



LEGISLATION COMMITTEE

February 12, 2018

10:30 A.M.

651 Pine Street, Room 101, Martinez

Supervisor Karen Mitchoff, Chair
Supervisor Diane Burgis, Vice Chair

Agenda Items:

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

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 for the December 11, 2017 meeting of the Legislation Committee, with any necessary corrections.**
4. **CONSIDER recommending to the Board of Supervisors a position of "Support" on AB 1795 (Gipson): Emergency Medical Services: Community Care Facilities, as recommended by Patricia Frost, Director of Contra Costa County Emergency Medical Services.**
5. **PROVIDE direction to Committee staff on the procurement process for federal and state advocacy services for 2019 and beyond.**
6. **Provide direction to staff on the nature and timing of desired meetings in Washington D.C. with the County's legislative delegation and representatives of federal agencies for the purposes of advocating for the County's interests.**
7. **ACCEPT the report on the State Budget and Legislation of Interest, and provide direction to staff.**

8. The next meeting is currently scheduled for March 12, 2018 at 10:30 a.m. **The schedule for the Legislation Committee has been established as the second month of each month at 10:30 a.m., in Room 101 of 651 Pine Street, Martinez.**

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: 02/12/2018
Subject: Record of Action for Legislation Committee
Submitted For: LEGISLATION COMMITTEE,
Department: County Administrator
Referral No.: 2018-01
Referral Name: Record of Action
Presenter: L. DeLaney **Contact:** L. DeLaney, 925-335-1097

Referral History:

County Ordinance (Better Government Ordinance 95-6, Article 25-205, [d]) 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 material or testimony distributed at the meeting will be attached to the meeting record.

Referral Update:

Attached for the Committee's consideration is the Draft Record of Action for its December 11, 2017 meeting.

Recommendation(s)/Next Step(s):

APPROVE the Record of Action, with any necessary corrections.

Attachments

Draft Record of Action

DRAFT



LEGISLATION COMMITTEE

December 11, 2017

10:30 A.M.

651 Pine Street, Room 101, Martinez

Supervisor Diane Burgis, 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: Karen Mitchoff, Vice Chair
Diane Burgis, Chair

Staff Present: Lara DeLaney, Senior Deputy County Administrator
Susan Jeong, Policy & Planning Division, EHSD
Devorah Levine, Policy & Planning Division, EHSD
Robert Campbell, Auditor-Controller
Lia Bristol, District III Staff
Mark Goodwin, Chief of Staff, District III
John Cunningham, Department of Conservation & Development

Attendees: Mariana Moore
Fran Biderman
Carly Finkle
Ben Palmer

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).

No public comment was received.

AYE: Vice Chair Karen Mitchoff, Chair Diane Burgis
Passed

3. APPROVE the Record of Action, with any necessary corrections.

The Committee voted unanimously to approve as presented.

AYE: Vice Chair Karen Mitchoff, Chair Diane Burgis
Passed

4. ACCEPT the End of Session Report from the state's advocates, Nielsen Merksamer, and provide direction to staff, as needed.

Ben Palmer provided the report, which was accepted by the Committee with no further direction to staff.

AYE: Vice Chair Karen Mitchoff, Chair Diane Burgis
Passed

5. REVIEW the Draft 2018 State Legislative Platform, provide direction to staff on any recommended changes, and RECOMMEND action to the Board of Supervisors.

Auditor-Controller Bob Campbell informed the Committee that the bill related to the West Contra Costa Health Care District could have an effect on the County's Comprehensive Annual Financial Report (CAFR) in terms of reporting the financial impact.

Mariana Moore spoke in support of the Health Policies but expressed concerns about policy #249. She also expressed an interest in extending the community conversation to make the Platform development process more inclusive. She also expressed an interest in having the County have a conversation about the prioritization of our resources.

Vice Chair Mitchoff expressed concerns about including some federal policy related matters in the draft State Platform and asked staff to follow-up on those items to determine if they were more appropriately included in the Federal Platform. She also expressed an interest in having consistent language used throughout the Platforms with regard to the proposed policies in terms of supporting or opposing "efforts" or "legislation and administrative actions." A request was also made of staff to include policies related to wireless/small cell infrastructure.

The Committee voted unanimously to recommend that the Board of Supervisors adopt the 2018 State Platform, with the recommended

changes.

AYE: Vice Chair Karen Mitchoff, Chair Diane Burgis

Passed

6. REVIEW the Draft 2018 Federal Legislative Platform, provide direction to staff on any recommended changes, and RECOMMEND action to the Board of Supervisors.

The Committee voted unanimously to recommend that the Board of Supervisors adopt the 2018 Federal Platform as drafted.

AYE: Vice Chair Karen Mitchoff, Chair Diane Burgis

Passed

7. 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.

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Contra Costa County Board of Supervisors

Subcommittee Report

LEGISLATION COMMITTEE

4.

Meeting Date: 02/12/2018
Subject: Support for AB 1795 (Gipson): Emergency Medical Services: Community Care Facilities
Submitted For: LEGISLATION COMMITTEE,
Department: County Administrator
Referral No.: 2018-02
Referral Name: Support for AB 1795
Presenter: L. DeLaney **Contact:** L. DeLaney, 925-335-1097

Referral History:

AB 1795 is currently supported by the Emergency Medical Services (EMS) Agency State Administrators, California Hospital Association and the California Ambulance Association (CAA). The bill is opposed by the California Nurses Association (CNA) and the American College of Emergency Physicians (ACEP) at present.

The bill has been referred to the Legislation Committee for consideration of support by Pat Frost, the County's Director of Emergency Medical Services.

Referral Update:

Title: Emergency Medical Services: Community Care Facilities
Fiscal Committee: yes
Urgency Clause: no
Introduced: 01/09/2018
Disposition: Pending
Location: Assembly Health Committee

Summary: Authorizes a local emergency medical services agency to submit, as part of its emergency services plan, a plan to transport specified patients to a community care facility in lieu of transportation to a general acute care hospital.

Status: 01/22/2018 [To ASSEMBLY Committee on HEALTH.](#)

LEGISLATIVE COUNSEL'S DIGEST

AB 1795, as introduced, Gipson. Emergency medical services: community care facilities.

Existing law, the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act, establishes the Emergency Medical Services Authority, which is responsible for the coordination and integration of all state agencies concerning emergency medical services. Among other duties, the authority is required to develop planning and implementation guidelines for emergency medical services systems, provide technical assistance to existing agencies, counties, and cities for the purpose of developing the components of emergency medical services systems, and receive plans for the implementation of emergency medical services and trauma care systems from local EMS agencies.

The act also authorizes each county to develop an emergency medical services program and requires local EMS agencies to plan, implement, and evaluate an emergency medical services system. Existing law requires local EMS agencies to be responsible for the implementation of advanced life support systems, limited advanced life support systems, and for the monitoring of specified training programs for emergency personnel. Existing law defines advanced life support as special services designed to provide definitive prehospital emergency medical care, as specified, at the scene of an emergency, during transport to an acute care hospital, during interfacility transfer, and while in the emergency department of an acute care hospital until responsibility is assumed by that hospital.

This bill would authorize a local emergency medical services agency to submit, as part of its emergency services plan, a plan to transport specified patients to a community care facility, as defined, in lieu of transportation to a general acute care hospital. The bill would make conforming changes to the definition of advanced life support to include prehospital emergency care provided before and during, transport to a community care facility, as specified. The bill would also direct the Emergency Medical Services Authority to authorize a local EMS agency to add to its scope of practice for specified emergency personnel those activities necessary for the assessment, treatment, and transport of a patient to a community care facility.

Attachment A: Support, if amended letter from CAA

Attachment B: LA County BOS Support letter

Attachment C: California ACEP, Oppose Unless Amended letter

Recommendation(s)/Next Step(s):

RECOMMEND support to the Board of Supervisors.

Attachments

Attachment A

Attachment B

Attachment C



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www.the-caa.org / info@the-caa.org

The Honorable Mike A. Gipson, Assembly Member
 Capitol Office, Room 3173
 Sacramento, CA 94249

February 5, 2018

AB 1795 (Gipson) – SUPPORT, IF AMENDED

Dear Assembly Member Gipson:

The California Ambulance Association (CAA) represents providers of emergency and non-emergency medically necessary transportation services throughout the State of California. Since its founding in 1948, the objectives of the CAA have been to promote better patient care, develop the highest level of ambulance services, cooperate with organizations providing medical care to the citizens of California, seek to improve standards for personnel and equipment, and encourage the highest standards of ethics and conduct. It is with these values in mind that we support AB 1795, if amended. Several of our members' companies are directly involved in the delivery of community paramedic services through the pilot projects.

The concept of transporting a patient by ambulance to a psychiatric facility or sobering center that is best capable of meeting his/her medical needs, the first time, instead of always transporting to an acute care hospital emergency department is an important principle. Under strict and appropriate protocols, with destination decisions made by highly trained and skilled paramedics, in a program overseen with proper medical control by the local EMS medical director, the concept proposed by AB 1795 is worthy and sound. Medical care can be improved and simultaneously provided at less cost with the implementation of this bill, as confirmed by OSHPD's studies. However, the concept and implementation is not viable nor sustainable unless the bill addresses and specifically authorizes reimbursement for the paramedic and ambulance services being provided.

The CAA supports the programs to be authorized by this proposed law, but we can only support this bill if it is amended to include provisions for reimbursement of the services. Under existing law and regulations, ambulances must transport patients to acute care hospitals to qualify for payment for ambulance service. Transports to alternate destinations such as psychiatric facilities or sobering centers are typically not eligible for reimbursement. These transports being conducted as part of the pilot programs are generally conducted for free. This is not sustainable.

Therefore, the CAA supports AB 1795 contingent upon its amendment to address compensation for the services provided. In order to make the concept of alternate destinations viable and sustainable for the long-term, it must be made clear in this bill that ambulance transports to psychiatric facilities or sobering centers will be paid by State programs (i.e. Medi-Cal, workers compensation, prison contracts, etc.) and all insurance plans and managed care plans at the same rate paid for ambulance transport to an acute care hospital.

Sincerely,


 Ross Elliott,
 Executive Director

cc: Chris Micheli, Aprea & Micheli



COUNTY OF LOS ANGELES BOARD OF SUPERVISORS

KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012

MEMBERS OF THE BOARD

HILDA L. SOLIS

MARK RIDLEY-THOMAS

SHEILA KUEHL

JANICE HAHN

KATHRYN BARGER

January 18, 2018

The Honorable Edmund G. Brown, Jr.
Governor, State of California
State Capitol
Sacramento, CA 95814

Dear Governor Brown:

We are writing to respectfully urge you to support AB 1795 by Assembly Member Mike Gipson, which would allow local Emergency Medical Services agencies to submit a plan to the California Emergency Medical Services Authority to allow for the transport of patients to a community care facility based on a determination that there is no need for emergency medical treatment. This important bill is sponsored by Los Angeles County and co-sponsored by the California Hospital Association.

Current law requires paramedics responding to emergency 911 calls to transport all patients who show signs of a non-emergent mental health condition and/or inebriation to an acute care emergency department (ED), even though there might be more appropriate levels of care. While mental health urgent care and sobering centers can accept walk-ins and referrals made from law enforcement, hospitals, and other health care providers, paramedic ambulances are not allowed to transport patients to these alternative community care facilities.

This measure would help reduce the transport of patients who could be better served in a community care facility to EDs, which often results in overcrowding and strains on medical staff and financial resources, and may prevent EDs from treating patients in critical need in a timely manner or at the appropriate level of care. Mental health urgent care and sobering centers can offer inebriated patients or those experiencing a non-emergent mental health condition with more timely access to specialized care, and to connect them with supportive services.

The Honorable Edmund G. Brown, Jr.
January 18, 2018
Page 2

We respectfully urge you to sign AB 1795 measure when it reaches your desk. Thank you for your consideration of this important matter.

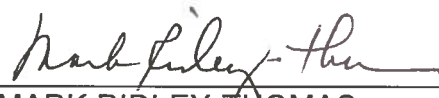
Sincerely,



SHEILA KUEHL
Chair of the Board
Supervisor, Third District



HILDA L. SOLIS
Supervisor, First District



MARK RIDLEY-THOMAS
Supervisor, Second District



JANICE HAHN
Supervisor, Fourth District



KATHRYN BARGER
Supervisor, Fifth District



January 24, 2018

The Honorable Mike Gipson
California State Assembly
State Capitol Building, Room 3173
Sacramento, CA 95814

RE: AB 1795 (Gipson) – Oppose Unless Amended – Introduced January 9, 2018

Dear Assembly Member Gipson:

The California Chapter of the American College of Emergency Physicians (California ACEP), representing emergency physicians treating California's patients in more than 14.5 million emergency department visits annually, **must respectfully oppose your AB 1795, unless it is amended.**

The Health Workforce Pilot Projects Program was enacted by the Legislature to test, demonstrate, and evaluate new or expanded roles for healthcare professionals, or new healthcare delivery alternatives, before changes in licensing laws are made by the Legislature. Specifically, Health and Safety Code Section 128125 states, "The Legislature also finds that large sums of public and private funds are being spent to finance health workforce innovation projects, and that the activities of some of these projects exceed the limitations of state law. These projects may jeopardize the public safety and the careers of persons who are trained in them. It is the intent of the Legislature to establish the accountability of health workforce innovation projects to the requirements of the public health, safety, and welfare, and the career viability of persons trained in these programs."

In 2014 EMSA submitted Health Workforce Pilot Project Application #173 to the Office of Statewide Health Planning and Development (OSPHD) in order to test expansion of scope of practice for EMTs in a variety of settings. The application, which sought to test 13 different pilots, was approved and programs began implementation in late 2015. AB 1795 seeks to permanently expand EMT scope of practice to authorize the transport of patients directly to a mental health urgent care center or to a sobering center, rather than to an emergency department (ED) as currently required by law. As currently drafted, we must oppose the bill unless it is amended to protect patient safety.

Scope Expansion Authorization Must Replicate Pilots Shown to be Safe for Patients

We have significant concern about EMTs' ability to safely triage patients in the field and appropriately determine their medical condition. A 2013 study in *JAMA* found a nearly 90% overlap between symptoms of emergencies and non-emergencies.¹ As reported in *Annals of Emergency Medicine* in 2014² "Nearly all

¹ Raven MC, Lowe RA, Maselli J, Hsia RY. Comparison of presenting complaint vs discharge diagnosis for identifying "nonemergency" emergency department visits. *JAMA* 2013 309(11):1145-53.

² Morganti KG, Alpert A, Margolis G, Wasserman J, Kellermann AL. Should payment policy be changed to allow a wider range of EMS transport options? *Annals of Emergency Medicine* 2014 May; 63(5):615-626.e5.



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the studies published to date have found significant rates of under triage by EMS Personnel...” These investigators identified 13 research studies examining the ability of paramedics and EMTs to determine the need for transport to an ED. Included among these studies was one describing a cohort of under triaged patients, whom EMS professionals felt did not require transport to EDs for care, who subsequently required admission to the hospital (18%), including a subset requiring admission to the Intensive Care Unit (6%). The safety-net for this high level of severe under-triage is the ED.

This under-triage concern is exacerbated in patients with mental illness. Patients with mental illness have a higher rate of other chronic conditions than the rest of the population.

- Patients treated for schizophrenia or bipolar disorder were 3x more likely to have 3 or more chronic medical conditions than the rest of the population³
- More than half of Medicaid enrollees with mental health conditions also had diabetes, cardiovascular disease, or pulmonary disease.⁴
- According to Medicare and Medicaid data, 75% of patients with mental health conditions also had a heart condition, 42% had a musculoskeletal disorder, and 36% had diabetes.⁴ (CMS)

A recent pilot in Stanislaus County indicates the potential for safe transport of patients to an Acute Psychiatric Hospital rather than an ED. That pilot appears to protect patient safety because of the 140 hours of additional training required of the Community Paramedics, the protocols as revised during study, the agreements entered into with law enforcement, the agreements entered into with the destination, and a variety of other components. None of these components are required by AB 1795. Instead, AB 1795 allows each LEMSA to establish their own protocols, training, processes, and destinations. This bill authorizes 58 different, untested, permanent pilot programs.

In contrast, the concept of diverting patients away from the ED to a sobering center has only been added to Health Workforce Pilot Project #173 in February 2017. There has been little data collected to date, yet a preliminary review of the data indicates they are not collecting the number of people turned away by the center and sent to the ED – an important data point for determining the ability of EMTs to safely screen patients in the field.

Destinations must be Defined and Licensed

A critical component of ensuring a patient can safely be transported to an alternate destination, is to ensure that the destination itself is safe. However, there is no definition in California law for a sobering center. There are no staffing standards, no facility regulations, and no licensing or inspection requirements. Patient safety cannot be assured without standards. A recent series of articles in the OC Register has exposed high death rates at regulated, non-medical (no

³ Druss, B. G., & Reisinger Walker, E. (2011). Mental disorders and medical comorbidity. Robert Wood Johnson Foundation.

⁴ (2014). *Physical and Mental Health Condition Prevalence and Comorbidity Among Fee-for-Service Medicare-Medicaid Enrollees*. Centers for Medicare and Medicaid Services.



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physician) rehab facilities: <https://www.ocregister.com/2017/12/17/detox-can-end-in-death-at-some-non-medical-southern-california-rehabs/>, <https://www.ocregister.com/2017/05/21/how-some-southern-california-drug-rehab-centers-exploit-addiction/>. AB 1795 must contain licensing and regulatory standards for sobering centers.

Patients with mental illness who participated in Health Workforce Pilot Project #173 were transported to an Acute Psychiatric Hospital, as defined in Health and Safety Code Section 1250(b). AB 1795 instead allows EMTs to transport patients to a mental health urgent care center. Again, there is no definition of “mental health urgent care center” in law. AB 1795 should not allow transport of patients to a destination which is unregulated and unlicensed. Similarly, there is no data to indicate whether patients can safely be transported by EMTs to “mental health urgent care centers.” The Health Workforce Pilot Projects Program was enacted by the Legislature to test the safety of scope expansion before it was embarked upon statewide, yet the concept in AB 1795 has not been tested. This bill should be amended to specify that patients will only be transported to Acute Psychiatric Hospitals, as tested in the Stanislaus County Pilot.

EMTALA Non-Discrimination Protections Must be Included

As required by Health and Safety Code Section 1317, EDs may not discriminate against patients in the provision of care: “In no event shall the provision of emergency services and care be based upon, or affected by, the person’s ethnicity, citizenship, age, preexisting medical condition, insurance status, economic status, ability to pay for medical services, or any other characteristic listed or defined in subdivision (b) or (e) of Section 51 of the Civil Code, except to the extent that a circumstance such as age, sex, preexisting medical condition, or physical or mental disability is medically significant to the provision of appropriate medical care to the patient.”

A similar protection must be included in AB 1795 to ensure that the decision of who to transport to an alternate destination is not based on discriminatory reasons. The decision to transport a patient to a sobering center or psychiatric hospital should be based exclusively on the patient’s medical condition, not on race, insurance status, economic status, or any other protected class.

Bill Should Require Data Collection and Contain A Two-Year Sunset

While it is critical that whatever is authorized by AB 1795 replicate the components piloted in Stanislaus County, no other program can be exactly the same. The individuals, both patients and paramedics, distances to facilities, availability of bed space, etc., will all vary by jurisdiction. LEMSAs should be required to collect and report the data to evaluate safety of all programs.

For example, the project must assess the following for those patients transported to an alternate destination:

1. How many patients could be seen in a timely fashion at an alternate destination?
2. How many patients were referred to an ED or other specialty from the alternate destination?
3. How many patients were referred emergently by 911 ambulances?



4. How many patients deteriorated and required further health care 3 days, 7 days, and 30 days post intervention?
5. Was the overall care provided, including all follow-up and complications, non-inferior (in terms of safety and patient outcomes) compared to standard care that begins with EMS transport to EDs?

Additionally, the implementing LEMSAs should assess the impact on other patients currently being treated by EMS that are not in the intervention group. Because it may take more time per call for the patients in the intervention group, the paramedics and ambulances may have less availability to respond to emergencies. The proposal has no evaluation mechanism to assess unintended, adverse consequences on patients requiring EMS services whose care is delayed due to increased duties and additional time per call required of community paramedics.

This data should be reported to the Legislature and AB 1795 should sunset in two years to allow for evaluation of these reports.

For these reasons, California ACEP must oppose AB 1795 unless it is amended to address our concerns. If you have any questions, please contact our office at (916) 325-5455.

Respectfully,

ELENA LOPEZ-GUSMAN
Executive Director

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LEGISLATION COMMITTEE

5.

