

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

**Monday, October 29, 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 remain in recess until after the mid-term elections. Congress will return for a lame duck session the week of November 13.

**Southwest Border Issue & Asylum Seekers**

The Department of Defense announced earlier today that they could send about 5,000 troops to the border. President Trump is also considering unveiling an executive action this week, as early as tomorrow, that would seek to block the entry of refugee-seeking migrants at the southern border using the same authority from the earlier ban prohibiting travel from certain Middle Eastern countries.

**Potential Mid-term Implications**

More than 70 Members of Congress who were sworn in on January 3, 2017 have already either resigned from office, decided to not run for reelection, lost in primaries or are running for another office. It could be an historically large freshmen class as an additional 30 House incumbents running for reelection are in tough races rated as toss-ups.

Additionally, there are eight Republican chairmen that have decided to retire and Mike McCaul, Chair of Homeland Security Committee is term-limited from seeking the same position. If Democrats win the majority in the House, their group of likely chairmen have plenty of experience on Capitol Hill, but very little as Chair of a Committee. There are just three of the 21 Ranking Democrats that have ever served as a committee chairman. (Colin Peterson -- Agriculture Committee, Bennie Thompson -- Homeland Security Committee, Bob Brady -- House Administration Committee).

There will also be a new Speaker of the House beginning in the 116th Congress. The potential Speakers of the House include, Nancy Pelosi if Democrats take the majority and current Majority Leader Kevin McCarthy if Republicans retain their majority.

**Lame Duck Priorities**

As Congress recessed for the mid-term elections, there were several items left unresolved. Congress will have to tackle an extension of the National Flood Insurance Program prior to November 30 as well as the remaining seven FY19 appropriations bills under a continuing resolution through December 7.

As part of the Bipartisan Budget Act of 2018, Congress also has until November 30 to submit recommendations on updating the Congressional budget process and improving multi-employer pension plans' solvency.

Other items on the agenda for the lame duck session include, the reauthorization of the farm bill, a disaster aid package for those impacted by Hurricane Michael, and a reauthorization of the Violence Against Women Act (VAWA). There is also talk of a potential deal on immigration to include a DACA-fix as well as funding for President Trump's border wall.

## 116th Priorities

If the Democrats regain the majority in the House, we expect there to be a focus on issues including, campaign finance reform, health care and prescription drug costs, infrastructure, immigration, and gun reform. The Senate's priorities are unknown, but we do expect a continued interest in confirming federal judicial nominees. One other area of compromise that we expect is on criminal justice reform as both the House Democrats and Senate Republicans have made it a priority in the current Congress.

### Purpose:

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

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

Sacramento is still focused on the November 6 General Election, which is now only one week away. As you will see below, we are getting stronger indications of how Californians will vote come November, due to recent polling.

### Initiative Update

Proposition 6, which would repeal California's gas tax and require future gas taxes to be approved by the voters, is reportedly coming closer to defeat. Over \$40 million has been put into the effort to defeat the initiative, led by a coalition of businesses, labor, local governments, and public safety groups. Currently a slim majority of voters would vote no on the initiative, and while support among Republicans has grown over the past few months, opposition among Democrats continues to steadily grow. If kept at this pace, Proposition 6 could be defeated.

Proposition 10, on the other hand, has seen a dramatic increase in opposition since September, and is expected to be defeated in November given recent polls. The opposition, comprised of realtor groups, has poured its resources into the defeat of the initiative and certainly has the money to do so. Specifically, the ads targeting homeowners and casting doubt on the implications of repealing Costa-Hawkins – a law not many Californians are entirely savvy on – play heavily into the shift in voter polling. In a recent interview, candidate for Governor Gavin Newsom said he plans to take responsibility in addressing the issue of rent control if the measure is defeated.

### PPIC: Californians and Their Government

The Public Policy Institute of California recently released the results of a statewide survey titled "Californians and Their Government." Some of the key findings include the following:

- Gavin Newsom remains ahead of John Cox in the race for Governor – 49% to 38%, with 10% undecided.
- Dianne Feinstein continues to have a strong lead over Kevin de León in the race for U.S. Senate – 43% to 27%, with 9% undecided.
- Proposition 6, which would repeal recent gas tax increases, is opposed by a slim margin of voters surveyed – 48% of likely voters would vote no on the repeal, a close 41% would vote yes, and 11% are still undecided.
- Proposition 10, which would expand local rent control authority, is losing momentum fast – 60% of voters would vote no on the initiative as written, while only 25% would vote yes, and 15% are undecided. The opposition has increased drastically since September.
- 53% of voters hold a favorable view of the Affordable Care Act and a solid majority say it is the responsibility of the federal government to ensure all Americans have health coverage.
- 2/3rds of likely voters in California oppose the building of a wall along the border of Mexico.
- 59% of voters polled want stricter gun laws.

## South Dakota v. Wayfair

On October 24, 2018, the California Department of Tax and Fee Administration (CDTFA) held a stakeholder meeting to discuss implementing the collection of online sales tax in California per the recent U.S. Supreme Court ruling in South Dakota v. Wayfair. CDTFA plans to issue a notice of implementation before the end of the year. Once the issue is noticed by CDTFA, a 30-60 day grace period will be provided before enforcement of the notice takes place. CDTFA does not expect this roll out to have a large administrative cost impact to local governments. CDTFA will be accepting written comments through November 7, 2018.

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## PUBLIC COMMENT

None.

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