

TO: CONTRA COSTA COUNTY BOARD OF SUPERVISORS **VIA PDF E-MAIL**

FROM: MICHELLE RUBLACAVA, RACHAEL BLUCHER AND JIM GROSS,
NIELSEN MERKSAMER

DATE: DECEMBER 30, 2021

RE: 2021 END OF YEAR REPORT

The County's team of state advocates at Nielsen Merksamer is pleased to provide to the Board of Supervisors this report which provides an overview of state legislative and administrative activities impacting the County during 2021. In so doing, it also provides some insights into what to expect in 2022.

I. A FULL YEAR OF COPING WITH COVID-19.

As 2021 commenced, there were high hopes that California (and the nation) was going to be a step ahead of the pandemic. The state had taken action to reduce exposure by limiting both public and private gatherings and actively pursuing testing throughout the state. The new year also brought the availability of vaccinations against the virus. However, the unpredictability of the virus and the difficulties of both distribution of the vaccine and a greater-than-expected public resistance to vaccination resulted in retention of restrictive protocols and continued economic disruption.

From a state and local governance perspective, this resulted in COVID-19 continuing to be the most prominent issue to be addressed. As you are acutely aware, the impact of the virus and the challenges it brings go beyond the very significant public health crisis. It has illustrated the realities of persistent disparities and inequities in all aspects of government service. Hence, both the County and the state (Legislature and Governor) focused efforts on the impacts of COVID-19 on vulnerable communities and sought to use the "opportunity" to take a longer-term view of the issues to be addressed.

II. THE 2021-2022 STATE BUDGET.

The Governor's proposed budget took advantage of surprisingly strong tax revenues to address both the direct impacts of COVID-19 and the disparities and inequities that had been laid bare. Significant dollars were proposed to assist the most vulnerable populations, and steps (including \$600 "Golden State Stimulus" checks, the largest small business relief program in the nation, and the largest statewide renter assistance program in the country) were proposed to insulate them from the economic impacts of the pandemic. Again, these were intended to address the structural inequities, and thus were not simply short term "band aids."

While the Governor's proposed budget was not sufficient to support county public health departments in efforts to combat COVID-19, the Legislature remedied that in the record-high \$262.7 billion budget it enacted in June. The Legislature also had some additional priorities (such as funding a long-neglected system for caring for the developmentally disabled and broadband expansion) and, in fact, "slow walked" a few of the Governor's ambitious proposals (such as major expenditures for children's behavioral health) to obtain more details and better insights to implementation.

In addition, as the state budget was discussed and developed, Congress enacted and the President signed the American Rescue Plan Act (ARPA) in March. ARPA contained billions of dollars that would flow to states to address the impacts of COVID-19 and some of the long-term deficiencies in our public health and social services systems. By the time the Legislature passed a budget in June, much of the revenue California was receiving and would receive from ARPA was programmed in it.

III. THE CHALLENGES OF SPENDING BILLIONS OF DOLLARS.

If we did not know before, we learned quickly that effectively spending billions of dollars in new revenues is a tremendous challenge. In many instances, our bureaucratic infrastructures lacked the capacity and experience to move dollars quickly, leaving many residents waiting far longer for relief than expected. Counties often found themselves in the middle of these difficulties, as their residents looked to counties for solutions...and blame.

While the State has made progress in managing the massive undertaking of making real these programs and policy changes, the struggles continue, and we should expect that newly enacted programs and initiatives will always have a lag time in reaching those that are intended to benefit.

IV. HOMELESSNESS AND THE MENTALLY ILL.

In 2021, the Governor and the Legislature focused on the homelessness issue and the plight of the mentally ill. Building on Project Roomkey, initiated in March 2020 as a part of the state response to the COVID-19 pandemic, a significant amount of dollars was made available in the FY 2021-22 budget to address homelessness through both Project Homekey (\$1.4 billion) and other mechanisms aimed at both services and prevention. These efforts have been slow to illustrate statistical progress, as the number of the unhoused continues to grow. We can expect more attention in 2022, including more radical approaches such as potential enactment of a “right to shelter” law that would place significant obligations on local government.

The needs of those suffering from both mental health issues and the broader category of behavioral health (including substance abuse disorder) were a major topic of policy makers in 2021. Some new dollars are available for treatment of those on the street suffering from mental illness, but the mental health treatment infrastructure is severely lacking. The lack of trained mental health professionals and facilities for treatment will continue to burden those efforts. Many legislators have already stated plans for legislation in those areas.

The county was a co-sponsor of AB 988 (Bauer-Kahan), which was intended to both implement the federal 988 suicide prevention hotline but in so doing make a number of structural changes to local response to mental health emergencies. The bill was not acted upon by the Senate, but some funding was made available for hotline operations, though not enough to fully implement the system. Efforts regarding additional funding and structural changes will be pursued in 2022.

The state recognized the severe effect COVID-19 is having on our mental health and took specific action as it relates to the needs of children. Hundreds of millions of dollars were appropriated to assist with the behavioral health needs of children, and the Legislature and Governor will continue to work to effectively program those dollars.

