

## C O U N T Y   A D M I N I S T R A T O R



SUSAN S. MURANISHI  
COUNTY ADMINISTRATOR

June 28, 2019

Honorable Board of Supervisors  
Administration Building  
Oakland, CA 94612

Dear Board Members:

**SUBJECT: ADOPT POSITIONS ON FEDERAL LEGISLATION; SUPPORT: HR 3222: NO FEDERAL FUNDS FOR PUBLIC CHARGE ACT OF 2019; STATE LEGISLATION: SUPPORT: ASSEMBLY BILLS (AB): AB 1022: CALIFORNIA ANTI-HUNGER RESPONSE AND EMPLOYMENT TRAINING ACT OF 2019, AB 656: OFFICE OF HEALTHY AND SAFE COMMUNITIES, AB 857: PUBLIC BANKS, AB 960: CALWORKS: HOMELESS ASSISTANCE, AB 1088: MEDICAL: ELIGIBILITY, AB 1436: CALWORKS: ELIGIBILITY: INCOME EXCEPTIONS, AB 1482: TENANCY: RENT CAPS; ASSEMBLY CONSTITUTIONAL AMENDMENT (ACA): ACA 1: LOCAL GOVERNMENT FINANCING: AFFORDABLE HOUSING AND PUBLIC INFRASTRUCTURE: VOTER APPROVAL; SENATE BILLS (SB): SB 329: DISCRIMINATION: HOUSING: SOURCE OF INCOME, SB 39: TOBACCO PRODUCTS, SB 160: EMERGENCY SERVICES: CULTURAL COMPETENCE, SB 409: ILLEGAL DUMPING, SB 464: CALIFORNIA DIGNITY IN PREGNANCY AND CHILDBIRTH ACT**

### RECOMMENDATION

Adopt, in accordance with the County's 2019-2020 Legislative Platform and the recommendations of your Personnel, Administration, and Legislation (PAL) Committee from its June 17, 2019 and June 24, 2019 meetings, the following recommendations:

- A. **Support** Federal House Resolution 3222 (Chu) No Federal Funds for Public Charge Act of 2019
- B. **Support** Assembly Bill 1022 (Wicks) California Anti-Hunger Response and Employment Training Act of 2019
- C. **Support** Assembly Bill 656 (E. Garcia) Office of Healthy and Safe Communities
- D. **Support** Assembly Bill 857 (Chiu) Public Banks
- E. **Support** Assembly Bill 960 (Maienschein) CalWORKs: Homeless Assistance
- F. **Support** Assembly Bill 1088 (Wood) Medi-Cal: Eligibility
- G. **Support** Assembly Bill 1436 (Stone) CalWORKs: Eligibility: Income Exceptions
- H. **Support** Assembly Bill 1482 (Chiu) Tenancy: Rent Caps
- I. **Support** Assembly Constitutional Amendment 1 (Aguiar-Curry) Local Government Financing: Affordable Housing and Public Infrastructure: Voter Approval
- J. **Support** Senate Bill 329 (Mitchell) Discrimination: Housing: Source of Income

- K. **Support** Senate Bill 39 (Hill) Tobacco Products
- L. **Support** Senate Bill 160 (Jackson) Emergency Services: Cultural Competence
- M. **Support** Senate Bill 409 (Wilk) Illegal Dumping
- N. **Support** Senate Bill 464 (Mitchell) California Dignity in Pregnancy and Childbirth Act

## **DISCUSSION**

### **A. Support Federal House Resolution 3222 (Chu) No Federal Funds for Public Charge Act of 2019**

In alignment with your Board's prior actions in opposition to changes to the federal Public Charge definitions and enforcement; with the Vision 2026 Shared Vision of a Thriving and Resilient Population; and with your 2019-2020 Legislative Platform plank on immigration, this Senate bill prohibits the use of federal funds to implement, administer, enforce, or carry out the proposed rule of the Department of Homeland Security entitled "Inadmissibility on Public Charge Grounds" which makes immigrants who are likely at any time to become a public charge and receive public benefits inadmissible to the U.S..

Federally-funded means-tested programs provide much needed support to a considerable number of County residents. Programs within the Social Services Agency (SSA) alone, nearly all of which have a connection to federal funding, serve approximately 1 out of every 4 County residents. Additional programs that could be included in this definition expansion are provided by the Community Development Agency (CDA) and Health Care Services Agency (HCSA). If the expansion of public charge is implemented as written in the Notice of Proposed Rule Making, it is likely that many households currently receiving assistance through SSA, CDA, and HCSA programs will discontinue enrollment – even if they are not impacted by the change directly. This “chilling effect” compounds the impact of the public charge expansion beyond those to whom it directly applies. This could impact County agencies through lower enrollment in supportive programs, and higher need for emergency medical, housing, and nutritional support once recipients exit programs and again find themselves in need of assistance.

