



LEGISLATION COMMITTEE

October 25, 2016

2:00 P.M.

651 Pine Street, Room 101, Martinez

Supervisor Federal D. Glover, Chair
Supervisor Karen Mitchoff, Vice Chair

Agenda Items:	Items may be taken out of order based on the business of the day and preference of the Committee
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1. Introductions
2. Public comment on any item under the jurisdiction of the Committee and not on this agenda (speakers may be limited to three minutes).
3. **APPROVE the Record of Action from the July 11, 2016 meeting with any necessary corrections.**
4. **ACCEPT the End of Session Reports and provide direction to staff, as needed.**
5. **REVIEW the Draft 2017 State Legislative Platform, provide direction to staff on any recommended changes, and RECOMMEND action to the Board of Supervisors.**
6. **REVIEW the Draft 2017 Federal Legislative Platform, provide direction to staff on any recommended changes, and RECOMMEND action to the Board of Supervisors.**
7. **ACCEPT the report on federal issues of interest to the County and provide direction to staff, as needed.**
8. The next meeting is currently scheduled for November 14, 2016 at 10:30 a.m.
9. Adjourn

The Legislation Committee will provide reasonable accommodations for persons with disabilities planning to attend Legislation Committee meetings. Contact the staff person listed below at least 72 hours before the meeting.

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the County to a majority of members of the Legislation Committee less than 96 hours prior to that meeting are available for public inspection at 651 Pine Street, 10th floor,

during normal business hours.

Public comment may be submitted via electronic mail on agenda items at least one full work day prior to the published meeting time.

For Additional Information Contact:

Lara DeLaney, Committee Staff
Phone (925) 335-1097, Fax (925) 646-1353
lara.delaney@cao.cccounty.us



Contra Costa County Board of Supervisors

Subcommittee Report

LEGISLATION COMMITTEE

3.

Meeting Date: 10/25/2016
Subject: Record of Action
Submitted For: LEGISLATION COMMITTEE,
Department: County Administrator
Referral No.: 2016-26
Referral Name: Record of Action
Presenter: Lara DeLaney **Contact:** L. DeLaney, 925-335-1097

Referral History:

County Ordinance requires that each County body keep a record of its meetings. Though the record need not be verbatim, it must accurately reflect the agenda and the decisions made in the meeting. Any handouts or printed copies of testimony distributed at the meeting will be attached to this meeting record.

Referral Update:

Attached for the Committee's consideration is the Record of Action for its July 11, 2016 meeting.


Recommendation(s)/Next Step(s):

APPROVE the Record of Action from the July 11, 2016 meeting with any necessary corrections.

Attachments

Attachment A - July 11, 2016 Record of Action

DRAFT

 <p>Agenda</p>	<p>LEGISLATION COMMITTEE RECORD OF ACTION July 11, 2016 10:30 A.M. 651 Pine Street, Room 101, Martinez</p>
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Supervisor Federal D. Glover, Chair
Supervisor Karen Mitchoff, Vice Chair

Agenda Items:

Items may be taken out of order based on the business of the day and preference of the Committee

Present: Federal D. Glover, Chair
Karen Mitchoff, Vice Chair

Staff Present: Lara DeLaney, Senior Deputy County Administrator
Timothy M. Ewell, Senior Deputy County Administrator
Vana Tran, Senior Management Analyst, County Administrator's Office
Ed Diokno, District V Office

Attendees: Helen Grieco, California Common Cause
Cathy Christian, by phone

1. Introductions

Chair Glover called the meeting to order. Vice Chair Mitchoff in attendance. Staff introduced themselves.

2. Public comment on any item under the jurisdiction of the Committee and not on this agenda (speakers may be limited to three minutes).

No public comment was given.

3. APPROVE the Record of Action from the June 13, 2016 meeting with any necessary corrections.

The Committee accepted the Record as presented.

AYE: Chair Federal D. Glover, Vice Chair Karen Mitchoff
Passed

4. CONSIDER recommending to the Board of Supervisors a position of "Oppose Unless Amended" on AB 1550 (Gomez): Greenhouse Gases: Investment Plan: Communities, as recommended by Supervisor Mitchoff.

The Committee voted unanimously to recommend adopting an "Oppose Unless Amended" position on AB 1550 to the Board of Supervisors. The Committee recommended this be placed on the Consent calendar.

AYE: Chair Federal D. Glover, Vice Chair Karen Mitchoff
Passed

5. CONSIDER recommending to the Board of Supervisors a position of "Support" on AB 2121 (Gonzalez) Alcoholic Beverage Control: Beverage Service Training, as recommended by the Alcohol and Other Drugs Advisory Board.

The Committee voted unanimously to recommend adopting a Support position on AB 2121 to the Board of Supervisors. The Committee recommended this be placed on the Consent calendar.

AYE: Chair Federal D. Glover, Vice Chair Karen Mitchoff
Passed

6. CONSIDER recommending to the Board of Supervisors a position of "Support" on SB 1107 (Hancock, Chiu): Political Reform Act of 1974, a bill that allows state and local governments to offer public campaign financing programs and limits the uses of campaign funds that are held by public officials who have been convicted of various public trust crimes.

The Committee voted unanimously to place SB 1107 on the Board of Supervisors' meeting agenda for discussion with no recommendation from the Committee.

AYE: Chair Federal D. Glover, Vice Chair Karen Mitchoff
Passed

7. RECOMMEND to the Board of Supervisors an amendment to the County's adopted Federal Platform to include support for creating a new category of private activity bonds for governments to join with private parties to help finance government buildings, as recommended by CAO staff.

The Committee voted unanimously to recommend an amendment to the County's adopted Federal Platform to the Board of Supervisors.

AYE: Chair Federal D. Glover, Vice Chair Karen Mitchoff
Passed

8. The next meeting is currently scheduled for August 8, 2016.
9. Adjourn

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Contra Costa County Board of Supervisors

Subcommittee Report

LEGISLATION COMMITTEE

4.

<u>Meeting Date:</u>	10/25/2016	
<u>Subject:</u>	2015-16 End of Session Report	
<u>Submitted For:</u>	LEGISLATION COMMITTEE,	
<u>Department:</u>	County Administrator	
<u>Referral No.:</u>	2016-12	
<u>Referral Name:</u>	End of Session Report	
<u>Presenter:</u>	L. DeLaney and Cathy Christian	<u>Contact:</u>

Referral History:

At the conclusion of the legislative session, staff provides the Legislation Committee with a summary report of advocacy activity at the state level. The County's legislative advocate, Cathy Christian of Nielsen Merksamer, provides an update on top-priority bills and final outcomes of the 2016 year (Attachment A).

Also included is the CSAC Legislative Achievements Report (Attachment B) and CSAC's final FY 2016-17 State Budget Actions (Attachment C).

Referral Update:

The final stage of the 2015-16 session has come to a close. The Legislature adjourned on August 31, and the Governor had until September 30 to sign or veto bills that made it to his desk. As this is the end of a two-year legislative session, bills that failed passage in both houses of the Legislature now would have to be reintroduced in the upcoming 2016-17 legislative session.

Key achievements and end-of-session legislative highlights of importance to counties include:

- **Managed Care Organization (MCO) Fix:** In March, the Governor and Legislature reached agreement on an important MCO fix that remained elusive in 2015. The MCO tax is important as it provides implementation funding for the Coordinated Care Initiative (CCI) pilot program in seven counties. Counties support the CCI to ensure better care coordination for high-risk, high-cost residents who are dually eligible for both Medicare and Medicaid. The CCI is also tied in an important way to the counties' role in the In-Home Supportive Services (IHSS) program, as the continuation of the CCI is required to preserve the county IHSS Maintenance of Effort (MOE) under 1991 Realignment. The IHSS MOE sets county IHSS costs at 2012 levels with a 3.5 percent annual inflator. Further, if the CCI succeeds in the initial seven counties, the eventual plan is to transition collective bargaining for IHSS workers from each county to the state—however there are no set timelines for this phase to occur. This fix prevented the collapse of the CCI, maintains the county IHSS MOE and continues the support of transferring collective bargaining from counties to the state in the CCI counties and potentially the remaining 51

counties in the future.

- **\$2 Billion Bond for Homelessness:** Mental Health Services Act (MHSA) revenues will be used to support the issuance of \$2 billion in revenue bonds for homelessness for the mentally ill. Senate pro Tem Kevin de León’s “No Place Like Home” proposal (AB 1618 and AB 1628) will result in a local grant program for permanent supportive housing for those who are chronically homeless and living with mental illness. An advisory group of county staff will be established that will assist the state in implementation.

- **Cap and Trade Revenues:** One of the last compromises reached between the Legislature and the Governor was a deal on the expenditure of the 40 percent of unallocated cap and trade revenues, totaling \$900 million in funds dedicated to a variety of programs to reduce greenhouse gas (GHG) emissions, while placing \$462 million in a reserve account for future years. While the plan is a bit of a mixed bag for counties, \$140 million is dedicated to a new local climate program aimed at reducing GHG emissions from variety of different sectors in disadvantaged and other communities. In addition, the plan allocates \$40 million to programs that increase waste diversion and help reduce methane emissions from our landfills. The deal also allocates \$135 million to the Transit and Intercity Rail Program consistent with the goal that cap and trade dollars be invested towards transportation programs.

- **Mandatory Union Orientation:** AB 2835 (Cooper) would have required public agency and school employers to allow union representatives to participate in new employee orientations for 30 minutes during the first half of that orientation. AB 2835 was moved to the Senate Inactive File on the last day of the 2015-2016 session and did not move to the Governor for action.

- **Elections Funding and Reform:** Positive movement was made on the elections front with great attention being given to the unpredictable changes brought by the presidential race and dozens of statewide ballot initiatives. This included securing over \$16 million in funding this April for county elections administration to manage the unprecedented surge in voter registration and primary election anticipated turnout. Legislation seeking to help counties manage costly special elections through a vote-by-mail option (AB 2686) was signed by the Governor as well.

- **Traffic Amnesty:** Senator Bob Hertzberg introduced SB 881 early in the Legislative session to extend the 2015-16 Traffic Amnesty Program and remove all ability for counties to suspend California Driver’s Licenses for individuals who fail to pay traffic fines. SB 881 was amended to only clarify existing timeframes within the current traffic amnesty program. The measure specifically requires the courts to process applications in a timely manner and requires all applications prior to March 2017 be processed for the traffic amnesty program. SB 881 was signed into law.

More Work to Be Done: There were a number of significant issues of importance to counties that unfortunately failed to receive the high two-thirds vote threshold necessary for passage. Those include an elusive transportation funding package, compromise on a “use by right housing” proposal in order to access \$400 million in state general fund revenue for affordable housing, and a Proposition 218 amendment to allow local governments to impose fees for storm water and flood control costs. The special session called by the Governor to tackle transportation funding shortfalls for the state and local systems remains open until November 30th. A broad coalition will continue working through the interim recess to push for a compromise and solution to transportation funding.

State Budget: The 2016-17 budget totaled \$122.5 billion, and despite forecasts for a shaky economic future, the overall budget package was not detrimental to counties and even included several priorities. The main budget deal was signed in June, with additional major proposals not coming through until September, including the “No Place Like Home” housing program and cap and trade auction revenue allocations. The Governor’s statutory language to streamline the approval of certain housing projects that include affordable units, known as the “by-right” proposal, left \$400 million on the table and was not resolved by the time of adjournment. 2016-17 Budget Act highlights for counties included:

- \$2 billion state bond authority financed by Mental Health Services Act funds for the new “No Place Like Home” program providing permanent housing to homeless persons living with mental illness.
- \$11 million to assist in the removal and disposal of dead trees in high hazard zones.
- \$10 million in State Responsibility Area Fire Prevention Fund grants, including \$5 million in grants to local governments specific to tree mortality and tree removal and \$5 million for general fire prevention.
- \$270 million for jail construction grants.
- \$25 million in grants for hard-to-site criminal justice facilities to cities and counties.
- \$127.3 million for foster care group home reform.
- \$30 million to support local jurisdictions using the California Disaster Assistance Act Program for tree mortality and other disasters.
- \$644,000 for Payment in Lieu of Taxes (PILT).
- \$2.5 million for Williamson Act.
- Nearly \$400,000 in state backfill for counties with insufficient ERAF.

Early indications of an anticipated economic downturn tempered some legislative requests and focused the final overall budget plan on greater long-term savings. The first month of state revenues under the new budget showed a dip in all of the “big three” revenue resources (personal income tax, corporate tax, and sales tax) compared to estimates. The overall budget package also reflects both the Governor’s efforts to restrain ongoing commitments and create stronger reserves as well as the Legislature’s priorities to assist the most vulnerable and invest in critical support services and education. Ongoing commitments that the Legislature sought included funding child care and pre-school rate increases that will grow to over \$500 million annually.

Recommendation(s)/Next Step(s):

ACCEPT the End of Session reports and provide direction to staff, as needed.

Attachments

Attachment A: Nielsen Merksamer Report

Attachment B: CSAC Advocacy Achievements

Attachment C: CSAC Final 2016?17 Budget Package Bulletin

TO: David Twa, County Administrator
Lara DeLaney, Senior Deputy County Administrator
Contra Costa County

FROM: Cathy Christian

DATE: October 13, 2016

RE: 2016 Legislation and Legislative Issues for Contra Costa County

As another legislative year and two-year session come to a close, it's time to take stock of the events of 2016 and to look into the near future as the 2016 General Election is upon us. Despite the fact that the Legislature and Governor were not able to reach agreement on some pressing issues facing counties and the State, it was a productive year overall.

I have prepared a 1) synopsis of significant legislation; 2) a summary of issues of political import; 3) the Contra Costa County legislative advocacy program outcomes, and I have also included some information about the 17 Propositions that will appear on the November Ballot.

The Budget...

On June 25th, the Governor signed another on-time State Budget. The \$167.6 billion plan included only about \$900 million more in GF appropriations than the revised 2014-2015 spending level. The Rainy Day fund received a total of about \$3.3 billion, bringing the total in the account to \$6.7 billion (approximately 54% of the goal).

K-12 school and community college funding grew to \$71.9 billion, the highest rate in California history. Per-pupil K-12 spending was increased \$440 from last year's level. UC and CSU tuition will remain at 2011-2012 levels.

The 2016-2017 budget begins to implement the state's new \$15 per hour minimum wage by raising the statewide minimum to \$10.50 per hour on January 1, and also funds the first COLA increase for SSI/SSP in over a decade. An additional \$145 million was appropriated for child care and early education programs. Also in the budget was a policy change to end the Maximum Family Grant in the CalWORKs program (*CCC Support Letter to Governor*).

State infrastructure improvements and maintenance will receive \$2 billion, with \$1.3 billion going to construction for State (owned) building purposes and \$270 million in lease-revenue bond authority for local jails and \$485 million from the

October 12, 2016

Page 2 of 13

GF for deferred maintenance at levees, state parks, universities, community colleges, prisons, state hospitals and other state facilities.

A few days after the main budget and trailer bills were signed by the Governor, the legislature passed another trailer bill, AB 1618, better known as the “No Place Like home” initiative. This bill and its companion “implementing legislation” (AB 1628), provide \$2 billion for the construction and rehabilitation of permanent supportive housing for homeless people with mental illness, through a competitive grant program for counties. The funding mechanism for this program provides for the issuance of \$2 billion in bonds, to be secured by Proposition 63 revenues. Governor Brown immediately signed AB 1618.

Better late than never...

Not everything that was “in the works” for the budget actually made it into the budget and trailer bills. Of those subjects that were “punted” to the end of the legislative session (or even after, in subsequent Extraordinary Session), not all were addressed before the Legislature closed out the two-year session at midnight on August 31st.

One major budgetary issue that was resolved was cap-and-trade spending. A last minute agreement was reached to make \$900 million in appropriations to various programs covering clean vehicle rebates, black carbon wood smoke programs, transformative climate communities programs, urban greening, water efficiency, waste diversion, transportation programs and other climate change fighting programs. Approximately \$462 million was reserved for future appropriations.

Remains to be seen...

Despite much negotiation and arm twisting, the legislature failed to move two expensive and controversial initiatives forward before the 2015-16 legislative session concluded. The first is transportation funding. The Governor, legislative leadership, labor and environmental groups were unable to craft a deal that would satisfy their constituencies, as well as the potential need for a 2/3 vote of the legislature to come up with a multibillion dollar transportation infrastructure plan. It is possible that the legislature comes back to address transportation funding needs before the 2017-2018 session begins. Senator Beall and Assemblymember Frazier have introduced bills in the First Extraordinary Session that propose a gas tax hike, a diesel tax hike and the charging of a \$165 annual fee on owners of electric vehicles (SBX1 1 Beall and ABX1 26 Frazier / CCC Support). There is no current plan for the legislature to meet before the next session begins, but if they do, it would likely not be until after the election on November 8th.

The second contentious and expensive issue that the legislature was not able to make significant progress on was affordable/low-income housing. Again, despite much negotiation, the Legislature was unable to reach an agreement with the

October 12, 2016

Page 3 of 13

Administration on the Governor's proposed \$400 million for low-income housing projects. Most of the controversy seemed to stem from the Governor's requirement that a "deal" include a "streamlined" plan that would allow developers to bypass ("by-right") traditional aspects of local control and oversight in development decision making. Assembly Speaker Rendon walked away from negotiations in mid-August, after weeks of inactivity.

All indications are that the Governor is intractably committed to streamlining development planning, much to the dismay of legislators and community groups who know that any significant legislative spending on housing (in a budget or in other legislation) will have to be signed by the Governor. (Senator Beall also attempted to put a \$3 billion housing bond on the ballot (SB 879), but that effort failed to make it out of the legislature. Short of a deal for an appropriation or a bond for housing, the legislature was able to send several housing related bills to the Governor including a handful of hotly debated bills on the subject of accessory dwelling units.

And also...

There were a number of significant bills this year that are worth mentioning...

AB 1921 (Gonzalez) - Permits a vote by mail voter to who is unable to return his or her ballot to designate any person to return the ballot and prohibits a designated person from receiving any form of compensation based on the number ballots that person returns.

Status: *Signed by Governor, Chapter 820, Statutes of 2016*

AB 2686 (Mullin) – Until January 1, 2021, as part of a pilot project, allows a county to conduct a legislative or congressional vacancy special election as a **mailed ballot election** if more than half the voters in the county are permanent vote by mail voters.

Status: *Signed by Governor, Chapter 764, Statutes of 2016*

SB 450 (Allen & Hertzberg) - Permits specified counties (not CCC) beginning in 2018, and all other counties, beginning in 2020, to conduct elections in which every voter is mailed a ballot and, among other things, vote centers and ballot drop-off locations are available prior to and on election day, in lieu of operating polling places for the election.

Status: *Signed by Governor, Chapter 382, Statutes of 2016*

AB 2636 (Linder & Dababneh) - Allows an official, if an electronic request for a certified copy of a birth, death, or marriage record is made, to accept an **electronic verification of identity** of the applicant using a remote identity proofing process, as specified, or a notarized statement of identity, to ensure the applicant is authorized under law to receive that record.

October 12, 2016

Page 4 of 13

Status: *Signed by Governor, Chapter 527, Statutes of 2016*

AB 1234 (de León) - Relates to government private sector retirement savings plans, individual retirement accounts and individual retirement annuities. Requires the Secure Choice Retirement Savings Investment Board to implement the **Secure Choice Savings Program**.

Status: *Signed by Governor, Chapter 804, Statutes of 2016*

SBX2 2 (Hernandez) - Establishes a new **managed care organization provider tax** on licensed health care service plans, managed care plans contracted to provide Medi-Cal services, and alternate health care service plans. Establishes applicable taxing tiers and per enrollee amounts.

Status: *Signed by Governor, Chapter 2, Statutes of 2015-2016 2nd Extraordinary Session*

AB 1066 (Gonzalez) - Provides for the phasing in of **overtime requirements for agricultural workers**, over the course of a specified multi-year period.

Status: *Signed by Governor, Chapter 313, Statutes of 2016*

AB 2835 (Cooper) - Requires certain public employers to provide newly hired employees a specified **public employee orientation** within a certain number of months of hiring. Requires, if employees are represented, that an exclusive representative be given certain notice in advance of the orientation. Requires that a representative be permitted to make a presentation. Requires an affected public employee to provide certain employee information to a representative.

Status: *Died on Senate Inactive File*

SB 1170 (Wieckowski) – Prohibits local public agencies, including charter cities, from delegating to a contractor the development of a **storm water pollution prevention plan** and prohibits public agencies from requiring a contractor on a public works contract that requires compliance with any of these plans to assume responsibility for the completeness and accuracy of the plan.

Status: *Held on Assembly Appropriations Committee Suspense File (CCC Oppose)*

AB 1399 (Baker) - Allows an individual to designate on his or her tax return that a specified amount in excess of tax liability be transferred to the **State Domestic Violence Victims Fund** created by this Act.

Status: *Signed by Governor, Chapter 289, Statutes of 2016 (CCC Support)*

October 12, 2016

Page 5 of 13

SB 1322 (Mitchell) - Provides that a **minor engaged in commercial sexual activity** will not be arrested for a prostitution offense and directs a law enforcement officer who comes upon a minor engaged in a commercial sexual act to report the conduct or situation to county social services as abuse or neglect.

Status: *Signed by Governor, Chapter 654, Statutes of 2016*

SB 813 (Leyva) – Removes the **statute of limitation for the prosecution of rape**, sodomy, lewd or lascivious acts, continuous sexual abuse of a child, oral copulation, and sexual penetration.

Status: *Signed by Governor, Chapter 777, Statutes of 2016*

SB 32 (Pavley) - Requires the State Air Resources Board to approve a **statewide greenhouse gas emissions limits** that are the equivalent to 40% below the 1990 level to be achieved by 2030 and to adopt rules and regulations to achieve the maximum, technologically feasible, and cost-effective greenhouse gas emissions reductions.

Status: *Signed by Governor, Chapter 249, Statutes of 2016*

AB 197 (E. Garcia) - Requires the **State Air Resources Board** to make available, and update annually, on its Internet Web site, the emissions of greenhouse gases, criteria pollutants, and toxic air contaminants for each facility that reports to the board and air districts. Adds two legislators as non-voting members of CARB.

Status: *Signed by Governor, Chapter 250, Statutes of 2016*

And when the dust settled...

The last day for Governor Brown to act on legislation in the 2015-2016 session was September 30th. This year, the Governor vetoed the highest percentage of bills in either of his terms as Governor (15.1%). On his desk for 2016 were 1,059 bills. Of them, 159 were vetoed and only one bill this year was enacted without his signature.

The next significant date for the Legislature is, of course, General Election Day (November 8th). The 2015-2016 Legislative Session will adjourn, Sine Die, on November 30th and the 2017-2018 Legislative Session will begin when legislators return to Sacramento at noon on December 5th. Unless otherwise specified, statutes enacted in the regular session take effect on January 1, 2017.

October 12, 2016

Page 6 of 13

State Ballot Propositions

Proposition 51 – School facility construction bonds: Authorizes \$9 billion in general obligation bonds for new construction and modernization schools and community colleges.

(Support: CBIA, PTA, CalChamber **Opposition:** Governor Brown, CA Taxpayers Action Network)

Proposition 52 – Hospital fees: Requires voter approval to change the dedicated use of certain fees from hospitals used to draw matching federal money and fund Medi-Cal services and requires a 2/3 majority vote of the California Legislature to end the hospital fee program.

(Support: CHA, Dignity Health, Sutter Health **Opposition:** SEIU)

Proposition 53 - Bond issuance: Requires statewide voter approval before any revenue bonds can be issued or sold by the State for specified State projects if the bond amount exceeds \$2 billion.

(Support: Cortopassi, various anti-tax organizations **Opposition:** Governor Brown, CSAC, Labor, CalChamber)

Proposition 54 - Legislative openness: Prohibits the Legislature from passing any bill unless it has been in print and published on the Internet for at least 72 hours before the vote, except in cases of public emergency.

(Support: Charles Munger, CalChamber, League of Cities **Opposition:** Californians for an Effective Legislature – Maviglio)

Proposition 55 - Tax extension for education and healthcare: Extends the personal income taxes approved in 2012 (Proposition 30) for 12 years in order to fund education and healthcare.

(Support: Teachers, Labor, Hospitals **Opposition:** CalChamber, Howard Jarvis, NFIB)

Proposition 56 – Tobacco tax: Increases the cigarette tax by \$2.00 per pack, with equivalent increase on other tobacco products and electronic cigarettes containing nicotine.

(Support: Hospitals, Labor, CMA, Blue Shield **Opposition:** Philip Morris, R.J. Reynolds)

Proposition 57 – Criminal sentences: Increases parole and good behavior opportunities for felons convicted of nonviolent crimes and allowing judges, not prosecutors, to decide whether to try certain juveniles as adults in court.

October 12, 2016

Page 7 of 13

(Support: Governor Brown, Dem Party, Reed Hastings **Opposition:** DA's, Crime Victims United, Law Enforcement)

Proposition 58 – English immersion: Repeals most of the 1998 Proposition 227, the "English in Public Schools" Initiative, thus effectively allowing non-English languages to be used in public educational instruction. Placed on the ballot per SB 1174 (Lara) from 2014.

(Support: CTA, School Administrators **Opposition:** Ron Unz)

Proposition 59 – Citizens United: (Advisory Question) Asks whether California's elected officials should use their authority to propose and ratify an amendment to the federal Constitution overturning Citizens United.

(Support: NextGen CA, Common Cause **Opposition:** ???)

Proposition 60 – Condoms in adult films: Requires performers in adult films to use condoms during filming of sexual intercourse.

(Support: AIDS Healthcare Foundation **Opposition:** AIDS Project LA, Free Speech Coalition, Adult film industry)

Proposition 61 – State agency drug costs: Prohibits state agencies from paying more for a prescription drug than the lowest price paid for the same drug by the United States Department of Veterans Affairs.

(Support: AIDS Healthcare Foundation, CNA **Opposition:** Pharma)

Proposition 62 – Death penalty repeal: Repeals death penalty as maximum punishment for murder and replaces it with life imprisonment without possibility of parole. Applies retroactively to persons already sentenced to death.

(Support: Reed Hastings, Nicholas McKeown, Lt. Gov. **Opposition:** CPOA, PORAC. Misc. Law Enforcement)

Proposition 63 – Ammunition magazines: Prohibits possession of large-capacity ammunition magazines, and requires their disposal by sale to dealer, destruction, or removal from state. Requires most individuals to pass background check and obtain Department of Justice authorization to purchase ammunition.

(Support: Lt. Gov., Dem Party, CMA **Opposition:** NRA, CA Rifle & Pistol Assoc.)

Proposition 64 - Marijuana legalization: Legalizes marijuana and hemp under state law and imposes sales and cultivation taxes.

(Support: Sean Parker, Drug Policy Action, ACLU **Opposition:** Teamsters, CHA, DAs, Sheriffs, PORAC)

October 12, 2016

Page 8 of 13

Proposition 65 - Carry-out bags: Redirects money collected from the sale of carry-out bags by grocery or other retail stores to a special fund administered by the Wildlife Conservation Board.

(Support: Bag Manufacturers **Opposition:** Enviros, CAs Against Waste)

Proposition 66 – Death penalty appeals: Changes procedures governing state court appeals and petitions challenging death penalty convictions and sentences and imposes time limits on state court death penalty review.

(Support: CCPOA, PORAC **Opposition:** Lt. Gov., Reed Hastings, ACLU, NAACP)

Proposition 67 – Single-use plastic bags: (Referendum) Would ratify a state law previously approved by the Legislature and the Governor banning single-use plastic bags if approved.

(Support: Albertsons Safeway, CA Grocers, CAs Against Waste **Opposition:** Bag Manufacturers)

Contra Costa County Sponsored Legislation

AB 1692 (Bonilla) - Allows the Contra Costa County Board of Supervisors to make the terms and conditions of disability retirement allowances currently available to Tier Three members of the Contra Costa County Employees' Retirement Association applicable to non-safety members subject to the retirement benefit formula specified in the Public Employees' Pension Reform Act of 2013.

Status: *Signed by Governor, Chapter 123, Statutes of 2016 (CCC Support / Sponsor)*

Contra Costa County Advocacy Legislation

AB 45 Mullin - Requires CalRecycle, in consultation with affected industries, to adopt one or more model ordinances for a comprehensive program for the collection of Household Hazardous Waste for adoption by a local jurisdiction that provides for the residential collection and disposal of solid waste.

Status: *Died in Senate Environmental Quality (CCC Oppose)*

AB 171 (Irwin) - Modifies the formula by which the Department of Veterans Affairs allocates state funds to county veterans service officers, and adds reporting requirements to help determine how effectively and efficiently state funds are being spent.

Status: *Died on Senate Inactive File (CCC Support)*

October 12, 2016

Page 9 of 13

AB 203 (Obernolte) - Extends the deadline to file a petition for redetermination of the state responsibility area fire prevention fee from 30 days to 60 days. Reestablishes the fire prevention fee at its current level (\$152.33) and on July 1, 2017 and annually thereafter allows the Board of Forestry to adjust the fee.

Status: *Died on Assembly Inactive File (CCC Support)*

AB 1051 (Maienschein) - Requires the Department of Health Care Services to increase provider reimbursement rates for the 15 most common dental services provided in the Denti-Cal program to average commercial rates.

Status: *Held on Senate Appropriations Suspense File (CCC Support)*

AB 1159 (Gordon) - Establishes a product stewardship program for home-generated medical sharps and household batteries until January 1, 2024, and requires CalRecycle to adopt regulations by January 1, 2017.

Status: *Died on Assembly Appropriations Suspense File (CCC Support)*

AB 1335 (Atkins) - Establishes the Building Homes and Jobs Act of 2015 (the Act) to provide funding for affordable housing.

Status: *Died on Assembly Third Reading (CCC Support)*

AB 1399 (Baker) - Authorizes the addition of the California Domestic Violence Victims Fund checkoff to the personal income tax return upon the removal of another voluntary contribution fund from the return, or as soon as space is available.

Status: *Signed by Governor, Chapter 289, Statutes of 2016 (CCC Support)*

AB 1554 (Irwin) - Prohibits the Department of Alcoholic Beverage Control from issuing a license to manufacture, distribute, or sell powdered alcohol.

Status: *Signed by Governor, Chapter 742, Statutes of 2016 (CCC Support)*

AB 1568 (Bonta & Atkins) - Enacts the Medi-Cal 2020 Demonstration Project Act, administered by the Department of Health Care Services which implements the Special Terms and Conditions (STC) approved by the federal Centers for Medicare and Medicaid Services, including the Dental Transformation Initiative, the Whole Person Care program and the evaluations required under the STCs.

Status: *Signed by Governor, Chapter 42, Statutes of 2016 (CCC Support)*

October 12, 2016

Page 10 of 13

AB 1618 (Asm. Budget) - Makes necessary statutory and technical changes to implement the Budget Act of 2016 related to the No Place Like Home Program to further the development of permanent supportive housing for persons who are in need of mental health services and are homeless, chronically homeless, or at risk of homelessness.

Status: *Signed by Governor, Chapter 43, Statutes of 2016 (CCC Oppose)*

AB 1708 (Gonzalez) - Imposes mandatory minimum 72 hours in custody for persons convicted of purchasing commercial sex with specified times servable as work furlough and recasts the crime of prostitution.

Status: *Vetoed (CCC Support)*

AB 1713 (Eggman) - Prohibits the construction of a peripheral canal in the Sacramento-San Joaquin Delta unless certain requirements are met.

Status: *Died on Assembly Appropriations Suspense File (CCC Support)*

AB 1758 (Stone) - Extends the time period for meeting the State Advanced Services Fund program goal and specifies the advanced communication services threshold speeds to be met in achieving the goal.

Status: *Died in Assembly Utilities and Commerce Committee (CCC Support)*

AB 1897 (Mullin) - Directs the Department of Social Services to create an optional "birth through entering first grade" category of day care licensure.

Status: *Died on Assembly Appropriations Suspense File (CCC Support)*

AB 2128 (Achadjian) - Limits the power of a county clerk or the State Register to reject a power of attorney from a member of the Armed Forces stationed overseas and seeking to marry "by proxy."

Status: *Signed by Governor, Chapter 130, Statutes of 2016 (CCC Support)*

AB 2263 (Baker) - Standardizes the confidentiality protections for Safe at Home (SAH) program participants, regardless of whether their participation is based on their status as victims of domestic violence, stalking, or sexual assault, or on their status as a patient, employee, or volunteer at a reproductive health care clinic and requires the Secretary of State to provide SAH enrollees with information about how to protect their privacy on real property records.

October 12, 2016

Page 11 of 13

Status: *Signed by Governor, Chapter 881, Statutes of 2016 (CCC Support)*

AB 2502 (Mullin & Chiu) - Authorizes the legislative body of a city or county to establish inclusionary housing requirements as a condition of the development of residential units.

Status: *Died in Assembly Local Government (CCC Support)*

AB 2583 (Frazier) - Places new requirements on the approval, financing, and operation of any new conveyance facility in the Sacramento-San Joaquin Delta.

Status: *Died in Assembly Water, Parks and Wildlife (CCC Support)*

AB 2788 (Gatto) - Requires the Division of Oil, Gas, and Geothermal Resources' emergency regulations related to underground gas storage projects to remain in effect until the regulations are either made permanent, amended, or repealed.

Status: *Died in Senate Energy, Utilities and Communications (CCC Oppose)*

SB 554 (Wolk) - Extends the July 1, 2018, sunset date for the Delta Levee Subventions program by two years. Specifically, this bill maintains the state's 75% maximum share for Delta levee maintenance costs in excess of \$1,000 per mile until July 1, 2020.

Status: *Vetoed (CCC Support)*

SB 815 (Hernandez & de León) - Enacts the statutory provisions of "Medi-Cal 2020," the state's recently approved five-year federal Section 1115 waiver, which runs through December 31, 2020.

Status: *Signed by Governor, Chapter 111, Statutes of 2016 (CCC Support)*

SB 819 (Huff) - Prohibits the purchase, sale, offer for sale, distribution, manufacture, possession, or use of powdered alcohol and requires the Department of Alcoholic and Beverage Control to revoke the license of any licensee who manufactures, distributes, or sells powdered alcohol.

Status: *Signed by Governor, Chapter 778, Statutes of 2016 (CCC Support)*

SB 839 (Sen. Budget) – Resources Trailer Bill.

Status: *Signed by Governor, Chapter 340, Statutes of 2016 (CCC Oppose Unless Amended, letter not dated approx. 6/17/16)*

October 12, 2016

Page 12 of 13

SB 867 (Roth) - Extends until January 1, 2027, the Maddy Emergency Medical Services Fund, which authorizes each county to levy an additional \$2 for every \$10 of criminal fines to establish an emergency medical services fund for reimbursement of costs related to emergency medical services based on fees on criminal convictions.

Status: *Signed by Governor, Chapter 147, Statutes of 2016 (CCC Support)*

SB 1113 (Beall) - Authorizes a county, or a qualified provider operating as part of the county mental health plan network, and a local educational agency to enter into a partnership for the provision of Early and Periodic Screening, Diagnosis, and Treatment mental health services.

Status: *Vetoed by Governor (CCC Support)*

SB 1170 (Wieckowski) - Prohibits local public agencies, including charter cities, from delegating to a contractor the development of a storm water pollution prevention plan, a water pollution control program, or any other plan required by a Regional Board to prevent or reduce water pollution or runoff on a public works project.

Status: *Died on Assembly Appropriations Suspense File (CCC Oppose)*

SB 1174 (McGuire) - Adds “acts of clearly excessive prescribing, furnishing, or administering psychotropic medications to a minor without a good faith prior examination of the patient and medical reason” to the Medical Board of California’s list of priority cases for investigation and prosecution.

Status: *Signed by Governor, Chapter 840, Statutes of 2016 (CCC Support)*

SB 1291 (Beall) - Requires a mental health plan review to be conducted annually by an external quality review organization that includes specific data for specific data for Medi-Cal eligible minor and non-minor dependents in foster care.

Status: *Signed by Governor, Chapter 844, Statutes of 2016 (CCC Support)*

SB 1300 (Hernandez) - Imposes a quality assurance fee on each transport provided by an emergency medical transport provider in accordance with a prescribed methodology. Requires the resulting revenue to be placed in a continuously appropriated fund to be used to provide additional Medi-Cal reimbursement to emergency medical transport providers, to pay for state administrative costs, and to provide funding for health care coverage for Californians.

October 12, 2016

Page 13 of 13

Status: *Vetoed (CCC Support)*

SB 1386 (Wolk) - Requires the Air Resources Board to approve and implement the comprehensive short-lived climate pollutant strategy to achieve, from 2013 levels, a 40% reduction in methane, a 40% reduction in hydrofluorocarbon gases, and a 50% reduction in anthropogenic black carbon, by 2030.

Status: *Signed by Governor, Chapter 395, Statutes of 2016 (CCC Support)*

ABX2 18 (Bonilla) - Imposes a \$0.05 per drink tax on all spirits-based cocktails purchased in restaurants, bars, and other venues in the state to fund developmental disability services and other health programs.

Status: *Died in Assembly (John Gioia letter in Support)*

Date: October 6, 2016

To: CSAC Executive Committee

From: Matt Cate, Executive Director
DeAnn Baker, Deputy Executive Director of Legislative Affairs

Re: CSAC Advocacy Team Achievements Report—2016

On behalf of the California State Association of Counties (CSAC) Advocacy Team, we are pleased to share the following report evaluating our performance in achieving the “2016 State and Federal Advocacy Priorities” adopted by the CSAC Board of Directors. The following report lists the outcomes for each state and federal priority—identifying our major successes, ongoing issues and continued challenges.

We wanted to also stress that we continue to approach advocacy in a more strategic manner consistent with the Board’s directives outlined in the CSAC Strategic Plan. More specifically, our advocacy efforts were enhanced this year through a variety of tactics and platforms directly related to three of our goals from the CSAC Strategic Plan, including:

- 1) Effectively utilize county leaders in advocacy efforts to influence the Legislature, Congress, and state/federal Administration officials;
- 2) Establish powerful coalitions and partnerships with affiliates and other stakeholders to enhance the quality of policy development and the strength of advocacy, and;
- 3) Optimize use of CSAC’s communications, education and operations resources to enhance advocacy.

We had multiple meetings throughout 2016 between the CSAC Officers, the Governor, legislative leaders and key legislators, as well as members of Congress and the Obama Administration. We also had county supervisors and other county leaders testify at committee hearings and at various boards and commissions on issues such as homelessness, implementation of the ground water management plans, election reform and funding and tree mortality to name a few.

With respect to coalition building, we led or participated in coalitions on several key priorities, including; 1) support for new transportation revenues, 2) provide a remedy to two-thirds threshold needed to impose fees for stormwater and flood control, 3) ensure the \$2 billion revenue bond or “No Place Like Home” proposal to fund housing for the homeless mentally ill worked for counties, and 4) to defeat mandatory union orientation and other efforts by organized labor to remove local discretion.

Lastly, throughout the year we connected with our communications’ team to optimize our tools and resources to assist in our advocacy goals. We spread CSAC’s message beyond the Legislature through op-eds, videos and interviews with newspapers and television stations. CSAC convened a rally on the steps of the Capitol with our labor, business and local government coalition partners to push for a transportation funding solution. Online, our blogs and Bulletin articles were picked up by outside news outlets and our Twitter feed reached millions of people directly and through retweets. We have also begun a webinar series that explores and explains complex issues facing counties, including Proposition 218 reform, the implications of a pending telecommunications merger, economic development tools, mining law modernization, the 2015 medical marijuana legislation, and emergency management. 23 of 205

CSAC's use of these strategic approaches and tools has better integrated our advocacy on behalf of California's 58 counties with our member services, education, and communications efforts. This unified approach has broadened CSAC's reach as the unified voice of California's counties and increased our effectiveness in achieving our state and federal priorities. Our ongoing efforts in support of this strategic approach will continue to yield benefits for counties in the years to come.

In addition to our advocacy achievements and the ongoing work and challenges facing CSAC on the major policy issues identified below, the advocacy team reviewed and tracked over 4,500 bills introduced over the two-year state legislative session and actively engaged on over 500 of those bills on behalf of counties. As always, several of these legislative proposals required CSAC to engage in extensive advocacy efforts to protect counties from costly and problematic new laws. In particular, CSAC worked to defeat the aforementioned mandatory union orientation bill (AB 2835), a costly proposal to prohibit local governments from delegating stormwater planning responsibilities to contractors during public works projects (SB 1170), and a proposal by the telecommunications industry to limit local land use control in the siting of wireless infrastructure (AB 2788). CSAC also negotiated out requirements for counties to enforce campaign finance laws for all local agencies without reimbursement (AB 2523). At the time of this writing, a number of additional bills await action by the Governor, but few (if any) are expected to become law in instances where we have requested a "veto."

2016 STATE ADVOCACY PRIORITIES

SUCCESES

- **Payment in Lieu of Taxes (PILT).** CSAC was successful in advocating for the current year payment of PILT totaling approximately \$644,000, which was included in the budget. CSAC also supported efforts to reverse the statute change by the Department of Finance last year that resulted in making PILT payments permissive rather than required. CSAC will continue to pursue this issue as well as look for future opportunities to secure back payment of PILT. (AENR)
- **IHSS MOE/Coordinated Care Initiative/Managed Care Organization Tax.** CSAC was successful in helping to develop a new three-year Managed Care Organization (MCO) fix that prevented a \$1.1 billion loss in state funding and preserved the Coordinated Care Initiative (CCI) pilot project. Our role was a strategic decision calculated to preserve the continued implementation of the CCI and, hopefully, the eventual expansion of the pilot to all counties – although a specific timeline for statewide implementation has yet to be developed. CSAC also worked to protect the county In-Home Supportive Services (IHSS) Maintenance of Effort (MOE) and further supported additional MCO fix funding for provider rate increases and forgiveness for retroactive cuts to rural health care providers. (HHS)
- **Medi-Cal Eligibility Administration Costs.** CSAC worked with the Brown Administration and CAO's to develop a robust allocation formula for the \$170 million in additional state funding secured for county administrative activities related to Medi-Cal eligibility in the current year and FY 2017-18. CSAC is also supporting efforts to undertake a work- and time-study project to better determine funding levels in the future and to avoid the year-to-year fluctuations in state funding for county administrative activities. CSAC continues to strategize on ways to ensure sufficient funding for county costs related to Medi-Cal eligibility workload. (HHS)
- **Vital Records Paper Shortage.** Responding to the problematic 2015 vital records paper shortage that occurred following the closure of the sole company that provided the necessary security feature paper required for California vital record documents, CSAC partnered with the County Recorders Association of California to sponsor AB 1546. The Governor signed the bill on September 9, which allows the California Department of Public Health to suspend certain security features required for vital records in the event a similar situation occurs. (ERAS)

CSAC also sponsored AB 2636 in an effort to lower costs and reduce administrative burdens for counties when processing requests for vital records. Existing law requires a notarized affidavit in hard copy to complete an online request for an individual's vital records. This requires county staff to then match electronic requests with notarized affidavits. AB 2636, if signed into law, will allow the entire request process for an individual's vital records to be performed electronically. (ERAS)

- **Court Security Supplemental Funding.** CSAC, in collaboration with the California State Sheriffs' Association, was successful this year in again securing funding for county supplemental court security staffing associated with the activation of new court facilities. The FY 2016-17 budget covers the ongoing county costs and the potential costs for future court facilities that will be coming online in 2017. (AOJ)
- **Community Correctional Partnership (CCP) Planning Grants.** CSAC secured \$7.9 million in funding for CCP planning grants in the FY 2016-17 state budget to ensure that counties can provide

dedicated training and resources to their CCPs. The grant program also includes an additional \$20 million for CCPs to discuss how to continue investing in their local systems to address public safety needs. (AOJ)

- **Jail Construction Bond Allocations.** CSAC, in collaboration with the California State Sheriff's Association, was successful in securing \$250 million in lease revenue bonds for jail facility construction and an additional \$20 million for Napa County to rebuild its jail facility after the 2013 Napa Earthquake. The \$250 million is directed to counties that have never received an allocation, or which have received a partial allocation. (AOJ)
- **Sales and Use Tax Revenue Protected.** CSAC actively and successfully lobbied against a half- dozen measures that sought to create sales and use tax exemptions for product ranging from diapers, to emergency supplies, to feminine hygiene products. While often well intended, these proposals represented an erosion of tens of millions of dollars annually in local revenue and dedicated state funding for public safety and human services programs. CSAC was often the sole voice of opposition to these measures, which were widely supported in the Legislature. Governor Brown vetoed all three of the CSAC opposed sales tax exemption bills that made it to his desk. (FO)
- **AB 85 Health Realignment Implementation.** CSAC was successful in convincing the Department of Finance to provide AB 85 "true up" funding in a lump sum amount to each county this fall, totaling nearly \$180 million. This is the first year of the AB 85 "true up" calculations for each county's 1991 Health Realignment diversion amounts for the 2013-14 fiscal year, and we were pleased to see counties that were owed funding receive it in a lump sum amount rather than the administration's January budget proposal to credit each county for their amount within the current year redirections. CSAC will continue to monitor the integrity of estimated AB 85 redirections and future true up payments, but is pleased to have achieved the precedent of direct true up payments to counties. (HHS)
- **Workers' Compensation Reform Efforts.** CSAC was successful this year in introducing a more prominent voice for public agencies in discussions at the state level regarding reform efforts within the state's workers' compensation system. Following the implementation of reforms contained in SB 863 (2012), stakeholders have identified areas within the system that require changes and the Department of Industrial Relations and the Division of Workers' compensation has utilized CSAC staff for input on how such changes will affect county budgets as well as technical feedback pertaining to how counties' administrate workers' compensation locally. Moving forward, CSAC will continue to engage with other stakeholders (California Chamber of Commerce, labor, physicians, attorneys) and the Administration regarding ongoing efforts to tweak parts of the state's law governing workers' compensation.
- **Tribal-State Gaming Compacts.** Governor Brown negotiated, and the Legislature ratified, 13 tribal-state gaming compacts that include requirements for judicially-enforceable local agreements, bolster the revenue stream for counties dependent on the Special Distribution Fund for casino mitigation, and encourage mutually beneficial investments in services and infrastructure beyond what is required for mitigation of casino impacts. The majority of California tribal casinos continue to operate under 1999 tribal-state gaming compacts, which CSAC anticipates the Governor and tribes to renegotiate prior to their expiration in 2019. CSAC will continue to advocate that these positive provisions be included in future compacts, either new or renegotiated. (HLT)
- **Tree Mortality Emergency Response and Preparedness.** CSAC worked closely with the Administration to help implement the Executive Order on tree mortality, while advocating for local assistance and financial resources in order to limit the public health and safety risk from dead and dying trees. We were successful in securing additional resources from both the general fund and the

cap and trade allocation to help local governments deal with this crisis. Specifically, CSAC helped secure a number of one-time allocations to address tree mortality and the removal of dead trees, including \$10 million in State Responsibly Area grants to local governments; \$11 million in general funds monies to assist in the removal and disposal of trees in high hazard zones; and, \$30 million in general fund monies to the Office of Emergency Services to support local jurisdictions using the CA Disaster Assistance Act Program. In addition, the cap and trade allocation plan includes \$25 million to address forest health and tree mortality, resulting in a total of \$77 million dedicated to addressing the tree mortality crisis in California. CSAC also participated in the Governor's Tree Mortality Task Force meetings and subcommittees, working to raise public awareness of this issue through outreach and education efforts. The CSAC Advocacy Team working in conjunction with our communications team produced a video highlighting the issue that received approximately 125,000 views on Facebook alone. (AENR)

- **Traffic Fine Amnesty Program.** CSAC was successful in opposing legislation that would have extended the current Traffic Tickets/Infractions Amnesty Program for an additional year and eliminated the ability for courts or counties to suspend driver's licenses for failure to pay or appear on traffic violations. While we were successful this year, the issue of reforming the California traffic fine and fee system remains a high priority for the Legislature. In an effort to look at the overall system, CSAC joined the Judicial Council in applying for and receiving a federal grant that would help California develop a statewide strategy to assess an individuals' ability to pay for court imposed criminal debt. CSAC will continue to work with the Judicial Council on the statewide strategy over the next year. (AOJ)
- **California County Victim Services Grants.** CSAC, in partnership with the Governor's Office of Emergency Services (Cal OES), helped establish the County Victim Services Program to assist counties in addressing the unmet gaps and needs of victims and secured \$40 million for grants. The Program supported each of California's 58 counties in providing direct services to victims. (AOJ)
- **Marijuana.** Last year, Governor Brown signed historic legislation enacting the Medical Marijuana Safety and Regulation Act, now referred to as the Medical Cannabis Safety and Regulation Act (MCSRA). Since its enactment, CSAC staff participated in numerous meetings with state agency officials regarding their respective regulatory processes, and provided briefings for county officials on the new laws. CSAC also continued to be actively engaged on legislation amending MCRSA. Of particular importance was CSAC-supported AB 21, by Assembly Member Jim Wood. This measure fixed the inadvertently enacted March 1, 2016 deadline for localities to have cultivation ordinances in place otherwise the state would become the sole licensing authority for medical marijuana cultivation. It was signed by the Governor on February 3. In addition, CSAC worked with ballot drafters of Proposition 64 to provide comments and input into the draft initiative before it was submitted to the Attorney General. As result, the measure largely reflects CSAC's suggested language with respect to local control, licensing and taxing authority.(AENR)
- **Cap and Trade.** CSAC was successful in advocating the Administration and Legislature for additional resources to help reduce greenhouse gas (GHG) emissions at the local level. The cap and trade allocation plan, which came together in the last days of the Legislative session, creates a new local climate program aimed at reducing GHG emissions from variety of different sectors in disadvantaged and other communities. In addition, the plan allocates \$40 million to programs that increase waste diversion and help reduce methane emissions from our landfills and \$25 million to address forest health and tree mortality. The deal also allocates \$135 million to the Transit and Intercity Rail Program consistent with our request that cap and trade dollars be invested towards transportation programs. Finally, a budget trailer bill, SB 859, did accompany the allocation plan and includes relief for some biomass facilities, requiring retail sellers of electricity to purchase a total of

125 megawatts of power from biomass facilities that generate power from forest waste in areas impacted by tree mortality. (AENR, HLT)

- Groundwater.** CSAC continued to represent county interests on legislation amending the Sustainable Groundwater Management Act (SGMA), particularly any bills that attempted to undermine our hard won local control provisions. Most noteworthy was the defeat of SB 1317 by Senator Lois Wolk. This bill would have required cities and counties within high to medium priority basins, to establish a process for the issuance of new groundwater well permits, thus eliminating their ability to issue ministerial permits for such wells. Regarding SGMA implementation, we also ensured that the county perspective was voiced throughout DWR's SGMA regulatory process. These efforts paid off as many of the county comments were reflected in the final regulations affecting groundwater basin boundary adjustments and the development of Groundwater Sustainability Plans. (AENR)
- Behavioral Health Funding.** The 2011 Realignment Behavioral Health Sub- and Growth Accounts have been of keen interest to the mental health advocate community, the Legislature, and Administration in this post-Affordable Care Act world of expanded eligibility for mental health and substance use treatment services. CSAC, with the Administration and the County Behavioral Health Directors Association, was able to set the 2011 Realignment Behavioral Health Base in September. This new base is stable, permanent, and includes the "rolling base" concept whereby each county is guaranteed the same funding levels of the previous year's base plus growth amounts. This new base will provide stability to each county's allocation and allow them to build ongoing programs and services. CSAC is also actively working on a permanent growth funding formula that will ensure the timely distribution of growth funding each year for critical programs. (HHS)
- Medi-Cal 2020 Waiver Implementation.** The new Section 1115 Medi-Cal 2020 Waiver has been approved by both the Legislature and the federal government, with CSAC supporting the two implementation bills to ensure funding for our safety net public hospitals and to improve the delivery of care. CSAC is now working with the Department of Health Care Services to implement the fiscal and policy aspects of the deal, with a special focus on public hospital funding and the Whole Person Care pilot projects, for which 18 counties have applied for up to \$1.5 billion over five years. (HHS)
- 2-1-1 Referral Systems.** CSAC actively supported both state and federal legislation to help build and fund a statewide 2-1-1 referral system, including supporting SB 1212, which allows the Public Utilities Commission to spend up to \$1,500,000 to facilitate expansion of 2-1-1 services into counties that currently do not have 2-1-1 services. The bill was sent to the Governor's desk on August 31 for his signature, but has not yet been signed at the time of this writing. CSAC will continue to work with counties, the state, and community based organizations to realize the goal of statewide implementation of 2-1-1 services. (HHS)

ONGOING

- Transportation Funding.** Through continued advocacy and public education, CSAC and our coalition partners will keep pressure on the Legislature and Governor to develop a feasible transportation funding and reform package during the ongoing Transportation and Infrastructure Development Special Session. A joint legislative proposal from the democratic transportation committee chairs was released in September. Consistent with long-standing CSAC policy, the funding proposal includes new tax revenue, additional cap and trade auction proceeds, and the redirection of existing revenues for transportation infrastructure. Along with the Governor's 2015 Transportation Plan, these proposals essentially set the funding floor (\$3.6 billion annually in the Governor's Plan) and the ceiling (\$7.4 billion in the Beall/Frazier proposal) for a final deal. Staff will work closely with the

County Engineers Association of California to highlight the significant infrastructure challenges that continue to face the local streets and road network and the need for a comprehensive funding and reform package. Finally, while CSAC was unable to successfully influence the Board of Equalization to adopt rate-smoothing this year to increase the stability of revenues from the price-based excise tax, this issue would be addressed by the current funding proposals and can be revisited in 2017 absent action during the special session. (HLT)

- **Water and Flood Control Infrastructure Funding - Article X Amendment.** Last year, CSAC, the League of California Cities (the League) and the Association of California Water Agencies (ACWA) filed a proposed Constitutional amendment with the Attorney General (AG), titled “The California Water Conservation, Flood Control and Stormwater Management Act of 2016.” The measure would have amended Article X of the California Constitution to create a new, optional funding method that local agencies could use to fund local stormwater services and flood control projects, and establish conservation-based water rates or lifeline rates to assist low-income customers. Polling of the official Title and Summary prepared by the Attorney General’s Office showed it would fail to get majority support, even with a superior funding advantage. As a result, CSAC, the League, and ACWA decided to not move forward with the proposed ballot measure in 2016. However, all parties agreed to continue the dialogue regarding potential solutions. CSAC remains committed to actively engaging in the stormwater issue by building local political support with county boards of supervisors and state legislators, and increasing public awareness. (AENR)
- **Affordable Housing.** CSAC will continue to support affordable housing efforts, including increasing the state’s affordable housing tax credit program, supporting one-time funding through bonding, and advocating for a permanent source for affordable housing development. In addition to funding efforts, CSAC will continue to engage on proposals to reduce red tape and streamline the environmental review process in order to facilitate the production of new affordable housing. (HLT)
- **Indian Gaming Special Distribution Fund.** CSAC will continue to advocate for reliable funding of the Special Distribution Fund, which provides grants to counties and other local agencies to mitigate impacts from gaming facilities. Recent compacts negotiated by the Governor and ratified by the Legislature may help address the structural deficit that has resulted in a lack of funding for local government grants. These grants are the sole source of mitigation for many counties where casinos are operated under 1999 gaming compacts. (HLT)
- **Elections Reform Funding.** In addition to advocating for numerous measures that would reduce immediate and direct costs for elections administration, CSAC assisted with the passage of a late-breaking budget trailer bill that allocated \$16.2 million directly to counties for the 2016 election cycle. This did not represent an ongoing commitment, but it put a spotlight on current elections cost burden on counties, the aging condition of voting systems and equipment, and the extensive election mandates debt owed to counties for services that are critical to the conduct of open and inclusive elections. (FO)
- **Broadband Access and Adoption.** CSAC adopted policy platform language recognizing the importance of reliable, affordable broadband for economic development, service delivery, and future investment opportunities in counties. Legislative efforts promoted funding for enhanced resources and rejected proposals to reduce service providers’ infrastructure maintenance requirements with no significant broadband legislation advancing to the Governor’s desk. (FO)
- **Affordable Care Act Excise Tax.** CSAC continues to monitor the advancement and implementation of the Affordable Care Act (ACA) excise tax on employers, effective in 2020. CSAC has worked with our state representatives in Congress to convey cost data that has proven helpful in communicating the

effect the tax will have on California's counties' budgets. Our Association has additionally communicated with county administrative officers and personnel directors regarding new reporting requirements, process and timelines related to the impending tax. Going forward, CSAC will be working with our federal lobbying team, the National Association of Counties and staff in the district offices of our Congressional delegates to continue providing cost data and pursuing any remedy at the federal level to lessen the impact of the tax. (ERAS)

- **CalPERS'-Contracting Counties – Actuarial Valuation Separations.** CSAC worked closely with Solano, Placer and Napa counties as well as the California Department of Finance (DOF) this year to pursue a solution to an ongoing issue experienced by counties contracting with the California Public Employees' Retirement System (CalPERS) for retirement benefits – the resulting confusion of unfunded liabilities responsibility after the separation of trial court employees following the Trial Court Employment Protection and Governance Act of 2000. Following meetings with DOF and the Administration, it was determined that the appropriate route would be legislation in the upcoming session to require CalPERS to perform assets and liabilities separations on the actual valuations for these two groups in each county. Going forward, CSAC will weigh the efficacy of such an undertaking and determine next steps. (ERAS)
- **Proposition 47 Implementation.** As counties continue to struggle with the implementation of Proposition 47, funding for the initiative was allocated in the FY 2016-17 Budget. The Budget includes \$34.6 million to be administered by the Board of State and Community Corrections (BSCC) on a competitive basis to local governments. The BSCC has established an executive steering committee that is currently developing a request for proposals, with a goal of allocating funds by spring of 2017. (AOJ)
- **Pew/MacArthur Results First Program.** CSAC has developed a new partnership with the Pew-MacArthur Results First Initiative and this year we expanded beyond the initial four counties (Kern, Santa Cruz, Fresno and Santa Barbara) into two new counties (Santa Clara and Ventura). We are developing a tiered approach to services so counties can engage in evidence-based policymaking. The partnership will continue to develop in-state capacity to support California county leaders who seek to learn, develop, and invest in programs that will produce the best outcomes for residents and the highest rate of return on the counties' criminal justice investments. (AOJ)
- **Jail Health Costs.** Work continues with the Administration to secure finalized and streamlined claiming protocols for counties to claim up to 50 percent of costs for inmates who have a 24 hour or longer offsite hospital stay. While much progress has been made in this area, final approval of the protocols is not expected until 2017. CSAC will continue to work with county affiliates and the Administration to determine the process for claiming and determine potential county participation in the program. (AOJ, HHS)
- **California Inmate Identification Card Pilot Program Expansion.** Over the last two years CSAC has partnered with the Department of Motor Vehicles (DMV) to develop and implement a jail base Inmate Identification card pilot program. The program has been implemented in San Diego and Los Angeles counties. CSAC is continuing to work with DMV to expand to additional counties. (AOJ)
- **Solid Waste Tipping Fee.** The Administration suspended their efforts to seek an increase to the State's solid waste disposal fee (Tipping Fee) this year as focus turned to increasing the amount of organic material diverted from our landfills. This issue will remain critical along with the need for resources to fund additional infrastructure to manage the organics portion of the waste stream. CSAC staff will continue to focus on the need for a workable tipping fee structure, placing emphasis

on the need to keep the increase reasonable, and to include the cost of the State Water Boards' Waste Discharge Requirement (WDR) fees in any tipping fee increase. (AENR)

- **Drug Medi-Cal Implementation.** CSAC continues to monitor the implementation of the Drug Medi-Cal Organized Delivery System Waiver, including the development of financing mechanisms and rates, as well as working to ensure expanded access to care and services for beneficiaries under the waiver. (HHS)
- **Continuum of Care Group Home Reform.** The wholesale reform of the group home system in California continues, with CSAC working closely with county child welfare services, behavioral health, and juvenile probation systems to ensure they are adequately resourced to implement this massive new policy change (AB 403) for foster and probation youth. CSAC will continue to convene county affiliates in discussions to ensure coordinated and strategic advocacy efforts and to lead the work on ascertaining the Proposition 30 implications of the bill. (HHS)
- **Poverty and Homelessness Issues.** Homelessness issues rose to the top of the Legislature's agenda in 2016 partly based on the fact that California's poverty and homelessness rates remain among the highest in the nation, affecting all Californians, including children, adults, veterans, and seniors. The Senate took the lead on the issue by introducing the No Place Like Home program, and CSAC strategically engaged with the Administration and policy makers to craft the new program in a way that ensures that all counties may access the up to \$2 billion in bond funding for building or refurbishing permanent supportive housing for those who are homeless and living with mental illness. CSAC continues to work hand-in-hand with the state to develop guidelines and other key components of the program to minimize the local effects of the Mental Health Services Act diversions, which are used to pay for the debt service on the bonds.

