and Audit

(a) CONTRACTOR shall maintain all required records for three (3) years after the COUNTY makes final payment and all other pending matters are closed, and shall be subject to the examination and/or audit of the County, a Federal grantor agency, and the State of California.

(b) Reporting and Record Keeping: CONTRACTOR shall comply with all program and fiscal reporting requirements set forth by appropriate Federal, State and local agencies, and as required by the COUNTY.

(c) CONTRACTOR agrees to provide to COUNTY, to any Federal or State department having monitoring or review authority, to COUNTY's authorized representatives, and/or their appropriate audit agencies upon reasonable notice, access to and the right to examine all records and documents necessary to determine compliance with relevant Federal, State, and local statutes, rules and regulations, and this Agreement, and to evaluate the quality, appropriateness and timeliness of services performed.

14. Merger Clause

This Agreement, including the Exhibits attached hereto and incorporated herein by reference, constitutes the sole Agreement of the parties hereto and correctly states the rights, duties, and obligations of each party as of this document's date. In the event that any term, condition, provision, requirement or specification set forth in this body of the agreement conflicts with or is inconsistent with any term, condition, provision, requirement or specification in any exhibit and/or attachment to this agreement, the provisions of this body of the agreement shall prevail. Any prior agreement, promises, negotiations, or representations between the parties not expressly stated in this document are not binding. All subsequent modifications shall be in writing and signed by the parties.

15. Controlling Law and Venue

The validity of this Agreement and of its terms or provisions, as well as the rights and duties of the parties hereunder, the interpretation, and performance of this Agreement shall be governed by the laws of the State of California. Any dispute arising out of this Agreement shall be venued either in the San Mateo County Superior Court or the United States District Court for the Northern District of California.

16. Notices

Any notice, request, demand, or other communication required or permitted hereunder shall be deemed to be properly given when both (1) transmitted via facsimile to the telephone number listed below and (2) either deposited in the United States mail, postage prepaid, or when deposited for overnight delivery with an established overnight courier that provides a tracking number showing confirmation of receipt for transmittal, charges prepaid, addressed to:

In the case of County, to:

County Manager's Office
Mary McMillan, Deputy County Manager
400 County Center, 1st floor
Redwood City, CA 94063

In the case of Contractor, to:

Political Solutions, Inc.
Stacy Dwelley
1414 K Street, Suite 400
Sacramento, CA 95814

In the event that the facsimile transmission is not possible, notice shall be given both by United States mail and an overnight courier as outlined above.

IN WITNESS WHEREOF, the parties hereto, by their duly authorized representatives, have affixed their hands.

COUNTY OF SAN MATEO

By: _____
County Manager, San Mateo County

Date: _____

Political Solutions, Inc.

Contractor's Signature

Date: _____

Exhibit “A”

In consideration of the payments set forth in Exhibit “B”, Contractor shall provide the following services for the County of San Mateo:

In consultation with the Deputy County Manager for Intergovernmental and Public Affairs, the County’s Legislative Coordinator and the Board of Supervisors, the Contractor shall serve as the County’s primary state legislative advocate, and shall perform the services which shall include, but not be limited to, the following:

1. As the County’s primary state legislative advocate, coordinate all legislative matters with the County Manager’s Office;
2. Work with the County staff and the Board of Supervisors to develop a system of “key contacts” in agencies throughout the County and conduct periodic training programs on the state’s legislative process;
3. Work with County staff and the Board of Supervisors to develop the County’s proactive Legislative Program, which will include legislative and regulatory proposals the County would sponsor, key priorities and general policies. In the developing the Legislative Program, Contractor duties should include a preliminary assessment of the likelihood of success of the proposed proposals, priorities and policies, as well as recommendations for issues not identified by staff;
4. For County-sponsored issues, work with County staff to draft legislation, to develop and implement strategies for passage through the Legislature and for signature by the Governor, and to secure the introduction (including finding needed authors) and passage of such legislative proposals;
5. Continuously monitor, identify, analyze and track state legislation, budget issues, funding opportunities and administrative/regulatory changes to determine the impacts on the County;
6. Attend and monitor all relevant legislative committee hearings and budget negotiations on behalf of the County to determine the impacts on the County and advance the County’s interests;
7. Alert the County and its delegation regarding relevant state legislation, budget issues, funding opportunities and administrative/regulatory changes, the anticipated impacts of those issues on the County and other appropriate information;
8. In a timely manner, provide leadership, advice and legislative assistance in the development, evolution and implementation of County positions regarding State legislative and administrative issues;
9. Provide regular and timely recommendations to County staff on County positions and actions related to state and administrative issues;

