

 **NOSSAMAN** LLP | Memorandum

**TO:** Monterey County Board of Supervisors

**FROM:** Ashley S. Walker, Senior Policy Advisor

**RE:** Legislative Program: 2022 Annual Report

**DATE:** January 10, 2023

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## **I. Introduction**

Nossaman LLP is honored to represent the County of Monterey at the state level of government, and advocate on issues outlined in the County's Legislative Program. We look forward to continuing our success and work together, in partnership with the County, as we enter into what is sure to be another interesting and demanding legislative year.

## **II. Summary of Legislative Advocacy Actions in 2022**

Nossaman collaborated with the County on the following legislative advocacy actions:

- **Monterey County's 2022 Legislative Advocacy Fast Facts:**
  - Reviewed 2,020 bills for potential impacts to the County.
  - Drafted 88 position letters and/or memos on proposed legislation.
  - Sponsored 1 bill.
  - Supported 25 bills.
  - Opposed 5 bills.
  - Advocated on 14 state budget proposals and/or other policy issues outside of specific legislation.
  - Requested State Budget funding for 6 projects totaling \$377 Million.
- **State Budget Funding Requests:** We worked with the County to request state budget funding for 6 different projects, totaling \$377 million. We requested that the County's Legislative Delegation put these requests forward as "Member Requests" through the FY 2022-23 State Budget negotiation process. We were successful securing over \$6.1 million for the Nacimiento dam safety project, and are currently working with the County's Water Resources Agency and the California Department of Water Resources on the funding agreement to draw down those dollars.

Below is an outline of the state budget requests we made in 2022:

- **Interlake Tunnel and San Antonio Spillway Modification Project (Project):** A tunnel to connect existing facilities at Nacimiento and San Antonio Reservoirs on the Central Coast of California will increase water storage capacity and achieve environmental and water conservation release efficiencies. Requested funding: \$150 million.
- **Nacimiento and San Antonio Dams:** A set of subprojects for Nacimiento and San Antonio Reservoir and Dam facilities to fulfill Federal and State regulatory requirements and provide flood protection and a sustainable water supply. Requested funding: \$150 million.

- **San Lucas Clean Drinking Water Project:** A water pipeline to connect San Lucas to King City’s water infrastructure, and provide clean drinking water for the severely disadvantaged community of San Lucas. Requested funding: \$12 million.
- **Old Monterey County Jail:** Develop an adaptive reuse project for the Old Monterey County Jail, listed on the National Register of Historic Places in 2004 for its significance in the national farm labor movement. Requested funding: \$15 million.
- **Mental Health Rehabilitation Center:** Create 100-120 new mental health treatment beds by converting a vacated county-owned adult jail rehabilitation facility. Requested funding: \$40 million.
- **Marina Health Clinic:** Construct a 10,000 square foot primary care clinic with expanded general family practice, pediatric, obstetrics/gynecology, and mental health services for Medi-cal and uninsured residents. Requested funding: \$10 million.
- **Other State Budget and Policy Issues:** Nossaman kept the County updated on all relevant state budget proposals throughout the year, including the Governor’s January proposal, the May Revise, and the Legislature’s negotiation with the Governor and Administration. We worked with the County on the following 14 state budget proposals or other policy issues, outside of proposed legislation.

<p><b>BUDGET</b> <b>Dam Safety and Climate Resilience</b></p>	<p>Request to Establish and Fund State-Level Grant Program in 2022-23 State Budget.</p>
<p><b>COVID-19</b> <b>Testing Supply Needs in Monterey County</b></p>	<p>Request for additional testing supplies for Monterey County to appropriately address the COVID-19 pandemic and meet community demands for testing.</p>
<p><b>VETERANS</b> <b>Support for Veteran’s Home in Monterey County</b></p>	<p>Support Monterey County’s request for authorizing legislation allowing a Veteran’s Home to be built in the region.</p>
<p><b>BUDGET</b> <b>Adult Protective Services</b></p>	<p>Support for the Adult Protective Services (APS) training program stakeholder proposal from the County Welfare Directors Association of California (CWDA), California State Association of Public Administrators, Guardians, and Conservators, California Commission on Aging, and California Elder Justice Coalition. Specifically, Monterey County supports an ongoing \$4.6 million General Fund investment to continue and increase support for the APS training program to ensure that the APS workforce remains prepared to meet the needs of California’s growing aging and disabled populations.</p>
<p><b>BUDGET</b> <b>Alternative Health Care Plan Proposal</b></p>	<p>Opposition to the Alternative Health Care Service Plan proposal (i.e., the single statewide Medi-Cal contract for Kaiser). We request the State’s reconsideration of the proposal, based on our considerations of the harms it could cause to the safety net health systems in our county, and the Medi-Cal beneficiaries we serve.</p>

