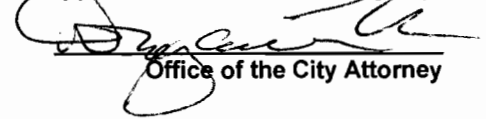


FILED
OFFICE OF THE CITY CLERK
OAKLAND

2012 MAR -8 PM 3:10

Approved as to Form and Legality:


Office of the City Attorney

Oakland City Council

RESOLUTION No. 83764 C.M.S.

Introduced by Councilmember Nancy Nadel

RESOLUTION IN SUPPORT OF SB 1060 (HANCOCK), WHICH WOULD END THE LIFETIME BAN ON BENEFITS AND SERVICES PROVIDED THROUGH THE CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS (CALWORKS) PROGRAM FOR PEOPLE WHO HAVE A PRIOR DRUG-RELATED FELONY CONVICTION AS LONG AS THEY ARE PARTICIPATING IN OR HAVE SUCCESSFULLY COMPLETED A GOVERNMENT RECOGNIZED TREATMENT PROGRAM

WHEREAS, existing federal law provides for the allocation of federal funds through the federal Temporary Assistance for Needy Families (TANF) block grant program to eligible states, and provides for the California Work Opportunity and Responsibility to Kids (CalWORKs) program, under which each county provides cash assistance and other benefits to qualified low-income families through a combination of state, county, and federal funds received through the federal TANF program; and

WHEREAS, CalWORKs provides modest monthly grants and services that support the basic needs of Californians with very low incomes who, unless they meet one or more exemption criteria (such as having a disability) or are receiving a domestic violence waiver, adult CalWORKs recipients are required to participate in employment activities and are provided related supportive services such as child care and transportation which help keep families together and support them in moving towards self-sufficiency; and

WHEREAS, under federal law, an individual convicted under federal or state law of an offense that is classified as a felony by the law of the jurisdiction involved, and that has as an element the possession, use, or distribution of a controlled substance, as defined, shall not be eligible for assistance under a state program funded under provisions of federal law regarding the TANF program; and

WHEREAS, existing law authorizes a state to exempt individuals domiciled in the state from this prohibition; and

WHEREAS, existing state law provides that an individual who has been convicted in state or federal court of a felony that has as an element the possession, use, or distribution of a controlled substance, as defined under federal law or the California Uniform Controlled Substances Act, is ineligible for aid under the CalWORKs program; and

WHEREAS, this bill would delete the existing provisions, and would instead provide that a person convicted of a drug-related felony shall be eligible to receive CalWORKs benefits if he or she meets certain conditions of eligibility; and

WHEREAS, existing law continuously appropriates moneys from the General Fund to defray a portion of county costs under the CalWORKs program; and

WHEREAS, this bill would instead provide that the continuous appropriation would not be made for purposes of implementing the bill; and

WHEREAS, by revising and expanding standards of eligibility for benefits under the CalWORKs program, this bill would increase the responsibilities of counties, and would impose a state-mandated local program; and

WHEREAS, the California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement; and

WHEREAS, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions; and

WHEREAS, the singling out of these individuals also burdens local communities that are working to implement "Realignment" (AB 109) and need to identify strategies that ensure successful reentry for an increasing number of people, many more of whom have children than ever before; and

WHEREAS, the City of Oakland strongly supports SB 1060, because preventing parents from receiving these small basic needs grants and supportive services puts our state's poorest children in harm's way; now, therefore be it

RESOLVED: that the Oakland City Council hereby provides that it supports Senate Bill 1060 and authorizes the City Administrator to communicate to the California State Legislature the City Council's support of the Bill.

IN COUNCIL, OAKLAND, CALIFORNIA,

MAR 20 2012

PASSED BY THE FOLLOWING VOTE:

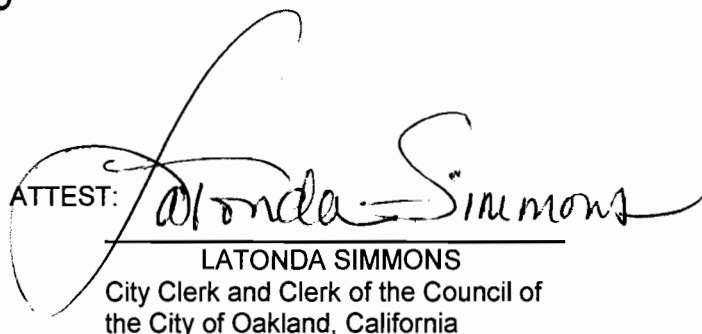
AYES - BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF, AND
PRESIDENT REID - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:


LATONDA SIMMONS
City Clerk and Clerk of the Council of
the City of Oakland, California