

LEGISLATION AND POLICY DEVELOPMENT

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"There once was a Lady from Niger; With a smile she rode off on a tiger. They returned from the ride... with the lady inside, And the smile on the face of the tiger. " -Ogden Nash

Legislatively, the Social Services Agency in Santa Clara County is a "tiger". Staff has conquered the legislative "jungle" and made it their own; they have big smiles on their faces!

Rodger Lum, Alameda County Social Services Agency Director and I selected Santa Clara County for my internship because of the excellent reputations in legislation and policy development of Kathy Gallagher, Chief Administrative Officer, and the Social Services Agency. Organizationally and philosophically, the Santa Clara Social Services Agency insists on leadership and creativity in designing legislation to fit their own unique needs, and works aggressively to get that legislation implemented. They do their homework, know how to access information, and create opportunities to be prospective in their approach. Their legislative process is built on sound, positive policy development.

BACKGROUND

The Santa Clara County Social Services Agency (SSA) is similar to Alameda County Social Services Agency in many ways. Both agencies are among the largest in their respective counties. Santa Clara's SSA budget is about \$449 million and Alameda's SSA budget is about \$460 million. Both have highly diverse cultural and ethnic staff, providing services for many non-English-speaking clients. Santa Clara has a higher population of Hispanics, while Alameda County's highest ethnic population is African American. Santa Clara's workforce numbers 2,335 with Alameda County's workforce numbering closer to 1700. In both counties the number of female staff is between 60 and 75 percent.

Organizationally, there are many similarities between the two counties, although Santa Clara tends to have a higher number of clerical support staff, while Alameda County has created more professional positions as program support staff. Santa Clara has 33 different sites where they provide services, including 9 income maintenance centers. They have also created 4 Family Resource Centers and 1 Children's Shelter. Alameda County also has numerous sites, although not as many, and is just beginning to create special centers, such as one-stop self-sufficiency centers. We are also in the planning stages for integrated service centers that will provide single access to a multitude of services. Departments in the two Social Service Agencies are as follows:

Santa Clara County

- Income Maintenance & Employment
- Public Guardian
- Family & Children's Services
- Aging & Adult Services
- Administrative Services (CAO)
- Financial Services

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Alameda County

- Economic Services
- Employment & Community Services
- Children & Family Services
- Adult and Aging Services
- Administration & Support

Santa Clara County does not include aging services within the county itself; the Area Agency on Aging is a nonprofit organization. The Social Services Agency does have a nutrition service unit which is a subcontract of the Area Agency on Aging.

DESCRIPTION OF LEGISLATIVE PROGRAM

Historically, the Santa Clara County Social Services Agency has had a separate Governmental Relations and Planning unit. Reorganization may see this unit become part of one of the new departments. The primary functions are legislation and policy development for social services. It is distinct and separate from the legislative function of the County Chief Administrator's Office, although there is a good working relationship between them. Santa Clara County, through the CAO's office, has a lobbyist who has an office at CSAC headquarters in Sacramento. He works on behalf of all Santa Clara departments. Kathy, previously Director of the Government and Planning Unit, spent significant time working on legislative and policy issues, and was often in Sacramento to personally move their agenda forward.

As I spent my internship days and moments in Santa Clara and in Sacramento and learned about the Santa Clara Social Services Agency and its legislative process, I became aware of the many strengths contributing to their success and leadership.

Legislative Analyst

Santa Clara, feeling that the issues facing the Social Service Agency are extremely complex and labor intensive, created a position last year for a Legislative Analyst, which has become their first, and greatest strength. The job description for this person includes the following:

".... to perform research, interpretation, analysis, and coordination of Federal and State legislative issues relating to the Social Services Agency, and to provide staff support to the agency in preparing legislative positions having impact on the Social Services Agency."

The person hired for the position, Andrew Shaw, lives in Sacramento. The Social Services Agency secured an office for him in the CSAC building at 1100 K Street, and pays for clerical support and expenses. He is an analyst, not a lobbyist, but works closely with the Santa Clara lobbyist located in the same building. He spends four days a week in Sacramento and commutes to Santa Clara once a week, usually on Fridays.

As the legislative analyst, Andrew analyzes current and proposed legislation, writes reports, proposals, fact sheets, legislative language, and other materials necessary to develop and maintain the agency's position on legislation. He is responsible for gathering, compiling, and maintaining Federal and State bill tracking, conducts highly analytical staff studies, crafts compromises and solutions to complex problems, and drafts correspondence to legislators and testimony for legislative hearings requesting support for agency positions.