<p><b>BUDGET</b>  <b>County Human Services Disaster Response</b></p>	<p>Support for the human services disaster response stakeholder proposal from the County Welfare Directors Association of California (CWDA) and Children Now. Specifically, Monterey County supports an ongoing \$159 million General Fund investment to provide funding and resources to strengthen the ability of county human services departments to prepare for and respond to disasters.</p>
<p><b>BUDGET</b>  <b>Resource Family Approval Funding</b></p>	<p>Support of a budget proposal for Resource Family Approval (RFA) process funding, respectfully requesting an estimated \$100 million General Fund for county workload for the RFA process.</p>
<p><b>BUDGET</b>  <b>IRWM Funding 2022-23 State Budget</b></p>	<p>Request that \$510 million be included in the 2022-23 State Budget to the Department of Water Resources through the Integrated Regional Water Management (IRWM) Program to fund regional projects that protect, restore, and enhance water quality and supply throughout California. The Water Bond Coalition requests the funding be allocated through the IRWM Funding Areas, based on hydrologic regions, as defined by the California Water Plan and consistent with previously approved resource bonds, Propositions 84 and 1. This funding is needed now to help combat the persistent drought conditions that will only get worse given the effects of climate change.</p>
<p><b>BUDGET</b>  <b>Housing for the Harvest Program (H4H) Extension</b></p>	<p>Request for the extension of the Housing for the Harvest Program (H4H) that is set to expire on April 30, 2022.</p>
<p><b>BUDGET</b>  <b>Comments Regarding Probation Funding in the FY22-23 State Budget</b></p>	<p>The County of Monterey recognizes and appreciates the inclusion of key investments in the Governor’s January Budget and May Revision for 2022-23 to sustain probation’s efforts to improve our communities through programs like SB 678 and mobile probation centers and to fund immediate needs related to the enactment of DJJ realignment to counties. These investments are a necessary, timely and important step toward meeting the comprehensive resource needs that are required to implement policies enacted by the Legislature and the Administration over the last few years. However, additional investments are required to meet the diverse, complex, and acute needs of the youth and adults that probation serves. We support key aspects of the Chief Probation Officers of California’s state budget requests, and strongly and respectfully ask the Legislature and Administration to dedicate additional resources to juvenile justice infrastructure planning and grants, probation officer training to meet critical workforce needs, and probation’s delivery of services for CalAIM implementation.</p>
<p><b>BUDGET</b>  <b>AB 205 Energy Bill</b></p>	<p>The County took a quick oppose position with authority under our Legislative Program on this budget trailer bill. The budget language would allow for a shift of local authority for siting of solar, wind, and certain battery backup projects to the California Energy Commission (CEC) and would, under the auspices of a Strategic Energy Reserve, delegate to the Department of Water Resources (DWR) blanket authority to bypass local permitting, including through the Coastal Act of 1976. These facilities can have enormous impacts on our communities, even when the benefits are spread to other parts of the state. This bill was passed and signed.</p>

<p><b>GUN SAFETY</b> <b>Gun Safety Legislation</b></p>	<p>Extend our thanks for efforts related to introducing, passing, and enacting gun safety related legislation.</p>
<p><b>CALIFORNIA PUBLIC UTILITIES COMMISSION (CPUC)</b> <b>Greater CPUC Oversight of Utility Fast Trip/EPSS Electrical Outages</b></p>	<p>Express support for the motion submitted by Pioneer Community Energy, Sonoma Clean Power, East Bay Community Energy, Marin Clean Energy, and Rural County Representatives of California (Joint Parties) requesting that the Commission open an expedited phase or track of the De-Energization Rulemaking to consider rules, expanded reporting requirements, and common program-related terms for all investor-owned utilities’ (IOUs) Fast-Trip Programs.</p>
<p><b>CALIFORNIA PUBLIC UTILITIES COMMISSION (CPUC)</b> <b>Performance Audit Request</b></p>	<p>Express concerns with the recent performance audit request to review the implementation of California’s broadband deployment.</p>