10. Advance the County' interests and positions on legislative and administrative issues through direct contact with:
 - State Legislators and staff,
 - The Governor and staff,
 - State agencies, and
 - Appropriate and relevant associations, including but not limited to the California State Association of Counties, the Urban Counties Caucus, County Lobbyists Caucus, and others to develop the legislative support needed to advance the County's interests;
11. Making direct contact with the Legislature, State Administration, and others shall include, but not limited to:
 - Writing letters, talking points and legislative analyses. For example, writing letters on all positions taken for every committee hearing, floor hearings and, if relevant, to the State Administration;
 - Testifying at legislative, regulatory and budget hearings on issues that are of interest to the County;
 - Meeting and making personal contacts with relevant persons and organizations;
12. Based on the position of the County, negotiate with others for amendments sought by County; actively work against advancement of issues opposed by the County; and aid advancement of those issues supported by the County;
13. In order to identify issues of concern to the County and to advance the County's interests, maintain strong working relationships with relevant associations and caucuses such as the California State Association of Counties and the Urban Counties Caucus through regular participation in those associations and caucuses;
14. Maintain strong working relationships with members and staff of San Mateo County's state legislative delegation as well as other Legislators throughout California and the Governor and other administrative staff in conjunction with advancing the County's legislative and administrative interests;
15. Guide and assist the County in participating directly in the legislative and administrative process including organizing a minimum of two trips per Legislative Session to Sacramento by County staff and the Board of Supervisors, including scheduling meetings, setting meeting agendas, and drafting meeting materials;

16. In coordination with the County Manager's Office, ensure that appropriate lines of communication are maintained with the Board of Supervisors, the Department of Intergovernmental and Public Affairs, and all appropriate County staff. This shall include regular reports to County staff and the Board of Supervisors on issues affecting the County through:
 - Monthly written memoranda detailing state legislation, budget issues and administrative/regulatory changes of concern to the County, recommended strategy to advance the County's interests, the Contractor's actions taken such as contacts with members offices, expected future action, recommended assignments and timeline for such action and other relevant information;
 - An annual end of the session report, summarizing the Contract's actions on behalf of the County and significant actions by the legislature and the administration including:
 - a) budget actions of importance to the County, b) major legislative activity of consequence to the County, and c) results of County legislative requests:
 - Regular conference calls with County staff;
 - E-mails, as needed, and
 - Meetings in the County when appropriate, at times and places to be specified by the County Manager or the Manager's designees. A minimum of two meetings during the term of the agreement will be required.
17. Meet all reporting and filing requirements of the Secretary of State regarding lobbying activities;
18. Provide an initial list of current clients and immediately notify the County of any changes to the list of clients.

The Deputy County Manager for Intergovernmental Affairs reserves the right to make minor modifications to the above listed services, which services shall be provided at no additional cost to the County.

Exhibit "B"

In consideration of the services provided by Contractor as described in Exhibit "A", County shall pay Contractor based on the following fee schedule:

- A. In no event shall the total payment to the Contractor under Agreement exceed the maximum contract obligation of ONE HUNDRED AND FIFTY SEVENTHOUSAND, FIVE HUNDRED DOLLARS, \$157,500 for the term of the Agreement.
- B. The Contractor will be paid \$13,125.00 per month for services outlined in Section I or Exhibit A upon receipt and approval of invoices and monthly written memorandum detailed in subsection 16 of Section I of Exhibit A. Invoices may not be submitted prior to the last day of the calendar month in which services were provided.

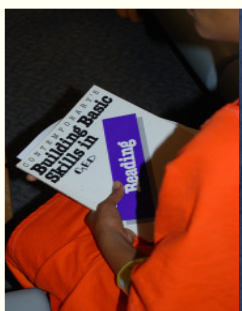


2012 Legislative Session Program

San Mateo County Board of Supervisors

Adrienne Tissier, President
Dave Pine, District 1
Carole Groom, District 2
Don Horsely, District 3
Rose Jacobs Gibson, District 4

January 2012




Prepared by:
Intergovernmental & Public Affairs



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Revised January 2012

Edits and additions to the Legislative Policies section appear in italics.

