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MEMORANDUM

TO Monterey County Board of Supervisors  
FROM Brent R. Heberlee  
DATE January 29, 2019  
RE 2018 Federal Advocacy Report

Received by Clerk to the Board Additional Material for	
Board Agenda Date of:	Item No:
1-29-19	41
Dist 1	CAO
Dist 2	County Counsel
Dist 3	
Dist 4	
Dist 5	

Introduction

This past year presented a challenging political environment for the County's federal advocacy program. Similar to 2017, the County continued to find itself on the opposing side of many policy proposals put forth by the Trump Administration and Congress, and our advocacy work this past year reflected our efforts to protect many of the gains we had achieved under the previous administration. Following is a summary of the County's advocacy efforts with which I was involved on key federal legislative, budgetary, and regulatory issues included in the 2017-18 Legislative Program.

Summary of Accomplishments

- DC Meetings with Federal Officials
  - **NACo Legislative Conference:** Supervisors Adams and Alejo, Nick Chiulos, and I met with members of the County's congressional delegation to discuss several priority issues. We met with Rep. Panetta and his staff, as well as staff from the offices of Sen. Feinstein and Sen. Harris, to discuss issues related to immigration policy, Department of Justice actions against sanctuary jurisdictions, cannabis banking, and federal disaster assistance.
  - **Pajaro River Flood Control Project:** Supervisor Phillips and I joined officials from Santa Cruz County and the City of Watsonville for meetings in D.C. with congressional and executive branch officials to advocate for Army Corps of Engineers funding for the Pajaro River Flood Control Project.

- Immigration
  - **Opposed Public Charge Proposed Rule:** the County submitted a comment letter and resolution to DHS and its congressional delegation expressing opposition to a proposal that seeks to define “public charge” and the types of public benefits that are considered in public charge inadmissibility determinations to allow federal immigration authorities to reject an application for admission to the United States if the officer determines the individual is unlikely to earn enough to support their family.
  - **Support Reinstatement of DACA:** the County met with its congressional delegation in D.C. and provided briefing material in support of legislative proposals to reinstate the DACA program.
  - **Opposed Sanctuary Jurisdiction Policy:** the County met with its congressional delegation in D.C. and provided briefing material in opposition to the sanctuary jurisdiction policy of the U.S. Department of Justice.
  - **Opposed Family Separation Policy:** the County passed a resolution condemning the Trump Administration’s policy of separating families at the border and supported legislation introduced by Senator Feinstein, the Keep Families Together Act, that would prohibit Department of Homeland Security officials from separating children from their parents at or near the border.
- Cannabis
  - **Supported the STATES Act:** the County sent a letter to its congressional delegation in support of legislation that would amend the Controlled Substances Act so that its provisions no longer apply to any person acting in compliance with State or tribal laws relating to the manufacture, production, possession, distribution, dispensation, administration, or delivery of marijuana.
  - **Supported Medical Marijuana Appropriations Rider:** the County supported policy language extending the “Rohrabacher-Farr Amendment” that prohibits the DOJ from spending funds to interfere with the implementation of state medical cannabis laws.
  - **Supported Banking Services:** the County advocated in support of legislation to permit banking services for cannabis businesses in meetings in D.C. with its congressional delegation.
- 2020 Census
  - **Supported Area Census Office:** in coordination with Rep. Panetta’s office, the County sent a letter to the head of the U.S. Census Bureau requesting him to locate an Area Census Office in Monterey County.

- **Opposed Citizenship Question:** the County sent a letter to Commerce Secretary Wilbur Ross opposing the decision by the U.S. Census Bureau to include a question on citizenship in the 2020 Census.
- Offshore Oil and Gas Development
  - **Opposed U.S. Department of the Interior Proposed Rule:** the County submitted a resolution to the Interior Department and its congressional delegation opposing the Trump Administration's plan to open all federal U.S. waters, including 90 percent of the nation's Outer Continental Shelf, for potential oil and gas exploration and development. The draft plan recommends two offshore oil and gas lease sales near the central coast of California. The proposal has not been finalized.
- Climate Change
  - **Supported Carbon Fee and Dividend Program:** the County supported a resolution that urged its congressional delegation to enact legislation to impose a fee on carbon-based fuels and distribute the proceeds back to U.S. consumers.
- Automobile Fuel Economy Standards
  - **Opposed EPA Proposed Rule:** the County submitted a comment letter to EPA and the National Highway Traffic Safety Administration in opposition to a proposed rule that would freeze auto emission standards starting in 2021 and seek to block California's ability to set its own more stringent rules.
- Children's Health Insurance Program
  - **Supported Extension of CHIP:** the County sent letters to its congressional delegation at the end of 2017 in support of extending CHIP, which was due to run out of money in early 2018. The Bipartisan Budget Act, passed in February 2018, extended federal funding for CHIP through FY2027.
- FEMA Disaster Assistance
  - **Supported FEMA Reimbursement Process:** at the County's request, Rep. Panetta's office urged FEMA to expedite its review of debris removal and road repair projects submitted by the County.
- Housing
  - **Supported Rent Relief Act:** the County sent a letter of support for legislation introduced by Senator Kamala Harris that would provide two new refundable tax credits to people who live in rental housing.
- FCC 5G Wireless Deployment Proceeding
  - **Opposed FCC Draft Order:** the County submitted a comment letter to the FCC in opposition to a draft order that significantly curtails local authority to review