CSAC joined with the League of California Cities to form an unprecedented joint City-County task force to examine issues and solutions for housing and homelessness. The joint task force held its first meeting on September 23, and will continue to meet through 2017. CSAC is also working with all counties on communication and education efforts related to homelessness issues, including featuring CSAC Institute courses, workshops, and regional meetings on the subject and creating a webpage as a compendium of best practices among local governments.

This issue is expected to continue to dominate local, state, and federal agendas in 2017 as well. CSAC has tapped staff from across issue areas – health and human services, housing and land use, and administration of justice – to provide the best strategy and information available on this multifaceted issue and will continue to engage to ensure the best outcomes for counties and the people we serve.

CONTINUED CHALLENGES

- **Mandate Repayment and Reform.** CSAC had limited conversations on mandate repayment and reform due largely to late-emerging county priorities for state General Fund allocations. However, CSAC successfully helped stop a proposed mandate repayment plan that would have given counties pennies on the dollar and possibly violated the State Constitutional guarantees for repayment. CSAC will remain active on this issue in spite of a clear message from the Administration that payments on post-2004 mandate debt would only come with major reforms to the mandate determination and reimbursement system, which may seek to limit total dollars delivered. (FO)
- **New California Endangered Species Act Fee.** A recently enacted budget trailer bill, SB 839, includes the CSAC opposed language that requires the Department of Fish and Wildlife (DFW) to impose a fee for incidental take permits under the California Endangered Species Act (CESA). This language

was included in SB 839 at the request of the Governor's office to address shortfalls in the Environmental License Plate Fund (ELPF), thus making it very difficult to defeat. With the proposed fees as high as \$30,000 for an initial application, up to an additional \$10,000 if DFW staff deems the original application fee insufficient, and up to \$15,000 for a major permit amendment, an individual county infrastructure project could cost upwards of \$55,000. The new fees could be imposed on a wide range of county projects including flood control, road and bridge work and water management activities. To lessen the impact of the fee on public agencies, CSAC is committed to working with the Administration to ensure that activities undertaken to operate, maintain, repair or restore existing publicly owned infrastructure be exempt from the fee. (AENR)

2016 FEDERAL ADVOCACY PRIORITIES

SUCSESSES

- **State Criminal Alien Assistance Program (SCAAP).** House lawmakers approved a \$64 million increase in SCAAP funding, which, if finalized by Congress as part of the fiscal year 2017 budget, would bring total program spending to \$274 million. In addition to leading efforts to protect and increase funding for the SCAAP program, CSAC worked closely with key members of Congress on legislation that would provide a long-term reauthorization of SCAAP (HR 5035, S 2395). The bill – which is cosponsored by a number of lawmakers from California – includes language drafted by CSAC that would require the Department of Justice to compensate jurisdictions for the costs of incarcerating inmates who are determined to be of “unknown” immigration status. The legislation also includes other programmatic changes that would be highly beneficial to California’s counties. (AOJ)
- **Native American Affairs/Fee-to-Trust Reform.** CSAC continued to lead local government efforts aimed at securing a comprehensive legislative overhaul of the Department of the Interior’s fee-to-trust process. During the 2016 session, CSAC successfully fought to remove language from the fiscal year 2017 House Interior Appropriations bill (HR 5538) that would have partially overturned the Supreme Court’s *Carcieri v. Salazar* decision. If approved by Congress, the partial *Carcieri* “fix” would have significantly eroded the impetus for lawmakers to address the full implications of the Supreme Court’s decision, thus likely derailing efforts to secure a fee-to-trust reform package. (HLT)
- **Payments In Lieu of Taxes (PILT).** CSAC worked with key members of the California congressional delegation to help secure an additional year of discretionary funding for PILT as part of the House and Senate fiscal year 2017 Interior spending bills. The \$480 million in PILT funding, which is pending as part of a final omnibus budget package, will be needed in the absence of a long-term renewal of the PILT program. (AENR)
- **Water Resources.** Both the House and Senate advanced in 2016 a reauthorization of the Water Resources Development Act (WRDA). The Senate legislation (S 2848) includes language prohibiting the U.S. Army Corps of Engineers from removing vegetation on levees until new guidelines are issued and requires the Corps to explain why the agency has failed to develop a new vegetation removal policy (as required by the 2014 *Water Resources Reform and Development Act* (WRRDA, PL 113-121)). CSAC, along with the State Department of Water Resources, successfully led efforts to secure the levee vegetation provisions of WRRDA 2014 and has been active in pushing for California county involvement in implementation of the Act. (AENR)
- **Child Welfare Services.** CSAC, along with the County Welfare Directors Association of California and the California Department of Social Services, successfully thwarted Senate advancement of a major child welfare reform bill (S 3065/HR 5456) that, if approved by Congress, would make State and local implementation of California’s Continuum of Care Reform law (AB 403) and other state child welfare reforms much more difficult and costly. As of this writing, it remains unclear if bill proponents will be able to advance the legislation in the upper chamber during the lame duck session. (HHS)
- **Temporary Assistance for Needy Families (TANF) Reauthorization.** The House passed in 2016 a one-year TANF/CalWORKs extension package that includes \$100 million in social impact partnership grants. As part of efforts to secure a long-term TANF reauthorization, CSAC continues to promote

the restoration of state and county flexibility to tailor work and family stabilization activities to families' individual needs. (HHS)

- **Victims of Crime Act Funding (VOCA).** Both chamber's fiscal year 2017 Commerce-Justice-Science (CJS) appropriations legislation (HR 5393, S 2837) rejects an administrative proposal to significantly cut funding for the Victims of Crime Act (VOCA). Despite a proposed reduction of \$1.2 billion, the House and Senate CJS spending bills would trim only a modest three percent and 11 percent, respectively, from VOCA victim assistance grants beginning next fiscal year. (AOJ)
- **Property Assessed Clean Energy (PACE) Program.** In 2016, the Department of Housing and Urban Development (HUD) issued new PACE guidance that will allow qualifying homes with PACE assessments to be purchased or refinanced with mortgages backed by the Federal Housing Administration (FHA); the Department of Veterans Affairs (VA) released similar guidance for VA-backed loans. As of this writing, there is no indication whether the Federal Housing Finance Agency (FHFA) plans to follow suit with regard to loans backed by the FHFA. CSAC continues to support legislative and administrative remedies that would help expand residential PACE programs, including bipartisan legislation that would prevent FHFA from adopting policies that contravene established state and local PACE laws. (AENR)

ONGOING

- **Fiscal Year 2017 Budget.** As of this writing, Congress has not yet finalized a budget for the fiscal year that begins October 1, 2016. Accordingly, *final* funding levels for all federal programs remains unsettled. CSAC will continue to aggressively advocate for those federal discretionary spending programs that are of critical importance to California's counties. (FO)
- **Secure Rural Schools (SRS) Act Reauthorization/Federal Land Management Reform.** CSAC continued efforts throughout 2016 aimed at securing a multi-year reauthorization of the SRS program. Additionally, CSAC has continued to advocate for responsible reforms to federal land management, including reforms that promote healthy forests, protect endangered species habitat, safeguard downstream water quality, improve California's water supply, and reduce the risk of wildfires. As of this writing, SRS program reauthorization bills and legislation providing for federal land management reforms were pending in both the House and Senate. (AENR)
- **Affordable Care Act Excise Tax.** CSAC continues to monitor legislative proposals, and consider lending support to such efforts, that would eliminate the *Affordable Care Act's* federal excise tax. Effective in 2020, a 40 percent tax will be imposed on high-cost health insurance plans that have a total cost exceeding a statutory dollar amount. The excise tax is based on the total cost of the employer and employee contribution to the plan, as well as any savings account arrangements such as health reimbursement arrangements and flexible spending accounts. A number of California counties offer health insurance plans and related programs that will exceed the totals prescribed in the law. Existing labor agreements lock the current plans in place and negotiations of new labor contracts may have to take the tax into consideration. (ERAS)
- **Tree Mortality Emergency Response and Preparedness.** CSAC continues to work with key lawmakers and Administration officials regarding California's tree mortality crisis. Federal funding for a number of high-priority tree-removal projects has been requested through the U.S. Department of Agriculture and the Office of Management and Budget. (AENR)
- **Water Resources.** CSAC continues to monitor federal legislative proposals that would provide a response to the state's chronic water shortage, including various drought-relief bills. A range of

proposals are being discussed that would address water transfers, endangered species laws, water quality, and California Bay-Delta protections, among others. In addition, CSAC continues to monitor and support congressional efforts aimed at overturning some of the problematic reforms of Environmental Protection Agency's "Waters of the U.S." regulation. Implementation of the final regulation remains on hold pending the outcome of litigation currently before the Sixth Circuit Court of Appeals. (AENR)

- **Remote Sales Tax Legislation.** It remains unclear if Congress will successfully advance legislation that would allow states to enforce local sales and use-tax laws with respect to online purchases. There are currently several competing proposals that offer differing approaches to the issue of how states would be allowed to assess sales and use taxes. For its part, CSAC has endorsed the *Marketplace Fairness Act* (S 698), which would, among other things, give states the ability to collect sales taxes from out-of-state Internet retailers with the tax based on the final destination of the purchase. (FO)

CONTINUED CHALLENGES

- **Federal Aviation Administration (FAA) Ruling on Aviation Fuel Taxes.** Congress did not approve legislation this year that would reverse a recent FAA ruling that will negatively impact certain self-help counties. Under the FAA's ruling, States and local governments will be required beginning in 2017 to spend the proceeds of *any* aviation-related tax – those derived from excise taxes or local voter-approved sales taxes – on airport uses *only*. The ruling conflicts with current practices whereby some States and localities spend such proceeds on a number of non-aviation-related governmental functions (including roads, schools, public safety, etc.) and is estimated to translate into a loss of over \$100 million for the State of California and its local governments. Looking ahead, CSAC will continue to work with congressional supporters in an effort to build momentum for an amendment to the next FAA policy rewrite that would reverse or modify the agency's directive. Securing such an amendment is expected to be a significant challenge, however, as the nation's airlines continue to oppose legislative efforts to change the ruling. (FO)



2016-17 FINAL STATE BUDGET October 2016

October 12, 2016

TO: CSAC Board of Directors
County Administrative Officers
CSAC Corporate Partners

FROM: Matt Cate, CSAC Executive Director
DeAnn Baker, CSAC Deputy Executive Director of Legislative Affairs

RE: **Final 2016-17 Budget Package**

While the bulk of the 2016-17 budget was passed earlier this summer to meet the June 15 constitutional deadline, some final elements of the state's budget remained unresolved until the final days of the regular session. Budget trailer bills and other fiscal bills were among the many hundreds sent to the Governor for action before the close of the 2016 legislative year. This Budget Action Bulletin provides a comprehensive overview of the 2016-17 enacted budget and related trailer bills.

The final budget components crossing the Governor's desk were of key importance to counties but did not significantly shift the emphasis on fiscal restraint and strong reserves in anticipation of a potential economic downturn. The Governor's January Budget proposal to augment the Proposition 2 "Rainy Day Fund" by an additional \$2 billion dollars was approved by the Legislature in June, and is projected to bring the state's total reserves to \$8.5 billion. In addition, the Legislature approved a \$2 billion spending plan to renovate state offices including the Capitol Annex and address deferred maintenance. Other ongoing commitments in the June budget were made towards child care and pre-school rate increases that will grow to over \$500 million annually. The June budget provided funding, growing over four years to \$100 million annually, to add nearly 9,000 full day preschool slots. The Legislature was also successful in repealing the long-fought Maximum Family Grant rule that prohibits CalWorks recipient families from receiving augmented support if a child is born into that family.

Many key budget issues for counties were successfully addressed in the budget. CSAC budget priority highlights include:

- \$2 billion in authorized bond issuance for “No Place Like Home” local grants to provide permanent housing for persons with mental illness and who are homeless, or at risk for homelessness.
- \$140 million in cap and trade revenues dedicated to local GHG emission reduction programs.
- \$270 million for jail construction grants.
- \$25 million in grants for hard to site criminal justice facilities to cities and counties.
- \$127.3 million for group home reform.
- \$10 million in State Responsibility Area Fire Prevention Fund grants, including \$5 million in grants to local governments specific to tree mortality and tree removal and \$5 million for general fire prevention.
- \$11 million to assist in the removal and disposal of trees in high hazard zones.
- \$30 million to support local jurisdictions using the California Disaster Assistance Act Program for tree mortality and other disasters.
- \$644,000 for PILT (Payment in Lieu of Taxes).
- \$2.5 million for Williamson Act.
- Nearly \$400,000 in state backfill for counties with insufficient ERAF.

Several CSAC priority issues were left open at time of adjournment or simply unaddressed at the end of session including:

- \$400 million for affordable housing, in combination with the Governor’s “By Right” streamlining proposal for developer project approval by cities and counties.
- Comprehensive transportation funding proposal.

For more detail on these and other items of importance, see the following policy sections below or contact [CSAC legislative staff](#).

2016-17 Budget Trailer Bills	
Trailer Bill	Topic/Summary
SB 826	Budget Bill Conference Report
SB 827	Current Year Budget Augmentation
SB 828	K-14 and Early Childhood Education
AB 1602	Higher Education
AB 1603	Human Services
SB 833	Health
AB 1606	Developmental Services
AB 1607	Hospital Quality Assurance Fee
SB 836	General Government and State Administration #1
SB 837	General Government and State Administration #2
AB 1610	Transportation
SB 839	Resources and Environment
SB 840	Energy
SB 843	Public Safety
SB 844	Correctional Facilities
AB 1618	No Place Like Home program
AB 1628	No Place Like Home bond financing
SB 848	State Employees
SB 859	Cap and trade allocations

Administration of Justice

This budget reflects true collaboration between the Legislature, the Administration, and counties that address the offender population needs through investment in programs and facilities. The budget continues to focus on improving the conditions of local correctional facilities by investing in programs that reduce recidivism and targets the revolving door between the mentally ill and offender population. The budget targets prevention programs for the homeless population, mental illness, or those with the need for additional treatment services.

Local Treatment and Jail Investment Funding

The budget includes \$270 million in lease revenue bonds, with a \$20 million carve-out for Napa County, for jail construction projects. The \$20 million will help address the damage that was done to the jail during the Napa earthquake in 2014. The overall jail funding is directed to counties that have not received an allocation or a full allocation in

ACTION

CALIFORNIA STATE ASSOCIATION OF COUNTIES

3

the past, and additional eligibility requirements were added. Specifically, counties that compete for this round of funding will have to include space for in-person visiting and provide a description of the counties' efforts to address sexual abuse in the jail facilities.

An additional \$67.5 million was included in the budget by the Legislature for community infrastructure grants. These funds can be used to build or renovate facilities that provide mental health services or other treatment services to the offender population. The goal is to development an infrastructure for persons with mental health needs that require treatment instead of incarceration.

Twenty-five million dollars is allocated for the Community-Based Transitional Services Program, with a focus on transitional housing for offenders released from state prison or county jail, along with at least two other services such as: life skills training, employment counseling, vocational training, continuing education, cognitive behavioral therapy, anger management training, mental health treatment and counseling, and substances abuse treatment and counseling. Applications are now available [here](#):

Key points of the proposal include:

- Additional funds to local communities that site, for a minimum of 10 years, new transitional housing and supportive services for offenders released from state prison or county jail.
- A requirement that a portion of the funds be used by the city or county to increase public safety around the facility and improve communication with neighbors.
- A requirement that grant funding be shared with nonprofit facility operators to support rehabilitative services, security, and community outreach.
- A competitive application process that will protect existing permitted facilities, examine the current concentration of permitted facilities in the community, review the past performance of the facility operator, and give priority to cities and counties that leverage or provide other funding for the facility.

Proposition 47

The final budget increased the savings for Proposition 47 by \$10 million for mental health, substance abuse treatment, reduced truancy, and improved victim services. The Board of State and Community Corrections has established an Executive Steering Committee to develop an RFP on how these funds will be allocated.

Trial Court Security

Trial court security received \$5 million, to be directed to the unmet court security needs created by the opening of new courthouses. CSAC supported this proposal.

Other One-Time Allocations

- \$20 million in City Law Enforcement Grants.
- \$10.2 million for Uninhabitable Police Station Grants.
- \$5.5 million for the City of Salinas for counter-violence and gang activity prevention.
- \$3 million for Workforce Investment Board services to ex-offenders.
- \$10 million to support grants for community groups providing services to human trafficking victims through the Office of Emergency Services.

LEAD Program

The Law Enforcement Assisted Diversion (LEAD) pilot program received \$5 million and focuses on improving public safety and reducing recidivism by increasing the availability and use of social service resources.

Board of State and Community Corrections Executive Steering Committees

The Budget compromise included updates to the Board of State and Community Corrections (BSCC) requirements for establishing Executive Steering Committees (ESC). The language removes an exemption for government employees to participate in an ESC if their agency is going to compete for the funding in which the ESC is developing criteria and guidelines. The Byrne Jag and Proposition 47 ESC's were exempted from this change.

2011 Realignment

Revenue assumptions for 2011 Realignment programs and details base and growth estimates for 2016-17 can be found in the appendix of this document (these remain unchanged since the May Revisions). The 2015-16 growth will be allocated in September based on actuals that will not be known until late August. CSAC will provide updated information as soon as it becomes available.

Agriculture, Environment and Natural Resources

The budget includes a number of proposals for the funding of environmental protection and natural resources programs. Final action includes a deal on cap and trade funding, as well as one-year allocation for Payment In Lieu of Taxes (PILT), with General Fund and other funding for increased investments in resource management and wildfire protection, funding for emergency drought response, medical marijuana regulation.

ACTION

CALIFORNIA STATE ASSOCIATION OF COUNTIES

5

Cap and Trade Funding

One of the last compromises reached between the Legislature and the Governor, well after the main budget bill passed, was a deal on the expenditure of the 40 percent of unallocated cap and trade revenues, totaling \$900 million in funds dedicated to a variety of programs to reduce greenhouse gas (GHG) emissions, while placing \$462 million in a reserve account for future years. While the plan is a bit of a mixed bag for counties, we are pleased to see \$140 million dedicated to a new local climate program aimed at reducing GHG emissions from variety of different sectors in disadvantaged and other communities.

In addition, the plan allocates \$40 million to programs that increase waste diversion and help reduce methane emissions from our landfills. The deal also allocates \$135 million to the Transit and Intercity Rail Program consistent with our request that cap and trade dollars be invested towards transportation programs.

However, counties did express disappointment that only \$25 million was allocated to address forest health and tree mortality in the state's most impacted areas. CSAC believes this number is woefully inadequate to deal with the over 60 million dead trees in our forests while the risk of catastrophic wildfire increases. Late-developing budget trailer bill SB 859 did accompany the allocation and does include relief for some biomass facilities, requiring retail sellers of electricity to purchase a total of 125 megawatts of power from biomass facilities that generate power from forest waste in areas impacted by tree mortality.

California Endangered Species Act Fee

SB 839, by the Senate Budget and Fiscal Review Committee, was signed by the Governor in September. This measure imposes a new application fee for permits required to comply with the California Endangered Species Act (CESA). The fees range in cost from \$7,500 to \$30,000, and will provide the Department of Fish and Wildlife (DFW) with the authority to charge an additional fee of up to \$10,000 if the original fees are deemed to be insufficient.

CSAC opposed the proposed CESA fee. The new fees could be imposed on a wide range of county projects including flood control, road and bridge work and water management activities. CSAC repeatedly noted concerns with the cumulative effect of the new fee on important public projects.

Also of interest to counties is SB 839's correction to Food and Agriculture Code Section 52334. Adopted in 2014 through enactment of Assembly Bill 2470 (Salas), this section prohibits a city, county, or district from enacting local ordinances regulating any plant, crop, or seed without obtaining prior consent from the Secretary of the California

Department of Food and Agriculture (CDFA). Replacing Section 52334 with language that states that “the declaration of a plant, seed, nursery stock, or crop as invasive is a power reserved for the secretary,” is necessary in order to be consistent with the original intent of the legislature.

This budget trailer bill also includes a wide range changes to implement the resources, environmental protection, energy, and agriculture budget actions adopted as part of the 2016-17 Budget package. These changes include provisions that:

- Increase penalties for taking an endangered, threatened, or candidate species. One-half of any collected fines or forfeitures would be deposited in the county treasury of the county in which the violation occurred and would require the other one-half to be deposited in the Endangered Species Permitting Account;
- Prohibit the breeding and theatrical performance of captive orcas in California, as well as their export out of North America, consistent with federal law;
- Propose various fee adjustments, including raising the drinking water program expenditure cap, eliminating the flat fee option for hazardous waste permits in lieu of fee for service and raising the fee on environmental license plates;
- Revise the definition of disadvantaged community to allow for public water system consolidation for communities with an annual median household income that is less than 80 percent of the statewide annual median, and that is served by a small public water system;
- Require the Natural Resources Agency to submit a report to the Legislature and the Legislative Analyst’s Office regarding the state’s response to the ongoing drought.

Forestry and Wildfire Management

CSAC helped secure a number of one-time allocations to address tree mortality and the removal of dead trees including the following:

- \$25 million in cap and trade allocations to address forest health and tree mortality.
- \$10 million in State responsibility Area Fire Prevention Funds, including \$5 million in grants to local governments specific to tree mortality and tree removal, and \$5 million for general fire prevention grants.

ACTION

CALIFORNIA STATE ASSOCIATION OF COUNTIES

7

- \$11 million in General Funds monies to assist in the removal and disposal of trees in high hazard zones. Of these funds, \$6 million is dedicated to grants for local entities, including local governments, for the removal of dead and hazardous trees. There is \$5 million to support additional assistance for equipment use and personnel overtime for hazardous tree removal and fuels reduction efforts.
- \$30 million in General Fund monies to the Office of Emergency Services to support local jurisdictions using the CA Disaster Assistance Act Program, for tree mortality and other disasters.

Additionally, budget trailer bill SB 859 accompanied the cap and trade allocation plan and includes relief for some biomass facilities, requiring retail sellers of electricity to purchase a total of 125 megawatts of power from biomass facilities that generate power from forest waste in areas impacted by tree mortality.

Payment in Lieu of Taxes (PILT)

The budget includes \$644,000 in Payment in Lieu of Taxes funding to local governments. The Department of Fish and Wildlife (DFW) operates wildlife management areas throughout the state. Existing law (Fish and Game Code Section 1504) requires DFW to compensate counties for loss property taxes and assessments as a result of the establishment of a wildlife management area. These “payments in-lieu of taxes” (PILT) are equal to the county taxes levied upon the property at the time the state acquired the property plus any assessments levied upon the property by any irrigation, drainage, or reclamation district. Counties received a one-year allocation of PILT funds in the FY 15-16 budget, and this allocation is consistent with that appropriation and the Governor’s January budget.

Williamson Act

In a surprise inclusion, the Legislature added \$2.5 million in General Fund monies for the Williamson Act program. There is little supporting detail as to the purpose of this funding and whether it is dedicated for administration purposes to the Department of Conservation, or for direct subvention payments. Staff is working to obtain additional details about this proposal. As you may recall, subvention payments have not been made to counties since they were eliminated as part of the 2009-10 budget and were last funded at a total of \$34 million.

Emergency Drought Response

The budget provides \$334.5 million (\$212 million General Fund) for various drought-related activities as follows:

<i>Investment Category</i>	<i>Department</i>	<i>Program</i>	<i>Amount (millions)</i>	
Protecting Water Supplies	Department of Water Resources	Local Assistance for Small Communities	\$10.0	
	Water Board	Water Curtailment	\$5.4	
	Water Board	Emergency Drinking Water Projects	\$16.0	
Water Conservation	Department of Water Resources	Urban Water Conservation & Save Our Water Campaign	\$12.0	
	Energy Commission	Rebates for Appliances	\$30.0	
	Energy Commission	Water and Energy Technology Program	\$30.0	
	Department of Food and Agriculture	Agricultural Water Conservation	\$20.0	
Emergency Response	Department of Forestry and Fire Protection	Enhanced Fire Protection	\$87.8	
	Department of Forestry and Fire Protection	Tree Mortality	\$11.0	
	Department of Water Resources	Drought Management and Response	\$12.0	
	Department of Fish & Wildlife	Protection of Fish & Wildlife	\$13.5	
	Department of Social Services	Drought Food Assistance	\$18.4	
	Office of Emergency Services	California Disaster Assistance Act	\$52.7	
	Office of Emergency Services	State Operations Center	\$4.0	
	Department of Community Services & Development	Farmworker Assistance	\$7.5	
	TOTAL			\$334.5

ACTION

CALIFORNIA STATE ASSOCIATION OF COUNTIES

Sustainable Groundwater Management Act Implementation

The budget includes \$1 million in General Fund monies to support local public agencies with facilitation services as they implement the Groundwater Act. These funds will support efficient formation of groundwater sustainability agencies by water districts, counties, cities, and other local groups.

California Farmland Conservancy Program

The Legislature approved a one-time local assistance appropriation of \$1.14 million from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund of 2002 (Proposition 40). Funds will be used by the California Farmland Conservancy Program to provide grants to local governments and nonprofit land trusts to permanently protect farmland from conversion to non-agricultural uses via permanent agricultural conservation easements.

Fairs

The budget bill includes two permanent positions and \$435,000 (Fair and Exposition Fund) in 2016-17 and \$392,000, ongoing, to the Department of Food and Agriculture's Fairs and Expositions Branch to improve of the oversight of the activities of the 79 fairs that make up the network of California fairs.

Medical Marijuana Regulation and Safety Act (MMRSA):

The budget the following allocations to state agencies with regulatory and/or licensing responsibilities under MMRSA:

- Department of Public Health: \$457,000 and six positions in 2015-16, \$3.4 million and eight positions in 2016- 17, \$2.5 million and two positions in 2017-18, and \$5.7 million and 21 positions in 2018-19.
- Department of Fish and Wildlife: \$7.7 million General Fund 31 permanent positions to meet the requirements of the MMRSA related to marijuana cultivation to establish the Watershed Enforcement Program and permanent multiagency task force.
- Department of Pesticide Regulation: Three positions and \$700,000 from the Department of Pesticide Regulation Fund (DPRF) pursuant to MMRSA.
- State Water Resources Control Board: 35 positions and \$5.7 million (\$5.2 million General Fund and \$472,000 Waste Discharge Permit Fund) to address water quality-related impacts of medical cannabis cultivation and the effects of water diversions and instream flows.

- Department of Food and Agriculture: \$3.3 million reimbursement authority in 2015-16, 18.0 positions and \$3.355 million to the MMRSA Fund in Fiscal Year 2016-17.
- Department of Consumer Affairs: \$3.8 million from the MMRSA Fund and 25 positions to create the Bureau of Medical Marijuana Regulation.

The General Government and State Administration budget trailer bill includes amendments to MMRSA that:

- Change all references to medical marijuana or marijuana to medical cannabis or cannabis;
- Authorize a licensing authority to promulgate regulations, including emergency regulations;
- Require additional conditions of licensures, such as proof of bond to cover the cost of destroying product;
- Require an applicant for a license for indoor or outdoor cultivation to identify the source of water supply;
- Authorize the Board of Equalization for purposes of taxation and regulation, to have access to the Department of Food and Agriculture’s track and trace electronic database;
- Provide the Department of Public Health (DPH) cite and fine authority and the authority for mandatory recalls;
- Shift authority to license laboratories from the DPH to the Bureau of Medical Cannabis Regulation;
- Establish requirements concerning the misbranding of medical cannabis products;
- Exempt an entity from the requirement to enter into a lake or streambed alteration agreement with the Department of Fish and Wildlife for activities authorized by a license for cannabis cultivation provided specified requirement are met.

ACTION

CALIFORNIA STATE ASSOCIATION OF COUNTIES

11

Government Finance and Administration

FINANCE AND OPERATIONS

Redevelopment Agency Dissolution Continues

As the dissolution of redevelopment agencies continues and property tax revenues are returned to local agencies, the budget assumes counties will receive \$740 million in general purpose revenues in 2015-16 and 2016-17 combined (cities will receive \$700 million and special districts \$330 million). This is unrestricted funding for local agencies. The state's general fund savings in Prop 98 obligations is estimated to be over \$1.3 billion during this same time period.

Funded and Suspended Mandates Reflect Little Change

Dozens of state mandate programs were suspended again in the 2016-17 budget that was largely consistent with previous action in the last three years (a full list of funded and suspended mandates is available in the appendix of this Budget Action Bulletin).

The budget includes a \$7.5 million payment towards Public Records Act claims in an effort to close out remaining liability following Proposition 42, which designates the Public Records Act requirements as non-reimbursable mandates.

Elections Funding Limited to State Only

Elections funding in the budget package is directed towards state level operations for the Secretary of State and Department of Motor Vehicles. In April of this year, \$16.2 million was allocated as a supplemental appropriation in the 2015-16 Budget to counties for elections administration duties related to verifying signatures on initiative petitions for the November General Election. County elections officials have reported the necessary information to the Secretary of State for payments and at time of publication, 47 eligible counties sought payment. This payment is anticipated to be made in October 2016.

Other Local Finance Provisions

- Funding the state's insufficient ERAF backfill to the counties of Alpine, Amador, and San Mateo, totaling \$393,000.
- Continuation of Pilot Program to Improve Property Tax Administration in the third and final year with review of the program to determine if continuation or expansion is warranted.

EMPLOYEE RELATIONS AND ADMINISTRATIVE SERVICES

Public Employees’ Medical and Hospital Care Act

Language in the General Government budget trailer bill conditions the spending of any administrative expenses in the California Public Employees’ (CalPERS) Health Care Fund (HCF) and the CalPERS’ Contingency Reserve Fund (CRF) contingent upon approval in the annual state budget process, thereby discontinuing the CalPERS’ Board of Administration (Board’s) use of monies in the HCF to pay for other costs determined by the Board.

The CalPERS’ HCF was established to fund the self-funded health benefit plans administered by CalPERS that rely upon cash flows from premiums and investment income to fund health benefit payments. Monies in the HCF includes any self-funded or minimum premium plan premiums paid by contracting agencies, the state and enrolled employees, annuitants, and family members. The CalPERS’ CRF was created to fund administrative costs related to the Public Employees’ Medical Health Care Act program, and as a contingency reserve for such items as increases in future rates or in future benefits.

Judicial Officer Pay

Language included in the State Employment budget trailer bill clarifies the statutory methodology used to calculate the annual salary adjustments for state judges and justices. Specifically, it amends Government Code §68203 which establishes the formula for how judicial officers in California receive pay raises. The new language increases pay by an amount that is produced by multiplying their current salary by the average percentage salary increase for the current fiscal year for California state employees – to require their average percentage salary increase to be reduced by the average percentage salary decrease resulting from the furlough or enrollment in a personal leave program of California state employees in that current fiscal year. This amendment is important to those counties which have passed ordinances tying salary increases for county supervisors to those received by state judicial officers under Government Code Section 68203.

Health and Human Services

No Place Like Home Program

The Senate proposed the “No Place Like Home” program in January, which was created to provide bond funding to counties for permanent supportive housing for people who

ACTION

CALIFORNIA STATE ASSOCIATION OF COUNTIES

13

are homeless and living with a mental illness. The funding source for the bonds is an annual portion of Mental Health Services Act (MHSA) funds.

Ultimately, the Legislature passed two No Place Like Home bills: AB 1618, which contains the program parameters, signed in June, and AB 1628, which contains the bonding and some financing language, signed in August. CSAC negotiated a significant portion of AB 1618 to ensure it would work for counties, and supported the bill. CSAC did not take a position on AB 1628.

In sum, AB 1618 divides potential bond funding into two pots: a competitive pot (\$1.8 billion) and a non-competitive pot (\$200 million). Within the competitive pot of funding, counties will be grouped into four tiers based on total population, within which they will compete for funding if applicable: Los Angeles County; large counties with a population over 750,000; medium counties with a population between 200,000 and 750,000; and small counties with a population under 200,000. Awards in the competitive pot are not based on a counties' homeless count, and the small county tier will make eight percent of funds available.

There is also an alternative competitive process available for those counties with more than five percent of the statewide homeless population to access funding directly. However, this option limits the total amount of funding that the county can access overall. If money is left over in any of the tiers, it reverts back to the statewide fund and will be made available to other counties to access. AB 1618 requires four funding rounds outside the non-competitive dollars.

The \$200 million in non-competitive funding relies on a county's homeless count, which will be developed under the bill's guidelines, and includes a \$500,000 minimum award for counties with low homeless counts.

Some money is set aside for implementation assistance and administration. AB 1618 includes up to \$2 million for technical assistance to counties based on size and uses up to five percent of funds for state administrative costs. Additionally, four percent of the competitive pot is set aside for a default reserve.

AB 1628 includes language that caps the amount of MHSA funding that can be leveraged at \$140 million annually, which provides a better sense of the potential cost of the program to counties who rely on MHSA funds to support valuable local programs for their residents. It also details the flow of funds from MHSA funds for NPLH as well as how the bonds will function.

CSAC is now working with the Department of Housing and Community Development on initial implementation efforts.

MEDI-CAL

County Medi-Cal Administration Costs

The Legislature upheld the January proposal of \$169 million in the current year for county Medi-Cal administration costs, plus that amount over baseline in the 2016-17 budget year. The County Welfare Directors have indicated that this amount is reasonable for county costs. As part of this deal, the Department of Finance will begin a time- and work-study to inform the development of a new cost methodology. It is hoped that a fair methodology will stabilize funding for these critical local services.

The budget does not include General Fund for shortfalls in county Medi-Cal Administration costs in 2013-14 and 2014-15.

As has been done for the past 15 years, the county COLA for county eligibility administration for 2016-17 was suspended.

The Legislature also adopted several technical and clarifying changes to Medi-Cal, including limiting the State's estate recovery efforts to conform to federal law and restoring acupuncture services as a covered benefit. The annual General Fund limit for state administrative costs for implementing the Medi-Cal Electronic Health Records Incentive Program was increased from \$200,000 to \$450,000.

Medi-Cal Hospital Quality Assurance Fee

The Legislature passed the extension for the hospital quality assurance fee until January 1, 2018, after which the outcome of the hospital fee ballot measure, Proposition 52, set for November, will be known. CSAC supports Proposition 52.

AB 85 Redirection Estimate

The Legislature approved \$57.6 million General Fund for lower-than-expected state savings under AB 85. This was done to account for increased initial state costs under the new Medicaid Section 1115 Waiver. Furthermore, the first "true up" calculation from the AB 85 2013-14 redirection amounts has been finalized, and the state directly reimbursed 12 counties about \$170 million.

MENTAL HEALTH

New Children's Crisis Services Grant Program

The Legislature established a one-time grant program to expand the continuum of mental health crisis services for children and youth, including adding child and youth specific mobile crisis and community-based crisis stabilization support teams, additional

ACTION

CALIFORNIA STATE ASSOCIATION OF COUNTIES

15

triage personnel, additional crisis stabilization unit services, additional child and youth crisis residential services, family respite care, and family support services training.

HUMAN SERVICES

Continuum of Care Reform (AB 403 Group Home Reform)

The Legislature did not approve additional funding above the Governor's May Revision for county implementation of AB 403, the Continuum of Care Reform (CCR). This major reform seeks to eliminate the foster and probation youth group home system in California, and is a major undertaking for county Child Welfare Services, county Mental Health Plans, and Probation. CSAC has been advocating for increased first-year funding for AB 403, which is slated to be implemented on January 1, 2017. Currently, the 2016-17 budget includes \$127.3 million in total funds for child welfare and county probation departments to implement AB 403.

The Legislature did adopt language requiring the Department of Social Services (DSS) and the Department of Health Care Services to update the Budget Committees of the Legislature on the implementation of the CCR. DSS is additionally required to discuss the proposed foster care rates and rate structure with stakeholders and legislative staff by July 1, 2016.

Child Near Fatality Language

AB 1626 and SB 855, the Human Services Budget Trailer Bills, were amended in August to reflect a compromise on the child near fatality language. The federal law that governs state and federal activities to address child abuse and neglect, the Child Abuse Prevention and Treatment Act (CAPTA), was recently amended to require states to develop procedures for the release of information related to near fatalities that occur to children as the result of abuse or neglect. Federal guidance to the states indicates that a state may determine its procedures for how to release information in accordance with the updates to CAPTA.

The language in AB 1626 and SB 855 would require counties to release information about near-fatalities in the form of a written summary, in addition to releasing a number of specified documents. These documents would be redacted to remove information that is not relevant to the near fatality, which allow the counties to provide important information in a way that accomplishes the goals of the public information sharing requirements in CAPTA while preserving the privacy of the living child, their siblings, and others connected to the family who are innocent of any wrongdoing. AB 1626 and SB 855 additionally preserve the state's ability to continue drawing down \$4.8 million in federal child abuse prevention funding by coming into compliance with the federal CAPTA requirements.

Family Resource Agency Money

AB 1623, part of the Budget Act for the 2016-17 fiscal year, was amended to include more funding for resource family agencies. The additional \$200,000 that the budget now provides for resource family agencies reflects the importance of providing adequate resources to implement AB 403's group home reform, also known as the Continuum of Care Reform.

Additionally, in the Public Social Services trailer bill, AB 1603, the Legislature made several significant policy changes as outlined below.

CalWORKs

The Legislature repealed the Maximum Family Grant (MFG) Rule using "leftover" funds from the Child Poverty and Family Support Subaccount in 2011 Realignment, as well as some General Fund. The Legislature additionally increased the maximum aid payment under CalWORKs by 1.43% starting July 1, 2016, which is in line with the Governor's recommendation.

The once-in-a-lifetime payment provided to families who have lost their housing allowance by the Homeless Assistance Program (HAP) was repealed by the Legislature. A family now could be allowed to receive HAP once in a twelve month period. CSAC has supported legislation to this effect in past years.

The Legislature also streamlined two CalWORKs subsidized employment programs: the AB 98 program established in 2012 and the Expanded Subsidized Employment Program enacted in 2013.

Bringing Families Home

The Legislature established the Bringing Families Home program with \$10 million General Fund, to award program funds to counties for the purpose of providing housing-related supports to eligible families experiencing homelessness. Counties that receive state funds through the Bringing Families Home Program will match that funding on a dollar-for-dollar basis.

Commercial Exploitation of Children (CSEC)

The Legislature approved an additional \$12 million General Fund for the county CSEC program, bringing the annual appropriation to \$47 million. This program is administered by counties and the charge to increase funding was led by the County Welfare Directors Association (CWDA).

ACTION

CALIFORNIA STATE ASSOCIATION OF COUNTIES

17

Housing Support Program

The Legislature approved a \$12 million augmentation for the Housing Support Program (HSP), bringing the 2016-17 appropriation up to \$37 million. This program is administered by counties through the CalWORKs program.

Approved Relative Caregiver (ARC) Program

The Legislature made several changes to the ARC Program, including clarifying that children participating in the ARC Program should receive a \$50 child support disregard. The Legislature additionally clarified that a relative who has been approved under the resource family approval process and who is federally ineligible for AFDC-FC is authorized to receive a CalWORKs grant and a supplement amount equal to the resource family basic amount paid to children who are federally eligible for AFDC-FC. The changes adopted by the Legislature also allow non-federally eligible foster youth placed with relative caregivers under the jurisdiction of the tribal court receive a foster care basic rate amount equal to payments made to federally-eligible relative caregivers in tribes that possess a Title IV-E Agreement with the state.

Adult Protective Services

The Conference Committee approved \$3 million in one-time funding to create a statewide Adult Protective Services training program for county staff. CSAC had joined CWDA in calling for \$5 million for this purpose; the \$3 million appropriation will allow the training to be developed, which is a good start.

IN-HOME SUPPORTIVE SERVICES

Service Hours Restoration

The 2016-17 budget includes a restoration of the seven percent across-the-board IHSS service hours reduction, which costs \$571.8 million in total funds. This restoration will remain in effect until the Managed Care Organization tax expires in three years pursuant to current law.

IHSS Contract Mode Language

The Department of Finance rescinded its proposed budget trailer bill language that would have negatively impacted counties that are currently in “contract mode” for IHSS services. The County Welfare Directors Association worked hard to explain that the costs for counties in contract mode – which is a very specific designation limited only to counties that contract with an outside entity to administer the local IHSS system – include both locally negotiated costs, such as wages and benefits, but also other costs, such as administration and overhead. CSAC supported these efforts.

Housing, Land Use and Transportation

Transportation Funding Unresolved – Possible Lame Duck Session Action

The ongoing state and local transportation funding shortfall was not addressed during the regular legislative session. The Legislature was able to approve by majority vote a ten-dollar vehicle registration fee increase to support the California Highway Patrol and the Department of Motor Vehicles. The Motor Vehicle Account, which supports the activities of these departments, has faced an operational shortfall in recent years as expenditures outpaced its revenues, which primarily come from registration fees and driver's license fees. Unfortunately, these revenues are limited to the regulatory activities of these agencies and will not be allocated to local streets and roads or other transportation projects.

Counties will recall that budget committees in both houses rejected the Governor's transportation funding plan without prejudice early in the budget season. This \$3.6 billion annual funding plan would include approximately \$1 billion in new annual funding for local streets and roads. In late August, the chairmen of each house's transportation committees unveiled a joint funding plan that would provide \$7.4 billion in new funding, with approximately \$2.5 billion annually for local streets and roads.

However, the transportation and infrastructure special session remains open until the end of November, so while there was no transportation funding fix in the budget adopted by the Legislature, these two plans may shape the outline of the ongoing funding debate. CSAC and our coalition partners continue to urge the Legislature to take up a transportation funding package within the special session immediately following the upcoming elections.

Multifamily Housing Permitting and Affordable Housing Funding Unresolved

The Legislature did not take action on the Budget Conference Committee deal to include \$400 million in one-time General Fund support for affordable housing. The Governor indicate that his approval of such an appropriation was contingent on streamlining the development review process for multifamily housing projects consistent with local zoning and general plans. The Governor's so-called "by-right" housing plan stalled in the final months of the regular legislative session. Many affordable housing stakeholders close to the by-right negotiations have speculated that the Administration may still require streamlining of the development and permitting process in order to access any general fund support for affordable housing in the future, so debate over the Governor's "by-right" proposal will likely continue during the 2017-18 session.

ACTION

CALIFORNIA STATE ASSOCIATION OF COUNTIES

19

If you would like to receive the Budget Action Bulletin electronically, please e-mail Karen Schmelzer, CSAC Legislative Assistant at kschmelzer@counties.org.