Introduction

The mission of the County of San Mateo is to protect and enhance the health, safety, welfare and natural resources of the community; and to provide quality services that benefit and enrich the lives of the residents of the County. To be effective in this mission, San Mateo County reviews and establishes priorities and policy statements at the beginning of each legislative year to help guide its advocacy activities at the state and federal levels. The 2012 State and Federal Legislative Program outline the County's priorities in the coming year and details the County's legislative policies providing general direction for advocacy. The 2012 State and Federal Legislative Program reflect the County's commitment to our Shared Vision 2025 of a healthy, livable, environmentally conscious, collaborative community.

Advocacy of the County's Interests

While this document attempts to cover the breadth and depth of legislative issues that may have an impact on San Mateo County, it is not comprehensive, complete or final. Throughout the Legislative Session, the County will review and take positions on various legislative and State Budget items. The County Manager's Office will provide recommendations to the Board on legislative and policy issues affecting County operations and programs. When a recommended position is consistent with existing County policy, as adopted in the County's Legislative Program, the County Manager's Office will prepare a County position letter for signature by the Board President.

If existing policy is not applicable to a particular legislative or State Budget item, the County Manager's Office will prepare an analysis, including fiscal, programmatic, and service impact to County operations and services, of the proposal for Board action. Items and positions approved by the Board will be added to the County's Legislative Program.

County departments must first seek and secure the approval of the County Manager's Office before pursuing legislation or taking a position on behalf of the County on bills sponsored or supported by professional associations. The County Manager's Office must determine that the position is consistent with existing Board-approved policy.

All legislation on which the County takes a position, will be closely tracked by the County Manager's Office, and reported to the Board and departments through the CMO's monthly Legislative Activity Report.

The State and Federal advocacy teams represent the County's interests based upon the policies contained in the Board-approved State and Federal Legislative Program. In addition to County position letters, Board members and County staff may be asked to testify or meet with relevant legislators or members of the Executive branch to advocate on issues requiring heightened advocacy. Members of the Board and County staff will also conduct two annual State delegation visits to Sacramento to advocate on behalf of County interests.

2012 State Legislative Priorities

The following are the top legislative priorities for San Mateo County in the second year of the 2011-12 Session:

State Budget. The County's highest priority will be to advocate for adequate and protected funding for programs it operates on behalf of the State given the State's ongoing budget challenges. The County will oppose cost shifts to local governments and reductions to County programs without a corresponding change in service responsibility.

2011 Public Safety Realignment—Constitutional Protection of Funding. The County will advocate for a constitutional amendment that protects funding for the 2011 Public Safety Realignment. Without a sustained and protected funding source, the County could face future funding instability and increased costs to administered realigned programs. The constitutional protection should also 1) ensure a permanent and continuous appropriation of the specified revenue sources to be used for realigned programs; 2) addresses funding adequacy as it relates to the realigned programs; 3) guarantees that additional programmatic responsibilities are not shifted to counties unless adequate funding is also provided; and 4) prohibits the State from imposing regulations, administrative orders and other actions that increase the cost to counties of operating the realigned programs without providing additional and protected funding to offset the increases.

2011 Public Safety Realignment—Funding Allocation and Operational Issues. The County will strongly advocate for the establishment and adoption of equitable funding distribution formulas for public safety realignment in FY 2012-13 and beyond. Assembly Bill 118 (Chapter 40, Statutes of 2011) established the fiscal structure for the 2011 Public Safety Realignment for FY 2011-12 only; leaving the funding methodologies for FY 2012-13 and beyond open to review and revision. The County will actively engage in this new round of discussion to ensure that it receives an equitable share of the total funding based on not only on estimated caseloads, but also rewards proactive strategies to reduce recidivism. The County will pursue clean-up realignment legislation to ensure that implementation issues are addressed and support efforts to ensure operational flexibility for realigned programs.

Phase 2 Realignment. The County will engage in discussions regarding the implementation of Phase 2 of Realignment focused on the implementation of federal health care reform in the State. The County will oppose efforts to realign new programs to the County unless the State provides: 1) full funding including growth measures from guaranteed and protected funding sources; 2) local control and flexibility; and 3) protections that prohibit the State from increasing programmatic responsibility and costs to counties without providing adequate funding.



2012 State Legislative Priorities

State Budget—New Revenues. The County urges the State Legislature to explore new revenue sources and other alternatives, rather than continuing to reduce funding for critical health, welfare, and public safety services provided by counties.

