

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

**Monday, March 30, 2015
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

SGR—SCHIP

On Thursday, the House voted to approve legislation (HR 2) that would permanently replace Medicare's sustainable growth rate formula.

Since 2003, Congress has passed 17 short-term bills to block cuts in Medicare doctors' fees and the Boehner/Pelosi bill repeals that formula. It is likely that the Senate will take the bill into consideration after they return from recess on April 13, 2015.

Under the bill, Medicare would pay doctors based on their performance, rewarding them for higher-quality work rather than the volume of services. The Children's Health Insurance Program would be extended for two years, rather than the four years sought by Senate Democrats. Funding for community health centers would also be extended through 2017. Additionally, the package would extend the Maternal, Infant, and Early Childhood Home Visiting Program through 2017.

To help offset the costs, some higher-income Medicare beneficiaries would be required to pay higher premiums for coverage of doctors' services and prescription drugs. Offsets only pay for about \$70 billion of the total program. The Congressional Budget Office estimated that the bill would add \$141 billion to federal budget deficits in the coming decade, compared with existing law.

The Senate did not have time to take up the package before they adjourned for the two-week spring break. The Senate will take up the package when it returns to Washington the week of April 13, 2015.

Budget

Both chambers approved their respective budget resolutions last week, which will lead the House and Senate to form a conference committee to try to resolve their differences over the coming weeks. The Senate passed its budget resolution on a party line vote. Senators Rand Paul and Ted Cruz were the only Republicans to vote in opposition. The House also passed its budget by a vote of 228–199 after intense negotiations between fiscal conservatives and defense hawks over increasing the budget for Department of Defense.

A joint budget agreement has not been reached since 2009. If Republicans can pass a joint conference, Republicans will trigger the procedure known as reconciliation, wherein bills could not be filibustered in the Senate and therefore would not require any Democratic support. However, any legislation that would be sent to President Obama as a result of reconciliation would be subject to a veto threat.

Important differences between the House and Senate budget resolutions may make it difficult to reconcile the two budgets. Both are keeping sequestration caps intact and call for the transformation of Medicaid into a block-grant program as well as the repeal the Affordable Care Act (ACA). The Senate version does not specifically require Medicare to become semi-privatized as the House version requires, nor does it repeal the changes made to the tax code as a result of ACA implementation.

The base budget for defense spending in each resolution is \$523 billion and both chambers approved \$96 billion for a war fund for the next fiscal year, not subject to sequestration. In the Senate resolution, however, a 60-vote point of order would be required for any spending bill that increases that fund over \$58 billion.

GROW AMERICA Act 2.0

The Obama Administration released the 2015 GROW AMERICA Act to Congress. It is almost identical to the bill that was transmitted to Congress one year ago. However, the new 6-year bill provides for \$478 billion to tackle the crumbling state of the United States infrastructure. The vast majority of the changes from the Administration's previous proposal are updates of years and dollar amounts.

Attorney General Confirmation

Senate Majority Leader, Mitch McConnell, indicated that Loretta Lynch would not get a confirmation vote until mid-April, following the April recess. Senate Republican leadership has said her confirmation has been delayed due to disagreements with regard to human trafficking legislation that stalled in the Senate in mid-March.

Human Trafficking Update

Senate leadership is still trying to find a way to move forward with the Justice for Victims of Trafficking Act. The legislation has drawn a filibuster threat from Democrats who insist on removing language that would prohibit money in the restitution fund from being spent on abortions. Democrats admitted they overlooked the language when the bill was first reintroduced.

Senators Heidi Heitkamp and Susan Collins are working together to remove the reference to the Hyde Amendment that is currently in the bill and route the legislation through the appropriations process. The move would still require the money funneled through the appropriations process subject to Hyde rules – which prohibit federal funding for abortions except in instances of rape or incest, or if the mother's life is in danger—but the direct reference in the trafficking bill would be changed.

Purpose:

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

This item was informational only and required no Committee action.

II. State Legislative Update –Platinum Advisors

Affordable Housing Grants

The next step in the application process for the Affordable Housing & Sustainable Communities Program was announced by the Strategic Growth Council (SGC). Local Governments and non-profit housing developers submitted concept applications for 18 projects located in Alameda County. After reviewing the concept applications, the SGC has invited seven (7) of the Alameda County applicants to submit full applications.

In total, the SGC received concept applications for 147 projects totaling over \$760 million in requested funding. However, only \$120 million is available in the first round. The SGC has winnowed down the pool of applications to 54 proposals totaling nearly \$302 million in funding. Of the 54 projects selected, 21 are located in the Bay Area. Applications for the selected projects are due April 20th, and the awards are expected to be announced in late June or early July.

Drought Legislation

The Legislature approved and Governor Brown signed AB 91 & AB 92 into law. These measures are the next wave in emergency drought legislation. AB 92 makes several statutory changes aimed at increasing the Department of Fish & Wildlife's authority to notify, cite and bring actions against illegal water diversions, as well as enhancing penalties for illegal marijuana growers. The bill also creates the Office of Sustainable Water Solution which will assist small communities with water supply issues and provide assistance in applying for state and federal grants. AB 92 also creates a low interest loan program aimed at assisting homeowners with water efficiency projects, and the bill suspends some contracting provisions for projects related to the Governor's declaration of a state of emergency. AB 91 appropriated \$1.059 billion from various funds to meet the state's urgent drought needs.

