

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

Monday, February 8, 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

The House and Senate are in session this week. The House has scheduled floor votes on bills to require Treasury to develop a long-term debt reduction plan, to increase requirements for National Science Foundation grants and to provide more flexibility for restaurant nutrition labeling. Senate floor action will focus on efforts to resolve an impasse stemming from Democrats' insistence that the bipartisan energy legislation include aid to Flint, Michigan, to help the city deal with its contaminated water supply. The Senate will also hold a vote to issue sanctions on North Korea.

Senate Energy Legislation

This week, the Senate will resume consideration of the Energy Policy Modernization Act of 2015 (S. 2012), legislation that seeks to strengthen building codes, increase cybersecurity protections for the electricity grid, and expedite the licensing process for hydropower projects. Last week, the chamber fell short of the 60 votes needed to advance the bill after Democrats and Republicans could not agree on an amendment that would provide assistance to Flint, Michigan.

Senate leadership is trying to negotiate a deal on the Flint aid in order to move forward with the legislation.

President Obama's Budget Request

On Tuesday, President Obama will unveil his final budget proposal to Congress. Numerous Committees have scheduled hearings this week to dissect the budget document. The \$4 trillion budget request that President Obama plans to present will contain some initiatives that Congress may be willing to accept, including more funds to fight cancer, to combat heroin addiction and to bolster the military's fleets of aircraft and naval vessels.

President Obama wants to make a \$1.1 billion investment in fighting opioid addiction and will also seek a \$1 billion to speed the development of cancer treatments by providing new mandatory funds not subject to the appropriations process.

The budget request will call for a \$10 per barrel oil tax to pay for an infrastructure build-out across the country aimed at reducing carbon emissions. Congressional Republicans have already said this proposal is dead on arrival.

Criminal Justice Legislation

President Obama recently held a private meeting on criminal justice reform with two key Republicans, Senator Chuck Grassley and Representative Bob Goodlatte, who chair the judiciary committees in each chamber. There is wide bipartisan support for reducing some severe sentencing for nonviolent offenders in both chambers however Chairman Goodlatte and Chairman Grassley disagree on a policy issue known as "mens rea" or criminal intent reform.

Representative Goodlatte supports the addition of a mens rea policy in the draft legislation that would make it impossible for prosecutors to bring cases against a majority of what are currently corporate crimes, including gross negligence by CEOs. Senator Grassley agrees with the Administration in its opposition to this language.

In addition to the meeting the President held last week, the Senate Judiciary Committee plans to make some changes to its draft legislation in an attempt to mollify concerns from some Republicans who are concerned that the legislation could lead to early release of felons convicted of violent crimes. The Senate Judiciary Committee will announce the following changes later this week:

- Section 105 of the bill, which reduced enhanced mandatory minimum sentences for so-called "armed career criminals." Under the original proposal, certain felons who already had three violent felony or serious drug offense convictions, and were found guilty of possessing a firearm would face a 10-year enhanced mandatory minimum, lowered from the current 15-year minimum sentence. The sponsors plan to eliminate this section altogether so that the higher, 15-year sentence remains intact.
- Section 104 of the bill reduces enhanced mandatory minimum sentences for felons convicted of possessing a firearm while committing a drug crime or a violent offense, such as robbery. Those changes could be applied retroactively for current inmates. The changes that will be made would specifically bar people convicted of firearm possession alongside a violent crime from being able to retroactively seek a reduced sentence. Those changes would "substantively" lower the number of current prisoners who could be released early.

Hearing Update

On Wednesday, the House Energy and Commerce Health Subcommittee will hold a hearing on "Examining Medicaid and CHIP's Federal Medical Assistance Percentage" at 10:00 a.m. The Senate Judiciary Committee will hold a hearing focused on "Breaking the Cycle: Mental Health and the Justice System" at 10:00 a.m.

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

This week the Senate and Assembly Democratic Caucuses are holding their annual retreat offsite.

Legislation

AB 21 (Wood) which deletes the March 1st deadline by which cities and counties must act on ordinances to regulate or ban medical marijuana cultivation was signed by Governor Brown on Wednesday. Since the bill is an urgency measure, it goes into effect immediately.

AB 1702 was introduced by Assemblymember Stone which is part of the County's 2016 legislative proposals and is being co-sponsored with the County Welfare Directors Association.

Advocates will continue to monitor bills that are introduced for any impact on Alameda County. The last day to introduce bills is February 19, 2016.

Managed Care Organization Fix

A deal has been reached on Managed Care Organization (MCO) Tax and a special session hearing on the agreement could be as early as Thursday.

Changes in Governor's Office

The Governor's Cabinet Secretary, Dana Williamson, is leaving and her replacement will be Keely Bosler who is currently with the Department of Finance.

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.

III. Alameda County 2015 Affirmative Action Plan (AAP) for Alameda County

[Attachment](#)

*Recommendation: **Support:*** Sal Morales, Diversity Programs Manager, Diversity Programs, County Counsel

Sal Morales, Diversity Programs Manager, Diversity Programs presented a memorandum and Executive Summary of the 2015 Affirmative Action Plan (AAP) for Alameda County.

The AAP monitors the County's employment practices to ensure that they are non-discriminatory. The 2015 AAP identify issues that the County faces in employing, promoting, and retaining underutilized groups in calendar year 2014, and sets forth action plans to address these issues in the upcoming calendar year.

The AAP is prepared and published annually per Executive Order 11246 and addresses deficiencies and progress made on a yearly basis.

The AAP for 2015 has been reviewed by County Counsel and Human Resource Services.

Purpose:

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

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

Request for Legislation Position – Action Items

i. S. 2327 (Casey) Foster Earned Income Tax Credit Act of 2015

*Recommendation: **Support:*** Lori A. Cox, Director, Social Services Agency

ii. AB 1702 (Stone & Maienschein) Juveniles: dependent children: reunification services

*Recommendation: **Co-Sponsor and Support:*** Lori A. Cox, Director, Social Services Agency

Purpose:

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

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

PUBLIC COMMENT

None.

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