Health Care Reform Implementation. The County will advocate for appropriate administrative and fiscal support to prepare for federal health care reform, specifically the enrollment of increased numbers of County residents into Medi-Cal, as counties take on this expanded responsibility. The County also supports simplified eligibility rules, streamlined eligibility processes, strengthened leveraging of technology to provide consumer-friendly access and minimized consumer burdens in validating eligibility for facilitating renewal of health insurance coverage. The County will advocate for the essential health benefits to include comprehensive primary care, mental health and substance abuse treatment, as well as other benefits.

Pension Reform. The County supports the need for pension reform at both the State and local levels given increased pension cost obligations. The County will closely review pension reform proposal for impacts, including those proposed by the Governor, and will actively engage in statewide pension reform discussions to protect the interests of County taxpayers and employees in a fair, equitable, and fiscally prudent manner. The County will advocate for increased availability of options and local flexibility in negotiations with our unions.

2012 State Legislative Policies

Agriculture/Weights and Measures

The County Supports:

1. *Preservation of the County's prime agricultural lands through State budget proposals that provide funding for long-term protection of these lands. The County will oppose legislative or budget proposals that cease to fund the Williamson Act subventions to counties, including any partial loss of funding upon approval of notices of non-renewal.*
2. *The economic viability of the County's agricultural industry through State budget proposals that provide funding to growers to develop innovative solutions to new industry challenges, including testing a broader variety of crops. The County also supports legislation that encourages new farmers to enter the industry.*
3. *Local access to fresh and healthy foods for the County's residents, specifically legislation and budget proposals that promote and/or support community and schools gardens and farmer's markets.*
4. *Continued funding of Pest Prevention Program activities at the State level. Specific programs include Pest Exclusion, Pest Detection Trapping and Survey Activities, Rapid Response, Pest Management and Eradication, and public education outreach.*
5. *Legislative and budgetary proposals that provide long-term stable funding for county pesticide regulatory activities, such as that established in Senate Bill 1049 (Chapter 741, Statutes of 2003) for county agricultural commissioners but never funded by the State.*
6. *Funding for Weed Management Area groups for the control of harmful non-native, invasive weed pests.*
7. *Extending the January 1, 2013 sunset date giving counties the authority to collect an annual fee on weighing and measuring devices to verify the accuracy of the instrument. The fee collection authority is found in the Business and Professions Code Section 12246.*
8. *Legislation that supports weights and measures programs integrity statewide.*

Child Support

The County Supports:

1. *Allocation of funding to local agencies that takes into account the differences in the cost of doing business in the State's diverse counties.*
2. *Amendment of the Statewide Uniform Child Support Guideline to ensure the determination of appropriate child award amounts, including a low-income adjustment that adequately considers the economic challenges faced by many parents.*

Environment

The County Supports:

1. Maintenance of adequate open space/park lands through increased funding for development easements, needed restoration and rehabilitation activities.
2. Efforts to protect, conserve, restore, and enhance the environmental resources of the County, its coast and adjacent waters for environmentally sustainable and prudent use by current and future generations.
3. Changes in policies and practices that result in a net reduction in global greenhouse gas emissions; increased energy efficiency and conservation efforts that reduce the State's per-capita need for energies including electricity and fossil fuels; increased production and use of renewable energies that grows the renewable energies "market share" of the State's energy consumption profile; and, when necessary, non-renewable energies development that meets environmental reviews, that maintains or exceeds current environmental and/or emission controls, and that best protects our natural environments and offshore areas.
4. Implementation of Assembly Bill 32 (Chapter 488, Statutes of 2006), the Global Warming Solutions Act, that establishes the goal of reducing, by 2020, the State's emission of greenhouse gases (GHGs) to 1990 levels. However, it is vital that the State provide funding incentives and/or revenue raising authority to local governments for its implementation and impacts.
5. Exploration of new funding sources to implement local *or State* government programs that benefit the environment such as: watershed protection, GHGs reduction, National Pollution Discharge Elimination System (NPDES) compliance, and development of alternative energy sources.