ADDITIONAL RESOURCES

2016-17 State Budget – List of Mandates

FUNDED MANDATES – \$46,181,000

- (a) Accounting for Local Revenue Realignments (Ch. 162, Stats. 2003; Ch. 211, Stats. 2004; Ch. 610, Stats. 2004) (05-TC-01)... \$97,000
- (b) Allocation of Property Tax Revenues (Ch. 697, Stats. 1992) (CSM 4448)... \$611,000
- (c) California Public Records Act (Ch. 463, Stats. 1992; Ch. 982, Stats. 2000; Ch. 355, Stats. 2001) (02-TC-10 and 02-TC-51)... \$7,578,000
- (d) Crime Victims' Domestic Violence Incident Reports (Ch. 1022, Stats. 1999) (99-TC- 08)... \$166,000
- (e) Custody of Minors-Child Abduction and Recovery (Ch. 1399, Stats. 1976; Ch. 162, Stats. 1992; and Ch. 988, Stats. 1996) (CSM 4237)... \$13,328,000
- (f) Domestic Violence Arrest Policies (Ch. 246, Stats. 1995) (CSM 96- 362-02)... \$8,494,000
- (g) Domestic Violence Arrests and Victims Assistance (Chs. 698 and 702, Stats. 1998) (98-TC-14)... \$2,725,000
- (h) Domestic Violence Treatment Services (Ch. 183, Stats. 1992) (CSM 96- 281-01)... \$2,019,000
- (i) Health Benefits for Survivors of Peace Officers and Firefighters (Ch. 1120, Stats. 1996) (97-TC-25)... \$2,943,000
- (j) Local Agency Ethics (Ch. 700, Stats. 2005) (07-TC- 04)... \$0
- (k) Medi-Cal Beneficiary Death Notices (Chs. 102 and 1163, Stats. 1981) (CSM 4032)... \$26,000
- (l) Medi-Cal Eligibility of Juvenile Offenders (Ch. 657, Stats. 2006) (08-TC-04)... \$11,000
- (m) Peace Officer Personnel Records: Unfounded Complaints and Discovery (Ch. 630, Stats. 1978; Ch. 741, Stats. 1994) (00-TC-24)... \$548,000
- (n) Rape Victim Counseling (Ch. 999, Stats. 1991) (CSM 4426)... \$353,000
- (o) Sexually Violent Predators (Chs. 762 and 763, Stats. 1995) (CSM 4509)... \$5,129,000
- (p) State Authorized Risk Assessment Tool for Sex Offenders (Chs. 336, 337, and 886, Stats. 2006; Ch. 579, Stats. 2007) (08-7C-03)... \$725,000
- (q) Threats Against Peace Officers (Ch. 1249, Stats. 1992; Ch. 666, Stats. 1995) (CSM 96-365-02)... \$263,000
- (r) Tuberculosis Control (Ch. 676, Stats. 1993; Ch. 685, Stats. 1994; Ch. 116, Stats. 1997; and Ch. 763, Stats. 2002) (03-TC- 14)... \$83,000
- (s) Unitary Countywide Tax Rates (Ch. 921, Stats. 1987) (CSM 4317 and CSM 4355)... \$456,000
- (t) Post Election Manual Tally (2 Cal. Code Regs., 20120 to 20127, incl.) (10-TC-08)... \$626,000
- Administrative License Suspension Mandates: Per Se (Ch. 1460, Stats. 1989) (98-TC- 16)... \$2,374,000
- Pesticide Use Reports: (Ch. 1200, Stats. 1989) (CSM 4420)... \$37,000

EMPLOYEE RELATIONS MANDATES NOT FUNDED AND NOT SUSPENDED (ALLOWED BY ART. XIII, SEC. 6)

Peace Officers' Procedural Bill of Rights Act (Ch. 675, Stats. 1990) (CSM 4499)
Peace Officers Procedural Bill of Rights II (Ch. 465, Stats. 1976; Ch. 786, Stats. 1998; Ch. 209, Stats. 2000; Ch. 170, Stats. 2000) (03-TC-18)
Local Government Employment Relations Mandate (Ch. 901, Stats. 2000) (01-TC-30)

SUSPENDED MANDATES

- (a) Absentee Ballots (Ch. 77, Stats. 1978 and Ch. 1032, Stats. 2002) (CSM 3713)
- (b) Absentee Ballots – Tabulation by Precinct (Ch. 697, Stats. 1999) (00-TC- 08)
- (c) AIDS/Search Warrant (Ch. 1088, Stats. 1988) (CSM 4392)
- (d) Airport Land Use Commission/Plans (Ch. 644, Stats. 1994) (CSM 4507)
- (e) Animal Adoption (Ch. 752, Stats. 1998 and Ch. 313, Stats. 2004) (04-PGA- 01 and 98-TC- 11)
- (f) Brendon Maguire Act (Ch. 391, Stats. 1988) (CSM 4357)
- (g) Conservatorship: Developmentally Disabled Adults (Ch. 1304, Stats. 1980) (04-LM- 13)
- (h) Coroners' Costs (Ch. 498, Stats. 1977) (04-LM- 07)
- (i) Crime Statistics Reports for the Department of Justice (Ch. 1172, Stats. 1989; Ch. 1338, Stats. 1992; Ch. 1230, Stats. 1993; Ch. 933, Stats. 1998; Ch. 571, Stats. 1999; and Ch. 626, Stats. 2000) (02-TC- 04 and 02-TC- 11) and Crime Statistics Reports for the Department of Justice Amended (Ch. 700, Stats. 2004) (07-TC- 10)
- (j) Crime Victims' Domestic Violence Incident Reports II (Ch. 483, Stats. 2001; Ch. 833, Stats. 2002) (02-TC-18)
- (k) Developmentally Disabled Attorneys' Services (Ch. 694, Stats. 1975) (04-LM- 03)
- (l) DNA Database & Amendments to Postmortem Examinations: Unidentified Bodies (Ch. 822, Stats. 2000; Ch. 467, Stats. 2001) (00-TC- 27 and 02-TC- 39)
- (m) Domestic Violence Background Checks (Ch. 713, Stats. 2001) (01-TC- 29)
- (n) Domestic Violence Information (Ch. 1609, Stats. 1984 and Ch. 668, Stats. 1985) (CSM 4222)
- (o) Elder Abuse, Law Enforcement Training (Ch. 444, Stats. 1997) (98-TC- 12)
- (p) Extended Commitment, Youth Authority (Ch. 267, Stats. 1998 and Ch. 546, Stats. 1984) (98-TC-13)
- (q) False Reports of Police Misconduct (Ch. 590, Stats. 1995 and Ch. 289, Stats. 2000) (00-TC-26)
- (r) Firearm Hearings for Discharged Inpatients (Ch. 578, Stats. 1999) (99-TC-11)
- (s) Grand Jury Proceedings (Ch. 1170, Stats. 1996; Ch. 443, Stats. 1997; and Ch. 230, Stats. 1998) (98-TC-27)
- (t) Interagency Child Abuse and Neglect (ICAN) Investigation Reports (Ch. 958, Stats. 1977; Ch. 1071, Stats. 1980; Ch. 435, Stats. 1981; Chs. 162 and 905, Stats. 1982; Chs. 1423 and 1613, Stats. 1984; Ch. 1598, Stats. 1985; Chs. 1289 and 1496, Stats. 1986; Chs. 82, 531, and 1459, Stats. 1987; Chs. 269,1497, and 1580, Stats. 1988; Ch. 153, Stats. 1989; Chs. 650, 1330,

ACTION

CALIFORNIA STATE ASSOCIATION OF COUNTIES

21

- 1363, and 1603, Stats. 1990; Chs. 163, 459, and 1338, Stats. 1992; Chs. 219 and 510, Stats. 1993; Chs. 1080 and 1081, Stats. 1996; Chs. 842, 843, and 844, Stats. 1997; Chs. 475 and 1012, Stats. 1999; and Ch. 916, Stats. 2000) (00-TC-22)
- (u) Identity Theft (Ch. 956, Stats. 2000) (03-TC- 08)
 - (v) In-Home Supportive Services II (Ch. 445, Stats. 2000 and Ch. 90, Stats. 1999) (00-TC-23)
 - (w) Inmate AIDS Testing (Ch. 1579, Stats. 1988 and Ch. 768, Stats. 1991) (CSM 4369 and CSM 4429)
 - (x) Judiciary Proceedings (Ch. 644, Stats. 1980) (CSM 4366)
 - (y) Law Enforcement Sexual Harassment Training (Ch. 126, Stats. 1993) (97-TC- 07)
 - (z) Local Coastal Plans (Ch. 1330, Stats. 1976) (CSM 4431)
 - (aa) Mandate Reimbursement Process (Ch. 486, Stats. 1975 and Ch. 1459, Stats. 1984) (CSM 4204 and CSM 4485)
 - (bb) Mandate Reimbursement Process II (Ch. 890, Stats. 2004) (05-TC-05) (Suspension of Mandate Reimbursement Process and Mandate Reimbursement Process II includes suspension of the Consolidation of Mandate Reimbursement Processes I and II)
 - (cc) Mentally Disordered Offenders: Treatment as a Condition of Parole (Ch. 228, Stats. 1989 and Ch. 706, Stats. 1994) (00-TC-28 and 05-TC-06)
 - (dd) Mentally Disordered Offenders' Extended Commitments Proceedings (Ch. 435, Stats. 1991; Ch. 1418, Stats. 1985; Ch. 858, Stats. 1986; Ch. 687, Stats. 1987; Chs. 657 and 658, Stats. 1988; Ch. 228, Stats. 1989; and Ch. 324, Stats. 2000) (98-TC- 09)
 - (ee) Mentally Disordered Sex Offenders' Recommitments (Ch. 1036, Stats. 1978) (04-LM-09)
 - (ff) Mentally Retarded Defendants Representation (Ch. 1253, Stats. 1980) (04-LM-12)
 - (gg) Missing Persons Report (Ch. 1456, Stats. 1988 and Ch. 59, Stats. 1993) (CSM 4255, CSM 4368, and CSM 4484)
 - (hh) Modified Primary Election (Ch. 898, Stats. 2000) (01-TC- 13)
 - (ii) Not Guilty by Reason of Insanity (Ch. 1114, Stats. 1979 and Ch. 650, Stats. 1982) (CSM 2753) (05-PGA- 35)
 - (jj) Open Meetings Act/Brown Act Reform (Ch. 641, Stats. 1986 and Chs. 1136, 1137, and 1138, Stats. 1993) (CSM 4257 and CSM 4469)
 - (kk) Pacific Beach Safety: Water Quality and Closures (Ch. 961, Stats. 1992) (CSM 4432)
 - (ll) Perinatal Services (Ch. 1603, Stats. 1990) (CSM 4397) (05-PGA- 38)
 - (mm) Permanent Absent Voters II (Ch. 922, Stats. 2001, Ch. 664, Stats. 2002, and Ch. 347, Stats. 2003) (03-TC-11)
 - (nn) Personal Safety Alarm Devices (8 Cal. Code Regs. 3401 (c)) (CSM 4087)
 - (oo) Photographic Record of Evidence (Ch. 875, Stats. 1985; Ch. 734, Stats. 1986; and Ch. 382, Stats. 1990) (98-TC- 07)
 - (pp) Pocket Masks (Ch. 1334, Stats. 1987) (CSM 4291)
 - (qq) Post Conviction: DNA Court Proceedings (Ch. 943, Stats. 2001 and Ch. 821, Stats. 2000) (00-TC-21 and 01-TC-08)
 - (rr) Postmortem Examinations: Unidentified Bodies, Human Remains (Ch. 284, Stats. 2000) (00-TC- 18)
 - (ss) Prisoner Parental Rights (Ch. 820, Stats. 1991) (CSM 4427)
 - (tt) Senior Citizens Property Tax Postponement (Ch. 1242, Stats. 1977 and Ch. 43, Stats. 1978) (CSM 4359)

- (uu) Sex Crime Confidentiality (Ch. 502, Stats. 1992; Ch. 36, 1993- 94 1st Ex. Sess.; and Ch. 555, Stats. 1993) (98-TC-21)
- (vv) Sex Offenders: Disclosure by Law Enforcement Officers (Chs. 908 and 909, Stats. 1996; Chs. 17, 80, 817, 818, 819, 820, and 822, Stats. 1997; and Chs. 485, 550, 927, 928, 929, and 930, Stats. 1998) (97-TC- 15)
- (ww) SIDS Autopsies (Ch. 955, Stats. 1989) (CSM 4393)
- (xx) SIDS Contacts by Local Health Officers (Ch. 268, Stats. 1991) (CSM 4424)
- (yy) SIDS Training for Firefighters (Ch. 1111, Stats. 1989) (CSM 4412)
- (zz) Stolen Vehicle Notification (Ch. 337, Stats. 1990) (CSM 4403)
- (aaa) Structural and Wildland Firefighter Safety Clothing and Equipment (8 Cal. Code Regs., 3401 to 3410, incl.) (CSM 4261 and CSM 4281)
- (bbb) Very High Fire Hazard Severity Zones (Ch. 1188, Stats. 1992; Ch. 843, Stats. 1994; and Ch. 333, Stats. 1995) (97- TC-13)
- (ccc) Voter Identification Procedures (Ch. 260, Stats. 2000) (03-TC-23)
- (ddd) Voter Registration Procedures (Ch. 704, Stats. 1975) (04-LM-04)



Contra Costa County Board of Supervisors

Subcommittee Report

LEGISLATION COMMITTEE

5.

Meeting Date: 10/25/2016
Subject: Draft 2017 State Legislative Platform
Submitted For: LEGISLATION COMMITTEE,
Department: County Administrator
Referral No.: 2016-27
Referral Name: Draft 2017 State Legislative Platform
Presenter: L. DeLaney **Contact:** L. DeLaney, 925-335-1097

Referral History:

Each fall, the County Administrator's Office initiates the development of the coming year's State and Federal Legislative platforms by inviting members of the Board of Supervisors, Department Heads and key staff, as well as the Board's advisory bodies, to provide recommended changes or additions to the current adopted Platforms.

In September, all were invited to provide suggested edits to the State Platform by submitting input in writing.

The Legislation Committee typically reviews the draft Platform in November and/or December, with the Proposed Platform recommended to the Board of Supervisors for adoption in January.

The Draft 2017 State Platform in redline version (showing changes from the adopted 2016 Platform) is Attachment A. A clean-copy version is Attachment B.

The proposed policies related to Pipeline Safety were submitted by Roger Smith, President of the Alamo Improvement Association, and are included in Attachment C.

Referral Update:

CONTRA COSTA SPONSORED BILL PROPOSALS

Authorizing/Enabling Legislation Regarding Title 5, California Code of Regulations (School Facilities Construction)

The County has been engaged in advocating for the reform of school siting policies for a number of years. Late this year the California Department of Education (CDE) announced an effort to revise Title 5 to, among other things, "align school facilities and siting policies with state sustainability goals..." In meeting with CDE staff and our Legislative Delegation over the past 5 years it has become apparent that in order to revise Title 5 such that requirements (as opposed to guidance) can be established, a legislative solution may be necessary. Through the

Transportation, Water, and Infrastructure Committee (TWIC), staff will work with our legislative delegation and advocate to further develop the necessary solution. This effort is consistent with our current State Legislative Platform (Ag #3, Trans #179, #182) and is reflected in the 2017 Platform revisions submitted by TWIC relative to the aforementioned Title 5 update.

LEGISLATIVE/REGULATORY ADVOCACY PRIORITIES

Staff recommends continuing the following advocacy priorities for the County for 2017. The Legislation Committee may wish to provide direction to staff on these priority areas.

Priority 1: State Budget

Priority 2: Health Care

Priority 3: Water and Levees /The Sacramento-San Joaquin Delta

Priority 4: Realignment Implementation

STATE PLATFORM POLICY POSITIONS

The following are the recommended Platform policy position amendments for the 2017 State Platform:

Climate Change

Addition of the following policies and amendments:

19. SUPPORT legislative or administrative efforts that favor allocation of funding from the California Greenhouse Gas Cap and Trade Program to jurisdictions that are the largest emitters of greenhouse gas, have disadvantaged communities that are disproportionately affected by environmental pollution, **have Natural Community Conservation Plans or similar land conservation efforts that will address climate change** and have demonstrated a local commitment to climate protection (e.g. established emissions reduction targets, prepared Climate Action Plans, etc.). *The County has several good projects that would sequester carbon, such as Creek and wetland restoration projects.*

20. SUPPORT efforts to ensure life-cycle costs are considered when planning new projects in the state. A key challenge for State and local agencies is funding the ongoing operation and maintenance of infrastructure. This includes all aspects of the built environment: buildings, roads, parks, and other infrastructure. As California begins to implement more aggressive climate goals, the State should be thinking about new methodologies for anticipating project costs. In particular, it is evident that California will need a different transportation system than the one we have currently, and that this new transportation system will be more expensive to maintain. Traditional accounting methods that look only at initial project cost lead to situations where infrastructure fails, at greater replacement cost than if ongoing operation and maintenance had been included from the beginning. This would include methodologies for internalizing the social and environmental costs of projects.

21. SUPPORT revisions to the Public Resources Code and the Air Resources Board's Investment Plans to provide Cap and Trade funding for the conservation of natural lands, parks and open space through fee title acquisition as well as easements.

22. OPPOSE changes to the California Environmental Protection Agency's protocols for designating disadvantaged communities which result in a reduction in the number or size of disadvantaged communities in Contra Costa

communities which result in a reduction in the number or size of disadvantaged communities in Contra Costa County. Disadvantaged communities are prioritized for receipt of Greenhouse Gas Reduction Funds, the funding source for a number of state grant programs. *Contra Costa County has a number of communities and neighborhoods that are economically and socially disadvantaged and located near large, current and former industrial sites. These industrial operations contribute through the Cap and Trade program to the Greenhouse Gas Reduction Fund. The state designations should continue to reflect the disproportionately acute needs of these communities.*

Elections

Deletion of the following policy:

SUPPORT legislation that would add provisions to the state Elections Code that would allow special elections to fill a vacancy in a congressional or legislative district to be conducted by all mailed ballots at the county's discretion.

Flood Control and Clean Water

Revision to the following policy:

36. SUPPORT efforts to require the Department of Water Resources (DWR) to provide 200 year flood plain mapping for all areas in the legal Delta. SB 5 requires the County and cities in the Delta to insure certain development projects must have 200 year level of protection and to make certain related findings. *DWR has revisited developing zoning 200-year flood plain mapping maps, and but if they do, only working in areas protected by project levees which does not include any areas within Contra Costa County.*

Health Care

The following revisions are proposed:

84. SUPPORT legislation that extends the restrictions and prohibitions against the smoking of, and exposure to, tobacco products to include restrictions or prohibitions against electronic cigarettes (e-cigarettes) in various places, including, but not limited to, places of employment, school campuses, public buildings, day care facilities, retail food facilities, multi-family housing, and health facilities; preventing the use of tobacco, electronic smoking devices (e-cigarettes) and flavored tobacco by youth and young adults; eliminating exposure to second-hand and third-hand smoke; restrictions on advertising of electronic smoking devices; reducing and eliminating disparities related to tobacco use and its effects among specific populations; increasing the minimum age to 21 to purchase tobacco products; and the promotion of cessation among young people and adults.

88. SUPPORT ongoing study of the health impacts of global and regional climate change and ongoing countywide mitigation and adaptation efforts.

89. SUPPORT efforts that would preserve the nature and quality and continuity of care associated with safety net services historically provided at the local level, such as the California Children's Services (CCS) and Child Health and Disability Prevention (CHDP) programs, which are being transitioned into managed care at the state level.

90. SUPPORT maintaining level or enhanced funding, streamlined processes and greater flexibility for use of State and Federal funding to respond to Public Health Emergency Preparedness

initiatives including Pandemic Influenza, emerging diseases, and continued funding for all categories related to Public Health Preparedness, including Hospital Preparedness Program, Homeland Security, Cities Readiness Initiative and core Public Health Preparedness.

92. SUPPORT increased funding for the public health infrastructure, capacity and prevention services as outlined in the public health components of the Affordable Care Act and the National Prevention and Public Health Fund.

93. SUPPORT recognition of Local Public Health Departments as an authorized provider for direct billing reimbursement related to the provision of Immunization, Family Planning, HIV, STD and TB services.

95. SUPPORT enhanced funding and capacity for public health programs, specifically:

a. Prevention programs in the areas of chronic disease, specifically, obesity, diabetes, asthma and cancer.

b. Prevention and risk reduction programs in the area of HIV, STD, teen pregnancy, injury prevention as well as health promotion programs, such as nutrition and activity education.

c. Oral health programs, especially those which address the needs of children and those with oral health disparities.

~~a. Prevention programs in the areas of chronic disease, specifically oral health, obesity, diabetes, cancer, teen pregnancy and injury prevention as well as health promotion programs, such as nutrition and activity education;~~

d. Protecting the Prevention and Public Health Fund (PPHF), as established in the Affordable Care Act.

e. Increased resources dedicated to surveillance and prevention programs targeting chronic diseases such as cardiovascular, stroke, cancer, diabetes, and asthma, as well as injury and violence;

f. Combating infectious and emerging diseases, such as Zika, novel Influenza, Hepatitis B, Hepatitis C, Chlamydia, and seasonal Influenza and public health programs which provide screening, diagnosis, and treatment;

g. Provide for adequate State funding for children's programs, including the California Children's Services (CCS) program for clients who are not Medi-Cal eligible to assure that counties are not overmatched in their financial participation; and

h. Programs which seek to monitor and address the needs of Foster youth, especially those on psychotropic medication.

i. Best practice programs which seeks to protect and enhance the health of pregnant women and that address maternal, child and adolescent health needs.

~~f. Programs which seek to limit the effects of injury, violence and abuse on children and adults.~~

98. SUPPORT legislative efforts to reduce exposure to toxic air pollutants and the reduction of ~~CO2 emissions~~ greenhouse gases.

99. SUPPORT funding, policy and programs dedicated to suicide, injury and violence prevention. Additionally, support efforts aimed at reducing health disparities and inequities associated with violence against women, communities of color and the LGBT community. Programs which seek to limit the effects of injury, violence and abuse on children, seniors and persons with disability.~~SUPPORT funding, policy and programs dedicated to suicide and violence prevention.~~

100. SUPPORT funding, policy and program development aimed at reducing the misuse of prescription drugs, most especially opioids. Additionally, support funding and resources for local capacity to address new state laws regarding restrictions on the sale and use of powdered alcohol. ~~restrictions on the sale and use of powdered alcohol, which can lead to unsafe levels of intoxication if it is mixed incorrectly or ingested in its powdered form.~~

101. SUPPORT necessary County infrastructure and adequate funding related to education, regulatory, testing ~~the support~~ and enforcement functions ~~of newly passed~~ associated with the State Medical Marijuana regulatory controls.

102. SUPPORT legislation ~~such as AB 1357~~ and/or similar policy efforts to tax certain beverages that contain added sugars, by establishing a per fluid ounce health impact fee on sugar sweetened beverages at the distributor level. In addition, support ~~SB 203, a two year bill, or similar~~ efforts which would create the Sugar Sweetened Beverage Safety warning act, which would require a safety warning on all sealed sugar sweetened beverages.

103. SUPPORT legislation and efforts that support healthy meals and adequate meal time for school-age children.
~~SUPPORT legislation such as AB 292 (Santiago) and/or similar efforts that support healthy meals and adequate meal time for school-age children. The bill would require school districts, in addition to providing a nutritionally-adequate free or reduced-price meal for each needy pupil each school day, to ensure that each of the schools in their respective jurisdictions makes available to its pupils adequate time to eat after being served lunch. The bill would declare that the State Department of Education specifies that an adequate time to eat school lunch is 20 minutes after being served. The bill would require a school that determines, upon annual review of its bell schedule, that it is currently not providing pupils with adequate time to eat, to identify and develop a plan to implement, in consultation with the school district, ways to increase pupils' time to eat lunch.~~

105. Support efforts to address the underlying determinants of health and health equity, such as housing and prevention of displacement, educational attainment and livable wage jobs.

Human Services

Addition and deletion of the following polices:

113. SUPPORT legislative efforts that allow for coordination of services and data, across state and county Departments that support aging and elder populations.

124. SUPPORT efforts to increase CalFresh benefit amounts to better meet recipients' nutritional needs, improve ease and accessibility of the CalFresh application and recertification processes, and adjust CalFresh eligibility requirements to include currently excluded populations with significant need.

125. SUPPORT efforts to restore cuts to the Supplemental Security Income/State Supplementary Payment (SSI/SSP) Program and reinstate the annual Cost of Living Adjustment (COLA.)

134. SUPPORT legislation to expand early care and education and increase funding for preschool and early learning, through a diverse and multi-faceted delivery system.

135. SUPPORT restoration of child development programs (pre-2011 funding) under Proposition 98 funding.

136. Support legislation that would clarify and streamline the definition of homelessness across categorical eligibility for child care services to homeless children.

137. Support legislation that would clarify the definition of "volunteer" in SB 792. Current law does not specify an established minimum of time spent in a child care facility to be considered a volunteer. SB 792, therefore, would apply to parents/grandparents coming to child care centers for one-time volunteer activities, to provide proof of vaccination.

138. SUPPORT the establishment of a 12-month child care assistance and graduated phase out that allows for tapered assistance to families whose income has increased at the time of re-determination, but still does not exceed the federal income limit of 85% of State Median Income.

141. SUPPORT continued and improved funding for implementation of Continuum of Care Reform.

142. SUPPORT counties to access CWS/CMS to determine family's child abuse history for the Resource Family Approval process.

143. SUPPORT efforts to improve and expand emergency food assistance networks' (e.g. local food banks, food pantries) ability to procure, store, and distribute nutritious food to those in need.

144. SUPPORT efforts that seek to address the impact of domestic violence and sexual assault and implement culturally relevant, trauma-informed responses, connect victims to services, and prevent domestic violence and sexual assault.

145. SUPPORT increased investments in housing for victims of domestic violence and human trafficking including the preservation of emergency and long-term housing options for victims.

146. SUPPORT efforts that prevent domestic violence homicide including assessment of risk for assault or lethal force throughout the criminal justice system.

147. SUPPORT investments in continuous training and coordination of training for all law enforcement officers, District Attorneys, Public Defenders, Judges and other court staff on issues of domestic violence, sexual assault, human trafficking, elder abuse and trauma informed approaches.

~~SUPPORT legislation that authorizes juvenile courts to deny reunification services to a parent who has knowingly engaged in or consented to the sexual exploitation of the child.~~

~~SUPPORT revision of CalWORKs Program regulations to eliminate the Welfare to Work 24 Month Time Clock in order to provide clients with a full 48 months to participate in Welfare to Work activities.~~

~~SUPPORT efforts to increase CalFresh participation by eliminating Gross Income Test for all applicants, exempting Veteran's Benefits from any income test, increasing shelter deduction to average rate based on County of Residence (varied across State), and eliminating countable resources and/or expanding Modified Categorically Eligible regulations to all households.~~

~~SUPPORT efforts to simplify the CalFresh application process through the creation of a statewide telephonic and electronic signature system to reduce denials and discontinuances due to failure to provide.~~

~~SUPPORT expanding CalWORKs Homeless Services Program.~~

~~SUPPORT eliminating the Maximum Family Grant (MFG) Rule. MFG prevents families from receiving benefits for children conceived and born while receiving CalWORKs benefits.~~

Land Use/Community Development

The following policy revisions are proposed:

153. SUPPORT efforts to promote economic incentives for "smart growth," in Priority Development and Priority Production Areas including in-fill and transit-oriented development. Balancing the need for housing and economic growth with the urban limit line requirements of Measure J (2004) will rely on maximum utilization of "smart growth" and Sustainable Community Strategy principles.

154. SUPPORT efforts to increase the supply of affordable housing, including, but not limited to, state issuance of private activity bonds, affordable and low income housing bond measures, low-income housing tax credits and state infrastructure financing. This position supports a number of goals in Goals 2, 3 and 4 of the County General Plan Housing Element.

160. SUPPORT allocations, appropriations, and policies that support and leverage the benefits of approved Natural Community Conservation Plans (NCCPs), such as the East Contra Costa County NCCP. Support the granting of approximately \$24 million to the East Contra Costa County NCCP from the \$90 million allocation for NCCPs in Proposition 84. Support the inclusion of NCCPs for funding in allocations from Proposition 1. Support \$90 million for implementation of NCCPs and an additional \$100 million for watershed protection and habitat conservation in future park, water or natural resource bonds. Support the position that NCCPs are an effective strategy for addressing the impacts of climate change and encourage appropriate recognition of the NCCP tool in implementation of climate change legislation such as SB 375, AB 32 as well as an appropriate tool for spending CAP Cap and Trade revenues. Promote effective implementation of NCCPs as a top priority for the California Department of Fish and Wildlife. Support an increase to \$1.6 million for the California Department of Fish and Wildlife's Local Assistance Grant program. Support efforts to streamline implementation of NCCPs including exemptions from unnecessary regulatory oversight such as the Delta Plan Covered Actions process administered by the Delta Stewardship Council. Support alignment of State and Regional of Water Board permits (Section 401 clean water act and storm water permits) and California Department of Fish and Wildlife Streambed Alteration Agreement (Section 1602 of the Fish and Game code) and other State natural resource permitting with California Endangered Species Act permitting through NCCPs to improve the overall efficiency, predictability and effectiveness of natural resource regulation.

~~OPPOSE legislation that would create substantial uncertainty over the tax allocation bonds issued by redevelopment agencies and possible negative credit impact.~~

Law and Justice System

Addition of the following policies:

171. SUPPORT legislation that requires boater's insurance. Currently, boaters are not required to carry insurance in California.

172. SUPPORT legislation that provides better funding for local agencies forced to deal with abandoned and sunken vessels and their environmental impacts.

178. SUPPORT legislative reform of current bail provisions that will replace reliance on money bail with a system that incorporates a pretrial risk assessment tool and evidence-based pretrial release decisions. *The current reliance on fixed bail schedules and commercial money bonds ignores public safety factors and unfairly penalizes poor people who are awaiting trial. Bail reform in this manner will ensure that only dangerous persons who cannot be safely supervised in the community while they are awaiting trial will be held in custody pretrial. Locally, our County has moved in this direction with an AB109 funded pretrial program. Many statewide organizations support bail reform. Among them are the ACLU, Californians for Safety and Justice, the California Public Defenders Association, and the California Attorneys for Criminal Justice.*

Pipeline Safety

Addition of the following policies:

188. SUPPORT legislation that contains specific mitigations or solutions for installation of Automatic Shutoff Valves for both High Consequence Areas (HCA) and for those that transverse Active Seismic Earthquake Faults for all intrastate petroleum pipelines.

189. SUPPORT legislation that contains specific language for protection of all seasonal and all year creeks and all State Waterways where petroleum pipelines are present. New and replacement pipelines near environmentally and

ecologically sensitive areas should use the best available technology including, but not limited to, the installation of leak detection technology, automatic shutoff systems or remote controlled sectionalized block valves, or any combination of these technologies to reduce the amount of oil released in an oil spill to protect state waters and wildlife.

190. SUPPORT legislation that contains specific language and specific examples to guide health officers in making certain determinations, in taking certain actions related to an active gas pipeline leak and in the structure and installation of state mandated local programs for this purpose.

191. SUPPORT legislation that contains specific language that requires the same standards for installation of Automatic Shutoff Valves or Remote Controlled Sectionalized Block Valves of owners and operators of intrastate petroleum pipelines located in High Consequence Areas or that traverse Active Seismic Earthquake Faults. To provide the location of existing valves and the proposed location of new valves to the State Fire Marshal's Office allowing their interaction with the process, to establish action timelines, to adopt standards for how to prioritize installation, to ensure that valves are installed as quickly as reasonably possible and to establish ongoing procedures for monitoring progress in achieving requirements.

Transportation

The following revisions are proposed:

196. SUPPORT regional coordination that provides for local input in addressing transportation needs. Coordinated planning and delivery of public transit, paratransit, and rail services will help ensure the best possible service delivery to the public. Regional coordination also will be needed to effectively deal with the traffic impacts of Indian gaming casinos such as those in West County. Regional coordination also will be essential to complete planning and development of important regional transportation projects that benefit the state and local road system such as TriLink (State Route 239), improvements to Vasco Road, completion of remaining segments of the Bay Trail, improvements to the Delta DeAnza Regional Trail, and the proposed California Delta and Marsh Creek Trails. There may be interest in seeking enhanced local input requirements for developing the Sustainable Communities Strategy for the Bay Area mandated by SB 375 for greenhouse gas reduction. It is important that the regional coordination efforts are based on input gathered from the local level, to ensure the regional approach does not negatively impact local communities. "Top-down" regional planning efforts would be inconsistent with this goal.

201. SUPPORT efforts to coordinate planning between school districts, the state, and local jurisdictions for the purposes of: (1) locating and planning new schools, (2) funding programs that foster collaboration and joint use of facilities, and (3) financing off-site transportation improvements for improved access to existing schools. The County ~~supports the~~ will urge the California Department of Education's current Title 5 update effort ~~to better leverage~~ include removing the current conflict between current school ~~facilities in developing siting policies and~~ sustainable communities. Related to this effort, the County supports reform of school siting practices by way of legislative changes related to any new statewide school construction bond authorization. The County takes the position that reform components should include bringing school siting practices and school zone references in the vehicle code into alignment with local growth management policies, safe routes to school best practices, State SB 375 principles, and the State Strategic Growth Council's "Health in All Policies Initiative."

205. SUPPORT funding increases for active transportation projects and planning. Funding is needed for improved pedestrian infrastructure and enhancements and expansion of: trails, on-street bike facilities (Class II and III), and separated facilities (Class I and Class IV [cycle track]). Funding is also needed for corridor and "bicycle superhighway" planning, trail access improvements, overcrossings, intersection improvements, Class I - IV inter-connectivity projects (gap closures), wayfinding/signage projects, and facilities/designs identified in emerging best practices.

~~SUPPORT funding increases for active transportation projects including funding for enhancements and expansion of separated trails (Class I, cycle track) including corridor planning, trail access improvements, trail expansion/enhancements, overcrossings, intersection improvements, Class I trail inter-connectivity projects, and wayfinding/signage projects.~~

Recommendation(s)/Next Step(s):

REVIEW the Draft 2017 State Legislative Platform, provide direction to staff on any recommended changes, and RECOMMEND action to the Board of Supervisors.

Attachments

Attachment A: Draft 2017 State Platform--redline

Attachment B: Draft 2017 State Platform--clean copy

Attachment C: Pipeline Safety Policies



~~PROPOSED DRAFT~~ 20167
STATE LEGISLATIVE
PLATFORM

Contra Costa County

October ~~1821~~, 2016
~~DRAFT~~



Table of Contents

COUNTY-SPONSORED LEGISLATION..... 2

LEGISLATIVE/REGULATORY ADVOCACY PRIORITIES..... 2

STATE PLATFORM POLICY POSITIONS 5

 Agriculture 5

 Animal Services 6

 Child Support Services..... 7

 Climate Change..... 8

 Delta Water Platform 8

 Elections..... 8

 Emergency Preparedness, Emergency Response 9

 Eminent Domain 9

 Flood Control and Clean Water 10

 General Revenues/Finance..... 11

 Health Care 13

 Human Services 18

 Indian Gaming..... 23

 Land Use/Community Development..... 23

 Law and Justice System 26

 Library..... 28

Pipeline Safety..... 31

 Telecommunications and Broadband..... 28

 Transportation 29

 Veterans 31

 Waste Management..... 32

 Workforce Development..... 34



20167 STATE LEGISLATIVE PLATFORM CONTRA COSTA COUNTY

Each year, the Board of Supervisors adopts a State Legislative Platform that establishes priorities and policy positions with regard to potential State legislation and regulation. The State Legislative Platform includes County-sponsored bill proposals, legislative or regulatory advocacy priorities for the year, and policies that provide direction and guidance for identification of and advocacy on bills which would affect the services, programs or finances of Contra Costa County.

COUNTY-SPONSORED LEGISLATION

Authorizing/Enabling Legislation Regarding Title 5, California Code of Regulations (School Facilities Construction)

The County has been engaged in advocating for the reform of school siting policies for a number of years. Late in 2016 the California Department of Education (CDE) announced an effort to revise Title 5 to, among other things, "align school facilities and siting policies with state sustainability goals..." In meeting with CDE staff and our Legislative Delegation over the past 5 years it has become apparent that in order to revise Title 5 such that requirements (as opposed to guidance) can be established, a legislative solution may be necessary. No requests for County sponsored legislation have been received to date.

~~Pursue legislation to clarify that the disability retirement provisions applicable to Tier III members of the Contra Costa County Retirement Association (CCCERA) also apply to County and dependent special district non safety employees who become New Members, as defined in Public Employees' Pension Reform Act (PEPRA), of CCCERA.~~

LEGISLATIVE/REGULATORY ADVOCACY PRIORITIES

Each year, issues emerge through the legislative process that are of importance to the County and require advocacy efforts. For 20167, it is anticipated that critical issues requiring legislative advocacy will include the following:

Priority 1: State Budget – The state's continuing economic recovery, prior budget cuts, and the additional, temporary taxes provided by Proposition 30 have combined to bring the State Budget to a much improved financial condition. While the Governor's Budget identifies cost pressures and budget risks in health and human services programs, of particular concern to counties is the inadequate reimbursement for our ever-increasing cost of operating several human services programs: the "Human Services Funding Deficit," formerly referred to as the "Cost of Doing Business." The annual shortfall between actual county expenses and state reimbursement has grown to over \$1 billion since 2001, creating a de facto cost shift to counties. The funding gap forces counties to reduce services to vulnerable populations and/or divert scarce county resources from other critical local services. It also increases the risk of state and federal penalties.

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Priority 2: Health Care – Counties play a critical role in California’s health reform efforts. Counties serve as employers, payers, and providers of care to vulnerable populations. Consequently, counties stand ready to actively participate in discussions of how to best reform the health care system in California and implement the national health care reform legislation passed in 2010, The Patient Protection and Affordable Care Act (ACA).

The optional Medi-Cal Expansion, in effect on Jan. 1, 2014, was a significant part of the State Budget process in 2013. The ACA had required states to expand Medicaid programs to allow childless adults at or below 138 percent of poverty to be eligible for Medicaid (known as Medi-Cal in California). The Supreme Court struck down that mandate but allowed it to be an option for states, which California exercised.

However, significant unknowns remain including questions about the actual impact of the ACA coverage expansions on counties and the number of uninsured individuals to whom counties will still need to provide services. Counties will retain the Section 17000 responsibility, and there will be significant variations in the impacts of both the ACA and AB 85 for the different types of counties: county hospital (12 counties including Contra Costa County), payor/clinic and County Medical Services Program (CMSP) counties.

In the coming year, the County will continue to work on the implementation of required health care reform measures to maximize federal revenue. The County will support efforts to provide counties with the necessary tools to implement health care reform which may include performing eligibility and enrollment, preserving existing county resources from 1991 Realignment, providing for a smooth transition for the various operational systems, and supporting legislation to ensure that low-income families are covered under the Affordable Care Act while opposing legislation which would reduce Medi-Cal eligibility. In addition, the County will continue to work to reduce uncompensated health care costs and on the adequacy of rates under the new health care system.

Priority 3: Water and Levees /The Sacramento-San Joaquin Delta – The enactment of the Delta Reform Act (2009), a bill that established the co-equal goals for reliable water supply and ecosystem restoration for the Delta, created the Delta Stewardship Council, and supported the proposed Bay Delta Conservation Plan (BDCP) --an effort to construct a pair of massive tunnels under the Delta-- will bring significant, large-scale change to the Delta as we know it. The scope and content of these changes, as well as enduring political battles between northern and southern California over water, will continue to guide legislative and administrative agendas in the coming year. Enabling legislation was also passed in 2009 for a state water bond, which was delayed from the 2010 and 2012 ballots but successfully passed on the 2014 state ballot, as Proposition 1.

Significant future impacts on the County in the areas of water quality and supply, levee stability, ecosystem health, local land use authority and flood control are anticipated.

Particular areas of concern for 2016⁷ include, but are not limited to: (1) the ongoing development of the BDCP project, now recast as the California WaterFix (CWF) and whether

the state water bond appropriates funds specific to the BDCP/CWF; and (2) the impacts of the Delta Plan on local land use authority, efforts to expedite state bond funding for levee improvement projects, and the development of flow standards that will impact water quality and ecosystem health in the Delta. The County's adopted Delta Water Platform, as well as the Strategic and Action Plans, are incorporated in this Platform by reference.

Priority 4: Realignment Implementation – The battle for constitutional protections for 2011 Realignment concluded successfully on November 6, 2012 when Proposition 30 was passed by the voters. Proposition 30 provides constitutional guarantees to the funding that supports Realignment and safeguards against future program expansion without accompanying funding. With these provisions in place, Contra Costa County can continue to implement the array of programs transferred under 2011 Realignment, confident that funding is secure and programmatic responsibilities are defined. However, the County remains concerned that the funding is not sufficient and is also concerned about liability issues arising from the new responsibilities.

Any future proposals to realign programs to counties must have constitutionally guaranteed ongoing funding and protections. The County will oppose any proposals that will transfer additional program responsibility to counties without funding, constitutional protections, county participation and approval. The County will also oppose efforts that limit county flexibility in implementing programs and services realigned in 2011 or infringe upon our ability to innovate locally. The County resolves to remain accountable to our local constituents in delivering high-quality programs that efficiently and effectively respond to local needs. Further, we support counties' development of appropriate measures of local outcomes and dissemination of best practices.

With regard to Public Safety realignment, counties have received parolees whose latest crime fits the specified "non-violent, non-serious, non-sex offender" (N3) definition but who have a criminal background that includes violent, serious and/or sexual crimes. Under the current legislation, the person's latest offense/crime determines if they meet the N3 criteria. Specifically, a change would be requested to prevent those whose total criminal background does not meet the N3 criteria. These individuals should stay under the responsibility of the state.

The County will also support efforts to provide additional funding/grants to those counties that have a commitment to lowering the crime rate and reducing recidivism through the provision of innovative, comprehensive, evidence-based programs for offender populations and their families. The County will also continue to support efforts to ensure that the receipt of Local Community Corrections Funds matches the amounts anticipated from the state, without undue delay. Finally, the County also supports more funding for mental health and behavioral health programs and facilities in order to meet the requirements of Realignment and the goal of reducing recidivism.

STATE PLATFORM POLICY POSITIONS

A brief background statement accompanies policy positions that are not self-evident. Explanatory notes are included either as the preface to an issue area or following a specific policy position. Please note that new and revised policy positions are highlighted. The rationale for the policy position is italicized.

Agriculture

1. SUPPORT efforts to ensure sufficient State funding for pest and disease control and eradication efforts to protect both agriculture and the native environment, including glassy-winged sharpshooter, light brown apple moth, and Japanese dodder activities; high risk pest exclusion activities; pesticide regulatory and law enforcement activities; and noxious weed pest management. *Agriculture is an important industry in Contra Costa County. Protection of this industry from pests and diseases is important for its continued viability.*
2. SUPPORT continued appropriations for regulation and research on sudden oak death, a fungal disease affecting many species of trees and shrubs in native oak woodlands. *The County's natural environment is being threatened by this disease.*
3. SUPPORT funding for agricultural land conservation programs and agricultural enterprise programs, and support revisions to State school siting policies, to protect and enhance the viability of local agriculture. *The growth in East County and elsewhere has put significant pressure on agricultural lands, yet agriculture is important not only for its production of fresh fruits, vegetables and livestock, but also as a source of open space.*
4. SUPPORT legislation to establish legal authority where needed to facilitate the efforts by the California Department of Food and Agriculture and the Department of Boating and Waterways to survey and treat all infestations of the South American spongeplant and to rid the Delta of this and other invasive aquatic species through integrated pest management methods. *Invasive aquatic species are a threat to agriculture, the environment and recreation in the Delta. This position includes support for efforts by the Department of Boating and Waterways to secure multi-year permits for eradication of multiple invasive aquatic plant species in the Sacramento-San Joaquin Delta, its tributaries, and its marshes.*
5. SUPPORT the CSAC policy statement regarding revisions to the California Conservation Act of 1965 (the Williamson Act) to support legislative changes that preserve the integrity of the Williamson Act, eliminate abuses resulting in unjustified and premature conversions of contracted land for development, and to fully restore Williamson Act subventions. The state subventions to counties also must be revised to recognize all local tax losses.

Animal Services

6. SUPPORT efforts to protect local revenue sources designated for use by the Animal Services Department; i.e., animal licensing, fines and fees. *Fines, fees, and licensing are major sources of revenue for the Animal Services Department. The demand for animal services is increasing each year as does the demand on the General Fund. It is important to protect these revenue sources to continue to provide quality animal service and to meet local needs.*
7. SUPPORT efforts to protect or increase local control and flexibility over the scope and level of animal services. *Local control over the scope of animal services is necessary to efficiently address public safety and other community concerns. Local control affords jurisdictions the ability to tailor animal service programs to fit their communities. Animal related issues in dense urban areas vary from those in small, affluent communities.*
8. SUPPORT efforts to protect against unfunded mandates in animal services or mandates that are not accompanied by specific revenue sources which completely offset the costs of the new mandates, both when adopted and in future years. *Unfunded mandates drain our limited fiscal resources and, at the same time, chip away at local control over the scope and level of services.*
9. SUPPORT efforts to ensure full funding of State animal services mandates, including defense of the Department of Finance's lawsuit against the State Commission on Mandates regarding the State obligations for reimbursement of local costs for animal services incurred in compliance with SB 1785. *The County invested large sums of money to comply with SB 1785, with the assurance that our cost would be offset by reimbursements from the State. Failure by the State to honor the reimbursements negatively impacts the County General Fund and Animal Services' budget.*
10. SUPPORT efforts to protect and/or increase County flexibility to provide animal services consistent with local needs and priorities. *The demand for quality animal service programming continues to increase each year. The County is experiencing population growth and changing demographics. It is incumbent upon the Animal Services Department to be flexible enough to adjust to the changing needs and priorities.*
11. SUPPORT efforts to preserve the integrity of existing County policy relating to Animal Services (e.g., the Animal Control Ordinance and land use requirements). *Contra Costa is looked upon as one of the model Animal Services Departments in the state. Its policies, procedures, and ordinances are the yardstick against which other Animal Control organizations are measured. The local control exercised by the Board of Supervisors is key to that hallmark.*

Child Support Services

12. SUPPORT the establishment of a statewide electronic registry for the creation and release/satisfaction of liens placed on property of a non-custodial parent as necessary to collect delinquent child support payments. *California law currently provides that recording an abstract or notice of support judgment with a County Recorder creates a lien on real property. This requires recording the judgment in each of the 58 counties in order not to miss a property transaction. An electronic registry would simplify not only the creation of liens but also the release/satisfaction of liens because there would be a single statewide point of contact, and the entire process would be handled electronically through automated means.*
13. SUPPORT amendment of current law that states that documents completed and recorded by a local child support agency may be recorded without acknowledgement (notarization) to clarify that the exception is for documents completed or recorded by a local child support agency. *This amendment clarifies that documents that are prepared by the local child support agency and then sent for recording either by the local child support agency or by the obligor (non-custodial parent) or by a title insurance company are covered by the exemption, a technical point not acknowledged by all county recorder offices.*
14. SUPPORT efforts to simplify the court process for modifying child support orders by the court by requiring court appearances only when one of the parties objects to the modification. *Currently, establishment of parentage and support by the court is permitted without court appearance if both parties are in agreement. A similar process for modification would reduce court time, the workload of all involved agencies and parties, and streamline the process.*
15. SUPPORT efforts to ensure that the reduction to the California Department of Child Support Services is not passed down as a reduction to the local program.
16. SUPPORT efforts that would require the Department of Child Support Services to provide any notice form, information, or document that is required or authorized to be given, distributed, or provided to an individual, a customer, or a member of the public to be given, distributed, or provided in a digitized form, and by any means the Department determines is feasible, including, but not limited to, e-mail or by means of a website.

Climate Change

17. SUPPORT the CSAC *Climate Change Policy Statements and Principles* which address a broad range of issues affected by climate change, including water, air quality, agriculture, forestry, land use, solid waste, energy and health. *The document is largely based on existing CSAC policy and adapted to climate change. Additionally, the document contains a set of general principles which establish local government as a vital partner in the climate change issue and maintain that counties should be an active participant in the discussions in the development of greenhouse gas reduction strategies underway at the state and regional level.*

18. SUPPORT efforts to ensure that the implementation of AB 32 results in harmony between the greenhouse gas reduction target created by the Air Resources Board for each regional/local agency, the housing needs numbers provided by the state Department of Housing and Community Development pursuant to housing element law, and the Sustainable Communities Strategy developed through the Regional Transportation Plan processes.

19. SUPPORT legislative or administrative efforts that favor allocation of funding from the California Greenhouse Gas Cap and Trade Program to jurisdictions that are the largest emitters of greenhouse gas, have disadvantaged communities that are disproportionately affected by environmental pollution, have Natural Community Conservation Plans or similar land conservation efforts that will address climate change and have demonstrated a local commitment to climate protection (e.g. established emissions reduction targets, prepared Climate Action Plans, etc.). *The County has several good projects that would sequester carbon, such as Creek and wetland restoration projects.*

20. SUPPORT efforts to ensure life-cycle costs are considered when planning new projects in the state. A key challenge for State and local agencies is funding the ongoing operation and maintenance of infrastructure. This includes all aspects of the built environment: buildings, roads, parks, and other infrastructure. As California begins to implement more aggressive climate goals, the State should be thinking about new methodologies for anticipating project costs. In particular, it is evident that California will need a different transportation system than the one we have currently, and that this new transportation system will be more expensive to maintain. Traditional accounting methods that look only at initial project cost lead to situations where infrastructure fails, at greater replacement cost than if ongoing operation and maintenance had been included from the beginning. This would include methodologies for internalizing the social and environmental costs of projects.

21. SUPPORT revisions to the Public Resources Code and the Air Resources Board's Investment Plans to provide Cap and Trade funding for the conservation of natural lands, parks and open space through fee title acquisition as well as easements.

22. OPPOSE changes to the California Environmental Protection Agency's protocols for designating disadvantaged communities which result in a reduction in the number or size

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of disadvantaged communities in Contra Costa County. Disadvantaged communities are prioritized for receipt of Greenhouse Gas Reduction Funds, the funding source for a number of state grant programs. *Contra Costa County has a number of communities and neighborhoods that are economically and socially disadvantaged and located near large, current and former industrial sites. These industrial operations contribute through the Cap and Trade program to the Greenhouse Gas Reduction Fund. The state designations should continue to reflect the disproportionately acute needs of these communities.*

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Delta Water Platform

To protect the Sacramento-San Joaquin Delta from various detrimental forces that are affecting its health and resources, it is the policy of Contra Costa County to support implementation of projects and actions that will help improve the Delta ecosystem and the economic conditions of the Delta. Contra Costa County has adopted a *Delta Water Platform* to identify and promote activities and policy positions that support the creation of a healthy Sacramento-San Joaquin Delta. Contra Costa County will use this Platform to guide its own actions and advocacy in other public venues regarding the future of the Delta.

Elections

~~19-23.~~ SUPPORT legislation to adjust precinct sizing from 1,000 voters per precinct to 1,250 voters per precinct. *With the option of being able to have up to 1,250 voters per precinct, the best polling locations in a neighborhood can be selected, and that same site is more likely to be used for several elections, thus avoiding the need to change poll sites for voters.*

~~20-24.~~ SUPPORT full state reimbursement for state mandates imposed upon local registrars by the Secretary of State, including special state elections. *The state has committed to reimburse Counties for the cost of certain state mandates. That reimbursement process, SB 90, can be lengthy and contentious. The SB 90 process is also subject to uncertainties including partial payments, delayed payments, and now, suspended or no payments. In lieu of the SB 90 process for Elections, there is merit in the examination of having the state pay its pro-rata share of costs when state candidates/measures are on the ballot.*

~~21.~~ SUPPORT legislation that would add provisions to the state Elections Code that would allow special elections to fill a vacancy in a congressional or legislative district to be conducted by all mailed ballots at the county's discretion.

Comment [VT6]: SB 450 (Allen) was signed by the Governor and it permits all counties, starting in 2020, to conduct general elections by mail, subject to the standards therein

Emergency Preparedness, Emergency Response

~~22-25.~~ SUPPORT legislation that would give local agencies more authority to train volunteers, provide funding for Community Emergency Response Training (CERT), and help clean-up oil spills without taking on additional legal liability.

~~23-26.~~ SUPPORT legislation that would require the state's Oil Spill Prevention and Response Agency to improve communication and clean-up technology, increase safety standards for ships and establish special protections for ecologically sensitive areas.

~~24-27.~~ SUPPORT legislation that would require responses to future oil spills in a shorter timeframe, with a more regional approach.

- | ~~25-28.~~ SUPPORT measures that enable counties and other local agencies to better exercise their responsibilities to plan for and respond to emergencies and disasters without taking on additional legal liability and oppose those that do not recognize or support the county and local agency role in the State's Standardized Emergency Management System.
- | ~~26-29.~~ SUPPORT legislation or other measures requiring the creation or utilization of emergency rock stockpiles suitable for levee repair throughout the Delta, enabling increasingly efficient and less costly prevention of levee breaks and enhancement of initial response capabilities.
- | ~~27-30.~~ SUPPORT legislation that expands school safety improvement programs such as education regarding and placement of automated external defibrillator(s) (AED(s)) in schools.

Eminent Domain

- | ~~28-31.~~ SUPPORT legislation that maintains the distinction in the California Constitution between Section 19, Article I, which establishes the law for eminent domain, and Section 7, Article XI, which establishes the law for legislative and administrative action to protect the public health, safety, and welfare.
- | ~~29-32.~~ SUPPORT legislation that would provide a comprehensive and exclusive basis in the California Constitution to compensate property owners when property is taken or damaged by state or local governments, without affecting legislative and administrative actions taken to protect the public health, safety, and welfare.

Flood Control and Clean Water

- | ~~30-33.~~ SUPPORT authorization for regional approaches to comply with aquatic pesticide permit issues under the purview of the State Water Resources Control Board. *Contra Costa County entered into an agreement with a neighboring county and several cities to share the costs of monitoring. While it makes sense for local government to pool resources to save money, State Board regulations make regional monitoring infeasible.*
- | ~~31-34.~~ SUPPORT efforts to provide local agencies with more flexibility and options to fund stormwater programs. *Stormwater permit requirements issued by the Regional Water Quality Control Boards are becoming more and more expensive, yet there is no funding. Stormwater services, encompassing both water quality and drainage/flood control, could be structured like a utility with the ability to set rates similar to the other two key water services: drinking water and wastewater.*
- | ~~32-35.~~ SUPPORT efforts to provide immunity to local public agencies for any liability for their clean-up of contaminations on private lands. *This will be more critical as the Regional Water Quality Control Boards institute Total Maximum Daily Loads, which establish a maximum allowable amount of a pollutant (like mercury) in the stormwater from a watershed.*

~~33-36.~~ SUPPORT efforts to require the Department of Water Resources (DWR) to provide 200 year flood plain mapping for all areas in the legal Delta. SB 5 requires the County and cities in the Delta to insure certain development projects must have 200 year level of protection and to make certain related findings. *DWR has revisited developing ~~zoning~~ 200-year flood plain ~~mapping maps, and-but~~ if they do, only working in areas protected by project levees which does not include any areas within Contra Costa County.*

Comment [VT7]: Mitch Avalon, PW Consultant

~~34-37.~~ SUPPORT legislation to enable Zone 7 Water Agency to become a new public agency, separate and apart from the Alameda County Flood Control and Water Conservation District, with territory in both Alameda and Contra Costa counties and the power to provide specific services, insofar as the legislation is guided by adopted Principles of Understanding.

