

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

**Monday, March 24, 2014
1:30 p.m.**

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

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

Summary/Action Minutes

Supervisor Keith Carson called the meeting to order.

I. Federal Legislative Update

The House and Senate are both in session this week. The House is scheduled to vote on a bill that would limit the authority of presidents to use the Antiquities Act to designate national monuments. The House will also consider a bill that would provide for the implementation of a 2008 rule that lets companies put the waste from mountaintop removal into nearby streams and valleys. The Senate will vote on providing Ukraine economic aid while sanctioning Russia. In addition to votes on several judicial nominees, the Senate will consider an unemployment insurance bill.

Unemployment Insurance Extension

The Senate will take up an unemployment insurance bill later in the week. The bill provides a five-month extension for unemployment benefits for the long-term jobless and will retroactively provide benefits to December 28, 2013. The legislation will be paid for by pension smoothing in addition to a number of other offsets, and likely has enough support to meet the 60-vote threshold to bypass a filibuster. Speaker of the House John Boehner said he has serious concerns about the Senate bill, which does not get to the root of the problem by helping to create more private-sector jobs.

FY15 Budget and Appropriations

The House will take up three budget-process bills in the next three weeks in addition to an FY15 budget resolution that aims to balance the budget in 10 years.

- The first bill, the Baseline Reform Act, would eliminate the inflation adjustment included in budget scoring for discretionary spending.
- The second bill, the Pro-Growth Budgeting Act, would require the Congressional Budget Office (CBO) to provide additional information on potential economic impacts of major legislation in addition to current scoring estimates that provide specific estimates of the dollar amounts of increase or decrease in revenues, spending or deficits.
- The third bill, the Budget and Account Transparency Act, would require the finances of Fannie Mae and Freddie Mac to be counted in the President's and Congress' budgets.

Rep. Cantor has said that all of the bills and resolution would adhere to the FY15 \$1.014 trillion budget agreement established in December 2013. The full House is expected to take up the FY15 budget resolution the week of April 7th.

Senate EPW Transportation Reauthorization hearing

The Senate Environment and Public Works (EPW) Committee will hold a hearing on Thursday, March 27 on “MAP-21 Reauthorization: State and Local Perspectives on Transportation Priorities and Funding.”

Purpose:

- Report progress
- Advocacy or Education
- Request PAL Committee Recommendation or Position
- Other: Federal legislative update**

II. State Legislative Update

State Prison Overcrowding

The Administration has submitted the initial monthly status report on the state’s prison inmate populations (in-state and out-of-state) and measures are being taken to reduce the prison population in response to the federal court’s order of February 10, 2014. In addition, the court ordered the State to reach targeted population benchmarks of 143 percent of design capacity by June 30, 2014; 141.5 percent of design capacity by February 28, 2015; and 137.5 percent of design capacity by February 28, 2016.

The court’s order provides that if compliance with any benchmark is not achieved within a 30-day period following the expiration of any missed benchmark, a court-appointed compliance officer shall, within seven days, direct the release of the number of inmates necessary to achieve compliance with the missed benchmark and the measures to be followed in selecting the inmates to be released. In selecting inmates for release, the compliance officer shall consider public safety by minimizing any risk of violent re-offense.

To facilitate reaching the required benchmarks, the court ordered the California Department of Corrections and Rehabilitation (CDCR) to implement various population-reduction measures, some of which could directly impact counties. Specifically, a parole process for medically incapacitated inmates could result in a recipient county having to bear a portion of the costs associated with medical care and pertinent social services.

The CDCR and the court-appointed receiver have met several times before and after the February 10th court order to discuss eligibility criteria for the release of incapacitated inmates. Once eligibility requirements are identified, the State will develop policies and procedures for tracking eligible offenders, develop a methodology and system for scheduling and tracking hearings and hold hearings to process decisions. The State has advised the court that once its system is in place, it will hold parole hearings and process decisions.

