



Contra
Costa
County

To: Board of Supervisors
From: LEGISLATION COMMITTEE
Date: January 23, 2018

Subject: Proposed 2018 State and Federal Legislative Platforms and 2017 Year-End Advocacy Reports

RECOMMENDATION(S):

1. ACCEPT the Year-End reports on the County's 2017 federal and state legislative advocacy efforts. 2. ADOPT the Proposed Contra Costa County 2018 Federal and State Legislative Platforms. 3. DIRECT the County Administrator's Office to return to the Board of Supervisors, as necessary, to update the County's 2018 Legislative Platforms to reflect intervening legislative actions. 4. DIRECT the County Administrator's Office and department staff to review proposed legislation that relates to the County's adopted legislative platforms and to recommend appropriate positions on specific bills for consideration by the Legislation Committee and/or the Board of Supervisors. 5. AUTHORIZE Board members, the County's federal and state legislative representatives, and the County Administrator, or designee, to prepare and present information, position papers and testimony in support of the adopted 2018 Federal and State Legislative Platforms.

FISCAL IMPACT:

No direct impact to the County from the acceptance of the Year-End reports and the adoption of the Legislative Platforms.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☒ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **01/23/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 23, 2018

David Twa, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: L. DeLaney,
925-335-1097

cc:

BACKGROUND:

In January of each year, Year-End reports are submitted to the Board of Supervisors on the County's federal and state legislative advocacy programs and activities for the prior calendar year. At the same time, the Board of Supervisors also considers and acts on the proposed Federal and State Legislative Platforms for the coming year. Year-End reports for 2017 were prepared by the County's federal advocate, Mr. Paul Schlesinger of Alcalde & Fay and by the County's state advocate, Ms. Cathy Christian of Nielsen Merksamer Parrinello Gross & Leoni LLP. The Federal Year-End report is included as **Attachment A**. The State Legislative Year-End report is **Attachment B**.

PROPOSED 2018 FEDERAL LEGISLATIVE PLATFORM

Each fall, the County Administrator's Office initiates the development of the coming year's Federal Legislative Platform by inviting members of the Board of Supervisors, Department Heads, key staff, and the Board's advisory bodies, to provide recommended changes or additions to the adopted Platform. The CAO staff also consults with the County's federal advocate, Mr. Paul Schlesinger, on the development of the Platform. In September 2017, stakeholders were invited to provide suggested changes to the Federal Platform in writing.

The Legislation Committee reviewed the Draft 2018 Federal Platform at its December 11, 2017 meeting and voted to recommend its adoption by the Board of Supervisors. The Transportation, Water, Infrastructure Committee (TWIC) also reviewed and approved the the transportation-related components of the Platform. Subsequent to the meeting of the Legislation Committee, staff was made aware of policy proposals for the 2018 State and Federal Platforms that were recommended by the County Librarian, Melinda Cervantes. The library related policy proposals have been included in the 2018 Proposed Platforms.

The Proposed 2018 Federal Platform in a redline version (showing changes from 2017) is **Attachment C** and a clean-copy version is **Attachment D**. Changes to the Platform from previously adopted versions are indicated in **yellow highlight**. The significant amendments to the 2017 adopted Federal Legislative Platform that are proposed include the following:

FEDERAL FUNDING NEEDS

Two projects have been proposed for deletion from the list due to the identification of other revenue sources for local needs. However, a policy statement from Public Works has been proposed for inclusion: *With respect to any proposed federal Infrastructure bill, the County would support legislative language that includes infrastructure projects for all elements of stormwater: regional scale flood protection infrastructure (usually operated by flood control districts), local scale storm drain pipes (operated by cities and counties), storm water quality treatment facilities (operated by cities and counties), and groundwater recharge (often operated by special districts, but also cities and counties).*

The projects proposed for deletion are:

1. Emergency Operations Center (EOC) - \$350,000,000 for state and local efforts to sustain and enhance the effectiveness of their emergency management programs for all hazards preparedness.
3. Safe and Bright Futures for Children Exposed to Domestic Violence and Trauma – \$400,000 to implement the federally funded plan to diminish the damaging effects of domestic violence, and exposure to early trauma on children and adolescents and to stop the cycle of intentional injury and abuse.