Health and Hospitals

The County Supports:

1. Implementation of Senate Bill 375 (Chapter 728, Statutes of 2008) and other climate change laws, policies, and programs on the federal, State and regional levels in ways that incentivize or require physical changes that promote transportation, such as walking, biking, and public transit, over more sedentary and less environmentally-friendly forms of transportation. This includes aggressive greenhouse gas emissions target and performance-based policy standards *as well as oversight over local implementation*.
2. Taxes and other measures to reduce the attractiveness and availability of high calorie, low nutrient foods, such as a tax or fee on sugar-sweetened beverages, a reduction in subsidies for commodity crops (particularly corn), and financial support for the provision of produce to low-income residents and publicly funded settings such as schools, childcare sites and after school programs, as well as for publicly funded food security programs such as WIC and food stamps.
3. Taxes and other measures to reduce the attractiveness and availability of alcohol, particularly for youths, such as a tax or fee on alcoholic beverages and limitations on the siting of stores selling liquor.


4. Taxes and other measures to reduce the attractiveness and availability of tobacco, particularly for youths, such as increased taxes or fees on tobacco products and limitations on the siting of stores selling tobacco and on smoking in public places.
5. Implementation of laws, regulations and programs that increase income self-sufficiency and wealth creation such as increasing the minimum wage, increasing the supply of affordable housing, first-time home buyer subsidies, neighborhood improvements and opportunities for educational attainment.
6. Implementation of laws, regulations and programs that improve the quality and scope of environmental health programs throughout the State, and promote uniformity in implementing such programs.
7. Implementation of laws, regulations and programs that support the principles of Product Stewardship (also known as Extended Producer Responsibility) that directs all participants involved in the life cycle of a product to take shared responsibility for the environmental and human health impacts that result from the production, use and disposal of a product.
8. Implementation of laws, regulations and programs that promote the safety of food *and food worker rights to health care, paid sick leave, and insurance.*
9. *Implementation of laws, regulation and programs that provide a uniform approach to the phase out of polystyrene, plastics, and packing of consumer products.*
10. Implementation of laws, regulations and programs that promote a philosophy of a Green Chemistry initiative in order to provide recommendations for developing a consistent means for evaluating risk, reducing exposure, encouraging less-toxic industrial processes, and identifying safer, non-chemical alternatives. A Green Chemistry initiative should ensure a comprehensive and collaborative approach to increase accountability and effectiveness of environmental programs across State and local government.
11. *Implementation of laws, regulations and programs that promote the safe use and sale of produce from small community and school gardens in retail food facilities, farmers markets and schools.*
12. Implement laws and regulations, which require health as a consideration in all General Plan development, either as a required element or a required area of study.
13. Funding high-quality medical, dental and mental health supports to families, particularly families with small children.
14. Providing stable funding for home visiting and other case management services for families at risk for poor health and social outcomes.
15. Reducing costs, increasing revenue and providing flexibility in the use of State and federal funds for the Health System. *Some examples are opportunities offered by the Affordable Care Act, and increased flexibility in the rules for Federally Qualified Health Centers (FQHC).*
16. Improving care for elderly and disabled residents by continuing the Nursing Home Diversion Program. This grant program has helped older Americans and veterans remain independent and to support people with Alzheimer's disease to remain in their homes and communities.

17. Establishing inflation and caseload adjustments for the federal Older Americans Act so this funding stream can keep pace with increases in cost and demand.
18. Modifying laws and regulations so that people with sex offender labels who are no longer a threat to the community can be placed in appropriate care facilities.
19. *Assisting with the re-entry of individuals convicted of crimes back into the community through the removal of barriers to public support and employment such as:*
 - *Modifying eligibility requirements so that individuals with drug charges are eligible for Medi-Cal, food stamps and other public benefits.*
 - *Expungements of criminal convictions including the elimination of all references to the conviction and even the fact of being convicted.*
20. Providing financial relief for correctional health responsibilities, such as access to 340B and other Medi-Cal related cost containment/revenue generation methods.
21. Promoting funding for technology for outreach and enrollment into health care coverage programs.
22. Providing stable funding for Emergency Medical Services (EMS) and related programs including trauma, emergency medical care reimbursement and local EMS agencies.
23. Providing stable funding and increased access for mental health and drug and alcohol services through full implementation of State and federal mental health and drug and alcohol parity laws.
24. *Providing stable funding for children enrolled in special education programs who require mental health services as well as for alcohol and other drug services.*
25. Providing stable funding for locked long-term care and ancillary services for people with behavioral health problems.
26. Promoting integration of mental health and alcohol/drug services with primary care services through opportunities presented by the State's Medicaid waivers.
27. Providing support to local healthcare services and programs that serve clients in the criminal justice system.
28. Providing stable funding for alcohol and other drug services through a California alcohol tax.
29. Providing regulatory protection for the confidentiality of After Action Reports developed in response to an emergency incident to ensure reports are honest and comprehensive without fear of public retaliation or law suits.
30. Increasing options for adult mediation as a strategy for jail diversion including confidentiality protection similar to that provided for juveniles.

