



The California County Platform | Chapter 5

Government Operations

Adopted by the CSAC Board of Directors

INTRODUCTION

Local control is the primary policy cornerstone of CSAC. Counties should determine the scope and extent of the government services they will render in response to the needs and desires of the local community. While counties do act as agents of the state and federal government in performing services in some policy areas – and do so with substantial state or federal financing – these activities should be distinguished from areas of local interest when determining the basis for applying statewide standards and supervision.

SECTION 1: GENERAL PRINCIPLES

Scope of Services

Counties should have full discretion over the scope and extent of government services offered. Each county should further examine its ability to support such services, always subject to the requirement to provide mandated services as state agents.

Uniformity in Services

When performing mandated duties, the degree of uniformity required should be carefully determined, with emphasis on the purpose of each requirement and the goal of uniformity to serve a specific beneficial purpose. This will enable progress through the application of a variety of administrative approaches and methods.

Freedom to Devise Program Operating Policies

Counties should be free to devise their own operating policies for all government programs not financed wholly or substantially by federal or state funds.

Whole Responsibility with Board of Supervisors

To be directly responsible to the people, general control of county government should be placed wholly with the board of supervisors.

Non-Partisan Nature of County Government

The office of county supervisor should continue to be nonpartisan, enabling the people to vote on the basis of local issues and to enable supervisors to solve local problems without binding allegiances to political parties.

SECTION 2: LOCAL GOVERNMENT ORGANIZATION

Different government organizational structures exist throughout the state; legal constraints and time-consuming restrictions have severely limited the use of the charter as a method of obtaining local control. The State Constitution and statutes should be revised to provide authorization for counties to independently organize by local control.

The principle of local control also applies to the issue of elected "ministerial" officials. The board of supervisors should have authority to submit proposals for appointment of elected officials to the voters. Also, counties should be allowed to submit to their electorate the questions of whether elected non-legislative officials, except District Attorney, should be appointed by the board of supervisors.

Counties should be allowed maximum flexibility to structure their organization through the process of "local option control."

SECTION 3: LIBRARY SERVICES

The continued vitality of our free and democratic society and the effective operation of government at all levels is dependent on an informed and knowledgeable citizenry. Libraries continue to expand their role beyond repositories of written knowledge to now include STEM education, activity areas, meeting rooms, computer access, non-book rentals, services for job-seekers, and often serve as a resource for the homeless community, among other services. Therefore, it is the responsibility of all levels of government, including county government, to ensure that all people have access to sources of knowledge and information that affect their personal and professional lives and society as a whole.

The public library is a supplement to the formal system of free public education and a source of information and inspiration to persons of all ages, as well as a resource for continuing education. As such, public libraries deserve adequate financial support from all levels of government.

Counties are among the traditional providers of library and information services to the people. Counties form a natural region for the provision of this service. Citizens expect free library services that are responsive to local needs.

Intergovernmental Relationships

The state is urged to recognize public libraries as part of the system of public education and should continue providing financial assistance to support their operation. The state should also continue and strengthen funding for the interjurisdictional library cooperatives established under the California Library Services Act, Education Code Sections 18700 through 18766.

Privacy and Censorship

Recognizing the right of an individual to privacy, circulation records and other records identifying the names of library users with specific materials, including Internet usage, are to be confidential in nature.

SECTION 4: ADMINISTRATION OF ELECTIONS

Counties support efficient and accessible voting for all. As a democratic republic, the people and their representatives control government and the people's will is expressed through voting. Election policies and administration should strike a balance between uniformity and flexibility, but should aim to further the nation's democratic and republican nature by allowing and encouraging voting by a broad range of citizens, so that the government's decisions express the will of the people as fully as possible.

Reimbursement for Special and Vacancy Election Costs

Counties support efforts to reinstate language directing the state to provide reimbursement to counties that hold a special election to fill a legislative or Congressional vacancy and other special elections. Until such reimbursement is provided, counties support efforts to reduce special election administrative costs borne by counties.

All Mail Ballot Elections

Given the increasing popularity of voting by mail, the rising costs of administering elections due to state and federal regulations, and the positive effect it would have on voter participation, counties support proposals that would give Boards of Supervisors the option of holding any election by mail in lieu of in-person voting.

State Payments for Ballot Real Estate

While cities and special districts reimburse counties for the proportionate cost of administering elections on their behalf, the state traditionally does not. Counties support efforts to seek more upfront funding from the state for administration of elections, particularly for those direct costs imposed by the state.

SECTION 5: BROADBAND

In 2021, Governor Newsom signed a measure that created a structure and framework for a statewide, state-owned, open-access middle-mile broadband network. Counties believe this network is critical to finally closing the digital divide, are committed to its successful implementation, and will oppose efforts to divert its funding or reduce its scope.

Counties support the expansion of broadband (high-speed internet service) to all parts of the state to drive economic development and job opportunities, support county service delivery, and improve health, education, and public safety outcomes for community members. This

should include funding for technologies that can address underserved areas where fiber is not financially or practically viable.