General Revenues/Finance

As a political subdivision of the State, many of Contra Costa County's services and programs are the result of state statute and regulation. The State also provides a substantial portion of the County's revenues. However, the State has often used its authority to shift costs to counties and to generally put counties in the difficult position of trying to meet local service needs with inadequate resources. While Proposition 1A provided some protections for counties, vigilance is necessary to protect the fiscal integrity of the County.

- | ~~35-38.~~ SUPPORT the State's effort to balance its budget through actions that do not adversely affect County revenues, services or ability to carry out its governmental responsibilities.
- | ~~36-39.~~ OPPOSE any state-imposed redistribution, reduction or use restriction on general purpose revenue, sales taxes or property taxes unless financially beneficial to the County. *(Note that a redistribution of sales and property tax may be beneficial to Contra Costa County in the event that sales tax growth lags behind property tax growth.)*
- | ~~37-40.~~ OPPOSE efforts to limit local authority over transient occupancy taxes (TOT).
- | ~~38-41.~~ OPPOSE any efforts to increase the County's share-of-cost, maintenance-of-effort requirements or other financing responsibility for State mandated programs absent new revenues sufficient to meet current and future program needs.
- | ~~39-42.~~ SUPPORT efforts to ensure that Contra Costa County receives its fair share of State allocations, including mental health funding under Proposition 63 and pass-through of federal funds for anti-terrorism and homeland security measures. *The State utilizes a variety of methods to allocate funds among counties, at times detrimental to Contra Costa County.*
- | ~~40-43.~~ SUPPORT efforts to receive reimbursement for local tax revenues lost pursuant to sales and property tax exemptions approved by the Legislature and the State Board of Equalization.
- | ~~41-44.~~ SUPPORT continued efforts to reform the state/local relationship in a way that makes both fiscal and programmatic sense for local government and conforms to the adopted 2010 CSAC Realignment Principles, with an emphasis on maximum flexibility for counties to manage the existing and realigned discretionary programs.
- | ~~42-45.~~ SUPPORT efforts to relieve California of the federal Child Support penalties without shifting the cost of the penalties to the counties.
- | ~~43-46.~~ SUPPORT a reduction in the 2/3rd vote requirement to 55% voter approval for locally-approved special taxes that fund health, education, economic, stormwater services, library, transportation and/or public safety programs and services.
- | ~~44-47.~~ SUPPORT efforts to authorize counties to impose forfeitures for violations of ordinances, as currently authorized for cities. *This would provide the County with the opportunity to*

require deposits to assure compliance with specific ordinance requirements as well as retain the deposit if the ordinance requirements are not met. Currently, the County is limited to imposing fines which are limited to only \$100 - \$200 for the first violation, which has proven to be an ineffective deterrent in some cases.

- ~~45-48.~~ SUPPORT efforts to redefine the circumstances under which commercial and industrial property is reassessed to reduce the growing imbalance between the share of overall property tax paid by residential property owners versus commercial/industrial owners.
- ~~46-49.~~ SUPPORT efforts to reduce County costs for Workers' Compensation, including the ability to control excessive medical utilization and litigation. *Workers' Compensation costs are significant, diverting funds that could be utilized for County services. Workers' Compensation should provide a safety net for injured employees, for a reasonable period of time, and not provide an incentive for employees to claim more time than medically necessary.*
- ~~47-50.~~ SUPPORT state actions that maximize Federal and State revenues for county-run services and programs.
- ~~48-51.~~ SUPPORT legislative compliance with both the intent and language of Proposition 1A.
- ~~49-52.~~ SUPPORT the provisions of Proposition 22 that would protect County revenues, particularly as related to transportation revenues and excluding those provisions related to redevelopment funds.
- ~~50-53.~~ SUPPORT full State funding of all statewide special elections, including recall elections.
- ~~51-54.~~ OPPOSE efforts of the State to avoid state mandate claims through the practice of repealing the statutes, then re-enacting them. *In 2005, the State Legislature repealed sections of the Brown Act that were subject to mandate claims, then re-enacted the same language pursuant to a voter-approval initiative, and therefore, not subject to mandate claims.*
- ~~52-55.~~ SUPPORT strong Public Utilities Commission (PUC) oversight of state-franchised providers of cable and telecommunications services, including rigorous review of financial reports and protection of consumer interests. *AB 2987 (Núñez), Chapter 700, statutes of 2006 transferred regulatory oversight authority from local government to the PUC.*
- ~~53-56.~~ SUPPORT timely, full payments to counties by the State for programs operated on their behalf or by mandate. *The State currently owes counties over \$1 billion in State General Funds for social services program costs dating back to FY 2002-03.*
- ~~54-57.~~ SUPPORT full State participation in funding the County's retiree and retiree health care unfunded liability. *Counties perform most of their services on behalf of the State and*

Federal governments. Funding of retiree costs should be the responsibility of the State, to the same extent that the State is responsible for operational costs.

- ~~55-58.~~ SUPPORT legislation that provides constitutional protections and guaranteed funding to counties under Realignment.

Health Care

The County remains concerned about the implementation of any health care reform measures that could transfer responsibility to counties, without commensurate financing structures or in a manner not compatible with the County's system. The County supports a concept of universal health coverage for all Californians. Toward that end, the County urges the state to enact a system of health coverage and care delivery that builds upon the strengths of the current systems in our state, including county-operated systems serving vulnerable populations.

Currently, California has a complex array of existing coverage and delivery systems that serve many, but not all, Californians. Moving this array of systems into a universal coverage framework is a complex undertaking that requires sound analysis, thoughtful and deliberative planning, and a multi-year implementation process. As California moves forward with health care reform, the County urges the state to prevent reform efforts from exacerbating problems with existing service and funding. The state must also consider the differences across California counties and the impacts of reform efforts on the network of safety-net providers, including county providers. The end result of health reform must provide a strengthened health care delivery system for all Californians, including those served by the safety net.

- ~~56-59.~~ SUPPORT state action to increase health care access and affordability. *Access to care and affordability of care are critical components of any health reform plan. Expanding eligibility for existing programs will not provide access in significant areas of the state. Important improvements to our current programs, including Medi-Cal, must be made either prior to, or in concert with, a coverage expansion in order to ensure access. Coverage must be affordable for all Californians to access care.*
- ~~57-60.~~ SUPPORT Medi-Cal reimbursement rate increases to incentivize providers to participate in the program.
- ~~58-61.~~ SUPPORT actions that address provider shortages (including physicians, particularly specialists, and nurses). Innovative programs, such as loan forgiveness programs, should be expanded. In an effort to recruit physicians from other states, the licensing and reciprocity requirements should be re-examined. Steps should be taken to reduce the amount of time it takes to obtain a Medi-Cal provider number (currently six to nine months).
- ~~59-62.~~ SUPPORT efforts that implement comprehensive systems of care, including case management, for frequent users of emergency care and those with chronic diseases and/or dual (or multiple) diagnoses. *Approaches could be modeled after current programs in place in safety net systems.*
- ~~60-63.~~ SUPPORT efforts that provide sufficient time for detailed data gathering of current safety funding in the system and the impact of any redirection of funds on remaining county responsibilities. *The interconnectedness of county indigent health funding to public*

health, correctional health, mental health, alcohol and drug services and social services must be fully understood and accounted for in order to protect, and enhance as appropriate, funding for these related services.

- ~~61-64.~~ OPPOSE safety net funding transfers until an analysis of who would remain uninsured (e.g. medically indigent adults, including citizens, who cannot document citizenship under current Medicaid eligibility rules) is completed in order to adequately fund services for these populations.
- ~~62-65.~~ SUPPORT efforts to clearly define and adequately fund remaining county responsibilities.
- ~~63-66.~~ SUPPORT state action to provide an analysis of current health care infrastructure (facilities and providers), including current safety net facilities across the state, to ensure that there are adequate providers and health care facilities (including recovery facilities), and that they can remain viable after health reform.
- ~~64-67.~~ SUPPORT efforts to provide adequate financing for health care reforms to succeed.
- ~~65-68.~~ SUPPORT measures that maximize federal reimbursement from Medicaid and S-CHIP.
- ~~66-69.~~ SUPPORT state action to complete actuarial studies on the costs of transferring indigent populations, who currently receive mostly episodic care, to a coverage model to ensure that there is adequate funding in the model.
- ~~67-70.~~ SUPPORT efforts that ensure that safety net health care facilities remain viable during the transition period and be supported afterwards based on analyses of the changing health market and of the remaining safety net population.
- ~~68-71.~~ SUPPORT state action to implement a Medi-Cal waiver in a manner that maximizes the drawdown of federal funds for services and facilities, provides flexibility, and ensures that counties receive their fair share of funding.
- ~~69-72.~~ SUPPORT efforts to increase revenues and to contain mandated costs in the County's hospital and clinics system.
- ~~70-73.~~ SUPPORT efforts to obtain a fair-share of any state funds in a distribution of funding for the integration of IHSS and managed care.
- ~~71-74.~~ SUPPORT efforts to increase the availability of health care (including alcohol and other drugs recovery) to the uninsured in California, whether employed or not.
- ~~72-75.~~ SUPPORT legislation that improves the quality of health care, whether through the use of technology, innovative delivery models or combining and better accessing various streams of revenue, including but not limited to acute and long term care integration.

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- | ~~73-76.~~ SUPPORT legislation to protect safety net providers, both public and private. Legislation should focus on stabilizing Medi-Cal rates and delivery modes and should advocate that these actions are essential to the success of any effort to improve access and make health care more affordable.
- | ~~74-77.~~ SUPPORT efforts that allow counties to draw down federal Medicaid funds for providing confidential alcohol and drug screening and brief intervention services to pregnant women and women of childbearing age who also qualify for Medi-Cal benefits.
- | ~~75-78.~~ SUPPORT state efforts to increase the scope of benefits and reimbursement rates contained in Minor Consent Medi-Cal to give youth suffering from substance abuse disorders access to a continuum of care, including residential and one-on-one outpatient treatment.
- | ~~76-79.~~ SUPPORT efforts to give incentives to providers to establish more youth-driven treatment facilities within the community.
- | ~~77-80.~~ SUPPORT efforts to extend Minor Consent Medi-Cal Coverage to incarcerated youths, many of whom are in custody due to drug related crimes. *This could greatly decrease recidivism in the juvenile justice system.*
- | ~~78-81.~~ SUPPORT county efforts in the promotion of partnerships that provide integrated responses to the needs of alcohol and other drugs populations, including criminal justice, perinatal and youth as well as those populations with co-occurring disorders.
- | ~~79-82.~~ SUPPORT and encourage the development of strategies that include alcohol and other drugs services in the provision of all culturally appropriate health care services.
- | ~~80-83.~~ SUPPORT efforts to require coverage of medically necessary alcohol and substance abuse related disorder treatment on the same levels as other medical conditions in health care service plans and disability insurance policies. *Alcohol and other drugs treatment services are the most under-funded of all health services. Neither the state nor the federal allocations to the County covers medical treatment for AOD services, and so are a cost borne by the County.*
- | ~~81-84.~~ SUPPORT legislation that extends the restrictions and prohibitions against the smoking of, and exposure to, tobacco products to include restrictions or prohibitions against electronic cigarettes (e-cigarettes) in various places, including, but not limited to, places of employment, school campuses, public buildings, day care facilities, retail food facilities, multi-family housing, and health facilities; preventing the use of tobacco, electronic smoking devices (e-cigarettes) and flavored tobacco by youth and young adults; eliminating exposure to second-hand and third-hand smoke; restrictions on advertising of electronic smoking devices; reducing and eliminating disparities related to tobacco use and its effects among specific populations; increasing the minimum age to 21 to purchase tobacco products; and the promotion of cessation among young people and adults.

Comment [VT8]: Dan Peddycord, Public Health

~~82-85.~~ SUPPORT and encourage state, federal and/or private funding for pharmaceutical research for the development of new cannabis products which would meet Federal Drug Administration (FDA) standards of known strengths and attributes (and without unnecessary side effects) which would be dispensable through pharmacies and medical facilities consistent with State and Federal law.

~~83-86.~~ SUPPORT funding and policy changes to support population-based chronic disease prevention efforts. Collectively, these include efforts to move up-stream from the treatment of illness associated with chronic disease to advance a policy, systems and organizational-change approach to address the underlying environmental factors and conditions that influence health and health behaviors.

~~84-87.~~ SUPPORT efforts that would advance a Health-In-All-Policies approach to policy work done across the County. This implies consideration of how health is influenced by the built environment and a connection with land use planning and development.

~~85-88.~~ SUPPORT ongoing study of the health impacts of global and regional climate change and ongoing countywide mitigation and adaptation efforts.

Comment [VT9]: Dan Peddycord, Public Health

~~86-89.~~ SUPPORT efforts that would preserve the nature and quality and continuity of care associated with ~~of~~ safety net services historically provided at the local level, such as the California Children's Services (CCS) and Child Health and Disability Prevention (CHDP) programs, which are being transitioned into managed care at the state level.

Comment [VT10]: Dan Peddycord, Public Health

~~87-90.~~ SUPPORT maintaining level or enhanced funding, streamlined processes and greater flexibility for use of State and Federal funding to respond to Public Health Emergency Preparedness initiatives including Pandemic Influenza, emerging diseases, and continued funding for all categories related to Public Health Preparedness, including Hospital Preparedness Program, Homeland Security, Cities Readiness Initiative and core Public Health Preparedness.

Comment [VT11]: Dan Peddycord, Public Health

~~88-91.~~ SUPPORT increased funding and policy changes for Tuberculosis (TB) prevention and treatment, to reflect the increased risk of transmission faced across the Bay Area. *The Bay Area, including Contra Costa County, experiences more cases of active Tuberculosis than do most states in the nation. The demographic make-up of our communities combined with frequent international travel between the Bay and areas where TB is endemic, present an added risk and thus the need to maintain adequate funding and program infrastructure.*

~~89-92.~~ SUPPORT increased funding for the public health infrastructure, capacity and prevention services as outlined in the public health components of the Affordable Care Act and the National Prevention and Public Health Fund.

Comment [VT12]: Dan Peddycord, Public Health

90-93. SUPPORT recognition of Local Public Health Departments as an authorized provider for direct billing reimbursement related to the provision of Immunization, Family Planning, HIV, STD and TB services.

Comment [VT13]: Dan Peddycord, Public Health

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91-94. SUPPORT the reversal of the pre-emption language regarding local Menu-Labeling that is included in the Affordable Care Act.

92-95. SUPPORT enhanced funding and capacity for public health programs, specifically:

- a. Prevention programs in the areas of chronic disease, specifically, obesity, diabetes, asthma and cancer.
- b. Prevention and risk reduction programs in the area of HIV, STD, teen pregnancy, injury prevention as well as health promotion programs, such as nutrition and activity education;
- c. Oral health programs, especially those which address the needs of children and those with oral health disparities.
- ~~a. Prevention programs in the areas of chronic disease, specifically oral health, obesity, diabetes, cancer, teen pregnancy and injury prevention as well as health promotion programs, such as nutrition and activity education;~~
- ~~b.d. Protecting the Prevention and Public Health Fund (PPHF), as established in the Affordable Care Act.~~
- ~~e.e. Increased resources dedicated to surveillance and prevention programs targeting chronic diseases such as cardiovascular, stroke, cancer, diabetes, and asthma, as well as injury and violence;~~
- ~~d.f. Combating infectious and emerging diseases, such as Zika, novel Influenza, Hepatitis B, Hepatitis C, Chlamydia, and seasonal Influenza and public health programs which providing-provide screening, diagnosis, and treatment;~~
- ~~e.g. Provide for adequate State funding for children's programs, including the California Children's Services (CCS) program for clients who are not Medi-Cal eligible to assure that counties are not overmatched in their financial participation; and~~
- h. Programs which seek to monitor and address the needs of Foster youth, especially those on psychotropic medication.
- i. Best practice programs which seeks to protect and enhance the health of pregnant women and that address maternal, child and adolescent health needs.
- ~~f. Programs which seek to limit the effects of injury, violence and abuse on children and adults.~~

Comment [VT14]: Dan Peddycord, Public Health

93-96. SUPPORT efforts to strengthen needle exchange programs as part of an overall program to combat the spread of HIV and other diseases; allowing items associated with needle exchange programs such as, cookers, sterile water, and cotton to be distributed along with clean needles; and the elimination of the federal ban on funding needle exchange programs.

94-97. SUPPORT legislative efforts to reduce or eliminate lead and toxic substances in consumer products, particularly those used by infants and children.

98. SUPPORT legislative efforts to reduce exposure to toxic air pollutants and the reduction of CO₂ emissions greenhouse gases.
- 95,99. SUPPORT funding, policy and programs dedicated to suicide, injury and violence prevention. Additionally, support efforts aimed at reducing health disparities and inequities associated with violence against women, communities of color and the LGBT community. Programs which seek to limit the effects of injury, violence and abuse on children, seniors and persons with disability.
96. ~~SUPPORT funding, policy and programs dedicated to suicide and violence prevention.~~
- 97,100. SUPPORT funding, policy and program development aimed at reducing the misuse of prescription drugs, most especially opioids. Additionally, support funding and resources for local capacity to address new state laws regarding restrictions on the sale and use of powdered alcohol. restrictions on the sale and use of powdered alcohol, which can lead to unsafe levels of intoxication if it is mixed incorrectly or ingested in its powdered form.
- 98,101. SUPPORT necessary County infrastructure and adequate funding related to education, regulatory, testing the support and enforcement functions of newly passed associated with the State Medical Marijuana regulatory controls.
102. SUPPORT legislation such as AB 1357 and/or similar policy efforts to tax certain beverages that contain added sugars, by establishing a per fluid ounce health impact fee on sugar sweetened beverages at the distributor level. In addition, support SB 203, a two year bill, or similar efforts which would create the Sugar Sweetened Beverage Safety warning act, which would require a safety warning on all sealed sugar sweetened beverages.
- 99,103. SUPPORT legislation and efforts that support healthy meals and adequate meal time for school-age children.
100. ~~SUPPORT legislation such as AB 292 (Santiago) and/or similar efforts that support healthy meals and adequate meal time for school age children. The bill would require school districts, in addition to providing a nutritionally adequate free or reduced price meal for each needy pupil each school day, to ensure that each of the schools in their respective jurisdictions makes available to its pupils adequate time to eat after being served lunch. The bill would declare that the State Department of Education specifies that an adequate time to eat school lunch is 20 minutes after being served. The bill would require a school that determines, upon annual review of its bell schedule, that it is currently not providing pupils with adequate time to eat, to identify and develop a plan to implement, in consultation with the school district, ways to increase pupils' time to eat lunch.~~
101.
104. SUPPORT efforts to dedicate funding that sustains and expands non-infrastructure Safe Routes to School programs that educate students, parents, and school staff about safe walking and bicycling to school.

105. Support efforts to address the underlying determinants of health and health equity, such as housing and prevention of displacement, educational attainment and livable wage jobs.

Comment [VT15]: Dan Peddycord, Public Health

Human Services

~~102.~~106. SUPPORT efforts to promote safety of Adult Protective Services workers conducting required unannounced home visits by allowing them to request and receive from law enforcement criminal record checks through the California Law Enforcement Telecommunications System (CLETS). *This would primarily be used for reported abusers in the household.*

~~103.~~107. SUPPORT efforts to develop emergency/and or temporary shelter options for Adult Protective Services population and consider options that include but are not limited to, licensing of facilities specifically for this population and exploring Medi-Cal billing options to support clients in hospitals and other care facilities pending a more permanent housing placement.

~~104.~~108. SUPPORT simplification of IHSS service hour calculation and allocation to insure compliance with the Fair Labor Standards Act (FLSA) and efficiently provide services to consumers.

~~105.~~109. SUPPORT efforts that seek to identify and eliminate elder financial abuse and elder exposure to crime that may be committed through conservatorships, powers of attorney, notaries and others who have the right to control elder assets, including through solutions that allow access for Adult Protective Services to access financial records for investigation of financial abuse and exploitation. *Financial abuse is a fast-growing form of abuse of seniors and adults with disabilities and current law does not authorize financial institutions to grant access to financial records necessary to investigate the reported abuse without the consent of the account holder or authorized representative.*

~~106.~~110. SUPPORT efforts to establish an “umbrella code” for the reporting of incidents of elder abuse to the Department of Justice, thus more accurately recording the incidence of abuse. Current reporting policies within California’s law enforcement community and social services departments are uncoordinated in regards to the reporting of adult abuse. Under an “umbrella code,” law enforcement agencies and social services departments would uniformly report incidents of elder abuse and California would have much better data for policy and budget development purposes.

~~107.~~111. SUPPORT funding for statewide Adult Protective Services training.

112. SUPPORT establishing a State funded and administered General Assistance Program. *The General Assistance Program is 100% County funded. Moving it to the State would relieve pressure on the County budget and appropriately direct costs to the State.*

~~108.113.~~ SUPPORT legislative efforts that allow for coordination of services and data across state and county Departments that support aging and elder populations.

Comment [VT16]: Susan Jeong, EHSD

~~109.~~ SUPPORT legislation that authorizes juvenile courts to deny reunification services to a parent who has knowingly engaged in or consented to the sexual exploitation of the child.

Comment [VT17]: Susan Jeong, EHSD

~~110.114.~~ SUPPORT efforts to extend family stabilization mental health/substance abuse funding to include all family members. *Current law only funds services for adult Welfare to Work participants.*

~~111.~~ SUPPORT revision of CalWORKs Program regulations to eliminate the Welfare to Work 24 Month Time Clock in order to provide clients with a full 48 months to participate in Welfare to Work activities.

Comment [VT18]: Susan Jeong, EHSD

~~112.115.~~ SUPPORT solutions to address gaps in existing state statute that cause disruptions to continuity of care for some Covered California Insurance Affordability Program (IAP) enrollees when a new determination of IAP takes place.

~~113.116.~~ SUPPORT the use of state funds to pay for CalFresh benefits for those Deferred Action for Childhood Arrivals (DACAs) who would otherwise be ineligible for CalFresh.

~~114.117.~~ SUPPORT efforts to extend eligibility to zero share of Medi-Cal cost when recipients report new earned income. *Potential increases to state and local minimum wage impacts eligibility to free health care.*

~~115.~~ SUPPORT efforts to increase CalFresh participation by eliminating Gross Income Test for all applicants, exempting Veteran's Benefits from any income test, increasing shelter deduction to average rate based on County of Residence (varied across State), and eliminating countable resources and/or expanding Modified Categorically Eligible regulations to all households.

~~116.~~ SUPPORT efforts to simplify the CalFresh application process through the creation of a statewide telephonic and electronic signature system to reduce denials and discontinuances due to failure to provide.

Comment [VT19]: Susan Jeong, EHSD

~~117.118.~~ SUPPORT efforts to extend eligibility of CalWORKs benefit by exempting the first 6 months of earned income received from new employment or wage increases. *Intended to create better financial stability when a family's income increases due to changes in local and state minimum wage law.*

~~118.119.~~ SUPPORT fully funding Medi-Cal Administrative costs.

~~119.120.~~ SUPPORT efforts to increase County flexibility in the use of CalWORKs funds and in program requirements in order to better support the transition of welfare dependent families from welfare-to-work to self-sufficiency, including, but not limited to: extending

supportive services beyond the current limit; enhancing supportive services; increasing diversion and early intervention to obviate the need for aid.

Legislative changes to support these initiatives could include the following:

- a. **Supportive Services.** Extending the length of time CalWORKS recipients can receive supportive service such as help with transportation, child care, work uniforms, etc.
- b. **Welfare to Work.** Extending the length of time families can receive Welfare to Work services (job training and search and other employment related services) including job retention services. Currently CalWORKS recipients are eligible to receive supportive services and Welfare to Work services for up to 48 months if they are in compliance with CalWORKS rules. After 48 months these services or for CalWORKS cash aid. Helping people move from poverty and significant education gaps to full time employment in jobs that pay a high enough wage to be self-sufficient is difficult. It can take longer than 48 months and allowing for the flexibility to extend supportive services and training past the 48 month time limit would help.
- c. **Diversion:** Removing the criteria that someone has to be apparently eligible to CalWORKs in order to qualify for diversion and base the criteria on the client's circumstance and ability to maintain the situation on their own without the need of continued assistance.
 - When applying income and resource requirements for diversion, use only half of their income and/or resource value or increase the limits for income and resources for diversion only.
 - Increasing the amount of the diversion payment. If the applicant doesn't "use" all of the amount, they have 12 months to come back into the office and apply for the remaining amount of their diversion payments.
 - Allowing families to reapply for CalWORKs during their diversion period without a repayment penalty or CalWORKs ineligibility.
- d. Expanding job retention services;
- e. Exempting the hard-to-serve from Welfare-to-Work activities and the 20% exemption or providing flexibility in the time limit (dependent upon terms and conditions of TANF authorization). Developing an eligibility definition to 250% of the federal poverty level (FPL). Currently, the CalWORKs poverty level is 130% of the FPL for each Assistance Unit (AU). An increase to 250% would ensure more families meet income eligibility requirements.

All of these measures would make it easier for CalWORKs families to enter employment services, become employed, and continue with the support they need in order to maintain their jobs.

~~120-121.~~ SUPPORT efforts to revise the definition of “homelessness” in the Welfare & Institutions Codes to include families who have received eviction notices due to a verified financial hardship, thus allowing early intervention assistance for CalWORKs families. *Current law prevents CalWORKs from providing homeless assistance until the CalWORKs family is actually “on the street.” This rule change would enable the County to work with CalWORKs families who are being threatened with homelessness to prevent the eviction and, presumably, better maintain the family members’ employment status.*

~~121-122.~~ SUPPORT alignment of verification requirements for CalWORKs, CalFRESH and Medi-Cal programs to simplify the customer experience and reduce the potential for error. Consider letting all programs access the Federal Hub used through CalHEERS. *Currently these programs have different requirements for client verification, though they are all benefit programs. Alignment of verifications would make program administration more efficient and improve the client experience.*

~~122-123.~~ SUPPORT allowing all individuals in receipt of Unemployment Benefits (UIB) to be automatically eligible for CalFresh. *Applying for UI and CalFresh is duplicative because requirements of both program are so similar. This would increase CalFresh uptake in an efficient way.*

124. SUPPORT efforts to increase CalFresh benefit amounts to better meet recipients’ nutritional needs, improve ease and accessibility of the CalFresh application and recertification processes, and adjust CalFresh eligibility requirements to include currently excluded populations with significant need.

~~123-125.~~ SUPPORT efforts to restore cuts to the Supplemental Security Income/State Supplementary Payment (SSI/SSP) Program and reinstate the annual Cost of Living Adjustment (COLA.)

Comment [VT20]: Susan Jeong, EHSD

~~124-126.~~ SUPPORT efforts to ensure funding of child care for CalWORKs and former CalWORKs families at levels sufficient to meet demand. The State of California has not fully funded the cost of child care for the “working poor.” *Additional funding would allow more CalWORKs and post-CalWORKs families to become and/or stay employed.*

~~125-127.~~ SUPPORT the efforts of CHSA (California Head Start Association) in securing legislation to support a state-wide integrated child care licensing structure. This will allow childcare programs to apply for and have one child care license for all children 0-5 as opposed to the current system of a two-license structure for varying ages of children in care. California remains only one of two states in the nation to maintain the two license structure.

~~126-128.~~ OPPOSE legislation, rules, regulations or policies that restrict or affect the amount of funds available to, or the local autonomy of, First 5 Commissions to allocate their funds in accordance with local needs.

- ~~127~~.129. _____ OPPOSE any legislation that increases tobacco taxes but fails to include language to replace any funds subsequently lost to The California Children and Families Act/Trust Fund for local services funded by tobacco taxes, Proposition 10 in 1998 and Proposition 99 in 1988.
- ~~128~~.130. _____ SUPPORT efforts by the Contra Costa County’s executive directors and program administrators of all Child Care and Development Programs to restore state budget allocations to the FY 2009-10 levels if verified that this is an increase by fiscal analysts for the California State Preschool Program (CSPP), California Center-Based General Child Care Program (CCTR), CalWORKs Stage 2 (C2AP), CalWORKs Stage 3 (C3AP), Alternate Payment Program (CAPP), Child Care and Development Grant and the Child Care Retention Program (AB 212). *Budgets in these programs have stagnated or reduced. An increase would greatly help low-income people find work and stay in jobs.*
- ~~129~~.131. _____ SUPPORT efforts to increase the number of subsidized child care slots to address the shortage of over 20,000 slots serving children 0-12 years of age in Contra Costa County; and SUPPORT efforts to enhance the quality of early learning programs and maintain local Quality Rating and Improvement Systems (QRIS) for early learning providers. *Affordable child care is key to low-income workers remaining employed and there is a significant dearth of subsidized child care slots. Increasing quality of early learning is important to developing skills in the next generation.*
- ~~130~~.132. _____ SUPPORT legislation to expand early child care and education and increase funding for preschool and early learning.
- ~~131~~.133. _____ SUPPORT the restoration of funding for Facility Restoration and Repair (FRR) grants by California Department of Education. *Increasing the funding amounts for facility restoration of early childhood education would allow for improved facilities at Head Start sites.*
134. SUPPORT legislation to expand early care and education and increase funding for preschool and early learning, through a diverse and multi-faceted delivery system.
135. SUPPORT restoration of child development programs (pre-2011 funding) under Proposition 98 funding.
136. Support legislation that would clarify and streamline the definition of homelessness across categorical eligibility for child care services to homeless children.
137. Support legislation that would clarify the definition of “volunteer” in SB 792. Current law does not specify an established minimum of time spent in a child care facility to be considered a volunteer. SB 792, therefore, would apply to parents/grandparents coming to child care centers for one-time volunteer activities, to provide proof of vaccination.
138. SUPPORT the establishment of a 12-month child care assistance and graduated phase out that allows for tapered assistance to families whose income has increased at the time of

re-determination, but still does not exceed the federal income limit of 85% of State Median Income.

Comment [VT21]: Susan Jeong, EHSD

~~132,139.~~ SUPPORT continued and improved funding for substance abuse treatment and mental health services including those that provide alternatives to incarceration and Laura's Law.

140. SUPPORT increased funding for Foster Parent Recruitment and Retention.

141. SUPPORT continued and improved funding for implementation of Continuum of Care Reform.

142. SUPPORT counties to access CWS/CMS to determine family's child abuse history for the Resource Family Approval process.

143. SUPPORT efforts to improve and expand emergency food assistance networks' (e.g. local food banks, food pantries) ability to procure, store, and distribute nutritious food to those in need.

144. SUPPORT efforts that seek to address the impact of domestic violence and sexual assault and implement culturally relevant, trauma-informed responses, connect victims to services, and prevent domestic violence and sexual assault.

145. SUPPORT increased investments in housing for victims of domestic violence and human trafficking including the preservation of emergency and long-term housing options for victims.

146. SUPPORT efforts that prevent domestic violence homicide including assessment of risk for assault or lethal force throughout the criminal justice system.

~~133,147.~~ SUPPORT investments in continuous training and coordination of training for all law enforcement officers, District Attorneys, Public Defenders, Judges and other court staff on issues of domestic violence, sexual assault, human trafficking, elder abuse and trauma informed approaches.

Comment [VT22]: Susan Jeong, EHSD

~~134.~~ SUPPORT expanding CalWORKs Homeless Services Program.

~~135.~~ SUPPORT eliminating the Maximum Family Grant (MFG) Rule. MFG prevents families from receiving benefits for children conceived and born while receiving CalWORKs benefits.

Comment [VT23]: Susan Jeong, EHSD

Indian Gaming Issues

Contra Costa County is currently home to the Lytton Band of the Pomo Indians' Casino in San Pablo, a Class II gaming facility. There ~~is also~~has been a proposal for an additional casino in North Richmond. Local governments have limited authority in determining whether or not such facilities should be sited in their jurisdiction; the terms and conditions under which the facilities will operate; and what, if any, mitigation will be paid to offset the cost of increased services and lost revenues. Contra Costa County has been active in working with CSAC and others to address these issues, as well as the need for funding for participation in the federal and state review processes and for mitigation for the existing Class II casino.

~~136.~~148. SUPPORT efforts to ensure that counties who have existing or proposed Class II Indian gaming facilities receive the Special Distribution Funds.

~~137.~~149. CONSIDER, on a case by case basis, whether or not to SUPPORT or OPPOSE Indian gaming facilities in Contra Costa County, and only SUPPORT facilities that are unique in nature and can demonstrate significant community benefits above and beyond the costs associated with mitigating community impacts.

~~138.~~150. OPPOSE the expansion or approval of Class III gaming machines at the existing gaming facility in Contra Costa County unless it can be demonstrated that there would be significant community benefits above and beyond the costs associated with mitigating community impacts.

~~139.~~151. SUPPORT State authority to tighten up the definition of a Class II machine.

~~140.~~152. SUPPORT State legislative and administration actions consistent with the CSAC policy documents on development on Indian Lands and Compact negotiations for Indian gaming.

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Land Use/Community Development

~~141.~~153. SUPPORT efforts to promote economic incentives for "smart growth," in Priority Development and Priority Production Areas including in-fill and transit-oriented development. *Balancing the need for housing and economic growth with the urban limit line requirements of Measure J (2004) will rely on maximum utilization of "smart growth" and Sustainable Community Strategy principles.*

Comment [VT24]: John Cunningham, TWIC

~~142.~~154. SUPPORT efforts to increase the supply of affordable housing, including, but not limited to, state issuance of private activity bonds, affordable and low income housing bond measures, low-income housing tax credits and state infrastructure financing. *This position supports a number of goals in Goals 2, 3 and 4 of the County General Plan Housing Element.*

Comment [VT25]: John Kopchik, DCD

~~143.~~155. SUPPORT establishment of a CEQA exemption for affordable housing financing. Current law provides a statutory exemption from CEQA to state agencies for financing of affordable housing (Section 21080.10(b) of the California Public Resources Code and Section 15267 of the CEQA Guidelines)—but not to local agencies. *The current exemption for state agencies is only operational if a CEQA review process has been completed by another agency (e.g., by the land use permitting agency). Since the act of financing does not change the environmental setting, the net effect of the exemption is streamlining the process for providing financial assistance for already approved projects. AB 2518 (Houston) in 2006 was a Contra Costa County-sponsored bill to accomplish this, but it was not successful in the Legislature.*

~~144.~~156. SUPPORT efforts to obtain a CEQA exemption or to utilize CEQA streamlining provisions for infill development or Priority Development Areas, including in unincorporated areas. Section 15332 of the CEQA Guidelines is a Categorical Exemption for infill development projects but only within cities or unincorporated areas of a certain size surrounded by cities. *Without the exemption, housing projects in the unincorporated areas that are not surrounded by cities (e.g. North Richmond, Montalvin Manor and Rodeo) are subject to a more time-consuming and costly process in order to comply with the CEQA guidelines than that which is required of cities, despite having similar housing obligations. The CEQA exemption bill signed by the Governor in 2013 (SB 741) only applies to mixed-use or non-residential projects in the unincorporated areas that are both within ½ mile of a BART station and within the boundaries of an adopted Specific Plan.*

~~145.~~157. SUPPORT efforts to reform State housing element law to promote the actual production and preservation of affordable housing and to focus less on process and paper compliance.

~~146.~~158. OPPOSE efforts to limit the County's ability to exercise local land use authority.

~~147.~~159. SUPPORT efforts to reduce the fiscalization of land use decision-making by local government, which favors retail uses over other job-creating uses and housing. *Reducing incentives for inappropriate land use decisions, particularly those that negatively affect neighboring jurisdictions, could result in more rational and harmonious land use.*

~~148.~~160. SUPPORT allocations, appropriations, and policies that support and leverage the benefits of approved Natural Community Conservation Plans (NCCPs), such as the East Contra Costa County NCCP. Support the granting of approximately \$24 million to the East Contra Costa County NCCP from the \$90 million allocation for NCCPs in Proposition 84. Support the inclusion of NCCPs for funding in allocations from

Proposition 1. Support \$90 million for implementation of NCCPs and an additional \$100 million for watershed protection and habitat conservation in future park, water or natural resource bonds. Support the position that NCCPs are an effective strategy for addressing the impacts of climate change and encourage appropriate recognition of the NCCP tool in implementation of climate change legislation such as SB 375, AB 32 as well as an appropriate tool for spending CAP-Cap and Trade revenues. Promote effective implementation of NCCPs as a top priority for the California Department of Fish and Wildlife. Support an increase to \$1.6 million for the California Department of Fish and Wildlife's Local Assistance Grant program. Support efforts to streamline implementation of NCCPs including exemptions from unnecessary regulatory oversight such as the Delta Plan Covered Actions process administered by the Delta Stewardship Council. Support alignment of State and Regional of Water Board permits (Section 401 clean water act and storm water permits) and California Department of Fish and Wildlife Streambed Alteration Agreement (Section 1602 of the Fish and Game code) and other State natural resource permitting with California Endangered Species Act permitting through NCCPs to improve the overall efficiency, predictability and effectiveness of natural resource regulation.

Comment [VT26]: John Kopchik, DCD

~~149.161.~~ SUPPORT legislation that would give local agencies specific tools for economic development purposes in order to enhance job opportunities, with emphasis on attracting and retaining businesses, blight removal and promoting smart growth and affordable housing development, while balancing the impacts on revenues for health and safety programs and healthy communities.

~~150.~~ ~~OPPOSE legislation that would create substantial uncertainty over the tax allocation bonds issued by redevelopment agencies and possible negative credit impact.~~

Comment [VT27]: John Kopchik

~~151.162.~~ SUPPORT legislation that would resolve the administrative funding gap for agencies serving as the Successor Housing Agency. Such legislation should not have a negative impact on the localities' general fund. The Redevelopment Dissolution Act allows Successor Agencies a modest allowance of tax increment funds to support Successor Agency administrative costs. There is no such carve out for Housing Successors. However, unlike Successor Agencies, Housing Successors have an ongoing obligation to monitor existing affordable housing developments. These obligations will continue for up to 55 years.

~~152.163.~~ SUPPORT legislation that would clarify the ability of successor agencies to former redevelopment agencies to enter into contracts with its sponsoring jurisdiction and third parties to fulfill enforceable obligations. *The existing redevelopment dissolution statute limits the contracting powers of successor agencies which is causing delays in their ability to expeditiously retire certain enforceable obligations of the former redevelopment agencies.*

~~153.164.~~ SUPPORT legislative and regulatory efforts that streamline compliance with the California Environmental Quality Act (CEQA) by integrating it with other environmental protection laws and regulations, modifying the tiering of environmental reviews,

expanding the application of prior environmental reviews, focusing areas of potential CEQA litigation, and enhancing public disclosure and accountability.

~~154.165.~~ 165. OPPOSE CEQA reform efforts that reduce environmental protections for projects that cross county or city boundaries.

~~155.166.~~ 166. SUPPORT efforts to improve or streamline CEQA for efficiency without losing sight of its ultimate goal to thoroughly identify environmental impacts and mitigations.

~~156.167.~~ 167. OPPOSE efforts to change CEQA solely to accommodate one particular infrastructure project or set of projects.

~~157.168.~~ 168. SUPPORT legislation that amends Section 20133 of the Public Contract Code to 1) delete the existing sunset date of July 1, 2014 for design-build authority granted to counties, and 2) eliminate the current project cost threshold of \$2.5 million required for the use of the design-build method.

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Law and Justice System

- ~~158~~.169. SUPPORT legislation that seeks to curb metal theft by making it easier for law enforcement agencies to track stolen metals sold to scrap dealers through such means as requiring identification from customers selling commonly stolen metals, banning cash transactions over a certain amount, and requiring scrap dealers to hold materials they buy for a certain period of time before melting them down or reselling them.
170. SUPPORT legislation that provides a practical and efficient solution to addressing the problem of abandoned and trespassing vessels and ground tackle in an administrative process that allows the California State Lands Commission to both remove and dispose of such vessels and unpermitted ground tackle. *Boat owners in increasing numbers are abandoning both recreational and commercial vessels in areas within the Commission's jurisdiction. Our state waterways are becoming clogged with hulks that break up, leak, sink and add pollutants to our waterways and marine habitat.*
- ~~159~~.171. SUPPORT legislation that requires boater's insurance. *Currently, boaters are not required to carry insurance in California.*
- ~~160~~.172. SUPPORT legislation that provides better funding for local agencies forced to deal with abandoned and sunken vessels and their environmental impacts.
- ~~161~~.173. OPPOSE legislative proposals to realign additional program responsibility to counties without adequate funding and protections.
- ~~162~~.174. OPPOSE legislation that would shift the responsibility of parolees from the state to the counties without adequate notification, documentation and funding.
- ~~163~~.175. SUPPORT legislation that will help counties implement the 2011 Public Safety Realignment as long as the proposal would: provide for county flexibility, eliminate redundant or unnecessary reporting, and would not transfer more responsibility without funding.
- ~~164~~.176. SUPPORT legislation that will combat the negative impact that human trafficking has on victims in our communities, including the impact that this activity has on a range of County services and supports, and support efforts to provide additional tools, resources and funding to help counties address this growing problem.
177. ADVOCATE for State legislation banning the sale of alcopop products by businesses that sell alcoholic beverages. The California Department of Alcoholic Beverage Control is responsible for regulating the type of alcohol products that a business may sell. *A type of flavored malt alcoholic beverage product known as "alcopops" has been identified as a contributor to under-age drinking in the County. The term alcopops usually refers to sweetened malt or alcoholic beverages that are typically sold in single-serving bottles or cans. The Board, through recommendations from the Public Protection Committee, has*

Comment [VT28]: Supervisor Mary Piepho

adopted amendments to the Alcoholic Beverage Sales Commercial Activities Zoning Ordinance that authorizes the County to prohibit the sale of alcopops at any establishment not in compliance with the performance standards. Along with the code changes, various implementation strategies were also approved in order to better coordinate efforts between County Departments and agencies for streamlined implementation and enforcement of the Ordinance.

178. SUPPORT legislative reform of current bail provisions that will replace reliance on money bail with a system that incorporates a pretrial risk assessment tool and evidence-based pretrial release decisions. The current reliance on fixed bail schedules and commercial money bonds ignores public safety factors and unfairly penalizes poor people who are awaiting trial. Bail reform in this manner will ensure that only dangerous persons who cannot be safely supervised in the community while they are awaiting trial will be held in custody pretrial. Locally, our County has moved in this direction with an AB109 funded pretrial program. Many statewide organizations support bail reform. Among them are the ACLU, Californians for Safety and Justice, the California Public Defenders Association, and the California Attorneys for Criminal Justice.

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Comment [VT29]: Robin Lipetzky, Public Defender

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Levees

~~165-179.~~ ADVOCATE for administrative and legislative action to provide significant funding for rehabilitation of levees in the western and central Delta. Proposition 1E, passed in November 2006, provides for over \$3 billion for levees, primarily those in the Central Valley Flood Control Program. Language is included in the bond for other Delta levees but funding is not specifically directed. The County will work to actively advocate for \$1 billion in funding through this bond.

~~166-180.~~ SUPPORT legislation that requires the levee repair funds generated by Proposition 1E be spent within one year or legislative hearings conducted on expediting the expenditure of bond proceeds through the Department of Water Resources Delta Levees Section. Many public agencies, including reclamation districts charged with maintaining levees, have complained about the state's inaction in allocating and distributing the levee funds that were raised by the bond sales authorized by Proposition 1E in 2008. Legislation could require the immediate distribution of these funds to local levee projects. The Delta Reform Act of 2009 authorized over \$202 million for levee repairs. Legislative hearings may produce explanations from the state as to why these funds are not being distributed or identify methods to streamline administration of these funds.

~~167-181.~~ SUPPORT legislation to amend California Water Code Section 12986, to maintain the state/local funding ratio of 75/25 for the state's Delta Levees Subventions Program, which provides funds for local levee repair and maintenance projects. The code provisions that have the state paying 75% of project costs will expire on July 1, 2013. At

that time the matching ratio will change to 50/50. This means local reclamation districts will have to pay a larger portion of project costs (50%, compared to their current 25% requirement). Many districts do not have the funding to do so. The Delta Levees Subventions Program should continue to use funds from bonds or other dedicated sources, rather than the state's General Fund. For the past several years the program has been funded from bonds. When these bond funds run out, the program will have to be funded from the General Fund, unless some other new dedicated funding source is established.

- | ~~168~~.182. ADVOCATE for legislation dealing with the Delta, including levees and levee programs, level and type of flood protection, beneficiary-pays programs, flood insurance, liability and other levee/land use issues.

- | ~~169~~.183. SUPPORT legislation/regulation requiring Reclamation Districts to develop, publish, and maintain hazard emergency plans for their districts. *Emergency response plans are critical to emergency management, particularly in an area or situation like the Delta where a levee break could trigger other emergencies. This legislation/regulation should also include the requirement for plan review and annual distribution of the plan to the residents of the district, County Office of Emergency Services and other government agencies that have emergency response interests within the district.*

- | ~~170~~.184. SUPPORT legislation to amend California Water Code Section 85057.5 to bring the Delta Stewardship Council's "covered actions" land-use review process into consistency with CEQA. This section of state code defines a "covered action," which refers to local permit decisions that are subject to potential revocation by the Council, as adopted in the Council's Delta Plan. The proposed process works as follows: (1) if a local permit application meets the definition of a "covered action," the jurisdiction must evaluate it for consistency with all of the policies in the Council's Delta Plan. (2) If the jurisdiction finds the project is consistent with the Delta Plan, they notify the Council of this finding. (3) Anyone who objects to the project may appeal the consistency finding, and it will be up to the Council to make the final decision. Should the Council decide against the local jurisdiction, there is no appeal process available to the jurisdiction or project applicant other than legal action.

"Covered actions" are defined in Section 85057.5 of the California Water Code. It defines them as plans, projects or programs as defined by CEQA, and then goes on to grant several exemptions to certain types of projects. It does not, however, provide exemptions for all the project types that CEQA itself exempts. CEQA provides a lengthy list of categorical exemptions for plans, projects and programs that generally do not have significant environmental impacts, and projects that have compelling reasons to move forward quickly (such as public safety projects). The entire list of categorical exemptions from CEQA also should be exempt from the Delta Stewardship Council's "covered actions" process.

Library

~~171-~~185. SUPPORT State financial assistance in the operation of public libraries, including full funding of the Public Library Fund (PLF) and the Direct/Interlibrary Loan (Transaction Based Reimbursement) program.

~~172-~~186. SUPPORT State bonds for public library construction. The 2000 library construction bond provided funding for two libraries in Contra Costa County. There is currently a need of approximately \$289,000,000 for public library construction, expansion and renovation in Contra Costa County.

187. SUPPORT continued funding for the California Library Literacy and English Acquisition Services Program, which provides matching funds for public library adult literacy programs that offer free, confidential, one-on-one basic literacy instruction to English-speaking adults who want to improve their reading, writing, and spelling skills.

Pipeline Safety

188. SUPPORT legislation that contains specific mitigations or solutions for installation of Automatic Shutoff Valves for both High Consequence Areas (HCA) and for those that transverse Active Seismic Earthquake Faults for all intrastate petroleum pipelines.

189. SUPPORT legislation that contains specific language for protection of all seasonal and all year creeks and all State Waterways where petroleum pipelines are present. *New and replacement pipelines near environmentally and ecologically sensitive areas should use the best available technology including, but not limited to, the installation of leak detection technology, automatic shutoff systems or remote controlled sectionalized block valves, or any combination of these technologies to reduce the amount of oil released in an oil spill to protect state waters and wildlife.*

190. SUPPORT legislation that contains specific language and specific examples to guide health officers in making certain determinations, in taking certain actions related to an active gas pipeline leak and in the structure and installation of state mandated local programs for this purpose.

~~173-~~191. SUPPORT legislation that contains specific language that requires the same standards for installation of Automatic Shutoff Valves or Remote Controlled Sectionalized Block Valves of owners and operators of intrastate petroleum pipelines located in High Consequence Areas or that traverse Active Seismic Earthquake Faults. To provide the location of existing valves and the proposed location of new valves to the State Fire Marshal's Office allowing their interaction with the process, to establish action timelines, to adopt standards for how to prioritize installation, to ensure that valves are installed as quickly as reasonably possible and to establish ongoing procedures for monitoring progress in achieving requirements.

Comment [VT30]: Roger Smith, Alamo Improvement Association

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Telecommunications and Broadband

~~174.~~192. SUPPORT clean-up legislation on AB 2987 that provides for local emergency notifications similar to provisions in cable franchises for the last 20 years. *Currently our franchises require the cable systems to carry emergency messages in the event of local emergencies. With the occurrence of several local refinery incidents, this service is critical for Contra Costa. Under federal law, Emergency Alert System requirements leave broad discretion to broadcasters to decide when and what information to broadcast, emergency management offices to communicate with the public in times of emergencies.*

~~175.~~193. SUPPORT preservation of local government ownership and control of the local public rights-of-way. *Currently, local government has authority over the time, place, and manner in which infrastructure is placed in their rights-of-way. The California Public Utilities Commission is considering rulemaking that would give them jurisdiction to decide issues between local government and telecommunication providers.*

~~176.~~194. SUPPORT the expansion of broadband (high speed internet service) to drive economic development and job opportunities, support county service delivery, and improve health, education and public safety outcomes for residents. For communities to realize these full benefits of broadband it must be capable of supporting current technology.

Access and adoption are both necessary elements that should be supported in state and federal legislative or regulatory proposals. This entails the following:

- Establishing and maintaining reliable broadband in unserved or underserved communities;
- Promoting the knowledge, skills and behaviors that comprise digital literacy;
- Making broadband affordable for all households;
- Maximizing funding for infrastructure; and
- Reducing infrastructure deployment barriers.

Transportation

~~177.~~195. SUPPORT increased flexibility in the use of transportation funds.

~~178.~~196. SUPPORT regional coordination that provides for local input in addressing transportation needs. *Coordinated planning and delivery of public transit, paratransit, and rail services will help ensure the best possible service delivery to the public. Regional coordination also will be needed to effectively deal with the traffic impacts of Indian gaming casinos such as those in West County. Regional coordination also will be essential to complete planning and development of important regional transportation projects that benefit the state and local road system such as TriLink (State Route 239), improvements to Vasco Road, completion of remaining segments of the Bay Trail, improvements to the Delta DeAnza Regional Trail, and the proposed California Delta*

and Marsh Creek Trails. *There may be interest in seeking enhanced local input requirements for developing the Sustainable Communities Strategy for the Bay Area mandated by SB 375 for greenhouse gas reduction. It is important that the regional coordination efforts are based on input gathered from the local level, to ensure the regional approach does not negatively impact local communities. "Top-down" regional planning efforts would be inconsistent with this goal.*

Comment [VT31]: John Cunningham, TWIC

~~179.~~197. SUPPORT efforts to improve safety throughout the transportation system. *The County supports new and expanded projects and programs to improve safety for bicyclists, pedestrians and wheelchair users, as well as projects to improve safety on high-accident transportation facilities such as Vasco Road. Data on transportation safety would be improved by including global positioning system (GPS) location data for every reported accident to assist in safety analysis and planning. The County also supports the expansion of school safety improvement programs such as crossing guards, revised school zone references in the vehicle code, Safe Routes to Schools (SR2S) grants, efforts to improve the safety, expansion and security of freight transportation system including public and private maritime ports, airports, rail yards, railroad lines, rail bridges and sidings. The County also supports limits or elimination of public liability for installing traffic-calming devices on residential neighborhood streets.*

~~180.~~198. SUPPORT funding or incentives for the use of renewable resources in transportation construction projects. *The County seeks and supports grant programs, tax credits for manufacturers, state purchasing programs, and other incentives for local jurisdictions to use environmentally friendly materials such as the rubberized asphalt (made from recycled tires) that the County has used as paving material on San Pablo Dam Road and Pacheco Boulevard.*

~~181.~~199. SUPPORT streamlining the delivery of transportation safety projects. *The length of time and amount of paperwork should be reduced to bring a transportation safety project more quickly through the planning, engineering and design, environmental review, funding application, and construction phases, such as for Vasco Road. This could include streamlining the environmental review process and also streamlining all state permitting requirements that pertain to transportation projects. Realistic deadlines for use of federal transportation funds would help local jurisdictions deliver complex projects without running afoul of federal time limits which are unrealistically tight for complex projects.*

~~182.~~200. SUPPORT efforts to coordinate development of state-funded or regulated facilities such as courts, schools, jails, roads and state offices with local planning. *The County supports preserving the authority of Public Works over County roads by way of ensuring the Board of Supervisors' control over County roads as established in the Streets & Highways Code (Ch2 §940) is not undermined. This includes strongly opposing any action by a non-local entity that would ultimately dilute current Board of Supervisors discretion relative to road design and land use.*

~~183-201.~~ SUPPORT efforts to coordinate planning between school districts, the state, and local jurisdictions for the purposes of: (1) locating and planning new schools, (2) funding programs that foster collaboration and joint use of facilities, and (3) financing off-site transportation improvements for improved access to existing schools. The County ~~supports the~~ will urge the California Department of Education's current Title 5 update effort to better leverage include removing the current conflict between current school facilities in developing siting policies and sustainable communities. Related to this effort, the County supports reform of school siting practices by way of legislative changes related to any new statewide school construction bond authorization. The County takes the position that reform components should include bringing school siting practices and school zone references in the vehicle code into alignment with local growth management policies, safe routes to school best practices, State SB 375 principles, and the State Strategic Growth Council's "Health in All Policies Initiative."