Meeting Date: 02/12/2018
Subject: State and Federal Advocacy Contracts: Procurement Process
Submitted For: LEGISLATION COMMITTEE,
Department: County Administrator
Referral No.: 2018-03
Referral Name: State and Federal Advocacy Contracts
Presenter: L. DeLaney **Contact:** L. DeLaney, 925-335-1097

Referral History:

The County currently has two contracts in effect for federal and state legislative advocacy:

1. **Federal Advocacy:** Alcalde & Fay, with primary representation by Paul Schlesinger with additional related support from Perrin Badini. This contract is managed by the CAO's office.

2. **State Advocacy:** Nielsen, Merksamer, Parrinello, Gross and Leoni ("Nielsen Merksamer") with primary representation by Cathy Christian, health care-related representation by James Gross, and additional advocacy services provided by Ben Palmer. This contract is also managed by the CAO's office.

The following is a summary of the contracting history with our current federal and state advocates and the status of their current contracts.

Federal Advocacy Services: Alcalde & Fay

On contract since: December 1, 2001

Contract Term (current): January 1, 2018 through December 31, 2018.

Contract Amount: \$108,500/year: \$8458/monthly retainer; \$3,000 for expenses

History of contract:

- April 24, 2001 the Board of Supervisors directs the CAO to issue an RFP for federal advocacy services. (Supervisor Uilkema prepared the Board Order.)
- The RFP was disseminated broadly, including a posting in Rollcall.
- 24 proposals were received. Top 4 firms were interviewed by CAO and Assistant CAO in D.C. during October 2001. Firms included: Alcalde & Fay, Honberger & Walters, Patten Boggs, and Waterman.
- In the fall of 2012, an RFP process was conducted to solicit vendors for new federal and state legislative advocacy contracts. The RFP stipulated the contracts would be two-year contracts with three (3) one-year renewal options, effective January 1, 2013. Alcalde & Fay and Nielsen Merksamer were the successful bidders for the federal and state contracts, respectively. The authorization for the contracts expires December 31, 2017.
- Alcalde & Fay is a minority-controlled/employee-owned firm that supports the County's MBE contracting goals.
- Services provided include: assisting the County in developing and implementing an effective federal advocacy strategy and annual legislative program to influence federal laws and policies and increase funding for County priorities and operations; research, monitoring and providing information to the County; representing County interests in meetings with members of Congress and/or their staff and with federal agencies, boards, commissions, committees and other bodies as appropriate; participating in appropriate coalitions and working groups on behalf of the County; arrange for meetings involving County officials in Washington, D.C.; preparing and delivering briefings and activity reports as needed; and performing other related duties, as mutually agreed upon.
- In 2012, the County conducted a RFP process to award a two-year contract with three (3) single year options to renew to procure the services of a federal advocate. Alcalde & Fay was the successful bidder.
- In October 2017, the Board of Supervisors authorized a contract extension with Alcalde & Fay for a one-year period.

State Advocacy Services: Nielsen Merksamer

On contract since: January 1, 2004

Contract Term (current): January 1, 2018 through December 31, 2018

Contract Amount: \$180,000/year: \$15,000/monthly retainer

History of Contract:

- Prior to retaining Nielsen Merksamer, the County contracted with L. Scott Sphann and Associates, who received an annual retainer of \$111,946, for state advocacy and annual legislative program services. A \$25,000 annual subcontract with Nielsen Merksamer was entered into in January 2003 (\$2,083 monthly retainer) for services related specifically to state budget issues.
- The shift in state representation placed an increased emphasis on the state budget and the state-local relationships. Nielsen Merksamer is recognized for its expertise in the broad area of state and county relations, particularly fiscal relationships.
- Nielsen Merksamer is a law firm specializing in government and political law and related litigation. They represent approximately 70 clients in the legislative and regulatory arenas in Sacramento, including approximately 10 local government entities, Fortune 500 companies, labor organizations, health care interests and various associations.
- First contract executed for the period January 1, 2004 through December 31, 2005 in the amount of \$120,000 annually.
- In 2012, the County conducted a RFP process to award a two-year contract with three (3) single year options to renew to procure the services of a federal advocate. Nielsen Merksamer was the successful bidder.
- On October 24, 2017, the Board of Supervisors authorized a contract extension with Nielsen Merksamer for a one-year period, with no change in the amount of monthly retainer.

Referral Update:

In 2012 the CAO staff (serving as Legislation Committee staff) conducted the last Request for Proposals (RFP) process for the state and federal advocacy services contracts. To initiate the RFP development process, CAO staff surveyed the urban counties on their utilization of state and federal lobbying firms. The survey included name of the firm, the amount of the contract, length of contract term, whether an RFP process had been conducted, and satisfaction with the services. This information was provided to the Legislation Committee to inform their direction to staff on the RFP.

The RFP was issued on September 28, 2018; responses were due on October 31, 2012. (*Attachment A is the RFP for Federal Advocacy Services; Attachment B is the RFP for State Advocacy Services. The standard contracting terms attachment to each RFP was deleted .*) The County received three responses to its RFP for State advocacy services and two responses to its RFP for federal advocacy services.

The responses received for the State advocacy services included (in alphabetic order):

1. Nielsen Merksamer Parrinello Gross & Leoni, LLP
2. Smith, Watts & Martinez, LLC
3. Townsend Public Affairs

The responses received for the Federal advocacy services included (in alphabetic order):

1. Alcalde & Fay
2. Van Scoyoc Associates, Inc.

In accordance with the RFP, staff assembled a County Selection Committee to evaluate the proposals. The Committee consisted of the following members:

- Supervisor Karen Mitchoff
- County Administrator David Twa (for the State services)
- Chief Assistant County Administrator Terry Speiker (for the Federal services)
- Patricia Tanquary, Chief Executive Officer, Contra Costa Health Plan
- Arielle Bourgart, Director of Government and Community Relations for CCTA
- Steven Goetz, Deputy Director of Department of Conservation & Development

CAO staff facilitated the evaluation and interview process but was not included on the County Selection Committee. The interviews with the State advocacy firms were held on November 14, 2012. The interviews with the Federal advocacy firms were conducted via Skype on November 19, 2012.

Upon conclusion of the interviews and review of the RFP responses, the County Selection Committee made the following recommendations which are transmitted to the Legislation Committee for its consideration and action:

1. For the State advocacy services: Retain Nielsen Merksamer.
2. For the Federal advocacy services: Retain Alcalde & Fay.

The recommendations were made largely on the firms' superior knowledge of Contra Costa County and its issues, their proposed scope of services, and the assurance that there would be no conflicts of interest with other clients.

The bid forms submitted by Nielsen Merksamer and Alcalde & Fay request no increase in price over their current contracts.

At its December 3, 2012 meeting, the Legislation Committee considered the recommendation of the County Selection Committee and concurred with their recommendations. The recommendations were sent to the Board of Supervisors for contract authorization.

Recommendation(s)/Next Step(s):

Staff is seeking direction from the Legislation Committee on the following aspects of the procurement process:

1. The conduct of a survey of urban counties' lobbying contracts
2. The conduct of a survey of Board of Supervisors' members and their staffs, the CAO, Department Heads and other key staff of their primary advocacy interests, issues of particular concern, and satisfaction with services/request for additional services
3. Timeline for Procurement Process
4. Length of contract period
5. Amount of contract
6. Review Panel membership
7. Request for Proposals/Qualifications (RFP/Q) development

Attachments

[Attachment A-2012 Federal Advocacy RFP](#)

[Attachment B-2012 State Advocacy RFP](#)



COUNTY OF CONTRA COSTA

REQUEST FOR PROPOSAL No. 1209-003

**SPECIFICATIONS, TERMS & CONDITIONS
For**

FEDERAL LEGISLATIVE ADVOCACY SERVICES

For complete information regarding this project see RFP posted at <http://www.bidsync.com>

or contact the person listed below. Thank you for your interest!

Contact Person: Lara DeLaney, Senior Management Analyst

E-mail Address: lara.delaney@cao.cccounty.us

RESPONSE DUE

by

5:00 p.m.

on

October 31, 2012

at

**Contra Costa County, County Administrator's Office
651 Pine Street, 10th floor
Martinez, CA 94553**

COUNTY OF CONTRA COSTA

REQUEST FOR PROPOSAL No. 1209-003 SPECIFICATIONS, TERMS & CONDITIONS For

FEDERAL LEGISLATIVE ADVOCACY SERVICES

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COUNTY OF CONTRA COSTA

REQUEST FOR PROPOSAL No. 1209-003 SPECIFICATIONS, TERMS & CONDITIONS for

FEDERAL LEGISLATIVE ADVOCACY SERVICES

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- Exhibit A – Bid Form
- Exhibit B – Response Content and Submittals Completeness Checklist
- Exhibit C – Debarment and Suspension Certification
- Exhibit D – Standard Contract

I. ACRONYM AND TERM GLOSSARY

Unless otherwise noted, the terms below may be upper or lower case. Acronyms will always be uppercase.

AIDS	Refer to Acquired Immune Deficiency Syndrome
Bid	Shall mean the bidders'/contractors' response to this Request
Bidder	Shall mean the specific person or entity responding to this RFP
Board	Shall refer to the County of Contra Costa Board of Supervisors
CAO	Shall refer to the County Administrator's Office
CDBG	Refers to Community Development Block Grant
CSC	Shall refer to County Selection Committee
Contractor	When capitalized, shall refer to selected bidder that is awarded a contract
County	When capitalized, shall refer to the County of Contra Costa
Federal	Refers to United States Federal Government, its departments and/or agencies
FY	Shall mean Fiscal Year
HOME Program	Refers to the largest Federal block grant to State and local governments designed exclusively to create affordable housing for low-income households
HOPWA	Refers to Housing Opportunities for Persons with AIDS
HUD	Refers to Housing and Urban Development
Labor Code	Refers to California Labor Code
McKinney-Vento	Refers to Federal legislation dealing with the education of children youth experiencing homelessness in US Public Sector
Proposal	Shall mean bidder/contractor response to this RFP
Request for Proposal	Shall mean this document, which is the County of Contra Costa's request for contractors'/bidders' proposal to provide the services being solicited herein; also referred herein as RFP
Response	Shall refer to bidder's proposal or quotation submitted in reply to RFP
RFP	Request for Proposal
SCAAP	State Criminal Alien Assistance Program
SCHIP	State Child Health Insurance Program
State	Refers to State of California, its departments and/or agencies
Title IV-E	Refers to Foster Care and Adoption Assistance Program. This program provides <u>federal reimbursement</u> to states for the costs of children placed in foster homes or other types of out-of-home care under a court order or voluntary placement agreement

II. STATEMENT OF WORK

A. INTENT

The intent of this Request for Proposal (RFP) is to describe professional federal legislative advocacy and related services required by Contra Costa County.

The County intends to award a two-year contract with three (3) single year options to renew to the bidder selected as the most responsible bidder whose response conforms to the RFP and meets the County's requirements

B. SCOPE

Contra Costa County is seeking a full-service federal legislative advocate. The individual or firm will work in a proactive manner to protect and advance the County's interests on a federal level. The legislative advocate will work with the Board of Supervisors, the Legislation Committee, the County Administrator, department heads and/or designated departmental staff on a proactive legislative agenda to advance and protect the County's interest.

1. Contra Costa County has a multi-faceted, proactive legislative program comprised of the following components:
 - a. Adoption of an Annual Legislative Platform by the Board of Supervisors.
 - b. Review of legislation by the County's Legislation Committee and staff.
 - c. Employment of professional State and Federal legislative advocates to pursue advocacy and enactment.
 - d. Tracking of legislation at the County Administrator's Office (CAO) and agency / department levels.
2. The CAO coordinates the County's Legislative activities, as summarized below.
 - a. **Annual Legislative Program**

The Contra Costa County Board of Supervisors adopts an annual Federal Legislative Platform. Prior to developing this Platform, the CAO invites input from all County departments and the Board of Supervisors. From this input, the Federal Legislative Platform is developed.

The County's Federal Legislative Platform includes legislative proposals submitted by County departments and community based organizations. For

example, the 2012 Federal Legislative Platform includes 13 requests for FFY 2013 appropriations or grants; 4 requests for the reauthorization of the federal transportation act; and 5 requests for the reauthorization of the Water Resources Development Act. The Federal Platform also includes the County's position on various policies, along with requests for amendments to existing legislation, and suggestions for proposed new legislation. The Platform is developed in cooperation with the County's legislative advocates, members of the Board of Supervisors, County agencies/departments and other interested parties. The Platform is submitted to the Board of Supervisors through the County's Legislation Committee.

The Legislation Committee typically approves the draft Legislative Platform in December each year. Subsequently, at a meeting in January, the Board of Supervisors is asked to adopt the Legislative Platform. It should be noted that this Platform is amended continually throughout the year as new legislative issues arise.

b. **Legislation Committee**

In 2007, the County established the Legislation Committee as a means of coordinating legislative issues and policies throughout the County. This Committee meets regularly to review the impacts of State and Federal legislation on the County. The Committee receives regular updates from the County's State and Federal legislative advocates and advises the Board of Supervisors on legislative matters affecting the County.

c. **Issues of Particular Concern to the County**

- (1) Medical Insurance for the Uninsured and Underinsured
- (2) Healthcare reform implementation
- (3) Surface Transportation & Infrastructure funding
- (4) Increased funding for Medicaid and Medicare
- (5) Increased funding for Housing and Urban Development (HUD) programs, including Community Development Block Grant (CDBG) and McKinney-Vento
- (6) Homeless Assistance, Housing Opportunities for Personals with AIDS (HOPWA) and HOME programs

- (7) Increased funding for health and human service programs
- (8) Increased funding flexibility for various Federal programs including Title IV-E
- (9) Increased funding for navigation, flood control, and habitat restoration projects
- (10) Funding for Mt. Diablo Mercury Mine clean-up
- (11) Full funding for various programs including Social Services Block Grant and Elder Justice
- (12) Bioterrorism and Disaster Preparedness
- (13) State Criminal Alien Assistance Program (SCAAP)
- (14) State Child Health Insurance Program (SCHIP)
- (15) Increased funding for California (e.g., farm bill, agriculture, water resources, flood control, clean water, natural resources services, etc.)
- (16) Advocacy related to the County's Water Platform, specifically the Sacramento-San Joaquin Delta
- (17) Federal grant funding

Please note, this list is not all-inclusive and the consultant would be expected to work with the County to identify other issues of concern.

C. BACKGROUND

Contra Costa County was incorporated in 1850 as one of the original 27 counties of California. A five-member Board of Supervisors, each elected to four-year terms, serves as the legislative body of the County, which has a general law form of government. Also elected are the County Assessor, Auditor-Controller (the 'County Auditor-Controller'), Clerk-Recorder, District Attorney-Public Administrator, Sheriff-Coroner and Treasurer-Tax Collector (the 'County Treasurer'). The County Administrator, David Twa, is appointed by the Board and is responsible for running the day-to-day business of the County. The County Administrator is also responsible for presenting the Board with a Recommended Budget for consideration of adoption as the Final (Adopted) Budget, which will serve as the foundation of the County's financial planning and control.

Contra Costa is one of nine counties in the San Francisco-Oakland Bay Area and the ninth most populous county in California with an estimated population of 1,056,064 as of January 1, 2011. The County covers about 733 square miles and extends from the northeastern shore of the San Francisco Bay easterly about 50 miles to San Joaquin County. The County is bordered on the south and west by Alameda County and on the north by the Suisun and San Pablo Bays. The western and northern shorelines are highly industrialized, while the interior sections are suburban/residential, commercial and light industrial. The County contains 19 cities, including Richmond in the west; Antioch in the northeast; and Concord in the middle. Population growth in the County during the past five years has been strongest in unincorporated areas as well as in the cities of Antioch, Brentwood, Hercules, Oakley, Pittsburg and San Ramon.

The County agencies/departments include: Agriculture, Animal Services, Assessor, Auditor-Controller, Child Support Services, Clerk-Recorder, Conservation & Development, County Administrator, County Counsel, District Attorney, Employment and Human Services, Contra Costa Consolidated Fire, Health Services, Human Resources, Information Technology, Library, Probation, Public Defender, Public Works (which now includes the former General Services), Risk Manager, Sheriff-Coroner, Treasurer-Tax Collector, and Veterans Services.

The County maintains a \$2.4 Billion budget (all funds). The recommended FY 12-13 General Fund budget of \$1.222 billion is supported by local, federal, and State resources. Almost half of our revenue, \$551.7 million (45.1%) is dependent on State and Federal allocations. Our general purpose revenue available from sources such as property tax and interest income is \$314.8 million. The remaining ‘Other Local’ revenue is generated primarily by fees, fines, and licenses.

With respect to its Federal advocacy services, the County currently contracts with Alcalde & Fay. They have been under contract with the County since 2001 and receive a monthly retainer of \$8,458. The contract expires on December 31, 2012.

D. CONSULTANTS’ MINIMUM QUALIFICATIONS

1. Consultants shall be regularly and have been continuously engaged in the business of providing Federal legislative advocacy to **local governments**, preferably urban county governments, for at least the past five (5) years.
2. Consultants had a successful legislative service contracts with at least one (1) public agency for at least five (5) years. Consultant will be required to provide work samples.
3. Consultants shall possess the proven ability to initiate, develop and carry out effective strategies to influence legislative and administrative activities and effectively lobby on behalf of the County.

4. Consultants shall possess all permits, licenses and professional credentials necessary to perform the required legislative advocacy services.
5. Consultants' other clients should not pose conflict of interest issues for the County, nor should their interest be in direct conflict with the County's mission.

E. SPECIFIC REQUIREMENTS

The consultant will act as the Washington D. C. representative of the County and will provide, at a minimum, the following services:

1. Assist the County in developing strong relationships with the East Bay congressional delegation, congressional leaders and the Administration. This includes developing a target list of key influencers from both parties in the Congress and proactively developing relationships between these member and County leaders.
2. Serve as the County's liaison to Federal agencies.
3. Provide logistical support to arrange appointments and meetings with members of Congress and Federal agencies, as needed. This includes preparing talking points and/or briefing materials, as needed.
4. Lead the County in developing and implementing an effective Federal advocacy strategy and legislative program to:
 - a. Influence Federal laws and policies as they relate to County priorities, programs and operations, including developing legislation and amendments to legislation which accomplish specific County goals; and
 - b. Identify and develop opportunities to increase funding for County priorities, programs and operations.
5. Research and provide information to the County on such matters as:
 - a. Federal budget, bills and laws.
 - b. Funding opportunities and availability.
 - c. Congressional hearings, reports and testimony.
 - d. Federal regulations, guidelines, directives and other administrative policies, both proposed and adopted; and

- e. Technical memoranda and reports impacting County operations.
6. Represent County interests in meetings with members of Congress and/or their staff, and with representatives of Federal agencies, boards, commissions, committees and other bodies as appropriate.
7. Participate in appropriate coalitions and working groups on behalf of the County.
8. Report on and advise the County on relevant Federal legislation, proposed and adopted, and administrative actions that affect County programs. Reporting will include an annual summary on major activities and accomplishments, linked to the Board's adopted Legislative Platform; as needed visits to the County for meetings with Board members and staff and County administrative staff; and participation in the Board of Supervisor's Legislation Committee meetings (participation is typically by conference call).
9. Perform other related duties as mutually agreed upon.

F. DEBARMENT / SUSPENSION POLICY

In order to prohibit the procurement of any goods or services ultimately funded by Federal awards from debarred, suspended or otherwise excluded parties, each bidder will be screened at the time of RFP response to ensure bidder, its principal and their named subcontractors are not debarred, suspended or otherwise excluded by the United States Government in compliance with the requirements of 7 Code of Federal Regulations (CFR) 3016.35, 28 CFR 66.35, 29 CFR 97.35, 34 CFR 80.35, 45 CFR 92.35 and Executive Order 12549.

- The County will verify bidder, its principal and their named subcontractors are not on the Federal debarred, suspended or otherwise excluded list of vendors located at www.epls.gov; and
- Bidders are to complete a Debarment and Suspension Certification form, Exhibit N attached, certifying bidder, its principal and their named subcontractors are not debarred, suspended or otherwise excluded by the United States Government.

G. DELIVERABLES/REPORTS

1. Creation of an annual summary of major activities and accomplishments, which is linked to the Board's adopted Legislative Platform
2. Regular e-mails regarding budget and/or legislative updates.

III. INSTRUCTIONS TO BIDDERS

H. COUNTY CONTACTS

As of the issuance of this RFP, Vendors are specifically directed not to contact County personnel for meetings, conferences or technical discussions related to this RFP. Failure to adhere to this policy may result in disqualification of the Vendor.

All questions regarding the proposal will be accepted through the BidSync site only. The deadline for submitting questions for this RFP is on or before 12:00 noon on October 24, 2012. All questions will be answered and disseminated to those registered on the BidSync website. Contra Costa County uses BidSync as the primary tool for posting bids and other business opportunities. BidSync is a web-based government bidding system.

