

**ALAMEDA COUNTY  
BOARD OF SUPERVISORS'  
PERSONNEL/ADMINISTRATION/LEGISLATION  
COMMITTEE**

**Monday, October 15, 2018  
1:30 p.m.**

**Supervisor Keith Carson, Chair  
Supervisor Wilma Chan**

Location: **Board of Supervisors Chambers – Room 512 5<sup>th</sup> floor**  
County Administration Building  
1221 Oak Street, Oakland, CA 94612

**Summary/Action Minutes**

**I. Federal Legislative Update – CJ Lake**

The House and Senate have adjourned for the mid-term elections and will return for a lame duck session beginning the week of November 13. The House has been in recess since the end of September and the Senate recessed on Friday after Democrats agreed to confirm 15 federal judicial nominees.

**Trump Administration Family Separation Policy**

The Department of Homeland Security (DHS) and Department of Health and Human Services (HHS) issued a Notice of Proposed Rulemaking (NPRM) on the Apprehension, Processing, Care, and Custody of Alien Minors and Unaccompanied Alien Children on September 7. The period to submit comments on the NPRM will end on November 6.

The Trump Administration is also considering a new policy to deter families arriving at the U.S.-Mexico border to include separating families. Under a 90-day pilot program, parents seeking asylum would be given a 'binary choice' to be detained with their children through the course of their immigration proceedings or to send their children to a shelter where they can be released to a sponsor. The change in policy can be done administratively and would not be issued through the rulemaking process.

**Purpose:**

- Report progress
- Advocacy or Education
- Request PAL\_Committee Recommendation or Position
- Other: Federal Update**

**Request for Legislation position – Action Item**

**i. [H.R. 7052](#) (Chu) No Federal Funds for Public Charge Act of 2018**

*Recommendation: Support:* Wilma Chan, President, Board of Supervisors, District 3,

*Co-Sponsors:* Keith Carson, Board of Supervisors, District 5, Lori A. Cox, Director, Social Services Agency, and Colleen Chawla, Director, Health Care Services Agency

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- Other:

**Recommendation from PAL Committee:** Support. Move to the full Board of Supervisors.

## II. State Legislative Update – Brownstein Hyatt Farber Schreck

It is less than a month away from the November 6<sup>th</sup> General Election and the capitol halls in Sacramento are quiet with legislative staffers being stationed throughout the state campaigning for various targeted seats in some very close elections.

Assembly Democrats currently have 54 seats – a perfect two-thirds supermajority. Democrats are working to protect several vulnerable seats such as the 60th Assembly District currently held by Sabrina Cervantes, the 65th Assembly District held by Sharon Quirk-Silva, the 66th Assembly District held by Al Muratsuchi, and the 32nd Assembly District held by Rudy Salas. They are also actively targeting several vulnerable Republican seats including the 16th Assembly District which, is held by Catharine Baker, the 38th Assembly district held by Dante Acosta, the 40th Assembly District held by Marc Steinorth, the 72nd Assembly District held by Travis Allen, and the 74th Assembly District held by Matthew Harper. Depending on voter turnout, Assembly Democrats may have as many as 60 seats come January.

Senate Democrats are not expecting as large of a shakeup in the General Election and are well positioned to protect their incumbent seats. Senate Democrats are targeting three vulnerable Republican seats including the 12th Senate District held by Anthony Cannella, the 14th Senate District held by Andy Vidak and 34th Senate District held by Janet Nguyen. Senate Democrats currently have 26 seats, just one seat shy of a two-thirds supermajority, and also contingent upon voter turnout, could have as many as 29 seats.

### Initiative Update

Californians are now seeing the ramp up of campaigns for and against the controversial ballot initiatives that will come before them in November. It was recently reported that \$300 million has been spent on California's 2018 November ballot initiatives alone. Due to the number of big ticket items on the ballot including the potential repeal of California's gas tax through Proposition 6 and the prospect of local governments being authorized to impose strict rent control measures through Proposition 10, the various industries and stakeholders affected are willing and able to spend large sums of money. For example, it was reported that the opposition to Proposition 10 has spent \$70 million and may be outpacing supporters.