applications from wireless providers seeking to install 5G small cell equipment and limits the fees local governments may assess for this service.

- Library Services
  - **Supported County Library Funding:** the County sent a letter to its congressional delegation in support of grant programs authorized by the Museum and Library Services Act that have provided County libraries with nearly \$300,000 over the last five years.
- Payment In Lieu of Taxes
  - **Supported Appropriations for PILT:** the County advocated for FY2018 appropriations for the PILT program, which resulted in an award of over \$900,000 to the County.
- Transportation Appropriations
  - **Opposed FY2019 Budget Request:** the County sent a letter to its congressional delegation opposing President Trump's proposed budget cuts to federal transportation programs identified by the County and TAMC as high priorities.



## **2019-20 Legislative Program**

## **2019 Strategic Grant Service Program**

# Program Development

- Collaboration with Board and County Departments
- Legislative Workshop – December 2018
- Board Strategic Initiatives
- Community Priorities – Early 2018

# Legislative Program

## Legislative Principles

- Provide broad direction and authority to staff and the County's legislative advocates to advance the County's interests

## Legislative Priorities

- Define priority interests and concerns of the County and lay out key objectives to guide advocacy efforts

# Summary of Major Changes

- Community Priorities
- Legislative Principles
  - Housing and Homelessness
  - Civil Rights and Civic Engagement
  - Agriculture – Cannabis and Hemp



# Economic Development

- *Immigration*
- Labor Force
- Agriculture
- *Cannabis*
- *Fort Ord Reuse Authority (FORA)*
- *Federal Opportunity Zones*
- Tourism
- *Arts & Culture*
- Education, Research and Military
- Broadband Service
- *Housing – Employer Sponsored Housing*
- Workforce Development
- Youth Employment

# Administration

- *2020 Census*
- Social, Health and Racial Equity
- Local Government Funding and Authority

# Health & Human Services

- *Public Charge*
- *Public Health, Health Care Coverage, Access and Integration*
- Behavioral Health
- *Public Guardians, Administration and Conservators*
- *Public Health and Prevention Policies: Cannabis and Tobacco*
- *Early Childhood Development*
- Promote Child Well-Being and Prevention of Child Abuse
- Sustain and Strengthen Safety Net and Employment Services
- *Assure Housing Opportunity for All*
- Strengthen Resources for Seniors and People Living with Disability
- Honor our Veterans

# Infrastructure

- *Resilient and Sustainable Communities*
- Transportation
- Water Resources Sustainability
- Preserve and Enhance Water Supply
  - *Human Right to Water*
  - *San Antonio and Nacimientto dam/spillway repair/replacement*
- Protect Water Resources and the Environment

# Public Safety

- *Violence Prevention and Reduction*
- Domestic Violence Prevention
- *Post-Sentence Relief and Reintegration*
- *Access to Justice*
- *Emergency Preparedness, Response and Recovery*
- *County Control of Emergency Medical Services*

# Strategic Grant Services Program

- County High Priority Needs
  - Alignment with Board Strategic Initiatives
  - Alignment with Legislative Priorities
  - Available Funding Source (Opportunity & Timing)
  - Ability to Meet Grant Requirements
  - Ability to Put Forth a Competitive Application
- Flexible to adjust to changing priorities
- 20% of program capacity unallocated for new opportunities
- Research and advance work leads to future opportunities

# 2019 Work Plan

- Active Transportation Program/Safe Routes to School
- 2020 Census – Complete Count
- Carmel River Flood Reduction and Environmental Enhancement
- Carmel Lagoon Planning and Construction
- San Lucas Water Supply Replacement
- Interlake Tunnel & Fish Screens
- San Antonio & Nacimiento Dam and Spillway Improvements
- Salinas River Management Program – Habitat Conservation Plan
- Salinas Regional Soccer Complex
- Justice Assistance Grant (JAG)

# Thank you!

- Board of Supervisors / Legislative Committee
- County Department Heads & Staff
- Brent Heberlee, Ballard Spahr LLP
- Jennifer Capitolo, Nossaman LLP
- Ashley Walker, Nossaman LLP
- CAO-IGLA Team