

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

Monday, February 6, 2017  
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 are in session this week. The Senate will be focused on confirming some of President Trump's cabinet nominees, while the House is set to begin using the Congressional Review Act to overturn various Obama administration regulations. President Trump is also set to announce his nominee to the Supreme Court on February 7, 2017 at 8:00pm.

**Executive Orders**

Shortly after taking office, President Trump began signing executive orders to follow through on some of his main campaign promises. He has signed multiple executive orders throughout the last week and will continue to sign additional orders in the coming days.

**Congressional Review Act**

Republicans in the House will focus their efforts this week on overturning regulations established under the Obama administration. The House Rules Committee will begin by setting terms for debate for the following agency regulations:

- The Social Security Administration finalized a rule on Dec. 19 to report beneficiaries who have a mental health condition to the National Instant Criminal Background Check System, which the FBI uses to determine eligibility for purchasing firearms or explosives. The SSA said the rule implements provisions of the NICS Improvement Amendments Act of 2007 to provide relevant records to the FBI, and follows a directive from former President Barack Obama to improve the availability of these records.
- Under another measure, Congress would disapprove of the resource extraction rule from the SEC. The rule, which took effect on Sept. 26, requires companies to disclose payments to the U.S. and foreign governments for the development of oil, natural gas or minerals. The SEC adopted the rule, which was required by the Dodd-Frank Act, in June.
- Congress would also disapprove of a rule requiring prospective federal contractors to disclose their labor violations. Business groups said the so-called "blacklisting" rule would violate due process rights and impose an undue burden. The rule was slated to begin taking effect on Oct. 25, although a federal judge issued an injunction order on Oct. 24 halting most of the rule's provisions.
- Congress would disapprove of the Interior Department's Bureau of Land Management methane flaring, venting and waste rule. The rule requires oil and gas production operations on federal land to reduce wasted methane and limits what wasted gas doesn't count when calculating royalty payments to the government.

- Congress would nullify the Interior Department’s stream protection rule, which prohibits mining activities that would cause “material damage” to streams outside of the mining permit area.

### Hearings

Below is a list of hearings that are of importance to the County:

#### *Tuesday, January 31*

- House Energy & Commerce Full Committee hearing on Medicaid Oversight: Existing Problems and Ways to Strengthen the Program (10:00 am EST)
- House Oversight & Government Reform hearing on Waste, Fraud, and Abuse of the Affordable Care Act (2:00 pm EST)

#### *Wednesday, February 1*

- House Energy & Commerce Health Subcommittee hearing on Strengthening Medicaid and Prioritizing the Most Vulnerable (10:00 am EST)
- House Education & Workforce Full Committee hearing on Rescuing Americans from the Failed Health Care Law and Advancing Patient-Centered Solutions (10:00 am EST)
- House Transportation & Infrastructure Full Committee Hearing on Building a 21<sup>st</sup> Century Infrastructure for America (10:00 am EST)

#### *Thursday, February 2*

- House Energy & Commerce Health Subcommittee hearing on Patient Relief from Collapsing Health Markets (10:30 am EST)

### Cabinet Confirmations

#### *Planned Floor Action*

Secretary of State: Rex Tillerson

Cloture Vote: Scheduled for 5:30 p.m. on Jan. 30

Foreign Relations Committee: Approved, 11-10 on Jan. 23

Transportation Secretary: Elaine Chao

Floor Vote: Planned for Jan. 31

Commerce, Science and Transportation Committee Vote: Approved by voice vote on Jan. 24

#### *Scheduled Committee Action*

Small Business Administrator: Linda McMahon

Small Business and Entrepreneurship Committee Business Meeting: Jan. 30

Attorney General: Senator Jeff Sessions of Alabama

Judiciary Committee Business Meeting: Jan. 31

Energy Secretary: former Texas Governor Rick Perry

Energy and Natural Resources Business Meeting: Jan. 31

Interior Secretary: Representative Ryan Zinke of Montana

Energy and Natural Resources Business Meeting

Education Secretary: Betsy DeVos

Health, Education, Labor and Pensions Committee Business Meeting

OMB Director: Representative Mick Mulvaney of South Carolina

Homeland Security and Governmental Affairs Committee Business Meeting

Veterans Affairs Secretary: David Shulkin

Veterans’ Affairs Committee Hearing: Feb. 1

Labor Secretary: Andrew Puzder  
Health, Education, Labor and Pensions Committee Hearing: Feb. 7

