

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

Monday, December 3, 2018  
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**

The House and Senate are in session this week. The House will meet today to consider resolutions pertaining to the passing of President George H.W. Bush. The House planned to meet tomorrow but has canceled its session. The weekly schedule has not been updated to reflect the cancellations or a new schedule. However, the House will likely take action on legislation on Thursday to extend funding beyond the December 7<sup>th</sup> expiration of the continuing resolution that covers seven (THUD, Agriculture, Financial Services, Interior & Environment, Homeland Security, Commerce-Justice-Science, and State-Foreign Ops) of the 12 appropriations bills.

The Senate will vote beginning Wednesday afternoon on nominations including, the nomination for the new Director of the Consumer Financial Protection Bureau, as well as a joint resolution that would direct the President to withdraw U.S. Armed Forces from the conflict in Yemen.

**House Leadership Elections**

Democratic leader Nancy Pelosi is expected to be the next Speaker of the House after securing the Caucus nomination last Wednesday on a vote of 202-32. Leader Pelosi will have the next few weeks to negotiate with reluctant Members, promising various committee memberships and the ability to work on specific issues. Leader Pelosi's nomination will now go to a floor vote when the 116th Congress begins on January 3, 2019. Reps. Hoyer (D-MD) and Clyburn (D-SC) were unanimously elected to serve as the Majority Leader and Majority Whip, respectively.

Representative Barbara Lee was recommended by Leader Pelosi to be co-chair of the Democratic Steering and Policy Committee, expanding the panel's leadership to three co-chairs. The other two co-chairs include Reps. Rosa DeLauro (D-CT) and Eric Swalwell (D-CA).

**Lame Duck**

Before the 115th Congress ends, there are several pieces of legislation that may come to the floor over the next few weeks. Congress could consider a tax package, extension of the National Flood Insurance Program, and potentially other legislation to include criminal justice reform and an extension of the land and water conservation fund. If agreements can be made on any of these bills, they could be included in the year-end funding bill.

The House last week debated the rule for a tax package that would renew expiring tax breaks and make fixes to last year's tax overhaul, but a vote on the legislation has yet to be scheduled. If a tax package reaches the Senate, it will have to be amended to gain Democratic support as any measure would need 60 votes for passage.

Congress also passed legislation last week that delayed the expiration of the National Flood Insurance Program until this Friday and may ultimately attach a longer-term flood insurance extension to the must-pass spending bill. Other items of interest that may move in the next couple weeks include criminal justice reform and the land and water conservation fund.

### **Appropriations**

Due to former President Bush's passing and all the events in DC to honor him this week, President Trump said he would sign a short-term continuing resolution (CR) at the end of this week, it is expected to be extended for two weeks as Democrats signaled earlier this afternoon they would be willing to support a two-week extension through December 21, 2018. As of right now, there will not be a government shutdown at the end of the week, but negotiations continue as the funding for President Trump's border wall remains the main sticking point in negotiations. President Trump wants \$5 billion in funding for the border wall while Leader Schumer (D-NY) has stated he will not negotiate in public and is not willing to budge from \$1.6 billion already included in the Department of Homeland Security appropriations bill for border security measures. He also said he is willing to support a full-year CR for DHS appropriations, which is the bill that would contain funding for the border wall.

Another dynamic is Leader Pelosi's nomination for Speaker as she will be less likely to negotiate on the border wall as Members of her Caucus would be less inclined to vote for her on the floor come January if she supports increased funding for the wall.

Leaders Pelosi and Schumer were scheduled to meet with President Trump tomorrow to discuss the year-end spending bills, but that meeting has now been cancelled because of President Bush's funeral. The meeting has been rescheduled for next Tuesday, December 11, 2018.

### **Farm Bill**

A conference report was expected today for the Farm Bill but will likely not be available until next week as the House holds off on voting due to President Bush's funeral. House and Senate Agriculture Committee leadership announced a tentative deal on November 29<sup>th</sup> and are supportive of the legislation moving in the lame duck.