V. HOUSING.

The Legislature continued to attempt to address the shortage of housing stock and the related problem of housing affordability. Virtually every member of the Legislature lists it as a priority. The signature bill that was enacted law in 2021 was SB 9 (Atkins) that preempts local zoning ordinances to allow for building additional dwellings on parcels zoned for single family units. Its impact on the housing crisis will not be sufficient to address the scope of the problem, but its policy shift is significant. Also, it should be

noted that in 2022, Assembly member Buffy Wicks, one of the County's legislative representatives, will serve as the chair of the Assembly Housing Committee.

VI. THE COUNTY'S 2021 LEGISLATIVE EFFORTS.

Contra Costa County was extremely active in the Legislature in 2021. In addition to sponsoring two major pieces of legislation (AB 389 (Grayson, Chaptered) and AB 988 (Bauer-Kahan)), the County actively supported numerous pieces of legislation that ultimately were enacted. (*Attachment A*) The County also worked closely with CSAC and the Urban Counties of California to enhance county services and address statewide issues such as the COVID-19 response and local agencies' ability to meet remotely during emergencies. The County was also consulted on a variety of statewide policy issues, particularly in the health and human services areas—such as DJJ realignment implementation and in-home supportive services. Its innovation, leadership and administrative excellence are recognized by legislators and the Newsom Administration, which gives the County “a seat at the table” in some of the most important issues being addressed in Sacramento.

VII. LOOKING TO 2022.

The County has an ambitious agenda for 2022, one that reflects the needs of its communities and the leadership role the County has in California. Speaking of leadership, the County (east County in particular) will be represented by new leadership in 2022 owing to the resignation of Assembly Member Jim Frazier (D-11), effective December 31, 2021. This resignation will trigger a special election to fill his seat for the remainder of the term through 2022. Of note, the district boundaries for D-11 have shifted due to the state redistricting process, moving more northward into Solano county, encompassing both Vallejo and Dixon.

Once again, California projects a significant surplus of revenue (on the order of \$31 billion) and has the opportunity to further address the issues set forth in this report. Assembly Budget Chair Phil Ting's initial list of [budget priorities](#) for 2022-23 emphasizes the priority of ensuring a more inclusive economic recovery and calls for studying the effectiveness of funds spent on programs like transitional kindergarten, broadband expansion, expanded Medi-Cal for older undocumented immigrants and initiatives related to the state's COVID-19 response. The Assembly's plan proposes to spend a large portion of the surplus on infrastructure improvements for schools and transportation projects. The Senate, through President pro Tempore Toni Atkins and Senate Budget & Fiscal Review Committee Chair Nancy Skinner, outlined a set of “[values](#)” that focuses largely on maintaining economic stability by paying down debts and retirement

liabilities, along with increasing California's budget reserves. The Senate plan also gives high priority to promoting equity through such measures as maintaining local school budgets, improving health care affordability and addressing homelessness and affordable housing. The Governor 's January Budget is expected to be released on January 10, 2022.

We expect a lot of success in 2022 as the County engages in Sacramento.

Contra Costa County 2021 Legislative Advocacy On Enacted Bills

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| CA AB 14 | <p>AUTHOR: Aguiar-Curry [D] TITLE: Communications: Broadband: Advanced Services Fund FISCAL COMMITTEE: yes URGENCY CLAUSE: yes INTRODUCED: 12/07/2020 ENACTED: 10/08/2021 DISPOSITION: Enacted LOCATION: Chaptered CHAPTER: 2021-658 SUMMARY: Requires the Public Utilities Commission to report specified information in perpetuity. Authorizes the commission to require each internet service provider, as defined, to report specified information regarding each free, low-cost, income-qualified, or affordable internet service plan advertised by the provider. Revises requirements related to the deaf and disabled telecommunications program. Requires a surcharge to collect revenue. Provides for certain local school district and agency cost reimbursements. STATUS: 10/08/2021 Chaptered by Secretary of State. Chapter No. 2021-658 Commentary001: CSAC supports. LOS sent, consistent with Platform.</p> |
| CA AB 332 | <p>AUTHOR: Env Safety & Toxic Material Cmt TITLE: Hazardous Waste: Treated Wood Waste: Management FISCAL COMMITTEE: yes URGENCY CLAUSE: yes INTRODUCED: 01/27/2021 ENACTED: 08/31/2021 DISPOSITION: Enacted LOCATION: Chaptered CHAPTER: 2021-147 SUMMARY: Requires a person managing treated wood waste to comply with the hazardous waste control laws or certain management standards, including standards for the reuse, storage, treatment, transportation, tracking, identification, and disposal of treated wood waste. Requires the wood preserving industry, as defined, to update the department, upon request, on trends within the wood preserving industry regarding the use of treated wood preservatives and the generation of treated wood waste. STATUS: 08/31/2021 Signed by GOVERNOR. Chaptered by Secretary of State. Chapter No. 2021-147 Commentary001: Coalition sign-on letter</p> |

CA AB 361

Rivas R [D]
TITLE: Open Meetings: State and Local Agencies: Teleconference
FISCAL COMMITTEE: yes
URGENCY CLAUSE: yes
INTRODUCED: 02/01/2021
ENACTED: 09/16/2021
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 2021-165
SUMMARY:

Authorizes a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting during a declared state of emergency, when state or local health officials have imposed or recommended measures to promote social distancing during a proclaimed state of emergency, provided certain requirements are met. Prohibits the closing of the public comment period.

