

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

Monday, January 30, 2017  
1:30 p.m.

Supervisor Keith Carson, Chair  
Supervisor Wilma Chan

Location: Board of Supervisors Chambers – Room 512 5<sup>th</sup> floor  
County Administration Building  
1221 Oak Street, Oakland, CA 94612

## Summary/Action Minutes

### I. Federal Legislative Update – CJ Lake

The House and Senate are in session this week. The Senate will be focused on confirming some of President Trump's cabinet nominees, while the House is set to begin using the Congressional Review Act to overturn various Obama administration regulations. President Trump is also set to announce his nominee to the Supreme Court tomorrow night at 8:00pm.

#### Executive Orders

Shortly after taking office, President Trump began signing executive orders to follow through on some of his main campaign promises. He has signed multiple executive orders throughout the last week and will continue to sign additional orders in the coming days. Below is a list of executive orders signed by President Trump.

- Obamacare repeal
- Regulatory Freeze
- National Day of Patriotic Devotion
- Freezing hiring of federal workforce
- Funding ban on groups promoting abortion overseas/"Mexico City" policy
- Withdrawing from the TPP
- Green lighting Keystone XL
- Green lighting Dakota Access Pipeline
- Streamlining Permitting and Reducing Regulatory Burdens for Domestic Manufacturing
- Expediting Enviro Reviews and Approvals for High Priority Projects
- Construction of American Pipelines
- Border Security Measures
- Pursuit of Undocumented Immigrants
- Reevaluating visa and refugee programs
- Strengthening the Military
- Reorganizing the National Security and Homeland Security Councils
- Implementing a Lobbying Ban
- Defeating ISIS
- Reducing regulations

#### Congressional Review Act

Republicans in the House will focus their efforts this week on overturning regulations established under the Obama administration. The House Rules Committee will begin by setting terms for debate for the following agency regulations:

- The Social Security Administration finalized a rule on Dec. 19 to report beneficiaries who have a mental health condition to the National Instant Criminal Background Check System, which the FBI uses to determine eligibility for purchasing firearms or explosives. The SSA said the rule implements provisions of the NICS Improvement Amendments Act of 2007 to provide relevant records to the FBI, and follows a directive from former President Barack Obama to improve the availability of these records.
- Under another measure, Congress would disapprove of the resource extraction rule from the SEC. The rule, which took effect on Sept. 26, requires companies to disclose payments to the U.S. and foreign governments for the development of oil, natural gas or minerals. The SEC adopted the rule, which was required by the Dodd-Frank Act, in June.
- Congress would also disapprove of a rule requiring prospective federal contractors to disclose their labor violations. Business groups said the so-called “blacklisting” rule would violate due process rights and impose an undue burden. The rule was slated to begin taking effect on Oct. 25, although a federal judge issued an injunction order on Oct. 24 halting most of the rule’s provisions.
- Congress would disapprove of the Interior Department’s Bureau of Land Management methane flaring, venting and waste rule. The rule requires oil and gas production operations on federal land to reduce wasted methane and limits what wasted gas doesn’t count when calculating royalty payments to the government.
- Congress would nullify the Interior Department’s stream protection rule, which prohibits mining activities that would cause “material damage” to streams outside of the mining permit area.

## **Hearings**

Below is a list of hearings that are of importance to the County:

### *Tuesday, January 31*

- House Energy & Commerce Full Committee hearing on Medicaid Oversight: Existing Problems and Ways to Strengthen the Program (10:00 am EST)
- House Oversight & Government Reform hearing on Waste, Fraud, and Abuse of the Affordable Care Act (2:00 pm EST)

### *Wednesday, February 1*

- House Energy & Commerce Health Subcommittee hearing on Strengthening Medicaid and Prioritizing the Most Vulnerable (10:00 am EST)
- House Education & Workforce Full Committee hearing on Rescuing Americans from the Failed Health Care Law and Advancing Patient-Centered Solutions (10:00 am EST)
- House Transportation & Infrastructure Full Committee Hearing on Building a 21<sup>st</sup> Century Infrastructure for America (10:00 am EST)

### *Thursday, February 2*

- House Energy & Commerce Health Subcommittee hearing on Patient Relief from Collapsing Health Markets (10:30 am EST)

## **Cabinet Confirmations**

### ***Planned Floor Action***

Secretary of State: Rex Tillerson

Cloture Vote: Scheduled for 5:30 p.m. on Jan. 30

Foreign Relations Committee: Approved, 11-10 on Jan. 23

Transportation Secretary: Elaine Chao

Floor Vote: Planned for Jan. 31

Commerce, Science and Transportation Committee Vote: Approved by voice vote on Jan. 24

***Scheduled Committee Action***

Small Business Administrator: Linda McMahon

Small Business and Entrepreneurship Committee Business Meeting: Jan. 30

Attorney General: Senator Jeff Sessions of Alabama

Judiciary Committee Business Meeting: Jan. 31

Energy Secretary: former Texas Governor Rick Perry

Energy and Natural Resources Business Meeting: Jan. 31

Interior Secretary: Representative Ryan Zinke of Montana

Energy and Natural Resources Business Meeting: [Jan 31](#)