Comment [VT32]: John Cunningham, TWIC

~~184-202.~~ SUPPORT regional aviation transportation planning efforts for coordinated aviation network planning to improve service delivery. Regional aviation coordination could also improve the surrounding surface transportation system by providing expanded local options for people and goods movement.

~~185-203.~~ SUPPORT efforts to increase waterborne transport of goods and obtaining funds to support this effort. *The San Francisco to Stockton Ship Channel is a major transportation route for the region, providing water access to a large number of industries and the Ports of Sacramento and Stockton. A project is underway to deepen the channel, providing additional capacity to accommodate increasing commerce needs of the Ports and providing better operational flexibility for the other industries. Increased goods movement via waterways has clear benefits to congestion management on highways and railroads (with resultant air quality benefits).*

~~204.~~ SUPPORT legislative and administrative measures to enhance rail safety, increase state oversight of railroad bridges, provide funding for the training of first responders, and implement regulations that increase tank car safety standards for cars transporting crude oil and other hazardous materials, and regulations that require railroads to share data with state emergency managers and local responders.

~~186-205.~~ SUPPORT funding increases for active transportation projects and planning. Funding is needed for improved pedestrian infrastructure and enhancements and expansion of: trails, on-street bike facilities (Class II and III), and separated facilities (Class I and Class IV [cycle track]). Funding is also needed for corridor and "bicycle superhighway" planning, trail access improvements, overcrossings, intersection improvements, Class I - IV inter-connectivity projects (gap closures), wayfinding/signage projects, and facilities/designs identified in emerging best practices.

~~SUPPORT funding increases for active transportation projects including funding for enhancements and expansion of separated trails (Class I, cycle track) including corridor planning, trail access improvements, trail expansion/enhancements, overcrossings, intersection improvements, Class I trail inter-connectivity projects, and wayfinding/signage projects.~~

Comment [VT33]: John Cunningham, TWIC

Veterans

~~187~~-206. SUPPORT legislation and budget actions that will continue the state's annual local assistance for County Veterans Service Offices at a minimum of the \$5.6 million level. The eventual goal is to fully fund CVSOs by appropriating the full \$11 million in local assistance funding as reflected in Military and Veterans Code Section 972.1(d). *County Veterans Service Offices (CVSOs) play a vital role in the local veteran community, not only within the Veterans Affairs claims process, but in other aspects as well. This includes providing information about all veterans' benefits (Federal, State and local), as well as providing claims assistance for all veteran-related benefits, referring veterans to ancillary community resources, providing hands-on development and case management services for claims and appeals and transporting local veterans to VA facilities.*

~~188~~-207. SUPPORT legislation and budget actions that will provide veterans organizations with resources to make necessary repairs to, or replacement of, their meeting halls and facilities. *Across California, the meeting halls and posts of Veterans Service Organizations such as the American Legion and Veterans of Foreign Wars serve as unofficial community centers. Many of these facilities are not compliant with Americans with Disabilities Act accessibility standards, are not earthquake retrofitted, or have deteriorated in recent years due to declining membership and reduced rental revenues as a result of the economic downturn. The County will support legislation that would create a competitive grant program for veterans' organizations, classified by the IRS as 501c19 non-profit organizations and comprised primarily of past or present members of the United States Armed Forces and their family members, to use for repairs and improvements to their existing facilities.*

~~189~~-208. SUPPORT legislation that will improve the timeliness and quality of both VA benefits claim decisions and VA healthcare services. Specifically, legislation that works toward improving on the expedited processing of claims, providing VA healthcare, and administering of benefits to populations with unique needs, such as homeless Veterans, Women Veterans, and Veterans experiencing service related Posttraumatic Stress Disorder or service related Traumatic Brain Injury.

Waste Management

~~190~~-209. SUPPORT legislation that establishes producer responsibility for management at the end of their useful life of products, including pharmaceuticals, batteries, sharps and veterinary medicine.

~~191~~-210. SUPPORT efforts to increase the development of markets for recycled materials.

- | ~~192-211.~~ SUPPORT legislative and regulatory efforts to allow third parties, under specific circumstances and conditions, to collect and transport household hazardous waste to collection facilities.
- | ~~193-212.~~ SUPPORT legislation that seeks to remedy the environmental degradation and solid waste management problems on a State-wide basis of polystyrene containers and single-use plastic bags typically given away for free at grocery, retail and other establishments.
- | ~~194-213.~~ SUPPORT legislation that does not require increased diversion from landfills without an adequate funding mechanism.
- | ~~195-214.~~ SUPPORT legislation that would make changes to the used tire redemption program. *Instead of collecting a disposal fee from the consumer when new tires are purchased, a disposal fee would be collected at the wholesale level and redeemed by the disposal site when the used tires are brought to the site. The party bringing the tires to the disposal site would also receive a portion of the fee.*
- | ~~196-215.~~ SUPPORT legislation that relieves counties with privately-operated landfills from the state requirement for maintaining a 15-year supply of disposal capacity for waste generated within each county. *In 1989, Contra Costa County amended its general plan to accommodate construction of Keller Canyon Landfill. Due to the difficulty in siting landfills and the requirements of Public Resources Code 47100 – Countywide Siting Element, the County maintained authority to control the amount of waste disposed at this facility from outside the county. Despite Contra Costa County’s opposition, AB 845 became law on January 1, 2013 and prohibits any jurisdiction from regulating the amount of waste disposed at a privately-operated landfill based on its place of origin.*
- Because local jurisdictions can no longer control importation of waste to privately-operated landfills, a host County that receives a significant amount of waste from outside the county will have a greater need to undertake the difficult task of identifying new disposal capacity pursuant to the Countywide Siting Element requirement. Since the state believes there is no need for local jurisdictions to regulate disposal of solid waste by place of origin, the state should remove existing statutes that require each County with privately-operated landfills to identify sufficient disposal capacity for the waste generated by the jurisdictions within that County.*
- | ~~197-216.~~ SUPPORT legislation that can reduce the amount of harmful pharmaceuticals (including veterinary medicine) that ultimately enter waste water treatment facilities, bodies of water, and landfills.
- | ~~198-217.~~ SUPPORT legislative and regulatory efforts to restrict payments from the Beverage Container Recycling Program Fund for redemption of beverage containers sold out of state. *Fraudulent redemption of these beverage containers is costing the Fund from \$40 million to \$200 million annually. This fraud combined with loans to the*

General Fund to reduce the State budget deficit has significantly reduced the availability of funds for increasing recycling as intended under the law.

~~199-218.~~ SUPPORT legislative and regulatory efforts that correct the imbalance between the County's regulatory authority to control the collection and disposal of solid waste generated within the unincorporated areas and our exposure to state penalties for failing to meet state mandates for diverting solid waste generated within these areas as a result of Appellate Court decisions. *In litigation where the County sought to protect its solid waste franchise authority for unincorporated areas the court awarded franchise authority to the Rodeo Sanitary District and Mountain View Sanitary District while the County remains exposed to state penalties for failing to meet state mandates for reducing disposal of solid waste generated in these areas.*

Workforce Development

| ~~200-219.~~ SUPPORT legislative and regulatory efforts that make the necessary changes to existing law for the implementation of the federal Workforce Innovation and Opportunity Act (WIOA) in California. *The County supports legislation that would include provisions that state that the Local Plan developed by local workforce boards should be the basis of all workforce planning in the local areas and all workforce-related state grants. Additionally, the County supports provisions that ensure that staffing costs and support services should be included in the training expenditure requirement. Finally, the County supports provisions that require all programs listed in the Workforce Innovation & Opportunity Act (WIOA) work together to ensure that data is collected and reported across all programs, utilizing the state's base-wage file system to ease local reporting burdens.*

DRAFT



DRAFT 2017 STATE LEGISLATIVE PLATFORM

Contra Costa County

October 21, 2016



Table of Contents

COUNTY-SPONSORED LEGISLATION.....	2
LEGISLATIVE/REGULATORY ADVOCACY PRIORITIES.....	2
STATE PLATFORM POLICY POSITIONS	5
Agriculture	5
Animal Services	6
Child Support Services.....	7
Climate Change.....	8
Delta Water Platform	8
Elections.....	8
Emergency Preparedness, Emergency Response	9
Eminent Domain	9
Flood Control and Clean Water	10
General Revenues/Finance.....	11
Health Care	13
Human Services	18
Indian Gaming.....	23
Land Use/Community Development.....	23
Law and Justice System	26
Library.....	28
Pipeline Safety.....	31
Telecommunications and Broadband.....	28
Transportation	29
Veterans	31
Waste Management.....	32
Workforce Development.....	34



2017 STATE LEGISLATIVE PLATFORM CONTRA COSTA COUNTY

Each year, the Board of Supervisors adopts a State Legislative Platform that establishes priorities and policy positions with regard to potential State legislation and regulation. The State Legislative Platform includes County-sponsored bill proposals, legislative or regulatory advocacy priorities for the year, and policies that provide direction and guidance for identification of and advocacy on bills which would affect the services, programs or finances of Contra Costa County.

COUNTY-SPONSORED LEGISLATION

Authorizing/Enabling Legislation Regarding Title 5, California Code of Regulations (School Facilities Construction)

The County has been engaged in advocating for the reform of school siting policies for a number of years. Late in 2016 the California Department of Education (CDE) announced an effort to revise Title 5 to, among other things, “align school facilities and siting policies with state sustainability goals...” In meeting with CDE staff and our Legislative Delegation over the past 5 years it has become apparent that in order to revise Title 5 such that requirements (as opposed to guidance) can be established, a legislative solution may be necessary.

LEGISLATIVE/REGULATORY ADVOCACY PRIORITIES

Each year, issues emerge through the legislative process that are of importance to the County and require advocacy efforts. For 2017, it is anticipated that critical issues requiring legislative advocacy will include the following:

Priority 1: State Budget – The state’s continuing economic recovery, prior budget cuts, and the additional, temporary taxes provided by Proposition 30 have combined to bring the State Budget to a much improved financial condition. While the Governor's Budget identifies cost pressures and budget risks in health and human services programs, of particular concern to counties is the inadequate reimbursement for our ever-increasing cost of operating several human services programs: the “Human Services Funding Deficit,” formerly referred to as the “Cost of Doing Business.” The annual shortfall between actual county expenses and state reimbursement has grown to over \$1 billion since 2001, creating a de facto cost shift to counties. The funding gap forces counties to reduce services to vulnerable populations and/or divert scarce county resources from other critical local services. It also increases the risk of state and federal penalties.

Priority 2: Health Care – Counties play a critical role in California’s health reform efforts. Counties serve as employers, payers, and providers of care to vulnerable populations. Consequently, counties stand ready to actively participate in discussions of how to best reform the health care system in California and implement the national health care reform legislation passed in 2010, The Patient Protection and Affordable Care Act (ACA).

The optional Medi-Cal Expansion, in effect on Jan. 1, 2014, was a significant part of the State Budget process in 2013. The ACA had required states to expand Medicaid programs to allow childless adults at or below 138 percent of poverty to be eligible for Medicaid (known as Medi-Cal in California). The Supreme Court struck down that mandate but allowed it to be an option for states, which California exercised.

However, significant unknowns remain including questions about the actual impact of the ACA coverage expansions on counties and the number of uninsured individuals to whom counties will still need to provide services. Counties will retain the Section 17000 responsibility, and there will be significant variations in the impacts of both the ACA and AB 85 for the different types of counties: county hospital (12 counties including Contra Costa County), payor/clinic and County Medical Services Program (CMSP) counties.

In the coming year, the County will continue to work on the implementation of required health care reform measures to maximize federal revenue. The County will support efforts to provide counties with the necessary tools to implement health care reform which may include performing eligibility and enrollment, preserving existing county resources from 1991 Realignment, providing for a smooth transition for the various operational systems, and supporting legislation to ensure that low-income families are covered under the Affordable Care Act while opposing legislation which would reduce Medi-Cal eligibility. In addition, the County will continue to work to reduce uncompensated health care costs and on the adequacy of rates under the new health care system.

Priority 3: Water and Levees /The Sacramento-San Joaquin Delta – The enactment of the Delta Reform Act (2009), a bill that established the co-equal goals for reliable water supply and ecosystem restoration for the Delta, created the Delta Stewardship Council, and supported the proposed Bay Delta Conservation Plan (BDCP) --an effort to construct a pair of massive tunnels under the Delta-- will bring significant, large-scale change to the Delta as we know it. The scope and content of these changes, as well as enduring political battles between northern and southern California over water, will continue to guide legislative and administrative agendas in the coming year. Enabling legislation was also passed in 2009 for a state water bond, which was delayed from the 2010 and 2012 ballots but successfully passed on the 2014 state ballot, as Proposition 1.

Significant future impacts on the County in the areas of water quality and supply, levee stability, ecosystem health, local land use authority and flood control are anticipated.

Particular areas of concern for 2017 include, but are not limited to: (1) the ongoing development of the BDCP project, now recast as the California WaterFix (CWF) and whether the state water bond appropriates funds specific to the BDCP/CWF; and (2) the impacts of the Delta Plan on local land use authority, efforts to expedite state bond funding for levee improvement projects, and the development of flow standards that will impact water quality and ecosystem health in the Delta. The County's adopted Delta Water Platform, as well as the Strategic and Action Plans, are incorporated in this Platform by reference.

Priority 4: Realignment Implementation – The battle for constitutional protections for 2011 Realignment concluded successfully on November 6, 2012 when Proposition 30 was passed by the voters. Proposition 30 provides constitutional guarantees to the funding that supports Realignment and safeguards against future program expansion without accompanying funding. With these provisions in place, Contra Costa County can continue to implement the array of programs transferred under 2011 Realignment, confident that funding is secure and programmatic responsibilities are defined. However, the County remains concerned that the funding is not sufficient and is also concerned about liability issues arising from the new responsibilities.

Any future proposals to realign programs to counties must have constitutionally guaranteed ongoing funding and protections. The County will oppose any proposals that will transfer additional program responsibility to counties without funding, constitutional protections, county participation and approval. The County will also oppose efforts that limit county flexibility in implementing programs and services realigned in 2011 or infringe upon our ability to innovate locally. The County resolves to remain accountable to our local constituents in delivering high-quality programs that efficiently and effectively respond to local needs. Further, we support counties' development of appropriate measures of local outcomes and dissemination of best practices.

With regard to Public Safety realignment, counties have received parolees whose latest crime fits the specified “non-violent, non-serious, non-sex offender” (N3) definition but who have a criminal background that includes violent, serious and/or sexual crimes. Under the current legislation, the person’s latest offense/crime determines if they meet the N3 criteria. Specifically, a change would be requested to prevent those whose total criminal background does not meet the N3 criteria. These individuals should stay under the responsibility of the state.

The County will also support efforts to provide additional funding/grants to those counties that have a commitment to lowering the crime rate and reducing recidivism through the provision of innovative, comprehensive, evidence-based programs for offender populations and their families. The County will also continue to support efforts to ensure that the receipt of Local Community Corrections Funds matches the amounts anticipated from the state, without undue delay. Finally, the County also supports more funding for mental health and behavioral health programs and facilities in order to meet the requirements of Realignment and the goal of reducing recidivism.

STATE PLATFORM POLICY POSITIONS

A brief background statement accompanies policy positions that are not self-evident. Explanatory notes are included either as the preface to an issue area or following a specific policy position. Please note that new and revised policy positions are highlighted. The rationale for the policy position is italicized.

Agriculture

1. SUPPORT efforts to ensure sufficient State funding for pest and disease control and eradication efforts to protect both agriculture and the native environment, including glassy-winged sharpshooter, light brown apple moth, and Japanese dodder activities; high risk pest exclusion activities; pesticide regulatory and law enforcement activities; and noxious weed pest management. *Agriculture is an important industry in Contra Costa County. Protection of this industry from pests and diseases is important for its continued viability.*
2. SUPPORT continued appropriations for regulation and research on sudden oak death, a fungal disease affecting many species of trees and shrubs in native oak woodlands. *The County's natural environment is being threatened by this disease.*
3. SUPPORT funding for agricultural land conservation programs and agricultural enterprise programs, and support revisions to State school siting policies, to protect and enhance the viability of local agriculture. *The growth in East County and elsewhere has put significant pressure on agricultural lands, yet agriculture is important not only for its production of fresh fruits, vegetables and livestock, but also as a source of open space.*
4. SUPPORT legislation to establish legal authority where needed to facilitate the efforts by the California Department of Food and Agriculture and the Department of Boating and Waterways to survey and treat all infestations of the South American spongeplant and to rid the Delta of this and other invasive aquatic species through integrated pest management methods. *Invasive aquatic species are a threat to agriculture, the environment and recreation in the Delta. This position includes support for efforts by the Department of Boating and Waterways to secure multi-year permits for eradication of multiple invasive aquatic plant species in the Sacramento-San Joaquin Delta, its tributaries, and its marshes.*
5. SUPPORT the CSAC policy statement regarding revisions to the California Conservation Act of 1965 (the Williamson Act) to support legislative changes that preserve the integrity of the Williamson Act, eliminate abuses resulting in unjustified and premature conversions of contracted land for development, and to fully restore Williamson Act subventions. The state subventions to counties also must be revised to recognize all local tax losses.

Animal Services

6. SUPPORT efforts to protect local revenue sources designated for use by the Animal Services Department; i.e., animal licensing, fines and fees. *Fines, fees, and licensing are major sources of revenue for the Animal Services Department. The demand for animal services is increasing each year as does the demand on the General Fund. It is important to protect these revenue sources to continue to provide quality animal service and to meet local needs.*
7. SUPPORT efforts to protect or increase local control and flexibility over the scope and level of animal services. *Local control over the scope of animal services is necessary to efficiently address public safety and other community concerns. Local control affords jurisdictions the ability to tailor animal service programs to fit their communities. Animal related issues in dense urban areas vary from those in small, affluent communities.*
8. SUPPORT efforts to protect against unfunded mandates in animal services or mandates that are not accompanied by specific revenue sources which completely offset the costs of the new mandates, both when adopted and in future years. *Unfunded mandates drain our limited fiscal resources and, at the same time, chip away at local control over the scope and level of services.*
9. SUPPORT efforts to ensure full funding of State animal services mandates, including defense of the Department of Finance's lawsuit against the State Commission on Mandates regarding the State obligations for reimbursement of local costs for animal services incurred in compliance with SB 1785. *The County invested large sums of money to comply with SB 1785, with the assurance that our cost would be offset by reimbursements from the State. Failure by the State to honor the reimbursements negatively impacts the County General Fund and Animal Services' budget.*
10. SUPPORT efforts to protect and/or increase County flexibility to provide animal services consistent with local needs and priorities. *The demand for quality animal service programming continues to increase each year. The County is experiencing population growth and changing demographics. It is incumbent upon the Animal Services Department to be flexible enough to adjust to the changing needs and priorities.*
11. SUPPORT efforts to preserve the integrity of existing County policy relating to Animal Services (e.g., the Animal Control Ordinance and land use requirements). *Contra Costa is looked upon as one of the model Animal Services Departments in the state. Its policies, procedures, and ordinances are the yardstick against which other Animal Control organizations are measured. The local control exercised by the Board of Supervisors is key to that hallmark.*

Child Support Services

12. SUPPORT the establishment of a statewide electronic registry for the creation and release/satisfaction of liens placed on property of a non-custodial parent as necessary to collect delinquent child support payments. *California law currently provides that recording an abstract or notice of support judgment with a County Recorder creates a lien on real property. This requires recording the judgment in each of the 58 counties in order not to miss a property transaction. An electronic registry would simplify not only the creation of liens but also the release/satisfaction of liens because there would be a single statewide point of contact, and the entire process would be handled electronically through automated means.*
13. SUPPORT amendment of current law that states that documents completed and recorded by a local child support agency may be recorded without acknowledgement (notarization) to clarify that the exception is for documents completed or recorded by a local child support agency. *This amendment clarifies that documents that are prepared by the local child support agency and then sent for recording either by the local child support agency or by the obligor (non-custodial parent) or by a title insurance company are covered by the exemption, a technical point not acknowledged by all county recorder offices.*
14. SUPPORT efforts to simplify the court process for modifying child support orders by the court by requiring court appearances only when one of the parties objects to the modification. *Currently, establishment of parentage and support by the court is permitted without court appearance if both parties are in agreement. A similar process for modification would reduce court time, the workload of all involved agencies and parties, and streamline the process.*
15. SUPPORT efforts to ensure that the reduction to the California Department of Child Support Services is not passed down as a reduction to the local program.
16. SUPPORT efforts that would require the Department of Child Support Services to provide any notice form, information, or document that is required or authorized to be given, distributed, or provided to an individual, a customer, or a member of the public to be given, distributed, or provided in a digitized form, and by any means the Department determines is feasible, including, but not limited to, e-mail or by means of a website.

Climate Change

17. SUPPORT the *CSAC Climate Change Policy Statements and Principles* which address a broad range of issues affected by climate change, including water, air quality, agriculture, forestry, land use, solid waste, energy and health. *The document is largely based on existing CSAC policy and adapted to climate change. Additionally, the document contains a set of general principles which establish local government as a vital partner in the climate change issue and maintain that counties should be an active participant in the discussions in the development of greenhouse gas reduction strategies underway at the state and regional level.*
18. SUPPORT efforts to ensure that the implementation of AB 32 results in harmony between the greenhouse gas reduction target created by the Air Resources Board for each regional/local agency, the housing needs numbers provided by the state Department of Housing and Community Development pursuant to housing element law, and the Sustainable Communities Strategy developed through the Regional Transportation Plan processes.
19. SUPPORT legislative or administrative efforts that favor allocation of funding from the California Greenhouse Gas Cap and Trade Program to jurisdictions that are the largest emitters of greenhouse gas, have disadvantaged communities that are disproportionately affected by environmental pollution, **have Natural Community Conservation Plans or similar land conservation efforts that will address climate change** and have demonstrated a local commitment to climate protection (e.g. established emissions reduction targets, prepared Climate Action Plans, etc.). ***The County has several good projects that would sequester carbon, such as Creek and wetland restoration projects.***
20. **SUPPORT efforts to ensure life-cycle costs are considered when planning new projects in the state. A key challenge for State and local agencies is funding the ongoing operation and maintenance of infrastructure. This includes all aspects of the built environment: buildings, roads, parks, and other infrastructure. *As California begins to implement more aggressive climate goals, the State should be thinking about new methodologies for anticipating project costs. In particular, it is evident that California will need a different transportation system than the one we have currently, and that this new transportation system will be more expensive to maintain. Traditional accounting methods that look only at initial project cost lead to situations where infrastructure fails, at greater replacement cost than if ongoing operation and maintenance had been included from the beginning. This would include methodologies for internalizing the social and environmental costs of projects.***
21. **SUPPORT revisions to the Public Resources Code and the Air Resources Board's Investment Plans to provide Cap and Trade funding for the conservation of natural lands, parks and open space through fee title acquisition as well as easements.**
22. **OPPOSE changes to the California Environmental Protection Agency's protocols for designating disadvantaged communities which result in a reduction in the number or size**

of disadvantaged communities in Contra Costa County. Disadvantaged communities are prioritized for receipt of Greenhouse Gas Reduction Funds, the funding source for a number of state grant programs. *Contra Costa County has a number of communities and neighborhoods that are economically and socially disadvantaged and located near large, current and former industrial sites. These industrial operations contribute through the Cap and Trade program to the Greenhouse Gas Reduction Fund. The state designations should continue to reflect the disproportionately acute needs of these communities.*

Delta Water Platform

To protect the Sacramento-San Joaquin Delta from various detrimental forces that are affecting its health and resources, it is the policy of Contra Costa County to support implementation of projects and actions that will help improve the Delta ecosystem and the economic conditions of the Delta. Contra Costa County has adopted a *Delta Water Platform* to identify and promote activities and policy positions that support the creation of a healthy Sacramento-San Joaquin Delta. Contra Costa County will use this Platform to guide its own actions and advocacy in other public venues regarding the future of the Delta.

Elections

23. SUPPORT legislation to adjust precinct sizing from 1,000 voters per precinct to 1,250 voters per precinct. *With the option of being able to have up to 1,250 voters per precinct, the best polling locations in a neighborhood can be selected, and that same site is more likely to be used for several elections, thus avoiding the need to change poll sites for voters.*
24. SUPPORT full state reimbursement for state mandates imposed upon local registrars by the Secretary of State, including special state elections. *The state has committed to reimburse Counties for the cost of certain state mandates. That reimbursement process, SB 90, can be lengthy and contentious. The SB 90 process is also subject to uncertainties including partial payments, delayed payments, and now, suspended or no payments. In lieu of the SB 90 process for Elections, there is merit in the examination of having the state pay its pro-rata share of costs when state candidates/measures are on the ballot.*

Emergency Preparedness, Emergency Response

25. SUPPORT legislation that would give local agencies more authority to train volunteers, provide funding for Community Emergency Response Training (CERT), and help clean-up oil spills without taking on additional legal liability.
26. SUPPORT legislation that would require the state's Oil Spill Prevention and Response Agency to improve communication and clean-up technology, increase safety standards for ships and establish special protections for ecologically sensitive areas.

27. SUPPORT legislation that would require responses to future oil spills in a shorter timeframe, with a more regional approach.
28. SUPPORT measures that enable counties and other local agencies to better exercise their responsibilities to plan for and respond to emergencies and disasters without taking on additional legal liability and oppose those that do not recognize or support the county and local agency role in the State's Standardized Emergency Management System.
29. SUPPORT legislation or other measures requiring the creation or utilization of emergency rock stockpiles suitable for levee repair throughout the Delta, enabling increasingly efficient and less costly prevention of levee breaks and enhancement of initial response capabilities.
30. SUPPORT legislation that expands school safety improvement programs such as education regarding and placement of automated external defibrillator(s) (AED(s)) in schools.

Eminent Domain

31. SUPPORT legislation that maintains the distinction in the California Constitution between Section 19, Article I, which establishes the law for eminent domain, and Section 7, Article XI, which establishes the law for legislative and administrative action to protect the public health, safety, and welfare.
32. SUPPORT legislation that would provide a comprehensive and exclusive basis in the California Constitution to compensate property owners when property is taken or damaged by state or local governments, without affecting legislative and administrative actions taken to protect the public health, safety, and welfare.

Flood Control and Clean Water

33. SUPPORT authorization for regional approaches to comply with aquatic pesticide permit issues under the purview of the State Water Resources Control Board. *Contra Costa County entered into an agreement with a neighboring county and several cities to share the costs of monitoring. While it makes sense for local government to pool resources to save money, State Board regulations make regional monitoring infeasible.*
34. SUPPORT efforts to provide local agencies with more flexibility and options to fund stormwater programs. *Stormwater permit requirements issued by the Regional Water Quality Control Boards are becoming more and more expensive, yet there is no funding. Stormwater services, encompassing both water quality and drainage/flood control, could be structured like a utility with the ability to set rates similar to the other two key water services: drinking water and wastewater.*
35. SUPPORT efforts to provide immunity to local public agencies for any liability for their clean-up of contaminations on private lands. *This will be more critical as the Regional*

Water Quality Control Boards institute Total Maximum Daily Loads, which establish a maximum allowable amount of a pollutant (like mercury) in the stormwater from a watershed.

36. SUPPORT efforts to require the Department of Water Resources (DWR) to provide 200 year flood plain mapping for all areas in the legal Delta. SB 5 requires the County and cities in the Delta to insure certain development projects must have 200 year level of protection and to make certain related findings. *DWR has revisited developing 200-year flood plain maps, but if they do, only working in areas protected by project levees which does not include any areas within Contra Costa County.*
37. SUPPORT legislation to enable Zone 7 Water Agency to become a new public agency, separate and apart from the Alameda County Flood Control and Water Conservation District, with territory in both Alameda and Contra Costa counties and the power to provide specific services, insofar as the legislation is guided by adopted Principles of Understanding.

General Revenues/Finance

As a political subdivision of the State, many of Contra Costa County's services and programs are the result of state statute and regulation. The State also provides a substantial portion of the County's revenues. However, the State has often used its authority to shift costs to counties and to generally put counties in the difficult position of trying to meet local service needs with inadequate resources. While Proposition 1A provided some protections for counties, vigilance is necessary to protect the fiscal integrity of the County.

38. SUPPORT the State's effort to balance its budget through actions that do not adversely affect County revenues, services or ability to carry out its governmental responsibilities.
39. OPPOSE any state-imposed redistribution, reduction or use restriction on general purpose revenue, sales taxes or property taxes unless financially beneficial to the County. *(Note that a redistribution of sales and property tax may be beneficial to Contra Costa County in the event that sales tax growth lags behind property tax growth.)*
40. OPPOSE efforts to limit local authority over transient occupancy taxes (TOT).
41. OPPOSE any efforts to increase the County's share-of-cost, maintenance-of-effort requirements or other financing responsibility for State mandated programs absent new revenues sufficient to meet current and future program needs.
42. SUPPORT efforts to ensure that Contra Costa County receives its fair share of State allocations, including mental health funding under Proposition 63 and pass-through of federal funds for anti-terrorism and homeland security measures. *The State utilizes a variety of methods to allocate funds among counties, at times detrimental to Contra Costa County.*

43. SUPPORT efforts to receive reimbursement for local tax revenues lost pursuant to sales and property tax exemptions approved by the Legislature and the State Board of Equalization.
44. SUPPORT continued efforts to reform the state/local relationship in a way that makes both fiscal and programmatic sense for local government and conforms to the adopted 2010 CSAC Realignment Principles, with an emphasis on maximum flexibility for counties to manage the existing and realigned discretionary programs.
45. SUPPORT efforts to relieve California of the federal Child Support penalties without shifting the cost of the penalties to the counties.
46. SUPPORT a reduction in the 2/3rd vote requirement to 55% voter approval for locally-approved special taxes that fund health, education, economic, stormwater services, library, transportation and/or public safety programs and services.
47. SUPPORT efforts to authorize counties to impose forfeitures for violations of ordinances, as currently authorized for cities. *This would provide the County with the opportunity to require deposits to assure compliance with specific ordinance requirements as well as retain the deposit if the ordinance requirements are not met. Currently, the County is limited to imposing fines which are limited to only \$100 - \$200 for the first violation, which has proven to be an ineffective deterrent in some cases.*
48. SUPPORT efforts to redefine the circumstances under which commercial and industrial property is reassessed to reduce the growing imbalance between the share of overall property tax paid by residential property owners versus commercial/industrial owners.
49. SUPPORT efforts to reduce County costs for Workers' Compensation, including the ability to control excessive medical utilization and litigation. *Workers' Compensation costs are significant, diverting funds that could be utilized for County services. Workers' Compensation should provide a safety net for injured employees, for a reasonable period of time, and not provide an incentive for employees to claim more time than medically necessary.*
50. SUPPORT state actions that maximize Federal and State revenues for county-run services and programs.
51. SUPPORT legislative compliance with both the intent and language of Proposition 1A.
52. SUPPORT the provisions of Proposition 22 that would protect County revenues, particularly as related to transportation revenues and excluding those provisions related to redevelopment funds.
53. SUPPORT full State funding of all statewide special elections, including recall elections.

54. OPPOSE efforts of the State to avoid state mandate claims through the practice of repealing the statutes, then re-enacting them. *In 2005, the State Legislature repealed sections of the Brown Act that were subject to mandate claims, then re-enacted the same language pursuant to a voter-approval initiative, and therefore, not subject to mandate claims.*
55. SUPPORT strong Public Utilities Commission (PUC) oversight of state-franchised providers of cable and telecommunications services, including rigorous review of financial reports and protection of consumer interests. *AB 2987 (Núñez), Chapter 700, statutes of 2006 transferred regulatory oversight authority from local government to the PUC.*
56. SUPPORT timely, full payments to counties by the State for programs operated on their behalf or by mandate. *The State currently owes counties over \$1 billion in State General Funds for social services program costs dating back to FY 2002-03.*
57. SUPPORT full State participation in funding the County's retiree and retiree health care unfunded liability. *Counties perform most of their services on behalf of the State and Federal governments. Funding of retiree costs should be the responsibility of the State, to the same extent that the State is responsible for operational costs.*
58. SUPPORT legislation that provides constitutional protections and guaranteed funding to counties under Realignment.

Health Care

The County remains concerned about the implementation of any health care reform measures that could transfer responsibility to counties, without commensurate financing structures or in a manner not compatible with the County's system. The County supports a concept of universal health coverage for all Californians. Toward that end, the County urges the state to enact a system of health coverage and care delivery that builds upon the strengths of the current systems in our state, including county-operated systems serving vulnerable populations.

Currently, California has a complex array of existing coverage and delivery systems that serve many, but not all, Californians. Moving this array of systems into a universal coverage framework is a complex undertaking that requires sound analysis, thoughtful and deliberative planning, and a multi-year implementation process. As California moves forward with health care reform, the County urges the state to prevent reform efforts from exacerbating problems with existing service and funding. The state must also consider the differences across California counties and the impacts of reform efforts on the network of safety-net providers, including county providers. The end result of health reform must provide a strengthened health care delivery system for all Californians, including those served by the safety net.

59. SUPPORT state action to increase health care access and affordability. *Access to care and affordability of care are critical components of any health reform plan. Expanding eligibility for existing programs will not provide access to care in significant areas of the state. Important improvements to our current programs, including Medi-Cal, must be made either prior to, or in concert with, a coverage expansion in order to ensure access. Coverage must be affordable for all Californians to access care.*

60. SUPPORT Medi-Cal reimbursement rate increases to incentivize providers to participate in the program.
61. SUPPORT actions that address provider shortages (including physicians, particularly specialists, and nurses). Innovative programs, such as loan forgiveness programs, should be expanded. In an effort to recruit physicians from other states, the licensing and reciprocity requirements should be re-examined. Steps should be taken to reduce the amount of time it takes to obtain a Medi-Cal provider number (currently six to nine months).
62. SUPPORT efforts that implement comprehensive systems of care, including case management, for frequent users of emergency care and those with chronic diseases and/or dual (or multiple) diagnoses. *Approaches could be modeled after current programs in place in safety net systems.*
63. SUPPORT efforts that provide sufficient time for detailed data gathering of current safety funding in the system and the impact of any redirection of funds on remaining county responsibilities. *The interconnectedness of county indigent health funding to public health, correctional health, mental health, alcohol and drug services and social services must be fully understood and accounted for in order to protect, and enhance as appropriate, funding for these related services.*
64. OPPOSE safety net funding transfers until an analysis of who would remain uninsured (e.g. medically indigent adults, including citizens, who cannot document citizenship under current Medicaid eligibility rules) is completed in order to adequately fund services for these populations.
65. SUPPORT efforts to clearly define and adequately fund remaining county responsibilities.
66. SUPPORT state action to provide an analysis of current health care infrastructure (facilities and providers), including current safety net facilities across the state, to ensure that there are adequate providers and health care facilities (including recovery facilities), and that they can remain viable after health reform.
67. SUPPORT efforts to provide adequate financing for health care reforms to succeed.
68. SUPPORT measures that maximize federal reimbursement from Medicaid and S-CHIP.
69. SUPPORT state action to complete actuarial studies on the costs of transferring indigent populations, who currently receive mostly episodic care, to a coverage model to ensure that there is adequate funding in the model.
70. SUPPORT efforts that ensure that safety net health care facilities remain viable during the transition period and be supported afterwards based on analyses of the changing health market and of the remaining safety net population.

71. SUPPORT state action to implement a Medi-Cal waiver in a manner that maximizes the drawdown of federal funds for services and facilities, provides flexibility, and ensures that counties receive their fair share of funding.
72. SUPPORT efforts to increase revenues and to contain mandated costs in the County's hospital and clinics system.
73. SUPPORT efforts to obtain a fair-share of any state funds in a distribution of funding for the integration of IHSS and managed care.
74. SUPPORT efforts to increase the availability of health care (including alcohol and other drugs recovery) to the uninsured in California, whether employed or not.
75. SUPPORT legislation that improves the quality of health care, whether through the use of technology, innovative delivery models or combining and better accessing various streams of revenue, including but not limited to acute and long term care integration.
76. SUPPORT legislation to protect safety net providers, both public and private. Legislation should focus on stabilizing Medi-Cal rates and delivery modes and should advocate that these actions are essential to the success of any effort to improve access and make health care more affordable.
77. SUPPORT efforts that allow counties to draw down federal Medicaid funds for providing confidential alcohol and drug screening and brief intervention services to pregnant women and women of childbearing age who also qualify for Medi-Cal benefits.
78. SUPPORT state efforts to increase the scope of benefits and reimbursement rates contained in Minor Consent Medi-Cal to give youth suffering from substance abuse disorders access to a continuum of care, including residential and one-on-one outpatient treatment.
79. SUPPORT efforts to give incentives to providers to establish more youth-driven treatment facilities within the community.
80. SUPPORT efforts to extend Minor Consent Medi-Cal Coverage to incarcerated youths, many of whom are in custody due to drug related crimes. *This could greatly decrease recidivism in the juvenile justice system.*
81. SUPPORT county efforts in the promotion of partnerships that provide integrated responses to the needs of alcohol and other drugs populations, including criminal justice, perinatal and youth as well as those populations with co-occurring disorders.
82. SUPPORT and encourage the development of strategies that include alcohol and other drugs services in the provision of all culturally appropriate health care services.

83. SUPPORT efforts to require coverage of medically necessary alcohol and substance abuse related disorder treatment on the same levels as other medical conditions in health care service plans and disability insurance policies. *Alcohol and other drugs treatment services are the most under-funded of all health services. Neither the state nor the federal allocations to the County covers medical treatment for AOD services, and so are a cost borne by the County.*
84. SUPPORT legislation that extends the restrictions and prohibitions against the smoking of, **and exposure to**, tobacco products to include restrictions or prohibitions against electronic cigarettes (e-cigarettes) in various places, including, but not limited to, places of employment, school campuses, public buildings, day care facilities, retail food facilities, multi-family housing, and health facilities; preventing the use of tobacco, electronic smoking devices (e-cigarettes) and flavored tobacco by youth and young adults; eliminating exposure to second-hand and third-hand smoke; restrictions on advertising of electronic smoking devices; reducing and eliminating disparities related to tobacco use and its effects among specific populations; increasing the minimum age to 21 to purchase tobacco products; and the promotion of cessation among young people and adults.
85. SUPPORT and encourage state, federal and/or private funding for pharmaceutical research for the development of new cannabis products which would meet Federal Drug Administration (FDA) standards of known strengths and attributes (and without unnecessary side effects) which would be dispensable through pharmacies and medical facilities consistent with State and Federal law.
86. SUPPORT funding and policy changes to support population-based chronic disease prevention efforts. Collectively, these include efforts to move up-stream from the treatment of illness associated with chronic disease to advance a policy, systems and organizational-change approach to address the underlying environmental factors and conditions that influence health and health behaviors.
87. SUPPORT efforts that would advance a Health-In-All-Policies approach to policy work done across the County. This implies consideration of how health is influenced by the built environment and a connection with land use planning and development.
88. SUPPORT ongoing study of the health impacts of global and regional climate change and ongoing countywide mitigation **and adaptation** efforts.
89. SUPPORT efforts that would preserve the nature and quality **and continuity of care associated with** safety net services historically provided at the local level, such as the California Children's Services (CCS) and Child Health and Disability Prevention (CHDP) programs, which are being transitioned into managed care at the state level.
90. SUPPORT maintaining level or enhanced funding, streamlined processes and greater flexibility for **use of State and Federal funding to respond to** Public Health Emergency Preparedness initiatives including Pandemic Influenza, **emerging diseases**, and continued

funding for all categories related to Public Health Preparedness, including Hospital Preparedness Program, **Homeland Security**, Cities Readiness Initiative and core Public Health Preparedness.

91. SUPPORT increased funding and policy changes for Tuberculosis (TB) prevention and treatment, to reflect the increased risk of transmission faced across the Bay Area. *The Bay Area, including Contra Costa County, experiences more cases of active Tuberculosis than do most states in the nation. The demographic make-up of our communities combined with frequent international travel between the Bay and areas where TB is endemic, present an added risk and thus the need to maintain adequate funding and program infrastructure.*
92. SUPPORT increased funding for the public health infrastructure, **capacity** and prevention services as outlined in the public health components of the Affordable Care Act and the National Prevention and Public Health Fund.
93. SUPPORT recognition of Local Public Health Departments as an authorized provider for **direct billing** reimbursement related to the provision of Immunization, Family Planning, HIV, STD and TB services.
94. SUPPORT the reversal of the pre-emption language regarding local Menu-Labeling that is included in the Affordable Care Act.
95. SUPPORT enhanced funding **and capacity** for public health programs, specifically:
 - a. **Prevention programs in the areas of chronic disease, specifically, obesity, diabetes, asthma and cancer.**
 - b. **Prevention and risk reduction programs in the area of HIV, STD, teen pregnancy, injury prevention as well as health promotion programs, such as nutrition and activity education;**
 - c. **Oral health programs, especially those which address the needs of children and those with oral health disparities.**
 - d. Protecting the Prevention and Public Health Fund (PPHF), as established in the Affordable Care Act.
 - e. Increased resources dedicated to surveillance and prevention programs targeting chronic diseases such as cardiovascular, stroke, cancer, diabetes, and asthma, as well as injury and violence;
 - f. Combating infectious **and emerging** diseases, such as **Zika, novel Influenza**, Hepatitis B, Hepatitis C, Chlamydia, and **seasonal** Influenza and **public health programs which provide screening, diagnosis, and treatment;**
 - g. Provide for adequate State funding for children's programs, including the California Children's Services (CCS) program for clients who are not Medi-Cal eligible to assure that counties are not overmatched in their financial participation; and
 - h. **Programs which seek to monitor and address the needs of Foster youth, especially those on psychotropic medication.**

- i. Best practice programs which seeks to protect and enhance the health of pregnant women and that address maternal, child and adolescent health needs.
96. SUPPORT efforts to strengthen needle exchange programs as part of an overall program to combat the spread of HIV and other diseases; allowing items associated with needle exchange programs such as, cookers, sterile water, and cotton to be distributed along with clean needles; and the elimination of the federal ban on funding needle exchange programs.
97. SUPPORT legislative efforts to reduce or eliminate lead and toxic substances in consumer products, particularly those used by infants and children.
98. SUPPORT legislative efforts to reduce exposure to toxic air pollutants and the reduction of greenhouse gases.
99. SUPPORT funding, policy and programs dedicated to suicide, injury and violence prevention. Additionally, support efforts aimed at reducing health disparities and inequities associated with violence against women, communities of color and the LGBT community. Programs which seek to limit the effects of injury, violence and abuse on children, seniors and persons with disability.
100. SUPPORT funding, policy and program development aimed at reducing the misuse of prescription drugs, most especially opioids. Additionally, support funding and resources for local capacity to address new state laws regarding restrictions on the sale and use of powdered alcohol.
101. SUPPORT necessary County infrastructure and adequate funding related to education, regulatory, testing and enforcement functions associated with the State Medical Marijuana regulatory controls.
102. SUPPORT legislation and/or similar policy efforts to tax certain beverages that contain added sugars, by establishing a per fluid ounce health impact fee on sugar sweetened beverages at the distributor level. In addition, support efforts which would create the Sugar Sweetened Beverage Safety warning act, which would require a safety warning on all sealed sugar sweetened beverages.
103. SUPPORT legislation and efforts that support healthy meals and adequate meal time for school-age children.
104. SUPPORT efforts to dedicate funding that sustains and expands non-infrastructure Safe Routes to School programs that educate students, parents, and school staff about safe walking and bicycling to school.
105. Support efforts to address the underlying determinants of health and health equity, such as housing and prevention of displacement, educational attainment and livable wage jobs.

Human Services

106. SUPPORT efforts to promote safety of Adult Protective Services workers conducting required unannounced home visits by allowing them to request and receive from law enforcement criminal record checks through the California Law Enforcement Telecommunications System (CLETS). *This would primarily be used for reported abusers in the household.*
107. SUPPORT efforts to develop emergency/and or temporary shelter options for Adult Protective Services population and consider options that include but are not limited to, licensing of facilities specifically for this population and exploring Medi-Cal billing options to support clients in hospitals and other care facilities pending a more permanent housing placement.
108. SUPPORT simplification of IHSS service hour calculation and allocation to insure compliance with the Fair Labor Standards Act (FLSA) and efficiently provide services to consumers.
109. SUPPORT efforts that seek to identify and eliminate elder financial abuse and elder exposure to crime that may be committed through conservatorships, powers of attorney, notaries and others who have the right to control elder assets, including through solutions that allow access for Adult Protective Services to access financial records for investigation of financial abuse and exploitation. *Financial abuse is a fast-growing form of abuse of seniors and adults with disabilities and current law does not authorize financial institutions to grant access to financial records necessary to investigate the reported abuse without the consent of the account holder or authorized representative.*
110. SUPPORT efforts to establish an “umbrella code” for the reporting of incidents of elder abuse to the Department of Justice, thus more accurately recording the incidence of abuse. Current reporting policies within California’s law enforcement community and social services departments are uncoordinated in regards to the reporting of adult abuse. Under an “umbrella code,” law enforcement agencies and social services departments would uniformly report incidents of elder abuse and California would have much better data for policy and budget development purposes.
111. SUPPORT funding for statewide Adult Protective Services training.
112. SUPPORT establishing a State funded and administered General Assistance Program. *The General Assistance Program is 100% County funded. Moving it to the State would relieve pressure on the County budget and appropriately direct costs to the State.*
113. SUPPORT legislative efforts that allow for coordination of services and data, across state and county Departments that support aging and elder populations.

114. SUPPORT efforts to extend family stabilization mental health/substance abuse funding to include all family members. *Current law only funds services for adult Welfare to Work participants.*
115. SUPPORT solutions to address gaps in existing state statute that cause disruptions to continuity of care for some Covered California Insurance Affordability Program (IAP) enrollees when a new determination of IAP takes place.
116. SUPPORT the use of state funds to pay for CalFresh benefits for those Deferred Action for Childhood Arrivals (DACAs) who would otherwise be ineligible for CalFresh.
117. SUPPORT efforts to extend eligibility to zero share of Medi-Cal cost when recipients report new earned income. *Potential increases to state and local minimum wage impacts eligibility to free health care.*
118. SUPPORT efforts to extend eligibility of CalWORKs benefit by exempting the first 6 months of earned income received from new employment or wage increases. *Intended to create better financial stability when a family's income increases due to changes in local and state minimum wage law.*
119. SUPPORT fully funding Medi-Cal Administrative costs.
120. SUPPORT efforts to increase County flexibility in the use of CalWORKs funds and in program requirements in order to better support the transition of welfare dependent families from welfare-to-work to self-sufficiency, including, but not limited to: extending supportive services beyond the current limit; enhancing supportive services; increasing diversion and early intervention to obviate the need for aid.

Legislative changes to support these initiatives could include the following:

- a. **Supportive Services.** Extending the length of time CalWORKS recipients can receive supportive service such as help with transportation, child care, work uniforms, etc.
- b. **Welfare to Work.** Extending the length of time families can receive Welfare to Work services (job training and search and other employment related services) including job retention services. Currently CalWORKS recipients are eligible to receive supportive services and Welfare to Work services for up to 48 months if they are in compliance with CalWORKS rules. After 48 months these services or for CalWORKS cash aid. Helping people move from poverty and significant education gaps to full time employment in jobs that pay a high enough wage to be self-sufficient is difficult. It can take longer than 48 months and allowing for the flexibility to extend supportive services and training past the 48 month time limit would help.

- c. **Diversion:** Removing the criteria that someone has to be apparently eligible to CalWORKs in order to qualify for diversion and base the criteria on the client's circumstance and ability to maintain the situation on their own without the need of continued assistance.
- When applying income and resource requirements for diversion, use only half of their income and/or resource value or increase the limits for income and resources for diversion only.
 - Increasing the amount of the diversion payment. If the applicant doesn't "use" all of the amount, they have 12 months to come back into the office and apply for the remaining amount of their diversion payments.
 - Allowing families to reapply for CalWORKs during their diversion period without a repayment penalty or CalWORKs ineligibility.
- d. Expanding job retention services;
- e. Exempting the hard-to-serve from Welfare-to-Work activities and the 20% exemption or providing flexibility in the time limit (dependent upon terms and conditions of TANF authorization). Developing an eligibility definition to 250% of the federal poverty level (FPL). Currently, the CalWORKs poverty level is 130% of the FPL for each Assistance Unit (AU). An increase to 250% would ensure more families meet income eligibility requirements.

All of these measures would make it easier for CalWORKs families to enter employment services, become employed, and continue with the support they need in order to maintain their jobs.

121. SUPPORT efforts to revise the definition of "homelessness" in the Welfare & Institutions Codes to include families who have received eviction notices due to a verified financial hardship, thus allowing early intervention assistance for CalWORKs families. *Current law prevents CalWORKs from providing homeless assistance until the CalWORKs family is actually "on the street." This rule change would enable the County to work with CalWORKs families who are being threatened with homelessness to prevent the eviction and, presumably, better maintain the family members' employment status.*
122. SUPPORT alignment of verification requirements for CalWORKs, CalFRESH and Medi-Cal programs to simplify the customer experience and reduce the potential for error. Consider letting all programs access the Federal Hub used through CalHEERs. *Currently these programs have different requirements for client verification, though they are all benefit programs. Alignment of verifications would make program administration more efficient and improve the client experience.*
123. SUPPORT allowing all individuals in receipt of Unemployment Benefits (UIB) to be automatically eligible for CalFresh. *Applying for UI and CalFresh is duplicative because requirements of both program are so similar. This would increase CalFresh uptake in an efficient way.*

124. SUPPORT efforts to increase CalFresh benefit amounts to better meet recipients' nutritional needs, improve ease and accessibility of the CalFresh application and recertification processes, and adjust CalFresh eligibility requirements to include currently excluded populations with significant need.
125. SUPPORT efforts to restore cuts to the Supplemental Security Income/State Supplementary Payment (SSI/SSP) Program and reinstate the annual Cost of Living Adjustment (COLA.)
126. SUPPORT efforts to ensure funding of child care for CalWORKs and former CalWORKs families at levels sufficient to meet demand. The State of California has not fully funded the cost of child care for the "working poor." *Additional funding would allow more CalWORKs and post-CalWORKs families to become and/or stay employed.*
127. SUPPORT the efforts of CHSA (California Head Start Association) in securing legislation to support a state-wide integrated child care licensing structure. This will allow childcare programs to apply for and have one child care license for all children 0-5 as opposed to the current system of a two-license structure for varying ages of children in care. California remains only one of two states in the nation to maintain the two license structure.
128. OPPOSE legislation, rules, regulations or policies that restrict or affect the amount of funds available to, or the local autonomy of, First 5 Commissions to allocate their funds in accordance with local needs.
129. OPPOSE any legislation that increases tobacco taxes but fails to include language to replace any funds subsequently lost to The California Children and Families Act/Trust Fund for local services funded by tobacco taxes, Proposition 10 in 1998 and Proposition 99 in 1988.
130. SUPPORT efforts by the Contra Costa County's executive directors and program administrators of all Child Care and Development Programs to restore state budget allocations to the FY 2009-10 levels if verified that this is an increase by fiscal analysts for the California State Preschool Program (CSPP), California Center-Based General Child Care Program (CCTR), CalWORKs Stage 2 (C2AP), CalWORKs Stage 3 (C3AP), Alternate Payment Program (CAPP), Child Care and Development Grant and the Child Care Retention Program (AB 212). *Budgets in these programs have stagnated or reduced. An increase would greatly help low-income people find work and stay in jobs.*
131. SUPPORT efforts to increase the number of subsidized child care slots to address the shortage of over 20,000 slots serving children 0-12 years of age in Contra Costa County; and SUPPORT efforts to enhance the quality of early learning programs and maintain local Quality Rating and Improvement Systems (QRIS) for early learning providers. *Affordable child care is key to low-income workers remaining employed and there is a significant dearth of subsidized child care slots. Increasing quality of early learning is important to developing skills in the next generation.*

132. SUPPORT legislation to expand early child care and education and increase funding for preschool and early learning.
133. SUPPORT the restoration of funding for Facility Restoration and Repair (FRR) grants by California Department of Education. *Increasing the funding amounts for facility restoration of early childhood education would allow for improved facilities at Head Start sites.*
134. SUPPORT legislation to expand early care and education and increase funding for preschool and early learning, through a diverse and multi-faceted delivery system.
135. SUPPORT restoration of child development programs (pre-2011 funding) under Proposition 98 funding.
136. Support legislation that would clarify and streamline the definition of homelessness across categorical eligibility for child care services to homeless children.
137. Support legislation that would clarify the definition of “volunteer” in SB 792. Current law does not specify an established minimum of time spent in a child care facility to be considered a volunteer. SB 792, therefore, would apply to parents/grandparents coming to child care centers for one-time volunteer activities, to provide proof of vaccination.
138. SUPPORT the establishment of a 12-month child care assistance and graduated phase out that allows for tapered assistance to families whose income has increased at the time of re-determination, but still does not exceed the federal income limit of 85% of State Median Income.
139. SUPPORT continued and improved funding for substance abuse treatment and mental health services including those that provide alternatives to incarceration and Laura’s Law.
140. SUPPORT increased funding for Foster Parent Recruitment and Retention.
141. SUPPORT continued and improved funding for implementation of Continuum of Care Reform.
142. SUPPORT counties to access CWS/CMS to determine family’s child abuse history for the Resource Family Approval process.
143. SUPPORT efforts to improve and expand emergency food assistance networks’ (e.g. local food banks, food pantries) ability to procure, store, and distribute nutritious food to those in need.
144. SUPPORT efforts that seek to address the impact of domestic violence and sexual assault and implement culturally relevant, trauma-informed responses, connect victims to services, and prevent domestic violence and sexual assault.