Housing

The County Supports:

1. Solutions and funding for the region's housing crisis that address the needs of homeless, lower-income residents, CalWORKs participants and at-risk populations including the housing needs of *farmworkers*, people with disabilities and the elderly.
2. Efforts to preserve affordable and accessible housing and the development of new affordable and accessible housing through activities including additional funding for

- 
- local housing trust funds, development of Statewide and national housing trust funds, and efforts to increase the amount of multi-family housing in San Mateo County.
3. Smart Growth efforts and other land use decisions that facilitate appropriate mixed-use developments along efficient public transportation corridors.
 4. Examination of current rules and standards that benefit lower density development (over high density development) and vehicular movement at the expense of pedestrian traffic and safety. While the County supports development incentives for Smart Growth related activities, the County opposes efforts to divert or restrict funding usage to specific programs.
 5. Increases in Housing Assistance Payment and Administrative Fee amounts and greater flexibility for use of Section 8 Housing Choice Voucher Program funds. The County opposes efforts to reduce funding amounts in this area and/or limitations on the flexibility of use of the funds.
 6. Renewal of subsidies for the Supportive Housing Program as well as the Shelter Plus Care Program. These programs fund San Mateo County's transitional and permanent supportive housing for homeless families and homeless persons with disabilities.
 7. Preserving land use authority of local governments by allowing jurisdictions that have adopted inclusionary zoning ordinances, such as San Mateo County, to take the intended and predictable effect of the ordinance into account when calculating availability of adequate zoned capacity to meet their Regional Housing Needs Allocation. *Adopting legislation that would expressly authorize cities and counties to establish inclusionary requirements as a condition of housing development.*
 8. Expansion of the California Assisted Living Waiver Pilot Project so that senior low-income residents of the County may use Medi-Cal benefits to pay for affordable assisted living services in a residential setting.

Human Services

The County Supports:

1. Preservation and increased funding for human service programs realigned to counties in 1991. The County also supports a careful and cautious analysis of any efforts to alter the current system in light of State budget challenges.
2. Adjustments to county human service fund allocations that account for the cost differences among California counties in providing services.
3. Increased flexibility for the administration of CalWORKs. Flexibility in the CalWORKs program should include income eligibility standards for childcare.
4. Preservation of children's protective services, participation and funding.
5. Maximum flexibility to institute innovative practices in child welfare and foster care such as "wrap around" services and multi-discipline service approaches.
6. Increased funding and greater funding flexibility for foster care services, which are critical to adequately protect children in need.
7. Elimination of reductions to penalties related to the failure to meet the work participation rate in CalWORKs.

8. Allowing for county flexibility in the work component and permissible activities that contribute to the work participation rates in Temporary Assistance to Needy Families legislation.
9. Removal of the eligibility requirement that prevents drug felons from receiving food stamps when otherwise eligible.

Public Safety and Justice

The County Supports:

1. Preservation of funding for local public safety efforts, including inmate *housing, security, programming*, health, juvenile probation and prevention programs, mental health and drug and alcohol programs.
2. Preservation of funding and, in the future, seek additional funding for Proposition 36 implementation. Support statutory changes that improve operational efficiency and local flexibility of the program.
3. Full funding and/or equity in the trial court realignment block grant. The County also supports efforts to continue examination into trial court funding and maintenance including the transfer of trial court facilities.
4. Full funding for the cost of booking and processing of persons arrested by public entities in the County *as authorized in Government Code 29553(b)*.
5. Increased regulation of firearms *and/or domestic violence firearms programs*.
6. Efforts to facilitate the construction and operation of *adult correctional facilities* or youth services facilities, such as increased or reallocated funding for correctional facilities that are ready for immediate construction *or operations*.
7. Increased funding for *inmate management, programming, supervision, and substance abuse treatment, mental health services, and other diversionary services for inmates*.
8. Continued review of the alignment of Chief Probation Officer selection, appointment and retention authority with funding. The County also supports cautious review of any potential separation of adult and juvenile probation activities.
9. Efforts to align law library costs, including facilities maintenance, with trial courts rather than the County.
10. Disaster preparedness measures that enable local governments to better plan for, *training, equip*, and respond to emergencies and disasters.
11. Corrections reforms *established within the Community Corrections Partnership (CCP)* that are developed through collaboration between State and local governments *and criminal justice agencies* and *are* adequately funded *to* build upon successful, existing programs.
12. State funding for local jail construction project, *which* recognize the importance of alcohol and other drug treatment as well as mental health services and provide flexibility that meets the unique characteristics of each county.

