

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

**Monday, April 16, 2018
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 will take up legislation that would make organizational changes and customer service improvements to the IRS in order to highlight tax day while the Senate will continue to take up nominations. In addition, the House Agriculture Committee will mark up its 2018 Farm Bill.

Farm Bill

The House Agriculture Committee has scheduled a markup of its Farm bill this Wednesday. The bill is a partisan bill as Democrats stopped negotiations with Republicans on the Committee last month because of the changes Republicans are calling for to the SNAP program. The House bill would: 1) require 20 hours of work training a week for SNAP recipients deemed “work capable” adults, ages 18 through 59. It would exclude populations of seniors, disabled, those caring for children younger than 6, or those who are pregnant. After 2025, the required hours would increase to 25 from 20; 2) the training mandate would be administered on a state-by-state basis and states would be given two years to execute the program. Currently, requiring work training for SNAP eligibility is voluntary for states; 3) eliminate the “able-bodied adults without dependents” category, and subject them to the new work training requirement. Under current law, these recipients are limited to three months of benefits unless they work at least 20 hours a week, participate in training, or partake in a state’s workfare program. Republicans will need the support of the Freedom Caucus which usually supports cuts to SNAP and farm-subsidies, but farm subsidies are not cut in the bill. Without the Freedom Caucus, leadership would need support from some Democrats to get the bill through the House. The Senate Agriculture Committee is developing its bill in a bipartisan fashion and Chairman Roberts has already said he does not plan to make any big changes to the SNAP program as he knows he would lose support of Democrats on the Committee.

Census

The House Commerce Justice Science Appropriations Subcommittee will hold a hearing on the FY19 budget request for the Census this Thursday. Committee Members are expected to discuss the citizenship question during the hearing and will provide a report.

Safety-Net Executive Order

Last Tuesday, President Trump signed an Executive Order seeking a review of safety-net programs with a goal of finding ways to move more people into the workforce and out of safety net programs.

The EO calls for: 1) reviewing programs such as Medicaid, SNAP, and housing assistance programs; 2) strengthening existing work requirements for work-capable people and introducing new work requirements when legally permissible; and 3) asking agencies to follow nine “Principles of Economic Mobility” when making recommendations on program adjustments.

Purpose:

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

Request for Legislation position – Action Item

[i. Resolution to Recommend the Federal Administration Ensure a Complete, Fair, and Accurate Count for the 2020 Census](#)

Recommendation: Support: Supervisor Nate Miley, District 4, Board of Supervisors and Chris Bazar, Director, Community Development Agency

Purpose:

- Report progress
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- Request PAL_Committee Recommendation or Position**
- Other:

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

II. State Legislative Update – Brownstein Hyatt Farber Schreck

The deadline for fiscal bills to be heard by policy committees is April 27th and the deadline for non-fiscal bills to be heard by policy committees is May 11th. During the first couple weeks of May, the Governor is expected to deliver his May Revision, where budget provisions will be recast based on the state’s current economic climate and input from the Legislature and stakeholders. This week, the Governor is in Toronto, Canada where he will meet with Premier of Ontario, Kathleen Wynne, to discuss climate change and will later be recognized by the Legislative Assembly. This visit builds on the ongoing cooperation California has and will continue to have with Canada in combating climate change.

Update on County Sponsored Bills

AB 2111 (Quirk), Alameda County’s sponsored bill, which will align CalWORKs sponsor deeming provisions with those used for CalFresh for sponsored non-citizens indigence determinations, will be heard in the Assembly Human Services Committee on April 24. The bill’s separate but parallel budget vehicle, is expected to be heard in the Assembly Budget Subcommittee 1 on Health and Human Services on April 25, 2018.

Housing and Homelessness

Addressing California’s homelessness and affordable housing crisis continues to be a priority in the Legislature. There are numerous legislative and budgetary vehicles aimed at solving the crises. SB 912 (Beall/Skinner) seeks to provide \$2 billion in one-time general fund revenues for counties, cities and non-profits to immediately house and assist homeless populations and low-income families at risk of homelessness. On April 12th, the bill was amended to include provisions relating to the programs in which the funding will be filtered through – specifically, the bill names the Emergency Solutions Grant Program (ESG) within the Department of Housing and Community Development, as a viable program to address the current homelessness crisis.

AB 3171 (Ting), which would provide about \$1.5 billion for housing and homelessness services for cities, is still one of the frontrunners in the effort to address the homelessness epidemic. On April 11th, Mayors from the 10 largest cities in California met on the steps of the State Capitol to discuss the ongoing need for immediate funding, with Los Angeles Mayor Eric Garcetti noting that “cities are on the front lines in the fight against homelessness and Los Angeles is already investing billions of dollars to get people off the streets.”

AB 3085 (Calderon) is also being named as a city-centric homelessness funding bill. The California State Association of Counties will be sending in letters requesting that Counties be added to both bills, with equal eligibility for the funding.

The Governor's Statewide Housing Package trailer bill, which establishes a process for allocating funds for addressing homelessness in California using SB 2 funds, has not yet outlined how the new proposed funding allocation through the ESG Program will work or what changes will be made to County Continuum of Care formulas, however, we expect to see the language following the May Revision.

