



**TO:** Board of Supervisors, County of Monterey      **DATE:** January 28, 2020

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**RE:** Legislative Program: 2019 Annual Report

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## **I. Introduction**

Nossaman LLP has been honored to represent the County of Monterey at the State Capitol to achieve the goals outlined in the 2019 Legislative Program. We pride ourselves on comprehensive reporting and communication protocols to ensure members of the Board of Supervisors and County staff members are kept up to date on the County's priority issues. We look forward to continuing our work with the County of Monterey as we enter the 2020 Legislative Session. As always, we appreciate your suggestions on how we can improve our services to the County.

## **II. Summary of Legislative Accomplishments in 2019**

Nossaman has collaborated with the County to achieve the following legislative accomplishments:

- **Actively Engaged on Legislation of Behalf of the County:**
  - Drafted 64 position letters.
  - Drafted 31 position memos.
  - Supported 41 bills.
  - Opposed 1 bill.
  - Watched 9 bills.
  - Engaged on 10 State Budget issues.
  - Of the bills supported by the County, 17 bills were signed.
  - The bill that the County opposed was made a 2 year bill.
  
- **Managed a County of Monterey sponsored bill:**
  - **SB 657 (Monning) Cannabis cultivation: County Agricultural Commissioners: Reporting:** This bill authorizes a county agricultural commissioner to report to the Secretary of the California Department of Food and Agriculture the condition, acreage, production, and value of cannabis produced in the commissioner's county. This bill will allow Monterey County to highlight the significance of cannabis and related production to normalize cannabis as an agricultural product and encourage unlicensed growers to legitimize and become permitted and tax-paying businesses. The data will help Monterey County in understanding the effects that agricultural cannabis cultivation is having on the economy, environment and community. The Governor signed this bill on September 5, 2019 and it was Chaptered by the Secretary of State, Chapter 252, Statutes of 2019.

- **Engaged on State Budget Issues:**

- **\$17 Million for Interlake Tunnel:** Worked closely with Senator Monning and the County's entire Legislative Delegation in support of a state budget request for \$17 million from the General Fund to be apportioned to the Department of Fish and Wildlife as a local assistance grant to pay for fish screens for the Interlake Tunnel project, connecting Lake Nacimiento and Lake San Antonio. Status: Successfully funded.
- **Safe and Affordable Drinking Water Fund:** Advocated in support of the establishment of the Safe and Affordable Drinking Water Fund with all funds appropriated to the State Water Board to provide funding to ensure safe drinking water for all Californians. The budget provides \$130 million per year from the Greenhouse Gas Reduction Fund (GGRF) and the General Fund. There was a companion bill that the County supported, SB 200 (Monning), which is outlined later in this report. Status: Successfully funded.
- **\$5.8 Million for County Public Administrator, Public Guardian, and Public Conservator Program:** Supported a budget allocation for \$5.8 million over the next three years to continue and expand training for Adult Protective Services staff and Public Administrators, Public Guardians, and Public Conservators. In 2016, the Governor and Legislature provided a \$3 million one-time investment to implement the needed training infrastructure, with that funding expiring this fiscal year. Status: Not funded.
- **Medi-Cal Expansion to Undocumented Young Adults:** Supported expansion of full-scope Medi-Cal eligibility for adults age 19 to 25 regardless of immigration status, beginning January 1, 2020. Status: Successfully funded.
- **\$40 Million for Infectious Disease Prevention, Testing, and Treatment:** Supported a request for \$40 million in one-time General Fund monies to local health departments and tribal communities to assist in providing infectious disease prevention, testing and treatments services. Status: Successfully funded.
- **In-Home Supportive Services (IHSS) Maintenance of Effort (MOE):** Supported the IHSS program to provide critical services to seniors and disabled individuals to help them remain in their own homes rather than in more expensive institutional care. Status: Successfully funded.
- **Homeless Aid for Planning and Shelter Program:** Supported the housing and homelessness trailer bill that included \$650 million in homelessness funding among local entities, dedicates considerable additional support to housing programs, provides for incentives to encourage cities and counties to adopt pro-housing policies at the local level, and specifies long-awaited details on the "stick" to encourage compliance with housing element law that does not include a tie to SB 1 transportation funding. Status: Successfully funded.