- **Sponsored Legislation:** The County proposed two sponsored bills this year. Below is a summary of those proposals.
  - **Middle Mile Advisory Committee:** The Department of Technology provides oversight and policy input for the statewide open-access middle-mile broadband network through a broadband advisory committee, called the Middle-Mile Advisory Committee, to oversee the construction and establishment of the statewide open-access middle-mile broadband network. The Committee is comprised of various representatives, including a representative of the Department of Technology, the Department of Finance, and 2 ex officio members of the Assembly. The Committee currently does not include any local government representatives. AB 2256 (Quirk-Silva) adds two local government seats to the Middle Mile Advisory Committee. The bill adds these seats to the Committee by appointment; one appointed by the Speaker of the Assembly and the other appointed by the Senate Rules Committee, as members of the committee. The County co-sponsored this bill along with CSAC. The bill was signed by the Governor and went into effect on January 1, 2023.
  - **Veterans Home:** Although a bill was not introduced in 2022, the County worked tirelessly to request that a Member of our Legislative Delegation introduce a bill that would allow for the construction of a Veterans home in the County. This work included meetings with our Members and key policy committee Members, meetings with Cal VET, the creation of presentations and handouts to support our request, gathering countless local and federal letters of support, requesting the Legislature hold an informational hearing on the housing needs of our Veterans, and holding a local press conference. We are hopeful that legislation will be introduced in 2023 to push this project forward.
- **Positions on Legislation:** The County took 30 positions on bills in 2022, which is consistent with a normal legislative year. Below is a chart outlining the bills we took positions on that made it to the Governor’s desk, and the final actions taken on the proposals.

Measure	Author	Topic	Position	Status
<p><a href="#">AB 1654</a></p>	<p><a href="#">Rivas, Robert</a> D</p>	<p>Low-income housing: insurance tax: income tax: credits: farmworker housing.</p>	<p>Support</p>	<p>CHAPTERED</p>

<a href="#">AB 1951</a>	<a href="#">Grayson</a> D	Sales and use tax: exemptions: manufacturing.	Oppose	VETOED
<a href="#">AB 2179</a>	<a href="#">Grayson</a> D	COVID-19 relief: tenancy.	Support	CHAPTERED
<a href="#">AB 2256</a>	<a href="#">Quirk-Silva</a> D	Office of Broadband and Digital Literacy: reports.	Co-Sponsored	CHAPTERED
<a href="#">AB 2339</a>	<a href="#">Bloom</a> D	Housing element: emergency shelters: regional housing need.	Support If Amended	CHAPTERED
<a href="#">AB 2449</a>	<a href="#">Rubio, Blanca</a> D	Open meetings: local agencies: teleconferences.	Support If Amended	CHAPTERED
<a href="#">AB 2509</a>	<a href="#">Fong</a> R	Vehicles: vehicle license fee and registration fees: exemptions.	Support	CHAPTERED
<a href="#">AB 2724</a>	<a href="#">Arambula</a> D	Medi-Cal: alternate health care service plan.	Oppose	CHAPTERED
<a href="#">SB 6</a>	<a href="#">Caballero</a> D	Local planning: housing: commercial zones.	Support	CHAPTERED
<a href="#">SB 418</a>	<a href="#">Laird</a> D	Pajaro Valley Health Care District.	Support	CHAPTERED
<a href="#">SB 489</a>	<a href="#">Laird</a> D	Flood management projects: state funding: Pajaro River Flood Risk Management Project.	Support	CHAPTERED
<a href="#">SB 496</a>	<a href="#">Laird</a> D	Flood control: water development projects: Pajaro River.	Support	CHAPTERED
<a href="#">SB 852</a>	<a href="#">Dodd</a> D	Climate resilience districts: formation: funding mechanisms.	Support	CHAPTERED
<a href="#">SB 949</a>	<a href="#">Laird</a> D	Veterans: California Central Coast State Veterans Cemetery.	Support	CHAPTERED
<a href="#">SB 1100</a>	<a href="#">Cortese</a> D	Open meetings: orderly conduct.	Support	CHAPTERED
<a href="#">SB 1237</a>	<a href="#">Newman</a> D	Licenses: military service.	Support	CHAPTERED
<a href="#">SB 1326</a>	<a href="#">Caballero</a> D	Cannabis: interstate agreements.	Support	CHAPTERED
<a href="#">SB 1338</a>	<a href="#">Umberg</a> D	Community Assistance, Recovery, and Empowerment (CARE) Court Program.	Concerns	CHAPTERED
<a href="#">SJR 8</a>	<a href="#">Caballero</a> D	Social Security Disability Insurance: disabled adult child benefit.	Support	CHAPTERED

• **Other Advocacy Efforts:**

- **COVID 19 Vaccine / Testing Insurance Issues:** Early on in 2022, Nossaman kept the County updated on vaccine and testing insurance issues, as some of the community was being charged for these services.
- **CRFREE Budget Request:** Nossaman met with the Big Sur Land Trust to discuss the CRFREE project and funding needs. Big Sur Land Trust requested that the Carmel River Floodplain Restoration and Environmental Enhancement project be included on Senator Laird’s list for one-time budget surplus funding in the amount of \$5 Million. The County supported this state budget request.
- **Dam Safety Coalition:** The County participated in a coalition of stakeholders across the state to create a funding stream for dam safety and infrastructure projects. Assemblymember

Rivas agreed to champion this budget request in 2022, which resulted in a new \$100 million grant program for these types of projects.

