

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

Monday, May 11, 2020

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

The Senate is in session today, with a procedural vote scheduled on the nomination for HUD Deputy Secretary. The House will remain in recess until at least Friday, May 15, 2020. Majority Leader Hoyer has promised to give House lawmakers 72 hours' notice before they are required to return to Washington.

Nominations

HUD

The Senate Banking Committee held a hearing last week on the nomination of Brian D. Montgomery to serve as Deputy Secretary of the Department of Housing and Urban Development. He was confirmed by the Senate to serve as Assistant Secretary for Housing—Federal Housing Commissioner on May 23, 2018 and has been performing the duties of the Deputy Secretary since the former Deputy Secretary departed in January 2019. The Senate is scheduled to invoke cloture this evening, teeing up a confirmation vote tomorrow. Sen. Sherrod Brown, Ranking Member of the Banking Committee has recommended a NO vote.

CARES 2

House Democrats are putting finishing touches on their CARES 2 bill this week, which could cost upwards of \$2 trillion. The bill was drafted without GOP input, and expected to be a marker to begin negotiations with Republicans. The package is expected to provide as much as \$1 trillion in aid to state and local governments, while also expanding key safety nets, like food assistance and unemployment insurance. Speaker Pelosi has also said there will be funding to ensure that mail-in voting is in place before November. Majority Leader McConnell and other Republican leaders have indicated that they are concerned about another spending package amid a rising deficit.

House Committee Priorities for CARES 2

Appropriations

- Between \$875 billion and \$1 trillion in assistance to state, county, local, and tribal government funding.
- Stabilization funding for K-12 and higher education, tribal and rural communities, and additional funding for the Community Development Block Grants.
- Funding for all state Departments of Transportation and mass transit systems.
- Funding for 2020 national election including funds to encourage vote by mail.
- Funding of \$20-25 billion for the U.S. Postal Service.

Funding is also in the bill for

- *Education and Labor*
- *Energy and Commerce*
- *Financial Services*
- *Small Business*
- *Ways and Means*
- *Oversight*

H.R. 6314 - Update

PAL has recommended support position for Rep. Denny Heck's \$100 billion Emergency Rental Assistance Act (H.R. 6314). Rep. Heck and the House Financial Services Committee introduced a new version of the bill on Friday, titled the "Emergency Rental Assistance and Rental Market Stabilization Act." The new bill makes a few changes including a 2% cutout for Tribal communities, as well as other eligibility clarifications. This updated bill is slated to receive a new bill number and will be made public when assigned.

Hearings

The Senate scheduled a slate of hearings for this week:

- Senate Health, Education, Labor, and Pensions, Hearings to examine COVID-19, focusing on safely getting back to work and back to school. Tuesday, May 12, 10:00 AM
- Senate Banking, Housing, and Urban Affairs, Hearing on the nomination of Brian D. Montgomery to serve as Deputy Secretary of the Department of Housing and Urban Development. Tuesday, May 12, 2:30 PM
- Senate Judiciary, Hearing to examine liability during the COVID-19 pandemic. Tuesday, May 12, 2:30 PM
- Senate Commerce, Science, Transportation, Hearing on the state of broadband during COVID, Wednesday, May 13, 10:00 AM
- House Committee on Energy and Commerce, Subcommittee on Health, Hearing on Protecting Scientific Integrity in the COVID-19 Response, Thursday, May 14, 10:00 AM

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.

Request for Legislation position – Action Item

i. [H.R. 6314, \(Heck\) Emergency Rental Assistance Act of 2020](#)

Recommendation: Support Chris Bazar, Director, Community Development Agency

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.

This item was informational only and required no Committee action.

II. State Legislative Update – Political Solutions

The Legislature and the Administration remain focused on COVID-19 management and response. The Senate reconvenes today, May 11, 2020, from the COVID-related recess which began on March 20, 2020. With the Assembly having reconvened last Monday, May 4, both houses are now back in session. The PS team continues to screen bills as they are amended and make additions to the County's bill lists by issue area.

Senate committee hearings will resume this week utilizing the Senate Chamber and the two largest committee rooms in an effort to allow for physical distancing. Both the Assembly and Senate are not planning on holding Floor Sessions this week, instead focusing their time on holding numerous committee hearings. We will work with your staff to determine the impacts on your County's priorities related to Vision 2026 and your 10X goals.

Last week the truncated legislative calendars for both houses were made available.

- The Assembly legislative calendar can be accessed [HERE](#).
- The Senate legislative calendar can be accessed [HERE](#).

The two calendars differ until both houses return from a summer recess on July 13.

At this time, it is still unclear how bill packages and budget items will be affected by the COVID-19 related recess. The PS team continues to monitor the situation and will keep your staff apprised of any new developments.

Budget

With the Governor's May Revision expected to be released on May 14, the Legislative Analyst's Office (LAO) released their Spring Fiscal Outlook projecting a much smaller budget deficit than estimated by the Administration. The report provides an update on the budget's condition in light of the severe economic consequences resulting from the COVID-19 pandemic. Under a somewhat optimistic recession scenario, the LAO projects that the state could see an \$18 billion deficit. Under a somewhat pessimistic recession scenario, the state could see a deficit of \$31 billion.

The Department of Finance (DOF) released a memo outlining California's budget outlook in the face of the COVID-19 pandemic. This first look into the fiscal health of the state is somber, with DOF citing factors impacting the budget and the need for additional federal assistance to address the \$54.3 billion deficit. The PS team will continue to keep the County apprised of the situation and will provide an update once we have official word on what the budget process will look like, including the schedule.

County Sponsored Priorities

AB 3118 (Bonta) has been set for hearing in Assembly Health Committee on Monday, May 18. The PS team is continuing to work remotely and is coordinating with legislative and County staff on issues that are of priority to the County.

Governor Gavin Newsom

Last Friday, May 8, 2020

On Friday, May 8, 2020 Governor Newsom signed an executive order to ensure that Californians can exercise their right to vote in a safe and accessible manner during the General Election this November. The order requires that each county's elections officials send vote-by-mail ballots for the November 3, 2020, General Election to all registered voters.

Department of Health Care Services (DHCS)

On Friday, May 8, 2020, DHCS provided the following update: “The Centers for Medicare & Medicaid Services (CMS) granted approval of DHCS’ request for multiple Section 1135 flexibilities related to Medicaid and the Children’s Health Insurance Program (CHIP). To the extent applicable, the following modifications also apply to CHIP through the duration of the public health emergency:

- Extending pre-existing authorizations
- Accommodating circumstances that require relocation to an alternative setting to ensure the continuation of needed home and community-based services (HCBS);
- Temporarily waiving written consent under HCBS programs and permitting documented verbal consent as an alternative.”

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/>