I. CALENDAR OF EVENTS

Event	Date/Location
Request Issued	September 28, 2012
Written Questions Due	by 12:00 Noon on October 24, 2012
Response Due	October 31, 2012 by 5:00 p.m.
Vendor Interviews	Week of November 19, 2012
Board Letter Issued	December 6, 2012
Board Award Date	December 11, 2012
Contract Start Date	January 1, 2013

Note: Award and start dates are approximate.

It is the responsibility of each bidder to be familiar with all of the specifications, terms and conditions. By the submission of a Bid, the Bidder certifies that if awarded a contract they will make no claim against the County based upon ignorance of conditions or misunderstanding of the specifications.

J. SUBMITTAL OF BIDS

1. All bids must be SEALED and must be received at the County Administrator's Office of Contra Costa County **by** 5:00 p.m. on the due date specified in the Calendar of Events.

NOTE: LATE AND/OR UNSEALED BIDS CANNOT BE ACCEPTED. IF HAND DELIVERING BIDS, PLEASE ALLOW TIME FOR METERED STREET PARKING OR PARKING IN AREA PUBLIC PARKING LOTS.

Bids will be received only at the address shown **below**, and by the time indicated **in the Calendar of Events**. Any bid received after said time and/or date or at a

place other than the stated address cannot be considered and will be returned to the bidder unopened.

All bids, whether delivered by an employee of Bidder, U.S. Postal Service, courier or package delivery service, must be received and time stamped at the stated address prior to the time designated. The CAO's timestamp shall be considered the official timepiece for the purpose of establishing the actual receipt of bids.

2. Bids are to be addressed **and delivered** as follows:

**Federal Legislative Advocacy Services
RFP No. 1209-003
Contra Costa County, County Administrator's Office
651 Pine Street, 10th floor
Martinez, CA 94553**

3. Bidders are to submit one (1) original hard copy bid, with original ink signatures, plus five (5) copies of their proposal. Original proposal is to be clearly marked, printed on plain white paper, and must be either loose leaf or in a 3-ring binder (**NOT** bound). It is preferred that all proposals submitted shall be printed double-sided and on minimum 30% post-consumer recycled content paper. Inability to comply with this recommendation will have no impact on the evaluation and scoring of the proposal. Bidders must also submit an electronic copy of their proposal. The electronic copy must be a single file, scanned image of the original hard copy with all appropriate signatures, and must be on disk or USB flash drive and enclosed with the sealed hardcopy of the bid.
4. Bidder's name and return address must also appear on the mailing package.
5. No telegraphic, email (electronic) or facsimile bids will be considered.
6. Bidder agrees and acknowledges all RFP specifications, terms and conditions and indicates ability to perform by submission of its bid.
7. Submitted bids shall be valid for a minimum period of 180 days.
8. All costs required for the preparation and submission of a bid shall be borne by Bidder.
9. Only one bid response will be accepted from any one person, partnership, corporation, or other entity; however, several alternatives may be included in one response. For purposes of this requirement, "partnership" shall mean, and is limited to, a legal partnership formed under one or more of the provisions of the California or other state's Corporations Code or an equivalent statute.

10. Proprietary or Confidential Information: No part of any bid response is to be marked as confidential or proprietary. County may refuse to consider any bid response or part thereof so marked. Bid responses submitted in response to this RFP may be subject to public disclosure. County shall not be liable in any way for disclosure of any such records. Additionally, all bid responses shall become the property of County. County reserves the right to make use of any information or ideas contained in submitted bid responses. This provision is not intended to require the disclosure of records that are exempt from disclosure under the California Public Records Act (Government Code Section 6250, *et seq.*) or of “trade secrets” protected by the Uniform Trade Secrets Act (Civil Code Section 3426, *et seq.*).
11. All other information regarding the bid responses will be held as confidential until such time as the County Selection Committee has completed their evaluation, an intended award has been made by the County Selection Committee, and the contract has been fully negotiated with the intended awardee named in the intent to award/non-award notifications. The submitted proposals shall be made available upon request no later than five (5) business days before approval of the award and contract is scheduled to be heard by the Board of Supervisors. All parties submitting proposals, either qualified or unqualified, will receive mailed intent to award/non-award notifications, which will include the name of the bidder to be recommended for award of this project. In addition, award information will be posted on the County’s “Contracting Opportunities” website, mentioned above.
12. Each bid received, with the name of the bidder, shall be entered on a record, and each record with the successful bid indicated thereon shall, after the award of the order or contract, be open to public inspection.

K. RESPONSE FORMAT

1. Bid responses are to be straightforward, clear, concise and specific to the information requested.
2. In order for bids to be considered complete, Bidder must provide all information requested. See Exhibit B, Response Content and Submittals Completeness Checklist.

L. EVALUATION CRITERIA/SELECTION COMMITTEE

All proposals will be evaluated by a County Selection Committee (CSC). The County Selection Committee may be composed of County staff and other parties that may have expertise or experience in Federal legislative advocacy services. The CSC will select a

contractor in accordance with the evaluation criteria set forth in this RFP. The evaluation of the proposals shall be within the sole judgment and discretion of the CSC.

All contact during the evaluation phase shall be through the County Administrator's Office Department only. Bidders shall neither contact nor lobby evaluators during the evaluation process. Attempts by Bidder to contact and/or influence members of the CSC may result in disqualification of Bidder.

The CSC will evaluate each proposal meeting the qualification requirements set forth in this RFP. Bidders should bear in mind that any proposal that is unrealistic in terms of the technical or schedule commitments, or unrealistically high or low in cost, will be deemed reflective of an inherent lack of technical competence or indicative of a failure to comprehend the complexity and risk of the County's requirements as set forth in this RFP.

Bidders are advised that in the evaluation of cost it will be assumed that the unit price quoted is correct in the case of a discrepancy between the unit price and an extension.

As a result of this RFP, the County intends to award a contract to the responsible bidder whose response conforms to the RFP and whose bid presents the greatest value to the County, all evaluation criteria considered. The combined weight of the evaluation criteria is greater in importance than cost in determining the greatest value to the County. The goal is to award a contract to the bidder that proposes the County the best quality as determined by the combined weight of the evaluation criteria. The County may award a contract of higher qualitative competence over the lowest priced response.

The basic information that each section should contain is specified below, these specifications should be considered as minimum requirements. Much of the material needed to present a comprehensive proposal can be placed into one of the sections listed. However, other criteria may be added to further support the evaluation process whenever such additional criteria are deemed appropriate in considering the nature of the services being solicited.

The evaluation process may include a two-stage approach including an initial evaluation of the written proposal and preliminary scoring to develop a short list of bidders that will continue to the final stage of oral presentation and interview and reference checks.

If the two stage approach is used, the three (3) bidders receiving the highest preliminary scores will be invited to an oral presentation and interview. Only the bidders meeting the short list criteria will proceed to the next stage. All other bidders will be deemed eliminated from the process. All bidders will be notified of the short list participants; however, the preliminary scores at that time will not be communicated to bidders.

Evaluation Criteria

- Completeness of Response
- Cost
- Implementation Plan and Schedule and Evaluation of Scope
- Relevant Experience
- References
- Understanding of the Project and Scope of Work
- Presentation and Interview if required

M. CONTRACT EVALUATION AND ASSESSMENT

During the initial sixty (60) day period of any contract, which may be awarded to Contractor, the CSC and/or other persons designated by the County will meet with the Contractor to evaluate the service and to identify any issues or potential problems.

The County reserves the right to determine, at its sole discretion, (a) whether Contractor has complied with all terms of this RFP and (b) whether any problems or potential problems with the proposed service were evidenced which make it unlikely (even with possible modifications) that such proposed service will have met the County requirements. If, as a result of such determination the County concludes that it is not satisfied with Contractor, Contractor's performance under any awarded contract and/or Contractor's services as contracted for therein, the Contractor will be notified of contract termination effective forty-five (45) days following notice. The County will have the right to invite the next highest ranked bidder to enter into a contract. The County also reserves the right to re-bid this project if it is determined to be in its best interest to do so.

N. NOTICE OF INTENT TO AWARD

1. At the conclusion of the RFP response evaluation process ("Evaluation Process"), all bidders will be notified in writing by e-mail or fax of the contract award recommendation, if any, by the CAO. The document providing this notification is the Notice of Intent to Award.

The Notice of Intent to Award will provide the following information:

- The name of the bidder being recommended for contract award; and
 - The names of all other parties that submitted proposals.
2. At the conclusion of the RFP process, debriefings for unsuccessful bidders will be scheduled and provided upon written request and will be restricted to discussion of the unsuccessful offeror's bid.

- a. Under no circumstances will any discussion be conducted with regard to contract negotiations with the successful bidder.
 - b. Debriefing may include review of successful bidder's proposal with redactions as appropriate.
3. The submitted proposals shall be made available upon request no later than five (5) business days before approval of the award and contract is scheduled to be heard by the Board of Supervisors.

O. DISPUTES RELATING TO PROPOSAL PROCESS AND AWARD

In the event a dispute arises concerning the proposal process prior to the award of the contract, the party wishing resolution of the dispute shall submit a request in writing to the Purchasing Agent/Director of Public Works. Vendor may appeal the recommended award or denial of award, provided the following stipulations are met:

1. Appeal must be in writing.
2. Must be submitted within ten (10) calendar days of the date of the letter of notification of recommended award or denial of award.
3. An appeal of a denial of award can only be brought on the following grounds:
 - a. Failure of the County to follow the selection procedures and adhere to requirements specified in the RFP or any addenda or amendments.
 - b. There has been a violation of conflict of interest as provided by California Government Code Section 87100 et seq.
 - c. A violation of State or Federal law.

Appeals will not be accepted for any other reasons than those stated above. All appeals must be sent to:

David Gould, Purchasing Manager
Contra Costa County
255 Glacier Drive
Martinez CA, 94553
dgoul@pw.cccounty.us

The County Purchasing Agent shall make a decision concerning the appeal and notify the Vendor making the appeal within a reasonable timeframe prior to the tentatively scheduled date for awarding the contract. The decision of the County Purchasing Agent shall be deemed final.

IV. TERMS AND CONDITIONS

P. TERM / TERMINATION / RENEWAL

1. The term of the contract, which may be awarded pursuant to this RFP, will be two (2) years.
2. By mutual agreement, any contract which may be awarded pursuant to this RFP, may be extended for three (3) additional one-year terms at agreed prices with all other terms and conditions remaining the same.

Q. PRICING

1. All pricing as quoted will remain firm for the term of any contract that may be awarded as a result of this RFP.
2. Unless otherwise stated, Bidder agrees that, in the event of a price decline, the benefit of such lower price shall be extended to the County.
3. Any price increases or decreases for subsequent contract terms may be negotiated between Contractor and County only after completion of the initial term.
4. All prices quoted shall be in United States dollars and "whole cent," no cent fractions shall be used. There are no exceptions.
5. Price quotes shall include any and all payment incentives available to the County.
6. Bidders are advised that in the evaluation of cost, if applicable, it will be assumed that the unit price quoted is correct in the case of a discrepancy between the unit price and an extension.
7. Federal and State minimum wage laws apply. The County has no requirements for living wages. The County is not imposing any additional requirements regarding wages.
8. Prevailing Wages: Pursuant to Labor Code Sections 1770 et seq., Contractor shall pay to persons performing labor in and about Work provided for in Contract not less than the general prevailing rate of per diem wages for work of a similar character in the locality in which the Work is performed, and not less than the general prevailing rate of per diem wages for legal holiday and overtime work in said locality, which per diem wages shall not be less than the stipulated rates contained in a schedule thereof which has been ascertained and determined by the Director of the State Department of Industrial Relations to be the general

prevailing rate of per diem wages for each craft or type of workman or mechanic needed to execute this contract.

R. AWARD

1. Proposals will be evaluated by a committee and will be ranked in accordance with the RFP section entitled "Evaluation Criteria/Selection Committee."
2. The committee will recommend award to the bidder who, in its opinion, has submitted the proposal that best serves the overall interests of the County and attains the highest overall point score. Award may not necessarily be made to the bidder with the lowest price.
3. The County reserves the right to reject any or all responses that materially differ from any terms contained in this RFP or from any Exhibits attached hereto, to waive informalities and minor irregularities in responses received, and to provide an opportunity for bidders to correct minor and immaterial errors contained in their submissions. The decision as to what constitutes a minor irregularity shall be made solely at the discretion of the County.
4. The County reserves the right to award to a single contractor.
5. The County has the right to decline to award this contract or any part thereof for any reason.
6. Board approval to award a contract is required.
7. A contract must be negotiated, finalized, and signed by the intended awardee prior to Board approval.
8. Final Standard Contract terms and conditions will be negotiated with the selected bidder.

S. METHOD OF ORDERING

1. A signed Standard Contract will be issued upon Board approval.
2. Standard Contracts will be faxed, transmitted electronically or mailed and shall be the only authorization for the Contractor to place an order.
3. Contracts and payments for services will be issued only in the name of Contractor.
4. Contractor shall adapt to changes to the method of ordering procedures as required by the County during the term of the contract.

5. Change orders shall be agreed upon by Contractor and County and issued as needed in writing by County.

T. INVOICING

1. Contractor shall invoice the CAO's office, unless otherwise advised, upon satisfactory performance of services.
2. Payment will be made within thirty (30) days following receipt of invoice and upon complete satisfactory performance of services.
3. County shall notify Contractor of any adjustments required to invoice.
4. Invoices shall contain County contract number, invoice number, remit to address and itemized services description and price as quoted.
5. Contractor shall utilize standardized invoice upon request.
6. Invoices shall only be issued by the Contractor who is awarded a contract.
7. Payments will be issued to and invoices must be received from the same Contractor whose name is specified on the contract.

U. ACCOUNT MANAGER/SUPPORT STAFF

1. Contractor shall provide a dedicated competent account manager who shall be responsible for the County account/contract. The account manager shall receive all orders from the County and shall be the primary contact for all issues regarding Bidder's response to this RFP and any contract which may arise pursuant to this RFP.
2. Contractor shall also provide adequate, competent support staff that shall be able to service the County during normal working hours, Monday through Friday. Such representative(s) shall be knowledgeable about the contract, products offered and able to identify and resolve quickly any issues including but not limited to order and invoicing problems.
3. Contractor account manager shall be familiar with County requirements and standards and work with the County Administrators Office (CAO) staff to ensure that established standards are adhered to.

V. GENERAL REQUIREMENTS

1. Proper conduct is expected of Contractor's personnel when on County premises. This includes adhering to no-smoking ordinances, the drug-free work place policy, not using alcoholic beverages and treating employees courteously.
2. County has the right to request removal of any Contractor employee or subcontractor who does not properly conduct himself/herself/itself or perform quality work.

EXHIBIT A

COUNTY OF CONTRA COSTA

RFP No. 1209-003
for

FEDERAL LEGISLATIVE ADVOCACY SERVICES

BID FORM

Cost shall be submitted on Exhibit A as is. No alterations or changes of any kind are permitted. Bid responses that do not comply will be subject to rejection in total. The cost quoted below shall include all taxes and all other charges and is the cost the County will pay for the two year term of any contract that is a result of this bid.

Proposal prices shall include everything necessary for the completion of and fulfillment of the contract including but not limited to furnishing all materials, equipment, tools, facilities and all management, superintendence, labor, services, taxes, licenses, permits and an estimated cost for two (2) trips to Contra Costa County per year required to complete the work in accordance with the contract documents, except as may be provided otherwise in the contract documents.

Please provide a separate price for travel expenses. Travel expenses will be calculated into your final bid price as the total cost for services.

DESCRIPTION	Unit of Measure	No. units	1 st year		2 nd Year		Total for Two (2) Year
			Charge per unit	Extension	Charge per unit	Extension	
	(A)	(B)	(C)	(D) = (B)*(C)	(E)	(F) = (B)*(E)	(G) = (D+F)
Monthly service charge for legislative advocate program excluding travel to Contra Costa County	Per month	12	\$	\$	\$	\$	\$
TOTAL COST FOR SERVICES							\$

Bidder agrees that the prices quoted are the maximum they will charge during the term of any contract awarded.

FIRM: _____ SIGNATURE: _____ DATE: _____

PRINTED NAME: _____ TITLE: _____

EXHIBIT B

RFP No. 1209-003

for

FEDERAL LEGISLATIVE ADVOCACY SERVICES

RESPONSE CONTENT AND SUBMITTALS COMPLETENESS CHECKLIST

1. Bid responses must be signed in ink and include evidence that the person or persons signing the proposal is/are authorized to execute the proposal on behalf of the bidder.
2. Bidders shall provide all of the below noted Bid documentation and exhibits. Any material deviation from these requirements may be cause for rejection of the proposal, as determined in the County's sole discretion. The content and sequence for each required Bid document/exhibit shall be as follows:

CHECK LIST

- ☐ A. **Title Page:** Show RFP number and title, your company name and address, name of the contact person (for all matters regarding the RFP response), telephone number and proposal date.
- ☐ B. **Table of Contents:** Bid responses shall include a table of contents listing the individual sections of the proposal and their corresponding page numbers. Tabs should separate each of the individual sections.
- ☐ C. **Cover Letter:** Bid responses shall include a cover letter describing Bidder and include all of the following:
 - 1) The official name of Bidder;
 - 2) Bidder's organizational structure (e.g. corporation, partnership, limited liability company, etc.);
 - 3) The jurisdiction in which Bidder is organized and the date of such organization;
 - 4) The address of Bidder's headquarters, any local office involved in the Bid Proposal; and the address/location where the actual services will be performed;
 - 5) Bidder's Federal Tax Identification Number;
 - 6) The name, address, telephone, fax numbers and e-mail address of the person(s) who will serve as the contact(s) to the County, with regards to the

RFP response, with authorization to make representations on behalf of and to bind Bidder;

- 7) A representation that Bidder is in good standing in the State of California and will have all necessary licenses, permits, certifications, approvals and authorizations necessary in order to perform all of its obligations in connection with this RFP. This requirement includes the necessity for some out of state companies to be registered with the State of California by the effective date of the agreement. Information regarding this requirement can be located at the Secretary of State website, <http://www.sos.ca.gov/>; and
- 8) An acceptance of all conditions and requirements contained in this RFP.
- 9) Cover letter must be signed in ink by a person or persons authorized to execute the proposal on behalf of the bidder.

- ☐ D. **Letter of Transmittal:** Bid responses shall include a description of Bidder's approach in providing its services to the County in one or two pages stating its understanding of the work to be done and a positive commitment to perform the work as specified.
- ☐ E. **Executive Summary:** A brief synopsis of the highlights of the Proposal and overall benefits of the Proposal to the County. This synopsis should not exceed three (3) pages in length and should be easily understood.

- ☐ F. **Bidder's Qualifications and Experience:**

Provide a description of Bidder's capabilities pertaining to this RFP. This description should not exceed five (5) pages and should include a detailed summary of Bidder's experience relative to RFP requirements described herein, including references.

- ☐ G. **Key Personnel - Qualifications and Experience:**

Bid responses shall include a complete list of and resumes for all key personnel associated with the RFP. This list must include all key personnel who will provide services/training to County staff and all key personnel who will provide support services. For each person on the list, the following information shall be included: (1) the person's relationship with Bidder, including job title and years of employment with Bidder; (2) the role that the person will play in connection with the RFP (3) address, telephone, fax numbers, and e-mail address; (4) the person's educational background; (5) the person's relevant experience; and (6) relevant awards, certificates or other achievements. This section of the bid response should include no more than two pages of information for each listed person.

☐ H. **Description of the Proposed Services:**

Bid response shall include a description of the terms and conditions of services to be provided during the contract term including response times. The description shall contain a basis of estimate for services including its scheduled start and completion dates, the number of Bidder's and County personnel involved, and the number of hours scheduled for such personnel.

The description must: (1) specify how the services in the bid response will meet or exceed the requirements of the County; (2) explain any special resources, procedures or approaches that make the services of Bidder particularly advantageous to the County; and (3) identify any limitations or restrictions of Bidder in providing the services that the County should be aware of in evaluating its Response to this RFP.

☐ I. **Implementation Plan and Schedule and Evaluation of Scope**

The bid response shall include an implementation plan and schedule. The plan for implementing the proposed services shall include a detailed schedule indicating how bidder will ensure adherence to their timetables set forth for the final services.

☐ J. **References:**

- 1) Bidders are to provide a list of five (5) current and five (5) former clients. References must be satisfactory as deemed solely by County. References should have similar scope, volume and requirements to those outlined in these specifications, terms and conditions.
- 2) Reference information is to include:
 - Company/Agency name
 - Contact person (name and title), contact person is to be someone directly involved with the services
 - Complete street address
 - Telephone number
 - Type of business
 - Dates of service
- 3) The County may contact some or all of the references provided in order to determine Bidder's performance record on work similar to that described in this request. The County reserves the right to contact references other than those provided in the Response and to use the information gained from them in the evaluation process.