This position is critical in the creation of a presence in Sacramento for the Santa Clara Social Services Agency. That presence is essential in the offices and corridors of the State Capitol when the legislature is in session and bills are passing through one committee or another on their way to being chaptered. Andrew is the agency's opportunity to talk with legislative staff about the SSA's position on a particular bill, to develop ongoing relationships with legislators' staff, and to be on the scene when bills are moving quickly.

Hiring a legislative analyst, with the ability to be the on-site eyes and ears for Santa Clara's Social Services Agency, was crucial in developing and maintaining their edge as a "tiger" agency in the tall grass and hidden lairs of the legislative process.

Legislative Tracking

The second strength of the Santa Clara SSA's legislative process is the use of technology to procure and manage bill amendments and provide bill analysis to key management staff. Andrew uses Legi-Tech as his automated tool for tracking legislation. Bills are divided in subfiles as MAJOR or TRACK.

The MAJOR bill file contains all bills of significant potential impact or of significant interest to the Agency. The file is renewed and renamed annually (i.e. MAJOR95, MAJOR96) to track with each year's legislative session. Bills may be supported, opposed, or watched by the Agency. The TRACK bill file contains any bills that will not impact the Agency significantly but which should be monitored. Some of these bills may become "spot bills", or bills that serve as placeholders for later legislative initiatives and may be amended in a way that could have interest for the agency.

The Agency takes informal positions on legislative measures, and makes recommendations to the Board of Supervisors (BOS). They work only on bills on which the County has a stated policy position. Possible positions are as follows:

Agency Positions:

Approve	Supportive of the provisions or general approach
Disapprove	Concern about the provisions or general approach
Watch	Monitor with interest (no direct impact)
Track	Monitor (generally spot bills)

County Position:

Support 1	Strong support, often sponsorship, & maximum activity
Support 2	Support with a medium level of activity
Support 3	Support with a minimal level of activity
Oppose 1	Strong opposition with maximum level of activity
Oppose 2	Oppose with a medium level of activity
Oppose 3	Oppose with a minimal level of activity

Reports

A variety of reports are generated by a clerk, in the SSA or the legislative analyst to "clear a path" for the Director and management staff throughout the Agency. Reports are used to provide updates and ongoing education about current legislation and the impact it will have on services and programs provided. This is the third strength of Santa Clara's SSA legislative expertise.

A MAJOR Legislative Summary Report is produced weekly on Fridays, and a TRACK report once a month. This is distributed to the Executive Team and summarizes all bills in the files. It identifies the bill's status, location, Agency position, CWDA position, bill sponsor(s), Legitech subject code(s), and a brief summary of the bill. This is an extremely useful tool for first line supervisors and program managers. A key point person from each SSA department is selected to meet frequently with the legislative analyst to provide input and receive information.

Other reports include the following:

- Calendar Report -schedule of bill and budget hearings, run weekly for the Director and Legislative Analyst
- Amend/Enroll Report-notice of bills on MAJOR and TRACK files on which action has been taken such as amendment or final passage
- Introductions Report-provides a list of bills introduced during the beginning of the Legislative Session, run daily
- Year-End Legislative Report-compilation at the end of the state legislative session (October or November) which includes a summary of each bill that was signed into law (chaptered) or which was vetoed by the Governor
- Special Reports --subject reports for a particular area of the Agency, or highlight reports as requested

Resource Center

Fourth, the Agency has created an oasis, or resource center, for the use of staff who need reference materials, background information, State or Federal codes and regulations, or a quiet place to work on legislative projects. On the second floor of the main SSA office, located on Technology Drive in San Jose, an area of approximately 8' by 15' has been enclosed by modular walls for anyone who needs to do research or just look up a piece of information for a report. A table and chairs are surrounded by open shelves that contain such things as:

- Articles/information by subject area
- West's Annotated California Codes
- United States Code Annotated (USCA)
- California Education Code California Probate Code Family Code
- California Juvenile Laws/Court Rules
- Code of Federal Regulations
- Periodical Binders
- W & I Code

A bill file has also been created as a resource for staff. Copies of each bill are filed by MAJOR or TRACK in a large lateral file. This is a two-year file so that information can be available for bills that have been chaptered or vetoed. Two sections separate Senate Bills (SB) from Assembly Bills (AB). A color-coding system is used to distinguish bills that have been chaptered, bills that have been moved from MAJOR to TRACK, and bills that have been dropped. Original versions of each bill, plus any and all amendments are kept on file. After two years, bills are sent to retention.

