

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

Monday, November 21, 2016
1:30 p.m.

Supervisor Keith Carson, Chair
Supervisor Wilma Chan

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

Summary/Action Minutes

I. Federal Legislative Update – CJ Lake

Congress is not in session this week. The House and Senate will return the week of November 28th and will have to address the Continuing Resolution that runs through December 9, 2016.

Lame Duck Session

Congress returned to Washington, D.C. last week to begin the Lame Duck session. There are several items on the Congressional agenda that need to be addressed prior to adjourning the 114th Congress. These include, holding leadership elections for the 115th Congress in the House and Senate and addressing the current Continuing Resolution (CR).

After the Thanksgiving holiday, Congress will return to session and will have to address the current CR that runs through December 9. House and Senate Republican leaders agreed to extend the current CR through March 31 in order to give the 115th Congress and incoming Trump administration time to address FY17 spending levels as well as an increase in the debt ceiling.

Transition

After his victory, President-elect Donald Trump's team has been working to ensure a smooth transition with the Obama Administration. Although beginning behind schedule and understaffed, Mr. Trump's team has begun vetting potential staff and appointees.

In the meantime, Mr. Trump has selected both Reince Priebus (Chairman of the RNC) as White House Chief of Staff and Steve Bannon (formerly Executive Chairman of Breitbart News) as White House Chief Strategist and Senior Counselor. On Friday, President-elect Donald Trump selected Senator Jeff Sessions as his Attorney General, one of Mr. Trump's earliest and most conservative congressional supporters. Mr. Trump also named retired Lieutenant General Michael Flynn as his White House National Security Advisor and Rep. Mike Pompeo to run the Central Intelligence Agency.

Purpose:

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

This item was informational only and required no Committee action.

II. State Legislative Update – Brownstein Hyatt Farber Schreck

The Legislature is out on final recess for one more week with the 2015-16 Session adjourning on November 30, 2016. The Legislature will convene on December 5th for the 2017-18 Organizational Session where all the Legislators that were elected or re-elected in November will be sworn in. When the Legislature convenes next month the Assembly Democrats will have a 2/3 supermajority. The Senate Democrats are one seat away from also securing a 2/3 supermajority, however, the race in the 29th Senate District is still too close to call.

2016 General Election Results

The majority of the votes are in from the November 8th General Election, and the results will enact some significant changes to the political landscape of California. More than 19 million Californians registered to vote, yet only a little over 10 million made their way to the poll on Election Day, a 52% voter turnout. There are still over 2 million unprocessed vote-by-mail and provisional ballots to be accounted for.

California voters decided on 17 initiatives, the U.S. Senate seat, half of the 40 State Senate seats and all 80 State Assembly seats; also weighing in on various local measures. Of the 17 statewide initiatives, California voters passed all but four.

Local Tax Measures in California

There were 430 tax and bond measures placed on local ballots across the State, 80 percent of which were approved. Several Bay Area cities had measures on the November 8th ballot to increase the local sales tax in order to fund various infrastructure projects and critical public services.

Additionally, there was a record of \$4.1 billion in tax measures on ballots throughout the state, aimed at preserving California's parks, trails and open space. Some of the measures raise money for new trails and parks, while others impose strict development limits. Most of these measures required a two-thirds majority vote to pass. Some of the cities and counties that had local parks tax measures on the November 8th ballot include: Oakland – Measure KK (passed), Hayward, Castro Valley & San Lorenzo, and surrounding communities – Measure F1 (passed).

Transportation Funding and California Statewide Local Streets and Roads Needs Assessment

The Legislature neglected to act on Senator Beall and Assemblymember Frazier's transportation funding proposal, which includes over \$2.5 billion in new funding to be shared between cities and counties and also includes accountability and streamlining measures to enhance the delivery of transportation projects. In the California Statewide Local Streets and Roads Needs Assessment, released on October 25th, the deteriorating state of California's city and county roads was confirmed. In a survey of all of California's 58 counties and 482 cities, findings concluded that the average pavement condition among local roads are in an "at risk" condition; only 6 counties have pavement in "good" condition and it is predicted that in 10 years, 22% of these roads will be in a "failed" condition. It is estimated that \$7 billion is needed, annually, to keep streets and roads in their optimal condition. Local governments have begun passing revenue measures to ensure the future sustainability and repair of local streets and roadways. According to the report however, local taxes alone will be insufficient in meeting these needs, and must be supplemented with state investment.

State Revenues and Fiscal Outlook

The Department of Finance reported that year-to-date revenues are about 1.8% below estimates. October revenues fell short of 2016-17 budget projections by 5%. Also falling behind in October is General Fund cash at \$381 million below the projected \$8.1 billion.

Grant Programs

The 2016 Budget Act appropriated \$25.6 million for Proposition 47 grants and included a supplemental allocation of \$10 million. The Board of State and Community Corrections released a preliminary draft of the Proposition 47 Grant Program Request for Proposals (RFP) providing key information necessary in preparing a proposal, and is expected to release a final approved RFP by the end of November 2016. All county agencies are eligible to receive funding.