Lead-Based Paint Legislative Package Update

This a brief overview of the bills in the current lead-paint legislative package:

AB 3009 (Quirk) which would establish a fee on manufacturers to provide funding for lead-paint cleanup – provided the ballot initiative by the industry is approved by the voters, and AB 2934 (Stone) which would allow counties to certify lead-based paint inspectors.

AB 2073 (Chiu) protects homeowners from threats of legal action by lead paint manufacturers if the homeowners participate in the abatement program created by a 2017 judgment against lead paint makers. The bill will be heard in the Assembly Judiciary Committee on 5/1/18.

AB 2074 (Bonta) creates a new avenue to litigation for those poisoned by lead-based paint who are unable to identify the exact manufacturer of the lead paint pigment by allowing those poisoned to establish legally sufficient cases of causation to recover damages, shifting the burden of proof to the lead paint company to prove they are not at fault, and holding multiple companies liable in certain cases – among other things. The bill will be heard in the Assembly Judiciary Committee on 5/1/18.'

AB 2803 (Limón) would provide liability protection for homeowners whose homes are contaminated with lead-based paint, allowing homeowners to seek damages for clean-up or otherwise implement their own clean-up without fear of liability lawsuits. The bill was double referred to the Assembly Environmental Safety and Toxic Materials Committee, where it passed out on 4/10/18 with a 5-2 vote, and the Assembly Judiciary Committee – a hearing date has not yet been set.

AB 2934 (Stone) would allow the California Department of Public Health to partner with counties to certify lead-based paint inspectors. By allowing counties to administer this certification, more inspectors will be made available in counties that have identified a shortage of certified individuals. As this is a County-centric bill, we recommend giving the bill a close look. The bill was referred to the Assembly Environmental Safety and Toxic Materials Committee after being amended to relate to lead-paint and will be heard on 4/24/18.

AB 2995 (Carrillo) clarifies that the presence of lead-based paint is a physical injury to property, ensures that the trigger for knowledge of lead in a home is clear and conspicuous, and adjusts the statute of limitations for families to address lead paint in their homes and take legal recourse. The bill will be heard in the Assembly Judiciary Committee on 5/1/18.

AB 3009 (Quirk) imposes a \$1 charge on manufacturers of paint per gallon sold in the state. The California Department of Tax and Fee Administration would collect the charges and deposit into the Lead-Based Cleanup Fund, created by the bill, within the State Treasury. Funds would be expended by the Department of Toxic Substances Control to provide grants to cities and counties for the investigation, abatement, or removal of lead-based paint from residences within their respective jurisdictions. The bill states that the fee will only be imposed if an initiative passes that states that lead paint is not a public nuisance and undoes the action by the courts. The measure passed out of its first committee on 4/10/18 with a 4-2 vote. Since this measure imposes a tax levy, it would need a 2/3 vote of the Legislature.

No Place Like Home

On April 9th, Senator Kevin De León amended SB 1206, which seeks to place on the November 2018 ballot an initiative that would ask voters to approve the No Place Like Home (NPLH) program as a valid use of Mental Health Services Act (Proposition 63) funds. There is pending litigation seeking to validate NPLH as a valid use of the funds, which has stalled the money from being distributed and spent by counties for critical mental health services and programs. This bill seeks to expedite these funds. The bill has been referred to the Senate Health Committee and is currently awaiting a hearing date and will require a 2/3 vote of the Legislature to pass.

Board of State and Community Corrections

The Board of State and Community Corrections (BSCC) recently proposed regulatory changes to improve conditions in juvenile facilities. Specifically, the proposal would amend regulations under the code section pertaining to the Minimum Standards for Juvenile Facilities. The proposed action will update the code section in the following ways:

- Adopting and revising definitions to reflect current practices;
- Changing regulatory requirements on the reporting of use of force incidents;
- Assuring that chemical agents will be employed only after sufficient attempts at de-escalation of potentially violent situations;
- Use of trauma-informed care considerations, where appropriate;
- Ensuring transition and aftercare plans;
- Adding standards for room confinement that reflect current law; and
- Ensuring that youth will be allowed to have their own underwear throughout their stay.

The BSCC has not yet set a public hearing on the proposed action, however, it will hold a hearing if it receives a written request for a hearing by any interested person, no later than 15 days before the written comment period closes. The written comment period closes at 5:00 on May 21, 2018. The board will hold its next meeting this Thursday, April 19, which will include a presentation from the Mental Health Services Oversight and Accountability Commission.

In-Home Support Services Webinar

The California State Association of Counties recently conducted a webinar to discuss In-Home Support Services changes and next steps in implementation. The webinar discusses how the accelerated caseload growth amount being updated, the impact of the wage supplement clean-up language, and what changes to expect in the May Revise.

State Controller's March Cash Report

The State Controller reports total March revenues of \$8.02 billion – outpacing estimates in the Governor's 2018-19 proposed budget by 6% and 2017-18 Budget Act projections by 10.8%.

Purpose:

- Report progress
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PUBLIC COMMENT

None.

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