- **Early Childhood Investments in the FY 2019-20 Budget:** Supported investments in programming and services for children with holistic lens and an understanding that learning starts at birth. Status: Successfully funded.
- **Local Assistance Funding for County Veteran Service Officers (CVSOs):** Supported a budget request for Senate and Assembly Budget Subcommittee for State Administration to increase the local assistance funding for the County Veterans Service Officers (CVSO) from \$5.6 million to \$11 million ongoing. Status: Not funded.
- **California Promise Program:** Supported \$45.2 million in new funding to expand the California College Promise. The additional funds are estimated to be the amount needed to cover full time, first time students' second year of attendance. Although this initiative is associated with "free college," the structure of the initiative allows Community College Districts to decide how best to use the dollars. Status: Successfully funded.
- **Actively Lobbied in support of AB 331 (Medina) and AB 1460 (Weber) regarding Ethnic Studies:** In 2019, two bills were introduced to ensure high school students (AB 331) and California State University students (AB 1460) participated in ethnic studies courses. These bills were not successful in 2019 but both authors have plans to continue this important work in 2020.
- **Supported AB 402 (Quirk) State Water Resource Control Board: local primacy delegation: funding stabilization program:** This bill would have created a fund for oversight of small public drinking water systems in counties, like the county of Monterey, that run Local Primacy Agency programs. The program costs were estimated at \$13 million per year so the bill was held in Senate Appropriations. The State Water Board and Chairman Quirk, Assembly Environmental Safety and Toxic Materials, are continuing to pursue options to fund these critical programs.
- **Supported AB 489 (Stone) Flood Control: state financial assistance: Parjaro River:** This bill authorizes the state to make funds available for a flood control project on the Pajaro River through the Flood Control Subventions Program, even in the absence of matching federal funds. This bill was signed by the Governor on September 27, 2019 and Chaptered by the Secretary of State – Chapter 350, Statutes of 2019.
- **Supported and Advocated for Amendments to SB 45 (Allen) Wildfire Prevention, Safe Drinking Water, Drought Preparation and Flood Protection Bond Act of 2020:** This bill would have authorized a \$4.1 billion bond and the submission of these provisions to the voter on the March 2020 ballot. The proposal was not successful in 2019, but is set to be heard again this year. Additionally, an alternative measure has been proposed by the Governor through the State Budget.
- **Proactively Identified and Secured Amendments to SB 128 (Beall) Public contracts: Best Value Construction Contracting for Counties Pilot Program:** Nossaman successfully secured amendments to this bill to allow the County of Monterey to participate in a pilot program to allow the alternative procurement methods that allow a local agency to evaluate bids on a "best-value" basis, incorporating technical factors, such as qualifications,

in addition to price. Nossaman identified this bill following conversations with the County about issue with the construction of the Juvenile Hall. Following the County's review, Nossaman worked with the lobbyists for the bill sponsor, County of Santa Clara, and the author, Senator Beall, to secure amendments to have the County of Monterey included. This bill was signed by the Governor on October 2, 2019 and chaptered by the Secretary of State, Chapter 501, Statutes of 2019.