For these reasons, Lori Cox, Director, Social Services Agency; Colleen Chawla, Director, Health Care Services Agency; Wilma Chan, Board of Supervisors, District 3; and Keith Carson, Board of Supervisors, District 5, recommended that the PAL Committee adopt a SUPPORT position for HR 3222.

### **B. Support Assembly Bill 1022 (Wicks) California Anti-Hunger Response and Employment Training Act of 2019**

Support for AB 1022 is aligned with the Vision 2026 10X Goal to Eliminate Poverty and Hunger's legislative plank: Safety Net Programs and Supportive Services: Restore critical safety net benefits, increase flexibility, and remove barriers to participation to ensure access to public benefits. The bill would protect unemployed and underemployed adults without children from losing their nutrition assistance through the establishment of the California Anti-Hunger Response and Employment Training (CARET) program. The CARET program will provide state-funded nutrition and employment and training benefits to individuals who have been determined ineligible for CalFresh or time-limit waivers. Alameda County provides CalFresh benefits to, approximately, 97,400 individuals (42% are children). Of these, around 9,800 individuals are subject to the limits and could lose CalFresh nutrition benefits.

For these reasons, Lori Cox, Director, Social Services Agency, recommended that the PAL Committee adopt a SUPPORT position for AB 1022.

### **C. Support Assembly Bill 656 (E. Garcia) Office of Healthy and Safe Communities**

This bill would create the State Office of Healthy and Safe Communities (OHSC) to provide a statewide comprehensive violence prevention strategy, including the development, implementation, and monitoring of a California vision and plan for violence prevention, safety, and healing. AB 656 would require the OHSC to strengthen the professionalization of community violence intervention and prevention as a licensed occupation and facilitate the coordination and alignment of programming across statewide departments and agencies.

This position conforms to the Vision 2026 Shared Vision of Safe and Liveable Communities. For all these reasons, Colleen Chawla, Director, Health Care Services Agency, recommended that the PAL Committee adopt a SUPPORT position for AB 656.

### **D. Support Assembly Bill 857 (Chiu) Public Banks**

AB 857 makes amendments to current banking and corporate tax laws to allow for the creation of “public banks”. This bill would define the term “bank” to include a public bank. The bill would define the term “public bank” to mean a corporation, organized for the purpose of engaging in the commercial banking business or industrial banking business, that is wholly owned by a local agency, as specified, local agencies, or a joint powers authority, or a special district. Before submitting an application to the State for approval, a publicly presented study of the viability of a public bank is required. AB 857 would authorize a county to lend its credit to a public bank. It also would authorize a local agency to deposit funds in a public bank, and to invest in a public bank.

This position is aligned with the Vision 2026 Shared Vision of a Prosperous and Vibrant Economy. For all these reasons, Keith Carson, Board of Supervisors, District 5, recommended that the PAL Committee adopt a SUPPORT position for AB 857.

The following **seven bills (E through J)** address issues related to income stability and housing all in conformance with the 2019-2020 Legislative Platform’s planks under the Vision 2026 10X Goals - Eliminate Homelessness and Eliminate Poverty and Hunger.

### **E. Support Assembly Bill 960 (Maienschein) CalWORKs: Homeless Assistance**

Changes in the eligibility criteria for CalWORKs temporary shelter support, in AB 960, include the following: a family whose gross countable income is less than the minimum basic standard of adequate care (MBSAC); and instances in which a family is unable to pay rent that is past due. The bill allows the County to waive the 16-day limit for temporary shelter assistance and provide additional days of temporary shelter assistance if additional days are necessary while the family transitions to permanent housing. It also removes the consecutive day per year limit and instead limits it to 16 days per instance of homelessness and requires permanent shelter assistance once per each instance of homelessness. AB 960 expands the types of housing covered by a permanent housing payment. Alameda County provides crucial safety net services to one in four residents and provides CalWORKs benefits to approximately 20,400 individuals.

AB 960 provides CalWORKs program flexibility for the homeless assistance program in order to help more families to secure temporary shelter and permanent housing that meets their unique housing needs. For these reasons, Lori Cox, Director, Social Services Agency, recommended that the PAL Committee adopt a SUPPORT position for AB 960.