Turning to the November 2020 ballot, three initiatives recently received titles and summaries and are cleared to gather signatures. Below are brief summaries and links to initiatives:

- Changes Requirements for Certain Property Owners When Transferring Their Property Tax Base to Replacement Property. Initiative Constitutional Amendment and Statute. (585,407 signatures required by 4/17/19) – This measure removes the following requirements for homeowners who are over 55 or severely disabled to transfer property tax base to replacement residence: that replacement property be of equal or lesser value; that replacement property be in an eligible county; and that transfer occur only once. The measure also removes location and replacement-value requirements on transfers of contaminated or disaster-destroyed property, adjusts replacement property's tax base, based on market value, limits tax benefit for eligible familial transfers, and expands circumstances triggering corporate property reassessment.
- Repeals Law Requiring Certain Law Enforcement to Collect and Report Specified Data on Stops and Searches. Initiative Statute. (365,880 signatures required by 4/17/19) – This measure repeals provision in the Racial and Identity Profiling Act of 2015 that requires state and local agencies that employ peace officers to collect specified data on all stops and searches, including the reason for the stop or search, and perceived race, ethnicity, gender, and age of person stopped, and to report such data to the Attorney General annually. The measure also reduces transparency by eliminating mandated data collection about stops and searches used by Attorney General, other law enforcement officials, the public, and researchers to identify and prevent racial and identity profiling.
- Eliminates Certain 2011 Criminal Justice Measures. Initiative Statute. (365,880 signatures required by 4/17/19) – This measure requires that individuals sentenced for certain non-serious, non-violent, and nonsexual felonies after November 3, 2020 serve their time in state prison – rather than in county jail, as 2011 law requires.

Additionally, the measure requires that individuals released on parole for these low-level felonies after November 3, 2020 be supervised by state parole authorities rather than county probation departments. After November 3, 2020, the measure prohibits courts from suspending the concluding portion of the prison sentence of individuals convicted of these low-level felonies and placing such felons on mandatory supervision by county authorities.

## **Census 2020**

The Public Policy Institute of California (PPIC) recently released a report examining the 2020 Census and Political Representation in California. The report finds that while California is on track to maintain 53 seats in the House of Representatives given current population trends and an accurate 2010 Census, California could easily lose a seat in Congress if the 2020 census fails to account for traditionally hard-to-reach populations and immigrant communities – more than 1.6 million Californians could be missed. The report also finds that undercounting in traditionally hard-to-count areas and immigrant populations could also affect how political state districts are drawn, potentially shifting representation away from poorer communities of color.

The report notes that \$90.3 million was allocated in the state budget for census outreach, and there is much community organizations, state and local governments can do to improve the likelihood of a complete and accurate census. With the addition of a citizenship question being added to the census questionnaire, California is most at risk of an inaccurate count if immigrant populations refrain from participating due to privacy concerns. During a presentation of the report, PPIC noted that this question could result in as high as 50% of the immigrant population being undercounted and as low as 10%.

## **PPIC: Public Safety Fact Sheets**

PPIC also recently released several publications regarding California's public safety issues, including county jails and crime trends. The report finds that county jail populations are largely males being held for felonies, that 64% of inmates are awaiting arraignment, trial or sentencing, and that 85% of inmates within county jails are held on felony charges or convictions, among other things. To read this publication, please click here.

Further, PPIC studied current crime trends in California, which finds that California's violent crime rate rose in 2017 but remains historically low. PPIC also finds that statewide property crime decreased in 2017 but crime rates vary dramatically by region and by category. To read this publication, please click here.

## **State Controller's September Cash Report**

The State Controller reports state revenues of \$12.10 billion in September, exceeding projections in the 2018-19 fiscal year budget by 5.1%, or \$582.4 million. Revenues for the first quarter of the 2018-19 fiscal year are \$28.71 billion, which is 5.2%, or \$1.43 billion, higher than projected in the enacted budget. Further, total fiscal year revenues thus far are 10.8% higher than we saw in the first quarter of fiscal year 2017-18.

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## **PUBLIC COMMENT**

None.

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