☐ K. **Bid Form, Exhibit A:**

Prices shall include the cost of everything necessary for fulfillment of the contract requirements.

☐ L. **Evidence of Insurance**

Consultant may not commence work until it has furnished evidence of the insurance required in the Standard Contract to the CAO, and the CAO has approved it, and may not continue to perform any work under the contract if the insurance required therein is no longer in effect.

☐ M. **Other required Submittals/Exhibits not included above that the required in the bid response:**

☐ Exhibit C, Debarment and Suspension Certification.

EXHIBIT C

COUNTY OF CONTRA COSTA

RFP No. 1209-003

for

FEDERAL LEGISLATIVE ADVOCACY SERVICES
--

DEBARMENT AND SUSPENSION CERTIFICATION

The bidder, under penalty of perjury, certifies that, except as noted below, bidder, its Principal, and any named and unnamed subcontractor:

- Is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency;
- Has not been suspended, debarred, voluntarily excluded or determined ineligible by any federal agency within the past three years;
- Does not have a proposed debarment pending; and
- Has not been indicted, convicted, or had a civil judgment rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past three years.

If there are any exceptions to this certification, insert the exceptions in the following space.

Exceptions will not necessarily result in denial of award, but will be considered in determining bidder responsibility. For any exception noted above, indicate below to whom it applies, initiating agency, and dates of action.

Notes: Providing false information may result in criminal prosecution or administrative sanctions. The above certification is part of the Proposal. Signing this Proposal on the signature portion thereof shall also constitute signature of this Certification.

BIDDER: _____

PRINCIPAL: _____ TITLE: _____

SIGNATURE: _____ DATE: _____



COUNTY OF CONTRA COSTA

REQUEST FOR PROPOSAL No. 1209-002

**SPECIFICATIONS, TERMS & CONDITIONS
For**

STATE LEGISLATIVE ADVOCACY SERVICES

For information regarding this project, see RFP posted at <http://www.bidsync.com>

or contact the person listed below. Thank you for your interest!

Contact Person: Lara DeLaney, Senior Management Analyst

E-mail Address: lara.delaney@cao.cccounty.us

RESPONSE DUE

by

5:00 p.m.

on

October 31, 2012

at

Contra Costa County Administrator's Office
651 Pine Street, 10th Floor
Martinez, CA 94553

COUNTY OF CONTRA COSTA

REQUEST FOR PROPOSAL No. 1209-002 SPECIFICATIONS, TERMS & CONDITIONS for

STATE LEGISLATIVE ADVOCACY SERVICES

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COUNTY OF CONTRA COSTA

REQUEST FOR PROPOSAL No. 1209-002 SPECIFICATIONS, TERMS & CONDITIONS for

STATE LEGISLATIVE ADVOCACY SERVICES

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Page 2 of 2

ATTACHMENTS

- Exhibit A – Bid Form
- Exhibit B – Response Content and Submittals Completeness Checklist
- Exhibit C – Standard Contract

I. ACRONYM AND TERM GLOSSARY

Unless otherwise noted, the terms below may be upper or lower case. Acronyms will always be uppercase.

Bid	Shall mean the bidders'/contractors' response to this Request
Bidder	Shall mean the specific person or entity responding to this RFP
Board	Shall refer to the County of Contra Costa Board of Supervisors
CAO	Shall refer to the County Administrator's Office
CSC	Shall refer to County Selection Committee
Contractor	When capitalized, shall refer to selected bidder that is awarded a contract
County	When capitalized, shall refer to the County of Contra Costa
Federal	Refers to United States Federal Government, its departments and/or agencies
FY	Shall mean Fiscal Year
Labor Code	Refers to California Labor Code
Proposal	Shall mean bidder/contractor response to this RFP
Request for Proposal	Shall mean this document, which is the County of Contra Costa's request for contractors'/bidders' proposal to provide the services being solicited herein; also referred herein as RFP
Response	Shall refer to bidder's proposal or quotation submitted in reply to RFP
RFP	Request for Proposal
State	Refers to State of California, its departments and/or agencies

II. STATEMENT OF WORK**A. INTENT**

The intent of this Request for Proposal (RFP) is to describe professional state legislative advocacy and related services required by the County of Contra Costa.

The County intends to award a two-year contract with three (3) single year options to renew to the bidder selected as the most responsible bidder whose response conforms to the RFP and meets the County's requirements.

B. SCOPE

Contra Costa County is seeking a full-service State legislative advocate. The individual or firm will work in a proactive manner to protect and advance the County's interests in Sacramento. This includes lobbying the State Legislature and Administration to ameliorate budget proposals that negatively affect the County's interests and aggressively seek opportunities to enhance the County's budget. The legislative advocate will also work with the Board of Supervisors, the Legislation Committee, the County

Administrator, department heads and/or assigned departmental staff on a proactive legislative agenda to advance the County's interest. This includes tracking and suggesting opportunities to change State policy in ways that will benefit residents of Contra Costa County.

In this difficult budget environment, Contra Costa County is particularly interested in timely budget defense, realignment proposals that benefit the County, and opportunities to increase collaboration between various County agencies and local government entities.

The CAO coordinates the County's Legislative activities, as summarized below.

1. **Annual Legislative Program**

The Contra Costa County Board of Supervisors adopts an annual State Legislative Platform. Prior to developing this Platform, the CAO's office invites input from all County departments and the Board of Supervisors. From this input, the State Legislative Platform is developed. The County's State Legislative Platform includes legislative proposals and priorities submitted by County departments or the Board of Supervisors. The 2012 Platform includes the County's position on various bills along with requests for proposed new legislation. The program is developed in cooperation with the County's legislative advocates, County agencies/departments, members of the Board of Supervisors, and other interested parties. The Platform is submitted to the Board of Supervisors through the County's Legislation Committee.

The Legislation Committee typically approves the draft legislative Platform in December each year. Subsequently, at a meeting in January, the Board of Supervisors is asked to adopt the Legislative Platform. The Platform is amended continually throughout the year as new legislative issues arise.

2. **Legislation Committee**

In 2007, the County established the Legislation Committee as a means of coordinating legislative issues throughout the County. This Committee meets regularly to review the impact of State and Federal legislation on the County. The Committee receives regular updates from the County's State and Federal legislative advocates, and advises the Board of Supervisors and County Administrator on legislative matters affecting the County.

3. **Issues of Particular Concern to the County**

The County's Legislative Platform outlines issues of interest, as well as includes the legislative policies which serve as a guide for the development of the County's legislative strategies. Of particular concern is the impact of the State Budget on

the County, including the realignment of State programs to the County level. It is expected that the State legislative advocate will provide guidance to the County on these matters and strategies to mitigate potential negative impacts.

C. BACKGROUND

Contra Costa County was incorporated in 1850 as one of the original 27 counties of California. A five-member Board of Supervisors, each elected to four-year terms, serves as the legislative body of the County, which has a general law form of government. Also elected are the County Assessor, Auditor-Controller (the 'County Auditor-Controller'), Clerk-Recorder, District Attorney-Public Administrator, Sheriff-Coroner and Treasurer-Tax Collector (the 'County Treasurer'). The County Administrator, David Twa, is appointed by the Board and is responsible for running the day-to-day business of the County. The County Administrator is also responsible for presenting the Board with a Recommended Budget for consideration of adoption as the Final (Adopted) Budget, which will serve as the foundation of the County's financial planning and control.

Contra Costa is one of nine counties in the San Francisco-Oakland Bay Area and the ninth most populous county in California with an estimated population of 1,056,064 as of January 1, 2011. The County covers about 733 square miles and extends from the northeastern shore of the San Francisco Bay easterly about 50 miles to San Joaquin County. The County is bordered on the south and west by Alameda County and on the north by the Suisun and San Pablo Bays. The western and northern shorelines are highly industrialized, while the interior sections are suburban/residential, commercial and light industrial. The County contains 19 cities, including Richmond in the west; Antioch in the northeast; and Concord in the middle. Population growth in the County during the past five years has been strongest in unincorporated areas as well as in the cities of Antioch, Brentwood, Hercules, Oakley, Pittsburg and San Ramon.

The County agencies/departments include: Agriculture, Animal Services, Assessor, Auditor-Controller, Child Support Services, Clerk-Recorder, Conservation & Development, County Administrator, County Counsel, District Attorney, Employment and Human Services, Contra Costa Consolidated Fire, Health Services, Human Resources, Information Technology, Library, Probation, Public Defender, Public Works (which now includes the former General Services), Risk Manager, Sheriff-Coroner, Treasurer-Tax Collector, and Veterans Services.

The County maintains a \$2.4 Billion budget (all funds). The recommended FY 12-13 General Fund budget of \$1.222 billion is supported by local, federal, and State resources. Almost half of our revenue, \$551.7 million (45.1%) is dependent on State and Federal allocations. Our general purpose revenue available from sources such as property tax and interest income is \$314.8 million. The remaining 'Other Local' revenue is generated primarily by fees, fines, and licenses.

With respect to its State advocacy services, the County currently contracts with Nielsen Merksamer Parrinello Gross & Leoni, LLP. They have been under contract with the County since 2004 and receive a monthly retainer of \$15,000. The contract is set to expire on December 31, 2012.

D. MINIMUM QUALIFICATIONS

1. Consultants shall be regularly and have been continuously engaged in the business of providing State legislative advocacy to **local governments** for at least five (5) years, preferably to urban county governments.
2. Consultants shall possess the proven ability to initiate, develop, and carry out effective strategies to influence legislative and administrative activities and to effectively lobby on behalf of the County.
3. Consultants will have had successful legislative service contracts with at least one (1) public agency, for at least five (5) years. Consultants will be required to provide work samples.
4. Consultant shall possess all permits, licenses and professional credentials necessary to perform the required legislative advocacy services.
5. Consultants' other clients should not pose conflict of interest issues for the County, nor should their interest be in direct conflict with the County's mission.

E. SPECIFIC REQUIREMENTS

Under the direction of the County Administrator, the State legislative advocate will provide, at a minimum, the following services:

1. Assist the County in developing strong relations with the East Bay legislative delegation, legislative leaders and the Administration. This includes developing a target list of key influencers from both parties in the Legislature and proactively developing relationships between these members and County leaders.
2. Serve as the County's liaison to State agencies.
3. Provide logistical support to arrange appointments and meetings with members of the Legislature, Administration, and State agencies, as needed. This includes preparing talking points and/or briefing materials as needed.
4. Serve as the Sacramento liaison to the California State Association of Counties (CSAC), Urban Counties Caucus (UCC), and, as requested, to other state professional organizations

5. Lead the County in developing and implementing an effective State advocacy strategy and annual legislative program to:
 - a. Influence State laws and policies as they relate to County priorities, programs and operations, including enacting legislation which accomplish specific County goals; and
 - b. Identify opportunities to increase funding for County priorities, programs and operations. The advocate will be proactive in opposing legislation or statutes that may have a negative impact on funding.
6. Research and provide information to the County on such matters as:
 - a. State Budget: Prepare written reports of analysis of State Budget actions and their impact on the County.
 - b. State bills and laws: Monitor legislation affecting County programs and alert the County Administrator's Office and appropriate departmental staff.
 - c. Funding opportunities and availability.
 - d. Legislative hearings, reports and testimony.
 - e. State regulations, guidelines, directives and other administrative policies, both proposed and adopted.
 - f. Technical memoranda and reports impacting County operations; and
 - g. Perform other related duties as mutually agreed upon.

F. DELIVERABLES/REPORTS

1. Report on and advise the County on relevant State legislation, proposed and adopted, and administrative actions that affect County programs. Reporting will include, at a minimum, a yearly summary on major activities and accomplishments; participation in monthly conference calls with the Legislation Committee to provide updates on legislative activities, pending legislation, and all budget related matters; and at least two (2) visits per year to the County which will include meetings with Board members/staff, County administrative and departmental staff.
2. Regular e-mails regarding budget and/or legislative updates.

3. Report of County sponsored, supported and opposed bills, to be included in the annual Legislative Platform.

III. INSTRUCTIONS TO BIDDERS

G. CORRESPONDENCE

As of the issuance of this RFP, Vendors are specifically directed not to contact County personnel for meetings, conferences or technical discussions related to this RFP. Failure to adhere to this policy may result in disqualification of the Vendor.

All questions regarding the proposal will be accepted through the BidSync site only. The deadline for submitting questions for this RFP is on or before 12:00 noon on October 24, 2012. All questions will be answered and disseminated to those registered on the BidSync website. Contra Costa County uses BidSync as the primary tool for posting bids and other business opportunities. BidSync is a web-based government bidding system.

H. CALENDAR OF EVENTS

Event	Date/Location
Request Issued	September 28, 2012
Written Questions Due	by 12:00 Noon on October 24, 2012
Response Due	October 31, 2012 by 5:00 p.m.
Vendor Interviews	Week of November 12, 2012
Legislation Committee Recommendation	December 6, 2012
Board Award Date	December 11, 2012
Contract Start Date	January 1, 2013

Note: Award and start dates are approximate.

It is the responsibility of each bidder to be familiar with all of the specifications, terms and conditions. By the submission of a Bid, the Bidder certifies that if awarded a contract they will make no claim against the County based upon ignorance of conditions or misunderstanding of the specifications.

I. SUBMITTAL OF BIDS

1. All bids must be SEALED and must be received at the County Administrator's Office **by** 5:00 p.m. on the due date specified in the Calendar of Events.

NOTE: LATE AND/OR UNSEALED BIDS CANNOT BE ACCEPTED. IF HAND DELIVERING BIDS, PLEASE ALLOW TIME FOR METERED STREET PARKING OR PARKING IN AREA PUBLIC PARKING LOTS.

Bids will be received only at the address shown **below**, and by the time indicated **in the Calendar of Events**. Any bid received after said time and/or date or at a place other than the stated address cannot be considered and will be returned to the bidder unopened.

All bids, whether delivered by an employee of Bidder, U.S. Postal Service, courier or package delivery service, must be received and time stamped at the stated address prior to the time designated. The County Administrator's Office timestamp shall be considered the official timepiece for the purpose of establishing the actual receipt of bids.

2. Bids are to be addressed **and delivered** as follows:

State Legislative Advocacy Services

RFP No. 1209-002

Contra Costa County, County Administrator's Office

651 Pine Street, 10th floor

Martinez, CA 94553

3. Bidders are to submit one (1) original hard copy bid, with original ink signatures, plus five (5) copies of their proposal. Original proposal is to be clearly marked, printed on plain white paper, and must be either loose leaf or in a 3-ring binder (**NOT** bound). It is preferred that all proposals submitted shall be printed double-sided and on minimum 30% post-consumer recycled content paper. Bidders must also submit an electronic copy of their proposal. The electronic copy must be a single file, scanned image of the original hard copy with all appropriate signatures, and must be on disk or USB flash drive and enclosed with the sealed hardcopy of the bid.
4. Bidder's name and return address must also appear on the mailing package.
5. No telegraphic, email (electronic) or facsimile bids will be considered.
6. Bidder agrees and acknowledges all RFP specifications, terms and conditions and indicates ability to perform by submission of its bid.
7. Submitted bids shall be valid for a minimum period of 180 days.
8. All costs required for the preparation and submission of a bid shall be borne by Bidder.
9. Only one bid response will be accepted from any one person, partnership, corporation, or other entity; however, several alternatives may be included in one

response. For purposes of this requirement, “partnership” shall mean, and is limited to, a legal partnership formed under one or more of the provisions of the California or other state’s Corporations Code or an equivalent statute.

10. Proprietary or Confidential Information: No part of any bid response is to be marked as confidential or proprietary. County may refuse to consider any bid response or part thereof so marked. Bid responses submitted in response to this RFP may be subject to public disclosure. County shall not be liable in any way for disclosure of any such records. Additionally, all bid responses shall become the property of County. County reserves the right to make use of any information or ideas contained in submitted bid responses. This provision is not intended to require the disclosure of records that are exempt from disclosure under the California Public Records Act (Government Code Section 6250, *et seq.*) or of “trade secrets” protected by the Uniform Trade Secrets Act (Civil Code Section 3426, *et seq.*).
11. All other information regarding the bid responses will be held as confidential until such time as the County Selection Committee has completed their evaluation, an intended award has been made by the County Selection Committee, and the contract has been fully negotiated with the intended awardee named in the intent to award/non-award notifications. The submitted proposals shall be made available upon request no later than five (5) business days before approval of the award and contract is scheduled to be heard by the Board of Supervisors. All parties submitting proposals, either qualified or unqualified, will receive mailed intent to award/non-award notifications, which will include the name of the bidder to be recommended for award of this project.
12. Each bid received, with the name of the bidder, shall be entered on a record, and each record with the successful bid indicated thereon shall, after the award of the order or contract, be open to public inspection.

J. RESPONSE FORMAT

1. Bid responses are to be straightforward, clear, concise and specific to the information requested.
2. In order for bids to be considered complete, Bidder must provide all information requested. See Exhibit B, Response Content and Submittals Completeness Checklist.

K. EVALUATION CRITERIA/SELECTION COMMITTEE

All proposals will be evaluated by a County Selection Committee (CSC). The County Selection Committee may be composed of County staff and other parties that may have

expertise or experience in State legislative advocacy services. The CSC will select a contractor in accordance with the evaluation criteria set forth in this RFP. The evaluation of the proposals shall be within the sole judgment and discretion of the CSC.

All contact during the evaluation phase shall be through the County Administrator's Office only. Bidders shall neither contact nor lobby evaluators during the evaluation process. Attempts by Bidder to contact and/or influence members of the CSC may result in disqualification of Bidder.

The CSC will evaluate each proposal meeting the qualification requirements set forth in this RFP. Bidders should bear in mind that any proposal that is unrealistic in terms of the technical or schedule commitments, or unrealistically high or low in cost, will be deemed reflective of an inherent lack of technical competence or indicative of a failure to comprehend the complexity and risk of the County's requirements as set forth in this RFP.

Bidders are advised that in the evaluation of cost, it will be assumed that the unit price quoted is correct in the case of a discrepancy between the unit price and an extension.

As a result of this RFP, the County intends to award a contract to the responsible bidder whose response conforms to the RFP and whose bid presents the greatest value to the County, all evaluation criteria considered. The combined weight of the evaluation criteria is greater in importance than cost in determining the greatest value to the County. The goal is to award a contract to the bidder that proposes the County the best quality as determined by the combined weight of the evaluation criteria. The County may award a contract of higher qualitative competence over the lowest priced response.

The basic information that each section should contain is specified below; these specifications should be considered as minimum requirements. Much of the material needed to present a comprehensive proposal can be placed into one of the sections listed. However, other criteria may be added to further support the evaluation process whenever such additional criteria are deemed appropriate in considering the nature of the services being solicited.

The evaluation process may include a two-stage approach including an initial evaluation of the written proposal and preliminary scoring to develop a short list of bidders that will continue to the final stage of oral presentation and interview and reference checks. If the two stage approach is used, the three (3) bidders receiving the highest preliminary scores will be invited to an oral presentation and interview. Only the bidders meeting the short list criteria will proceed to the next stage. All other bidders will be deemed eliminated from the process. All bidders will be notified of the short list participants; however, the preliminary scores at that time will not be communicated to bidders.

Evaluation Criteria

- Completeness of Response
- Cost
- Implementation Plan and Schedule and Evaluation of Scope
- Relevant Experience
- References
- Understanding of the Project and Scope of Work
- Presentation and Interview if required

L. CONTRACT EVALUATION AND ASSESSMENT

During the initial sixty (60) day period of any contract, which may be awarded to Contractor, the CSC and/or other persons designated by the County, will meet with the Contractor to evaluate the service and to identify any issues or potential problems.

The County reserves the right to determine, at its sole discretion, (a) whether Contractor has complied with all terms of this RFP and (b) whether any problems or potential problems with the proposed service were evidenced which make it unlikely (even with possible modifications) that such proposed service will have met the County requirements. If, as a result of such determination the County concludes that it is not satisfied with Contractor, Contractor's performance under any awarded contract and/or Contractor's services as contracted for therein, the Contractor will be notified of contract termination effective forty-five (45) days following notice. The County will have the right to invite the next highest ranked bidder to enter into a contract. The County also reserves the right to re-bid this project if it is determined to be in its best interest to do so.

M. NOTICE OF INTENT TO AWARD

1. At the conclusion of the RFP response evaluation process ("Evaluation Process") all bidders will be notified in writing by e-mail or fax, and certified mail, by the CAO's office of the contract award recommendation, if any. The document providing this notification is the "Notice of Intent to Award."

The Notice of Intent to Award will provide the following information:

- The name of the bidder being recommended for contract award; and
 - The names of all other parties that submitted proposals.
2. At the conclusion of the RFP process, debriefings for unsuccessful bidders will be scheduled and provided upon written request and will be restricted to discussion of the unsuccessful offeror's bid.