FEDERAL TRANSPORTATION NEEDS

There is a proposed project description revision to #4 (formerly eBART Extension Next Phase Study/ Environmental and Engineering), now called Brentwood Intermodal Transit Center (BITC): Project to improve access, and advance design and development of a transit center located in Brentwood, and serving Oakley, southeast Antioch, Discovery Bay and Brentwood. The BITC is proposed for Highway 4 between Lone Tree Way and Sand Creek Road and would be served initially by Tri Delta Transit. Access would be provided via an extension of Heidorn Ranch Road, and the multimodal Mokelumne Trail. A possible future extension of eBART from the Antioch Station would be considered later.

Additional text changes are incorporated in the Proposed Platform for the most up-to-date project cost and description information, including to the Surface Transportation Program/Highway Bridge Funding, as follows:

In addition to the funding levels, the County also supports regulation changes that permit direct funding to local jurisdictions, bypassing the Federal Highway Administration and Caltrans Local Assistance. The goals of these changes are to:

- Get federal transportation funding into the community as soon as possible to create and preserve jobs, both in the private sector and the public sector, in America;
- Maximize purchasing power by eliminating the burdensome additional administrative process and cost associated with multiple layers of government between funding and construction of shovel ready improvement and maintenance projects; and
- Fund the critical first and last part of each journey of goods, people, and services--local roads of America--providing certainty for businesses and laying the foundation for lasting economic growth.

POLICY POSITIONS

The following policy positions are proposed for the 2018 Federal Platform. New policy subjects are identified as "new."

(New) Aging and Adult Services – Contra Costa County administers grants through the Area Agency on Aging (AAA). Through public and nonprofit agency contracts, the AAA provides many services annually for elderly county residents, including group (congregate) meals, rides to congregate meal sites, nutrition education sessions, home delivered meals, legal assistance, long term care ombudsman services, in home and respite registry services, home visiting and adult day care, family caregiver support, assessments for fall prevention and fall prevention exercise classes. The Older Californians Act provides Title III grants for community services and nutrition.

The County will advocate for the following federal actions: a. OPPOSE the elimination or reduction of funding for the Older Americans Act and Programming. b. OPPOSE the elimination or cuts to the Elder Justice Act. The Elder Justice Act, as part of the Patient Protection and Affordable Care Act, provides federal resources to “prevent, detect, treat, understand, intervene in and, where appropriate, prosecute elder abuse, neglect and exploitation.” c. OPPOSE elimination and funding cuts to the Senior Community Service Employment Program, which is the nation’s oldest program that helps low-income, unemployed individuals aged 55+ years find work.

Child Care:

- OPPOSE block granting Head Start and Early Head Start programs.
- SUPPORT new comprehensive proposals that would enhance funding and development of early care and education infrastructure, including increasing supports, services, and increased compensation for the early education workforce.
- SUPPORT efforts that increase access to home visiting programs that are designed and implemented to support families in providing an environment that promotes healthy growth and development of young children.

Child Welfare and Well-being

- Modify the Federal Title IV-E Foster Care eligibility income standard from the current 1996 AFDC Federal Poverty Level (100% FPL) to be in line with (and follow) the Medicaid 138% FPL standard.
- OPPOSE the elimination or cuts to the Social Services Block Grant and the Adoption Assistance Program.

(New) Deferred Action for Childhood Arrivals – OPPOSE legislation and administrative actions to repeal DACA (Deferred Action for Childhood Arrivals) as well as legislation and administrative efforts that target individuals due to their color, religious affiliation or national origin.

Health

OPPOSE efforts to repeal the Affordable Care Act or to replace it with any proposals that represent significant, permanent structural alterations to current subsidized segments of the health care system. This would include proposals that would convert Medicaid enrollee categories to a per-capita cap model, thereby establishing hard federal funding caps for state Medicaid programs. These proposals could force the state to make cuts of its own to offset the loss of federal funding. Contra Costa's entire Medi-Cal (Medicaid) population of approximately 250,000 people, including 90,000 children, could be affected as a result.