Education Secretary: Betsy DeVos

Health, Education, Labor and Pensions Committee Business Meeting: Jan. 31

OMB Director: Representative Mick Mulvaney of South Carolina

Homeland Security and Governmental Affairs Committee Business Meeting: Feb. 1

Veterans Affairs Secretary: David Shulkin

Veterans' Affairs Committee Hearing: Feb. 1

Labor Secretary: Andrew Puzder

Health, Education, Labor and Pensions Committee Hearing: Feb. 7

***Floor Recap***

CIA Director: Mike Pompeo

Floor Vote: Jan. 23, confirmed 66-32

Defense Secretary: James Mattis

Floor Vote: Jan. 20, confirmed 98-1

Homeland Security Secretary: John F. Kelly

Floor Vote: Jan. 20, confirmed 88-11

***Committee Recap***

HUD Secretary: Ben Carson

Banking, Housing and Urban Affairs Committee Vote: Approved by voice vote on Jan. 24

Commerce Secretary: Wilbur Ross

Commerce, Science and Transportation Committee Vote: Approved by voice vote on Jan. 24

**Purpose:**

Report progress

Advocacy or Education

Request PAL Committee Recommendation or Position

**Other: Federal legislative update**

This item was informational only and required no Committee action.

**II. State Legislative Update – Brownstein Hyatt Farber Schreck**

The next deadline that the Legislature faces is the bill introduction deadline on February 17, 2017. Brownstein, et al are working to secure authors for county sponsored bills.

## **Governor's State of the State Address**

On January 24, 2017, Governor Brown delivered his 2017 State of the State address in the Assembly Chamber. His speech was centered around the new Administration in D.C. and the uncertainties California faces in areas of immigration, environmental issues, and health care, to name a few. Governor Brown's tone was best captured in one of his opening statements – "When California does well, America does well. And when California hurts, America hurts."

Governor Brown went on to name California's accomplishments including: increasing support for public schools and universities; providing health insurance to over five million more Californians; increasing the minimum wage; reducing prison overcrowding and reforming California's system of crime and punishment; establishing California as a leader in climate change; passage of the water bond; building a robust rainy day fund; the closing of a \$27 billion deficit; and reducing the unemployment rate from 12.1% to 5.2%.

## **California Attorney General**

Prior to giving his animated State of the State Address, Governor Brown swore in the 33rd Attorney General of the State of California, Xavier Becerra. Becerra is the first Latino to hold this office in the history of California. Becerra formally resigned from his seat in the House of Representatives, triggering a special election for his seat in Congress.

## **Transportation Funding**

On January 23, 2017, the Senate Transportation and Housing Committee held an informational hearing to discuss the increasing lack of funding for California's transportation system. Senator Jim Beall, Chair of the committee and author of SB 1, is one of the leaders in the push for a robust transportation funding package.

## **Governor Brown Declares State of Emergency**

In response to severe winter storms throughout California that have caused flooding, damage to roadways, mudslides, erosion and debris flow, Governor Brown declared a state of emergency and issued two emergency proclamations to secure funding for affected communities. The Office of Emergency Services is ordered to provide assistance to counties based upon damage assessments received from local governments, under the California Disaster Assistance Act (CDAA). The CDAA provides for the reimbursement of local government costs associated with certain emergency activities performed in response to a state of emergency proclaimed by the Governor.

## **In-Home Supportive Services (IHSS): Projected County Share of Costs**

On January 10, 2017, as outlined in the Governor's proposed 2017-18 budget, the Department of Finance notified the public that the state will end the Coordinated Care Initiative (CCI), dismantling the IHSS Maintenance of Effort (MOE) deal. As such, counties will face a significant cost increase to operate local IHSS programs. In an analysis provided by the California State Association of Counties, it was found that counties are anticipated to lose \$625 million in the first fiscal year, with more than \$7 billion in cumulative costs by 2022-23.

## **Repealing the Affordable Care Act: Effect on Counties**

California currently faces many uncertainties as Congress and the new Administration begin to unravel the Affordable Care Act (ACA). California Counties partner with the state to provide medical care, behavioral health care, Medicaid, TANF, SNAP eligibility services, and many other key health and human services programs statewide. Although it is unclear exactly how the repeal of the ACA will effect counties, it has been estimated that public health care systems may lose up to \$2 billion annually in federal funding, in addition to facing an increase in the number of uninsured individuals within the communities they serve. The California State Association of Counties held an informational webinar to answer the many questions counties currently face regarding the ACA repeal.

**Purpose:**

- Report progress
- Advocacy or Education
- Request PAL\_Committee Recommendation or Position
- Other: State legislative update**

This item was informational only and required no Committee action.

**Request for Legislation position – Action Item**

i. **AB 1 (Frazier) Transportation Funding Proposal**

*Recommendation: **Support:** Daniel Woldesenbet, Director, Public Works Agency*

ii. **SB 1 (Beall) Transportation Funding**

*Recommendation: **Support:** Daniel Woldesenbet, Director, Public Works Agency*

**Purpose:**

- Report progress
- Advocacy or Education
- Request PAL\_Committee Recommendation or Position**
- Other:

**Recommendation from PAL Committee:** Support. Move to the full Board of Supervisors.

**PUBLIC COMMENT**

None.

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