The 2016 Budget Act also appropriated \$25 million to the Department of Finance (DOF) to administer the Community Based Transitional Housing Program, which seeks to encourage cities and counties to support housing that provides treatment and reentry services for offenders released from state prison or county jail. The grant application opened on October 1, 2016 and they will continue accepting and reviewing applications on a rolling basis through October 1, 2018, or until the \$25 million is exhausted.

Senate Joint Informational Hearing – Size of County Boards and Elected Executives

On October 27th, the Senate Committee on Elections and Constitutional Amendments and the Senate Committee on Governance and Finance held a Joint Informational Hearing to discuss the feasibility of California having County Elected Executives and 7 member Boards. The hearing was prompted by the County of Los Angeles and what is perceived by some as a need for structural reform – there are approximately 10 million people in LA County and only a 5 member board, as required. In an LA County Civil Grand Jury Report, it was recommended that larger counties separate legislative and executive functions, create larger boards, and have smaller districts, wherein counties may better serve the needs of their communities. There was an overarching consensus among the panels that the disruption and inefficiency of county governments, particularly larger counties, needs to be addressed. Panelists discussed the idea of increasing county boards to 7 members, and if this change would help alleviate some of the current inefficiencies. Additionally, former Majority Leader of the California State Senate, Richard Polanco, suggested, and panelists agreed, that the expansion of a board cannot happen without the appointment or election of a county executive to be held accountable to the public.

In 2015, SCA 8 (Mendoza) was approved by the Senate Governance and Finance Committee, but was ultimately held on the Senate Floor. SCA 8 would have placed on a statewide ballot a constitutional amendment to require counties with more than three million residents to be governed by a body of 7 or 3 more members. Most panelists acknowledged that expansion of a board and establishing elected county executives must be a county and voter initiated process, and should not be dictated by other governments. Senator Ben Allen, Chair of the Elections and Constitutional Amendments Committee, concluded the hearing by reiterating the importance of the discussion and continuing the conversation in years to come. A more detailed summary of the hearing was provided to County staff and is available upon request.

The Future of First 5: Expanding Early Childhood Systems – Webinar

On November 16, CSAC held an informational webinar to discuss how counties can expand and develop their early childhood systems to better meet the needs of young children and their families. In 1998, Prop 10 implemented a tobacco tax that would fund early childhood systems. In its first year, Prop 10 generated about \$250 in per child, and by 2020, it is expected that Prop 10 will only generate about \$100 per child. Counties, with this annual decline, have invested over \$480 million to supplement early childhood system efforts in areas of health, family support, and early learning. A few recent variables may affect First 5 funding in the future. ABX2 11 (Nazarian) imposes fee on tobacco sites that will generate \$4.6 million annually to fund First 5. Additionally, AB 2770 (Nazarian) will prohibit the use of tobacco tax revenues for enforcement or administration. On the other hand, the increase in the smoking age to 21 is expected to reduce Prop 10 revenues by \$24.5 million annually. Moreover, the \$2 tobacco tax increase, passed by voters on November 8, will not provide additional funding but may generate \$30 million annually from e-cigarette revenues spikes. Senate Informational Hearing on Open Data – SB 272 (Hertzberg) On October 27, the Senate Governance and Finance Subcommittee on Modernizing Government held an informational hearing regarding the implementation of SB 272.

This bill, signed by the Governor last year, requires local governments, implementing the California Public Records Act, to create a catalog of enterprise systems and to post the catalog on the local agency's website. As explored in the hearing, only 387 out of 480 cities are currently in compliance with SB 272. Witnesses at the hearing presented on various topics including maintaining compliance with the new requirements, issues that arise in the implementation, and addressed how open data and transparency may be beneficial to the public. Hearing documents will be posted on the committee's website in the coming weeks.

Gun Control Bills

Back in July, six referendums were filed to overturn the package of gun control laws signed by Governor Brown. Supporters of the referendums failed to meet the September 29th deadline to submit the required number of signatures to place the referendums on the November 2016 ballot. The leaders and supporters state that they will now look to overturn the laws through the initiative process. However, the package of gun control bills signed by the Governor earlier this year will now go into effect on January 1, 2017.

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Request for Legislation Position – Action Item

A. H.R. 5947/S. 3409 (McDermott/Casey) **Improving Employment Outcomes for Foster Youth Act of 2016**

Recommendation: Support: Lori Cox, Director, Social Services Agency

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

III. Legislative report on homelessness definition support for adopting federal homelessness definition for early care and education – Willie A. Hopkins, Jr., Director, General Services Agency

Willie A. Hopkins, Jr., Director, General Services Agency, submitted an informational report regarding staff discussions to engage the Department of Finance in applying the federal McKinney-Vento homeless definition to the early care and education (ECE) programs.

In accordance with the 2016 Legislative Platform, Alameda County State legislative advocates plan to meet immediately with Department of Finance to urge the Administration to adopt the federal McKinney-Vento homeless definition for all state contracted early care and education programs – a broader definition for community-based ECE contractors and Alternative Payment agencies which currently is used by public schools, and federally contracted Head Start agencies.

PUBLIC COMMENT

None.

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