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May 10, 1990

Law and Legislation Committee
Sacramento, California

**SUBJECT: AB 3297 (Bates) re: Local General Plans
And Dependent Care Services**

Honorable Members in Session:

SUMMARY

This report recommends endorsement of AB 3297 and suggests possible amendments to be requested.

BACKGROUND

Assembly Member Tom Bates has requested that the City support AB 3297, which is designed to assist cities and counties to assess and plan for a variety of local dependent care needs, from the provision of adequate child care to the appropriate siting of group homes. The bill does not require new efforts by cities or counties. Rather, it would provide grants to cities and counties that undertake voluntarily dependent care planning in the course of the normal local planning process.

Planning Director Marty Van Duyn believes this grant program is a reasonable approach to addressing the need for a more aggressive response to dependent care issues. Missing from the bill, though, are criteria for evaluating grant proposals and study results and contains no mechanism to ensure that the studies lead to implementation actions.

The bill does not contain suggested funding levels.

FINANCIAL DATA

This bill would have no financial impact on the City but would make available an opportunity to seek State funding to finance a local study of dependent care issues.

Re: AB 3297 (Bates) re: Local General
Plans And Dependent Care Services

May 10, 1990

Page 2

POLICY CONSIDERATIONS

None.

MBE/WBE

None.

RECOMMENDATION

It is recommended that the Law and Legislation Committee endorse AB 3297 and suggest that the City's Planning Director and Legislative Advocate work with the author concerning possible amendments relating to criteria for the studies and their implementation.

Respectfully submitted,

JAMES P. JACKSON, City Attorney



DIANE B. BALTER
Deputy City Attorney

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Answer Questions:

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Law and Legislation
May 17, 1990
All Districts

AMENDED IN ASSEMBLY APRIL 16, 1990

CALIFORNIA LEGISLATURE—1989-90 REGULAR SESSION

ASSEMBLY BILL

No. 3297

Introduced by Assembly Member Bates

February 27, 1990

An act to add Article 5.5 (commencing with Section 65330) to Chapter 3 of Division 1 of Title 7 of the Government Code, relating to local planning.

LEGISLATIVE COUNSEL'S DIGEST

AB 3297, as amended, Bates. Local planning: general plans.

Existing law requires each planning agency of a county or city to prepare and each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city, and of any land outside its boundaries which in the planning agency's judgment bears relation to its planning.

This bill would establish the Dependent Care Planning Grant Program within the Office of Planning and Research in the Governor's office to award grants to city and county governments for the purpose of including a dependent care element *or addressing dependent care issues within existing elements* in the recipients' general plans. The bill would require a grant award to be utilized by a city or county during the preparation or revision of its general plan, to ~~include an element that identifies~~ *identify* dependent care needs within its jurisdiction and ~~proposes~~ *propose* guidelines for land use and development to meet those dependent care needs through dependent care programs and facilities, as specified.

The bill would require the office on or before June 30, 1991, and no later than June 30 of each succeeding year to issue a

request for proposals pursuant to which it would be required to select applicants to receive grant awards. The bill also would provide that all cities and counties shall be eligible to apply for a grant, and would require the request for proposals to require applicants to demonstrate specified factors.

The bill would require the office, on an annual basis, to submit to the Legislature a list of the cities and counties which have been awarded dependent care planning grants. The bill also would require the office, on or before June 30, 1995, to assess the effectiveness of the program, as specified, and the cost of the program and submit its findings to the Legislature.

The bill would contain findings by the Legislature related to the need for the above program.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of
2 the following:

3 (a) The need for care and supervision of dependent
4 persons in California has grown dramatically as
5 increasing numbers of adults have left the home to
6 participate in the paid workforce.

7 (b) Among those in need of care are children and
8 youths whose parents work outside the home, frail
9 elderly persons and functionally impaired adults who
10 have traditionally relied upon unpaid family members or
11 friends for care and assistance, functionally impaired
12 children who require special services, and children or
13 youths who have been removed from their families by
14 decisions of the court.

15 (c) The need for dependent care programs exists in
16 virtually every community in California. That need is
17 most effectively met through the coordinated utilization
18 of a variety of resources, including public moneys from
19 local, state, and federal governments, private moneys
20 obtained through payment for services and foundation
21 grants, and the efforts of individuals in the public, private
22 nonprofit, and private for profit sectors.

1 (d) Needs assessment, planning, and the coordination.
2 of multiple resources within a defined geographic area
3 are most effectively accomplished by parties within that
4 geographic area.

5 (e) Cities and counties bear the costs of inadequate
6 dependent care services in the form of increased juvenile
7 delinquency, lowered productivity for local businesses
8 whose employees experience dependent care problems,
9 and public protection costs resulting from the inadequate
10 supervision or care of functionally impaired adults,
11 among other costs.