145. SUPPORT increased investments in housing for victims of domestic violence and human trafficking including the preservation of emergency and long-term housing options for victims.
146. SUPPORT efforts that prevent domestic violence homicide including assessment of risk for assault or lethal force throughout the criminal justice system.
147. SUPPORT investments in continuous training and coordination of training for all law enforcement officers, District Attorneys, Public Defenders, Judges and other court staff on issues of domestic violence, sexual assault, human trafficking, elder abuse and trauma informed approaches.

Indian Gaming Issues

Contra Costa County is currently home to the Lytton Band of the Pomo Indians' Casino in San Pablo, a Class II gaming facility. There has been a proposal for an additional casino in North Richmond. Local governments have limited authority in determining whether or not such facilities should be sited in their jurisdiction; the terms and conditions under which the facilities will operate; and what, if any, mitigation will be paid to offset the cost of increased services and lost revenues. Contra Costa County has been active in working with CSAC and others to address these issues, as well as the need for funding for participation in the federal and state review processes and for mitigation for the existing Class II casino.

148. SUPPORT efforts to ensure that counties who have existing or proposed Class II Indian gaming facilities receive the Special Distribution Funds.
149. CONSIDER, on a case by case basis, whether or not to SUPPORT or OPPOSE Indian gaming facilities in Contra Costa County, and only SUPPORT facilities that are unique in nature and can demonstrate significant community benefits above and beyond the costs associated with mitigating community impacts.
150. OPPOSE the expansion or approval of Class III gaming machines at the existing gaming facility in Contra Costa County unless it can be demonstrated that there would be significant community benefits above and beyond the costs associated with mitigating community impacts.
151. SUPPORT State authority to tighten up the definition of a Class II machine.
152. SUPPORT State legislative and administration actions consistent with the CSAC policy documents on development on Indian Lands and Compact negotiations for Indian gaming.

Land Use/Community Development

153. SUPPORT efforts to promote economic incentives for "smart growth," in Priority Development **and Priority Production Areas** including in-fill and transit-oriented development. *Balancing the need for housing and economic growth with the urban limit line requirements of Measure J (2004) will rely on maximum utilization of "smart growth" and Sustainable Community Strategy principles.*
154. SUPPORT efforts to increase the supply of affordable housing, including, but not limited to, state issuance of private activity bonds, affordable and low income housing bond measures, low-income housing tax credits and state infrastructure financing. *This position supports a number of goals in the County General Plan Housing Element.*
155. SUPPORT establishment of a CEQA exemption for affordable housing financing. Current law provides a statutory exemption from CEQA to state agencies for financing of affordable housing (Section 21080.10(b) of the California Public Resources Code and Section 15267 of the CEQA Guidelines)—but not to local agencies. *The current exemption for state agencies is only operational if a CEQA review process has been completed by another agency (e.g., by the land use permitting agency). Since the act of financing does not change the environmental setting, the net effect of the exemption is streamlining the process for providing financial assistance for already approved projects. AB 2518 (Houston) in 2006 was a Contra Costa County-sponsored bill to accomplish this, but it was not successful in the Legislature.*
156. SUPPORT efforts to obtain a CEQA exemption or to utilize CEQA streamlining provisions for infill development or Priority Development Areas, including in unincorporated areas. Section 15332 of the CEQA Guidelines is a Categorical Exemption for infill development projects but only within cities or unincorporated areas of a certain size surrounded by cities. *Without the exemption, housing projects in the unincorporated areas that are not surrounded by cities (e.g. North Richmond, Montalvin Manor and Rodeo) are subject to a more time-consuming and costly process in order to comply with the CEQA guidelines than that which is required of cities, despite having similar housing obligations. The CEQA exemption bill signed by the Governor in 2013 (SB 741) only applies to mixed-use or non-residential projects in the unincorporated areas that are both within ½ mile of a BART station and within the boundaries of an adopted Specific Plan.*
157. SUPPORT efforts to reform State housing element law to promote the actual production and preservation of affordable housing and to focus less on process and paper compliance.
158. OPPOSE efforts to limit the County's ability to exercise local land use authority.
159. SUPPORT efforts to reduce the fiscalization of land use decision-making by local government, which favors retail uses over other job-creating uses and housing. *Reducing*

incentives for inappropriate land use decisions, particularly those that negatively affect neighboring jurisdictions, could result in more rational and harmonious land use.

160. SUPPORT allocations, appropriations, and policies that support and leverage the benefits of approved Natural Community Conservation Plans (NCCPs), such as the East Contra Costa County NCCP. Support the granting of approximately \$24 million to the East Contra Costa County NCCP from the \$90 million allocation for NCCPs in Proposition 84. Support the inclusion of NCCPs for funding in allocations from Proposition 1. Support \$90 million for implementation of NCCPs and an additional \$100 million for watershed protection and habitat conservation in future park, water or natural resource bonds. Support the position that NCCPs are an effective strategy for addressing the impacts of climate change and encourage appropriate recognition of the NCCP tool in implementation of climate change legislation such as SB 375, AB 32 as well as an appropriate tool for spending Cap and Trade revenues. Promote effective implementation of NCCPs as a top priority for the California Department of Fish and Wildlife. Support an increase to \$1.6 million for the California Department of Fish and Wildlife's Local Assistance Grant program. Support efforts to streamline implementation of NCCPs including exemptions from unnecessary regulatory oversight such as the Delta Plan Covered Actions process administered by the Delta Stewardship Council. Support alignment of State and Regional of Water Board permits (Section 401 clean water act and storm water permits) and California Department of Fish and Wildlife Streambed Alteration Agreement (Section 1602 of the Fish and Game code) and other State natural resource permitting with California Endangered Species Act permitting through NCCPs to improve the overall efficiency, predictability and effectiveness of natural resource regulation.
161. SUPPORT legislation that would give local agencies specific tools for economic development purposes in order to enhance job opportunities, with emphasis on attracting and retaining businesses, blight removal and promoting smart growth and affordable housing development, while balancing the impacts on revenues for health and safety programs and healthy communities.
162. SUPPORT legislation that would resolve the administrative funding gap for agencies serving as the Successor Housing Agency. Such legislation should not have a negative impact on the localities' general fund. The Redevelopment Dissolution Act allows Successor Agencies a modest allowance of tax increment funds to support Successor Agency administrative costs. There is no such carve out for Housing Successors. However, unlike Successor Agencies, Housing Successors have an ongoing obligation to monitor existing affordable housing developments. These obligations will continue for up to 55 years.
163. SUPPORT legislation that would clarify the ability of successor agencies to former redevelopment agencies to enter into contracts with its sponsoring jurisdiction and third parties to fulfill enforceable obligations. *The existing redevelopment dissolution statute limits the contracting powers of successor agencies which is causing delays in their*

ability to expeditiously retire certain enforceable obligations of the former redevelopment agencies.

164. SUPPORT legislative and regulatory efforts that streamline compliance with the California Environmental Quality Act (CEQA) by integrating it with other environmental protection laws and regulations, modifying the tiering of environmental reviews, expanding the application of prior environmental reviews, focusing areas of potential CEQA litigation, and enhancing public disclosure and accountability.
165. OPPOSE CEQA reform efforts that reduce environmental protections for projects that cross county or city boundaries.
166. SUPPORT efforts to improve or streamline CEQA for efficiency without losing sight of its ultimate goal to thoroughly identify environmental impacts and mitigations.
167. OPPOSE efforts to change CEQA solely to accommodate one particular infrastructure project or set of projects.
168. SUPPORT legislation that amends Section 20133 of the Public Contract Code to 1) delete the existing sunset date of July 1, 2014 for design-build authority granted to counties, and 2) eliminate the current project cost threshold of \$2.5 million required for the use of the design-build method.

Law and Justice System

169. SUPPORT legislation that seeks to curb metal theft by making it easier for law enforcement agencies to track stolen metals sold to scrap dealers through such means as requiring identification from customers selling commonly stolen metals, banning cash transactions over a certain amount, and requiring scrap dealers to hold materials they buy for a certain period of time before melting them down or reselling them.
170. SUPPORT legislation that provides a practical and efficient solution to addressing the problem of abandoned and trespassing vessels and ground tackle in an administrative process that allows the California State Lands Commission to both remove and dispose of such vessels and unpermitted ground tackle. *Boat owners in increasing numbers are abandoning both recreational and commercial vessels in areas within the Commission's jurisdiction. Our state waterways are becoming clogged with hulks that break up, leak, sink and add pollutants to our waterways and marine habitat.*
171. SUPPORT legislation that requires boater's insurance. *Currently, boaters are not required to carry insurance in California.*
172. SUPPORT legislation that provides better funding for local agencies forced to deal with abandoned and sunken vessels and their environmental impacts.

173. OPPOSE legislative proposals to realign additional program responsibility to counties without adequate funding and protections.
174. OPPOSE legislation that would shift the responsibility of parolees from the state to the counties without adequate notification, documentation and funding.
175. SUPPORT legislation that will help counties implement the 2011 Public Safety Realignment as long as the proposal would: provide for county flexibility, eliminate redundant or unnecessary reporting, and would not transfer more responsibility without funding.
176. SUPPORT legislation that will combat the negative impact that human trafficking has on victims in our communities, including the impact that this activity has on a range of County services and supports, and support efforts to provide additional tools, resources and funding to help counties address this growing problem.
177. ADVOCATE for State legislation banning the sale of alcopop products by businesses that sell alcoholic beverages. The California Department of Alcoholic Beverage Control is responsible for regulating the type of alcohol products that a business may sell. *A type of flavored malt alcoholic beverage product known as “alcopops” has been identified as a contributor to under-age drinking in the County. The term alcopops usually refers to sweetened malt or alcoholic beverages that are typically sold in single-serving bottles or cans. The Board, through recommendations from the Public Protection Committee, has adopted amendments to the Alcoholic Beverage Sales Commercial Activities Zoning Ordinance that authorizes the County to prohibit the sale of alcopops at any establishment not in compliance with the performance standards. Along with the code changes, various implementation strategies were also approved in order to better coordinate efforts between County Departments and agencies for streamlined implementation and enforcement of the Ordinance.*
178. SUPPORT legislative reform of current bail provisions that will replace reliance on money bail with a system that incorporates a pretrial risk assessment tool and evidence-based pretrial release decisions. *The current reliance on fixed bail schedules and commercial money bonds ignores public safety factors and unfairly penalizes poor people who are awaiting trial. Bail reform in this manner will ensure that only dangerous persons who cannot be safely supervised in the community while they are awaiting trial will be held in custody pretrial. Locally, our County has moved in this direction with an AB109 funded pretrial program. Many statewide organizations support bail reform. Among them are the ACLU, Californians for Safety and Justice, the California Public Defenders Association, and the California Attorneys for Criminal Justice.*

Levees

179. ADVOCATE for administrative and legislative action to provide significant funding for rehabilitation of levees in the western and central Delta. *Proposition 1E, passed in*

November 2006, provides for over \$3 billion for levees, primarily those in the Central Valley Flood Control Program. Language is included in the bond for other Delta levees but funding is not specifically directed. The County will work to actively advocate for \$1 billion in funding through this bond.

180. SUPPORT legislation that requires the levee repair funds generated by Proposition 1E be spent within one year or legislative hearings conducted on expediting the expenditure of bond proceeds through the Department of Water Resources Delta Levees Section. Many public agencies, including reclamation districts charged with maintaining levees, have complained about the state's inaction in allocating and distributing the levee funds that were raised by the bond sales authorized by Proposition 1E in 2008. Legislation could require the immediate distribution of these funds to local levee projects. The Delta Reform Act of 2009 authorized over \$202 million for levee repairs. Legislative hearings may produce explanations from the state as to why these funds are not being distributed or identify methods to streamline administration of these funds.
181. SUPPORT legislation to amend California Water Code Section 12986, to maintain the state/local funding ratio of 75/25 for the state's Delta Levees Subventions Program, which provides funds for local levee repair and maintenance projects. The code provisions that have the state paying 75% of project costs will expire on July 1, 2013. At that time the matching ratio will change to 50/50. This means local reclamation districts will have to pay a larger portion of project costs (50%, compared to their current 25% requirement). Many districts do not have the funding to do so. The Delta Levees Subventions Program should continue to use funds from bonds or other dedicated sources, rather than the state's General Fund. For the past several years the program has been funded from bonds. When these bond funds run out, the program will have to be funded from the General Fund, unless some other new dedicated funding source is established.
182. ADVOCATE for legislation dealing with the Delta, including levees and levee programs, level and type of flood protection, beneficiary-pays programs, flood insurance, liability and other levee/land use issues.
183. SUPPORT legislation/regulation requiring Reclamation Districts to develop, publish, and maintain hazard emergency plans for their districts. *Emergency response plans are critical to emergency management, particularly in an area or situation like the Delta where a levee break could trigger other emergencies. This legislation/regulation should also include the requirement for plan review and annual distribution of the plan to the residents of the district, County Office of Emergency Services and other government agencies that have emergency response interests within the district.*
184. SUPPORT legislation to amend California Water Code Section 85057.5 to bring the Delta Stewardship Council's "covered actions" land-use review process into consistency with CEQA. This section of state code defines a "covered action," which refers to local permit decisions that are subject to potential revocation by the Council, as adopted in the Council's Delta Plan. The proposed process works as follows: (1) if a local permit

application meets the definition of a “covered action,” the jurisdiction must evaluate it for consistency with all of the policies in the Council’s Delta Plan. (2) If the jurisdiction finds the project is consistent with the Delta Plan, they notify the Council of this finding. (3) Anyone who objects to the project may appeal the consistency finding, and it will be up to the Council to make the final decision. Should the Council decide against the local jurisdiction, there is no appeal process available to the jurisdiction or project applicant other than legal action.

“Covered actions” are defined in Section 85057.5 of the California Water Code. It defines them as plans, projects or programs as defined by CEQA, and then goes on to grant several exemptions to certain types of projects. It does not, however, provide exemptions for all the project types that CEQA itself exempts. CEQA provides a lengthy list of categorical exemptions for plans, projects and programs that generally do not have significant environmental impacts, and projects that have compelling reasons to move forward quickly (such as public safety projects). The entire list of categorical exemptions from CEQA also should be exempt from the Delta Stewardship Council’s “covered actions” process.

Library

185. SUPPORT State financial assistance in the operation of public libraries, including full funding of the Public Library Fund (PLF) and the Direct/Interlibrary Loan (Transaction Based Reimbursement) program.
186. SUPPORT State bonds for public library construction. The 2000 library construction bond provided funding for two libraries in Contra Costa County. There is currently a need of approximately \$289,000,000 for public library construction, expansion and renovation in Contra Costa County.
187. SUPPORT continued funding for the California Library Literacy and English Acquisition Services Program, which provides matching funds for public library adult literacy programs that offer free, confidential, one-on-one basic literacy instruction to English-speaking adults who want to improve their reading, writing, and spelling skills.

Pipeline Safety

188. SUPPORT legislation that contains specific mitigations or solutions for installation of Automatic Shutoff Valves for both High Consequence Areas (HCA) and for those that transverse Active Seismic Earthquake Faults for all intrastate petroleum pipelines.
189. SUPPORT legislation that contains specific language for protection of all seasonal and all year creeks and all State Waterways where petroleum pipelines are present. *New and replacement pipelines near environmentally and ecologically sensitive areas should use the best available technology including, but not limited to, the installation of leak detection technology, automatic shutoff systems or remote controlled sectionalized block*

valves, or any combination of these technologies to reduce the amount of oil released in an oil spill to protect state waters and wildlife.

190. SUPPORT legislation that contains specific language and specific examples to guide health officers in making certain determinations, in taking certain actions related to an active gas pipeline leak and in the structure and installation of state mandated local programs for this purpose.
191. SUPPORT legislation that contains specific language that requires the same standards for installation of Automatic Shutoff Valves or Remote Controlled Sectionalized Block Valves of owners and operators of intrastate petroleum pipelines located in High Consequence Areas or that traverse Active Seismic Earthquake Faults. To provide the location of existing valves and the proposed location of new valves to the State Fire Marshal's Office allowing their interaction with the process, to establish action timelines, to adopt standards for how to prioritize installation, to ensure that valves are installed as quickly as reasonably possible and to establish ongoing procedures for monitoring progress in achieving requirements.

Telecommunications and Broadband

192. SUPPORT clean-up legislation on AB 2987 that provides for local emergency notifications similar to provisions in cable franchises for the last 20 years. *Currently our franchises require the cable systems to carry emergency messages in the event of local emergencies. With the occurrence of several local refinery incidents, this service is critical for Contra Costa. Under federal law, Emergency Alert System requirements leave broad discretion to broadcasters to decide when and what information to broadcast, emergency management offices to communicate with the public in times of emergencies.*
193. SUPPORT preservation of local government ownership and control of the local public rights-of-way. *Currently, local government has authority over the time, place, and manner in which infrastructure is placed in their rights-of-way. The California Public Utilities Commission is considering rulemaking that would give them jurisdiction to decide issues between local government and telecommunication providers.*
194. SUPPORT the expansion of broadband (high speed internet service) to drive economic development and job opportunities, support county service delivery, and improve health, education and public safety outcomes for residents. For communities to realize these full benefits of broadband it must be capable of supporting current technology.

Access and adoption are both necessary elements that should be supported in state and federal legislative or regulatory proposals. This entails the following:

- Establishing and maintaining reliable broadband in unserved or underserved communities;
- Promoting the knowledge, skills and behaviors that comprise digital literacy;

- Making broadband affordable for all households;
- Maximizing funding for infrastructure; and
- Reducing infrastructure deployment barriers.

Transportation

195. SUPPORT increased flexibility in the use of transportation funds.
196. SUPPORT regional coordination that provides for local input in addressing transportation needs. *Coordinated planning and delivery of public transit, paratransit, and rail services will help ensure the best possible service delivery to the public. Regional coordination also will be needed to effectively deal with the traffic impacts of Indian gaming casinos such as those in West County. Regional coordination also will be essential to complete planning and development of important regional transportation projects that benefit the state and local road system such as TriLink (State Route 239), improvements to Vasco Road, completion of remaining segments of the Bay Trail, improvements to the Delta DeAnza Regional Trail, and the proposed California Delta and Marsh Creek Trails. There may be interest in seeking enhanced local input requirements for developing the Sustainable Communities Strategy for the Bay Area mandated by SB 375 for greenhouse gas reduction. It is important that the regional coordination efforts are based on input gathered from the local level, to ensure the regional approach does not negatively impact local communities. “Top-down” regional planning efforts would be inconsistent with this goal.*
197. SUPPORT efforts to improve safety throughout the transportation system. *The County supports new and expanded projects and programs to improve safety for bicyclists, pedestrians and wheelchair users, as well as projects to improve safety on high-accident transportation facilities such as Vasco Road. Data on transportation safety would be improved by including global positioning system (GPS) location data for every reported accident to assist in safety analysis and planning. The County also supports the expansion of school safety improvement programs such as crossing guards, revised school zone references in the vehicle code, Safe Routes to Schools (SR2S) grants, efforts to improve the safety, expansion and security of freight transportation system including public and private maritime ports, airports, rail yards, railroad lines, rail bridges and sidings. The County also supports limits or elimination of public liability for installing traffic-calming devices on residential neighborhood streets.*
198. SUPPORT funding or incentives for the use of renewable resources in transportation construction projects. *The County seeks and supports grant programs, tax credits for manufacturers, state purchasing programs, and other incentives for local jurisdictions to use environmentally friendly materials such as the rubberized asphalt (made from recycled tires) that the County has used as paving material on San Pablo Dam Road and Pacheco Boulevard.*

199. SUPPORT streamlining the delivery of transportation safety projects. *The length of time and amount of paperwork should be reduced to bring a transportation safety project more quickly through the planning, engineering and design, environmental review, funding application, and construction phases, such as for Vasco Road. This could include streamlining the environmental review process and also streamlining all state permitting requirements that pertain to transportation projects. Realistic deadlines for use of federal transportation funds would help local jurisdictions deliver complex projects without running afoul of federal time limits which are unrealistically tight for complex projects.*
200. SUPPORT efforts to coordinate development of state-funded or regulated facilities such as courts, schools, jails, roads and state offices with local planning. The County supports preserving the authority of Public Works over County roads by way of ensuring the Board of Supervisors' control over County roads as established in the Streets & Highways Code (Ch2 §940) is not undermined. This includes strongly opposing any action by a non-local entity that would ultimately dilute current Board of Supervisors discretion relative to road design and land use.
201. SUPPORT efforts to coordinate planning between school districts, the state, and local jurisdictions for the purposes of: (1) locating and planning new schools, (2) funding programs that foster collaboration and joint use of facilities, and (3) financing off-site transportation improvements for improved access to existing schools. The County will urge the California Department of Education's current Title 5 update effort to include removing the current conflict between current school siting policies and sustainable communities. Related to this effort, the County supports reform of school siting practices by way of legislative changes related to any new statewide school construction bond authorization. The County takes the position that reform components should include bringing school siting practices and school zone references in the vehicle code into alignment with local growth management policies, safe routes to school best practices, State SB 375 principles, and the State Strategic Growth Council's "Health in All Policies Initiative."
202. SUPPORT regional aviation transportation planning efforts for coordinated aviation network planning to improve service delivery. Regional aviation coordination could also improve the surrounding surface transportation system by providing expanded local options for people and goods movement.
203. SUPPORT efforts to increase waterborne transport of goods and obtaining funds to support this effort. *The San Francisco to Stockton Ship Channel is a major transportation route for the region, providing water access to a large number of industries and the Ports of Sacramento and Stockton. A project is underway to deepen the channel, providing additional capacity to accommodate increasing commerce needs of the Ports and providing better operational flexibility for the other industries. Increased goods movement via waterways has clear benefits to congestion management on highways and railroads (with resultant air quality benefits).*

204. SUPPORT legislative and administrative measures to enhance rail safety, increase state oversight of railroad bridges, provide funding for the training of first responders, and implement regulations that increase tank car safety standards for cars transporting crude oil and other hazardous materials, and regulations that require railroads to share data with state emergency managers and local responders.
205. SUPPORT funding increases for active transportation projects and planning. Funding is needed for improved pedestrian infrastructure and enhancements and expansion of: trails, on-street bike facilities (Class II and III), and separated facilities (Class I and Class IV [cycle track]). Funding is also needed for corridor and "bicycle superhighway" planning, trail access improvements, overcrossings, intersection improvements, Class I - IV interconnectivity projects (gap closures), wayfinding/signage projects, and facilities/designs identified in emerging best practices.

Veterans

206. SUPPORT legislation and budget actions that will continue the state's annual local assistance for County Veterans Service Offices at a minimum of the \$5.6 million level. The eventual goal is to fully fund CVSOs by appropriating the full \$11 million in local assistance funding as reflected in Military and Veterans Code Section 972.1(d). *County Veterans Service Offices (CVSOs) play a vital role in the local veteran community, not only within the Veterans Affairs claims process, but in other aspects as well. This includes providing information about all veterans' benefits (Federal, State and local), as well as providing claims assistance for all veteran-related benefits, referring veterans to ancillary community resources, providing hands-on development and case management services for claims and appeals and transporting local veterans to VA facilities.*
207. SUPPORT legislation and budget actions that will provide veterans organizations with resources to make necessary repairs to, or replacement of, their meeting halls and facilities. *Across California, the meeting halls and posts of Veterans Service Organizations such as the American Legion and Veterans of Foreign Wars serve as unofficial community centers. Many of these facilities are not compliant with Americans with Disabilities Act accessibility standards, are not earthquake retrofitted, or have deteriorated in recent years due to declining membership and reduced rental revenues as a result of the economic downturn. The County will support legislation that would create a competitive grant program for veterans' organizations, classified by the IRS as 501c19 non-profit organizations and comprised primarily of past or present members of the United States Armed Forces and their family members, to use for repairs and improvements to their existing facilities.*
208. SUPPORT legislation that will improve the timeliness and quality of both VA benefits claim decisions and VA healthcare services. Specifically, legislation that works toward improving on the expedited processing of claims, providing VA healthcare, and administering of benefits to populations with unique needs, such as homeless Veterans,

Women Veterans, and Veterans experiencing service related Posttraumatic Stress Disorder or service related Traumatic Brain Injury.

Waste Management

209. SUPPORT legislation that establishes producer responsibility for management at the end of their useful life of products, including pharmaceuticals, batteries, sharps and veterinary medicine.
210. SUPPORT efforts to increase the development of markets for recycled materials.
211. SUPPORT legislative and regulatory efforts to allow third parties, under specific circumstances and conditions, to collect and transport household hazardous waste to collection facilities.
212. SUPPORT legislation that seeks to remedy the environmental degradation and solid waste management problems on a State-wide basis of polystyrene containers and single-use plastic bags typically given away for free at grocery, retail and other establishments.
213. SUPPORT legislation that does not require increased diversion from landfills without an adequate funding mechanism.
214. SUPPORT legislation that would make changes to the used tire redemption program. *Instead of collecting a disposal fee from the consumer when new tires are purchased, a disposal fee would be collected at the wholesale level and redeemed by the disposal site when the used tires are brought to the site. The party bringing the tires to the disposal site would also receive a portion of the fee.*
215. SUPPORT legislation that relieves counties with privately-operated landfills from the state requirement for maintaining a 15-year supply of disposal capacity for waste generated within each county. *In 1989, Contra Costa County amended its general plan to accommodate construction of Keller Canyon Landfill. Due to the difficulty in siting landfills and the requirements of Public Resources Code 47100 – Countywide Siting Element, the County maintained authority to control the amount of waste disposed at this facility from outside the county. Despite Contra Costa County’s opposition, AB 845 became law on January 1, 2013 and prohibits any jurisdiction from regulating the amount of waste disposed at a privately-operated landfill based on its place of origin.*

Because local jurisdictions can no longer control importation of waste to privately-operated landfills, a host County that receives a significant amount of waste from outside the county will have a greater need to undertake the difficult task of identifying new disposal capacity pursuant to the Countywide Siting Element requirement. Since the state believes there is no need for local jurisdictions to regulate disposal of solid waste by place of origin, the state should remove existing statutes that require each County with

privately-operated landfills to identify sufficient disposal capacity for the waste generated by the jurisdictions within that County.

216. SUPPORT legislation that can reduce the amount of harmful pharmaceuticals (including veterinary medicine) that ultimately enter waste water treatment facilities, bodies of water, and landfills.
217. SUPPORT legislative and regulatory efforts to restrict payments from the Beverage Container Recycling Program Fund for redemption of beverage containers sold out of state. *Fraudulent redemption of these beverage containers is costing the Fund from \$40 million to \$200 million annually. This fraud combined with loans to the General Fund to reduce the State budget deficit has significantly reduced the availability of funds for increasing recycling as intended under the law.*
218. SUPPORT legislative and regulatory efforts that correct the imbalance between the County's regulatory authority to control the collection and disposal of solid waste generated within the unincorporated areas and our exposure to state penalties for failing to meet state mandates for diverting solid waste generated within these areas as a result of Appellate Court decisions. *In litigation where the County sought to protect its solid waste franchise authority for unincorporated areas the court awarded franchise authority to the Rodeo Sanitary District and Mountain View Sanitary District while the County remains exposed to state penalties for failing to meet state mandates for reducing disposal of solid waste generated in these areas.*

Workforce Development

219. SUPPORT legislative and regulatory efforts that make the necessary changes to existing law for the implementation of the federal Workforce Innovation and Opportunity Act (WIOA) in California. *The County supports legislation that would include provisions that state that the Local Plan developed by local workforce boards should be the basis of all workforce planning in the local areas and all workforce-related state grants. Additionally, the County supports provisions that ensure that staffing costs and support services should be included in the training expenditure requirement. Finally, the County supports provisions that require all programs listed in the Workforce Innovation & Opportunity Act (WIOA) work together to ensure that data is collected and reported across all programs, utilizing the state's base-wage file system to ease local reporting burdens.*



P.O BOX 156, ALAMO, CALIFORNIA 94507

September 30, 2016

Lara DeLaney
 Senior Deputy County Administrator
 651 Pine Street, 10th floor
 Martinez, CA 94553
 (925) 335-1097 (ph); (925) 335-1098 (fax)

**RE: 2017 State and Federal Legislative Platforms: INPUT REQUESTED
 Pipeline Safety**

Dear Lara:

Please review the following information for consideration to be included in the Contra Costa County's Legislative Platform.

SUMMARY OF PROPOSAL:

The issue of Pipeline Safety is ongoing and continues to be in need of focus and development. There continues to be both "accidents" and "incidents" of gas leakage and petroleum spillage, some resulting in multiple deaths, always resulting in destruction of real property or waterways. We will continue to experience these types of problems as our pipeline infrastructure ages and becomes more susceptible to environmental factors. Locally, AIA has secured a \$50,000 grant from PHMSA to provide both education on petroleum pipeline issues which also included Pipeline Safety Trust's report on safety items that can be considered by the County, State and Federal Governments.

ACTION REQUIRED:

The current County Legislative Platform does not include a category for Pipeline Safety. This a formal request that one be added.

Recently enacted California State Legislation will improve the existing Pipeline Safety situation, however it does not go far enough.

For example:

SB 295 – State Fire Marshal Annual Inspections of all Intrastate Petroleum Pipelines does not contain the specific mitigations or solutions for installation of Automatic Shutoff Valves for both High Consequence Areas (HCA) and for those that traverse Active Seismic Earthquake Faults that are mandated for Gas Pipelines under AB 2856. Note: CCCounty has several petroleum pipelines that should be classified under these categories and present the same explosive nature as gas pipelines do.

Recommendation:

SUPPORT State legislation that contains specific mitigations or solutions for installation of Automatic Shutoff Valves for both High Consequence Areas (HCA) and for those that transverse Active Seismic Earthquake Faults for all intrastate petroleum pipelines.



P.O BOX 156, ALAMO, CALIFORNIA 94507

AB 864 – State Fire Marshal Testing of all California Coastal Petroleum Pipelines does not include Petroleum Pipelines that impact other waterways which are just as important. The Pipeline Safety Trust’s report notes that within just the 10 miles of petroleum pipeline between Alamo and Danville there are above ground pipeline crossings of 2 seasonal creeks that travel directly into Alamo Creek and to the Straits, Note: Within every 10-mile section the amount of petroleum product (diesel, kerosene, high octane jet fuel) totals 110,000 gallons of fuel. There are many seasonal and all year creeks throughout our County and throughout our State that should be included in this requirements for the very same reasons Coastal Waterways are included.

Recommendation

SUPPORT State Legislation that contains specific language for protection of all seasonal and all year creeks and all State Waterways where petroleum pipelines are present. New and replacement pipelines near environmentally and ecologically sensitive areas should use the best available technology including, but not limited to, the installation of leak detection technology, automatic shutoff systems or remote controlled sectionalized block valves, or any combination of these technologies to reduce the amount of oil released in an oil spill to protect state waters and wildlife.

AB 1420 Division of Oil, Gas and Geothermal Resources requires a local health officer, if notified of a leak in an active gas pipeline within a sensitive area to make certain determinations and to take certain actions related to the leak, working collaboratively with the division and the owner or operator of that pipeline, requiring the local health officer to direct the responsible party to notify residents affected by the leak if the health officer determines that the leak poses a serious threat to public health and safety. The bill goes on to impose a state mandated local program. However, to be effective, this bill needs improvement. It needs to be more specific in wording and show or reference guidelines to public health and safety and to also provide examples to the health officer. In addition, it needs to establish a suggested structure for the state mandated local program.

Recommendation

SUPPORT State Legislation that contains specific language and specific examples to guide health officers in making certain determinations, in taking certain actions related to an active gas pipeline leak and in the structure and installation of state mandated local programs for this purpose.

AB 2856 references existing law for installation of Automatic Shutoff Valves or Remote Controlled Sectionalized Block Valves on intrastate gas pipelines located within High Consequence Areas or that traverse Active Seismic Earthquake Faults. However, PG&E did not do so on their gas line through San Bruno or perhaps in other areas not yet identified in CCCounty. NOTE: As a new requirement, it goes on to require owner or operators to (now) provide the PUC of the location of existing valves and the proposed location of new valves so the PUC can (now) interact with the process, to (now) establish action timelines, to (now) adopt standards for how to prioritize installation, insure that these valves are (now) installed as quickly as is reasonably possible and to (now) establish ongoing procedures for monitoring progress in achieving the requirements of this section. It goes on to say that the PUC shall (now) adopt and enforce compatible safety standards for commission-regulated (intrastate) gas pipeline facilities as the commission determines should be adopted to implement the requirements of this section. The State of California should consider adopting similar wording for a bill that would provide the State Fire Marshal’s office with the same authority over Petroleum Pipelines.



P.O BOX 156, ALAMO, CALIFORNIA 94507

Recommendation

SUPPORT State Legislation that contains specific language that requires the same standards for installation of Automatic Shutoff Valves or Remote Controlled Sectionalized Block Valves of owners and operators of intrastate petroleum pipelines located in High Consequence Areas or that traverse Active Seismic Earthquake Faults. To provide the location of existing valves and the proposed location of new valves to the State Fire Marshal's Office allowing their interaction with the process, to establish action timelines, to adopt standards for how to prioritize installation, to ensure that valves are installed as quickly as reasonably possible and to establish ongoing procedures for monitoring progress in achieving requirements.

Thank you for the opportunity to present this issue and information for consideration to be included within the Contra Costa County's Legislative Platform.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Roger Smith', is written over a light blue horizontal line.

Roger Smith
President

Cc: Michael Kent



Contra Costa County Board of Supervisors

Subcommittee Report

LEGISLATION COMMITTEE

6.

Meeting Date: 10/25/2016
Subject: Draft 2017 Federal Legislative Platform
Submitted For: LEGISLATION COMMITTEE,
Department: County Administrator
Referral No.: 2016-28
Referral Name: Draft 2017 Federal Legislative Platform
Presenter: L. DeLaney **Contact:** L. DeLaney, 925-335-1097

Referral History:

Each fall, the County Administrator's Office initiates the development of the coming year's Federal Legislative Platform by inviting members of the Board of Supervisors, Department Heads and key staff to provide recommended changes or additions to the current adopted Platform.

In September, departments were invited to provide suggested changes to the Federal Platform by submitting input in writing.

The Legislation Committee typically reviews the Draft Platform in November and/or December of each year, with the Proposed Platform recommended to the Board of Supervisors for adoption in January.

The Draft 2017 Federal Platform in a redline version (showing changes from 2016) is Attachment A and a clean-copy version is Attachment B.

Referral Update:

Federal Funding Needs

Staff recommends the deletion of the following funding need:

5. Bay-Delta Area Studies, Surveys and Technical Analysis – \$2,500,000 for the Delta Counties Coalition to carry out technical analysis and planning associated with participation in the Bay-Delta Conservation Plan (BDCP) or implementation of any projects resulting from the Plan. The technical analysis and planning will focus on issues related to the planning of water delivery projects and conservation plans that are included in the BDCP.

In addition, the two transportation related projects previously included in this section were moved to the section addressing Federal Transportation Needs, as were projects in "Appropriations and Grants" that related to specific transportation funding needs.

Federal Transportation Needs(revised from "Act")

Staff recommends the following revisions:

1. **Vasco Road Safety Improvement Project** -- \$18 million for improvements to a 2.5-mile accident-prone section of Vasco Road. Project components include widening the roadway to accommodate a concrete median barrier and shoulders on either side of the barrier, construction of the barrier, and extension of an existing passing lane. The project will eliminate cross-median accidents which have caused numerous fatalities in recent years, and will provide increased opportunities for vehicles to safely pass (unsafe passing is a major cause of accidents and fatalities on this segment of the increasingly busy two-lane undivided road). The project will include provisions for wildlife undercrossings to preserve migration patterns. The proposed improvements will complement a \$10 million project that was funded with American Recovery and Reinvestment Act funds [and completed in 2011](#).

5. **Iron Horse Corridor Enhancement Program** -- \$25 million for joint planning, environmental review, and the construction of improvements in the Iron Horse Trail Corridor, a 28 mile non-motorized facility used for commute and recreation purposes providing access to schools, recreational facilities, commercial areas, residences, and mass transit hubs. Eligible projects include corridor planning, trail access improvements, trail expansion/enhancements, overcrossings (7 overcrossings in 5 cities), intersection improvements, Class I trail inter-connectivity projects, and wayfinding/signage projects.

- Transportation Funding for Disabled, Low-income, and Elderly Persons – Transit services for elderly, disabled, and low-income persons are provided by the County, by some cities, by all of the bus transit operators, and by many community organizations and non-profits that provide social services. Increased funding is needed to provide and maintain more service vehicles, operate them longer throughout the day, upgrade the vehicle fleet and dispatching systems, improve coordination between public providers and community groups that also provide such services to their clients, expand outreach programs to inform potential riders of the available services, [and expedite deployment of efficient new technologies and systems](#), among other needs. The County supports continuation and increased funding levels for federal funding programs dedicated to transit services for these population groups. All of the demographic trends point to a growing need for such services in the future. For example, the 65-and-older population in the Bay Area is projected to more than double by the year 2030.

Appropriations and Grants

Staff recommends the following revisions and one new support position.

Buchanan Field Airport – The County approved a Master Plan for the Buchanan Field Airport in October 2008, which included a ~~Federal Aviation Regulation Part 150 Noise Study and a~~ Business Plan for project implementation; [all of which completed a previously approved Federal Aviation Regulation Part 150 Noise Study](#). The comprehensive planning effort has ideally positioned Buchanan Field Airport for future aviation (general aviation, corporate aviation and commercial airline service) and aviation-related opportunities. To facilitate the economic development potential, the Business Plan prioritizes necessary infrastructure improvements for Buchanan Field Airport (including [development of a general aviation terminal/administration building and](#) potential replacement of the 65 year old control tower). Further, as the Airport is surrounded by urban residential uses, enhancing the noise program infrastructure is deemed essential for balancing the aviation needs with those of the surrounding communities. The Federal government, primarily through the Federal Aviation

Administration (FAA), provides funding for planning, analysis, and infrastructure improvements. The County will support funding in all these areas for protection and enhancement of our aviation facility and network.

Byron Airport – The Byron Airport is poised for future general and corporate aviation and aviation-related development, but that future growth and full build out of the airport as shown in the Master Plan is dependent upon utility and infrastructure improvements ([such as improved road access and sewer and water connections](#)) both on and around the Airport. The Byron Airport Business Plan prioritizes infrastructure and possible additional land acquisition to assist the Byron Airport in fulfilling its aviation and economic development potential. The Federal government, primarily through the Federal Aviation Administration (FAA), provides funding for planning, analysis, infrastructure improvements and aviation land acquisition. The County will support funding in all these areas for protection and enhancement of our aviation facility and network.

Stormwater Program Funding - \$700,000 to fund additional compliance costs required by the Clean Water Act. The Regional Water Quality Control Board issues the County a Municipal Separate Storm Sewer System (MS4) permit every five years, requiring the County to remove pollutants from stormwater prior to entering the storm drain system. The County has a dedicated revenue source for funding stormwater services derived from an assessment on every parcel in the County, which generates about \$3 million per year in the unincorporated communities. The Regional Board recently issued a new MS4 permit that will increase costs dramatically over the next five years, starting next year with a 25% increase and the following year by an increase of almost five times current costs. In 2012, the County attempted to increase the parcel assessment for stormwater services but the voters turned it down. The County needs additional funding through the Environmental Protection Agency, the source of the MS4 requirements, to help pay for compliance costs.

2017 Federal Legislative Platform Policy Positions

Staff recommends the following text revisions and the addition of policies.

Affordable Housing and Homeless Programs –For Housing and Urban Development (HUD)’s Homeless Assistance Grants, [including the Emergency Solutions Grant \(ESG\) Program](#), the County will support funding that does not include set-asides or other requirements that limit local communities’ ability to respond to the particular needs in their areas. For the Housing Assistance for People with AIDS (HOPWA) program, the County will support legislation to update the formula used to allocate HOPWA grants to reflect local housing costs as well as the number of AIDS cases.

The County supports full funding for HUD homeless assistance programs, [including the ESG Program](#), and funding for full implementation of the Homeless Emergency and Rapid Transition to Housing (HEARTH) Act of 2009.

Child Care – Research continues to show that quality, affordable childcare is a necessity to ensuring a family’s stability and economic success. Currently in Contra Costa County, there are over 10,000 low-income children eligible for affordable childcare services, yet only 29% of that need is met. Research also shows that in addition to a child’s long-term success with school and employment, investing in high-quality early care and education results in a higher than average return on investments in the areas of crime reduction and positive health, education and economic outcomes.

With regards to childcare, the County will support [any proposed continuation](#) of the President’s “Preschool for All” Initiative meant to close America’s school readiness gap and ensure all

children have access to quality care by expanding high quality learning opportunities for children 0-5. This proposal includes:

- An increase of over 100,000 new childcare slots and \$12 billion over the next 10 years;
- A focus on children and their families who are at or below 200% of poverty;
- Financing through a new cost-sharing partnership with states, already a proven successful model with Head Start in Contra Costa County.

The County will also advocate for the following federal actions:

- Increase funding to support employment of low-income families through greater access to child care subsidies, and increase the access of children from eligible families to high-quality care that supports positive child development outcomes.
- Provide flexibility at the state and local levels so that quality care can be balanced with access and parental choice.
- Reauthorization of Head Start that includes consideration of a regional approach to determining eligibility and reforming the Head Start Designation Renewal System by suspending the use of the lowest 10 percent of the Classroom Assessment Scoring System trigger.

Child Welfare and Well-being –The County will advocate for the following federal actions:

Provide states with financial incentives, as opposed to monetary penalties, under the Child and Family Services Reviews and minimize the significant administrative burden associated with the review process.

End Title IV-E disallowances from federal audits that take away funds from an already resource-strapped child welfare system. Allow states to reinvest these funds in preventing child abuse and neglect.

Increase prevention dollars to help maintain children safely in their own homes. Federal funding currently gives disproportional support to out-of-home care rather than to preventing children from coming into care.

Any increase in Federal Medical Assistance Percentage should include an associated increase in the Title IV-E matching rate to help support children in foster care.

OPPOSE The Family First Prevention Services Act for our Children, an Act that would curtail California's Continuum of Care Reform (CCR) efforts and would result in poor outcomes for especially vulnerable abused and neglected children.

Community Development Block Grant, Emergency Solutions Grant and HOME Programs – The County's ability to continue funding to a variety of nonprofit agencies that provide critical safety net services to lower income residents, including financing the development of affordable housing is threatened by further cuts as part of the Budget Control Act (Act) passed by Congress in July 2011. The Act established mandatory spending caps on most federal programs through 2021, and arranged additional across-the-board annual spending cuts to federal defense and non-defense discretionary (NDD) programs over this same period.

Included in non-defense discretionary programs are critical local government oriented programs including the CDBG, ESG and HOME programs. These programs are successful and productive, leveraging significant funding from non-federal sources to help spur economic development. The

County agrees that reducing the federal deficit is an important component of achieving long-term national economic stability, but targeting solely NDD programs like the CDBG, [ESG](#) and HOME programs will not achieve significant reductions and will hinder the County's ability to provide critical services to its most vulnerable populations. The County will continue to oppose any further reductions in the CDBG, [ESG](#) and HOME programs as part of the Budget Control Act or any other means.

Habitat Conservation Planning – The County will advocate for elevating the profile of [locally controlled, regional](#) Habitat Conservation Plans (HCPs) such as the East Contra Costa County HCP within Congress and Administration so that these critical federal/state/local partnerships can receive necessary attention and support. HCPs are flagship programs for the federal government and supporting effective implementation of approved HCPs should be a top priority for the U.S. Department of the Interior and U.S. Fish and Wildlife Service and HCPs should be a key tool in any federal climate change or economic stimulus legislation.

Habitat Conservation Permitting and Permit Alignment – [The County will advocate for and support efforts to align federal permits for natural resource impacts federal with permits already issued by the U.S Fish and Wildlife Service pursuant to a locally-controlled, regional Habitat Conservation Plan \(HCP\), such as East Contra Costa County HCP. One good example of this is the U.S. Army Corps' issuance of Regional General Permit 1 which was designed to be consistent with the East Contra Costa County HCP. The alignment of permit requirements and processes improves the overall efficiency, predictability and effectiveness of natural resource regulation and project delivery.](#)

Homeless / Runaway Youth -- [The County will SUPPORT continued investment in the Runaway and Homeless Youth Act to ensure that all youth have access to housing and other critical services. Homelessness among young people is a serious issue. Homeless youth, sometimes referred to as unaccompanied youth, are individuals who lack parental, foster or institutional care. Homeless youth are at a higher risk for physical abuse, sexual exploitation, mental health disabilities, substance abuse, and death. It is estimated that 5,000 unaccompanied youth die each year as a result of assault, illness, or suicide. In Contra Costa County youth under the age of 18 years make up approximately 11% of the homeless population and two thirds of those youth reside in shelters on any given night.](#)

Human Trafficking -- [Human Trafficking is the illegal recruitment, transportation, harboring, provision or obtaining of people \(by force, fraud or coercion\), typically for the purposes of forced labor or commercial sexual exploitation. Nearly 20.9 million people around the world fall victim to this multi-billion dollar industry. In the last two years Contra Costa partners on a Federal human trafficking grant have served over 240 victims of human trafficking.](#)

[The County will advocate for the following federal actions to insure support and services for victims of human trafficking, and the systems that help them:](#)

• [SUPPORT federal funding that effectively enables service providers to assist victims and law enforcement to prosecute traffickers. Because it takes a well-resourced multi-faceted approach to support victims and to insure traffickers are prosecuted support cross-system, comprehensive approaches to prevent human trafficking.](#)

• [SUPPORT efforts that increase the level of training, awareness, and funding to address promising practices related to labor trafficking \(including the hospitality industry, restaurants, etc.\). Victims of trafficking may be found everywhere– some may be found working against their will in hotels/motels for long hours for little or no pay. Labor trafficking has been found in diverse labor settings including domestic work, restaurants, nail salons, small businesses, large farms, and factories.](#)

Multi-Service Centers – [The County will support federal funding for the establishment and operation of coordinated service integration models such as SparkPoint, Service Integration Teams, Family Resource Centers, or Family Justice Centers. Multi-service centers often co-locate county and non-profit agencies working holistically to meet the needs of families. Centers can help individuals and families address immediate financial crises, build financial security, address abuse and violence, provide accessible, coordinated public services, and may, engage](#)

families in resident-driven efforts to revitalize their communities.

Municipal Securities – The County supports efforts to preserve, enhance and streamline the availability of tax-exempt financing to fund critical public infrastructure projects. For over 100 years, federal tax policy has granted a tax exemption on municipal bond interest to incentivize investment in local infrastructure projects. Also, the federal government has occasionally provided “direct subsidy bonds” that further mitigate borrowing costs to local government.

- Preservation for the Tax-Exemption for Municipal Bonds: The County will support the continued exemption of municipal bond interest.
- Opposition to Repeal of the “Tower Amendment” to the Securities Acts Amendments of 1975: The Tower Amendment to the Securities Acts Amendments of 1975 has prohibited the U.S. Securities and Exchange Commission (SEC) and the Municipal Securities Rulemaking Board (MSRB) from directly or indirectly regulating state and local government issuers of municipal securities prior to the sale of those securities. The County will oppose any repeal of the Tower Amendment which would impose an additional federal regulatory oversight burden on local government issuers, in recognition that the states already have such authority.
- **Private Activity Bonds for Government Buildings:** The County will support legislation that would create a new category of private activity bonds for governments to join with private parties to help finance government buildings. The tax-exempt bonding mechanism would allow state and local governments to issue private activity bonds to finance the construction and upkeep of certain publically owned buildings. The County will support amending the federal tax code to provide another layer of tax-exempt financing that would encourage the use of public-private partnerships.

Public Housing Programs – The County will support legislation that results in the transformation of existing programs to improve their effectiveness and efficiency, in tandem with the design of new and innovative responses, both to build upon recent progress and address outstanding issues.

The County will support legislation to expand Affordable Housing Opportunities and combat homelessness:

- Fully fund the Home Investment Partnerships Program and HUD’s homeless assistance programs, such as the Emergency Solutions Grant Program.

Sexual Assault

Sexual violence affects millions of Americans – nearly every 2 minutes an American is sexually assaulted. The County will advocate for the federal actions to insure support for victims and survivors of sexual assault.

~~**SparkPoint, Service Integration** – The County will support federal funding for the establishment and operation of SparkPoint and Service Integration models. SparkPoint Centers are one-stop, financial education centers that help individuals and families who are struggling to make ends meet. SparkPoint helps clients address immediate financial crises, get them back on their feet, and build financial security. Each center brings together a full range of services at one convenient location, including job training, career development and financial coaching, as well as access to higher education and savings accounts. The Contra Costa County Service Integration Program co-locates county and non-profit agency service providers and community residents in neighborhood-based family service centers to provide accessible, coordinated public services tailored to meet the specific needs and goals of low-income families, while also engaging families in resident-driven efforts to revitalize their communities.~~

Supplemental Nutrition Assistance Program (SNAP) – The County will advocate for the following federal actions:

~~? Increase SNAP benefits as a major and immediately available element of economic stimulus.~~

~~? Suspend the restrictions applying to ABAWDs. (“ABAWDs” stands for “Able-Bodied Adults without Dependents” and pertains to adults receiving food stamps who are considered employable.) They are subject to strict time limits on how long they can receive food stamps. It is difficult administratively to track this, and when~~

~~unemployment is high, it can result in more adults going hungry.~~

- Increase SNAP benefit amounts to better meet recipients' nutritional needs and support local economies.
- Adjust SNAP eligibility requirements to a) include currently excluded populations with significant need b) remove time limits and work requirements for Able-Bodied Adults Without Dependents (ABAWDS) and full-time students. ABAWDS and pertains to adults receiving food stamps who are considered employable.
- OPPOSE funding cuts or block granting the SNAP program.
- Remove the current federal barriers that prevent some nutrition programs from employing EBT technology.

Recommendation(s)/Next Step(s):

REVIEW the Draft 2017 Federal Legislative Platform, provide direction to staff on any recommended changes, and RECOMMEND action to the Board of Supervisors.

Attachments

Attachment A: Draft 2017 Federal Platform--redlined

Attachment B: Draft 2017 Federal Platform--clean copy



DRAFT 20167 FEDERAL LEGISLATIVE PLATFORM

Contra Costa County

October 21, 2016



20167 FEDERAL LEGISLATIVE PLATFORM CONTRA COSTA COUNTY

Each year, the Board of Supervisors adopts a Federal Legislative Platform that establishes priorities and policy positions with regard to potential federal legislation and regulation.

FEDERAL FUNDING NEEDS

The following list is a preliminary ranking in priority order. Adjustments to the priority order may be appropriate once the President releases his-a budget. The current priority ranking gives preference to those projects that we know will not be included in the President's budget, with lower priority to Army Corps of Engineers projects which may be in the budget. Also, Army Corps project requests will be adjusted to be consistent with Corps capability.

1. Emergency Operations Center (EOC) - \$350,000,000 for state and local efforts to sustain and enhance the effectiveness of their emergency management programs for all hazards preparedness. In FY 2015, California received more than \$27.8 million, the highest funded-state in the country, of which more than \$15.5 million was sub-allocated to approximately the 58 county Operational Areas (OAs) for critical hazard preparation activities. Last year California's Office of Emergency Services (Cal OES), in accordance with program guidelines, prioritized the building, sustainment, and delivery of all-hazards emergency management capabilities in the following areas: Planning, organization, equipment acquisitions, training, exercises, Emergency Operations Center (EOC) construction and renovation, and maintenance and sustainment. Of particular interest to Contra Costa County is the allowance for funds to be expended for EOC construction and renovation, as the County is seeking funding for the development of an EOC.

2. Delta LTMS-Pinole Shoal Management, CA – \$4,500,000 for the Army Corps of Engineers to continue a Long Term Management Strategy (LTMS) for levee rehabilitation, dredging and sediment reuse in the Delta, similar to the effort completed in the Bay area. Levee work, reuse of dredged sediments, dredging and other activities have been difficult to accomplish due to permitting problems and a divergence of priorities related to water quality. Significant levee rehabilitation is critical to the long term stability of these levees and to water quality and supply for the 23 million Californians who depend upon this water. Stakeholders from the Department of Water Resources, Ports, Army Corps, levee reclamation districts, local governments and other interested parties are participating in the LTMS. A Sediment or Dredged Material Management Office will be established, and in the longer term, preparation of a Sediment Management Plan will consider beneficial reuse of dredged materials as one potential source of sediment for levees. (Note: \$500,000 appropriated for FFY 2005; \$225,000 for FFY 2006; \$500,000 for FFY 2007; \$462,000 for FFY 2008; \$235,000 for FFY 2009; \$100,000 for FFY 2010; \$0 FFY 2011-2013; \$930,000 FFY 2014.)