- a. Under no circumstances will any discussion be conducted with regard to contract negotiations with the successful bidder.
 - b. Debriefing may include review of successful bidder's proposal with redactions as appropriate.
3. The submitted proposals shall be made available upon request no later than five (5) business days before approval of the award and contract is scheduled to be heard by the Board of Supervisors.

N. DISPUTES RELATING TO PROPOSAL PROCESS AND AWARD

In the event a dispute arises concerning the proposal process prior to the award of the contract, the party wishing resolution of the dispute shall submit a request in writing to the Purchasing Agent/Director of Public Works. Vendor may appeal the recommended award or denial of award, provided the following stipulations are met:

1. Appeal must be in writing.
2. Must be submitted within ten (10) calendar days of the date of the letter of notification of recommended award or denial of award.
3. An appeal of a denial of award can only be brought on the following grounds:
 - a. Failure of the County to follow the selection procedures and adhere to requirements specified in the RFP or any addenda or amendments.
 - b. There has been a violation of conflict of interest as provided by California Government Code Section 87100 et seq.
 - c. A violation of State or Federal law.

Appeals will not be accepted for any other reasons than those stated above. All appeals must be sent to:

David Gould, Purchasing Manager
Contra Costa County
255 Glacier Drive
Martinez CA, 94553
dgoul@pw.cccounty.us

The County Purchasing Agent shall make a decision concerning the appeal and notify the Vendor making the appeal within a reasonable timeframe prior to the tentatively scheduled date for awarding the contract. The decision of the County Purchasing Agent shall be deemed final.

IV. TERMS AND CONDITIONS

O. TERM / TERMINATION / RENEWAL

1. The term of the contract, which may be awarded pursuant to this RFP, will be two (2) years.
2. By mutual agreement, any contract which may be awarded pursuant to this RFP may be extended for three (3) additional one year terms at agreed prices with all other terms and conditions remaining the same.

P. PRICING

1. All pricing as quoted will remain firm for the term of any contract that may be awarded as a result of this RFP.
2. Unless otherwise stated, Bidder agrees that, in the event of a price decline, the benefit of such lower price shall be extended to the County.
3. Any price increases or decreases for subsequent contract terms may be negotiated between Contractor and County only after completion of the initial term.
4. All prices quoted shall be in United States dollars and "whole cent," no cent fractions shall be used. There are no exceptions.
5. Price quotes shall include any and all payment incentives available to the County.
6. Bidders are advised that in the evaluation of cost, if applicable, it will be assumed that the unit price quoted is correct in the case of a discrepancy between the unit price and an extension.
7. Federal and State minimum wage laws apply. The County has no requirements for living wages. The County is not imposing any additional requirements regarding wages.
8. Prevailing Wages: Pursuant to Labor Code Sections 1770 et seq., Contractor shall pay to persons performing labor in and about Work provided for in Contract not less than the general prevailing rate of per diem wages for work of a similar character in the locality in which the Work is performed, and not less than the general prevailing rate of per diem wages for legal holiday and overtime work in said locality, which per diem wages shall not be less than the stipulated rates contained in a schedule thereof which has been ascertained and determined by the Director of the State Department of Industrial Relations to be the general

prevailing rate of per diem wages for each craft or type of workman or mechanic needed to execute this contract.

Q. AWARD

1. Proposals will be evaluated by a committee and will be ranked in accordance with the RFP section entitled "Evaluation Criteria/Selection Committee."
2. The committee will recommend award to the bidder who, in its opinion, has submitted the proposal that best serves the overall interests of the County and attains the highest overall point score. Award may not necessarily be made to the bidder with the lowest price.
3. The County reserves the right to reject any or all responses that materially differ from any terms contained in this RFP or from any Exhibits attached hereto, to waive informalities and minor irregularities in responses received, and to provide an opportunity for bidders to correct minor and immaterial errors contained in their submissions. The decision as to what constitutes a minor irregularity shall be made solely at the discretion of the County.
4. The County reserves the right to award to a single contractor.
5. The County has the right to decline to award this contract or any part thereof for any reason.
6. Board approval to award a contract is required.
7. A contract must be negotiated, finalized, and signed by the intended awardee prior to Board approval.
8. Final Standard Contract terms and conditions will be negotiated with the selected bidder.

R. METHOD OF ORDERING

1. A signed Standard Contract will be issued upon Board approval.
2. Standard Contracts will be faxed, transmitted electronically or mailed and shall be the only authorization for the Contractor to place an order.
3. Payments for services will be issued only in the name of Contractor.

4. Contractor shall adapt to changes to the method of ordering procedures as required by the County during the term of the contract.
5. Change orders shall be agreed upon by Contractor and County and issued as needed in writing by County.

S. INVOICING

1. Contractor shall invoice the requesting department, unless otherwise advised, upon satisfactory performance of services.
2. Payment will be made within thirty (30) days following receipt of invoice and upon complete satisfactory performance of services.
3. County shall notify Contractor of any adjustments required to invoice.
4. Invoices shall contain County contract number, invoice number, remit to address and itemized services description and price as quoted.
5. Contractor shall utilize standardized invoice upon request.
6. Invoices shall only be issued by the Contractor who is awarded a contract.
7. Payments will be issued to and invoices must be received from the same Contractor whose name is specified on the contract.

T. ACCOUNT MANAGER/SUPPORT STAFF

1. Contractor shall provide a dedicated competent account manager who shall be responsible for the County account/contract. The account manager shall receive all contracts from the County and shall be the primary contact for all issues regarding Bidder's response to this RFP and any contract which may arise pursuant to this RFP.
2. Contractor shall also provide adequate, competent support staff that shall be able to service the County during normal working hours, Monday through Friday. Such representative(s) shall be knowledgeable about the contract, products offered and able to identify and resolve quickly any issues including but not limited to order and invoicing problems.
3. Contractor account manager shall be familiar with County requirements and standards and work with the CAO staff to ensure that established standards are adhered to.

U. GENERAL REQUIREMENTS

1. Proper conduct is expected of Contractor's personnel when on County premises. This includes adhering to no-smoking ordinances, the drug-free work place policy, not using alcoholic beverages and treating employees courteously.
2. County has the right to request removal of any Contractor employee or subcontractor who does not properly conduct himself/herself/itself or perform quality work.

EXHIBIT A

COUNTY OF CONTRA COSTA

No. RFP 1209-002

for

STATE LEGISLATIVE ADVOCACY SERVICES

BID FORM

Cost shall be submitted on Exhibit A as is. No alterations or changes of any kind are permitted. Bid responses that do not comply will be subject to rejection in total. The cost quoted below shall include all taxes and all other charges and is the cost the County will pay for the two year term of any contract that is a result of this bid.

Proposal prices shall include everything necessary for the completion of and fulfillment of the contract including but not limited to furnishing all materials, equipment, tools, facilities and all management, superintendence, labor, services, taxes, licenses, permits and an estimated cost for two (2) trips to Contra Costa County per year required to complete the work in accordance with the contract documents, except as may be provided otherwise in the contract documents.

DESCRIPTION	Unit of Measure	No. units	1 st year		2 nd Year		Total for Two (2) Year
			Charge per unit	Extension	Charge per unit	Extension	
	(A)	(B)	(C)	(D) = (B)*(C)	(E)	(F) = (B)*(E)	(G) = (D+F)
Monthly service charge for state legislative advocate program excluding travel to Contra Costa County	Per month	12	\$	\$	\$	\$	\$
TOTAL COST FOR SERVICES							\$

Bidder agrees that the prices quoted are the maximum they will charge during the term of any contract awarded.

FIRM: _____ SIGNATURE: _____ DATE: _____

PRINTED NAME: _____ TITLE: _____

EXHIBIT B

No. RFP 1209-002

for

STATE LEGISLATIVE ADVOCACY SERVICES
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RESPONSE CONTENT AND SUBMITTALS COMPLETENESS CHECKLIST

1. Bid responses must be signed in ink and include evidence that the person or persons signing the proposal is/are authorized to execute the proposal on behalf of the bidder.
2. Bidders shall provide all of the below noted Bid documentation and exhibits. Any material deviation from these requirements may be cause for rejection of the proposal, as determined in the County's sole discretion. The content and sequence for each required Bid document/exhibit shall be as follows:

CHECK LIST

- ☐ A. **Title Page:** Show RFP number and title, your company name and address, name of the contact person (for all matters regarding the RFP response), telephone number and proposal date.
- ☐ B. **Table of Contents:** Bid responses shall include a table of contents listing the individual sections of the proposal and their corresponding page numbers. Tabs should separate each of the individual sections.
- ☐ C. **Cover Letter:** Bid responses shall include a cover letter describing Bidder and include all of the following:
 - 1) The official name of Bidder;
 - 2) Bidder's organizational structure (e.g. corporation, partnership, limited liability company, etc.);
 - 3) The jurisdiction in which Bidder is organized and the date of such organization;
 - 4) The address of Bidder's headquarters, any local office involved in the Bid Proposal; and the address/location where the actual services will be performed;
 - 5) Bidder's Federal Tax Identification Number;

- 6) The name, address, telephone, fax numbers and e-mail address of the person(s) who will serve as the contact(s) to the County, with regards to the RFP response, with authorization to make representations on behalf of and to bind Bidder;
- 7) A representation that Bidder is in good standing in the State of California and will have all necessary licenses, permits, certifications, approvals and authorizations necessary in order to perform all of its obligations in connection with this RFP. This requirement includes the necessity for some out of state companies to be registered with the State of California by the effective date of the agreement. Information regarding this requirement can be located at the Secretary of State website, <http://www.sos.ca.gov/>; and
- 8) An acceptance of all conditions and requirements contained in this RFP.
- 9) Cover letter must be signed in ink by a person or persons authorized to execute the proposal on behalf of the bidder.

☐ D. **Letter of Transmittal:** Bid responses shall include a description of Bidder's approach in providing its services to the County in one or two pages stating its understanding of the work to be done and a positive commitment to perform the work as specified.

☐ E. **Executive Summary:** A brief synopsis of the highlights of the Proposal and overall benefits of the Proposal to the County. This synopsis should not exceed three (3) pages in length and should be easily understood.

☐ F. **Bidder's Qualifications and Experience:**

Provide a description of Bidder's capabilities pertaining to this RFP. This description should not exceed five (5) pages and should include a detailed summary of Bidder's experience relative to RFP requirements described herein, including references.

☐ G. **Key Personnel - Qualifications and Experience:**

Bid responses shall include a complete list of and resumes for all key personnel associated with the RFP. This list must include all key personnel who will provide services/training to County staff and all key personnel who will provide maintenance and support services. For each person on the list, the following information shall be included: (1) the person's relationship with Bidder, including job title and years of employment with Bidder; (2) the role that the person will play in connection with the RFP (3) address, telephone, fax numbers, and e-mail address; (4) the person's educational background; (5)

the person's relevant experience; and (6) relevant awards, certificates or other achievements. This section of the bid response should include no more than two pages of information for each listed person.

☐ H. **Description of the Proposed Services:**

Bid response shall include a description of the terms and conditions of services to be provided during the contract term including response times. The description shall contain a basis of estimate for services including its scheduled start and completion dates, the number of Bidder's and County personnel involved, and the number of hours scheduled for such personnel.

The description must: (1) specify how the services in the bid response will meet or exceed the requirements of the County; (2) explain any special resources, procedures or approaches that make the services of Bidder particularly advantageous to the County; and (3) identify any limitations or restrictions of Bidder in providing the services that the County should be aware of in evaluating its Response to this RFP.

☐ I. **Implementation Plan and Schedule and Evaluation of Scope:**

The bid response shall include an implementation plan and schedule. The plan for implementing the proposed services shall include a detailed schedule indicating how bidder will ensure adherence to their timetables set forth for the final services.

☐ J. **References:**

- 1) Bidders are to provide a list of five (5) current and five (5) former clients. References must be satisfactory as deemed solely by County. References should have similar scope, volume and requirements to those outlined in these specifications, terms and conditions.
- 2) Reference information is to include:
 - Company/Agency name
 - Contact person (name and title), contact person is to be someone directly involved with the services
 - Complete street address
 - Telephone number
 - Type of business
 - Dates of service
- 3) The County may contact some or all of the references provided in order to determine Bidder's performance record on work similar to that described in this request. The County reserves the right to contact

references other than those provided in the Response and to use the information gained from them in the evaluation process.

☐ K. **Bid Form**, Exhibit A:

Prices shall include the cost of everything necessary for fulfillment of the contract requirements.

☐ L. **Evidence of Insurance**

Consultant may not commence work until it has furnished evidence of the insurance required in the Standard Contract to the CAO, and the CAO has approved it, and may not continue to perform any work under the contract if the insurance required therein is no longer in effect.



Contra Costa County Board of Supervisors

Subcommittee Report

LEGISLATION COMMITTEE

6.

Meeting Date: 02/12/2018
Subject: Federal Advocacy Trips in 2018
Submitted For: LEGISLATION COMMITTEE,
Department: County Administrator
Referral No.: 2018-04
Referral Name: Federal Advocacy Trips
Presenter: L. DeLaney **Contact:** L. DeLaney, 925-335-1097

Referral History:

Members of the Board of Supervisors often make trips to Washington D.C. to advocate on behalf of County issues and projects of interest, which are expressed in the County's adopted Federal Platform. These trips may coincide with the National Association of Counties' (NACo) annual Legislative Conference, which is scheduled this year from Mar. 3-7, 2018, or occur in collaboration with the Delta Counties Coalition (DCC) for advocacy related to the Delta.

The County's federal advocate, Paul Schlesinger, has assisted with the development of these trips by scheduling meetings with the County's legislative delegation and appropriate administration/agency personnel. In order to facilitate the planning of any advocacy trip, the federal advocate requests input from the Supervisors on the specific meetings they would like to attend.

Referral Update:

The Delta Counties Coalition (DCC), of which Contra Costa County is a vital member, is in the preliminary planning stages for an advocacy trip to Washington D.C. trip in the March/April timeframe. If the DCC goes to Washington D.C. the week of March 14, San Joaquin is available and Sacramento is not. Contra Costa, Solano and Yolo counties can decide to attend. If DCC goes to Washington D.C. around April 14-20 (near Cap-to-Cap

& One Voice), San Joaquin and Yolo counties will have Supervisorial representation there.

Key Issues for Potential DCC Trip to Washington:

BoR Notice of Intent to Prepare a Draft EIS – Revisions to the Coordinated Long-Term CVP & SWP Operations

Background: On December 29, 2017, the Bureau of Reclamation announced its intent to prepare a programmatic environmental impact statement (EIS) for analyzing potential modifications to the continued long-term operation of the federal Central Valley Project (CVP) and the State Water Project (SWP). According to Reclamation, the Agency will analyze potential changes to CVP/SWP operations to achieve, among other things, maximization of water supply deliveries, including considering new and/or modified storage and export facilities. As part of this action, Reclamation will review and consider modifications to regulatory requirements, including existing Reasonable and Prudent Alternative actions identified in the Biological Opinions issued by the USFWS and NMFS in 2008 and 2009, respectively.

DCC Discussion Points: The DCC will discuss with both federal regulators and lawmakers the potential detrimental impacts to the Delta (including the ecosystem at large, as well as the region's agriculture) that would result from actions designed to increase CVP/SWP exports. The DCC will emphasize that any proposed alternative action(s) that emerge from Reclamation's environmental review must do no damage to the Delta and should be consistent with the co-equal goals of the *Delta Reform Act*, as well as conform to the State's goal of reduced reliance on the Delta.

HR 23 – *Gaining Responsibility on Water Act* (Rep. Valadao)

Background: HR 23, which passed the House last July on a near-party line vote, remains active in the current session of Congress. Bill sponsors are pushing the Senate to take action, though Senators Feinstein and Harris have thus far resisted efforts to advance the legislation. Among other things, HR 23 would mandate that operation of the CVP and SWP conform to the water quality and operational constraints of the 1994 Bay-Delta Accord, regardless of the requirements of the Endangered Species Act, or any other environmental law.

DCC Discussion Points: Coalition comments would be similar to the DCC's

approach to Reclamation's review of CVP/SWP operations, with a finer point on the damage that HR 23 would do to the Delta.

Infrastructure Package

Background: Infrastructure is expected to receive significant attention on Capitol Hill early this year. Lending credence to the notion that lawmakers will tackle a major public works package in 2018, Trump administration officials in December signaled that further details of the president's infrastructure plan will be made available in January, though we are now hearing that mid-February is more likely. While the source of funding remains an open question – as well as a likely point of contention between lawmakers and the administration – there appears to be positive momentum for approving resources for various public works projects, including water infrastructure. On a related matter, Congress will look to reauthorize the *Water Resources Development Act* (WRDA) in 2018. Hearings are planned for the early part of the session, with potential draft legislation emerging from the committees of jurisdiction in the coming months.

DCC Discussion Points: The DCC will advocate for robust federal investment in water infrastructure within the context of the aforementioned broader public works bill and WRDA 2018. The DCC will continue to promote the need for innovative, federally backed, low-interest, long-term loan programs (such as EPA's Water Infrastructure Finance and Innovation Act (WIFIA) program), and will promote the establishment of a similar program under the purview of the Bureau of Reclamation. The DCC also will request that Congress authorize the Corps to participate in the development and implementation of a variety of critically important water resource-related projects within the Delta. Additionally, the DCC will continue to advocate for provisions that would bar federally-backed financing from being used to support construction of the twin tunnels project.

NFIP Reauthorization

Background: The National Flood Insurance Program (NFIP) has been operating under a series of short-term extensions since the last multi-year authorization of the program expired on September 30 of last year. The latest NFIP extension is slated to expire on January 19. While there is a general consensus that Congress must act to provide long-term programmatic certainty, passage of a new, comprehensive NFIP bill has been thwarted by disagreements among

members regarding how to renew the program without causing premiums to skyrocket for consumers in coastal areas.

DCC Discussion Points: The DCC supports a long-term NFIP reauthorization that improves the affordability, transparency, and financial stability of the program. In addition, the DCC supports efforts designed to ensure that accurate flood maps are made available, and that a transparent process is used in updating flood maps nationwide.

Westlands Drainage Settlement

Background: Legislation that would ratify a 2015 settlement agreement between the United States and Westlands Water District is pending in Congress. The bill (HR 1769), sponsored by Representative Valadao, would eliminate the statutory requirement for the federal government to provide drainage services for farmland irrigated within Westlands' boundaries in exchange for removing the district's CVP repayment obligation. The legislation also would provide Westlands with a permanent water contract, and reduce its contract amount by 25 percent. Congress and the president have until January 15, 2018 to approve legislation implementing the settlement agreement. While that deadline is likely to pass without resolution to the issue, the federal judge who has approved prior extensions warned in approving the last one-year extension, "The buck is being passed from Congress to Congress, and the Court will not continue to enable this pattern of delay. There will be no further extensions past January 15, 2018."

DCC Discussion Points: The DCC has serious concerns regarding the Westlands settlement agreement and the implementing legislation. Among other things, the Delta Counties are concerned that the agreement will result in increased water exports from the Delta and does not include a comprehensive drainage solution, including performance measures and enforcement tools as required by Congress and upheld by the Courts when the San Luis Unit of the CVP was authorized and constructed. The agreement and implementing legislation also fall short of previous responsible calls for land retirement, requiring only 100,000 acres of retirement rather than the 300,000 acres originally recommended by the Department of the Interior.

Targeted Meetings:

Department of the Interior, Bureau of Reclamation

Primary Issue: Reclamation's Programmatic EIS (CVP & SWP Operations)

Council on Environmental Quality

Primary Issues: Reclamation's Programmatic EIS (CVP & SWP Operations); Infrastructure Package/WRDA

U.S. Environmental Protection Agency

Primary Issues: Reclamation's Programmatic EIS (CVP & SWP Operations); Infrastructure Package (support for the SRFs and WIFIA)

Senator Dianne Feinstein

Primary Issues: Reclamation's Programmatic EIS (CVP & SWP Operations); HR 23; Infrastructure Package/WRDA; and, HR 1769

Senator Kamala Harris

Primary Issues: Reclamation's Programmatic EIS (CVP & SWP Operations); HR 23; Infrastructure Package/WRDA; and, HR 1769

Joint Congressional Meeting (Reps. Thompson, Garamendi, McNerney, Matsui, DeSaulnier, Bera, and Eshoo)

Primary Issues: Reclamation's Programmatic EIS (CVP & SWP Operations); Infrastructure Package/WRDA; and, HR 1769

Representative Jared Huffman (Ranking Member of the Water, Power, and Oceans Subcommittee)

Primary Issues: Reclamation's Programmatic EIS (CVP & SWP Operations); Infrastructure Package/WRDA; and, HR 1769

NOTE: Representative Huffman has been a leading opponent of HR 1769

Representative Tom McClintock

Primary Issues: Reclamation's Programmatic EIS (CVP & SWP Operations); Infrastructure Package/WRDA; and, HR 1769

Representative Doug LaMalfa

Primary Issues: Reclamation's Programmatic EIS (CVP & SWP Operations);

Infrastructure Package/WRDA; and, HR 1769

Representative Jeff Denham

Primary Issues: Reclamation's Programmatic EIS (CVP & SWP Operations); Infrastructure Package/WRDA; and, HR 1769

House Transportation & Infrastructure Committee

Primary Issues: Infrastructure Package/WRDA

Senate Environment & Public Works Committee

Infrastructure Package/WRDA

U. S. Army Corps of Engineers

Primary Issues: Reclamation's Programmatic EIS (CVP & SWP Operations); Infrastructure Package/WRDA

Note: The Corps also has been asked to be a Cooperating Agency for purposes of the EIS

White House/OMB

Primary Issues: Infrastructure Package/WRDA; NFIP Reauthorization

Recommendation(s)/Next Step(s):

Provide direction to staff on the nature and time of desired meetings with the County's legislative delegation and/or the administration for purposes of planning for advocacy trip(s) to Washington D.C. for 2018.