12 (f) Current law requires that cities and counties adopt
13 a comprehensive, long-term general plan to meet certain
14 needs of their populations. It is appropriate and necessary
15 that dependent care also be included amongst the needs
16 for which local governments plan.

17 SEC. 2. Article 5.5 (commencing with Section 65330)
18 is added to Chapter 3 of Division 1 of Title 7 of the
19 Government Code, to read:

20
21 Article 5.5. Dependent Care Planning Grant Program

22
23 65330. The Dependent Care Planning Grant Program
24 is hereby established within the Office of Planning and
25 Research. The program shall award grants to city and
26 county governments for the purpose of including a
27 dependent care element *or addressing dependent care*
28 *issues within existing elements* in the recipients' general
29 plans.

30 65331. (a) A grant awarded pursuant to this article
31 shall be utilized by a city or county, during the
32 preparation or revision of its general plan, to ~~include an~~
33 ~~element in its general plan that identifies identify~~
34 dependent care needs within its jurisdiction and ~~proposes~~
35 *propose* guidelines for land use and development to meet
36 those dependent care needs through dependent care
37 programs and facilities.

38 (b) The dependent care ~~element plan~~ shall be
39 developed by a city or county planning agency in
40 coordination with publicly funded agencies that are

1 responsible for identifying dependent care needs or
2 providing dependent care services within its jurisdiction.
3 Those agencies shall include, but not be limited to, child
4 care resource and referral agencies, area agencies on
5 aging, information and referral agencies, regional centers
6 on developmental disability, and county social service,
7 probation, and mental health departments.

8 (c) For the purposes of this article, "dependent care
9 programs and facilities" include, but are not limited to,
10 child care centers, family day care homes, supervised
11 recreational activities for minors outside of school time,
12 adult day care, adult day health care, skilled nursing
13 facilities, intermediate care facilities, and other
14 community care facilities as defined in subdivision (a) of
15 Section 1502 of the Health and Safety Code.

16 65332. (a) On or before June 30, 1991, and no later
17 than June 30 of each succeeding year, the Office of
18 Planning and Research shall issue a request for proposals,
19 pursuant to which it shall select applicants to receive
20 dependent care planning grant awards.

21 (b) Procedures for awarding grants shall be governed
22 by the following:

23 (1) All cities and counties shall be eligible to apply for
24 a dependent care planning grant.

25 (2) The request for proposals shall require applicants
26 to demonstrate all of the following:

27 (A) The existence of significant community support
28 for the development of a dependent care element in the
29 general plan.

30 (B) The interest, as evidenced by past activities, of the
31 city or county government or its agencies in meeting
32 dependent care needs within its jurisdiction.

33 (C) Evidence that agencies responsible for identifying
34 dependent care needs or providing dependent care
35 services within the jurisdiction are willing to participate
36 in the planning process.

37 65333. (a) On an annual basis, the Office of Research
38 and Planning ~~Planning and Research~~ shall submit to the
39 Legislature a list of the cities and counties which have
40 been awarded dependent care planning grants.

1 (b) On or before June 30, 1995, the Office of Research
2 ~~and Planning~~ *Planning and Research* shall assess the
3 effectiveness and cost of the program operated under this
4 article and shall submit its findings to the Legislature.
5 The effectiveness of the program shall be measured by
6 the following factors:

7 (1) The number of cities and counties that have
8 developed and adopted dependent care ~~elements in their~~
9 ~~general plans.~~

10 (2) The change in the availability of dependent care
11 programs and facilities within the cities and counties
12 which have developed and adopted dependent care
13 ~~elements in their general plans and statewide plans.~~

14 (3) Changes in siting patterns of dependent care
15 programs and facilities within the cities and counties
16 which have developed and adopted dependent care
17 ~~elements in their general plans and statewide plans.~~

18 (4) The extent to which previously unmet dependent
19 care needs have been identified and met within the cities
20 and counties which have developed and adopted
21 ~~dependent care elements in their general plans and~~
22 ~~statewide dependent care plans.~~

23 (5) The extent to which barriers to dependent care
24 programs and facilities have been identified and reduced.

AB 3297
Page 2

be willing to add your name to our list of supporters? Could you suggest others whom I should contact? For your convenience, a support form is enclosed.

Please feel free to call my consultant Sherry Novick at 916-445-7554 with any questions or thoughts you might have regarding AB 3297.

Thanks in advance for your help.

Sincerely,



Tom Bates
Member of the Assembly

TB:sn

please return to:
Assemblyman Tom Bates
State Capitol
Sacramento, CA 95814

Name _____ Telephone _____

Address _____

Organizational affiliation _____

I support AB 3297 _____

My organization supports AB 3297 _____

I suggest you contact the following people about AB 3297:

Comments: