

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

Monday, May 21, 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 consider a Senate-passed financial regulations bill and legislation to authorize defense programs in FY19. The Senate will focus on a package of bills aimed at assisting veterans as well as their continued attention to nominations.

FY19 Appropriations

The House Appropriations Committee continues to focus on FY19 appropriations bills as the full Committee approved the Energy and Water Development Appropriations bill on a vote of 29-20 and the Agriculture-FDA bill on a vote of 31-20. The Committee also approved the Commerce-Justice-Science appropriations bill on a vote of 32-19. The CJS bill included language aimed at protecting medical marijuana in states where it is already legal and provided \$4.8 billion for the U.S. Census, nearly double the FY18 levels, as the federal government prepares for the 2020 census. Ranking Member of the CJS Subcommittee Jose Serrano offered an amendment related to the new citizenship question on the 2020 U.S. Census, which was rejected by voice vote. Representative Barbara Lee also offered an amendment that would strip the bill of three firearm related provisions with the intent to reduce gun violence, which was rejected on a vote of 20-31.

The full Committee will hold three mark ups this week to include, the Interior-Environment bill on Tuesday, Transportation-HUD on Wednesday, and Financial Services on Thursday. The Committee will also release the 302(b) sub-allocations for each FY19 appropriations bill.

The Senate Appropriations Committee will begin work on the FY19 appropriations bills this week as well. The full Committee will mark up the Energy and Water Development bill and the Agriculture-FDA bill on Thursday and will consider the Transportation-HUD and Military Construction-Veterans Affairs bill next week.

Farm Bill

The House voted on the Farm Bill on Friday and rejected the 5-year authorization on a vote of 198-213 with 30 Republicans voting against the measure. The ultra-conservative House Freedom Caucus said in exchange for their votes on the Farm Bill, they wanted a commitment from Republican Leadership that the House would take up the Goodlatte-McCaul immigration bill, HR 4760. The Freedom Caucus ultimately voted against the measure as House Leadership did not provide those assurances on the immigration bill. Despite its failure on the floor, Speaker Ryan asked for a motion to reconsider the vote on the Farm Bill which passed on a voice vote. Under House rules, that reconsideration of the Farm Bill must occur by tomorrow. However, Speaker Ryan could go to the House Rules Committee to get a rule delaying reconsideration.

As previously reported, we expect the Senate to introduce their bipartisan Farm Bill in the next few weeks. Senate Agriculture Chairman Pat Roberts has stated he does not want to include work requirements and other major changes to SNAP program because he will not have the necessary votes to move the bill.

Immigration

Partly as a result of the Farm Bill standoff discussed above, House Leadership has pledged to focus on immigration issues after the Memorial Day recess. The House Freedom Caucus is pressing for floor consideration of HR 4760, the Goodlatte-McCaul bill, the most conservative of the leading immigration reform proposals in play. Meanwhile, the discharge petition to trigger the “Queen-of-the-Hill” votes on that bill, the DREAM Act, and the USA Act, currently has 197 signatures out of the required 218, including 20 Republicans and 177 Democrats. At least 5 more Republicans would be needed (assuming all Democrats were to sign), and pressure is mounting from House Republican leadership against the petition and in favor of a more controlled vote on HR 4760. Chairman Goodlatte is considering some changes to his bill, which may be enough to break the logjam and lead to a floor vote on that bill after Memorial Day.

Prison Reform

President Trump made remarks at a prison policy summit on Friday in support of the House prison reform bill, the FIRST STEP Act. The House will consider H.R. 5682 this week after the House Judiciary Committee approved the bill 25-5 on May 9.

As a reminder, the legislation would authorize \$50 million in each of fiscal year from 2019 through 2023 for the system. It also would require federal prisons to provide storage for employee firearms or allow them to store them in a vehicle lock box, bar prison personnel from placing pregnant inmates in restraints, and require inmates to be imprisoned within 500 driving miles from their primary residences, among other things.

The bill faces long odds in the Senate as Judiciary Chairman Chuck Grassley (R-IA) and Minority Whip Dick Durbin (D-IL) remain opposed to the prison reform-only bill as they are supportive of including sentencing reform to the underlying legislation.

HHS Proposed Rule on Title X

The Trump Administration will propose new rules to bar Planned Parenthood and other health-care providers from performing abortions at facilities that receive federal family planning funds. The HHS proposal would require physical and financial separation between facilities receiving the federal funding and those where abortion is performed, supported, or referred as a method of family planning.

Several lawsuits are expected to be filed almost immediately. Title X grantees including Planned Parenthood have already sued over the administration's previous changes to Title X. However, there is precedent in making changes to Title X as the Reagan Administration imposed similar changes that went all the way to the Supreme Court, where they were upheld. The changes were never implemented, however, as repeated delays lasted until the Clinton Administration ended them permanently. The proposed rule is expected to be published in the Federal Register in the next few days and there will be a comment period to offer input.

Purpose:

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

Request for Legislation Position – Action Item

i. **H.R. 2** (Conway) Agriculture and Nutrition Act of 2018

*Recommendation: **Oppose:*** Lori A. Cox, Director, Social Services Agency and Wilma Chan, District 3, President, Board of Supervisors

Purpose:

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

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

A. Information Item

Positions taken under authority of the adopted 2018 Legislative Platform for immediate action by legislative advocates:

i. **Letter Opposing SNAP Related Cuts**

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

II. State Legislative Update – Brownstein Hyatt Farber Schreck

The Legislature will soon turn its attention to all fiscal bills and budget related items, now approaching the fiscal committee deadline of May 25 and the 2018-19 final budget being due by June 15. As a reminder, the Legislature may not convene policy or fiscal committee hearings between May 29 and June 1, and will hold floor session only in order to pass all bills out of their house of origin.