AB 91 includes the following appropriations:

- \$131.7 million (Proposition 1 of 2014) for the State Water Resources Control Board (SWRCB) to build on the existing water recycling grant program. Potential projects include feasibility studies, demonstration projects, and larger scale water recycling projects.
- \$135.5 million (Proposition 1 of 2014) for the SWRCB to improve access to clean drinking water for disadvantaged communities (\$69 million) and help small communities pay for wastewater treatment (\$66 million).
- \$14.6 million (\$11.4 million General Fund and \$3.2 million Fish and Game Preservation Fund) for the Department of Fish and Wildlife (DFW) to continue critical state operations related to drought, such as fish rescues, hatchery operations, fish and wildlife monitoring, and responding to problems of human/wildlife conflict from animals seeking food and water.
- \$11.6 million (General Fund) for the Department of Water Resources (DWR) to continue to assess current surface and groundwater conditions, expedite water transfers, provide technical guidance to local water agencies, and provide additional public outreach through the Save Our Water campaign.
- \$6.7 million (General Fund) and \$15.9 million (Cleanup and Abatement Account) for the SWRCB to continue enforcement of drought-related water rights and water curtailment actions and provide grants (\$15 million) for emergency drinking water projects, including hauled water, bottled water, design and construction of connections to adjacent public water systems, new wells and well rehabilitation.
- \$4 million (Cleanup and Abatement Account) for the SWRCB to provide emergency safe drinking water to disadvantaged communities impacted by the drought.
- \$4.4 million (General Fund) to the Office of Emergency Services for the State Operations Center to continue to provide local communities with technical guidance and disaster recovery support related to the drought.
- \$20 million (Greenhouse Gas Reduction Fund) to the DWR for state and local water use efficiency programs which reduce greenhouse gas (GHG) emissions.
- \$10 million (Greenhouse Gas Reduction Fund) to the California Department of
- Food and Agriculture (CDFA) for agricultural water efficiency projects that reduce GHG emissions.
- \$17 million and reappropriate \$7 million (General Fund), to the Department of Social Services to expand food assistance to persons affected by the drought to include the Counties of Imperial, San Luis Obispo, Santa Barbara, Ventura, and Coachella Valley in Riverside County.
- \$3 million (General Fund) for the Department of Forestry and Fire Protection (CAL FIRE) to address critical infrastructure deficiencies at remote fire stations that have run out of water.

- \$2 million (General Fund) to the DFW for maximizing water delivery and efficiency to key endangered species habitats, endangered species, native fish and Delta monitoring, and water delivery system projects.
- \$7.4 million (General Fund) to the DWR for additional public outreach through the Save Our Water campaign, refining the modeling of turbidity flows in the Delta, and Local Assistance (\$5 million) to provide emergency drinking water support for small communities, including addressing private well shortages.
- \$4 million (Harbors and Watercraft Fund) to the Department of Parks and Recreation, Division of Boating and Waterways for efforts to manage and control invasive aquatic plants within the Sacramento-San Joaquin River Delta, its tributaries and the Suisun Marsh which threaten water supply intake structures.
- \$200,000 (General Fund) to the CDFA for economic analysis studies to determine the ongoing impacts of California's drought on the state's agriculture sector and identify potential solutions.
- \$4 million (General Fund) for the SWRCB and the DFW to enhance instream flows in at least five stream systems that support critical habitat for anadromous fish.
- \$660 million (Proposition 1E of 2006) for the DWR to support flood protection activities. Expenditures of these bond funds will be allocated to program categories that are consistent with the resource allocation recommendations of the Central Valley Flood Protection Plan for prioritizing flood management projects. Specifies that funds shall be available for encumbrance and expenditure until June 30, 2020, and June 30, 2023, respectively.

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Request for Legislation Position – Action Items

- i. **(Bonta) Martin Luther King Jr. Freedom Center \$500, 000 State Budget Request for FY 15-16 for a pilot program to expand educational and non-violence programs in the Bay Area Community**
Recommendation: Support: Keith Carson, District 5, Board of Supervisors
[Attachment](#)
- ii. **Support the requirements proposed by the California Department of Social Services and its partners for the State's next Request for Proposal and contract for Electronic Benefits Transfer (EBT) services**
Recommendation: Support: Lori Cox, Director, Social Services Agency
[Attachment](#)
- iii. **SB 66 (Leyva) Career Technical Education Pathways Program**
Recommendation: Support: Lori Cox, Director, Social Services Agency
- iv. **SB 636 (Liu) Youth Basic Material Needs Assistance Act**
Recommendation: Support: Keith Carson, District 5, Board of Supervisors
- v. **SB 655 (Mitchell) Housing Standards: Mold**
Recommendation: Support: Maricela Narvaez Foster, Director, Healthy Homes Department, Community Development Agency

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- Other:

Recommendation from PAL Committee: Approve. Move to the full Board of Supervisors.

PUBLIC COMMENT

None.

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