#### **Purpose:**

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

## **II. State Legislative Update – Brownstein Hyatt Farber Schreck**

Today, the Legislature convenes for the 2019-20 Organizational Session and will hold swearing in ceremonies for newly elected and re-elected members of the Legislature. Heading into the new Legislative Session, Democrats hold 60 of the 80 Assembly seats and 29 of the 40 Senate seats – an overwhelming supermajority. California also experienced the highest voter turnout in a midterm general election since 1982.

Last week, Governor-elect Gavin Newsom, Attorney General Xavier Becerra, former Senate President pro Tempore Kevin de León and other state legislators travelled to Mexico for the inauguration of Mexican President Andrés Manuel López Obrador. This expedition signifies California's willingness and desire to nurture its relationship with Mexico, despite federal efforts to amass barriers between the two. California and Mexico are already in discussions of improving air quality in the border region.

Today is the first day that bills may be introduced for the 2019-20 Legislative Session. Below are some of the important upcoming Legislative deadlines.

- December 3 – Organizational Session of the 2019-20 Regular Session.
- January 7 – Legislature reconvenes for the Regular Session and Governor Newsom is sworn in.
- January 10 – Governor’s Budget must be submitted.
- February 22 – Last day for bills to be introduced.
- April 26 – Last day for policy committee hearings on fiscal bills in the first house.
- May 3 – Last day for policy committee hearings on non-fiscal bills in the first house.

### **Initiative Update**

Last week, the initiative that was submitted to the Attorney General by the proponents of Proposition 6 back in October, called the “Citizens’ Lockbox for Road Repairs and Infrastructure Improvements,” which would appear on the November 2020 ballot, received a title and summary and is now in circulation for signature gathering. The measure proposes to eliminate the state’s high-speed rail project and change the state Constitution to require revenue from existing gas taxes be spent only for road and bridge work, not transit, bicycle infrastructure or planning. The initiative proposes a shift of roughly \$10 billion outgoing state revenues from state and local non-transportation programs to local transportation programs, among other things. To qualify for the November 2020 ballot, proponents must submit 585,407 valid signatures by May 28, 2019.

Additionally, last week, proponents of the Referendum of SB 10 submitted what they internally counted as nearly 600,000 signatures to the state for signature verification. If they obtained the signatures needed, the measure will qualify for the November 2020 ballot and SB 10 will be put on hold until the voters decide on the measure.

Meanwhile, civil justice advocate groups have publicly distanced themselves from the Referendum efforts. The ACLU of California clearly addressed their stance in the following public statement made in late November: “Make no mistake, the bail industry is not interested in equal justice or equal protection under the law, they are seeking to turn back the clock to protect their bottom line. Furthermore, any implicit or explicit suggestion that the ACLU stands with or supports the bail industry is patently false.”

### **Wildfires and Utilities**

PG&E has come under increased scrutiny in recent wildfire discussions. On November 29<sup>th</sup> the California Public Utilities Commission voted to adopt the 60 safety recommendations made last year by the entity that audited PG&E in the wake of the 2010 pipeline explosion in San Bruno. The vote on Thursday broadens the scope on the ongoing safety investigation of PG&E to cover the utility’s possible liability in recent Northern California fires, including Camp Fire and the fires in Sonoma County.

### **SB 35: Finalized Streamlined Ministerial Approval Process Guidelines**

The California Department of Housing and Community Development (HCD) released the finalized Streamlined Ministerial Approval Process Guidelines, pursuant to SB 35 (Wiener, 2017) which requires the availability of a streamlined, ministerial approval process for developments in localities that have not yet made sufficient progress towards their allocation of the regional housing need.

Effective January 1, 2019, the final guidelines establish the terms, conditions and procedures for a development proponent to submit an application for a development to a locality that is subject to the streamlined ministerial approval process.

### **Supportive Housing Multifamily Housing Program (SHMHP)**

HCD also recently announced the release of the Notice of Funding Availability (NOFA) for approximately \$77 million for the SHMHP.

This funding provides loans to individuals, public agencies, or private entities – including for-profit, limited profit, or non-profit – for the development of multifamily rental housing containing permanent supportive housing and new construction or rehabilitation of multifamily rental housing developments. HCD will be hosting two SHMHP NOFA workshops in December, in Sacramento and Santa Ana. Applications are due by February 8, 2019.

**Purpose:**

- Report progress
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**PUBLIC COMMENT**

None.

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