- **Successfully Secured Amendments to SB 189 (Monning) Ford Ord Reuse Authority: member agencies: land use and zoning: dissolution:** This bill extended the repeal date for the Fort Ord Reuse Authority for two years and made other changes to the governing statutes to wind down the agency. Although the County never took a support position on the bill, Nossaman engaged on this issue. Nossaman participated in multiple calls with County staff, meetings with Senator Monning and staff, meeting with committee staff and meetings with the Monterey County legislative delegation members. At the request of the County, Nossaman was successful in securing amendments to the bill. This bill was held in the Assembly Appropriations Committee and there are no plans to reintroduce.
- **Actively Lobbied in Support of SB 200 (Monning) Drinking Water:** This is companion legislature measure to the State Budget allocation to establish the Safe and Affordable Drinking Water Fund to help water systems provide an adequate and affordable supply of safe drinking water in both the near and the long-term. This bill was signed by the Governor on January 24, 2019 and chaptered by the Secretary of State, Chapter 120, Statutes of 2019.
- **Other Proposals Authored by the County's legislative delegation:**
  - Supported SB 347 (Monning) Sugar-sweetened beverages: safety warnings: This bill would have created the Sugar-Sweetened Beverages Safety Warning Act, which would prohibit a person from distributing, selling, or offering for sale a sugar-sweetened beverage in a sealed beverage container, a multipack of sugar-sweetened beverages, or a concentrate, as those terms are defined, in this state unless the sealed beverage container, multipack, or packaging of the concentrate bears a safety warning. This bill was not successful in 2019.
  - Supported SB 25 (Caballero) California Environmental Quality Act: projects funded by qualified opportunity zone funds or other public funds: This bill would have expedited judicial review procedures under the California Environmental Quality Act for projects financed in whole or in part by a "qualified opportunity fund" or other specified means and meeting other specified conditions, requiring the courts to resolve lawsuits within 270 days. This bill was not successful in 2019.
  - Supported AB 1253 (Rivas) Local agency formation commissions: grant program: This bill would have directed the Strategic Growth Council to establish and administer a grant program for LAFCOs that perform specified actions. This bill was not successful in 2019.

- **Other Advocacy Efforts:**

- **Engagement with CSAC and RCRC:** Nossaman attended weekly legislative meetings with CSAC, RCRC and advocates for counties across the State. In these meetings, we discussed the most important issues facing counties and coordinate strategy for supporting, opposing or amending legislation or budget proposals. Nossaman coordinated with CSAC on larger advocacy efforts, such as cannabis legislation. The County recently joined RCRC and Nossaman has met several times with RCRC staff to update them on the Counties rural related priorities.
- **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 staff and Supervisors on the Legislative Committee to provide updates on state legislation and our advocacy efforts.
- **Engagement with Legislative Delegation and Staff:** Nossaman met with the County's legislative delegation and/or staff on an almost weekly basis to discuss legislative proposals and positions, budget issues, and priority projects within the County.

### III. Special Projects in 2019

Nossaman engaged in advocacy efforts on several special projects for the County, including:

- **Interlake Tunnel Project Budget Request:** Nossaman facilitated a strategic advocacy effort to submit a \$17 million State Budget request to assist with funding the additional costs now associated with the Interlake Tunnel Project's fish screens. Nossaman set up several meetings with the County's delegation, the Department of Finance, and Administration to discuss the need for funding. Nossaman prepared a one page summary of the budget request to use during our meetings. In 2019, State budget funding was successfully allocated to the project and Nossaman continues to assist with the project in other ways, such as coordination and communication with the California Department of Fish and Wildlife.
- **Greenfield Courthouse:** The Judicial Council's Court Facilities Advisory Committee (CFAC) and the Judicial Council of California voted to approve newly proposed methodology used to rank court facilities projects, along with a new statewide court facilities project list. Nossaman coordinated a meeting between the County, City and Judicial Council staff. Both Supervisor Alejo and Supervisor Lopez submitted public comments during the approval process regarding the two court projects in the County, expressing concerns that the Greenfield Courthouse was lower on the priority list than the Fort Ord Courthouse. Nossaman kept the County up to date on the process as it was happening to ensure the County could be proactive. The methodology and list was presented to the Legislature in December 2019. We anticipate the Legislature will have questions and be engaged in taking a close look at the new list through the budget subcommittee process in 2020.
- **Old Jail:** The Resource Management Agency (RMA) made a presentation to the Board of Supervisors regarding the rehabilitation and project options for the Old Jail. Nossaman researched and provided information to RMA regarding potential funding for the park project

and an incentive program for the rehabilitation of the building. Nossaman also set up a meeting with the State Historic Preservation Office to discuss additional potential funding opportunities. Assemblymember Rivas met with Supervisor Alejo and staff to discuss the project and funding needs, as well as tour the project site. Nossaman informed Senator's Caballero and Monning's offices about the funding needs and status of the project as well.