SUMMARY

The Santa Clara Social Services Agency maintains a consistent approach to legislation, and feels that good legislation goes hand in hand with good policy development. Policy is the foundation for legislation and provides the framework for legislation to be developed in response to needs of the Agency. Proactive forward movement is based on solid planning and positive change.

Legislative planning occurs during the fall. Kathy and Andrew begin meeting in earnest with designated staff in all departments of the Social Services Agency. Santa Clara usually sponsors about five bills that will carry their critical policies into strong legislation. Gathering necessary information and strategizing language and position ensure that the Agency can move quickly and not be "swallowed up" by other interests as the legislative process gathers speed.

During reorganization, the legislative and policy functions may or may not stay within the Administrative Services department. In any case, one of the plans is to have more than one legislative analyst for the Agency, as well as additional clerical support staff assigned. Perhaps students from nearby colleges and universities could also be used to augment the process.

IMPLICATIONS FOR ALAMEDA COUNTY

As we move through the "jungle" of welfare reform, managed care, block granting, and long-term-care projects requiring organizational change, we need to position ourselves as an agency to maximize our ability to impact our own destiny, or direction. Becoming a "tiger" in the legislative process and policy development can be a vehicle for moving forward positively into the future.

Currently, the Alameda County Social Services Agency has the beginnings of a legislative process. Those associated with that process are dedicated, knowledgeable, and tireless in their efforts. Yearly budget deficits, downsized staffing trends, and not establishing legislative

development as a priority have greatly hindered our ability to be assertive in the legislative arena. Our structure, organizational needs, and approach to change create differences between our two counties. It would be impossible, if not imprudent, to create a legislative process identical to Santa Clara's. However, three of Santa Clara SSA's best practices could serve as models to strengthen our own legislative process and policy development.

Legislative Analyst

Currently, Luann Dewitt, Rodger Lum's Administrative Assistant, and Tom Clancy, Program Specialist for Children and Family Services serve as the legislative team. They track relevant legislation, have access to Legitech, work with all the departments to seek input, analyze bills as time permits, and attend the legislative committee meetings of CWDA. Luann has several functions as Rodger's administrative assistant, and also serves as the Public Information Officer (PIO). Tom has several other responsibilities in Children and Family Services.

I recommend the Alameda County Social Services Agency piece together enough pay units from all departments to create a Legislative Analyst position within the Office of the Director. It is difficult to make this kind of recommendation during a budget crisis, following on the heels of several years of deficits; however, it is critical that we begin to master the legislative "jungle" and use good policy to create legislation that will meet our needs for the future.

It would be difficult during the first year to provide accommodations in Sacramento for this new position. Using the creation of the new position, or reclassifying a vacant position, as phase one of our legislative strategy, we could use the first year to operationalize the legislative unit and develop and implement steps for phase two.

Additionally, I suggest we also designate about 20 percent of time (one day per week) for one Program Specialist from each of the five departments to work with the newly created Legislative Analyst to develop a legislative process for our Agency. I believe these to be two critical action steps if we are to move forward prospectively in positioning our Agency to develop policies and propose legislation that will meet our needs.

Resource Center and Bill File

Expanding our capacity to track and create legislation will require the centralization of reference materials, periodicals, background information on a variety of subject areas, State and Federal codes and regulations, and other resources. Staff who spend time working on legislation need space to do research and talk with other legislative staff here and in Sacramento. Therefore, I recommend we designate space in our 401 Broadway building for a Resource Center, and gather the materials necessary for staff use.

It will also be necessary to create a bill file that can be organized to provide information on all bills relevant to our Agency. A lateral file could be located in the office of the new Legislative Analyst or in the Resource Center. A bill tracking system should be developed and implemented, as well as one or two brief reporting formats that will provide education and information to staff who will have input to our legislative process.

I suggest we explore the possibility of securing the services of one or two undergraduate students from local colleges and universities to assume the development and implementation of the Resource Center and bill file as projects. This would create an opportunity for the student(s) to work with an innovative task, and would create the resources needed by our Agency.

CONCLUSION

I reviewed planning documents and process summaries, interviewed key managers, spoke to staff in legislators' offices by telephone and in person, and attended several relevant meetings and hearings. All of these observations enabled me to focus my attention on processes, outcomes and interactions. Overall, I consider the Santa Clara County Social Services Agency an outstanding example of dedication to proactive policy development and legislative implementation. Priorities for future direction have been set for continued excellence. Alameda County Social Services Agency also has the creative ability to set legislative priorities and become a "tiger" for positive change.