Broadband must be capable of supporting current technology standards and speeds in order for counties to realize these benefits. This may require infrastructure solutions specific to a given county or region. Counties support efficiencies that offer local jurisdictions the opportunity for simultaneously running fiber when private entities are undergrounding powerlines. Access and adoption are both necessary elements that should be supported in state and federal legislative and regulatory proposals. This includes, but is not limited to:

- Establishing and maintaining reliable broadband in unserved or underserved communities;
- Promoting the knowledge, skills, and behaviors that comprise digital literacy;
- Making broadband affordable for all households;
- Maximizing funding for infrastructure; and
- Reducing infrastructure deployment barriers.

Counties oppose efforts by telecommunications service providers to relieve themselves of obligations to serve as a carrier of last resort (COLR) for “plain old telephone service,” (POTS) landline phone services. While counties believe that closing the digital divide is essential to ensuring all communities can thrive, removal of COLR obligations would reduce the availability of essential communication services and the ability for residents and community leaders to respond to emergencies, particularly when there is an electrical power outage.

SECTION 6: ARTIFICIAL INTELLIGENCE

Counties are committed to using Artificial Intelligence (AI) technology responsibly, transparently, and ethically to improve processes, enhance services to residents, and support employees to do their best work. To preserve the county priority of local control, the state should support the ability of counties to independently determine the scope and extent of AI integration within county government services. The state should not infringe on county operational policies and practices, inclusive of employment practices.

Counties expect the state to commit to transparent decision-making processes regarding AI state legislation and regulations; formally soliciting county input and involvement. If the state requires the use of a particular AI technology or platform over another, then the state must be responsible for evaluating, maintaining, and keeping it current, using state resources. If the state makes a regulation, it is the state’s responsibility to ensure the vendor is upholding standards and compliance. Counties support the state auditing or monitoring the AI industry and technologies for compliance with state law.

Counties urge the state to issue guidance on best practices for AI technology that safeguards data protection and fosters innovation, without placing additional requirements on counties to oversee compliance. Wherever feasible, this guidance should be aligned with relevant federal

regulations. This guidance should not supersede local control in how counties decide to use AI technology. The State’s guidance should include, but not be limited to the need for algorithmic systems to have a high accuracy rate and include details for a competitive procurement process. That guidance should include questions to ask vendors to demonstrate how they have attempted to remove bias from their products.

Election security is paramount, and as those charged with administering elections, counties are supportive of efforts to protect the integrity of elections, thereby preventing and/or identifying deepfakes and misinformation. For all other policy issues or programs that may be affected by artificial intelligence, CSAC supports evaluating the impact of artificial intelligence and the appropriate response through the lens of the values described in this section.

Counties encourage AI-related legislation to follow existing state law on copyright, cybersecurity, privacy, and public record laws. Legislation should not be introduced that exempts AI from existing copyright, cybersecurity, privacy, and public record laws. Any proposed state law related to AI technology or platforms must comply with existing data requirements and applicable laws, including but not limited to the California Consumer Privacy Act, Criminal Justice Information System, Health Insurance Portability and Accountability Act, California Confidentiality of Medical Information Act, California Public Records Act. Counties recognize public trust in AI technologies is still developing and control over the use of disclosure statements should be maintained at the county level.

SECTION 7: THE RALPH M. BROWN ACT

The Ralph M. Brown Act (the Brown Act) is intended to facilitate public participation in local government decisions and imposes an “open meeting” requirement on local legislative bodies. Among its many provisions, the Brown Act ensures that public decisions are deliberated on and made in public, at noticed meetings, in which the public can participate. Counties are committed to ensuring the public’s right to access public meetings and scrutinize the decisions of public officials.

Recognizing the clear benefits of open meetings, CSAC supports efforts that maximize local control and flexibility while maintaining transparency and accountability under the following framework.

- The people must retain “the right of access to information concerning the conduct of the people’s business, and, therefore, the meetings of public bodies and the writings of public officials and agencies shall be open to public scrutiny,” as granted by the state constitution.
- State law should allow counties to design local rules regarding the safe and efficient use of remote meeting options by elected and appointed officials and members of the public in order to promote greater participation, reduce travel barriers, reduce transportation emissions, and increase equity and inclusion. Remote participation might require different rules or limitations than in-person participation.

- Local legislative bodies should be able under the law to effectively manage meetings so that they can constructively accomplish the people’s business while meeting the intent of the state’s open meeting laws.
- Public meetings should be safe, accessible, and welcoming environments where community members can peaceably assemble and attend the people’s business without being threatened, harassed, or subjected to unacceptably disruptive behavior.
- The requirements of the Brown Act for local open meetings should not be more stringent than the requirements of the Bagley-Keene Open Meeting Act for the state’s open meetings.

Section 8: The California Public Records Act

The California Public Records is part of the bedrock of transparency laws enshrining the public’s rights to hold their governments accountable. Counties believe the act is a vital component of maintaining trust in government institutions. Counties also believe in the importance of advancing policies that strike a more appropriate balance between the public’s right to access records and the needs of local governments to preserve local resources for all members of the communities they serve. Changes to the public records act over the past decade have expanded the public’s access to records while diminishing tools available to local governments to respond to the fiscal pressures brought by public records requests.

To that end, counties support public records act reform that:

- Allows counties to recover more of the costs of responding to requests that are expensive and consume significant resources;
- Consider the unique needs of journalists, academics, non-profits, and intergovernmental interests in accessing records, particularly in comparison to commercial or legal interests;
- Appropriately balance the public’s right to access information and the needs of the government in providing services for all residents in their communities; and
- Help agencies avoid public records act lawsuits.