#### **IV. Looking Ahead to 2020**

As we prepared for the second year of the two-year legislative session, we anticipate opportunity for the County to be very engaged on budget and legislative issues that directly impact the County's community, administration of services, infrastructure, business operations, and financial security. Below Nossaman has outlined the State Legislature's priorities for 2020.

- **New Session:** California lawmakers returned to Sacramento on January 6, 2020.
- **State Budget:** On January 10, 2019, Governor Newsom unveiled his first proposed state budget. The Governor proposed a \$222 billion general fund budget, which reflects a three percent increase in spending from last year's budget. The proposed state budget also projects a \$5.6 billion budget surplus from increased tax revenues.

Highlights of proposed spending in the state budget that impact Counties:

- A \$12.5 billion investment over five years for climate resilience, partially funded by a proposed climate bond, to fund initiatives related to forest health, Community Power Resiliency (formerly PSPS), home hardening, and a climate revolving fund that would provide low- interest loans for waste diversion, low-carbon transportation, and sustainable agriculture.
- A new Access to Housing and Services Fund, as announced earlier this week, with an initial state investment of \$750 million, which will pay rent for individuals facing homelessness, support new dwelling units, and help stabilize board and care facilities and homes.
- A reduction in probation term lengths for both felony and misdemeanants to two years, matched with an investment in more intensive supervision and services for misdemeanor probationers.
- \$695 million, growing to \$1.4 billion in the out-years, for preventative health care, over a third of which will be aimed at the unsheltered homeless population.

Soon, the Legislature will begin the process of convening budget subcommittees to work through the proposed budget details. In early May, the Governor will release a "May Revise" of the proposed state budget to reflect more timely revenue projections and to address any emerging areas of need. The Legislature will work to resolve differences in the budget between the Assembly and Senate, and will approve a new state budget by the June 15 constitutional deadline for budget approval.

- **2019 Legislative Committee Assignments:** The following chart outlines the County's legislative delegation and associated committee assignments.

LEGISLATOR	COMMITTEE/LEADERSHIP ASSIGNMENT
Senator Bill Monning	<ul style="list-style-type: none"> <li>• Budget And Fiscal Review</li> <li>• Budget And Fiscal Review Subcommittee No. 2 On Resources, Environmental Protection, Energy And Trans.</li> <li>• Health</li> <li>• Joint Committee On Rules</li> <li>• Joint Legislative Audit Committee</li> <li>• Joint Legislative Budget Committee</li> <li>• Joint Legislative Committee On Climate Change Policies</li> <li>• Judiciary</li> <li>• Natural Resources And Water</li> <li>• Rules</li> </ul>
Senator Anna Caballero	<ul style="list-style-type: none"> <li>• Agriculture</li> <li>• Agriculture Subcommittee On Invasive Species</li> <li>• Banking And Financial Institutions</li> <li>• Budget And Fiscal Review</li> <li>• Budget And Fiscal Review Subcommittee No. 4 On State Administration And General Government</li> <li>• Housing</li> <li>• Joint Committee On Fairs, Allocation And Classification</li> <li>• Natural Resources And Water</li> </ul>
Assemblymember Mark Stone	<ul style="list-style-type: none"> <li>• Banking And Finance</li> <li>• Budget</li> <li>• Budget Subcommittee No. 5 On Public Safety</li> <li>• Human Services</li> <li>• Joint Committee On Fisheries And Aquaculture</li> <li>• Judiciary</li> <li>• Natural Resources</li> </ul>
Assemblymember Robert Rivas	<ul style="list-style-type: none"> <li>• Agriculture</li> <li>• Appropriations</li> <li>• Governmental Organization</li> <li>• Joint Committee On Fairs, Allocation And Classification</li> <li>• Joint Committee On Rules</li> <li>• Local Government</li> <li>• Rules</li> </ul>