OPPOSE new block-granting proposals, harsh cuts, or proposals that will significantly and/or permanently shift the structure of health and human service funding and programming that would lead to the restriction or elimination of safety-net programs. Reductions in federal human services funding and programming severely limits critical support for our community and state. Block grants often lead to decreases in funding that forces states to limit benefits for families, cap enrollment, and establish waitlists. These restrictions result in families who need these supports and services, not being able to access them, possibly leading them into deeper poverty and distress.

OPPOSE federal legislation and administrative efforts to eliminate or reduce funding for essential public health services, inclusive of funding for immunization, HIV/Ryan White, Communicable Disease and Tuberculosis Control, Hansen's Disease, Teen Pregnancy, Public Health Preparedness and Maternal Child Health Funding.

SUPPORT reauthorization of funding for HIV/Ryan White Care, Maternal Child Health Funding including Maternal Infant Early Childhood Home Visiting (MIECHV), and CHIP (Children's Health Insurance Program).

(New) Interpersonal Violence – Interpersonal violence, often referred to as intimate partner violence, domestic violence or battering, is a pattern of behavior used to establish power and control over another person through fear and intimidation, often including the threat or use of violence. The abuse can take several forms: physical, emotional, sexual, and economic as well as threats, stalking/surveillance, isolation and intimidation. Although women are more likely to be targeted, anyone can be a victim of interpersonal violence including those in the LGBTQ communities, men, disabled persons, seniors, and elders. The County will advocate for the following federal actions:

- OPPOSE any and all funding cuts, including but not limited to elimination of grant programs for violence prevention, human/labor trafficking, victim services, and/or issues related to interpersonal violence. In addition to OPPOSING any threats to cut or eliminate Department of Justice federal grants related to the Violence Against Women Act.
- SUPPORT efforts that increase access to cultural responsiveness and language support for victims of crime.
- SUPPORT efforts that promote collaboration and coordination across systems;

including the sharing of confidential or protected information in multidisciplinary team settings in order to increase support for survivors.

- SUPPORT the sustainment and implementation/practice of the Hostile Environment Harassment and Liability for Discriminatory Housing Practices under the Fair Housing Act that protects housing access for victims of harassment and survivors of domestic violence.
- SUPPORT efforts to protect employment rights for survivors of interpersonal violence.
- SUPPORT efforts that promote training, capacity building and deeper understanding for students, educators and social service staff on trauma informed care, adverse childhood experiences, healthy workplaces and schools.

(New) Library Support – The County will support funding for the Institute of Museum and Library Services (IMLS), the primary source of federal support for the nation's approximately 120,000 libraries and 35,000 museums and related organizations. In recent years California has received more than \$16M statewide. IMLS is the federal agency that distributes funds to state libraries who in turn fund statewide initiatives and competitive Library Services and Technology Act (LSTA) grants to public libraries. IMLS was at risk of being eliminated for FY'18 and may face a similar threat again. The Contra Costa County Library has received funding for Discover & Go, War Ink, STEAM, Career Online High School (COHS) scholarships, and numerous other programs and services over the years.

(New) Low Income Home Energy Assistance Program (LIHEAP) - LIHEAP helps low-income families pay their heating bills. LIHEAP is a grant that offers assistance in the form of a cash grant, sent directly to the utility company, or a crisis grant for households in immediate danger of being without heat. Weatherization Assistance Program (WAP) enables low-income families to reduce their energy bills by making their homes more energy efficient. Funds are used to improve the energy performance of dwellings families in need, using the most advanced technologies and testing procedures available in the housing industry. The County will advocate for the following federal actions:

- OPPOSE elimination and reduction in funding for the LIHEAP and WAP programs.

(New) Preservation of the federal deduction on State and Local Taxes (SALT)--The County opposes repeal of the federal income tax deduction on State and Local Taxes (SALT). Since 1913, the SALT deduction has been a deduction available to taxpayers in recognition that the portion of income deducted was spent on state and local public services such as public safety and transportation. In modern history, the SALT deduction has had a strong correlation to the mortgage interest deduction. This is because most homeowners pay property taxes on real property owned in their State, which are subsequently deducted using the SALT deduction on federal income taxes. For this reason, the SALT deduction can be viewed as a valuable financial benefit of homeownership. Repeal of the SALT deduction and the corresponding reduction in

financial benefit of homeownership, could lead to a change in market prices of homes to “price in” the loss of the SALT deduction to homeowners. In California, ad valorem property taxes, which provide general purpose revenue to local governments, including cities and counties, is based on the assessed value of, among other things, residential homes. Should a repeal of the SALT deduction lead to a corresponding reduction in home values, local governments in California would be negatively impacted by reduced home values.

