

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

**Monday, November 16, 2020  
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**

**Congressional Schedule**

The House and Senate are in session this week.

**2020 Election Results Update**

President-elect Joe Biden is moving forward with his transition team.

The final count of House seats is still to be determined, but the Democrats will maintain a majority. As of this morning, Democrats have confirmed victories in 218 House races, with 14 races to go. As of today, Republicans have secured 50 seats in the Senate, while Democrats hold 48. The majority in the Senate will be determined by two runoff elections in Georgia. It is unlikely that Senate Dems will flip those two seats.

**Lame Duck Session**

The priority for the remainder of the lame duck season will be FY21 appropriations. It is still unclear if an omnibus deal will come together in time before the December 11<sup>th</sup> continuing resolution deadline, or if another CR will be needed to avoid a shutdown. As far as a coronavirus stimulus bill goes, Biden's victory makes the chances of anything passing before January unlikely. However, House Majority Leader Hoyer and Speaker Pelosi continue to state that passing stimulus legislation remains a priority in the House. Other priorities include the National Defense Authorization Act, the MORE Act to decriminalize cannabis and expunge convictions for non-violent cannabis offenses, and a conference report on WRDA. The Senate plans to continue approving judicial nominations.

**117th Congressional Leadership**

As final election results come in for the House and Senate, Members will begin the process of establishing new Congressional and Committee leadership. The House will hold leadership elections this week. Tony Cardenas (D-CA) is running for Assistant Speaker and Pete Aguilar (D-CA) is running for Democratic Caucus Vice Chair. We will be providing more information about new leadership as those positions are filled. As far as committee leadership, there will be turnover in both the House and Senate, due to top Members of both parties losing their reelection races or moving to other offices, and Committee leaders in the Senate being term limited in certain positions.

## **FY21 Senate Appropriations Bills**

The Senate Appropriations Committee released the text of its FY21 bills on Tuesday. The Senate was unable to reach bipartisan agreement to mark up the bills in Subcommittees, much less take them to the full floor. However, Senate bills are usually written in a bipartisan manner, and Chairman Shelby and Ranking Member Leahy have said they are in 90% agreement on most of the bills. The House, on the other hand, did approve ten of its twelve bills over the summer, but all on mostly party line votes.

The current Continuing Resolution (CR) runs through December 11. It is too early to know whether the House and Senate will be able to reach an agreement on the FY21 bills or whether a second CR will be necessary.

## **ACA Oral Arguments**

The Supreme Court heard arguments in a case related to the Affordable Care Act (ACA) last Tuesday. The case focuses on whether Congress made the entirety of the ACA unconstitutional when they eliminated the penalty for not having health insurance. It marks the third major challenge to the health care law heard by the Supreme Court and is seen in legal circles as perhaps the weakest among those. A ruling could come as soon as February but could take longer.

During arguments last Tuesday, Conservative Justices Roberts and Kavanaugh indicated that striking down the so-called individual mandate did not require the rest of the law to be struck down as well. The court's three liberal Justices, Breyer, Sotomayor, and Kagan indicated their support for the law.

### **Purpose:**

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

This item was informational only and required no Committee action.

## **II. State Legislative Update – Political Solutions**

Committees will be busy this week as they have scheduled multiple informational hearings on a variety of topics.

### *Monday, November 16, 2020*

- Assembly Natural Resources and Select Committee on Waste Reduction and Recycling have scheduled a joint hearing on “Plastic in California: Impacts on Communities and the Environment.”
- Senate Human Services has scheduled an informational hearing on “COVID- 19 Impacts on Foster Care.”

### *Tuesday, November 17, 2020*

- Assembly Labor and Employment Committee has scheduled a hearing on “Safeguarding Our Frontline Workers During COVID-19: The Need for Robust Workplace Health and Safety Protections.”
- Assembly Health Committee has scheduled an informational hearing on “Health Care Industry Consolidation and its Impact on California’s Health Care Prices.”
- Senate Human Services Committee has scheduled a hearing on “Fighting Hunger: Food Assistance for Vulnerable Populations During the COVID-19 Pandemic.”

## **Governor Gavin Newsom**

The Governor continues to hold press conferences related to the State's COVID-19 response. With the spike in positive COVID-19 cases, counties have moved backwards in the tier system. More restrictions are anticipated in an effort to slow the spread as we move into the holiday season. The PS Team continues to monitor and send summaries of these press conferences.

*Monday, November 16, 2020*

The Governor, joined by Dr. Ghaly for today's announcements, provided important updates on the pandemic including changes to California's Blueprint for a Safer Economy, a significant number of counties regressing in the state's tiered framework, as well as strengthened guidance for face coverings.

Beginning today, counties will be obligated to move into more restrictive tiers after only one week of increased case rates, rather than the previous framework which permitted a two-week time period prior to any regression. Further, changes to the County Tier status, which have been announced weekly on Tuesdays since implementation, will now happen continuously and in real time.

The 28 counties moving back into Tier 1 (Purple/Widespread) include: Alameda, Napa, Santa Cruz, Butte, Nevada, Siskiyou, Contra Costa, Orange, Solano, El Dorado, Placer, Sutter, Fresno, San Benito, Trinity, Glenn, San Joaquin, Tuolumne, Kern, San Luis Obispo, Ventura, Kings, Mendocino, Merced, Santa Barbara, Santa Clara, Yolo and Yuba.

The nine counties moving back into Tier 2 (Red/Substantial) include: Colusa, Marin, Plumas, Del Norte, Modoc, San Francisco, Humboldt, Mono and San Mateo.

The two counties moving back into Tier 3 (Orange/Moderate) include: Calaveras, Sierra.

## **Department of Finance**

The Department of Finance has posted a new finance bulletin report, for the month of October California was \$2.619 Billion above the 2020-21 Budget Act Forecast.

## **Key Dates & Deadlines**

- Legislature Meets for Organizational Session/Swearing-In Ceremonies – December 7, 2020
- Statutes take effect – January 1, 2021
- Legislature Reconvenes – January 4, 2021

### **Purpose:**

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

This item was informational only and required no Committee action.

## **PUBLIC COMMENT**

None.

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