- **CARE Court:** Both CSAC and RCRC submitted comments on the Administration's Care Court proposal, and Nossaman provided those comments to the County. Nossaman informed the County's delegation that we share the same concerns outlined by CSAC and RCRC.
- **Water Bond Coalition:** The County signed on to a letter requesting that \$510 million be included in the 2022-23 State Budget to the Department of Water Resources through the Integrated Regional Water Management (IRWM) Program to fund regional projects that protect, restore, and enhance water quality and supply throughout California.
- **Prop 1E Subvention Funding Deadline Extension Request:** The Proposition 1E (November 2006) funding for the State Flood Control Subventions Program (Program) includes a liquidation deadline of June 30, 2023. Unless action is taken to extend the deadline, the voter authorization for approximately \$149 million in state general obligation bonds will expire. The Pajaro River Flood Risk Reduction Project would be impacted if this deadline is not extended. The County support this effort, and this extension was included in this budget trailer bill.
- **Gun Safety Legislation:** Nossaman kept the County informed of all gun legislation proposed and signed by the Governor. Nossaman drafted a letter to thanking the Legislature and Governor for quick action on this important safety issue.
- **Monterey County Homeless Summit – CSAC Speaker:** Nossaman secured Graham Knaus, Executive Director of CSAC, to speak during the Homeless Summit on July 14. Graham will be spoke broadly about homelessness and path forward for counties and cities.
- **CPUC Performance Audit Request:** We were informed of a potential audit request to be considered by the Joint Legislative Audit Committee (JLAC) regarding the performance of California's broadband deployment. The County responded with a letter to JLAC and our delegation outlining concerns, as the implementation for the various programs and initiatives in the audit request have just begun in the last few months. The audit request was placed on hold.
- **California's Water Supply Strategy:** In August, the Governor released a new document outlining policy and investment goals for water related issues in California. The document is fairly high level, but specific to the goals of the administration. Nossaman set up a meeting with the Governor's office to discuss the County's water projects and how these projects can help implement the new Strategy.
- **Propositions on the November 2022 Ballot:** Nossaman has provided summaries of the propositions that will be on the November 2022 ballot for voters.
- **Election Update:** Nossaman provided an update on the outcome of the 2022 election, which resulted in 21 new Assemblymembers and 11 new Senators.
- **Homelessness Meeting with the Governor's Office:** After the concerns raised with the announcement by Governor Newsom that the state will be holding off on providing the remaining third round of Homelessness Housing, Assistance and Prevention (HHAP) grants,

Nossaman coordinated a meeting with the Governor's Central California Regional Director to discuss Monterey County's plans to address homelessness.

- **Project Homekey:** Nossaman continued to work with the County and the City of Salinas to alert the State of our concerns and request assistance related to federal requirements for this Homekey project.
- **Engagement with County Board of Supervisors and Staff:** Nossaman met with each Member of the Board of Supervisors to ensure our legislative program reflects the Board's vision. Nossaman met regularly with County staff in various Departments to provide updates on state legislation and our advocacy efforts.
- **Engagement with CSAC and RCRC:** Nossaman attended weekly legislative meetings with CSAC and other county advocates. In these meetings, we discussed the most important issues facing counties and coordinate strategy for supporting, opposing or amending legislation or budget proposals. Nossaman also kept in communication with RCRC staff regarding their legislative priorities on rural county related issues.
- **Engagement with Legislative Delegation and Staff:** Nossaman met with the County's legislative delegation and/or staff regularly to discuss legislative proposals and positions, budget requests and issues, and priority projects within the County. Additionally, Nossaman assisted the County coordinating topics for discussion at the annual Legislative Workshop.
- **Governor Newsom's Actions and Executive Orders:** Nossaman kept the County informed of anticipated or signed actions and/or executive orders that the Governor and Administration put forth that impacted the County.

### III. Looking Ahead to 2023

**2023 Legislative Session – Anticipated Policy Issues:** While the Legislature and Administration accomplished some significant policy and fiscal goals in 2022, Sacramento will be as busy as ever in the coming year with several anticipated hot policy topics. The Legislature reconvenes on January 4, 2023 and some of the important issues for counties we anticipate being debated include, but are not limited to:

- Behavioral Health
- Broadband
- Brown Act and Public Meetings
- CalAIM Implementation
- Cannabis
- CARE Court Implementation
- Drought
- Homelessness
- Housing
- Implementation of the California Water Strategy
- Juvenile Justice Realignment
- Land Use Planning
- Wildfire
- Workforce Challenges