#### **F. Support Assembly Bill 1088 (Wood) Medi-Cal: Eligibility**

AB 1088 would allow a Medi-Cal recipient who becomes eligible for the Medicare Part B premium coverage to maintain eligibility without a share of cost, if otherwise Medi-Cal eligible. The bill would allow seniors to remain on free Medi-Cal despite the elimination of the payment of the Part B premium as an income deduction. Those who are eligible for free Medi-Cal when they enroll, will stay eligible when the state starts paying their Part B premiums if their income doesn't otherwise increase. This ensures that our low-income seniors can access the medical care they need.

For these reasons, Lori Cox, Director, Social Services Agency, recommended that the PAL Committee adopt a SUPPORT position for AB 1088.

#### **G. Support Assembly Bill 1436 (Stone) CalWORKs: Eligibility: Income Exceptions**

AB 1436 would increase working family's eligibility for CalWORKs by increasing the current \$90 earned income deduction incrementally over three years beginning January 1, 2020. This would allow more working families to benefit from CalWORKs cash assistance and supportive services and thereby help working families meet their basic needs.

For these reasons, First 5 Alameda County and Lori Cox, Director, Social Services Agency, recommended that the PAL Committee adopt a SUPPORT position for AB 1436.

#### **H. Support Assembly Bill 1482 (Chiu) Tenancy: Rent Caps**

Most of California's 17 million renters do not have safe, secure, and affordable housing. Over half of renters and a majority of low-income renters are rent-burdened, meaning they pay over 30% of their income towards rent. AB 1482 would prohibit an owner of non-exempt residential real property from increasing the rental rate by more than 5% plus cost of living, over the lowest rental rate in effect from the prior year. The bill would prohibit certain terminations and would require a written statement showing cause for the termination.

AB 1482 aims to protect Alameda County residents by creating price stability and certainty, enabling renters and families to be better able to plan for their future by removing the risk of large and unexpected rent increases.

For these reasons, Colleen Chawla, Director, Health Care Services Agency, and Chris Bazar, Director, Community Development Agency, recommended that the PAL Committee adopt a SUPPORT position for AB 1482.

#### **I. Support Assembly Constitutional Amendment 1 (Aguiar-Curry) Local Government Financing: Affordable Housing and Public Infrastructure: Voter Approval**

ACA 1 will lower the necessary voter threshold from a two-thirds supermajority to 55% to approve local general obligation bonds and special taxes for affordable housing and public infrastructure

projects. This measure gives local governments a more realistic financing option to fund an increase in the supply of affordable housing, and to address the numerous local public infrastructure challenges cities, counties, and special districts face.

This measure requires the approval of two-thirds of the membership of each house in the Legislature, and approval by a majority of voters at a statewide ballot election to ratify the changes to the Constitution. Alameda County voters will have to opportunity to vote on this measure.

For these reasons, Colleen Chawla, Director, Health Care Services Agency, and Chris Bazar, Director, Community Development Agency, recommended that the PAL Committee adopt a SUPPORT position for ACA 1.

#### **J. Support Senate Bill 329 (Mitchell) Discrimination: Housing: Source of Income**

Existing law defines the term “source of income” for purposes of the provisions relating to discrimination in housing accommodations to mean lawful, verifiable income paid directly to a tenant or paid to a representative of a tenant but vouchers are not listed as a protected source of income under housing law. SB 329 would instead define the term to mean verifiable income paid directly to a tenant, or paid to a housing owner or landlord on behalf of a tenant, including federal, state, or local public assistance and housing subsidies. Because so many housing voucher recipients are unable to find landlords who will rent to them in California, the vouchers go unused leaving funding on the table that could help to address the state’s housing crisis. This bill will improve the success rate for these renters and thereby bring in more federal resources to help combat the affordable housing crisis.

By ensuring more families can access safe, affordable, and stable housing, SB 329 will prevent the need for a host of other county services needed by chronically or episodically homeless families and individuals. For these reasons, Colleen Chawla, Director, Health Care Services Agency, and Chris Bazar, Director, Community Development Agency, recommended that the PAL Committee adopt a SUPPORT position for SB 329.

#### **K. Support Senate Bill 39 (Hill) Tobacco Products**

The existing Stop Tobacco Access to Kids Enforcement (STAKE) Act, prohibits the sale, distribution, or non-sale distribution of tobacco products, directly or indirectly to any person under 21 years of age through the United States Postal Service or through any other public or private postal or package delivery service. SB 39 would additionally require conspicuously marked packaging for all delivered tobacco products.