STATUS:

09/16/2021 Chaptered by Secretary of State. Chapter No. 2021-165
Commentary001:

CSAC supports with coalition. Sent LOS consistent with Platform.

CA AB 389

Grayson [D]
TITLE: Ambulance Services
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/02/2021
ENACTED: 10/04/2021
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 2021-460
SUMMARY:

Specifies that a county is authorized to contract for emergency ambulance services with a fire agency. Requires a contracting fire agency to provide the ambulance service provider with reasonable advance written notice of any operational changes under the written subcontract and to use best efforts to address concerns raised by the ambulance service provider employees regarding those operational changes.

STATUS:

10/04/2021 Chaptered by Secretary of State. Chapter No. 2021-460
Commentary001:

Our sponsored bill

CA AB 480

Carrillo [D]
TITLE: Hazardous Substances
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/08/2021
ENACTED: 10/09/2021
DISPOSITION: Enacted

LOCATION: Chaptered
CHAPTER: 2021-743
SUMMARY:

Revises a reporting requirement to require, for regulated facilities, a handler, or an employee, authorized representative, agent, or designee of the handler, to report a release or threatened release of a hazardous material, hazardous waste, or hazardous substance to the UPA and the Office of Emergency Services immediately upon discovery of the release or threatened release.

STATUS:

10/09/2021 Chaptered by Secretary of State. Chapter No. 2021-743.
Commentary001: LOS sent consistent with Platform.

CA AB 636

AUTHOR: Maienschein [D]
TITLE: Financial Abuse of Elder or Dependent Adults
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/12/2021
ENACTED: 10/07/2021
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 2021-621
SUMMARY:

Authorizes information relevant to the incident of elder or dependent adult abuse to be given to a federal law enforcement agency, under certain circumstances, for the sole purpose of investigating a financial crime committed against the elder or dependent adult and would authorize the information to be given to a local code enforcement agency for the sole purpose of investigating an unlicensed care facility where the health and safety of an elder or dependent adult resident is at risk.

STATUS:

10/07/2021 Chaptered by Secretary of State. Chapter No. 2021-621
Commentary001:

UCC and CSAC Support. Sent Sign request to Gov.

CA AB 844

AUTHOR: Grayson [D]
TITLE: Empowerment Zone for the Northern Waterfront Area
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/17/2021
ENACTED: 09/28/2021
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 2021-377
SUMMARY:

Authorizes establishment of a Green Empowerment Zone for the Northern Waterfront area of the County of Contra Costa. Requires the Green Empowerment Zone to create and maintain an internet website that is managed and updated by an entity designated by the board of directors. Tasks the Green Empowerment Zone with various duties to improve the economic vitality of the Northern Waterfront area of the County of Contra Costa in a coordinated effort

to support the development of the clean energy economy.

STATUS:

09/28/2021 Chaptered by Secretary of State. Chapter No. 2021-377
Commentary001: LOS sent consistent with Platform.

CA SB 594

AUTHOR: Glazer [D]
TITLE: Elections: Redistricting
FISCAL COMMITTEE: yes
URGENCY CLAUSE: yes
INTRODUCED: 02/18/2021
ENACTED: 09/27/2021
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 2021-320
SUMMARY:

Makes various changes to existing law relating to candidate nominations and compilation of registered voter data in order to accommodate the extended state redistricting deadline for the statewide direct primary election on a specified date. Defines "state redistricting deadline" for these purposes to mean the extended deadline established by the Supreme Court of California described above, or that deadline as modified in any subsequent related proceeding.

STATUS:

09/27/2021 Signed by GOVERNOR.
 09/27/2021 Chaptered by Secretary of State. Chapter No. 2021-320
Commentary001: LOS sent consistent with Platform.

CA AJR 4

AUTHOR: Garcia [D]
TITLE: Basel Convention: Ratification
INTRODUCED: 01/12/2021
ENACTED: 07/15/2021
DISPOSITION: Adopted
LOCATION: Chaptered
CHAPTER: 2021-077
SUMMARY:

Declares California to be in favor of the United States ratification of the Basel Convention at the earliest opportunity and would request the Biden Administration to accomplish this ratification as a matter of urgency.

STATUS:

07/15/2021 Chaptered by Secretary of State.
 07/15/2021 Resolution Chapter No. 2021-077
Commentary001: LOS sent consistent with Platform.