Public Works


The County Supports:

1. Statewide policies that ensure rehabilitation, operation and maintenance of local infrastructure as priorities.
2. Balanced with the need for environmental protection, the streamlining and coordination of regulatory requirements so that routine projects can be processed without delay, expectation for routine work can be established and the costs of both initial construction of and ongoing operations and maintenance of local infrastructure can be effectively reduced.
3. Funding for new regulations on storm water management required by the State Regional Water Quality Control Boards.
4. Exploring additional funding sources for continued implementation of the Countywide Integrated Waste Management Plan. The current funding (Assembly Bill 939, Chapter 1095 and Statutes of 1989) is from fees imposed per ton of solid waste disposed in the County. As disposal of solid waste decreases and materials recycled or composted increases, assessment of fees on recycled or composted materials should be considered.
5. Coordinating regulatory agency permitting requirements for maintenance and capital improvement projects to avoid conflicting requirements from State agencies and streamlining delivery of projects.

State Budget

The County Supports:

1. Timely and full funding for State-mandated and partnership programs, increased flexibility and the elimination of programs not properly funded by State and/or Federal funds.
2. The principle that reliable, predictable and equitable funding should be provided to local governments, including schools, cities, special districts and counties. This support includes the proper allocation of existing tax revenues.
3. In concept, the reduction in funding for various programs and activities only when the concomitant requirement to provide such programs and activities is relieved. The Board has not considered what specific programs would be acceptable for reductions in funding and expressly reserves its ability to take a position on this issue should it arise during the current legislative session and any pertinent special sessions.
4. Restoration of historic reductions in local government funding and increased flexibility in implementing and administering services.
5. Full funding for social service programs, specifically Child Welfare Services, Food Stamp Administration, In-Home Supportive Services Administration, and Adult Protective Services to eliminate the Human Services Funding Deficit. Funding for these services is frozen at 2001 cost levels.
6. The existing 1991 realignment funding allocation formula. The County also supports a careful and cautious analysis of any efforts to alter the current system given the State's current budget challenges.
7. Improvements to the Senate Bill 90 (Chapter 1406, Statutes of 1972) mandate reimbursement process that simplify the claiming requirements, expedite the process, and provide sufficient reimbursement to counties. The County also opposes the



practice of mandate suspension as a State budget solution. Local governments should be provided the opportunity to comment on proposals to suspend mandates and then be provided adequate time to end program services.

8. Increases in alcohol taxes as well as changes in State government's business practices that lead to greater economies and improved program outcomes, should timely and full funding for programs not be maintained.
9. Performance based budgeting at the State level

Tax and Finance

The County Supports:

1. Preservation of existing revenues and revenue authority. The County opposes efforts to expand Maintenance of Effort (MOE) requirements, as MOEs tend to penalize more progressive counties that implement programs before the statewide program.
2. Maintenance of property tax revenues directed to local government. The County opposes efforts to direct property tax revenues away from local government.
3. The existing Educational Revenue Augmentation Fund (ERAF) transfer system. The County opposes changes and/or the elimination of this transfer.
4. Efforts to allocate funding through block grants, which allow for maximum flexibility in the use of funding within designated programs.
5. Federal funding mechanisms that allow funding to flow directly to local governments rather than through State government.
6. Increased ability to utilize State or local matching funds to draw down additional federal funds.
7. Economic development efforts that grow the California and local economy in a sustainable (environmental and economic) fashion.
8. Increased funding for county infrastructure needs, should such funds be available.

Transportation

The County Supports:

1. Allocation of formulas that ensure the County receives its fair share of infrastructure bond funding by reflecting, in part, the variation in the cost of living and doing business among the State's diverse communities
2. The protection from diversion or borrowing of the federal or State gas tax.
3. Prohibitions on the delayed pass-through of State transportation funding (HUTA) to counties caused by State budget delays.
4. Consideration of additional and/or dedicated statewide ongoing revenue sources that support local operations and maintenance of existing and future infrastructure needs.
5. Updating, adjusting and/or indexing the current gas tax.
6. The Legislative Analysts Office recommendation to require a statewide transportation needs assessment every five years, if the assessment has no fiscal impact on County funds or revenues.
- 7.