*Floor Recap*

CIA Director: Mike Pompeo  
Floor Vote: Jan. 23, confirmed 66-32

Defense Secretary: James Mattis  
Floor Vote: Jan. 20, confirmed 98-1

Homeland Security Secretary: John F. Kelly  
Floor Vote: Jan. 20, confirmed 88-11

*Committee Recap*

HUD Secretary: Ben Carson  
Banking, Housing and Urban Affairs Committee Vote: Approved by voice vote on Jan. 24

Commerce Secretary: Wilbur Ross  
Commerce, Science and Transportation Committee Vote: Approved by voice vote on Jan. 24

**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**

Legislators are coming close to the February 17, 2017 bill introduction deadline and working to finalize their 2017 bill packages. In response to the Trump Administration, the Legislature is holding policy committee hearings much earlier than normal to move forward urgency legislation to protect all California residents.

### **Update on County Sponsored Bills**

Assemblymember Bill Quirk is preparing to introduce Alameda County's sponsored bill, which will transfer ownership of a portion of SR-185 (East 14th Street and Mission Boulevard) within unincorporated Alameda County, with the California Transportation Commission's approval, to Alameda County. Brownstein Hyatt Farber Schreck continues to work to find authors for the AB 833 clean-up bill and the Food as Medicine Concurrent Resolution.

### **Affordable Housing**

The Governor's proposed 2017-18 budget does not include new funding specifically for affordable housing, and with Redevelopment Agencies eliminated and state housing bonds exhausted, only a few funding sources remain. The No Place Like Home Program, passed last year, authorized the issuance of \$2 billion in bonds, secured by a portion of future Mental Health Services Act revenues, to provide permanent supportive housing for chronically homeless individuals who are also mentally ill. Recognizing the ongoing housing crisis in California, members in the Senate have proposed new legislation to establish additional viable sources of funding for the development of affordable housing:

SB 2 (Atkins), the Building Homes and Jobs Act, will create a permanent source of funding for the construction of affordable housing through a recording fee on certain types of real-estate transactions, excluding home sales. Additionally, the funds are to be used for local community-plan updates and fiscal incentives for local governments to approve new housing for low-income families.

SB 3 (Beall), the Affordable Housing Bond Act of 2018, will authorize a \$3 billion general obligation bond to fund affordable housing programs and infill infrastructure projects. Bond proceeds will help with housing for the homeless and at risk individuals, low-income workers and will create new homeownership opportunities for low and moderate income earners in California.

### **Marijuana Regulation Hearings**

On January 30, the Senate Committees on Business, Professions and Economic Development, Agriculture, and Health held a joint oversight hearing on regulation of medicinal and now recreational marijuana by the Bureau of Medical Cannabis. The new regulation network is scheduled to be in operation by January 1, 2018. On February 7, the Assembly Committees on Business and Professions, Health, and Agriculture will also hold a joint informational hearing on cannabis regulation after the passage of Proposition 64.

### **Technology Grants Available for Local Governments**

Following a computer industry lawsuit settled by the California Attorney General, state and local public agencies can apply for funds, through the DRAM (Dynamic Random Access Memory) Settlement Fund, for projects that utilize innovative technology or software, to improve and modernize operations of the state, local or municipal governments. Approximately \$943,000 will be awarded in one-time grants ranging from \$50,000 to \$200,000. The grant process will be administered by Harry M. Snyder, Consumer Attorney, Cy Pres Funds.

#### **Purpose:**

- Report progress
- Advocacy or Education
- Request PAL\_Committee Recommendation or Position
- Other: State legislative update**

This item was informational only and required no Committee action.

### **Request for Legislation position – Action Item**

i. **Comments on Governor Brown’s State Budget Proposal from Early Care and Education Planning Council**

*Recommendation: **Support:** Willie A. Hopkins, Jr., Director, General Services Agency*

ii. **AB 3 (Bonta) Public defenders: legal counsel: immigration consequences: grants**

*Recommendation: **Support:** Supervisor Keith Carson, District 5, Board of Supervisors*

iii. **SB 54 (De León) Law Enforcement: sharing data**

*Recommendation: **Support:** Supervisor Keith Carson, District 5, Board of Supervisors*

#### **Purpose:**

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

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

### **PUBLIC COMMENT**

None.

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