

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

Monday, November 18, 2019

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

Congressional Schedule

Congress will recess this Thursday for Thanksgiving and will not return to Washington until December 3, 2019.

FY2020 Appropriations

The continuing resolution (CR) currently funding the government expires on Thursday, November 21, 2019. Congressional and Appropriations leaders met last Tuesday and agreed that there would be a second continuing resolution that will run from November 22nd until December 20th. Members have not raised any concern about the chances of passing a continuing resolution through both chambers and getting it signed into law.

Appropriators and lawmakers have made repeated claims that they plan to complete appropriations by the end of December, but border wall funds continue to be a sticking point.

Impeachment

Last week, the House Intelligence committee held its first public hearings of the impeachment inquiry. Deputy Assistant Secretary of State George Kent, Ambassador William B. Taylor, and former U.S. Ambassador Marie Yovanovitch testified.

The House continues public hearings in the impeachment inquiry. Eight more witnesses are scheduled to appear before the Intelligence Committee this week. Lieutenant Colonel Alexander Vindman, Pence-aide Jennifer Williams, Special Envoy for Ukraine Kurt Volker, and Tim Morrison from the National Security Council will give testimony tomorrow. Gordon Sondland, US ambassador to the EU; Laura Cooper, a deputy assistant secretary of defense; and David Hale, state department undersecretary for political affairs will testify on Wednesday.

On Thursday, the committee will hear public testimony from Fiona Hill, a former NSC Senior Director, and David Holmes, a State Department official working at the U.S. Embassy in Ukraine who stated last week that he overheard a call between Ambassador Sondland and the President.

Supreme Court DACA Oral Arguments

On Tuesday, November 12, 2019 the Supreme Court heard oral arguments in three consolidated cases challenging the Trump Administration's 2017 decision to end the Deferred Action for Childhood Arrivals ("DACA") program that President Obama instituted in 2012, which allows certain young people to apply for work authorization and relief from deportation. Over 700,000 applied for and received this status, and several justices expressed concern that the 2017 announcement had failed to consider the effect on those individuals. Justices were also unsure, however, whether invalidating the 2017 announcement would solve that concern, since the White House could simply issue a new order ending DACA.

DACA has remained in place as a result of the court challenges. These three were originally filed in California (DHS v. Regents of Univ. of California), New York (McAleenan v. Vidal), and DC (Trump v. NAACP). The Court had rejected a request by the administration to fast-track the appeal and hear arguments last spring. The parties essentially agree that Trump has the authority to end DACA if he chooses to do so, but the issue is whether the administration needs to comply with the Administrative Procedure Act ("APA") when he does, and whether former DHS Secretary Nielsen, specifically, adequately considered the reliance interests of the 700,000+ DACA recipients.

Purpose:

- ☐ Report progress
- ☐ Advocacy or Education
- ☐ Request PAL Committee Recommendation or Position
- ☒ **Other: Federal Update**

Informational Item

- i. [Proposed Rule, Department of Homeland Security: Removal of 30-Day Processing Provision for Asylum Applicant-Related Form I-765 Employment Authorization Applications RIN 1615-AC19 DHS Docket No. USCIS-2018-0001](#)
*Recommendation: **Oppose:*** Lori A. Cox, Director, Social Services Agency and Colleen Chawla, Director, Health Care Services Agency

This item was informational only and required no Committee action.

II. State Legislative Update – Political Solutions

Week in Review at the Capitol

The Legislature and the Governor are preparing for the 2020 legislative session. The Department of Finance is working closely with all state departments to ensure the Governor's budget is completed so it can be released before the January 10, 2020, deadline. The second year of the two-year session will begin in January.

Governor Gavin Newsom

Today, the Senate is holding a hearing on the Public Safety Power Shutoffs (PSPS) and how to better address the issue of power and wildfires. State advocates will keep the County staff updated as these hearings and the discussions continue.

Trump Proposed Rule on Medicaid Fiscal Accountability Regulation

The Trump Administration released a proposed rule this morning related to the current waivers and how states deal with financial transparency. Under the current waivers, states can leverage state funds in

multiple areas for federal draw down. This rule would prohibit that and only allow for matching funds to only be able to be counted once. CSAC will be providing comments on this proposed rule.

CalAIM

As the waiver conversations continue, any comments on the entire proposal are due by December 16, 2019. The Department of Health Care Services (DHCS) will take comments up until the end of February of 2020, but they are not guaranteed to be part of the end product. The five working groups that have been convened will meet until December 20, 2019, and then reconvene after the holidays in early January of 2020. Stakeholder meetings are open to the public and they do take public comments at the end. They are subject to the Brown Act, so they are properly noticed.

Brain Health Task Force

Tomorrow will be the first meeting of the Brain Health Task Force; it is expected to be an all-day meeting with the Governor addressing the Task Force. This will be the first of many meetings, with future meetings to be determined.

County Sponsored Legislation

Political Solutions (PS) will work with County staff to identify the County's priorities and legislative proposals for the coming year. In addition, Political Solutions review the County's 10X goals along with the Vision 2026 with legislative staff. Once these proposals are identified, the PS team will meet with the County delegation to inform them of possible sponsored legislation as the Legislature is set to return on January 6, 2020.

Key Upcoming Dates

- January 6 – Legislature Reconvenes
- January 10 – Deadline for Governor to submit proposed budget
- January 17 – Policy Committee deadline for two-year bills tagged fiscal
- January 24 – Deadline for two-year bills in their house of origin to be sent to the Floor
- January 24 – Deadline to submit bill drafting requests to Legislative Counsel
- January 31 – Deadline for all two-year bills to pass off the Floor in their house of origin
- February 21 – Bill introduction deadline

Purpose:

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

PUBLIC COMMENT

None.

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