2012 Federal Legislative Priorities

The following are the top federal legislative priorities for San Mateo County in the 112th Congress, 2nd Session. Working aggressively with our Washington representatives, the County will proactively seek out and respond to grants and federal discretionary funding consistent with the legislative goals and objectives notes below:

Health Care Reform Implementation. The County will oppose efforts to repeal the Patient Protection and Affordable Care Act (PPACA). The County will advocate for full funding for its administration and programs, specifically comprehensive primary care, mental health and substance abuse treatment, as well as other benefits.

Health Care—Preventative Health. The County will support legislative proposals focused on promoting preventative health and wellness, expanded public transit options and providing healthy school foods.

Health Care Legislation. The County will support the following consistent with its mission to prevent health issues before they occur, protect the public's health, provide services for vulnerable populations, and partnering to build healthy communities:

- Reauthorization and expansion of the State Children's Health Insurance Program (SCHIPP)
- Reauthorization of the Older American Act
- Reauthorization of the Second Chance Act
- Reintroduction of the Safe and Complete Streets Act (Sen. Harkin, Reps. LaTourette and Matsui)
- Livable Communities Act
- Reform for school food regulations
- Reintroduction of the Local Farms, Food, and Jobs Act (Rep. Pingree and Sen. Brown)
- Reauthorization for public transportation components, including walking, biking, transit operations, and transit tax benefits.

Housing. The County will urge the Congress to maintain increased funding for Community Development Block Grant (CDBG) funding that in the County is used to fund community development, specifically creating and preserving affordable housing.

Public Safety. The County will strongly advocate for the continued funding of and will seek funding opportunities in:

- Byrne grants
- COPS
- SCAAP
- Homeland Security grants
- Justice Assistance grants

- Bureau of Narcotic Enforcement funding

Public Works. The County will advocate for and/or seek funding for:

- Alternatives to fund the County's responsibility for the Devil's Slide project with the National Park Service
- Clean Water National Pollution Discharge storm water needs
- San Bruno Flood Control District repairs
- Sharp Park Golf Course and relief from endangered species protections

Planning and Building. The County will seek federal grant opportunities for planning along the County's coast from the Interior Department's National Park Service, Agriculture Department's National Resources Conservation Services, Environmental Protection Agency's Water Grants program.

Farm Bill. The County will advocate for the reauthorization of the Farm Bill and inclusion of:

- Full funding for the Supplemental Nutrition Assistance Program (SNAP), or CalFresh in California, in the bill
- Funding for assessments and planning assistance for agricultural economic development in the County's agricultural coastal areas.

Human Services. The County will advocate for continued and/or increased funding for:

- Temporary Assistance Needy Families (TANF) program
- Title XX Social Services Block Grant funding which supports foster care and child welfare services programs
- Title XIX used by counties for the administration or eligibility determinations for the State's Medi-Cal program
- Workforce Investment Act programs

Title IV-E. The County will advocate for a modification in the federal Foster Care program regulations to delete a 2005 addition of "imminent" to the characterization of the at-risk and has resulted in fifty percent decrease in the number of children that can now be served through this program.

Child Support. The County will advocate for:

- Restoration of federal matching of state spending of child support incentive payments
- Continued exemption of Child Support Enforcement (CSE) direct spending from sequester under the Budget Control Act of 2011, pursuant to the explicit exemption in section 255(h) of the Balanced Budget and Emergency Deficit Control Act of 1985 (BBEDCA).

Internet Sales Taxes. The County will advocate for the adoption of legislation that would allow states to impose sales or use tax collection requirements on remote sellers.

RESOLUTION NO. _____

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

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**RESOLUTION APPROVING THE SAN MATEO COUNTY 2012 LEGISLATIVE
PROGRAM**

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

WHEREAS, effective legislative participation and advocacy are critical to county government and many local programs;

WHEREAS, adoption of a state and federal legislative program by the Board of Supervisors is necessary to have successful and effective legislative representation;

WHEREAS, the County Manager's Office with County departments has coordinated the development of the 2012 Legislative Program;

WHEREAS, the Legislative Committee of the Board of Supervisors has developed the 2012 Legislative Program and recommends its approval by the Board.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the Board of Supervisors does hereby adopt and approve the 2012 Legislative Program of the County of San Mateo.

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