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, passed out of the Assembly Human Services Committee on April 24 by a unanimous vote. The bill has since been referred to the Assembly Appropriations Committee where it is expected to be heard on May 23, 2018. The bill’s separate but parallel budget vehicle, was heard in the Assembly Budget Subcommittee 1 on Health and Human Services on April 25 and the Senate Budget and Fiscal Review Subcommittee 3 on May 3, where the item was held open in both committees.

Initiative Update

Last week, the initiative to expand the requirement for supermajority approval to enact new local government revenue measures submitted its signatures for verification by the Secretary of State. According to their random sample count submitted, they have well over the number of signatures needed to qualify for the November ballot. Below is an overview of the status of each of the initiatives the County has taken interest in:

- **Restricts parole for non-violent offenders**
Status – 25% of signatures reached as of 2/7/2018
Circulation Deadline – 7/3/2018 (365,880 signatures required)
- **Eliminates certain liability for lead-paint manufacturers**
Status – Pending signature verification by Secretary of State
Circulation Deadline – 7/25/2018 (365,880 signatures required)
- **Expands local governments authority to enact rent control on residential property**
Status – Pending signature verification by Secretary of State
Circulation Deadline – 6/25/2018 (365,880 signatures required)
- **Expands requirement for supermajority approval to enact new revenue measures**
Status – Pending signature verification by Secretary of State
Circulation deadline – 7/25/2018 (585,407 signatures required)
- **Eliminates road repair and transportation funding by repealing dedicated revenues**

Status – Pending signature verification by Secretary of State
Circulation deadline – 7/3/2018 (585,407 signatures required)

- **Requires certain commercial and industrial real property to be taxed based on fair-market value**

Status – 25% of signatures reached as of 2/26/2018
Circulation deadline – 8/20/18 (585,407 signatures required)

- **Children, Family and Community Protection Act**

Status – Pending review by Attorney General; no title and summary issued.

Senate Homelessness Proposal

On May 16, Senators Scott Wiener, Nancy Skinner and Jim Beall held a news conference to announce a \$5 billion proposal for housing and homelessness, opening up negotiations with the Governor following his May Revision. As you know, the Governor’s May Revision fell short of the previous asks from cities and counties, only providing \$359 million in bridge funding prior to SB 2 revenues trickling in. The Senate proposal calls for the Governor to spend the following: \$2.1 billion for affordable housing construction over the next four years; \$1 billion for long-term homelessness; \$1 billion for short-term homelessness programs; and almost \$900 million for SB 2 programs.

SB 2 Funding Implementation Trailer Bill

Last week, the Administration released its SB 2 Homelessness Funding Implementation proposed trailer bill language. This language helps clarify the allocation methodology to be used in distributing the SB 2 homelessness funds through what they are now calling the “California Emergency Solutions and Housing Program.” The Department of Housing and Community Development will allocate all moneys available to each Continuum of Care (COC) service area using the most recent data available within the COC service area. The formula will be based on the formula currently used within the current California Emergency Solutions Grants program, utilizing the following formula components:

- 1) The 2017 point-in-time count published by HUD that includes both sheltered and unsheltered homeless.
- 2) The number of extremely low-income renter households paying more than 50 percent of their income for rent using HUD's most recent Comprehensive Housing Affordability Strategy dataset.
- 3) The number of persons below the federal poverty line divided by the total population within the COC service area. This factor shall be double-weighted. Data for this factor will be obtained from the Census Bureau.
- 4) The amounts available to each COC service area shall include the threshold amounts available to each county. Adjustments may be made to the amounts available to each COC service area as necessary to ensure that requirements are met.

Additionally:

- 1) Any funds not distributed after the initial round of awards shall be reallocated to all participating COC service areas in accordance with the formula above.
- 2) Any funds not distributed after the second round of awards shall revert to the Multifamily Housing Program.
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It is still unclear how this trailer bill will coincide with the current statewide housing package trailer bill.

No Place Like Home

Senator Kevin de León’s SB 1206 seeks to place No Place Like Home on the ballot, in order to have California voters validate using Mental Health Services Act funds for the program. The Governor’s May Revision also proposes placing No Place Like Home on the November 2018 ballot. The program allocates \$2 billion from the

Mental Health Services Act fund to provide housing for individuals experiencing homelessness who are mentally ill. Upon voter approval, the Department of Housing and Community Development would be prepared to make awards available before the end of 2018. Given the Governor's proposal, the Administration released a trailer bill outlining the proposal.

Joint Lead Paint Initiative Hearing

On May 23, the Senate Environmental Quality Committee, Assembly Environmental Safety and Toxic Materials Committee, Assembly Housing and Community Development Committee, and Assembly Judiciary Committee will hold a joint initiative hearing to discuss the proposed lead paint initiative headed for the November 2018 ballot. We have been told that County Counsel from Santa Clara, San Francisco, San Mateo, and San Benito Counties will be present at the hearing. Items related to the impact on local governments will also be discussed. We have heard that there will be discussion of a compromise between the initiative proponents and the legislature to come up with a livable solution on the matter.

B. Information Item

Positions taken under authority of the adopted 2018 Legislative Platform for immediate action by legislative advocates:

i. Budget item – Increase Funding for Child Support Services

*Recommendation: **Support:*** Phyllis Nance, Director, Child Support Services

III. ADMINISTRATION

i. Resolution Urging Kaiser Permanente to Protect its Pharmacy Warehouse Employees

*Recommendation: **Support:*** Wilma Chan, District 3, President, Board of Supervisors and Scott Haggerty, District 1, 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.

Board of Supervisors' Committees agendas are available via Internet at: <http://www.acgov.org/>