3. Safe and Bright Futures for Children Exposed to Domestic Violence and Trauma – \$400,000 to implement the federally funded plan to diminish the damaging effects of domestic violence, and exposure to early trauma on children and adolescents and to stop the cycle of intentional injury and abuse. A three year assessment and planning process resulted in a program plan that is working to align and create a system responsive to the needs of children exposed to domestic violence and trauma through identification, early intervention; raising awareness;

Comment [VT1]: Susan Jeong, EHSD

training professionals; utilizing and disseminating data; establishing consultation teams to support providers in intervening and using best practices; and developing targeted services. Exposure to domestic violence **and trauma** reshapes the human brain and is the primary cause of trauma in children's lives. It influences personality, shapes personal skills and behaviors, impacts academic performance, and substantially contributes to the high cost of law enforcement, civil/criminal justice and social services. Exposure to domestic violence **and trauma** is associated with greater rates of substance abuse, mental illness, and adverse health outcomes in adulthood, and substantially contributes to the high cost of law enforcement, civil/criminal justice and social services. (Note: \$428,000 appropriated for FFY 2009; \$550,000 for FFY 2010.)

4. Mt. Diablo Mercury Mine Clean-up – \$483,000 for the Army Corps of Engineers to complete the Technical Planning Process for the clean-up project at the source and downstream area of the Mt. Diablo Mercury Mine. The project will clean up the mine in a cost effective, environmentally-sound manner with minimal liability exposure for the County and involving all stakeholders through an open community-based process. The Corps initiated a Technical Planning Process in June 2008 to develop a preliminary remediation plan, identify applicable permit and environmental data requirements and complete a data collection and documentation program for the clean-up of the area impacted by the Mt. Diablo Mercury Mine. Several phases of the planning process have been completed, and this appropriation will allow the Corps to continue the planning process, which will include looking at watershed issues downstream of the mercury mine. The mine site is located on private property on the northeast slope of Mt. Diablo at the upper end of the Marsh Creek watershed. (Note: \$517,000 appropriated in FFY 2008.)

5. Bay Delta Area Studies, Surveys and Technical Analysis – \$2,500,000 for the Delta Counties Coalition to carry out technical analysis and planning associated with participation in the Bay-Delta Conservation Plan (BDCP) or implementation of any projects resulting from the Plan. The technical analysis and planning will focus on issues related to the planning of water delivery projects and conservation plans that are included in the BDCP.

65. CALFED Bay Delta Reauthorization Act Levee Stability Improvement Program (LSIP) – \$8,000,000 for the Army Corps of Engineers for levee rehabilitation planning and project implementation. The CALFED Reauthorization Act, passed in January 2004, authorized \$90 million, which may be appropriated for levee rehabilitation work. The Corps has prepared a "180-Day Report" which identifies projects and determines how these funds would be spent. Since that time, the breakdown of CALFED, coupled with the Army Corps' attempts to define an appropriate and streamlined process, has delayed funding and resultant levee work. (Note: \$500,000 appropriated for FFY 2006; \$400,000 for FFY 2007; \$4.92M for FFY 2008; \$4.844M for FFY 2010.)

Comment [LD2]: Ryan affirmed it's not needed at this time.

76. Suisun Bay Channel/New York Slough Maintenance Dredging – \$8,700,000 for the Army Corps of Engineers for maintenance dredging of this channel to the authorized depth of minus 35 feet. Continued maintenance is essential for safe transport of crude oil and other bulk materials through the San Francisco Bay, along the Carquinez Straits and into the Sacramento/San Joaquin Delta. Dredging for this channel section is particularly costly due to requirements on placement of dredged materials in upland environments. An oil tanker ran aground in early 2001 due to severe shoaling in a section of this channel, which creates a greater potential for oil spills (Note: \$4.559 M appropriated for FFY 2005; \$4.619M for FFY 2006; \$2.82M

for FFY 2007; \$2.856M for FFY 2008; \$2.768M for FFY 2009; \$3.819M for FFY 2010; \$2.715M for FFY 2012; \$2.495M for FFY 2013; \$2.026M for FFY 2014.)

87. San Pablo/Mare Island Strait/Pinole Shoal Channel Maintenance Dredging – \$8,400,000 for the Army Corps of Engineers for maintenance dredging of the channel to the authorized depth of minus 35 feet. The Pinole Shoal channel is a major arterial for vessel transport through the San Francisco Bay region, serving oil refineries and bulk cargo which is transported as far east as Sacramento and Stockton. (Note: \$1M appropriated for FFY 2005; \$2.988M for FFY 2006; \$896,000 for FFY 2007; \$1.696M for FFY 2008; \$1.058M for FFY 2009; \$2.518M for FFY 2010; \$3.402M for FFY 2012; \$499,000 for FFY 2013; \$780,000 for FFY 2014.)

98. San Francisco to Stockton (J. F. Baldwin and Stockton Channels) Ship Channel Deepening – \$2,700,000 for the Army Corps of Engineers to continue the Deepening Project. Deepening and minor realignment of this channel will allow for operational efficiencies for many different industries, an increase in waterborne goods movement, reduced congestion on roadways, and air quality benefits. This work focused on establishing economic benefit to the nation and initial salinity modeling in the channel sections. The following steps include detailed channel design, environmental documentation, cost analysis, additional modeling, and dredged material disposal options. This project continues to have enormous implications for oil refineries, ports, and other industries that depend on safe ship transport through the channel. (Note: \$500,000 appropriated for FFY 2005; \$200,000 for FFY 2006; \$200,000 for FFY 2007; \$403,000 for FFY 2008; \$1.34M for FFY 2009; \$0 for FFY 2010; \$0 for FFY 2011; \$800,000 for FFY 2012; \$1,546,900 for FFY 2013; \$800,000 for FFY 2014.)

FEDERAL TRANSPORTATION NEEDS

The following are priority transportation projects and programs for which federal funding is needed.

1. Vasco Road Safety Improvement Project -- \$18 million for improvements to a 2.5-mile accident-prone section of Vasco Road. Project components include widening the roadway to accommodate a concrete median barrier and shoulders on either side of the barrier, construction of the barrier, and extension of an existing passing lane. The project will eliminate cross-median accidents which have caused numerous fatalities in recent years, and will provide increased opportunities for vehicles to safely pass (unsafe passing is a major cause of accidents and fatalities on this segment of the increasingly busy two-lane undivided road). The project will include provisions for wildlife undercrossings to preserve migration patterns. The proposed improvements will complement a \$10 million ~~completed~~ project that was funded with American Recovery and Reinvestment Act funds and completed in 2011.

1.b Vasco Road Safety Improvement Project Continuation -- \$30 million for improvements to the remaining 9 miles of accident-prone sections of Vasco Road. Alameda County has been working on constructing improvements in their jurisdiction and it would be desirable for the two counties to work together to complete the gap left in the concrete median barrier near the County line. In addition to completing this gap, Contra Costa desires to extend the concrete median barrier further north of the recently completed median barrier project to the Camino Diablo Road intersection.

2. North Richmond Truck Route -- \$25 million to construct a new road or other alternate access improvements that will provide truck access between businesses and the Richmond Parkway, moving the truck traffic away from a residential neighborhood and elementary school. This project will increase safety, improve public health around the school and residential area by reducing diesel particulate emissions from those areas, increase livability of the neighborhood, improve local access to the Wildcat Creek Regional Trail, stimulate economic development in the industrial area of the community and provide a better route for trucks traveling to and from the Richmond Parkway. Several potential alignments have been identified, one of which was developed through a community planning process funded through an Environmental Justice planning grant from Caltrans.

3. Eastern Contra Costa Trail Network -- \$11 million for joint planning, environmental review, right-of-way acquisition and construction of a coordinated network of trails for walking, bicycling and equestrian uses in eastern Contra Costa County including facilities and projects improving access to existing or planned transit stations. Eligible trails include, but are not limited to: (1) the Mokelumne Trail overcrossing of the State Route 4 Bypass (\$6 million); (2) Contra Costa segments of the Great California Delta Trail (\$3 million); (3) a transit supportive network of East Contra Costa trails in unincorporated County areas and the cities of Antioch, Brentwood, Oakley and Pittsburg (\$1 million); and Marsh Creek Corridor Multi-Use Path (\$1 million).

4. eBART Extension Next Phase Study/Environmental and Engineering -- \$10 million for environmental review and engineering work on the project identified in the Bay Area Rapid Transit District's (BART) eBART Next Segment Study in eastern Contra Costa County. With regard to additional stations and eBART rail corridor alignment tasks may include, but not necessarily be limited to, completion of environmental review, and partial completion of engineering. Additional work may include, but not necessarily be limited to, evaluation and refinement of alignment and stations, development of capital and operating costs, land use analysis, completion of environmental review including appropriate mitigations, development of preliminary engineering, and public outreach. (Potential Program: FTA – New Starts, FHWA/FTA Congestion Mitigation and Air Quality)

5. Iron Horse Corridor Enhancement Program -- ~~###~~ \$25 million for joint planning, environmental review, and the construction of improvements in the Iron Horse Trail Corridor, a 28 mile non-motorized facility used for commute and recreation purposes providing access to schools, recreational facilities, commercial areas, residences, and mass transit hubs. Eligible projects include corridor planning, trail access improvements, trail expansion/enhancements, overcrossings (7 overcrossings in 5 cities), intersection improvements, Class I trail inter-connectivity projects, and wayfinding/signage projects.

Comment [VT3]: TWIC

106. State Route 4 / Old River Bridge Study – \$1,000,000 to work with San Joaquin County and the State of California on a study of improving or replacing the Old River Bridge along State Route 4 on the Contra Costa / San Joaquin County line. The study would determine a preferred alternative for expanding or replacing the existing bridge, which is part of State Route 4. The existing bridge is narrow, barely allowing two vehicles to pass each other, and is aligned on a difficult angle relative to the highway on either side, requiring motorists to make sharp turns onto

and off of the bridge. The project would improve safety and traffic flow over the bridge. (Note: no appropriations for this project as yet.)

H7. Knightsen/Byron Area Transportation Study - \$300,000 to re-evaluate the Circulation Element of the County General Plan (GP) to improve its consistency with the Urban Limit Line (ULL) and related policies that ensure preservation of non-urban, agricultural, open space and other areas identified outside the ULL. Policies will be evaluated to provide a more efficient and affordable circulation system for the study area, serve all transportation user-groups, support the local agricultural economy and accommodate the commuter traffic destined for employment centers outside the study area. Zoning and development regulations would be updated to implement the study recommendations.

8. Kirker Pass Road Truck Climbing Lanes – \$4.5 million for constructing northbound and \$20 million for constructing southbound truck climbing lanes on Kirker Pass Road, a heavily used arterial linking residential areas in eastern Contra Costa with job centers and the freeway system in central Contra Costa. The truck climbing lanes are needed to improve traffic flow and will also have safety benefits. The \$4.5 million will close a funding gap and augment secured funding: \$6 million in Measure J (local sales tax measure) funds and \$2.6 million in State Transportation Improvement Program funds. The \$20 million is the total cost of the southbound truck climbing lane segment.

9. Vasco Road-Byron Highway Connector – \$30 million for design, engineering and construction of an east-west connector road between two major arterials that link Contra Costa County with Alameda and San Joaquin Counties. The Vasco Road-Byron Highway Connector will improve traffic circulation and linkages in the southeastern portion of the County and will provide a new route for truck traffic that will remove a significant portion of truck trips which currently pass through the rural community of Byron. Vasco Road is designated as State Route 84, and Byron Highway is under study as the potential alignment for future State Route 239.

- **Rural Road Funding Program** – The County supports the creation of a new funding program that will provide funds for converting or upgrading rural roads into more modern and safer roads that can better handle increasing commuter traffic in growing areas, such as East County. These roads do not often compete well in current grant programs because they do not carry as many vehicles as roads in more congested urban or suburban areas. As a result, improvements such as widenings (turn lanes, clear zone/recovery areas, etc.), realignments, drainage improvements and intersection modifications often go unfunded, leaving such roads with operational and safety problems as well as insufficient capacity.
- **Transportation Funding for Disabled, Low-income, and Elderly Persons** – Transit services for elderly, disabled, and low-income persons are provided by the County, by some cities, by all of the bus transit operators, and by many community organizations and non-profits that provide social services. Increased funding is needed to provide and maintain more service vehicles, operate them longer throughout the day, upgrade the vehicle fleet and dispatching systems, improve coordination between public providers and community groups that also provide such services to their clients, **and expand outreach programs to inform potential riders of the available services, and expedite deployment of efficient new technologies and systems,** among other needs.

Comment [LD4]: From JC.

The County supports continuation and increased funding levels for federal funding programs dedicated to transit services for these population groups. All of the demographic trends point to a growing need for such services in the future. For example, the 65-and-older population in the Bay Area is projected to more than double by the year 2030.

- **Surface Transportation Program/Highway Bridge Funding** – The County supports the continuation of funding levels consistent with the Highway Bridge funding program in previous transportation funding bills that will provide funds for rehabilitating and replacing our aging bridges. The County has several aging bridges with deficient sufficiency ratings. Without federal transportation funding, these expensive projects would be deferred because they often exceed the County’s funding capacity. Many of the bridges are on critical commute corridors, goods movement corridors, inter-regional routes, and farm to market routes. Failure of these important transportation assets can cause major disruptions to the transportation network. The County would also support federal funding for the rehabilitation and replacement of rail bridges.

APPROPRIATIONS AND GRANTS – SUPPORT POSITIONS

The following support positions are listed in alphabetic order and do not reflect priority order. Please note that new and revised positions are **highlighted**.

Buchanan Field Airport – The County approved a Master Plan for the Buchanan Field Airport in October 2008, which includes a ~~Federal Aviation Regulation Part 150 Noise Study and a Business Plan for project implementation; all of which completed a previously approved Federal Aviation Regulation Part 150 Noise Study.~~ **The comprehensive planning effort has ideally positioned Buchanan Field Airport for future aviation (general aviation, corporate aviation and commercial airline service) and aviation-related opportunities. To facilitate the economic development potential, the Business Plan prioritizes necessary infrastructure improvements for Buchanan Field Airport (including development of a general aviation terminal/administration building and potential replacement of the 650 year old control tower).** Further, as the Airport is surrounded by urban residential uses, enhancing the noise program infrastructure is deemed essential for balancing the aviation needs with those of the surrounding communities. The Federal government, primarily through the Federal Aviation Administration (FAA), provides funding for planning, analysis, and infrastructure improvements. The County will support funding in all these areas for protection and enhancement of our aviation facility and network.

Comment [VT5]: TWIC

Byron Airport – The Byron Airport is poised for future general and corporate aviation and aviation-related development, but that future growth and full build out of the airport as shown in the Master Plan is dependent upon utility and infrastructure improvements (such as improved road access and sewer and water connections) both on and around the Airport. The Byron Airport Business Plan prioritizes infrastructure and possible additional land acquisition to assist the Byron Airport in fulfilling its aviation and economic development potential. The Federal government, primarily through the Federal Aviation Administration (FAA), provides funding for planning, analysis, infrastructure improvements and aviation land acquisition. The County will

support funding in all these areas for protection and enhancement of our aviation facility and network.

Energy Efficiency & Conservation Block Grant (EECBG) Program – Advocate/support funding up to or above the authorized amount of \$2 billion for the EECBG Program established and authorized under the Energy Independence and Security Act (EISA) of 2007. The County’s ability to continue offering programs/services improving energy efficiency and conservation while also creating jobs is contingent upon additional federal funding being appropriated to the EECBG Program in 2012 and beyond. Contra Costa and other local governments have identified and designed many successful programs and financial incentives targeting both the private and public sector which are now being implemented using EECBG funding authorized through the ARRA of 2009. Funding for the EECBG program is necessary to ensure the nation’s local governments can continue their leadership in creating clean energy jobs, reducing energy consumption and curbing greenhouse gas emissions.

Multimodal National Freight Network – In 2015 the primary freight network was established pursuant to MAP-21. The County supports increases in dedicated freight funding as proposed in the National Freight Strategic Plan. The County will pursue grants and appropriations for 1) the Northern Waterfront Initiative – specifically, funding for a short-line railroad feasibility study for the Northern Waterfront Corridor and a Land-Use Cost-Benefit/Fiscalization study for the Northern Waterfront; and 2) consistent with the Draft National Freight Strategic Plan congestion reduction strategy, projects along the I-680 corridor including the High Occupancy Vehicle Lane - Direct Access Ramp project.

Regional Habitat Planning and Conservation – \$85 million to the U.S. Fish and Wildlife Service’s “Cooperative Endangered Species Conservation Fund” to keep pace with land costs and the increasing number of Habitat Conservation Plans (HCPs) throughout the country. The County will support funding for the Fund to be restored to \$85 million, the 2010 funding level. This will provide much needed support to regional HCPs in California and nationally, including the East Contra Costa County HCP. Given the prolific growth in the number of regional HCPs, the Fund needs to be increased even more substantially in subsequent years. The East Contra Costa County HCP has received \$37.5 million from the Cooperative Endangered Species Conservation Fund in the past ~~eight~~ nine years and continuing this grant support is of vital importance to the successful implementation of that Plan. The County will pursue increasing appropriations to the Fund in partnership with numerous counties in northern and southern California and will support requests of the California Habitat Conservation Planning Coalition to increase the Fund up to \$85 million. The County will also request that the California State Association of Counties (CSAC) include this Fund increase as a priority on CSAC’s federal platform.

Comment [VT6]: John Kopchik, DCD

San Francisco Bay Improvement Act – \$1 billion restoration bill authored by Congresswoman Jackie Speier in 2010 but not passed. The bill, if passed, will help finance restoration of more than 100,000 acres of the Bay’s tidal wetlands. Funds from the bill would implement a restoration plan that was adopted in 1993. In addition to benefits for fish and wildlife, wetlands restoration will create new jobs and provide regional economic infusions, as well as protect against the effects of sea level rise on the Bay’s shores.

Sacramento-San Joaquin Delta National Heritage Area – a bill authored by Senator Dianne Feinstein in 2010 but not passed. The bill, if passed, will authorize and fund a National Heritage Area (NHA) for the Sacramento-San Joaquin Delta. The NHA designation would be a first step in providing federal resources to agencies in the Delta for economic development and environmental protection. *Contra Costa County supports the legislation and participated in a feasibility study for the NHA through our seat on the Delta Protection Commission, which completed the study in 2012.*

Stormwater Program Funding - \$700,000 to fund additional compliance costs required by the Clean Water Act. The Regional Water Quality Control Board issues the County a Municipal Separate Storm Sewer System (MS4) permit every five years, requiring the County to remove pollutants from stormwater prior to entering the storm drain system. The County has a dedicated revenue source for funding stormwater services derived from an assessment on every parcel in the County, which generates about \$3 million per year in the unincorporated communities. The Regional Board recently issued a new MS4 permit that will increase costs dramatically over the next five years, starting next year with a 25% increase and the following year by an increase of almost five times current costs. In 2012, the County attempted to increase the parcel assessment for stormwater services but the voters turned it down. The County needs additional funding through the Environmental Protection Agency, the source of the MS4 requirements, to help pay for compliance costs.

Comment [VT7]: Mitch Avalon, PW Consultant

POLICY POSITIONS

The following support positions are listed in alphabetic order and do not reflect priority order. Please note that new and revised policy positions are **highlighted**.

Affordable Housing and Homeless Programs –For Housing and Urban Development (HUD)'s Homeless Assistance Grants, **including the Emergency Solutions Grant (ESG) Program**, the County will support funding that does not include set-asides or other requirements that limit local communities' ability to respond to the particular needs in their areas. For the Housing Assistance for People with AIDS (HOPWA) program, the County will support legislation to update the formula used to allocate HOPWA grants to reflect local housing costs as well as the number of AIDS cases.

Comment [VT8]: John Kopchik, DCD

The County supports full funding for HUD homeless assistance programs, **including the ESG Program**, and funding for full implementation of the Homeless Emergency and Rapid Transition to Housing (HEARTH) Act of 2009.

Comment [VT9]: John Kopchik, DCD

The County supports funding the National Affordable Housing Trust Fund. Resources made available through the Trust Fund should be accessible to local housing and community development agencies, including public housing authorities. The Housing Trust Fund should be used to complement and not supplant either the HOME or CDBG programs.

Agricultural Pest and Disease Control – Agriculture and native environments in Contra Costa County continue to be threatened by a variety of invasive/exotic pests, diseases and non-native weeds. The Federal government provides funding for research, regulation, pest exclusion activities, survey and detection, pest management, weed control, public education and outreach. The County will support funding in all these areas for protection of our agricultural industry and open space. Consistent with the policy position, the County will also support legislation which would authorize and direct the USDA to provide state and local funding for High Risk Prevention programs (also called Pest Detection Funding).

Beneficial Use of Dredged Materials – As the beneficial reuse of dredged materials has a clear public benefit, particularly in the Delta, the County will continue to support beneficial reuse in general and also continue to advocate for funding for a federal study to determine the feasibility of beneficial reuse, considering the benefits and impacts to water quality and water supply in the Delta, navigation, flood control damage, ecosystem restoration, and recreation. The study would include the feasibility of using Sherman Island as a rehandling site for the dredged material, for levee maintenance and/or ecosystem restoration. Language to authorize the study was included in the Water Resources and Development Act (WRDA) which was passed into law on November 8, 2007.

Broadband – Consistent with CSAC policy, Contra Costa County will support the expansion of broadband (high speed internet service) to drive economic development and job opportunities, support county service delivery, and improve health, education and public safety outcomes for residents. For communities to realize these full benefits of broadband it must be capable of supporting current technology.

Access and adoption are both necessary elements that should be supported in state and federal legislative or regulatory proposals. This entails the following:

- Establishing and maintaining reliable broadband in unserved or underserved communities;
- Promoting the knowledge, skills and behaviors that comprise digital literacy;
- Making broadband affordable for all households;
- Maximizing funding for infrastructure; and
- Reducing infrastructure deployment barriers.

Child Care – Research continues to show that quality, affordable childcare is a necessity to ensuring a family’s stability and economic success. Currently in Contra Costa County, there are over 10,000 low-income children eligible for affordable childcare services, yet only 29% of that need is met. Research also shows that in addition to a child’s long-term success with school and employment, investing in high-quality early care and education results in a higher than average return on investments in the areas of crime reduction and positive health, education and economic outcomes.

With regards to childcare, the County will support any proposed continuation of the President’s “Preschool for All” Initiative meant to close America’s school readiness gap and ensure all

Comment [VT10]: Susan Jeong, EHSD

children have access to quality care by expanding high quality learning opportunities for children 0-5. This proposal includes:

- An increase of over 100,000 new childcare slots and \$12 billion over the next 10 years;
- A focus on children and their families who are at or below 200% of poverty;
- Financing through a new cost-sharing partnership with states, already a proven successful model with Head Start in Contra Costa County.

The County will also advocate for the following federal actions:

- Increase funding to support employment of low-income families through greater access to child care subsidies, and increase the access of children from eligible families to high-quality care that supports positive child development outcomes.
- Provide flexibility at the state and local levels so that quality care can be balanced with access and parental choice.

▪ [Reauthorization of Head Start that includes consideration of a regional approach to determining eligibility and reforming the Head Start Designation Renewal System by suspending the use of the lowest 10 percent of the Classroom Assessment Scoring System trigger.](#)

Comment [VT11]: Susan Jeong, EHSD

Child Support –The County will advocate for the following federal actions:

- Eliminate the \$25 fee for non-IV-A families.
- Restore the incentive match payments that were prohibited in the Deficit Reduction Act.
- Allow the automatic use of cash medical support to reimburse Medicaid expenditures.
- Allow IV-D agencies to access Health Insurance records for the purposes of Medical Support.

Child Welfare and Well-being –The County will advocate for the following federal actions:

- Provide states with financial incentives, as opposed to monetary penalties, under the Child and Family Services Reviews and minimize the significant administrative burden associated with the review process.
- End Title IV-E disallowances from federal audits that take away funds from an already resource-strapped child welfare system. Allow states to reinvest these funds in preventing child abuse and neglect.
- Increase prevention dollars to help maintain children safely in their own homes. Federal funding currently gives disproportional support to out-of-home care rather than to preventing children from coming into care.

- Any increase in Federal Medical Assistance Percentage should include an associated increase in the Title IV-E matching rate to help support children in foster care.
- **OPPOSE** The Family First Prevention Services Act for our Children, an Act that would curtail California's Continuum of Care Reform (CCR) efforts and would result in poor outcomes for especially vulnerable abused and neglected children.

Comment [VT12]: Susan Jeong, EHS

Community Development Block Grant, Emergency Solutions Grant and HOME Programs – The County's ability to continue funding to a variety of nonprofit agencies that provide critical safety net services to lower income residents, including financing the development of affordable housing is threatened by further cuts as part of the Budget Control Act (Act) passed by Congress in July 2011. The Act established mandatory spending caps on most federal programs through 2021, and arranged additional across-the-board annual spending cuts to federal defense and non-defense discretionary (NDD) programs over this same period.

Comment [VT13]: John Kopchik, DCD

Included in non-defense discretionary programs are critical local government oriented programs including the CDBG, ESG and HOME programs. These programs are successful and productive, leveraging significant funding from non-federal sources to help spur economic development. The County agrees that reducing the federal deficit is an important component of achieving long-term national economic stability, but targeting solely NDD programs like the CDBG, ESG and HOME programs will not achieve significant reductions and will hinder the County's ability to provide critical services to its most vulnerable populations. The County will continue to oppose any further reductions in the CDBG, ESG and HOME programs as part of the Budget Control Act or any other means.

Cost Shifts to Local and State Government – Contra Costa County performs many of its services and programs pursuant to federal direction and funding. Other services and programs are performed at the behest of the state, which receives funding through the federal government. In the past, the Administration's budget has contained significant cuts to entitlement programs and/or caps on entitlements. Such actions could shift cost of services from the federal government to the state and/or local governments (and to the extent that costs would shift to the state, it is highly likely that these would be passed on to the County). The County will oppose any actions that would result in cost shifts on federal entitlement programs or which would result on greater dependency on county funded programs. In addition, the County will support federal and state financial assistance to aid county and local government efforts to meet unfunded federal mandates, such as those contained in the National Response Plan (NRP), the National Infrastructure Protection Plan (NIPP), and the National Incident Management System.

Criminal Debt Collection – Nonpayment of court-ordered victim restitution, fines and fees is a problem of epidemic proportions for all jurisdictions. Literally billions of dollars go uncollected each year across the country, resulting not only in financial suffering of victims, but also the loss of public revenue. Many states already allow for the offset of State Tax Refunds, and these programs are successful in achieving revenue recovery. Federal Tax Refunds are already being successfully offset to pay for delinquent child support. The County will support amendments to

the Internal Revenue Code of 1986 to allow an offset against income tax refunds to pay for court-ordered debts that are past-due.

Delta Water Platform –To protect the Sacramento-San Joaquin Delta from various detrimental forces that are affecting its health and resources, it is the policy of Contra Costa County to support implementation of projects and actions that will help improve the Delta ecosystem and the economic conditions of the Delta. Contra Costa County has developed a Delta Water Platform to identify and promote activities and policy positions that support the creation of a healthy Sacramento-San Joaquin Delta. Contra Costa County will use this Platform to guide its own actions and advocacy in other public venues regarding the future of the Delta.

Designation of Indian Tribal Lands and Indian Gaming – The Board of Supervisors has endorsed the California State Association of Counties' (CSAC) policy documents regarding development on tribal land and prerequisites to Indian gaming. These policy statements address local government concerns for such issues as the federal government's ability to take lands into trust and thus remove them from local land use jurisdiction, absent the consent of the state and the affected county; the need for tribes to be responsible for all off-reservation impacts of their actions; and assurance that local government will be able to continue to meet its governmental responsibilities for the health, safety, environment, infrastructure and general welfare of all members of its communities. The County will continue to advocate for federal legislation and regulation that supports the CSAC policy documents.

The County will also advocate for limitations on reservation shopping; tightening the definition of Class II gaming machines; assuring protection of the environment and public health and safety; and full mitigation of the off-reservation impacts of the trust land and its operations, including the increased cost of services and lost revenues to the County.

The County will also advocate for greater transparency, accountability and appeal opportunities for local government in the decision-making processes that permit the establishment of Indian gaming facilities. This includes sequencing the processes so that the Indian Lands Determination comes first, prior to initiation of a trust land request and associated environmental review.

The County will also consider support for federal action and/or legislation that allows Class III gaming at the existing gaming facility only if it can be shown that any change would result in a facility that would be unique in nature and the facility can demonstrate significant community benefits above and beyond the costs associated with mitigating community impacts.

Economic Development Programs – Congress should fund all the complementary programs within HUD's community and economic development toolkit, ensuring that HUD does not lose sight of the development component of its mission. To that end, the County will support continued funding for the Section 108 loan guarantee program, the Brownfields Economic Development Initiative and the Rural Housing and Economic Development program. Each of these programs plays a unique role in building stronger, more economically viable communities, while enabling communities to leverage external financing in a way the CDBG program alone cannot do.

Federal “Statewideness” Requirements – For many federally funded programs, there is a “statewideness” requirement; i.e., all counties must operate the specific program under the same rules and regulations. This can hamper the County’s ability to meet local needs, to be cost effective and to leverage the funding of one program to reduce costs in another program. Contra Costa County cannot negotiate for federal waivers or do things differently because it is not a state, yet its population is greater than seven states. Recognizing this is a very long-term effort, the County will advocate for relaxation of the “statewideness” rule to allow individual counties or a consortium of counties to receive direct waivers from the federal government and/or adopt the rules and regulations currently in use in another state for specific programs.

Habitat Conservation Planning – The County will advocate for elevating the profile of locally controlled, regional Habitat Conservation Plans (HCPs) such as the East Contra Costa County HCP within Congress and Administration so that these critical federal/state/local partnerships can receive necessary attention and support. HCPs are flagship programs for the federal government and supporting effective implementation of approved HCPs should be a top priority for the U.S. Department of the Interior and U.S. Fish and Wildlife Service and HCPs should be a key tool in any federal climate change or economic stimulus legislation.

Comment [VT14]: John Kopchik, DCD

Habitat Conservation Permitting and Permit Alignment – The County will advocate for and support efforts to align federal permits for natural resource impacts federal with permits already issued by the U.S Fish and Wildlife Service pursuant to a locally-controlled, regional Habitat Conservation Plan (HCP), such as East Contra Costa County HCP. One good example of this is the U.S. Army Corps’ issuance of Regional General Permit 1 which was designed to be consistent with the East Contra Costa County HCP. The alignment of permit requirements and processes improves the overall efficiency, predictability and effectiveness of natural resource regulation and project delivery.

Comment [VT15]: John Kopchik, DCD

Health – The County will advocate for the following actions by the federal government: a) provide enhanced Medicaid FMAP (the "Federal Medical Assistance Percentage" for Medicaid. It is the federal matching rate for state Medicaid expenditures.); b) suspend the Medicare “clawback” rule; c) suspend the “60-day rule” that requires states to repay the federal government overpayments identified by the state prior to collection, and even in instances where the state can never collect; d) ease the ability to cover those eligible for Medicaid by making documentation requirements less stringent; and e) prevent the implementation of the following seven federal regulations:

- Outpatient hospital
- Case Management
- School Based Administration & Transportation
- Public Provider Cost Limit
- Graduate Medical Education
- Rehabilitation Services Option
- Provider Tax

SUPPORT full funding of the Federal Medicaid program by the federal government. Medicaid provides access to health care for people whose income and resources are insufficient to pay for health care. It is jointly funded by Federal and State governments. The Patient Protection and Affordable Care Act (also known as the ACA) significantly expanded both eligibility for and federal funding of Medicaid. OPPOSE amendments to the ACA that would reduce support for Medicaid/Medi-Cal payments to providers.

Homeless / Runaway Youth –The County will support continued investment in the Runaway and Homeless Youth Act to ensure that all youth have access to housing and other critical services. Homelessness among young people is a serious issue. Homeless youth, sometimes referred to as unaccompanied youth, are individuals who lack parental, foster or institutional care. Homeless youth are at a higher risk for physical abuse, sexual exploitation, mental health disabilities, substance abuse, and death. It is estimated that 5,000 unaccompanied youth die each year as a result of assault, illness, or suicide. In Contra Costa County youth under the age of 18 years make up approximately 11% of the homeless population and two thirds of those youth reside in shelters on any given night.

Comment [VT16]: Susan Jeong

Human Trafficking –Human Trafficking is the illegal recruitment, transportation, harboring, provision or obtaining of people (by force, fraud or coercion), typically for the purposes of forced labor or commercial sexual exploitation. Nearly 20.9 million people around the world fall victim to this multi-billion dollar industry. In the last two years Contra Costa partners on a Federal human trafficking grant have served over 240 victims of human trafficking.

The County will advocate for the following federal actions to insure support and services for victims of human trafficking, and the systems that help them:

- SUPPORT federal funding that effectively enables service providers to assist victims and law enforcement to prosecute traffickers. Because it takes a well-resourced multi-faceted approach to support victims and to insure traffickers are prosecuted support cross-system, comprehensive approaches to prevent human trafficking.
- SUPPORT efforts that increase the level of training, awareness, and funding to address promising practices related to labor trafficking (including the hospitality industry, restaurants, etc.). Victims of trafficking may be found everywhere– some may be found working against their will in hotels/motels for long hours for little or no pay. Labor trafficking has been found in diverse labor settings including domestic work, restaurants, nail salons, small businesses, large farms, and factories.

Comment [VT17]: Susan Jeong, EHSD

Levee Restoration and Repair – The County will support legislation such as H.R. 6484, the SAFE Levee Act (Garamendi) in 2012, which will authorize the U.S. Department of the Interior to invest in Delta levee repairs, for all levees that are publicly owned or publicly maintained. The bill also requires a cost-benefit analysis for the tunnel project being planned as part of the Bay-Delta Conservation Plan.

Pension – The County will support legislation that would modify the Internal Revenue Code and corresponding regulations to permit public employees to make an irrevocable election between their current pension formula and a less rich pension formula.

In 2006, Contra Costa County and the Deputy Sheriff’s Association jointly obtained state legislation that would allow members of the Association to make a one-time irrevocable election between their current pension formula and a less rich pension formula, called Tier C. Orange County and its labor organizations obtained similar legislation in 2009. However, neither County has been able to implement this state legislation because such elections currently have negative tax consequences for employees and for retirement plans under federal tax law as interpreted by the Internal Revenue Service.

Like many local government entities nationwide, the County’s fiscal position would benefit greatly from reduced pension costs. Allowing local government entities to implement collective bargaining agreements and state legislation that permits employees to elect less rich pension formulas would be a significant step in reducing pension costs.

Multi-Service Centers – The County will support federal funding for the establishment and operation of coordinated service integration models such as SparkPoint, Service Integration Teams, Family Resource Centers, or Family Justice Centers. Multi-service centers often co-locate county and non-profit agencies working holistically to meet the needs of families. Centers can help individuals and families address immediate financial crises, build financial security, address abuse and violence, provide accessible, coordinated public services, and may, engage families in resident-driven efforts to revitalize their communities.

Comment [VT18]: Susan Jeong, EHSD

Municipal Securities – The County supports efforts to preserve, enhance and streamline the availability of tax-exempt financing to fund critical public infrastructure projects. For over 100 years, federal tax policy has granted a tax exemption on municipal bond interest to incentivize investment in local infrastructure projects. Also, the federal government has occasionally provided “direct subsidy bonds” that further mitigate borrowing costs to local government.

Comment [VT19]: Timothy Ewell, CAO

- **Preservation for the Tax-Exemption for Municipal Bonds:** The County will support the continued exemption of municipal bond interest.
- **Opposition to Repeal of the “Tower Amendment” to the Securities Acts Amendments of 1975:** The Tower Amendment to the Securities Acts Amendments of 1975 has prohibited the U.S. Securities and Exchange Commission (SEC) and the Municipal Securities Rulemaking Board (MSRB) from directly or indirectly regulating state and local government issuers of municipal securities prior to the sale of those securities. The County will oppose any repeal of the Tower Amendment which would impose an additional federal regulatory oversight burden on local government issuers, in recognition that the states already have such authority.
- **Private Activity Bonds for Government Buildings:** –The County will support legislation that would create a new category of private activity bonds for governments to join with

private parties to help finance government buildings. The tax-exempt bonding mechanism would allow state and local governments to issue private activity bonds to finance the construction and upkeep of certain publically owned buildings. The County will support amending the federal tax code to provide another layer of tax-exempt financing that would encourage the use of public-private partnerships.

Public Housing Programs – The County will support legislation that results in the transformation of existing programs to improve their effectiveness and efficiency, in tandem with the design of new and innovative responses, both to build upon recent progress and address outstanding issues.

The County will support legislation to protect the nation’s investment in Public Housing:

- Enact affordable housing industry proposal to allow public housing agencies (PHAs) to voluntarily convert public housing units to Section 8 project-based rental assistance in order to preserve this vital component of the national infrastructure.
- Oppose the Administration’s proposal to impose a \$1 billion offset against the operating reserves of responsible, entrepreneurial PHAs.
- Support the revitalization of severely distressed public housing units.
- Address safety and security concerns connected to drug-related crime.

The County will support legislation to preserve vital community and economic development programs:

- Fully fund the Community Development Block Grant Program in order to create and save jobs, revitalize local economies, and support critical services for vulnerable populations.
- Maintain funding for HUD’s cost-effective economic development tools.

The County will support legislation to strengthen and simplify the Section 8 Rental Assistance programs:

- Provide adequate funding for Housing Assistance Payment contract renewals and ongoing administrative fees.
- Enact the Section Eight Voucher Reform Act (SEVRA).
- Implement overdue regulatory and administrative revisions that ensure the efficient use of program funds.

The County will support legislation to expand Affordable Housing Opportunities and combat homelessness:

- Fully fund the Home Investment Partnerships Program and HUD's homeless assistance programs, such as the Emergency Solutions Grant Program.
- Capitalize the Housing Trust Fund through a revenue-neutral approach.
- Preserve and strengthen the Low Income Housing Tax Credit Program.

Comment [VT20]: John Kopchik, DCD

The County will support legislation to foster innovation, increase efficiency, and streamline the regulatory environment:

- Promote reasonable and flexible federal oversight.
- Incentivize green building and increased Energy Efficiency.
- Support HUD's ongoing transformation efforts.
- Ensure that HUD releases and distributes federal funding in a timely manner.
- Eliminate statutory and regulatory barriers that prevent PHAs and redevelopment authorities from accessing federal programs they are qualified to administer.

Rail Safety – Contra Costa County is home to a substantial oil refinery industry with four refineries located in the County. The County supports Senator Heitkamp's *Railroad Emergency Services Preparedness, Operational Needs, and Safety Evaluation (RESPONSE) Act, S. 2547*, which would establish a Federal Emergency Management Agency (FEMA) panel focused on railroad incident first responders. By bringing together under FEMA's National Advisory Council all relevant agencies, emergency responders, technical experts, and the private sector for a review of training, resources, best practices, and unmet needs related to emergency responders to railroad hazmat incidents, the RESPONSE Act will begin the process of addressing shortcomings in existing emergency response practices and procedures. It will also address the effectiveness of funding levels related to training local emergency responders for rail hazardous materials incidents.

The County also supports FEMA funding for the training of first responders, regulations that increase tank car safety standards for cars transporting crude oil and other hazardous materials, and regulations that require railroads to share data with state emergency managers and local responders.

Retiree and Retiree Health Care Costs – The County operates many programs on behalf of the federal government. While federal funding is available for on-going program operations, including employee salaries, the allocation is usually capped, regardless of actual costs. For retiree and retiree health care, the County's ability to contain costs is extremely limited. The County will advocate for full federal financial participation in funding the County's retiree and retiree health obligations.

State Criminal Alien Assistance Program (SCAAP) – On May 23, 2012, the Department of Justice (DOJ) announced a change in the State Criminal Alien Assistance Program (SCAAP) that will prohibit SCAAP funds from being used to reimburse localities for foreign-born criminal aliens housed in jails that have been classified as "unknown inmates" by the Department of

Homeland Security's Immigration and Customs Enforcement (ICE) agency. This is a significant change to the SCAAP reimbursement formula and will heavily impact counties across the nation.

The County will support the rescinding of this decision and a reinstatement of the previous reimbursement practice, which would more equitably reimburse jurisdictions for the costs of housing undocumented individuals, including those inmates whose status may be unknown to the Department of Homeland Security.

Second Chance Act – The County will support funding for the Second Chance Act, which helps counties address the growing population of individuals returning from prisons and jails. Despite massive increases in corrections spending in states and jails nationwide, recidivism rates remain high: half of all individuals released from state prison are re-incarcerated within three years. Here in California, unfortunately, the recidivism rate is even higher. Yet there is reason for hope: research shows that when individuals returning from prison or jail have access to key treatments, education, and housing services, recidivism rates go down and the families and communities they return to are stronger and safer.

The Second Chance Act ensures that the tax dollars on corrections are better spent, and provides a much-needed response to the "revolving door" of people entering and leaving prison and jail.

Sexual Assault – Sexual violence affects millions of Americans – nearly every 2 minutes an American is sexually assaulted. The County will advocate for the federal actions to insure support for victims and survivors of sexual assault.

Comment [VT21]: Susan Jeong, EHSD

SparkPoint, Service Integration – The County will support federal funding for the establishment and operation of SparkPoint and Service Integration models. SparkPoint Centers are one-stop, financial education centers that help individuals and families who are struggling to make ends meet. SparkPoint helps clients address immediate financial crises, get them back on their feet, and build financial security. Each center brings together a full range of services at one convenient location, including job training, career development and financial coaching, as well as access to higher education and savings accounts. The Contra Costa County Service Integration Program co-locates county and non-profit agency service providers and community residents in neighborhood-based family service centers to provide accessible, coordinated public services tailored to meet the specific needs and goals of low income families, while also engaging families in resident-driven efforts to revitalize their communities.

Comment [VT22]: Susan Jeong, EHSD

Supplemental Nutrition Assistance Program (SNAP) – The County will advocate for the following federal actions:

- Increase SNAP benefits as a major and immediately available element of economic stimulus.
- Suspend the restrictions applying to ABAWDs. ("ABAWDs" stands for "Able Bodied Adults without Dependents" and pertains to adults receiving food stamps who are considered employable.) They are subject to strict time limits on how long they can receive food stamps. It is difficult administratively to track this, and when unemployment is high, it can result in more adults going hungry.

- Increase SNAP benefit amounts to better meet recipients' nutritional needs and support local economies.
- Adjust SNAP eligibility requirements to a) include currently excluded populations with significant need b) remove time limits and work requirements for Able-Bodied Adults Without Dependents (ABAWDS) and full-time students. ABAWDS and pertains to adults receiving food stamps who are considered employable.
- OPPOSE funding cuts or block granting the SNAP program.
 - Remove the current federal barriers that prevent some nutrition programs from employing EBT technology.

Comment [VT23]: Susan Jeong, EHSD

Streamlining Permitting for Critical Infrastructure, Economic Stimulus, and Alternative Energy Projects –“Green” Job Creation – Request that Congress and the Administration recognize the value of Habitat Conservation Plans (HCPs) as a reliable way of streamlining critical infrastructure, economic stimulus, and alternative energy project permitting in a manner that is consistent with federal environmental regulations. HCPs not only facilitate such projects through permit streamlining, but the planning, implementation, management, and monitoring needs associated with regional HCPs plans also create many quality “green” jobs.

Telecommunications Act of 1996 Revisions – The Telecommunications Act of 1996 governs local government’s role in telecommunications, primarily broadband cable that uses the County’s right-of-way as well as consumer protections. As Congress works to update the Act, the County will continue to advocate for strengthening consumer protections and local government oversight of critical communications technologies; local access to affordable and reliable high speed broadband infrastructures to support the local economy; the right of local municipalities and communities to offer high-speed broadband access: coordination and integration of private communication resources for governmental emergency communication systems; preservation of local government’s franchise fees; preservation of the local community benefits, including but not limited to public, education and governmental (PEG) access channels; authority for provision of municipal telecommunication services; preservation of local police powers essential for health, safety and welfare of the citizenry; preservation of local government ownership and control of the local public rights-of-way; and support for ensuring that communication policy promotes affordable services for all Americans.

The Community Broadband Act of 2007, S.1853, encourages the deployment of high speed networks by preserving the authority of local governments to offer community broadband infrastructure and services. The County will oppose all bills that do not address the County’s concerns unless appropriately amended. In addition, the Federal Communications Commission (FCC) has proposed rule-making (FCC Second Report and Order Docket 05-311 “Franchising Rules for Incumbents”) that, in the opinion of local government, goes beyond the scope of their authority in this area. The County will oppose all such rule making efforts.

Telecommunications Issues – Support the Community Access Preservation (CAP) Act introduced in 2009 by Wisconsin Congresswoman Tammy Baldwin. The CAP Act addresses the challenges faced by public, educational and government (PEG) TV channels and community access television stations. The CAP Act addresses four immediate issues facing PEG channels.

The CAP Act would: Allow PEG fees to be used for any PEG-related purpose; require PEG channels to be carried in the same manner as local broadcast channels; require the FCC to study the effect state video franchise laws have had on PEG; require operators in states that adopted statewide franchising to provide support equal to the greater of the support required under the state law or the support historically provided for PEG; and make cable television-related laws and regulations applicable to all landline video providers.

In addition, the County should support the widespread deployment and adoption of broadband, especially as it serves to connect the educational community and libraries.

Temporary Assistance for Needy Families – The County will advocate for the following federal actions:

- Relieve states of work participation rate and work verification plan penalties for fiscal years 2007, 2008, 2009 and 2010 in recognition of the serious downturn in the national economy and the succession of more “process-based” regulations issued in the last few years.
- Permanently withdraw the August 8, 2008, proposal that would have repealed the regulation that enables states to claim caseload reduction credit for excess MOE expenditures.
- Rescind the May 22, 2008, HHS guidance that effectively eliminated the ability of states to offer pre-assistance programs to new TANF applicants for up to four months.
- Rescind the final Deficit Reduction Act regulation restricting allowable state maintenance-of-effort expenditures under TANF purposes 3 and 4.
- End federal efforts to impose a national TANF error rate.

Veterans Benefits – The County will support legislation to increase availability, accessibility, and utilization of Veterans Benefits.

Within Contra Costa County, Veterans’ health care is provided by the VA Martinez Clinic, a division of the VA Northern California Healthcare System. Currently, access to enrollment in the VA healthcare system is limited to Veterans with a Service Connected disability of greater than 10%, special eligibility criteria (Purple Heart, former POW, Iraq & Afghanistan Vets within 5 years of discharge, etc.), and to Veterans with an annual gross income less than a geographically based threshold. Currently, VA emergency services are not available after hours or during weekends. The nearest VA emergency room is nearly 34 miles away from the VA Martinez Clinic.

The County will support legislation that would expand enrollment eligibility (such as removing the income limit criteria) to all Veterans with an honorable discharge. Furthermore, the County will support legislation that would establish 24 hour VA emergency services at the VA Martinez clinic.

In addition, the County will support legislation that will improve the timeliness and quality of both VA benefits claim decisions and VA healthcare services. Specifically, legislation that works toward improving on the expedited processing of claims and administering of benefits to populations with unique needs, such as homeless Veterans, Women Veterans, and Veterans experiencing service related Posttraumatic Stress Disorder.

Veterans Halls – The County will support legislation to provide America’s veterans organizations with resources to make necessary repairs to or replacement of their meeting halls and facilities.

Across America, the meeting halls and posts of Veterans Service Organizations such as the American Legion and Veterans of Foreign Wars serve as unofficial community centers. Unfortunately, many of these facilities are not compliant with Americans with Disabilities Act accessibility standards, are not earthquake retrofitted, or have deteriorated in recent years due to declining membership and reduced rental revenues as a result of the economic downturn.

The County will support legislation that would create a competitive grant program for veterans’ organizations, classified by the IRS as 501c19 non-profit organizations and comprised primarily of past or present members of the United States Armed Forces and their family members, to use for repairs and improvements to their existing facilities.

Volume Pricing – The National Association of Counties supports greater access for local governments to General Services Administration (GSA) contract schedules. These schedules provide volume pricing for state and local governments and make public sector procurement more cost effective. However, current law does not provide full access to state and local governments for GSA schedules. The County will support legislation that gives local governments access to these schedules and provides the option of purchasing law enforcement, security, and other related items at favorable GSA reduced pricing.

Water Quality, Quantity and Delta Outflow – Congress may consider legislation that could adversely affect water quality, quantity and flows in the Sacramento-San Joaquin Delta to the detriment of the County residents, economy and resources. The Board of Supervisors will rely on its adopted Delta Water Platform and its adopted resolution on Water, Ecosystem Health and other Issues Related to the San Francisco Bay and the Sacramento –San Joaquin River Delta (No. 2012-46) to determine the appropriate response to federal legislative issues brought to the Board’s attention.

Workforce Development – Contra Costa County supports policies that meet the needs of serving businesses, workers, job seekers, and youth. The County further supports policies under the Workforce Innovation & Opportunity Act (WIOA) that preserve local decision-making relative to spending, direction of work, and other functions of local workforce boards. The County also supports policies that increase employment and the creation of jobs in both the public and private sector and that enhance business’ access to a qualified talent pool, and promote business growth through the development of a skilled workforce. The County also favors policies that provide increased funding to support job seeker services, as well as policies that make strategic investments to leverage existing funding in the workforce development arena.

20167 Draft Federal Legislative Platform

Contra Costa County



DRAFT 2017 FEDERAL LEGISLATIVE PLATFORM

Contra Costa County

October 21, 2016



2017 FEDERAL LEGISLATIVE PLATFORM CONTRA COSTA COUNTY

Each year, the Board of Supervisors adopts a Federal Legislative Platform that establishes priorities and policy positions with regard to potential federal legislation and regulation.

FEDERAL FUNDING NEEDS

The following list is a preliminary ranking in priority order. Adjustments to the priority order may be appropriate once the President releases a budget. The current priority ranking gives preference to those projects that we know will not be included in the President's budget, with lower priority to Army Corps of Engineers projects which may be in the budget. Also, Army Corps project requests will be adjusted to be consistent with Corps capability.

1. Emergency Operations Center (EOC) - \$350,000,000 for state and local efforts to sustain and enhance the effectiveness of their emergency management programs for all hazards preparedness. In FY 2015, California received more than \$27.8 million, the highest funded-state in the country, of which more than \$15.5 million was sub-allocated to approximately the 58 county Operational Areas (OAs) for critical hazard preparation activities. Last year California's Office of Emergency Services (Cal OES), in accordance with program guidelines, prioritized the building, sustainment, and delivery of all-hazards emergency management capabilities in the following areas: Planning, organization, equipment acquisitions, training, exercises, Emergency Operations Center (EOC) construction and renovation, and maintenance and sustainment. Of particular interest to Contra Costa County is the allowance for funds to be expended for EOC construction and renovation, as the County is seeking funding for the development of an EOC.

2. Delta LTMS-Pinole Shoal Management, CA – \$4,500,000 for the Army Corps of Engineers to continue a Long Term Management Strategy (LTMS) for levee rehabilitation, dredging and sediment reuse in the Delta, similar to the effort completed in the Bay area. Levee work, reuse of dredged sediments, dredging and other activities have been difficult to accomplish due to permitting problems and a divergence of priorities related to water quality. Significant levee rehabilitation is critical to the long term stability of these levees and to water quality and supply for the 23 million Californians who depend upon this water. Stakeholders from the Department of Water Resources, Ports, Army Corps, levee reclamation districts, local governments and other interested parties are participating in the LTMS. A Sediment or Dredged Material Management Office will be established, and in the longer term, preparation of a Sediment Management Plan will consider beneficial reuse of dredged materials as one potential source of sediment for levees. (Note: \$500,000 appropriated for FFY 2005; \$225,000 for FFY 2006; \$500,000 for FFY 2007; \$462,000 for FFY 2008; \$235,000 for FFY 2009; \$100,000 for FFY 2010; \$0 FFY 2011-2013; \$930,000 FFY 2014.)

3. Safe and Bright Futures for Children Exposed to Domestic Violence and Trauma – \$400,000 to implement the federally funded plan to diminish the damaging effects of domestic violence, and exposure to early trauma on children and adolescents and to stop the cycle of intentional injury and abuse. A three year assessment and planning process resulted in a program plan that is working to align and create a system responsive to the needs of children exposed to domestic violence and trauma through identification, early intervention; raising awareness;

training professionals; utilizing and disseminating data; establishing consultation teams to support providers in intervening and using best practices; and developing targeted services. Exposure to domestic violence **and trauma** reshapes the human brain and is the primary cause of trauma in children's lives. It influences personality, shapes personal skills and behaviors, impacts academic performance, and substantially contributes to the high cost of law enforcement, civil/criminal justice and social services. Exposure to domestic violence **and trauma** is associated with greater rates of substance abuse, mental illness, and adverse health outcomes in adulthood, and substantially contributes to the high cost of law enforcement, civil/criminal justice and social services. (Note: \$428,000 appropriated for FFY 2009; \$550,000 for FFY 2010.)