Public Housing Programs -- Preserve the availability of tax-exempt Private Activity Bonds which are the most common form of financing of affordable multi-family housing projects.

Supplemental Nutrition Assistance Program (SNAP) -- SUPPORT efforts that would allow people to apply for CalFresh while incarcerated.

Temporary Assistance for Needy Families –

- SUPPORT policies that do not penalize work and movement towards financial stability. Families who are working and receiving modest cash assistance grants to supplement low earnings should not be subject to the federal time limit on assistance. Running the time limit clock while a parent is working and receiving such supplements means both that a family could lose assistance when it has exhausted its time-limited benefits and not be able to receive additional assistance if the parent loses his/her job. TANF should send a strong message to recipients that “work pays” – running the clock while a family is working undermines this message.
- Allow temporary exemptions from time limits and work requirements for families confronting severe employment barriers - including living in an area of high unemployment or are victims of abuse.
- Reauthorize and increase the TANF Block Grant. The allocation of the block grant has not increased since 1997. Support funding TANF annually by an amount commensurate with the rate of inflation to ensure that the program’s actual value does not decrease each year.

Workforce Development – The County will OPPOSE cuts to WIOA funding and programming.

PROPOSED 2018 STATE LEGISLATIVE PLATFORM

Each fall, the County Administrator’s Office initiates the development of the coming year’s State Legislative Platform by inviting members of the Board of Supervisors, Department Heads, key staff, as well as the Board's advisory bodies and the public, to provide recommended changes or additions to the current adopted Platform. In September, all were invited to provide suggested edits to the State Platform in writing.

Staff also consults with the County's state advocate, Ms. Cathy Christian, Mr. Ben Palmer, and Mr. James Gross, and reviews the proposed legislative platforms of the Urban Counties Caucus (UCC) and the California State Association of Counties (CSAC) for consistency.

The County's Legislation Committee (Chair Burgis and Vice Chair Mitchoff) reviewed and approved a Draft 2018 State Legislative Platform at their meeting on December 11, 2017, with modifications as directed. A redline version of the Proposed 2018 State Legislative Platform is **Attachment E**, and a clean version of the Proposed 2018 State Platform is **Attachment F**.

The significant amendments to the 2017 State Platform for the Proposed 2018 State Platform include the following:

COUNTY-SPONSORED LEGISLATION

For 2018, the following County-sponsored bill will be pursued:

West Contra Costa Healthcare District (SB 522, Senator Glazer)

Given the District's limited funding and change in operations, legislation that would allow the Board of Supervisors to appoint the District's governing body is necessary and appropriate. It would eliminate the cost of elections and foster collaboration between the District and the County as these two public agencies work together to meet the medical needs of District residents. On August 1, 2017, the Board of Supervisors authorized the County Administrator to seek legislation to change the District's Board of Directors from an elected board to one appointed by the Board of Supervisors. The District's governing body also supports this change. A bill has been introduced to accomplish this, SB 522, and will be considered in January 2018.

LEGISLATIVE/REGULATORY ADVOCACY PRIORITIES

No changes to the nature or order of legislative priorities are proposed for 2018. However, a text change is proposed for Priority 1: State Budget, to recognize the anticipated impact of the State-imposed changes to the In-Home Supportive Services (IHSS) program.

STATE PLATFORM POLICY POSITIONS

Climate Change

Add: Policy #20: SUPPORT efforts to expand eligible expenditures of the Greenhouse Gas Revenue Fund to investments in accessible transit/transportation systems (serving seniors, disabled, veterans) which result in more efficient (shared trips, increased coordination) service and corresponding reductions in greenhouse gas production. This

policy is in support of the accessible transit/transportation initiatives discussed during the Measure X and 2017 Countywide Transportation Plan approval, and is consistent with the "Accessible Transportation" report provided to the Board of Supervisors in September 2017 which documented the need for substantial investment to make improvements in this field. The September 2017 report established that the County is not unique in this situation; these issues are widespread which justifies a statewide/nationwide legislative approach.

