

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

**Monday, September 27, 2021
1:30 p.m.**

**Supervisor Keith Carson, Chair
Supervisor Wilma Chan**

**Location: County Administration Building Room 255
1221 Oak Street, 2nd floor
Oakland, CA 94612**

Summary/Action Minutes

I. Federal Legislative Update – CJ Lake

Schedule

Both chambers of Congress are in session and holding votes this week. Democrats will attempt to pass a bipartisan infrastructure measure, the bulk of President Joe Biden's economic agenda, and a continuing resolution to fund the government past the end of the fiscal year on Thursday.

Continuing Resolution

The Senate is expected to vote today at 5:30 p.m. on the motion to proceed to a vote on the House-passed continuing resolution (H.R. 5305) that includes a suspension of the debt ceiling and funding for disaster relief. Republicans are expected to block the bill's consideration. Republicans have said they would support the government funding measure without the debt limit provision, so if today's procedural vote fails, lawmakers would likely craft a new CR that does not include a debt ceiling suspension and vote again in both chambers. The measure needs to be signed into law by 11:59 p.m. on Thursday night to avoid a lapse in funding. At the same time, funding for surface transportation programs is slated to expire on September 30th. The House will need to pass the bipartisan infrastructure bill to extend funding, or they will be forced to attach an extension to the continuing resolution.

Infrastructure

In August, Speaker Pelosi pledged to hold a vote on the \$1 trillion infrastructure bill by today. Pelosi said that she will open debate on the Senate-passed measure today and put it to a vote on Thursday. Moderates are heavily in favor of passing the infrastructure bill, while Progressives want to make sure that the \$3.5 trillion Build Back Better Act is still on track and are insisting on progress first on Build Back Better before they will provide the necessary votes to pass the infrastructure bill.

Budget Reconciliation

The House Budget Committee assembled and passed the \$3.5 trillion Build Back Better Act on Saturday, but that is not the reconciliation package on which the House will ultimately vote. Instead, Speaker Pelosi, Senate Majority Leader Schumer, and White House officials are scrambling to reach a deal on a framework that could garner widespread Democratic support prior to the vote on infrastructure.

DACA Proposed Rule

Today, the Department of Homeland Security issued a proposed rule that preserves the Deferred Action for Childhood Arrivals (DACA) policy that DACA recipients should not be a priority for removal. If finalized, the proposed rule would create the DACA program through regulation. The program was previously developed through a 2012 secretarial memo. This move will likely offer more protection from legal challenges and potential reversal by future administrations. Trump officials attempted to end the program in 2017 but were stopped in court for failing to go through a full public process.

This proposed rule was issued in response to a July 2021 order issued by the U.S. District Court for the Southern District of Texas, prohibiting DHS from granting new DACA requests. DHS continues to accept and process DACA renewal requests based on the terms of DACA policy, as permitted by the court's order. The Biden-Harris Administration has appealed the Texas court ruling.

Purpose:

- ☐ Report progress
- ☐ Advocacy or Education
- ☐ Request PAL Committee Recommendation or Position
- ☒ **Other: Federal Update**

This item was informational only and required no Committee action.

II. State Legislative Update – Political Solutions

The legislature has adjourned for its fall recess and will be returning to the Capitol on January 3, 2022.

The Governor held signing ceremonies throughout the week highlighting legislation such as AB 1184 (Chiu) Medical information: confidentiality, AB 1356 (Bauer-Kahan) Reproductive health care services and SB 170 (Skinner) Budget Act of 2021. He has until October 10, 2021, to act on bills that have made it to his desk.

Redistricting

The Citizens Redistricting Commission had asked for an extension of deadlines for preliminary and final maps. The request would have pushed the release of preliminary maps for new Congress, state Legislature and Board of Equalization districts to November 19, 2021, and the approval of final maps to January 14, 2022. On Wednesday the California Supreme Court rejected this request but agreed to extend the preliminary map deadline to November 15, 2021, and final certification to December 27, 2021.

Alameda County Sponsored Bills

- AB 368 (Bonta) Food prescriptions. Status: Held in Committee
- AB 1294 (Quirk) Child Care Pilot. Status: Enrollment, on the way to the Governor's desk
- Alameda's Child Care Pilot extension was included in budget bill AB 131 - signed by the Governor
- AB 924 (Wicks) Alameda Health System: hospital authority. Status: Has been turned into a 2-year bill at the request of the County

Governor Gavin Newsom

The Governor issued an Executive Order last Monday afternoon, waiving the application of AB 361 (Rivas) until October 1, 2021; when the provisions of a prior executive order that established certain requirements for public agencies to meet remotely during the COVID-19 emergency will expire.

The Governor signed the following legislation last week:

- AB 1243 (Rubio) Protective orders: elder and dependent adults.
- SB 1 (Atkins) Coastal resources: sea level rise.
- SB 19 (Glazer) Winegrowers: tasting rooms.

The Governor signed the following budget-implementing legislation:

- SB 155 (Budget) Public resources trailer bill.
- SB 162 (Budget) Community Economic Resilience Fund Program.
- AB 163 (Budget) State government.
- SB 165 (Budget) State employment: State Bargaining Units.
- SB 166 (Budget) Department of Cannabis Control: licensure: fee waivers and deferrals.
- AB 167 (Budget) Education finance: education omnibus budget trailer bill.
- SB 168 (Budget) Childcare.
- SB 169 (Budget) Postsecondary education trailer bill.
- SB 170 (Skinner) Budget Bill Jr. IV
- SB 171 (Budget) Health.
- AB 173 (Budget) Public Safety.
- AB 174 (Budget) Vehicles.
- AB 175 (Budget) Housing: mortgages and deeds of trust: use of state property: surplus land disposal: financing programs.
- AB 176 (Budget) Governor's Office of Business and Economic Development: Office of Small Business Advocate: grant programs: taxation: credits: exclusions: sales and use tax.
- AB 177 (Budget) Public safety.

LAO Revenue Outlook Update – September 2021

The Legislative Analyst's Office released a report today, and provided an "interim update" of the formal revenue outlook for 2021-22.

The LAO projects that personal income, sales, and corporation taxes will "exceed the budget act assumption of \$170 billion in 2021-22." Current estimates show an unanticipated revenue of between \$5-\$25 billion, but the LAO included a disclaimer noting that "there remains significant uncertainty about how much the state ultimately will collect."

Key Dates and Deadlines

Governor's Sign/Veto Deadline – October 10, 2021

Legislature Returns – January 3, 2022

Purpose:

- ☐ Report progress
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PUBLIC COMMENT

None.

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