

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

Monday, June 15, 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 House and the Senate are in session this week, and are scheduled to remain in Washington for the entire month of June. The House does not have votes scheduled, but rather will focus on committee hearings and markups. The Senate will recess on July 2nd and will not return until July 20, 2020.

Police Reform

The House Judiciary Committee will mark up its Justice in Policing Act of 2020 (H.R. 7120) on Wednesday. The House Democrats have 213 cosponsors, enough for floor passage. They hope to have a few Republicans as cosponsors. Senator Tim Scott plans to unveil his alternative legislation this Wednesday. A House floor vote is scheduled for June 25, 2020.

Surface Transportation Reauthorization

House Transportation and Infrastructure's 5-year surface transportation authorization bill is scheduled to be marked up on Wednesday, June 17th. The bill includes three main titles, highway, transit and rail. Most experts consider this bill to be a House marker, as Republicans were not consulted in the crafting of the bill. Regardless, it is a starting point for Congress, and a high priority for Committees and members. The current surface transportation bill, the FAST Act, is set to expire on September 30, 2020. The bill was given the number H.R. 2, indicating its importance to House leadership.

Rules

LGBTQ Protections Rule

On Friday, the Trump administration formally rolled back an Obama-era policy that protected LGBTQ patients from discrimination and required robust language translation services. The County submitted comments on the proposed rule in August. The original Obama-era policy banned health care providers from discriminating against transgender patients and women seeking abortions. Advocates and healthcare professionals have expressed concerns that these patients may have even more difficulty accessing necessary care.

Education Department Rule on Undocumented Students

The Trump administration and Education Secretary Betsy DeVos unveiled the new regulation last week that restricted which college students may receive emergency grants to cover expenses like food and housing.

The Education Department's "interim final rule" requires colleges to exclude undocumented students and others who don't qualify for federal student aid from a more than \$6 billion emergency cash grant program under the CARES Act.

California has filed a legal challenge to this guidance, and the lawsuit claims that the Secretary's interpretation affects far more than undocumented students, and will exclude more than 800,000 community college students in California.

It is important to note that a federal judge in Washington State has granted a preliminary injunction to block the Education Department's rule limiting which college students are eligible for emergency grants but left in place a ban on undocumented students getting the aid.

Supreme Court Updates

LGBTQ Protections

The Supreme Court ruled this morning that the key federal law prohibiting discrimination in the workplace protects gay, lesbian or transgender employees from being disciplined or fired based on their sexual orientation. Two of the court's Republican appointees, Neil Gorsuch and John Roberts, joined the court's Democratic members to deliver the 6-3 vote. Justice Gorsuch accepted arguments that the Civil Rights Act of 1964's prohibition on sex discrimination in employment also banned bias based on sexual orientation or gender identity. Justices Thomas, Alito and Kavanaugh dissented from the ruling.

Some LGBTQ advocates said the court's decision could be used to invalidate Trump's rollback of the ACA protections for transgender patients.

Sanctuary Policy

Today, the Supreme Court denied a request by the Trump administration to review California's so-called sanctuary laws, which limit cooperation between state and local law enforcement and federal immigration authorities. The Supreme Court let the lower court's resolution stand in favor of three California sanctuary laws, which limited law enforcement cooperation on immigration, and banned state and local authorities from using their resources to enforce federal immigration laws.

We are still waiting for a decision on DACA; there are 3 more decision dates, Thursday 6/18, then Monday 6/22 and 6/29.

Hearings and Markups

Monday, June 15

- House Committee on Education and Labor Hearing, "Budget Cuts and Lost Learning: Assessing the Impact of COVID-19 on Public Education." at 12:00 PM

Tuesday, June 16

- Senate Judiciary Committee Hearing: "Police Use of Force and Community Relations." at 2:30 PM

Wednesday, June 17

- House Transportation and Infrastructure Committee Markup of H.R. 2, the INVEST Act at 10:00 AM
- House Committee on Small Business Hearing: "Paycheck Protection Program: Loan Forgiveness and Other Challenges" at 1:00 PM
- House Committee on the Judiciary Markup of H.R. 7120, the "Justice in Policing Act of 2020." at 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. 6800 (Lowey) Health and Economic Recovery Omnibus Emergency Solutions Act**

Recommendation: Support: Susan S. Muranishi, County Administrator, Lori A. Cox, Director, Social Services Agency, Colleen Chawla, Director, Health Care Services Agency and 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.

II. State Legislative Update – Political Solutions

While the Legislature and the Administration remain focused on COVID-19 management and response, the budget has become a pressing topic given the June 15th deadline is today. The Legislature is prepared to send the plan that they have put together to the Governor by the deadline and they will continue to negotiate from there. Additionally, many of the budget trailer bills are not ready to be heard so those will come either later this week or when they return on July 13th from their summer recess.

Monday, June 15, 2020

Senate and Assembly to hold budget vote during their floor sessions

Monday, June 15, 2020

Assembly Budget Committee Informational Hearing re: "2020 Budget Trailer Bill Package"

Tuesday, June 16, 2020

Assembly Education IH: Re-Opening of CA's Public Schools

Thursday, June 18, 2020

Senate Appropriations Suspense File to be heard

Budget

On Wednesday, June 3, 2020, Senate Pro Temp Toni Atkins, Assembly Speaker Anthony Rendon, and Budget Committee Chairs, Senator Holly Mitchell and Assemblymember Phil Ting announced an agreement has been reached between the Senate and the Assembly on the proposed 2020-2021 state budget. Senate and Assembly will vote on the budget June 15, 2020.

Deadline Extensions Due to COVID-19

- Taxes – The state and federal tax filing deadline was moved from April 15, 2020, to July 15, 2020.
- Census -- The Census Bureau has extended several of their timelines by 2-3 weeks. This includes their final data collection deadline, which was moved from July 31, 2020, to August 14, 2020.
- Real ID – The Department of Homeland Security postponed the Real ID enforcement deadline to October 1, 2021.

Governor Gavin Newsom

On Friday, June 13, 2020, a California judge sided with two Republican Legislators who argued that Governor Newsom had overstepped his powers with dozens of emergency orders during the coronavirus crisis that changed everything from how public meetings are conducted to when tenants can be evicted. Sutter County Superior Court Judge Perry Parker only halted one of the orders, involving the November election, but ordered Newsom to refrain from new orders that might be interpreted as usurping the Legislature's responsibilities.

Judge Parker barred Newsom from further exercising any legislative powers in violation of the California Constitution and applicable statute, specifically from unilaterally amending, altering, or changing existing statutory law or making new statutory law. He scheduled a hearing for June 26th to consider issuing a preliminary injunction.

Today, Governor Newsom joined by HHS Secretary Dr. Ghaly, provided an update on the State's COVID-19 response. Governor Newsom shared that the last few weeks have been challenging as the focus of both the State and Nation have shifted away from COVID-1, but he and his Administration remain committed to addressing the spread of COVID-19.

Proposed May Revision Adjustments to the Governor's Budget, 2020-21

The Department of Finance has begun posting their Finance Letters, indicating what changes are being sought in the May Revise.

Department of Finance COVID-19 Allocations

The Department of Finance (DOF) is publishing information about budget allocations related to the COVID-19 pandemic. The web page provides a high-level allocation summary and includes links to DOF allocation letters by date.

Purpose:

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

Request for Legislation position – Action Item

i. **[2020-21 Budget Request – State General Fund Backfill for Reduced Realignment Revenues](#)**

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

PUBLIC COMMENT

None.

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