Add: Policy #24: As California and the East Bay region experiences more frequent and prolonged periods of extreme heat, extreme heat will impact human health, demand on health services, potable water, agriculture, vectors, wild fires, and demand on electricity. SUPPORT funding and infrastructure to help protect vulnerable communities and populations as the mean temperature of the region steadily increases due to global climate change

General Revenues/Finance

Add: Policy #61: OPPOSE the establishment of specific or stricter standards for the use of personal services contracts by counties, that would make contracting with community-based organizations more difficult for counties.

Health Care

In addition to numerous text changes, the addition of the following policies are proposed:

86. SUPPORT legislation and administrative actions that further align a statewide regulatory framework for the commercial cannabis industry and that continue to authorize local jurisdictions to adopt more restrictive measures to protect the health, safety and welfare of their residents.

110. SUPPORT legislation that extends the restrictions and prohibitions against the smoking of, and exposure to, marijuana products in various places, including, but not limited to, places of employment, school campuses, public buildings, day care facilities, multi-family housing, health facilities, alcohol and other drug treatment facilities, and homeless shelters; further prohibit marijuana edibles to prevent youth/children access to harmful products; restrictions on advertising of marijuana products targeting youth and near places frequented by youth or alcohol and other drug treatment facilities.

111. SUPPORT funding, legislation, policy, and programs that would accomplish the following: a. create an effective crisis response system of services for persons experiencing homelessness, particularly families and transition-age youth; b. increases permanent housing with services for persons experiencing or at-risk of homelessness with a chronic disability; and c. protects and expands the availability of affordable housing, particularly for the Very Low and Extremely Low Income population.

Human Services

Human Services was reorganized into the following categories: Aging and Adult Services, Safety Net Programs, Early Care and Education, Child Welfare, and Violence Prevention. New policy proposals include the following:

124. SUPPORTS efforts to allow counties to use alternative reassessment approaches, including but not limited to telephonic reassessments, that would be applied to customers rated low on the Functional Index Rating Scale.

125. SUPPORT efforts that focus on dependent adult and elder abuse prevention including, but not limited to, providing respite for caregivers.

126. SUPPORT efforts that identify, eliminate and prevent in-home neglect of the elderly and dependent adults; and scams and fraud (internet and otherwise) targeted at the elderly and dependent adults.

127. SUPPORT efforts that would require the California Department of Social Services to translate all state-provided materials used by In-Home Support Services providers into the statewide threshold languages: English, Spanish, Armenian, and Chinese.

128. SUPPORT efforts that would help to stabilize and provide short-term housing supports for at-risk Adult Protective Services clients.

129. SUPPORT legislative efforts that would enhance confidentiality of DMV records for Adult Protective Services social workers (a practice already in place for Child Protective Services social workers).

145. SUPPORT efforts for a more flexible framework that allows the state to supplement CalFresh benefits if federal assistance is insufficient or unavailable. Recent natural disasters have underscored the need for a more permanent framework for the state to respond.

146. SUPPORT continuous investment in the California Earned Income Tax Credit (CalEITC) and efforts to increase access to California Earned Income Tax Credit, including increase in tax credit.

147. SUPPORT the expansion of benefits and services for immigrants, refugees, and asylum seekers.

148. SUPPORT providing funding for graduation bonuses for non-pregnant/parenting CalWORKs students who obtain a high school diploma/equivalent.

149. SUPPORT shared housing efforts to secure permanent housing assistance for CalWORKs participants.

163. SUPPORT efforts to that would establish/allow the enrollment of 2.9 year olds in the California State Preschool Program.

164. SUPPORT alignment of family eligibility for subsidized child care with cost of living adjustments and higher minimum wage rates.

165. SUPPORT the restoration of State Quality Child Care Funds which funds the Local Child Care Planning Council.

166. SUPPORT the increase in flexibility of child care contracts with the California Department of Education that would allow voluntary transfer of funds to occur outside of November and May months.