Attachments

No file(s) attached.



Contra Costa County Board of Supervisors

Subcommittee Report

LEGISLATION COMMITTEE

7.

Meeting Date: 02/12/2018

Subject: State Budget and Legislation of Interest

Submitted For: LEGISLATION COMMITTEE,

Department: County Administrator

Referral No.: 2018-05

Referral Name: State Budget and Legislation of Interest

Presenter: L. DeLaney & C.
Christian

Contact: L. DeLaney,
925-335-1097

Referral History:

The Legislation Committee regularly receives information from staff related to the State Budget and legislation of interest to Contra Costa County.

Referral Update:

On January 10, 2018, Governor Brown released his FY 2018-19 State Budget proposal.

The Governor's Budget proposes a total budget of \$190.3 billion and a projected surplus of \$6 billion. The Governor proposes spending much of the surplus to augment the Rainy Day Fund.

Key proposals of interest to counties include:

- Additional funding to the Rainy Day Fund to prepare for recession.
- \$27.5 million in additional funding for IHSS county administration.
- \$117.3 million for Incompetent to Stand Trial changes and investments. This includes \$2.5 million from the Mental Health Services Act to help counties develop innovative plans to address the IST population.
- Implementation and funding for transportation projects through SB 1.
- Additional funding to HCD to implement SB 2.
- \$134 million to counties for elections systems upgrades.

Attachment A is the Budget Action Bulletin provided by the California State Association of Counties (CSAC).

State Budget Hearings Set

The Assembly and Senate have set most of the budget hearings for 2018. Here are some key dates and issues of concern for the urban counties:

IHSS - March 8 and March 14, 2018

Cap and Trade - March 21 and March 22, 2018

Child Support - April 12 and April 18, 2018

Medi-Cal - March 5 and March 22, 2018

Fact Sheets on the Cap and Trade Budget Priority and the Child Support Budget Priority are attachments B and C.

Legislation of Interest

AB 626 (Garcia) - California retail food code: microenterprise home kitchen

This bill would allow home kitchen operations that have no more than one full-time employee and no more than \$50,000 gross annual sales to operate as a food facility. This bill passed the Assembly Appropriations Committee last week with some amendments.

Status: Passed the Assembly Floor on January 29, 2018. Currently pending in the Senate for assignment.

Urban Counties of California (UCC) and CCC Position: Oppose.

AB 1964 (Maienschein) - Organized camps

This bill would make changes to the definitions of organized day camps, require day camps to follow certain procedures, and require county public health officers to inspect these facilities.

Status: Introduced on January, 30, 2018.

UCC Position: Pending.

AB 1999 (Chu) - Local government: broadband services

This bill would provide that a local agency engaged in the provision of broadband Internet access service shall not impair or degrade lawful Internet traffic on the basis of Internet content, application, or service, or use of a nonharmful device. In addition, a local agency engaged in the provision of broadband Internet access service shall not engage in paid prioritization, or unreasonably interfere with, or unreasonably disadvantage, an end user's ability to select, access, and use broadband Internet access service or the lawful Internet content, applications, services, or devices of the end user's choice.

Status: Introduced on February 1, 2018.

UCC Position: Pending.

AB 1886 (Carillo) - Payment of expenses

This bill would require the state to pay all expenses necessary to prepare for and conduct special election vacancies that were incurred on or after January 1, 2017.

Status: Introduced on 1/18/18.

Recommendation(s)/Next Step(s):

ACCEPT the report and provide direction to staff, as needed.

Attachments

Attachment A: CSAC Budget Action Bulletin

Attachment B: Cap and Trade Budget Request

Attachment C: Child Support Budget Request



GOVERNOR'S PROPOSED BUDGET FOR 2018-19 JANUARY 10, 2018

January 10, 2018

TO: CSAC Board of Directors
County Administrative Officers

FROM: Matt Cate, CSAC Executive Director
Darby Kernan, CSAC Acting Deputy Executive Director of Legislative Services

RE: **Governor's January Budget Proposal for 2018-19**

As with prior budgets by the Brown Administration, the Governor's January Budget proposal continues the pattern and philosophy of saving for a rainy day, paying down debt, and limiting ongoing spending commitments in light of the impending economic slowdown. The \$190 billion dollar January budget proposal maintains fiscal prudence and focuses on funding the implementation of major initiatives and reforms that counties are responsible for implementing. In Home Supportive Services (IHSS), Continuum of Care Reform for foster care youth, and addressing the growing mental health crisis in jails and communities all remain a priority.

The Governor's proposed budget announcement was largely positive news as General Fund revenues continue to beat estimates by approximately \$6.1 billion as part of what Governor Brown noted was the longest economy recovery since World War II. These additional revenues will be primarily dedicated to fully funding the Rainy Day Fund, allocating a supplemental \$3.5 billion in the proposed January Budget in addition to the constitutionally required amount under Proposition 2. Rather than commit to ongoing programs, the Governor was adamant that this action will help the next Administration and the State weather the storm of the inevitable downturn that could result in an annual \$20 billion revenue decline over several years.

An additional \$2.3 billion is dedicated to operational reserves and \$300 million is allocated to a variety of one-time infrastructure and support programs for prisons, courts, and health and humans services, amongst others. The Governor also recognized the \$4.6 billion for SB 1 transportation infrastructure, noting that if SB 1 is repealed it could have a devastating impact to California's economy.

The Governor's January Budget does not address the many unknowns resulting from federal policy changes or assumptions coming from the recently passed "The Tax Cuts and Jobs Act" signed by President Trump last month. Department of Finance Director Michael Cohen stated those impacts will not be known until tax filers complete their 2018 returns in calendar year 2019. Other precautionary steps related to cannabis, off-shore oil drilling and healthcare were deemed premature giving the volatility in the currently seated Congress and possible changes that could result from the 2018 mid-term election.

Of importance to counties, a significant portion of the operational reserves in the proposed 2018-19 budget is dedicated to disaster recovery following the October 2017 fires that devastated communities throughout California. The Governor's proposed budget anticipates additional needs for CalFIRE and state departments as recovery efforts are ongoing. The Administration has also been working with CSAC and the 13 counties impacted by the recent wild fires to provide direct disaster recovery assistance, including a preliminary \$24 million commitment for property tax revenue loss backfill for the northern California counties. The Administration will continue to work with CSAC and impacted counties to determine accurate number for both 2017-18 and 2018-19.

Other highlights of the Governor's proposal include:

- \$134 million for county elections system funding
- \$117.3 million for increasing state-county partnerships to address the increasing need for Incompetent to Stand Trial (IST) placement options
- \$27.8 million General Fund increase for county IHSS administrative costs

The following pages provide statewide revenue and expenditure summary charts and specific budget proposals by policy area. For more detail on these and other items of importance, see the following policy sections below or contact CSAC legislative staff.

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

2018-19 Governor's Budget
General Fund Budget Summary
(\$ in millions)

	2017-18	2018-19
Prior Year Balance	\$4,611	\$5,351
Revenues and Transfers	\$127,252	\$129,792
Total Resources Available	\$131,863	\$135,143
Non-Proposition 98 Expenditures	\$73,771	\$77,126
Proposition 98 Expenditures	\$52,741	\$54,564
Total Expenditures	\$126,512	\$131,690
Fund Balance	\$5,351	\$3,453
Reserve For Liquidation of Encumbrances	\$1,165	\$1,165
Special Fund for Economic Uncertainties	\$4,186	\$2,288
Budget Stabilization Account/Rainy Day Fund	\$8,411	\$13,461

General Fund Revenue Sources
(\$ in millions)

	2017-18	2018-19	\$ Change	% Change
Personal Income Tax	\$89,403	\$93,593	\$4,190	4.7%
Sales and Use Tax	25,165	26,151	986	3.9%
Corporation Tax	10,656	11,224	568	5.3%
Insurance Tax	2,438	2,508	70	2.9%
Alcoholic Beverage Taxes and Fees	376	382	6	1.6%
Cigarette Tax	65	63	-2	-3.1%
Motor Vehicle Fees	27	27	0	0.0%
Other	820	894	74	9.0%
Subtotal	\$128,950	\$134,842	\$5,892	4.6%
Transfer to the Budget Stabilization / Rainy Day Fund	-1,698	-5,050	-3,352	197.4%
Total	\$127,252	\$129,792	\$2,540	2.0%

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Long-Term Revenue Forecast – Three Largest Sources

(General fund Revenue - \$ in billions)

	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	Average Yearly Growth
Personal Income Tax	\$82.9	\$89.4	\$93.6	\$96.3	\$98.5	\$101.3	4.9%
Sales and Use Tax	\$24.9	\$25.2	\$26.2	\$27.2	\$28.0	\$28.7	2.4%
Corporation Tax	\$10.1	\$10.7	\$11.2	\$11.7	\$12.2	\$12.8	3.4%
Total	\$117.8	\$125.2	\$131.0	\$135.2	\$138.6	\$142.8	4.2%
Growth	5.7%	6.3%	4.6%	3.2%	2.5%	3.0%	

General Fund Expenditures by Agency

(\$ in millions)

	2017-18	2018-19	\$ Change	% Change
Legislative, Judicial, Executive	\$3,221	\$3,651	\$430	13.3%
Business, Consumer Services & Housing	404	432	28	6.9%
Transportation	239	213	-26	-10.9%
Natural Resources	3,564	3,029	-535	-15.0%
Environmental Protection	115	82	-33	-28.7%
Health and Human Services	35,394	37,383	1,989	5.6%
Corrections and Rehabilitation	11,678	11,815	137	1.2%
K-12 Education	53,489	55,167	1,678	3.1%
Higher Education	14,968	15,450	482	3.2%
Labor and Workforce Development	147	122	-25	-17.0%
Government Operations	1,128	1,181	53	4.7%
General Government:				
Non-Agency Departments	775	766	-9	-1.2%
Tax Relief/Local Government	428	457	29	6.8%
Statewide Expenditures	962	1,942	980	101.9%
Total	\$126,512	\$131,690	\$5,178	4.1%

Administration of Justice

2011 Realignment

The Governor's January budget proposal updates revenue assumptions for 2011 Realignment programs. For the Community Corrections Subaccount (AB 109) the 2017-18 statewide base remains \$1.241 billion, with growth funding estimated at \$84.3 million. The 2011 Realignment estimates will be revisited and revised in the Governor's May Revision, then finalized in the fall.

Counties should also note that the Enhancing Law Enforcement Activities Subaccount should achieve its guaranteed funding level of \$489.9 million with VLF alone, with growth available in 2017-18 (an estimated \$201.4 million) and 2018-19 (an estimated \$209.7 million). This provides funds for a variety of local assistance programs including Citizens' Option for Public Safety, the Juvenile Justice Crime Prevention Act, and the rural and small county sheriffs program among others. Please see the "Additional Resources" section at the end of this publication for the 2011 Realignment accounts.

In addition, CSAC will provide individual county projections in the coming weeks.

Judicial Branch

The Governor's January budget proposal provides \$4.2 billion for the judicial branch that includes \$150 million in new funding to support efforts by the Judicial Council to improve and modernize trial court operations. This amount also includes \$3.4 million for the Judicial Council to implement a five-court pilot to begin moving toward a civil model for adjudication of minor traffic violations. The proposal would authorize an online adjudication system for certain traffic violations in the pilot courts.

In addition, the Governor's January budget proposal makes a significant investment in court facilities. In 2008, the state made an effort to invest in the construction, renovation, and operation of court facilities. However, revenues did not materialize in the amounts needed to renew and restore the state's court facilities. In fact, in 2012 and again in 2017, the Judicial Council was forced to pause court planning and construction projects. In a reversal, the Governor's January budget proposal invests \$32.2 million from the Immediate and Critical Needs Account to complete the design of three courthouse projects in Riverside/Mid-County, Sonoma, and Stanislaus. The Governor's January budget proposal also commits to completing construction for the next ten courthouse projects ready to proceed to construction from lease revenue bonds in the next two years, specifically projects in Imperial, Riverside/Indio, Shasta, Siskiyou, and Tuolumne in 2018-19 and projects in Glenn, Riverside/Mid-County, Sacramento, Sonoma, and Stanislaus in 2018-19.

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Proposition 47

Passed by voters in November 2014, Proposition 47 requires misdemeanor rather than felony sentencing for certain property and drug crimes and permitted inmates previously sentenced for these reclassified crimes to petition for resentencing. Based on fall projections, the Department of Finance (DOF) currently estimates a net savings of \$64.4 million when comparing 2017-18 to 2013-14, an increase of \$18.8 million over the estimated 2016-17 savings. These funds will be allocated according to the formula outlined in the initiative.

Community Corrections Planning (CCP) Grants

The Governor's January budget proposal continues with a round of Community Corrections Planning (CCP) grants totaling \$7.9 million for Community Corrections Partnerships (CCPs) to support work associated with ongoing AB 109 implementation efforts. Counties will recall that the CCP grants are disbursed in fixed amounts, depending on the county's size. As in past years, it is expected that receipt of the CCP grants will be based upon the reporting of AB 109 implementation plans to the Board of State and Community Corrections (BSCC).

SB 678 Funding

The Governor's January budget proposal assumes sustained SB 678 (Chapter 608, Statutes of 2009) funding reflecting counties' ongoing success under the 2009 performance-based probation funding program. Based on the revised formula established in 2015-16, the Governor's January budget proposal includes \$106.4 million to continue the Community Corrections Performance Incentive Grant Program. The budget recognizes the significance of this funding stream in supporting probation's important evidence-based prevention and intervention efforts.

Post Release Community Supervision (PRCS)

The Governor's January budget proposal includes \$29 million for county probation departments to supervise the temporary increase in the average daily population of offenders on Post Release Community Supervision (PRCS) as a result of the implementation of court-ordered measures and Proposition 57.

California Department of Corrections and Rehabilitation (CDCR)

The Governor's January budget proposal funds the California Department of Corrections and Rehabilitation (CDCR) at approximately \$12 billion which is 9 percent of the total state budget. This is one percent higher than the revised budget for the current fiscal year. The Governor's January budget proposal continues to invest in public safety, rehabilitation, and reentry. The increase to CDCR's budget is attributed mostly to roof replacements or water damage repairs, offender population adjustments both in-state and out-of-state, mental health bed management, offender access to health care, employee benefits or post-retirement benefit adjustments, and medical receivership costs.

Juvenile Justice Reforms

The Governor's January budget proposal makes several reforms to the state's juvenile justice system. In 2012, California changed the age of jurisdiction from 25 to 23 for youths sent to the Division of Juvenile Justice. New research on brain development and juvenile case law around diminished culpability of juvenile offenders has prompted the Administration to relook at this policy and change the age of jurisdiction back to 25 years.

Transition from State Custody to Local Systems

The Governor's January budget proposal recognizes the increasing need to improve the transition of inmates from state custody to local supervision. The Administration plans to strengthen local partnerships to enhance the process for release and work with local partners over this coming year to improve this process.

Agriculture, Environment and Natural Resources

Wildfire Response and Recovery

The Governor's January budget proposal recognizes the devastating wildfires and resulting disasters that occurred last year and that continue to impact communities in both northern and southern California. The Governor declared emergencies for the October wildfires in northern California and the December wildfires in southern California, and was successful in securing a Presidential Major Disaster Declaration for the northern California fires. Work continues on securing a similar Presidential Declaration for the events in southern California. As of December 2017, the state accessed \$43.4 million in resources available from the State Fund for Economic Uncertainties for a number of departments for their costs related to unexpected equipment, personnel and other disaster-related costs. In addition, the Governor issued a number of Executive Orders to waive a variety of fees and regulations and help facilitate the recovery process in affected communities. CAL Fire response costs will require a 2017-18 budget augmentation of \$469.3 million, which will be provided through the state's Emergency Fund. The Governor's January budget proposal includes additional enhancements to CAL Fire's budget for personnel, equipment and training in recognition of our extreme weather and a fire season that has become essentially year-round.

Estimates for the total costs across the state will be in the billions of dollars, and the full impact of these events has yet to be determined. In addition to funding from the state budget, California is currently advocating for a federal supplemental disaster-related appropriations bill totaling \$4.4 billion to support disaster recovery efforts.

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Finally, the Governor's January budget proposal provides direct fiscal assistance to counties through the backfill of property tax dollars and proposes an enhanced public safety communications system to modernize the state's 9-1-1 system.

Property Tax Backfill

The Governor's January budget proposal provides \$23.7 million in backfill to counties and other local jurisdictions for lost property taxes in 2017-18 and 2018-19 resulting from the October 2017 fires. This is a preliminary number that will be updated to capture full losses in counties in both northern and southern California in the May Revision. Counties are strongly encouraged to [report their estimates of property tax losses to CSAC](#) in order to provide an accurate number as CSAC continues to work with the Administration on recovery efforts.

Public Safety Communications

The historic wildfires in California demonstrated the need for an enhanced and upgraded 9-1-1 system. The Governor's January budget proposes \$11.5 million in State Emergency Telephone Number Account (SETNA) funds to modernize the state's system and improve public safety during emergency events. It includes a revised SETNA fee structure to reflect the use of data compared to voice communications, proposing a per-subscription flat rate on all voice and data plans.

Department of Water Resources (DWR) — Enhancing Safety of Dams

In 2017, record rainfall and storm events caused significant damage in a number of counties across the state and also resulted in the evacuation of 188,000 people living near the Oroville Dam after the main spillway was damaged by heavy flows. The Governor's January budget proposal includes an update on the progress of Oroville Dam repair efforts, noting that construction will continue into 2018 on repairing and reconstructing the main flood control spillway of the Oroville Dam. In addition, actions are underway at DWR to help assist state-regulated dams comply with new requirements for emergency action plans and update inundation maps. More spillways will be evaluated in 2018, enhancing California's emergency preparedness.

Department of Fish and Wildlife

An update from the Department of Fish and Wildlife's Strategic Vision stakeholder group was released in October 2017 and highlighted the need for sustainable funding for California's Fish and Wildlife programs. The Governor's January budget proposal takes these recommendations into consideration and proposes \$50.6 million in ongoing funding to address the structural imbalance of the Fish and Game preservation fund. The proposal includes several elements aimed at expanding conservation efforts, improving hunting and fishing participation; connecting more Californians to the outdoors; and, increasing stability for critical programs. Most importantly to counties, the proposal includes a budget augmentation of \$31 million to

expand a number of program activities, including supporting voluntary conservation programs for local governments, private landowners and conservation organizations.

Water and Parks Bond (SB 5): California Drought, Water, Parks, Climate, Coastal Protection and Outdoor Access for All

In 2017, the Legislature was successful in securing the passage of a water and parks bond measure, SB 5 (Chapter No. 852, Statutes of 2017) – California Drought, Water, Parks, Climate, Coastal Protection and Outdoor Access for All. SB 5 will place a \$4 billion bond on the June 2018 ballot. If approved by the voters, the measure will provide significant funding for parks, water and wildlife conservation efforts. The Governor’s January budget proposes \$1.02 billion for the first year of SB 5 implementation, should the measure be successful. This allocation includes funding in a number of areas of significant importance to counties, including flood management, Sustainable Groundwater Management Act (SGMA) implementation, safe drinking water and parks.

Groundwater Sustainability

The Governor’s January budget proposal includes \$61.8 million in SB 5 funding for the Department of Water Resources to support SGMA Groundwater Sustainability Agency (GSAs) activities. This funding will provide technical assistance to aid in the development of groundwater sustainability plans, supplement existing planning grants for GSAs, and provide grants to directly support groundwater projects. In addition, the budget proposes \$84 million to the State Water Board to support regional groundwater treatment and remediation activities, including \$10 million in technical assistance for drought and groundwater investments.