This support position is in accord with the Legislative Platform plank “Tobacco Prevention” under the Vision 2026 10X Goal of Healthcare for All. For all these reasons, Colleen Chawla, Director, Health Care Services Agency, recommended that the PAL Committee adopt a SUPPORT position for SB 39.

#### **L. Support Senate Bill 160 (Jackson) Emergency Services: Cultural Competence**

Vulnerable communities and communities that are traditionally hard to reach could greatly benefit from being included in emergency planning. Health risks are often disproportionately concentrated in low-income communities of color. SB 160 creates a standardized policy throughout the state that requires local jurisdictions to conduct community engagement in the next update of their emergency plan to ensure all communities are included. It would require a county to integrate cultural competence into its

emergency planning process and its emergency plan. The bill would also require a county to provide a forum for community engagement in geographically diverse locations in order to engage with culturally diverse communities within its jurisdiction.

Our Vision 2026 Shared Vision of a Thriving and Resilient Population, the 10X Goals of Healthcare for All and Accessible Infrastructure are supported by SB 160's requirements for inclusive planning process and considerations. For all these reasons, Colleen Chawla, Director, Health Care Services Agency, recommended that the PAL Committee adopt a SUPPORT position for SB 160.

**M. Support Senate Bill 409 (Wilk) Illegal Dumping – *this is now a two-year bill***

Our Vision 2026 Shared Vision of a Healthy Environment and Safe and Liveable Communities inform this support position on SB 409 which expands the definitions and enforcement options for what constitutes illegal dumping. Existing law severely limits which local departments can declare that illegal dumping creates a public safety hazard or nuisance, leaving many counties' respective local agencies that directly and frequently respond to unlawful dumping complaints with no statutory authority to enforce charges against violators. SB 409 would alleviate this problem. It makes transport for purpose of dumping illegal and prohibits dumping on private property, including dumping of dirt, without permits to both dump and receive. The bill also significantly increases fine amounts.

SB 409 will dramatically reduce environmental damage and health risks by increasing enforcement tools for jurisdictions.

For these reasons, Nate Miley, Board of Supervisors, District 4, recommended that the PAL Committee adopt a SUPPORT position for SB 409.

**N. Support Senate Bill 464 (Mitchell) California Dignity in Pregnancy and Childbirth Act**

In California, the rate of maternal mortality has decreased 55% since 2006. However, for women of color, and particularly Black women, the maternal mortality rate remains 3 to 4 times higher than white women. Although Black women make up only 5% of the birth cohort in California, they comprise 21% of the pregnancy-related deaths. Unlike with other health disparities, socioeconomic status, access to prenatal care, education level, and general physical health do not explain the disparity seen in Black women's maternal mortality and morbidity rate. Evidence points to implicit bias as one of the causes for the wide disparities seen between Black women's maternal mortality numbers and other ethnic groups.

SB 464, the Dignity in Pregnancy and Childbirth Act, aims to reduce pregnancy-related preventable deaths, severe illnesses and associated health disparities by addressing implicit bias among perinatal health providers. The required training program will task medical professionals to identify and correct any previously or current unconscious or conscious biases and misinformation. They will also address personal, interpersonal, institutional, structural, and cultural barriers to access to health care.

By preparing perinatal medical providers to better care for mothers in some of the most vulnerable moments in their lives, SB 464 will preserve lives so that childbirth remains a joyful moment for all mothers, and not a life-threatening event for Black mothers. This position is aligned with the Legislative Platform plank Maternal and Early Child Health under the 10X Goal of Healthcare for All. For all these reasons, Colleen Chawla, Director, Health Care Services Agency, recommended that the PAL Committee adopt a SUPPORT position for SB 464.

**VISION 2026 GOAL**

These recommendations meet the 10X Goal pathways of **Eliminate Poverty and Hunger**, **Healthcare for All**, **Accessible Infrastructure**, and **Eliminate Homelessness**, in support of our Shared Visions of a **Thriving and Resilient Population**, **Healthy Communities**, and **Safe and Livable Communities**. By working with our legislative delegation and our associations, departments, and advocates, we ensure a legislative agenda that addresses the County's mission, vision, and values.

Very truly yours,



Susan S. Muranishi  
County Administrator

SSM:AC:TSR:JS:sg

cc: Chris Bazar, Director, Community Development Agency  
Colleen Chawla, Director, Health Care Services Agency  
Lori Cox, Director, Social Services Agency  
Kristin Spanos, Director, First 5 Alameda County  
CAO Analysts  
Federal and State Legislative Advocates