The State advised the court that it is pursuing the expansion of pilot reentry programs. The San Francisco Board of Supervisors recently approved a pilot reentry program and the State is meeting with county officials this week to discuss activation of the program. The Governor’s budget proposes \$40 million to fund the expansion of pilot reentry programs in other counties. The State is meeting with counties and local communities to explore the expansion of reentry programs.

The initial report also advises the court that the State continues to evaluate the need for additional in-state jail beds contracts to house CDCR inmates in county jails.

SB 1014 Pharmaceutical Disposal

Alameda County-sponsored bill, SB 1014 will be heard in the Senate Environmental Quality Committee on Wednesday, March 26, 2014. The measure is modeled after the County's safe pharmaceutical disposal ordinance. The committee has prepared an informational component for the hearing to allow local government representatives to present information about drug take-back programs. Bill Pollock from the County's Environmental Health Department will present on behalf of the County. A representative from the Board of Pharmacy will also present the Board's perspective on take-back programs.

The opposition has been actively lobbying against SB 1014, citing concerns about the increased cost of medication, lack of evidence that the measure will help with environmental concerns, and disagreement with making manufacturers fund the program. State advocates along with co-sponsors of the bill, the California Product Stewardship Council, the City and County of San Francisco, Clean Water Action, and the California Alliance for Retired Americans, have been in the Capitol answering questions and reiterating that the measure is a necessary public health solution. There is support for the bill in the law enforcement community. If SB 1014 passes, it will be heard on April 21, 2014 in the Senate Business and Professions Committee.

Medi-Cal Rates

Two measures, AB 1759 (Pan) and AB 1805 (Skinner), have been introduced to address the State's low Medi-Cal rates to health care providers. AB 1759 would extend the provision under the Affordable Care Act which increases the reimbursement rates of primary care providers to the same rates paid under Medicare. The additional funding from the federal government to reimburse primary care providers expires at the end of this year; however AB 1759 would continue the increase indefinitely provided that federal financial participation is available. AB 1805 would reverse the budget reductions of up to 15% to Medi-Cal reimbursement rates that took effect in 2009 and 2011.

AB 32 Scoping Plan Update

On March 14, 2014 the Air Resources Board posted the Environmental Analysis of the proposed AB 32 Scoping Plan Update. This begins the 45-day comment period, which will be the last chance to submit comments prior to the Board's adoption. To receive a written response and consideration by the Board, the deadline to submit comments is April 28, 2014 at 5:00 p.m. The Board is scheduled to consider approving the proposed Scoping Plan Update at its meeting on May 22, 2014, in Sacramento.

Purpose:

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

Request for Legislation Position – Action Items

- i. S 2036 (Harkin) Keeping All Students Safe Act
Recommendation: Support: Alex Briscoe, Director Health Care Services Agency
- ii. AB 1626 (Maienschein) Developmental Services: Habilitation
Recommendation: Support: Alex Briscoe, Director, Health Care Services Agency
- iii. AB 1799 (Gordon, Ajejo, Campos, Wieckowski) Land Use: Mitigation Lands
Recommendation: Support: Daniel Woldesenbet, Director, Public Works Agency

- iv. AB 1883 (Skinner) Financing Clean Energy
Recommendation: Co-Sponsor: Chris Bazar, Director, Community Development Agency
- v. AB 2033 (Salas) Career Technical Education: Agricultural Career Technical Education
Recommendation: Support: Scott Haggerty, District 1, Board of Supervisors
- vi. SB 1005 (Lara) Health Care Coverage: Immigration Status
Recommendation: Support: Supervisor Wilma Chan, District 3, Board of Supervisors
Supervisor Richard Valle, District 2, Board of Supervisors
- vii. SB 1296 (Leno) Juveniles: Contemptuous Habitual Truants
Recommendation: Support: Brendon Woods, Public Defender, Alameda County

Purpose:

- Report progress
- Advocacy or Education
- Request PAL Committee Recommendation or Position
- Other:

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

PUBLIC COMMENT: None.

Board of Supervisors' Committees agendas are available via Internet at: www.acgov.org