Flood Management

The Governor’s January budget proposes to allocate \$95.5 million from SB 5 for flood control projects that achieve public safety and fish and wildlife improvements, as well as funding for a new Floodplain Management Awareness Program.

Safe and Affordable Drinking Water

The Governor’s January budget proposal allocates \$63 million from SB 5 to the State Water Board to provide grants to public water systems in disadvantaged communities for infrastructure improvements to meet safe and affordable drinking water standards, including both drinking water and wastewater treatment projects. The proposed budget also establishes a new special fund at the State Water Board to assist disadvantaged communities in paying for the short and long-term costs of obtaining access to safe and affordable drinking water. The proposed budget includes statutory language that is consistent with the policy framework of SB 623 (Monning), introduced in the 2017-18 legislative session, to establish a program that

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provides grants, loans and administrator contracts or services to assist eligible communities with access to safe drinking water. This proposal would impose the fee structure “consistent with” SB 623, which would impose a fee on all users of public water systems, and a fee on fertilizer producers for the purpose of providing funding to struggling public water systems to deliver safe drinking water. However, this language is not yet available and will be released in a budget trailer bill available next month.

State and Local Parks

The Governor’s January budget proposal allocates \$472 million in funding from SB 5 for various park programs and projects. This allocation includes four million in grants for deferred maintenance projects to county fairgrounds and \$464 million for improving and increasing access to local neighborhood parks. Of the \$464 million, The Administration proposes \$277 million for creating new parks or rehabilitating older parks and \$186 million for per capita grants for the acquisition and development of parks, recreation lands, or facilities in urban and rural areas.

The following chart is an outline of the Governor’s January budget proposal for SB 5 funding. The budget summary notes that projects funded by the bond measure in 2018-19 will be prioritized to support existing programs, ‘shovel-ready” projects, and a phased-in approach for newly established programs.

Investment Category	Department	Program	Amount (millions)
State and Local Park Improvements	Department of Parks and Recreation & Natural Resources Agency	Local and Regional Grant Programs for Neighborhood Parks and Greenway Trails	\$464
	Department of Parks and Recreation	State Park System Enhancements	\$4
	Department of Food and Agriculture	Deferred Maintenance for Fairgrounds	\$4
Ecosystem Restoration & Climate Resiliency	Multiple Departments & Conservancies	River Recreation, Creek, and Waterway Improvements	\$58
	Natural Resources Agency	Salton Sea Restoration	\$30
	Multiple Departments & Conservancies	Climate Adaptation & Resiliency	\$110

Water Action Plan	State Coastal Conservancy & Ocean Protection Council	Coastal Protection	\$13
	California Conservation Corps	CCC Restoration and Rehabilitation Projects & Grants to Local Community Conservation Corps	\$10
	State Water Board	Safe Drinking Water Projects	\$63
	Department of Water Resources & Natural Resources Agency	Flood Management	\$99
	Department of Water Resources & State Water Board	Sustainable Groundwater Management Act	\$146
	Department of Food and Agriculture	State Water Efficiency and Enhancement Program	\$18
	TOTAL		\$1,019

Cap and Trade Funding

California continues towards its goals of reducing greenhouse gas emissions to 40 percent below 1990 levels by 2030. In July 2017, Governor Brown signed legislation to extend the cap and trade program through 2030 by a two-thirds super majority vote. This has provided certainty in the cap and trade program which has resulted in stabilized auction results and increased revenues. California will have \$1.25 billion in cap and trade funds available for appropriation in 2018-19. The expenditure plan for these funds will be announced by the Governor during his final State of the State Address on January 25.

Cannabis: Proposition 64 Implementation

Consistent with Proposition 64: The Adult Use of Marijuana Act (AUMA), the Governor's January budget proposal does not include cannabis tax revenues as funding will not be available for allocation until the 2019-20 state budget.

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Government Finance and Administration

Property Tax Backfill for Disaster Impacted Counties

The Governor's January budget proposal provides \$23.7 million in backfill to counties and other local jurisdictions for lost property taxes in 2017-18 and 2018-19 resulting from the October 2017 fires. This is a preliminary number that will be updated to capture full losses in counties in both northern and southern California in the May Revision. Counties are strongly encouraged to [report their estimates of property tax losses to CSAC](#) in order to provide an accurate estimate. Please see the Agriculture, Natural Resources and Environment (AENR) section of this Budget Action Bulletin for a full summary of disaster relief funding on page 7. The Governor's January budget proposal notes the school share of losses will be backfilled by the General Fund pursuant to Proposition 98 funding mechanism, which is estimated to total \$24.5 million in 2017-18 and 2018-19.

Elections Equipment Funding

Included in the Governor's January budget proposal is a General Fund commitment of \$134.3 million to fund county elections systems, which are nearing the end of their useful shelf life at the same time that counties are considering implementation of the "SB 450" vote center model elections. The funding will be made available to all counties with a 50 percent match requirement for hardware, software and initial licensing costs. The Administration projects this funding level to be sufficient for counties with more than 50 precincts to adopt the vote center model and counties with less than 50 to maintain the traditional election day-only polling precinct model.

Redevelopment Dissolution Continues

The Governor's January budget proposal restates the priority of the Brown Administration to continue the winding down of redevelopment agencies (RDA), continuing the work that began in 2011. Approximately \$2.6 billion in unrestricted property tax dollars has been returned to counties, \$2.1 billion to cities and \$781 million to special districts from 2011-12 to 2016-17. The combined current budget year and 2018-19 estimates counties will receive an additional \$990 million for their share, cities will receive \$926 million and special districts will received \$282 million. Average ongoing property tax revenues for all local agencies are estimated at \$1.2 billion annually through 2021-22. The Governor's January budget proposal notes General Fund savings through the schools share at \$1.9 billion through 2021-22.

County Assessors Tax Roll Program Funding

The Governor's January budget proposal provides \$5 million annually for the next three years for a new initiative to assist county assessors in the maintenance and equalization of property tax rolls. Details will be forthcoming in proposed statutory framework.

California Department of Tax and Fee Administration

The newly formed California Department of Tax and Fee Administration and the Office of Tax Appeals, established in July 2017, will receive additional funding for their assumed duties formerly held by the State Board of Equalization (BOE). While this is not a direct appropriation to counties, it will help the collection and distribution of significant revenues that are funneled to local agencies, including sales and use tax. Counties may recall the substantial allocation errors to local agencies by the BOE was part of the grounds for the Governor's order to create a new state department to take over many of the BOE's responsibilities.

Other Issues

2020 Census Funding

The Governor's January budget proposal includes \$40.3 million for statewide outreach and other activities related to the 2020 Census count. This builds on \$7 million in the 2017 Budget Act for local agencies grants to support the multi-year, multi-lingual effort that provides a complete and accurate count of California residents to ensure appropriate federal government representatives and federal funding levels for local communities.

State Pension Funding Debt Pay Down

The Governor's January budget proposal continues to provide supplemental pension payments totaling \$6 billion established in the 2017 Budget Act on a quarterly basis to the California Public Employees Retirement System (CalPERS). While this does not offset the pension liability of local agencies, it could have a small improvement on the system-wide funded status.

Mandate Debt Not Addressed

The Governor's January budget proposal makes mention of past efforts to pay down school and community college district mandate debt, but does not address the backlog of over \$1 billion in unpaid debt to other local agencies, including counties, statewide for services already rendered on behalf of the State.

ECONOMIC OUTLOOK

The Governor's January budget proposal anticipates continued revenue growth, expected to outpace 2017 Budget Act projections by \$4.7 billion from 2016-17 through 2018-19. In the long term, the economic forecast in the Governor's January budget proposal reflects steady growth at an average year-over-year growth rate of 4.2 percent through 2022.

Regardless of these positive figures, the Governor still emphasized the possibility of a recession, citing several economic risk factors which include the current housing shortage and other geopolitical events. It is also important to note that these figures are preliminary in nature and

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do not factor in federal tax changes which could potentially cause projections to shift in subsequent budget revisions.

Sales and Use Tax Revenue Projections

Compared to the 2017 Budget Act, the Governor's January budget proposal reflects an improved outlook for sales and use tax revenues. The Administration modified its figures to reflect a projected sales tax revenue generation of \$24.9 billion in 2016-17, \$25.2 billion in 2017-18, and \$26.2 billion in 2018-19. In terms of change, these figures represent increases of \$378 million in 2016-17, \$695 million in 2017-18, and \$426 million in 2018-19.

The Governor's January budget proposal notes that the improved sales tax outlook is due to growth in taxable consumption and business investment. However, the increases do not reverse the long-term trend of deterioration of the sales tax base.

Property Tax Revenue Projections

Even though property taxes are a local revenue source, a property tax forecast is included in the state budget due to the allocation for K-14 schools offsetting General Fund expenditures.

The Governor's January budget proposal anticipates property tax revenues to continue showing positive growth, despite most recent assessments which show a slight decline in the sales of existing single-family homes. In total, the Governor's January budget proposal estimates statewide property tax revenues to increase by almost 6 percent in 2017-18 and 5.6 percent in 2018-19.

Health and Human Services

HUMAN SERVICES

In-Home Supportive Services (IHSS)

The Governor's January budget proposal contains no changes to the structure of the new county In-Home Supportive Services (IHSS) maintenance of effort (MOE) that was negotiated last year and included in the budget trailer bill SB 90 (Chapter 25, Statutes of 2017). There were specific provisions in SB 90 to provide revenues for counties to offset the nearly \$600 million that was shifted to counties and incorporated into the new MOE. The increased revenue projections for anticipated 1991 realignment sales tax growth for 2017-18 that are included in the Governor's January budget proposal will help counties better manage the increased costs in the current year. The increased IHSS costs for the out-years has been the larger concern for counties and CSAC will analyze the impact of these updated revenue projections on future years.

For 2018-19, the Governor's January budget proposal includes \$11.2 billion for IHSS, of which \$3.6 billion is from the General Fund. This is a 7.7 percent increase in General Fund costs over the 2017-18 costs. The budget proposal estimates that the average monthly caseload will increase by 5.4 percent over the prior year projection to a total of 545,000 recipients in 2018-19. To reflect the minimum wage increase for IHSS expenditures, a total of \$260.3 million (\$119.4 million General Fund) is included.

IHSS Administration

The Governor's January budget proposal provides an increase of \$27.8 million General Fund for county IHSS administration costs in 2018-19. The 2017 Budget Act included a provision that required the Department of Finance to work with counties to develop a new methodology for calculating IHSS administration costs. This increase results from that new budgeting methodology and takes into account revised workload and budget assumptions. These assumptions will be examined again in the development of the 2020-21 budget.

CalWORKs

The CalWORKs program is California's version of the federal Temporary Assistance for Needy Families (TANF) program, which provides temporary cash assistance to low-income families with children to meet basic needs as well as welfare-to-work services to help families become self-sufficient.

CalWORKs Single Allocation

The Governor's January budget proposal includes a one-time augmentation of \$187 million for the California Work Opportunity and Responsibility to Kids (CalWORKs) program single allocation, which is what the state provides to counties to administer the CalWORKs program. The overall funding for the single allocation is \$31.8 million lower than in 2017-18. The 2017-18 budget required the Administration to work with the County Welfare Directors Association to revise the methodology for the single allocation. The revised methodology is needed to insulate counties and beneficiaries from experiencing huge swings in year-to-year funding levels for the single allocation. The conversations about the revised methodology are ongoing.

CalWORKs Home Visiting Initiative

The Governor's January budget proposal provides \$26.7 million in funding for a voluntary Home Visiting pilot program through 2021 for young, first-time parents in the CalWORKs program. A total of \$158.5 million one-time Temporary Assistance for Needy Families (TANF) funds is being reserved for the pilot's total costs through calendar year 2021. The pilot will leverage existing evidence-based program models to help young families reach self-sufficiency by improving family engagement practices, supporting the healthy development of young children living in

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poverty, and preparing parents for employment. The Department of Social Services will work with counties to establish outcome measures to evaluate the effectiveness of the pilot.

Medi-Cal County Administration

The Governor's January budget proposal provides an increase of \$54.8 million (\$18.5 million General Fund) for Medi-Cal county administration. This amount is based on an adjustment that incorporates the increase in the California Consumer Price Index. The Administration consulted with CSAC and the County Welfare Directors Association related to Medi-Cal county administration costs.

Continuum of Care Reform

The January budget proposal includes \$238.2 million (\$179.7 million General Fund) to continue implementation of Continuum of Care reforms (CCR). The funding reflects ongoing support for child and family teams, approval of resource families, and family retention, recruitment, and support.

Supplemental Security Income (SSI)/State Supplementary Payment (SSP)

Supplemental Security Income (SSI) is a federal program that provides a monthly cash payment to eligible aged, blind, and disabled persons who meet the income and resources requirements. California augments SSI with a State Supplementary Payment (SSP) grant. The Governor's January budget proposal includes \$2.8 billion General Fund for the SSI/SSP Program, which represents a 1.2 percent decrease (\$34.9 million) from the revised 2017-18 budget. The 2018-19 monthly caseload is projected to be 1.3 million recipients, which is a slight decrease from the 2017-18 projection. Effective January 2018, the maximum SSI/SSP grant levels are \$910 per month for individuals and \$1,532 per month for couples. The federal cost of living adjustments based on the current Consumer Price Index growth factors are 2 percent for 2018 and a projected 2.6 percent for 2019.

Developmental Center Closures

The state continues the planned closure of the three remaining developmental centers: Sonoma, Fairview, and the general treatment area of Porterville. The Sonoma facility is scheduled to close in December 2018 and no longer receive federal funding for its intermediate care facility units. The Department of Developmental Services' ongoing compliance with a 2016 settlement with the federal Centers for Medicare and Medicaid Services will allow the continued receipt of federal funding for intermediate care facility units at Fairview and the general treatment area of Porterville. The Governor's January budget proposal assumes the federal funding for both Fairview and Porterville will continue.

Regional Center Services

Regional centers provide intake, assessment, eligibility determination, resource development, and case management services, while also working with businesses and individuals providing

developmental services in the community. The Governor's January budget proposal includes a regional center budget for 2018-19 of \$4.1 billion General Fund. This represents a \$319.6 million General Fund year-over-year increase from 2017-18 and \$97.6 million General Fund of this increase is attributable to the increasing state minimum wage.

HEALTH

Children's Health Insurance Program (CHIP)

The Children's Health Insurance Program (CHIP) provides federal funding to states to offer full-scope Medicaid coverage to 32,000 low-income pregnant women and children in California. It has been subject to significant uncertainty at the federal level, but Congress approved a stop-gap measure in December to continue CHIP funding to states until early March through the Continuing Resolution (CR) process.

In California, regardless of Congressional action, CHIP funding will be maintained through September 30, 2019, as part of the Affordable Care Act Maintenance of Effort. The State has also been receiving an enhanced federal matching rate of 88 percent for CHIP funding. However, the state had planned for a reduction in the rate – back to 65 percent – in the current year budget. Since the December, CR continues to fund the state at the enhanced matching rate, the Governor anticipates a \$150 million savings in the current year budget. Continued uncertainty over the fate of CHIP will require caution, and CSAC expects the Governor to update these figures in the May Revision.

Affordable Care Act

The Governor's January budget proposal includes increased General Fund dollars for the state's portion of the optional Medicaid Expansion under the Affordable Care Act (ACA). As of January 1, the State's share of the cost for the 3.9 million Californians in the expansion population rose from 5 percent to 6 percent, with the federal government providing 94 percent of the cost. The Governor estimates this will cost the state \$1.6 billion General Fund (\$22.9 billion total funds) in 2018-19. By 2020, the state's share will be 10 percent as proscribed by the ACA.

Overall costs for the Medi-Cal program are projected to rise by \$543 million in 2018-19 due to payments to the federal government for drug rebate miscalculations and higher overall Medi-Cal managed care costs.

AB 85 County Indigent Health Savings

The Governor's January budget proposal estimates \$530.5 million in county indigent health savings in 2018-19, which will be diverted from the county 1991 Health Subaccount under AB 85 (Chapter 24, Statutes of 2013) to offset state CalWORKs costs. The state also anticipates

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additional funding in 2019-18 from counties as the “true up” of 2015-16 costs continues. These figures will be updated in the Governor’s May Revision.

Please see the AB 85 2018-19 estimated redirections and 2015-16 reconciliations charts provided in the “Additional Resources” section at the end of this publication.

Managed Care Organization Tax

The Legislature approved a Managed Care Organization (MCO) tax in 2016 to augment developmental services, managed care rates for specific populations, and IHSS costs. In 2018-19, the Governor anticipates \$1.4 billion in MCO revenue. The MCO tax expires on June 30, 2019.

Proposition 56 Tobacco Tax

In 2016, voters approved an increase in the tobacco tax, including for e-cigarettes. In 2018-19, the Governor estimates \$1.3 billion in revenue. Of that, \$125 million is used to backfill reduced Proposition 10 revenues, among other items.

More than \$850 million is dedicated to offsetting state Medi-Cal costs, including physician (\$163 million) and dental (\$70 million) supplemental payment increases for specific, frequent procedures. The Governor’s January budget proposal indicates that the intent of these supplemental payments is to increase the number of providers willing to offer Medi-Cal services or increase the number of enrollees and access. Should these metrics not be met, the Governor promises to work with the Legislature to redesign the payments to align with these goals.

The Governor is proposing to use \$31.6 in Proposition 56 funds to increase home health provider rates by 50 percent on July 1, 2018. The Governor’s January budget proposal includes a total of \$64.5 million for this purpose. Home health providers are employed in the fee-for-service market and are not IHSS providers. They provide medically necessary services in patient homes through the state’s home and community-based services federal waivers.

Department of Public Health

The Department of Public Health (DPH) is responsible for protecting and promoting the health and well-being of the people in California. Currently, DPH contracts with the Los Angeles County Department of Public Health to regulate certain health care entities located in Los Angeles County.

DPH and Los Angeles County are working to develop a contract for the County to conduct 100 percent of the regulatory work within Los Angeles, beginning in 2019-20, which would include pay-for-performance metrics and is anticipated to cost more than the current contract. The current contract only covers a portion of the workload in Los Angeles County. DPH will assess and apply a supplemental fee to its regulated health care entities located in Los Angeles County

beginning in 2018-19 to reflect the higher cost of doing business in Los Angeles County. There is statutory language proposed in the Governor's January budget proposal to assess the supplemental fee, which will be based on the additional cost necessary to administer and enforce licensing and certification services to health care entities in Los Angeles County.

BEHAVIORAL HEALTH

Incompetent to Stand Trial Admissions

The Governor's January budget proposal includes \$114.8 million General Fund over three years to develop state-county partnerships and placement solutions for those who are found Incompetent to Stand Trial (IST) by the courts. The new program is intended to increase diversion of mentally ill offenders and ease the number of IST referrals to the Department of State Hospitals (DSH) by 30 percent.

The number of IST referrals pending placement by DSH have increased from 600 individuals in December 2016 to 840 in early December 2017. While DSH has been working with counties to develop county jail-based placement programs and diversion options, this new funding will be focused on those with mental illness who have committed felony crimes. The program will prioritize the 15 counties with the most IST referrals. It will also increase diversion programs up to 640 placements as well as up to 60 additional community placements in other counties.

The proposal includes \$14 million General Fund to partner with Los Angeles County to support treatment in community settings for up to 150 IST patients. The DSH will also continue efforts to partner with additional counties on joint use facilities for IST patients.

The Governor's January budget proposal dedicates \$2.5 million in state-level Mental Health Services Act administration funding to the Mental Health Services Oversight and Accountability Commission (MHSOAC) to assist counties in developing IST diversion plans and programs. The MHSOAC will receive \$2.5 million in funding for two year for this purpose.

The Governor also proposes significant continued investments to address the IST placement issue, with a \$53 million 36-bed secure forensic expansion at Metropolitan State Hospital, \$16.1 million to continue contracts with counties for up to 159 jail-based competency treatment beds, and \$11.5 million to activate 80 Mentally Disordered Offender beds at Coalinga State Hospital for transfers from other state hospitals.

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Housing, Land Use and Transportation

Transportation Funding

The Governor's January budget proposal paints a significantly better picture for transportation infrastructure than in years past due largely to the passage of SB 1 (Chapter No. 5, Statutes of 2017) – the Road Repair and Accountability Act of 2017. Over the next decade, SB 1 will provide approximately \$5 billion annually in revenue for local streets and roads, state highways and public transportation through the imposition of new and increased gasoline and diesel taxes and transportation improvement fees.

The Governor's January budget proposal estimates that SB 1 will generate \$2.8 billion in new revenue for transportation infrastructure in 2017-18 and \$4.6 billion in 2018-19. These revenues are in addition to revenues from the base- and price-based gasoline excise tax increments counties, cities, and the State have received in prior years. The following is a preliminary analysis of revenues counties can anticipate receiving from the base gasoline excise tax, the price-based gasoline excise tax (which replaced the sales tax on gasoline in 2010), and from revenue sources generated by SB 1. CSAC staff will follow-up as quickly as possible to provide transportation revenue estimates on a county-by-county basis.