4. Mt. Diablo Mercury Mine Clean-up – **\$483,000** for the Army Corps of Engineers to complete the Technical Planning Process for the clean-up project at the source and downstream area of the Mt. Diablo Mercury Mine. The project will clean up the mine in a cost effective, environmentally-sound manner with minimal liability exposure for the County and involving all stakeholders through an open community-based process. The Corps initiated a Technical Planning Process in June 2008 to develop a preliminary remediation plan, identify applicable permit and environmental data requirements and complete a data collection and documentation program for the clean-up of the area impacted by the Mt. Diablo Mercury Mine. Several phases of the planning process have been completed, and this appropriation will allow the Corps to continue the planning process, which will include looking at watershed issues downstream of the mercury mine. The mine site is located on private property on the northeast slope of Mt. Diablo at the upper end of the Marsh Creek watershed. (Note: \$517,000 appropriated in FFY 2008.)

5. CALFED Bay Delta Reauthorization Act Levee Stability Improvement Program (LSIP) – **\$8,000,000** for the Army Corps of Engineers for levee rehabilitation planning and project implementation. The CALFED Reauthorization Act, passed in January 2004, authorized \$90 million, which may be appropriated for levee rehabilitation work. The Corps has prepared a "180-Day Report" which identifies projects and determines how these funds would be spent. Since that time, the breakdown of CALFED, coupled with the Army Corps' attempts to define an appropriate and streamlined process, has delayed funding and resultant levee work. (Note: \$500,000 appropriated for FFY 2006; \$400,000 for FFY 2007; \$4.92M for FFY 2008; \$4.844M for FFY 2010.)

6. Suisun Bay Channel/New York Slough Maintenance Dredging – **\$8,700,000** for the Army Corps of Engineers for maintenance dredging of this channel to the authorized depth of minus 35 feet. Continued maintenance is essential for safe transport of crude oil and other bulk materials through the San Francisco Bay, along the Carquinez Straits and into the Sacramento/San Joaquin Delta. Dredging for this channel section is particularly costly due to requirements on placement of dredged materials in upland environments. An oil tanker ran aground in early 2001 due to severe shoaling in a section of this channel, which creates a greater potential for oil spills (Note: \$4.559 M appropriated for FFY 2005; \$4.619M for FFY 2006; \$2.82M for FFY 2007; \$2.856M for FFY 2008; \$2.768M for FFY 2009; \$3.819M for FFY 2010; \$2.715M for FFY 2012; \$2.495M for FFY 2013; \$2.026M for FFY 2014.)

7. San Pablo/Mare Island Strait/Pinole Shoal Channel Maintenance Dredging – **\$8,400,000** for the Army Corps of Engineers for maintenance dredging of the channel to the authorized

depth of minus 35 feet. The Pinole Shoal channel is a major arterial for vessel transport through the San Francisco Bay region, serving oil refineries and bulk cargo which is transported as far east as Sacramento and Stockton. (Note: \$1M appropriated for FFY 2005; \$2.988M for FFY 2006; \$896,000 for FFY 2007; \$1.696M for FFY 2008; \$1.058M for FFY 2009; \$2.518M for FFY 2010; \$3.402M for FFY 2012; \$499,000 for FFY 2013; \$780,000 for FFY 2014.)

8. San Francisco to Stockton (J. F. Baldwin and Stockton Channels) Ship Channel Deepening – \$2,700,000 for the Army Corps of Engineers to continue the Deepening Project. Deepening and minor realignment of this channel will allow for operational efficiencies for many different industries, an increase in waterborne goods movement, reduced congestion on roadways, and air quality benefits. This work focused on establishing economic benefit to the nation and initial salinity modeling in the channel sections. The following steps include detailed channel design, environmental documentation, cost analysis, additional modeling, and dredged material disposal options. This project continues to have enormous implications for oil refineries, ports, and other industries that depend on safe ship transport through the channel. (Note: \$500,000 appropriated for FFY 2005; \$200,000 for FFY 2006; \$200,000 for FFY 2007; \$403,000 for FFY 2008; \$1.34M for FFY 2009; \$0 for FFY 2010; \$0 for FFY 2011; \$800,000 for FFY 2012; \$1,546,900 for FFY 2013; \$800,000 for FFY 2014.)

FEDERAL TRANSPORTATION NEEDS

The following are priority transportation projects and programs for which federal funding is needed.

1. Vasco Road Safety Improvement Project -- \$18 million for improvements to a 2.5-mile accident-prone section of Vasco Road. Project components include widening the roadway to accommodate a concrete median barrier and shoulders on either side of the barrier, construction of the barrier, and extension of an existing passing lane. The project will eliminate cross-median accidents which have caused numerous fatalities in recent years, and will provide increased opportunities for vehicles to safely pass (unsafe passing is a major cause of accidents and fatalities on this segment of the increasingly busy two-lane undivided road). The project will include provisions for wildlife undercrossings to preserve migration patterns. The proposed improvements will complement a \$10 million project that was funded with American Recovery and Reinvestment Act funds and completed in 2011.

1.b Vasco Road Safety Improvement Project Continuation -- \$30 million for improvements to the remaining 9 miles of accident-prone sections of Vasco Road. Alameda County has been working on constructing improvements in their jurisdiction and it would be desirable for the two counties to work together to complete the gap left in the concrete median barrier near the County line. In addition to completing this gap, Contra Costa desires to extend the concrete median barrier further north of the recently completed median barrier project to the Camino Diablo Road intersection.

2. North Richmond Truck Route -- \$25 million to construct a new road or other alternate access improvements that will provide truck access between businesses and the Richmond Parkway, moving the truck traffic away from a residential neighborhood and elementary school. This project will increase safety, improve public health around the school and residential area by

reducing diesel particulate emissions from those areas, increase livability of the neighborhood, improve local access to the Wildcat Creek Regional Trail, stimulate economic development in the industrial area of the community and provide a better route for trucks traveling to and from the Richmond Parkway. Several potential alignments have been identified, one of which was developed through a community planning process funded through an Environmental Justice planning grant from Caltrans.

3. Eastern Contra Costa Trail Network -- \$11 million for joint planning, environmental review, right-of-way acquisition and construction of a coordinated network of trails for walking, bicycling and equestrian uses in eastern Contra Costa County including facilities and projects improving access to existing or planned transit stations. Eligible trails include, but are not limited to: (1) the Mokelumne Trail overcrossing of the State Route 4 Bypass (\$6 million); (2) Contra Costa segments of the Great California Delta Trail (\$3 million); (3) a transit supportive network of East Contra Costa trails in unincorporated County areas and the cities of Antioch, Brentwood, Oakley and Pittsburg (\$1 million); and Marsh Creek Corridor Multi-Use Path (\$1 million).

4. eBART Extension Next Phase Study/Environmental and Engineering -- \$10 million for environmental review and engineering work on the project identified in the Bay Area Rapid Transit District's (BART) eBART Next Segment Study in eastern Contra Costa County. With regard to additional stations and eBART rail corridor alignment tasks may include, but not necessarily be limited to, completion of environmental review, and partial completion of engineering. Additional work may include, but not necessarily be limited to, evaluation and refinement of alignment and stations, development of capital and operating costs, land use analysis, completion of environmental review including appropriate mitigations, development of preliminary engineering, and public outreach. (Potential Program: FTA – New Starts, FHWA/FTA Congestion Mitigation and Air Quality)

5. Iron Horse Corridor Enhancement Program -- \$25 million for joint planning, environmental review, and the construction of improvements in the Iron Horse Trail Corridor, a 28 mile non-motorized facility used for commute and recreation purposes providing access to schools, recreational facilities, commercial areas, residences, and mass transit hubs. Eligible projects include corridor planning, trail access improvements, trail expansion/enhancements, overcrossings (7 overcrossings in 5 cities), intersection improvements, Class I trail inter-connectivity projects, and wayfinding/signage projects.

6. State Route 4 / Old River Bridge Study – \$1,000,000 to work with San Joaquin County and the State of California on a study of improving or replacing the Old River Bridge along State Route 4 on the Contra Costa / San Joaquin County line. The study would determine a preferred alternative for expanding or replacing the existing bridge, which is part of State Route 4. The existing bridge is narrow, barely allowing two vehicles to pass each other, and is aligned on a difficult angle relative to the highway on either side, requiring motorists to make sharp turns onto and off of the bridge. The project would improve safety and traffic flow over the bridge. (*Note: no appropriations for this project as yet.*)

7. Knightsen/Byron Area Transportation Study - \$300,000 to re-evaluate the Circulation Element of the County General Plan (GP) to improve its consistency with the Urban Limit Line

(ULL) and related policies that ensure preservation of non-urban, agricultural, open space and other areas identified outside the ULL. Policies will be evaluated to provide a more efficient and affordable circulation system for the study area, serve all transportation user-groups, support the local agricultural economy and accommodate the commuter traffic destined for employment centers outside the study area. Zoning and development regulations would be updated to implement the study recommendations.

8. Kirker Pass Road Truck Climbing Lanes – \$4.5 million for constructing northbound and \$20 million for constructing southbound truck climbing lanes on Kirker Pass Road, a heavily used arterial linking residential areas in eastern Contra Costa with job centers and the freeway system in central Contra Costa. The truck climbing lanes are needed to improve traffic flow and will also have safety benefits. The \$4.5 million will close a funding gap and augment secured funding: \$6 million in Measure J (local sales tax measure) funds and \$2.6 million in State Transportation Improvement Program funds. The \$20 million is the total cost of the southbound truck climbing lane segment.

9. Vasco Road-Byron Highway Connector – \$30 million for design, engineering and construction of an east-west connector road between two major arterials that link Contra Costa County with Alameda and San Joaquin Counties. The Vasco Road-Byron Highway Connector will improve traffic circulation and linkages in the southeastern portion of the County and will provide a new route for truck traffic that will remove a significant portion of truck trips which currently pass through the rural community of Byron. Vasco Road is designated as State Route 84, and Byron Highway is under study as the potential alignment for future State Route 239.

- **Rural Road Funding Program** – The County supports the creation of a new funding program that will provide funds for converting or upgrading rural roads into more modern and safer roads that can better handle increasing commuter traffic in growing areas, such as East County. These roads do not often compete well in current grant programs because they do not carry as many vehicles as roads in more congested urban or suburban areas. As a result, improvements such as widenings (turn lanes, clear zone/recovery areas, etc.), realignments, drainage improvements and intersection modifications often go unfunded, leaving such roads with operational and safety problems as well as insufficient capacity.
- **Transportation Funding for Disabled, Low-income, and Elderly Persons** – Transit services for elderly, disabled, and low-income persons are provided by the County, by some cities, by all of the bus transit operators, and by many community organizations and non-profits that provide social services. Increased funding is needed to provide and maintain more service vehicles, operate them longer throughout the day, upgrade the vehicle fleet and dispatching systems, improve coordination between public providers and community groups that also provide such services to their clients, expand outreach programs to inform potential riders of the available services, **and expedite deployment of efficient new technologies and systems**, among other needs. The County supports continuation and increased funding levels for federal funding programs dedicated to transit services for these population groups. All of the demographic trends point to a growing need for such services in the future. For example, the 65-and-older population in the Bay Area is projected to more than double by the year 2030.

- **Surface Transportation Program/Highway Bridge Funding** – The County supports the continuation of funding levels consistent with the Highway Bridge funding program in previous transportation funding bills that will provide funds for rehabilitating and replacing our aging bridges. The County has several aging bridges with deficient sufficiency ratings. Without federal transportation funding, these expensive projects would be deferred because they often exceed the County’s funding capacity. Many of the bridges are on critical commute corridors, goods movement corridors, inter-regional routes, and farm to market routes. Failure of these important transportation assets can cause major disruptions to the transportation network. The County would also support federal funding for the rehabilitation and replacement of rail bridges.

APPROPRIATIONS AND GRANTS – SUPPORT POSITIONS

The following support positions are listed in alphabetic order and do not reflect priority order. Please note that new and revised positions are highlighted.

Buchanan Field Airport – The County approved a Master Plan for the Buchanan Field Airport in October 2008, which included a Business Plan for project implementation; all of which completed a previously approved Federal Aviation Regulation Part 150 Noise Study. The comprehensive planning effort has ideally positioned Buchanan Field Airport for future aviation (general aviation, corporate aviation and commercial airline service) and aviation-related opportunities. To facilitate the economic development potential, the Business Plan prioritizes necessary infrastructure improvements for Buchanan Field Airport (including development of a general aviation terminal/administration building and potential replacement of the 65 year old control tower). Further, as the Airport is surrounded by urban residential uses, enhancing the noise program infrastructure is deemed essential for balancing the aviation needs with those of the surrounding communities. The Federal government, primarily through the Federal Aviation Administration (FAA), provides funding for planning, analysis, and infrastructure improvements. The County will support funding in all these areas for protection and enhancement of our aviation facility and network.

Byron Airport – The Byron Airport is poised for future general and corporate aviation and aviation-related development, but that future growth and full build out of the airport as shown in the Master Plan is dependent upon utility and infrastructure improvements (such as improved road access and sewer and water connections) both on and around the Airport. The Byron Airport Business Plan prioritizes infrastructure and possible additional land acquisition to assist the Byron Airport in fulfilling its aviation and economic development potential. The Federal government, primarily through the Federal Aviation Administration (FAA), provides funding for planning, analysis, infrastructure improvements and aviation land acquisition. The County will support funding in all these areas for protection and enhancement of our aviation facility and network.

Energy Efficiency & Conservation Block Grant (EECBG) Program – Advocate/support funding up to or above the authorized amount of \$2 billion for the EECBG Program established

and authorized under the Energy Independence and Security Act (EISA) of 2007. The County's ability to continue offering programs/services improving energy efficiency and conservation while also creating jobs is contingent upon additional federal funding being appropriated to the EECBG Program in 2012 and beyond. Contra Costa and other local governments have identified and designed many successful programs and financial incentives targeting both the private and public sector which are now being implemented using EECBG funding authorized through the ARRA of 2009. Funding for the EECBG program is necessary to ensure the nation's local governments can continue their leadership in creating clean energy jobs, reducing energy consumption and curbing greenhouse gas emissions.

Multimodal National Freight Network – In 2015 the primary freight network was established pursuant to MAP-21. The County supports increases in dedicated freight funding as proposed in the National Freight Strategic Plan. The County will pursue grants and appropriations for 1) the Northern Waterfront Initiative – specifically, funding for a short-line railroad feasibility study for the Northern Waterfront Corridor and a Land-Use Cost-Benefit/Fiscalization study for the Northern Waterfront; and 2) consistent with the Draft National Freight Strategic Plan congestion reduction strategy, projects along the I-680 corridor including the High Occupancy Vehicle Lane - Direct Access Ramp project.

Regional Habitat Planning and Conservation – \$85 million to the U.S. Fish and Wildlife Service's "Cooperative Endangered Species Conservation Fund" to keep pace with land costs and the increasing number of Habitat Conservation Plans (HCPs) throughout the country. The County will support funding for the Fund to be restored to \$85 million, the 2010 funding level. This will provide much needed support to regional HCPs in California and nationally, including the East Contra Costa County HCP. Given the prolific growth in the number of regional HCPs, the Fund needs to be increased even more substantially in subsequent years. The East Contra Costa County HCP has received \$37.5 million from the Cooperative Endangered Species Conservation Fund in the past nine years and continuing this grant support is of vital importance to the successful implementation of that Plan. The County will pursue increasing appropriations to the Fund in partnership with numerous counties in northern and southern California and will support requests of the California Habitat Conservation Planning Coalition to increase the Fund up to \$85 million. The County will also request that the California State Association of Counties (CSAC) include this Fund increase as a priority on CSAC's federal platform.

San Francisco Bay Improvement Act – \$1 billion restoration bill authored by Congresswoman Jackie Speier in 2010 but not passed. The bill, if passed, will help finance restoration of more than 100,000 acres of the Bay's tidal wetlands. Funds from the bill would implement a restoration plan that was adopted in 1993. In addition to benefits for fish and wildlife, wetlands restoration will create new jobs and provide regional economic infusions, as well as protect against the effects of sea level rise on the Bay's shores.

Sacramento-San Joaquin Delta National Heritage Area – a bill authored by Senator Dianne Feinstein in 2010 but not passed. The bill, if passed, will authorize and fund a National Heritage Area (NHA) for the Sacramento-San Joaquin Delta. The NHA designation would be a first step in providing federal resources to agencies in the Delta for economic development and environmental protection. *Contra Costa County supports the legislation and participated in a feasibility study*

for the NHA through our seat on the Delta Protection Commission, which completed the study in 2012.

Stormwater Program Funding - \$700,000 to fund additional compliance costs required by the Clean Water Act. The Regional Water Quality Control Board issues the County a Municipal Separate Storm Sewer System (MS4) permit every five years, requiring the County to remove pollutants from stormwater prior to entering the storm drain system. The County has a dedicated revenue source for funding stormwater services derived from an assessment on every parcel in the County, which generates about \$3 million per year in the unincorporated communities. The Regional Board recently issued a new MS4 permit that will increase costs dramatically over the next five years, starting next year with a 25% increase and the following year by an increase of almost five times current costs. In 2012, the County attempted to increase the parcel assessment for stormwater services but the voters turned it down. The County needs additional funding through the Environmental Protection Agency, the source of the MS4 requirements, to help pay for compliance costs.

POLICY POSITIONS

*The following support positions are listed in alphabetic order and do not reflect priority order. Please note that new and revised policy positions are **highlighted**.*

Affordable Housing and Homeless Programs –For Housing and Urban Development (HUD)’s Homeless Assistance Grants, **including the Emergency Solutions Grant (ESG) Program**, the County will support funding that does not include set-asides or other requirements that limit local communities’ ability to respond to the particular needs in their areas. For the Housing Assistance for People with AIDS (HOPWA) program, the County will support legislation to update the formula used to allocate HOPWA grants to reflect local housing costs as well as the number of AIDS cases.

The County supports full funding for HUD homeless assistance programs, **including the ESG Program**, and funding for full implementation of the Homeless Emergency and Rapid Transition to Housing (HEARTH) Act of 2009.

The County supports funding the National Affordable Housing Trust Fund. Resources made available through the Trust Fund should be accessible to local housing and community development agencies, including public housing authorities. The Housing Trust Fund should be used to complement and not supplant either the HOME or CDBG programs.

Agricultural Pest and Disease Control – Agriculture and native environments in Contra Costa County continue to be threatened by a variety of invasive/exotic pests, diseases and non-native weeds. The Federal government provides funding for research, regulation, pest exclusion activities, survey and detection, pest management, weed control, public education and outreach. The County will support funding in all these areas for protection of our agricultural industry and open space. Consistent with the policy position, the County will also support legislation which

would authorize and direct the USDA to provide state and local funding for High Risk Prevention programs (also called Pest Detection Funding).

Beneficial Use of Dredged Materials – As the beneficial reuse of dredged materials has a clear public benefit, particularly in the Delta, the County will continue to support beneficial reuse in general and also continue to advocate for funding for a federal study to determine the feasibility of beneficial reuse, considering the benefits and impacts to water quality and water supply in the Delta, navigation, flood control damage, ecosystem restoration, and recreation. The study would include the feasibility of using Sherman Island as a rehandling site for the dredged material, for levee maintenance and/or ecosystem restoration. Language to authorize the study was included in the Water Resources and Development Act (WRDA) which was passed into law on November 8, 2007.

Broadband – Consistent with CSAC policy, Contra Costa County will support the expansion of broadband (high speed internet service) to drive economic development and job opportunities, support county service delivery, and improve health, education and public safety outcomes for residents. For communities to realize these full benefits of broadband it must be capable of supporting current technology.

Access and adoption are both necessary elements that should be supported in state and federal legislative or regulatory proposals. This entails the following:

- Establishing and maintaining reliable broadband in unserved or underserved communities;
- Promoting the knowledge, skills and behaviors that comprise digital literacy;
- Making broadband affordable for all households;
- Maximizing funding for infrastructure; and
- Reducing infrastructure deployment barriers.

Child Care – Research continues to show that quality, affordable childcare is a necessity to ensuring a family’s stability and economic success. Currently in Contra Costa County, there are over 10,000 low-income children eligible for affordable childcare services, yet only 29% of that need is met. Research also shows that in addition to a child’s long-term success with school and employment, investing in high-quality early care and education results in a higher than average return on investments in the areas of crime reduction and positive health, education and economic outcomes.

With regards to childcare, the County will support **any proposed continuation of** the President’s “Preschool for All” Initiative meant to close America’s school readiness gap and ensure all children have access to quality care by expanding high quality learning opportunities for children 0-5. This proposal includes:

- An increase of over 100,000 new childcare slots and \$12 billion over the next 10 years;
- A focus on children and their families who are at or below 200% of poverty;
- Financing through a new cost-sharing partnership with states, already a proven successful model with Head Start in Contra Costa County.

The County will also advocate for the following federal actions:

- Increase funding to support employment of low-income families through greater access to child care subsidies, and increase the access of children from eligible families to high-quality care that supports positive child development outcomes.
- Provide flexibility at the state and local levels so that quality care can be balanced with access and parental choice.
- Reauthorization of Head Start that includes consideration of a regional approach to determining eligibility and reforming the Head Start Designation Renewal System by suspending the use of the lowest 10 percent of the Classroom Assessment Scoring System trigger.

Child Support –The County will advocate for the following federal actions:

- Eliminate the \$25 fee for non-IV-A families.
- Restore the incentive match payments that were prohibited in the Deficit Reduction Act.
- Allow the automatic use of cash medical support to reimburse Medicaid expenditures.
- Allow IV-D agencies to access Health Insurance records for the purposes of Medical Support.

Child Welfare and Well-being –The County will advocate for the following federal actions:

- Provide states with financial incentives, as opposed to monetary penalties, under the Child and Family Services Reviews and minimize the significant administrative burden associated with the review process.
- End Title IV-E disallowances from federal audits that take away funds from an already resource-strapped child welfare system. Allow states to reinvest these funds in preventing child abuse and neglect.
- Increase prevention dollars to help maintain children safely in their own homes. Federal funding currently gives disproportional support to out-of-home care rather than to preventing children from coming into care.
- Any increase in Federal Medical Assistance Percentage should include an associated increase in the Title IV-E matching rate to help support children in foster care.
- OPPOSE The Family First Prevention Services Act for our Children, an Act that would curtail California's Continuum of Care Reform (CCR) efforts and would result in poor outcomes for especially vulnerable abused and neglected children.

Community Development Block Grant, Emergency Solutions Grant and HOME Programs – The County’s ability to continue funding to a variety of nonprofit agencies that provide critical safety net services to lower income residents, including financing the development of affordable housing is threatened by further cuts as part of the Budget Control Act (Act) passed by Congress in July 2011. The Act established mandatory spending caps on most federal programs through 2021, and arranged additional across-the-board annual spending cuts to federal defense and non-defense discretionary (NDD) programs over this same period.

Included in non-defense discretionary programs are critical local government oriented programs including the CDBG, ESG and HOME programs. These programs are successful and productive, leveraging significant funding from non-federal sources to help spur economic development. The County agrees that reducing the federal deficit is an important component of achieving long-term national economic stability, but targeting solely NDD programs like the CDBG, ESG and HOME programs will not achieve significant reductions and will hinder the County’s ability to provide critical services to its most vulnerable populations. The County will continue to oppose any further reductions in the CDBG, ESG and HOME programs as part of the Budget Control Act or any other means.

Cost Shifts to Local and State Government – Contra Costa County performs many of its services and programs pursuant to federal direction and funding. Other services and programs are performed at the behest of the state, which receives funding through the federal government. In the past, the Administration’s budget has contained significant cuts to entitlement programs and/or caps on entitlements. Such actions could shift cost of services from the federal government to the state and/or local governments (and to the extent that costs would shift to the state, it is highly likely that these would be passed on to the County). The County will oppose any actions that would result in cost shifts on federal entitlement programs or which would result on greater dependency on county funded programs. In addition, the County will support federal and state financial assistance to aid county and local government efforts to meet unfunded federal mandates, such as those contained in the National Response Plan (NRP), the National Infrastructure Protection Plan (NIPP), and the National Incident Management System.

Criminal Debt Collection – Nonpayment of court-ordered victim restitution, fines and fees is a problem of epidemic proportions for all jurisdictions. Literally billions of dollars go uncollected each year across the country, resulting not only in financial suffering of victims, but also the loss of public revenue. Many states already allow for the offset of State Tax Refunds, and these programs are successful in achieving revenue recovery. Federal Tax Refunds are already being successfully offset to pay for delinquent child support. The County will support amendments to the Internal Revenue Code of 1986 to allow an offset against income tax refunds to pay for court-ordered debts that are past-due.

Delta Water Platform –To protect the Sacramento-San Joaquin Delta from various detrimental forces that are affecting its health and resources, it is the policy of Contra Costa County to support implementation of projects and actions that will help improve the Delta ecosystem and the economic conditions of the Delta. Contra Costa County has developed a Delta Water Platform to identify and promote activities and policy positions that support the creation of a

healthy Sacramento-San Joaquin Delta. Contra Costa County will use this Platform to guide its own actions and advocacy in other public venues regarding the future of the Delta.

Designation of Indian Tribal Lands and Indian Gaming – The Board of Supervisors has endorsed the California State Association of Counties’ (CSAC) policy documents regarding development on tribal land and prerequisites to Indian gaming. These policy statements address local government concerns for such issues as the federal government’s ability to take lands into trust and thus remove them from local land use jurisdiction, absent the consent of the state and the affected county; the need for tribes to be responsible for all off-reservation impacts of their actions; and assurance that local government will be able to continue to meet its governmental responsibilities for the health, safety, environment, infrastructure and general welfare of all members of its communities. The County will continue to advocate for federal legislation and regulation that supports the CSAC policy documents.

The County will also advocate for limitations on reservation shopping; tightening the definition of Class II gaming machines; assuring protection of the environment and public health and safety; and full mitigation of the off-reservation impacts of the trust land and its operations, including the increased cost of services and lost revenues to the County.

The County will also advocate for greater transparency, accountability and appeal opportunities for local government in the decision-making processes that permit the establishment of Indian gaming facilities. This includes sequencing the processes so that the Indian Lands Determination comes first, prior to initiation of a trust land request and associated environmental review.

The County will also consider support for federal action and/or legislation that allows Class III gaming at the existing gaming facility only if it can be shown that any change would result in a facility that would be unique in nature and the facility can demonstrate significant community benefits above and beyond the costs associated with mitigating community impacts.

Economic Development Programs – Congress should fund all the complementary programs within HUD’s community and economic development toolkit, ensuring that HUD does not lose sight of the development component of its mission. To that end, the County will support continued funding for the Section 108 loan guarantee program, the Brownfields Economic Development Initiative and the Rural Housing and Economic Development program. Each of these programs plays a unique role in building stronger, more economically viable communities, while enabling communities to leverage external financing in a way the CDBG program alone cannot do.

Federal “Statewideness” Requirements – For many federally funded programs, there is a “statewideness” requirement; i.e., all counties must operate the specific program under the same rules and regulations. This can hamper the County’s ability to meet local needs, to be cost effective and to leverage the funding of one program to reduce costs in another program. Contra Costa County cannot negotiate for federal waivers or do things differently because it is not a state, yet its population is greater than seven states. Recognizing this is a very long-term effort, the County will advocate for relaxation of the “statewideness” rule to allow individual counties

or a consortium of counties to receive direct waivers from the federal government and/or adopt the rules and regulations currently in use in another state for specific programs.

Habitat Conservation Planning – The County will advocate for elevating the profile of **locally controlled, regional** Habitat Conservation Plans (HCPs) such as the East Contra Costa County HCP within Congress and Administration so that these critical federal/state/local partnerships can receive necessary attention and support. HCPs are flagship programs for the federal government and supporting effective implementation of approved HCPs should be a top priority for the U.S. Department of the Interior and U.S. Fish and Wildlife Service and HCPs should be a key tool in any federal climate change or economic stimulus legislation.

Habitat Conservation Permitting and Permit Alignment – The County will advocate for and support efforts to align federal permits for natural resource impacts federal with permits already issued by the U.S Fish and Wildlife Service pursuant to a locally-controlled, regional Habitat Conservation Plan (HCP), such as East Contra Costa County HCP. One good example of this is the U.S. Army Corps’ issuance of Regional General Permit 1 which was designed to be consistent with the East Contra Costa County HCP. The alignment of permit requirements and processes improves the overall efficiency, predictability and effectiveness of natural resource regulation and project delivery.

Health – The County will advocate for the following actions by the federal government: a) provide enhanced Medicaid FMAP (the "Federal Medical Assistance Percentage" for Medicaid. It is the federal matching rate for state Medicaid expenditures.); b) suspend the Medicare “clawback” rule; c) suspend the “60-day rule” that requires states to repay the federal government overpayments identified by the state prior to collection, and even in instances where the state can never collect; d) ease the ability to cover those eligible for Medicaid by making documentation requirements less stringent; and e) prevent the implementation of the following seven federal regulations:

- Outpatient hospital
- Case Management
- School Based Administration & Transportation
- Public Provider Cost Limit
- Graduate Medical Education
- Rehabilitation Services Option
- Provider Tax

SUPPORT full funding of the Federal Medicaid program by the federal government. Medicaid provides access to health care for people whose income and resources are insufficient to pay for health care. It is jointly funded by Federal and State governments. The Patient Protection and Affordable Care Act (also known as the ACA) significantly expanded both eligibility for and federal funding of Medicaid. OPPOSE amendments to the ACA that would reduce support for Medicaid/Medi-Cal payments to providers.

Homeless / Runaway Youth – The County will support continued investment in the Runaway and Homeless Youth Act to ensure that all youth have access to housing and other critical services. Homelessness among young people is a serious issue. Homeless youth, sometimes referred to as unaccompanied youth, are individuals who lack parental, foster or institutional care. Homeless youth are at a higher risk for physical abuse, sexual exploitation, mental health disabilities, substance abuse, and death. It is estimated that 5,000 unaccompanied youth die each year as a result of assault, illness, or suicide. In Contra Costa County youth under the age of 18 years make up approximately 11% of the homeless population and two thirds of those youth reside in shelters on any given night.

Human Trafficking – Human Trafficking is the illegal recruitment, transportation, harboring, provision or obtaining of people (by force, fraud or coercion), typically for the purposes of forced labor or commercial sexual exploitation. Nearly 20.9 million people around the world fall victim to this multi-billion dollar industry. In the last two years Contra Costa partners on a Federal human trafficking grant have served over 240 victims of human trafficking.

The County will advocate for the following federal actions to insure support and services for victims of human trafficking, and the systems that help them:

- SUPPORT federal funding that effectively enables service providers to assist victims and law enforcement to prosecute traffickers. Because it takes a well-resourced multi-faceted approach to support victims and to insure traffickers are prosecuted support cross-system, comprehensive approaches to prevent human trafficking.
- SUPPORT efforts that increase the level of training, awareness, and funding to address promising practices related to labor trafficking (including the hospitality industry, restaurants, etc.). Victims of trafficking may be found everywhere– some may be found working against their will in hotels/motels for long hours for little or no pay. Labor trafficking has been found in diverse labor settings including domestic work, restaurants, nail salons, small businesses, large farms, and factories.

Levee Restoration and Repair – The County will support legislation such as H.R. 6484, the SAFE Levee Act (Garamendi) in 2012, which will authorize the U.S. Department of the Interior to invest in Delta levee repairs, for all levees that are publicly owned or publicly maintained. The bill also requires a cost-benefit analysis for the tunnel project being planned as part of the Bay-Delta Conservation Plan.

Pension – The County will support legislation that would modify the Internal Revenue Code and corresponding regulations to permit public employees to make an irrevocable election between their current pension formula and a less rich pension formula.

In 2006, Contra Costa County and the Deputy Sheriff’s Association jointly obtained state legislation that would allow members of the Association to make a one-time irrevocable election between their current pension formula and a less rich pension formula, called Tier C. Orange County and its labor organizations obtained similar legislation in 2009. However, neither County has been able to implement this state legislation because such elections currently have

negative tax consequences for employees and for retirement plans under federal tax law as interpreted by the Internal Revenue Service.

Like many local government entities nationwide, the County's fiscal position would benefit greatly from reduced pension costs. Allowing local government entities to implement collective bargaining agreements and state legislation that permits employees to elect less rich pension formulas would be a significant step in reducing pension costs.

Multi-Service Centers – The County will support federal funding for the establishment and operation of coordinated service integration models such as SparkPoint, Service Integration Teams, Family Resource Centers, or Family Justice Centers. Multi-service centers often collocate county and non-profit agencies working holistically to meet the needs of families. Centers can help individuals and families address immediate financial crises, build financial security, address abuse and violence, provide accessible, coordinated public services, and may, engage families in resident-driven efforts to revitalize their communities.

Municipal Securities – The County supports efforts to preserve, enhance and streamline the availability of tax-exempt financing to fund critical public infrastructure projects. For over 100 years, federal tax policy has granted a tax exemption on municipal bond interest to incentivize investment in local infrastructure projects. Also, the federal government has occasionally provided “direct subsidy bonds” that further mitigate borrowing costs to local government.

- **Preservation for the Tax-Exemption for Municipal Bonds:** The County will support the continued exemption of municipal bond interest.
- **Opposition to Repeal of the “Tower Amendment” to the Securities Acts Amendments of 1975:** The Tower Amendment to the Securities Acts Amendments of 1975 has prohibited the U.S. Securities and Exchange Commission (SEC) and the Municipal Securities Rulemaking Board (MSRB) from directly or indirectly regulating state and local government issuers of municipal securities prior to the sale of those securities. The County will oppose any repeal of the Tower Amendment which would impose an additional federal regulatory oversight burden on local government issuers, in recognition that the states already have such authority.
- **Private Activity Bonds for Government Buildings:** The County will support legislation that would create a new category of private activity bonds for governments to join with private parties to help finance government buildings. The tax-exempt bonding mechanism would allow state and local governments to issue private activity bonds to finance the construction and upkeep of certain publically owned buildings. The County will support amending the federal tax code to provide another layer of tax-exempt financing that would encourage the use of public-private partnerships.

Public Housing Programs – The County will support legislation that results in the transformation of existing programs to improve their effectiveness and efficiency, in tandem with the design of new and innovative responses, both to build upon recent progress and address outstanding issues.

The County will support legislation to protect the nation's investment in Public Housing:

- Enact affordable housing industry proposal to allow public housing agencies (PHAs) to voluntarily convert public housing units to Section 8 project-based rental assistance in order to preserve this vital component of the national infrastructure.
- Oppose the Administration's proposal to impose a \$1 billion offset against the operating reserves of responsible, entrepreneurial PHAs.
- Support the revitalization of severely distressed public housing units.
- Address safety and security concerns connected to drug-related crime.

The County will support legislation to preserve vital community and economic development programs:

- Fully fund the Community Development Block Grant Program in order to create and save jobs, revitalize local economies, and support critical services for vulnerable populations.
- Maintain funding for HUD's cost-effective economic development tools.

The County will support legislation to strengthen and simplify the Section 8 Rental Assistance programs:

- Provide adequate funding for Housing Assistance Payment contract renewals and ongoing administrative fees.
- Enact the Section Eight Voucher Reform Act (SEVRA).
- Implement overdue regulatory and administrative revisions that ensure the efficient use of program funds.

The County will support legislation to expand Affordable Housing Opportunities and combat homelessness:

- Fully fund the Home Investment Partnerships Program and HUD's homeless assistance programs, such as the Emergency Solutions Grant Program.
- Capitalize the Housing Trust Fund through a revenue-neutral approach.
- Preserve and strengthen the Low Income Housing Tax Credit Program.

The County will support legislation to foster innovation, increase efficiency, and streamline the regulatory environment:

- Promote reasonable and flexible federal oversight.
- Incentivize green building and increased Energy Efficiency.
- Support HUD’s ongoing transformation efforts.
- Ensure that HUD releases and distributes federal funding in a timely manner.
- Eliminate statutory and regulatory barriers that prevent PHAs and redevelopment authorities from accessing federal programs they are qualified to administer.

Rail Safety – Contra Costa County is home to a substantial oil refinery industry with four refineries located in the County. The County supports Senator Heitkamp’s *Railroad Emergency Services Preparedness, Operational Needs, and Safety Evaluation (RESPONSE) Act, S. 2547*, which would establish a Federal Emergency Management Agency (FEMA) panel focused on railroad incident first responders. By bringing together under FEMA’s National Advisory Council all relevant agencies, emergency responders, technical experts, and the private sector for a review of training, resources, best practices, and unmet needs related to emergency responders to railroad hazmat incidents, the RESPONSE Act will begin the process of addressing shortcomings in existing emergency response practices and procedures. It will also address the effectiveness of funding levels related to training local emergency responders for rail hazardous materials incidents.

The County also supports FEMA funding for the training of first responders, regulations that increase tank car safety standards for cars transporting crude oil and other hazardous materials, and regulations that require railroads to share data with state emergency managers and local responders.

Retiree and Retiree Health Care Costs – The County operates many programs on behalf of the federal government. While federal funding is available for on-going program operations, including employee salaries, the allocation is usually capped, regardless of actual costs. For retiree and retiree health care, the County’s ability to contain costs is extremely limited. The County will advocate for full federal financial participation in funding the County’s retiree and retiree health obligations.

State Criminal Alien Assistance Program (SCAAP) – On May 23, 2012, the Department of Justice (DOJ) announced a change in the State Criminal Alien Assistance Program (SCAAP) that will prohibit SCAAP funds from being used to reimburse localities for foreign-born criminal aliens housed in jails that have been classified as “unknown inmates” by the Department of Homeland Security’s Immigration and Customs Enforcement (ICE) agency. This is a significant change to the SCAAP reimbursement formula and will heavily impact counties across the nation.

The County will support the rescinding of this decision and a reinstatement of the previous reimbursement practice, which would more equitably reimburse jurisdictions for the costs of housing undocumented individuals, including those inmates whose status may be unknown to the Department of Homeland Security.

Second Chance Act – The County will support funding for the Second Chance Act, which helps counties address the growing population of individuals returning from prisons and jails. Despite

massive increases in corrections spending in states and jails nationwide, recidivism rates remain high: half of all individuals released from state prison are re-incarcerated within three years. Here in California, unfortunately, the recidivism rate is even higher. Yet there is reason for hope: research shows that when individuals returning from prison or jail have access to key treatments, education, and housing services, recidivism rates go down and the families and communities they return to are stronger and safer.

The Second Chance Act ensures that the tax dollars on corrections are better spent, and provides a much-needed response to the "revolving door" of people entering and leaving prison and jail.

Sexual Assault –Sexual violence affects millions of Americans – nearly every 2 minutes an American is sexually assaulted. The County will advocate for the federal actions to insure support for victims and survivors of sexual assault.

Supplemental Nutrition Assistance Program (SNAP) – The County will advocate for the following federal actions:

- Increase SNAP benefit amounts to better meet recipients’ nutritional needs and support local economies.
- Adjust SNAP eligibility requirements to a) include currently excluded populations with significant need b) remove time limits and work requirements for Able-Bodied Adults Without Dependents (ABAWDS) and full-time students. ABAWDS and pertains to adults receiving food stamps who are considered employable.
- OPPOSE funding cuts or block granting the SNAP program.
- Remove the current federal barriers that prevent some nutrition programs from employing EBT technology.

Streamlining Permitting for Critical Infrastructure, Economic Stimulus, and Alternative Energy Projects –“Green” Job Creation – Request that Congress and the Administration recognize the value of Habitat Conservation Plans (HCPs) as a reliable way of streamlining critical infrastructure, economic stimulus, and alternative energy project permitting in a manner that is consistent with federal environmental regulations. HCPs not only facilitate such projects through permit streamlining, but the planning, implementation, management, and monitoring needs associated with regional HCPs plans also create many quality “green” jobs.

Telecommunications Act of 1996 Revisions – The Telecommunications Act of 1996 governs local government’s role in telecommunications, primarily broadband cable that uses the County’s right-of-way as well as consumer protections. As Congress works to update the Act, the County will continue to advocate for strengthening consumer protections and local government oversight of critical communications technologies; local access to affordable and reliable high speed broadband infrastructures to support the local economy; the right of local municipalities and communities to offer high-speed broadband access; coordination and integration of private communication resources for governmental emergency communication systems; preservation of local government’s franchise fees; preservation of the local community benefits, including but not limited to public, education and governmental (PEG) access channels; authority for provision

of municipal telecommunication services; preservation of local police powers essential for health, safety and welfare of the citizenry; preservation of local government ownership and control of the local public rights-of-way; and support for ensuring that communication policy promotes affordable services for all Americans.

The Community Broadband Act of 2007, S.1853, encourages the deployment of high speed networks by preserving the authority of local governments to offer community broadband infrastructure and services. The County will oppose all bills that do not address the County's concerns unless appropriately amended. In addition, the Federal Communications Commission (FCC) has proposed rule-making (FCC Second Report and Order Docket 05-311 "Franchising Rules for Incumbents") that, in the opinion of local government, goes beyond the scope of their authority in this area. The County will oppose all such rule making efforts.

Telecommunications Issues – Support the Community Access Preservation (CAP) Act introduced in 2009 by Wisconsin Congresswoman Tammy Baldwin. The CAP Act addresses the challenges faced by public, educational and government (PEG) TV channels and community access television stations. The CAP Act addresses four immediate issues facing PEG channels. The CAP Act would: Allow PEG fees to be used for any PEG-related purpose; require PEG channels to be carried in the same manner as local broadcast channels; require the FCC to study the effect state video franchise laws have had on PEG; require operators in states that adopted statewide franchising to provide support equal to the greater of the support required under the state law or the support historically provided for PEG; and make cable television-related laws and regulations applicable to all landline video providers.

In addition, the County should support the widespread deployment and adoption of broadband, especially as it serves to connect the educational community and libraries.

Temporary Assistance for Needy Families – The County will advocate for the following federal actions:

- Relieve states of work participation rate and work verification plan penalties for fiscal years 2007, 2008, 2009 and 2010 in recognition of the serious downturn in the national economy and the succession of more "process-based" regulations issued in the last few years.
- Permanently withdraw the August 8, 2008, proposal that would have repealed the regulation that enables states to claim caseload reduction credit for excess MOE expenditures.
- Rescind the May 22, 2008, HHS guidance that effectively eliminated the ability of states to offer pre-assistance programs to new TANF applicants for up to four months.
- Rescind the final Deficit Reduction Act regulation restricting allowable state maintenance-of-effort expenditures under TANF purposes 3 and 4.
- End federal efforts to impose a national TANF error rate.

Veterans Benefits – The County will support legislation to increase availability, accessibility, and utilization of Veterans Benefits.

Within Contra Costa County, Veterans' health care is provided by the VA Martinez Clinic, a division of the VA Northern California Healthcare System. Currently, access to enrollment in the VA healthcare system is limited to Veterans with a Service Connected disability of greater than 10%, special eligibility criteria (Purple Heart, former POW, Iraq & Afghanistan Vets within 5 years of discharge, etc.), and to Veterans with an annual gross income less than a geographically based threshold. Currently, VA emergency services are not available after hours or during weekends. The nearest VA emergency room is nearly 34 miles away from the VA Martinez Clinic.

The County will support legislation that would expand enrollment eligibility (such as removing the income limit criteria) to all Veterans with an honorable discharge. Furthermore, the County will support legislation that would establish 24 hour VA emergency services at the VA Martinez clinic.

In addition, the County will support legislation that will improve the timeliness and quality of both VA benefits claim decisions and VA healthcare services. Specifically, legislation that works toward improving on the expedited processing of claims and administering of benefits to populations with unique needs, such as homeless Veterans, Women Veterans, and Veterans experiencing service related Posttraumatic Stress Disorder.

Veterans Halls – The County will support legislation to provide America's veterans organizations with resources to make necessary repairs to or replacement of their meeting halls and facilities.

Across America, the meeting halls and posts of Veterans Service Organizations such as the American Legion and Veterans of Foreign Wars serve as unofficial community centers. Unfortunately, many of these facilities are not compliant with Americans with Disabilities Act accessibility standards, are not earthquake retrofitted, or have deteriorated in recent years due to declining membership and reduced rental revenues as a result of the economic downturn.

The County will support legislation that would create a competitive grant program for veterans' organizations, classified by the IRS as 501c19 non-profit organizations and comprised primarily of past or present members of the United States Armed Forces and their family members, to use for repairs and improvements to their existing facilities.

Volume Pricing – The National Association of Counties supports greater access for local governments to General Services Administration (GSA) contract schedules. These schedules provide volume pricing for state and local governments and make public sector procurement more cost effective. However, current law does not provide full access to state and local governments for GSA schedules. The County will support legislation that gives local governments access to these schedules and provides the option of purchasing law enforcement, security, and other related items at favorable GSA reduced pricing.

Water Quality, Quantity and Delta Outflow – Congress may consider legislation that could adversely affect water quality, quantity and flows in the Sacramento-San Joaquin Delta to the detriment of the County residents, economy and resources. The Board of Supervisors will rely on its adopted Delta Water Platform and its adopted resolution on Water, Ecosystem Health and other Issues Related to the San Francisco Bay and the Sacramento –San Joaquin River Delta (No. 2012-46) to determine the appropriate response to federal legislative issues brought to the Board’s attention.

Workforce Development – Contra Costa County supports policies that meet the needs of serving businesses, workers, job seekers, and youth. The County further supports policies under the Workforce Innovation & Opportunity Act (WIOA) that preserve local decision-making relative to spending, direction of work, and other functions of local workforce boards. The County also supports policies that increase employment and the creation of jobs in both the public and private sector and that enhance business’ access to a qualified talent pool, and promote business growth through the development of a skilled workforce. The County also favors policies that provide increased funding to support job seeker services, as well as policies that make strategic investments to leverage existing funding in the workforce development arena.



Contra Costa County Board of Supervisors

Subcommittee Report

LEGISLATION COMMITTEE

7.

Meeting Date: 10/25/2016
Subject: Federal Issues Update
Submitted For: LEGISLATION COMMITTEE,
Department: County Administrator
Referral No.: 2016-29
Referral Name: Federal Issues Update
Presenter: L. DeLaney **Contact:** L. DeLaney, 925-335-1097

Referral History:

Contra Costa County's federal lobbyist, Paul Schlesinger of Alcalde & Fay, regularly provides updates on federal issues of interest to the County. These updates are routinely provided to the Legislation Committee for their review and direction to staff, as needed.

Referral Update:

Fiscal Year 2017 Appropriations

Congress adjourned September 28 following approval of a continuing resolution (CR) that will fund the federal government until December 9. The House and Senate are both scheduled to return on November 14 following the elections for the “lame duck” session likely to last until mid-December.

The CR easily cleared both chambers with strong bipartisan votes (72 to 26 in the Senate, 342 to 85 in the House) and was signed into law by the President on September 29. Agreement on the final package came after several days of tense negotiations amidst the looming threat of a government shutdown with the end of the FY '16 fiscal year on September 30. However, the CR was ultimately cleared after Congressional leadership reached an agreement to include an authorization (although not a provision of actual monies) of emergency funding in a separate water resources bill (outlined below), a sticking point among many Democrats in both chambers.

The CR will fund the federal government at FY 2016 funding levels, albeit with an across-the-board reduction of 0.496% in order to comply with the \$1.067 trillion discretionary spending cap. The bill also includes a full FY 2017 Military Construction-VA appropriations bill, which essentially serves as the vehicle for advancing the stopgap spending bill. It also contains \$1.1 billion in emergency funding to combat the Zika virus (see below for additional details) and \$500 million in targeted flood and disaster relief for several states including Louisiana, Maryland and West Virginia.

When Congress returns in November, it will have roughly four weeks to complete work on the

remaining appropriations bills for FY 2017. Both Senate Majority Leader Mitch McConnell (R-KY) and House Speaker Paul Ryan (R-WI) have indicated that their preferred approach will be to group several funding bills into smaller packages, each commonly referred to as a “Minibus,” instead of a much larger catch-all Omnibus spending bill.

Zika Virus Control and Prevention

As referenced above, the CR includes \$1.1 billion in emergency funding to combat the Zika virus, with approximately \$400 million in offsets. Among the domestic funding included in the final package are the following key allocations:

- \$394 million for the Centers for Disease Control and Prevention (CDC) for mosquito control and surveillance efforts, including technical assistance for states, and international response activities. Approximately \$44 million of this is set-aside to reimburse states for Public Health Emergency Preparedness funding transferred for Zika response activities;
- \$397 million for the National Institutes of Health (NIH) and the Biomedical Advanced Research and Development Authority (BARDA) for the development of a Zika vaccine and related diagnostics; and
- \$75 million to reimburse health care provided in states and U.S. territories with active Zika transmission for those without private health insurance.

The final Zika package does not include language that would have provided a 180-day waiver from certain permitting requirements for using federally-approved pesticides, and largely avoids issues related to Zika funding used by Planned Parenthood by simply not naming the organization as a recipient (although allowing its subsidiary to receive reimbursements for related efforts in Puerto Rico).

The Congressional Budget Office anticipates that the bulk of Zika funding will be spent during the first two fiscal years, when the NIH will be working on a vaccine trial and when the CDC will be researching the long-term health impacts of microcephaly. However, the funds appropriated will be spent into 2021 as research into the virus continues and the vaccine moves through a multi-phase trial.

Water Resources Development Act (WRDA) Reauthorization

The House last week approved the Water Resources Development Act (WRDA) of 2016 (H.R. 5303) by a vote of 399-25, after the Senate had approved similar legislation (S. 2848) by a vote of 95-3 in mid-September. Through authorizing programs and projects of the Army Corps of Engineers, WRDA addresses the needs of America’s ecosystems, harbors, locks, dams, flood protection, and other water resources infrastructure.

The legislation authorizes 31 Army Corps of Engineers Chief’s Reports and 29 feasibility studies, and increases the flexibility and removes barriers for state, local, and non-federal interests to invest in infrastructure. Included in this funding is an authorization of \$170 million for infrastructure improvements for communities such as Flint, Michigan with public health emergencies due to contaminated drinking water. While the flood and disaster relief provisions contained hard money, as generally wanted by Republicans, the Republican Leadership only *committed* to provide such funding for Flint and other communities as part of the year-long, appropriations package that will be coming during the lame-duck session. This commitment, and not the provision of actual funds as advocated by Democrats, was sufficient to cut the deal and draw wide-spread support for the bill.

The House and Senate WRDAs will now be conferenced, and we expect a final WRDA to be approved before the end of the year.

Legislation to Delay Administration's Overtime Rule

Before adjournment, the House approved the "Regulatory Relief for Small Businesses, Schools, and Nonprofits Act" (H.R. 6094), by a vote of 246-177, to delay implementation of the Department of Labor's overtime rule from December 2016 to June 2017. The rule will double (to \$47,476) the salary threshold under which virtually all workers are guaranteed time-and-a-half pay whenever they work more than 40 hours in a given week.

Representative Tim Walberg (R-MI), the bill's sponsor, argued that the overtime rule "burdens hard-working small business owners," while Representative Bobby Scott (D-VA) said the bill "would take \$600 million out of the pockets of the more than 4 million people who would have gained overtime protections on December 1st."

It is unlikely that the bill will be enacted into law since it has not passed the Senate and the President has issued a veto threat.

Clean Water Rule

In a blow to states challenging the Waters of the U.S. Rule, the three-judge panel from the 6th Circuit Court of Appeals ruled it will not consider several Army Corps of Engineers memos that raised concerns about the Environmental Protection Agency's rule and rulemaking process. States had hoped to use the Army Corps of Engineers' memos to discredit EPA's rulemaking as politically motivated rather than based on science.

Congressional Republicans, who have been critical of the rule, released the memos to the public last year. But the court concluded that most of the memos "contain predominantly deliberative materials and were properly omitted from the record" and that the challengers failed to provide "clear evidence" that the memos were wrongly excluded from the administrative record in the case.

On Capitol Hill, Senate Environment and Public Works Committee Chairman Jim Inhofe (R-OK) released a committee report that he asserts shows how the Army Corps of Engineers regulation of wetlands and streams would be made worse under the Waters of the U.S. rule. Chairman Inhofe sent the report to ten Senate Democrats and Maine Independent Senator Angus King who voted down an effort to scrap the rule last November but warned EPA and the Corps that if they did not provide additional clarity or eroded exemptions for farmers, they "reserve[d] the right to support efforts in the future to revise the rule." Chairman Inhofe argued to those senators that the new report shows their test has not been met, and said, "This report should be evidence enough that it's time for Democrats and Republicans to work together to rein in EPA and the Corps."

We will continue to monitor implementation of the rule and congressional efforts to stop it.

Please contact us with any questions.

Recommendation(s)/Next Step(s):

ACCEPT the report on federal issues and provide direction to staff, as needed.

Attachments

No file(s) attached.