167. SUPPORT efforts to raise wages for the early care and education workforce (such as child care workers, preschool/infant-toddler teachers).

168. SUPPORT efforts that encourage access to early education home visiting programming - supporting families in providing an environment that promotes healthy growth and development of their young children.

173. SUPPORT legislative efforts that would amend the definition of “relative” as applied to state funded Kinship Guardianship Assistance Payments (Kin-Gap) to be consistent with the federally funded Kin-Gap. This will allow all Kinship guardianship cases to be treated uniformly and allow more families to experience independence, normalcy and other benefits of permanence as legal guardians.

175. SUPPORT efforts to expand California Earned Income Tax Credit (Cal-EITC) eligibility to former foster youth under age 25 years.

176. SUPPORT efforts that would create state Homeless Youth Housing Program grants fund to establish or expand programs that provide specified housing assistance and supportive services to homeless youth.

181. SUPPORT efforts to increase training on human trafficking (with a specific focus on labor trafficking) for law enforcement and others involved in criminal investigations.

182. SUPPORT efforts that seek to specialize and build expertise for designated staff and systems (such as developing a commercially sexually exploited youth court or creating human trafficking units) to better support survivors of human trafficking.

183. SUPPORT efforts that differentiate risk and provide differential response for both victims of domestic violence and sex crimes and offenders of domestic violence and sex crimes.

184. SUPPORT efforts to increase language access and cultural responsive services for

survivors of interpersonal violence.

185. SUPPORT efforts that foster collaboration across protective and criminal systems which allow for facilitation of cross-reporting of interpersonal violence.

186. SUPPORT efforts to increase cross-agency and cross-system collaboration on human trafficking and domestic violence cases including the sharing of confidential or protected information in multidisciplinary team settings in order to increase support for survivors.

187. SUPPORT efforts that promote training, capacity building and deeper understanding for students, educators and social service staff on trauma informed care, adverse childhood experiences, healthy workplaces and schools.

188. SUPPORT efforts that ensure survivors of interpersonal violence feel safe to access services.

Land Use/Community Development

The following policy proposal was submitted by the Hazardous Materials Commission:

210. SUPPORT legislation that funds programs to remediate brownfield sites in the County and modifies existing programs to make implementation easier or apply more broadly. Specifically:

- Consider modification to the Cleanup Loans and Environmental Assistance to Neighborhoods (CLEAN) program that would simplify the approval process for applications;
- Broaden the criteria for sites that are eligible for California Land Reuse and Revitalization Act (CLRRA) to include all sites that are listed by the State or Federal Government as contaminated; and
- Fully fund the California Recycle Underutilized Sites (CALReUse) program.

Transportation

In addition to text changes, the following additional policies are proposed:

246. OPPOSE efforts to condition or link the distribution of transportation funds to a jurisdiction's production of housing relative to RHNA (Regional Housing Needs Allocation).

247. SUPPORT administrative or legislative mechanisms that facilitate coordination between transportation agencies and utilities relative to expediting construction projects.

Without willing and proactive coordination, transportation projects are subject to delays and substantially increased costs. These costs are borne by the taxpayers.

Workforce Development

262. SUPPORT efforts to include marginally attached workers, including discouraged workers, and involuntary part-time workers more formally in the California Workforce Investment Act. (*Marginally attached workers are persons not in the labor force who want and are available for work, and who have looked for a job sometime in the prior 12 months (or since the end of their last job if they held one within the past 12 months), but were not counted as unemployed because they had not searched for work in the 4 weeks preceding the survey. Discouraged workers are a subset of the marginally attached.*)

CLERK'S ADDENDUM

Speaker: Mariana Moore, Ensuring Opportunity Campaign.

ATTACHMENTS

Attachment A: 2017 Federal Advocacy Year-End Report

Attachment B: 2017 State Legislative Advocacy Year-End Report

Attachment C: Proposed 2018 Federal Platform--redlined

Attachment D: Proposed 2018 Federal Platform

Attachment E: Proposed 2018 State Platform--redlined

Attachment F: Proposed 2018 State Platform