SB 1 Revenues and Appropriations

The release of the Governor's January budget proposal includes revised estimates for SB 1 funded programs for 2017-18, as well as new estimates for 2018-19. Counties can anticipate receiving via direct subventions fifty percent of the \$451 million slated for local streets and roads in 2017-18 and the approximately \$1.2 billion in 2018-19 from SB 1. The following chart outlines 2017-18 and 2018-19 revenue projections from SB 1.

		2017-18 Appropriation	2018-19 Appropriation
Local Allocations	Local Streets and Roads	\$451	\$1,193
	Transit and Intercity Rail Capital Program	\$330	\$330
	State Transit Assistance	\$280	\$355
	Local Partnership Program	\$200	\$200
	Active Transportation Program	\$100	\$100
	Commuter Rail and Intercity Rail	\$25	\$36
	Local Planning Grants	\$25	\$25
	TOTAL	\$1,411	\$2,239

State Allocations	SHOPP/Maintenance	\$451	\$1,210
	Bridges and Culverts	\$400	\$400
	Commuter Corridors	\$250	\$250
	Trade Corridor Enhancements	\$153	\$306
	Department of Parks and Recreation*	\$53	\$79
	Air Resources Board Clean Freight	\$50	\$0
	Freeway Service Patrol	\$25	\$25
	Department of Food and Agriculture*	\$17	\$26
	Transportation-related CSU and UC Research	\$7	\$7
	Transportation Workforce Development Board	\$5	\$5
	TOTAL	\$1,411	\$2,308
Administration	Department of Motor Vehicles	\$4	\$8
	TOTAL	\$4	\$8
Revenue	Transportation Improvement Fee	\$737	\$1,510
	Gasoline Excise Tax	\$1,250	\$1,852
	Diesel Excise Tax	\$405	\$672
	Diesel Sales Tax	\$200	\$286
	General Fund Loan Repayment	\$235	\$235
	TOTAL	\$2,827	\$4,555

*Revenue derived from fuel purchases for off-road vehicles

Under SB 1, all outstanding loans from transportation funds are required to be repaid by 2019-20 in equal installments beginning in 2017-18. The Governor's January budget proposal recognizes this statutory commitment and the General Fund will appropriate \$235 million in 2017-18 and \$235 million in 2018-19 for this purpose. Counties and cities have already been fully repaid for loans in prior years from the local share of transportation revenues. However, counties and cities will still be the beneficiaries of \$75 million annually over the next three years

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from loan repayments, although the exact date of repayment for 2017-18 and 2018-19 is unknown.

Base- and Price-Based Gasoline Excise Tax Revenues

As previously mentioned, counties will continue to receive their historic share of the base- and price-based gasoline excise tax revenues in 2018-19. The price-base excise tax rate will be adjusted one last time in 2018 to ensure revenue neutrality with what the former sales tax on gasoline would otherwise have generated. Pursuant to SB 1, this rate will be reset at 17.3 cents in July 2019 and subsequently adjusted based on inflation. The base gas tax rate will also be adjusted for inflation pursuant to SB 1 beginning in 2020-21.

Based on fuel consumption, which is projected to decline by 0.6 percent in 2018-19 due to consumption patterns related to an increase in the price of gasoline, increased fuel efficiency, and price projections, the Governor's January Budget proposal anticipates a price-based rate increase of 4.2 cents effective July 1, 2018. The Board of Equalization must do its own analysis and take action by March of each year to adopt the new price-based gasoline excise tax rate.

SB 1 Repeal Effort

While CSAC is pleased to report the good news with respect to revenue estimates that will allow counties for the first time in many years to actually make improvements to the local street and road system, this section would not be complete without mention of the attempts to repeal SB 1. The "Give Voters a Voice" campaign to repeal SB 1 is currently raising money for, and collecting signatures on, an initiative that would require the Legislature to put before the electorate approval of any gas, diesel, or vehicle related tax or fee increase. Since the initiative has a retroactive effective date of January 1, 2017, it would repeal SB 1. CSAC will ensure revenues estimates on a county-by-county basis make clear what revenues counties would lose in 2018-19 and beyond should a repeal effort be successful.

Affordable Housing

The Governor's January budget proposal includes a recap of the ongoing multi-year debate on housing affordability, but the focus is on implementation of last year's 15-bill package. While the specific timing of SB 2 (Chapter No. 364, Statutes of 2017) appropriations remains unclear, the Governor's January budget proposal projects that \$258 million in tax revenues will be generated via SB 2's recording fee in 2018-19. Counties will recall that SB 2 funding in 2018 will be split evenly between grants for local planning activities that promote housing development and statewide grants for homeless services.

ADDITIONAL RESOURCES

AB 85 2018-19 Redirection Calculation	
CMSP	Redirection
Alpine	\$ 13,150.00
Amador	\$ 620,264.00
Butte	\$ 5,950,593.00
Calaveras	\$ 913,959.00
Colusa	\$ 799,988.00
Del Norte	\$ 781,358.00
El Dorado	\$ 3,535,288.00
Glenn	\$ 787,933.00
Humboldt	\$ 6,883,182.00
Imperial	\$ 6,394,422.00
Inyo	\$ 1,100,257.00
Kings	\$ 2,832,833.00
Lake	\$ 1,022,963.00
Lassen	\$ 687,113.00
Madera	\$ 2,882,147.00
Marin	\$ 7,725,909.00
Mariposa	\$ 435,062.00
Mendocino	\$ 1,654,999.00
Modoc	\$ 469,034.00
Mono	\$ 369,309.00
Napa	\$ 3,062,967.00
Nevada	\$ 1,860,793.00
Plumas	\$ 905,192.00
San Benito	\$ 1,086,011.00
Shasta	\$ 5,361,013.00
Sierra	\$ 135,888.00
Siskiyou	\$ 1,372,034.00
Solano	\$ 6,871,127.00
Sonoma	\$ 13,183,359.00
Sutter	\$ 2,996,118.00
Tehama	\$ 1,912,299.00
Trinity	\$ 611,497.00
Tuolumne	\$ 1,455,320.00

Yuba	\$ 2,395,580.00
CMSP Board	\$ 166,202,093.40
SUBTOTAL	\$ 255,271,054.40
Article 13 60/40	Redirection
Placer	\$ 3,241,250.65
Sacramento	\$ 31,765,594.24
Santa Barbara	\$ 8,102,022.44
Stanislaus	\$ 10,870,303.74
Yolo	\$ 3,507,969.00
SUBTOTAL	\$ 57,487,140.08
Article 13 Formula	Calculated Redirection
Fresno	\$ 15,584,208
Merced	\$ 2,628,729
Orange	\$ 41,381,018
San Diego	\$ 44,757,429
San Luis Obispo	\$ 2,871,817
Santa Cruz	\$ 3,736,002
Tulare	\$ 6,209,741
SUBTOTAL	\$ 117,168,944.70
DPH	Calculated Redirection
Alameda	\$ -
Contra Costa	\$ 7,375,489
Kern	\$ 11,624,599
Los Angeles	\$ -
Monterey	\$ 1,346,650
Riverside	\$ 34,819,814
San Bernardino	\$ 29,889,754
San Francisco	\$ -
San Joaquin	\$ 15,486,883
San Mateo	\$ -
Santa Clara	\$ -
Ventura	\$ -
SUBTOTAL	\$ 100,543,187.83
\$ 530,470,327.01	

AB 85 FY 2015-16 Reconciliation Summary		
Article 13 Formula	Interim Redirected	Reconciliation (Due from County)
Fresno	\$ 11,385,984.67	\$ 4,198,223.37
Orange	\$ 41,236,255.15	\$ 144,763.19
San Diego	\$ 44,716,283.05	\$ 41,145.81
San Luis Obispo	\$ 2,846,951.60	\$ 24,865.47
Tulare	\$ 6,182,592.10	\$ 7,327.32
SUBTOTAL	\$ 113,575,423.84	\$ 3,651,344.17
DPH	Interim Redirected	Reconciliation (Due from County)
Alameda	\$ 44,966,189.62	\$ 731,447.29
Contra Costa	\$ 19,585,406.23	\$ 3,357,326.21
Kern	\$ 12,955,764.23	\$ 2,863,153.62
Los Angeles	\$ 101,314,163.84	\$ 193,401,723.75
Monterey	\$ 2,834,843.99	\$ 3,071,146.18
Riverside	\$ 37,195,609.05	\$ 684,610.91
San Bernardino	\$ 28,883,328.02	\$ 1,006,425.85
San Mateo	\$ 15,831,331.21	\$ 226,424.38
Santa Clara	\$ 19,451,964.02	\$ 21,245,627.21
Ventura	\$ 14,849,566.18	\$ 191,557.52
SUBTOTAL	\$ 321,561,878.63	\$ 204,315,569.99
Grand Total	\$ 747,825,464.46	\$ 207,966,914.15
Due From Counties		\$ 231,195,768.09

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1991 Realignment Estimated Revenues and Expenditures - 2018-19 Governor's Budget
(Dollars in Thousands)

2016-17 State Fiscal Year							
Amount	CalWORKs MOE	Health	Social Services	Mental Health	Family Support	Child Poverty	Totals
Base Funding							
Sales Tax Account	\$752,887	\$-	\$1,913,802	\$33,967	\$443,909	\$88,224	\$3,232,789
Vehicle License Fee Account	367,664	1,047,929	58,142	94,870	117,097	160,465	1,846,167
Total Base	\$1,120,551	\$1,047,929	\$1,971,944	\$128,837	\$561,006	\$248,689	\$5,078,956
General Growth Carryover from 2015-16 ¹						37,255	37,255
Growth Funding							
Sales Tax Growth Account:	-	54	110,894	69	-	16,198	127,215
Caseload Subaccount	-	-	(84,626)	-	-	-	(84,626)
County Medical Services Growth Subaccount	-	-	(5,123)	-	-	-	(5,123)
General Growth Subaccount	-	(54)	(21,145)	(69)	-	(16,198)	(37,466)
Vehicle License Fee Growth Account	-	153	73,747	193	-	45,477	119,570
Total Growth	\$-	\$207	\$184,641	\$262	\$-	\$61,675	\$246,785
Total Realignment 2016-17²	\$1,120,551	\$1,048,136	\$2,156,585	\$129,099	\$561,006	\$347,619	\$5,362,996
2017-18 State Fiscal Year							
Base Funding							
Sales Tax Account	\$752,887	\$-	\$2,024,696	\$34,036	\$443,963	\$104,422	\$3,360,004
Vehicle License Fee Account	367,664	951,998	131,889	95,063	213,181	205,942	1,965,737
Total Base	\$1,120,551	\$951,998	\$2,156,585	\$129,099	\$657,144	\$310,364	\$5,325,741
Growth Funding							
Sales Tax Growth Account:	-	-	166,932	-	-	-	166,932
Caseload Subaccount	-	-	(166,932)	-	-	-	(166,932)
County Medical Services Growth Subaccount	-	-	-	-	-	-	-
General Growth Subaccount	-	-	-	-	-	-	-
Vehicle License Fee Growth Account	-	-	61,181	-	-	38,830	100,011
Total Growth	\$-	\$-	\$228,113	\$-	\$-	\$38,830	\$266,943
Total Realignment 2017-18²	\$1,120,551	\$951,998	\$2,384,698	\$129,099	\$657,144	\$349,194	\$5,592,684
2018-19 State Fiscal Year							
Base Funding							
Sales Tax Account	\$752,887	\$22,204	\$2,191,628	\$34,036	\$421,759	\$104,422	\$3,526,936
Vehicle License Fee Account	367,664	1,056,468	193,070	95,063	108,711	244,772	2,065,748
Total Base	\$1,120,551	\$1,078,672	\$2,384,698	\$129,099	\$530,470	\$349,194	\$5,592,684
Growth Funding							
Sales Tax Growth Account:	-	-	135,348	-	-	-	135,348
Caseload Subaccount	-	-	(135,348)	-	-	-	(135,348)
County Medical Services Growth Subaccount	-	-	-	-	-	-	-
General Growth Subaccount	-	-	-	-	-	-	-
Vehicle License Fee Growth Account	-	-	53,429	-	-	33,911	87,340
Total Growth	\$-	\$-	\$188,777	\$-	\$-	\$33,911	\$222,688
Total Realignment 2018-19²	\$1,120,551	\$1,078,672	\$2,573,475	\$129,099	\$530,470	\$383,105	\$5,815,372

¹ Reflects general growth carryover to fund the 5-percent increase to CalWORKs Maximum Aid Payment levels effective April 1, 2015, pursuant to Welfare and Institutions Code section 17601.50.

² Excludes \$14 million in Vehicle License Collection Account moneys not derived from realignment revenue sources.

2011 Realignment Estimate¹ - at 2018-19 Governor's Budget

	2016-17	2016-17 Growth	2017-18	2017-18 Growth	2018-19	2018-19 Growth
Law Enforcement Services	\$2,361.2		\$2,467.3		\$2,579.6	
Trial Court Security Subaccount	539.7	10.6	550.3	11.2	561.6	10.9
Enhancing Law Enforcement Activities Subaccount ²	489.9	155.9	489.9	201.4	489.9	209.7
Community Corrections Subaccount	1,161.6	79.4	1,241.1	84.3	1,325.3	81.5
District Attorney and Public Defender Subaccount	27.9	5.3	33.3	5.6	38.9	5.4
Juvenile Justice Subaccount	142.1	10.6	152.7	11.2	163.9	10.9
<i>Youthful Offender Block Grant Special Account</i>	<i>(134.3)</i>	<i>(10.0)</i>	<i>(144.3)</i>	<i>(10.6)</i>	<i>(154.9)</i>	<i>(10.3)</i>
<i>Juvenile Reentry Grant Special Account</i>	<i>(7.8)</i>	<i>(0.6)</i>	<i>(8.4)</i>	<i>(0.6)</i>	<i>(9.0)</i>	<i>(0.6)</i>
Growth, Law Enforcement Services		261.8		313.7		318.4
Mental Health³	1,120.6	9.8	1,120.6	10.4	1,120.6	10.1
Support Services	3,404.9		3,591.7		3,789.9	
Protective Services Subaccount	2,169.5	88.5	2,258.0	93.9	2,351.9	90.9
Behavioral Health Subaccount	1,235.4	98.4	1,333.7	104.3	1,438.0	101.0
<i>Women and Children's Residential Treatment Services</i>	<i>(5.1)</i>	-	<i>(5.1)</i>	-	<i>(5.1)</i>	-
Growth, Support Services		196.7		208.6		202.0
Account Total and Growth	\$7,345.2		\$7,701.9		\$8,010.5	
Revenue						
1.0625% Sales Tax	6,699.5		7,010.6		7,310.9	
Motor Vehicle License Fee	645.8		691.3		699.6	
Revenue Total	\$7,345.3		\$7,701.9		\$8,010.5	

This chart reflects estimates of the 2011 Realignment subaccount and growth allocations based on current revenue forecasts and in accordance with the formulas outlined in Chapter 40, Statutes of 2012 (SB 1020).

¹ Dollars in millions.

² Base Allocation is capped at \$489.9 million. Growth does not add to the base.

³ Base Allocation is capped at \$1,120.6 million. Growth does not add to the base.



Local Governments Seek to Build on the Transformative Climate Communities Program

Local governments support the use of cap-and-trade revenues to achieve California landmark climate change goals, including efforts to reduce greenhouse gas (GHG) emissions.

As the closest level of government to Californians, local governments are uniquely positioned to work with local planners and the public to initiate integrated, multi-benefit projects that can deliver the greatest GHG reductions per dollar. This integrated approach facilitates development comprehensive projects that cut across sectors, engage multiple partners and would otherwise require multiple grant applications to multiple state agencies. These projects provide other environmental and economic co-benefits, including better air and water quality, reduction of natural resources and energy consumption, increased water supply and greater diversion of waste, as well as local jobs.

Issue: An integrated approach to funding GHG emission reduction projects is needed to ensure that California meets its climate goals. Investment in reducing emissions from the transportation, land management, municipal electricity, water management, and other key sectors is necessary and broadly supported. Further, achieving long range goals will require new and innovative programs.

Local governments stand at the intersection of these sectors, and are uniquely positioned to implement the greatest emissions-reducing projects. Therefore, they should be at the center of a cap-and-trade revenue investment strategy.

Solution: It is important to develop funding strategies that break down existing silos and allow for more comprehensive solutions. We urge the Legislature and the Governor to build upon the success of the existing Transformative Climate Communities (TCC) program, administered by the Strategic Growth Council (SGC). We propose the following approach:

- Appropriate \$200 million in additional funding to the SGC for TCC
- Expand the number of planning and implementation grants available for local agencies in fiscal year 2018-19
- Refine program eligibility criteria to include communities across geographic areas including disadvantaged communities
- Eligible entities should include local governments, special districts, joint powers authorities, nonprofits working in coordination with local governments, and other appropriate regional entities

A streamlined and incentive-based approach for funding climate adaptation and resiliency projects. This approach will be particularly useful in disadvantaged communities that would benefit in many ways from the technical assistance the TCC can provide to navigate complex and interconnected planning. The program will help local governments meet the challenges of adopting climate action plans and integrating strategies to transform communities and create long-term sustainability.

Child Support Budget issue

General Background

The federal child support program was established in 1975 to provide a means for children to receive the financial support they need from both parents to help ensure a bright future. Child support payments, collected from parents not residing with the children, help provide food, shelter, clothing and other basic living expenses for children. By providing vital income to families, the program helps promote family self-sufficiency and is a critical component in the fight against poverty.

The program is funded by a combination of federal and State funding and is only one of a few that provide uncapped federal dollars.

Program Funding Background

Historically, Child Support responsibilities were under each county District Attorney's office until 2000 when it was changed to a state program and individual county run departments were created. The State Child Support Reform Act of 1999 in California created a new California Department of Child Support Services (DCSS) and moved local administration of child support programs from the District Attorney's Office to newly created Local Child Support Agencies (LCSAs). At that time the historical funding allocations were placed into statute and there has not been a major change to the formula since that time.

California's base funding for the child support program has not increased since fiscal year (FY) 2002/03. As a result, local child support agencies (LCSAs) have not received an increase in basic administrative funding for the past 14 fiscal years, despite the fact that those agencies' operating costs continued to rise on an annual basis. In addition, no increase is being proposed for FY 2018/19.

In response to dwindling caseworker resources and the negative impact of flat funding on LCSAs, the Legislature provided a Revenue Stabilization funding augmentation (\$18.7 million--\$6.4 million State General Fund) in 2009/10 indicating that the funding was being provided to "maintain revenue generating caseworker staffing levels in order to stabilize child support collections."

Allocation Formula

The current model is based on a County-centric methodology which was developed in the 1990's while the LCSAs were under the jurisdiction of County District Attorneys. The methodology considered a number of factors, including county collections and the extent to which counties were in compliance with case processing requirements.

After its creation as a stand-alone state agency, the state simply adopted the same funding amount for each LCSA. Since FY 2000/01, the same funding dollars simply roll over from the prior year. The continued use of this antiquated and dysfunctional process, two decades later, has resulted in significant inequities in funding between the counties, which magnifies the problem of inadequate funding for those LCSAs that are relatively the most-underfunded. Despite ongoing discussions with the State child support department about the need for an allocation methodology, as well as an increase in program funding, no changes have been made to the local funding model.

Child Support Program and Services

California's Child Support Services Program works with parents - custodial and noncustodial - and legally acknowledged guardians to ensure children and families receive court ordered financial and medical support. Child support services are available to the general public through a network of 51 county and regional child support agencies.

The following services are provided:

- Establishing paternity (fatherhood)
- Locating absent parents
- Requesting child support orders from the court
- Requesting medical support orders from the court
- Enforcing child support orders
- Modifying child support orders
- Enforcing spousal support orders in conjunction with child support

Problem

Since the allocation formula is not based on caseload or other performance criteria, several counties are underfunded when their caseload and workload is compared with other counties with the same criteria. Specifically, there are fourteen counties that have been identified as the most in need of funding increases. The consequential factor in the determination of the 14 counties is a proposed allocation per case of \$630.00. Those counties, with less than \$630 per case are now referred to as the under-parity counties. A per case allocation amount is directly related to the ability of all counties to provide consistent and uniform services for California families, regardless of where they reside within California.

14 counties that are underfunded:

- Glenn
- Kern
- **Fresno**
- Imperial
- Kings
- **Los Angeles**
- Madera
- Merced
- **Riverside**
- **Sacramento**
- **San Joaquin**
- **San Bernardino**
- Stanislaus
- Tehama

Proposed Solution

Propose an additional state General Fund to be allocated towards those counties that are underfunded or under parity. This proposal would not make changes to the current formula or impact other counties allocations.

Draft