



Legislation Details (With Board Report)

File #: 21-275 **Name:** Federal Earmarks 04.06.2021
Type: General Agenda Item **Status:** General Government - Consent
File created: 3/29/2021 **In control:** Board of Supervisors
On agenda: 4/6/2021 **Final action:**
Title: Authorize the County Administrative Office to work with the County's federal legislators on potential earmark requests through the FY2022 appropriations and/or surface transportation reauthorization processes to advance Monterey County projects or programs.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Completed Board Order Item No. 15

Date	Ver.	Action By	Action	Result
4/6/2021	1	Board of Supervisors	amended	Pass

Authorize the County Administrative Office to work with the County's federal legislators on potential earmark requests through the FY2022 appropriations and/or surface transportation reauthorization processes to advance Monterey County projects or programs.

RECOMMENDATION:

It is recommended that the Board of Supervisors authorize the County Administrative Office to work with the County's federal legislators on potential earmark requests through the FY2022 appropriations and/or surface transportation reauthorization processes to advance Monterey County projects or programs.

SUMMARY:

It was recently announced that members of Congress would have the opportunity to submit earmark requests through the FY2022 appropriations process for community projects and under the surface transportation reauthorization process. Congressman Panetta requested information from Monterey County regarding potential projects/programs for his consideration on or before April 1, 2021. Due to the short timeframe for response and no Board of Supervisors meetings scheduled before that date, the County Administrative Officer sent a letter to Congressman Panetta providing short descriptions of several potential County projects/programs with a focus on County priorities and projects/programs where potential funding could be spent down over the next 1-2 years if received.

Staff recommends that the Board authorize the County Administrative Office to continue to work with Congressman Panetta and his staff to refine any of the County's requests he chooses to submit - and to similarly work with Senator Feinstein and Senator Padilla on these requests.

DISCUSSION:

In late February, House Democrats announced that the Appropriations Committee will be accepting Member

requests for earmarked projects. In late March, House Republicans decided to participate in the process as well. The decision to return to the practice of earmarking federal funds, which was banned by Congress in 2011 due in large part to concerns that it led to frivolous spending, is meant to encourage bipartisan cooperation and ensure that Congress isn't ceding too much of its spending authority to the executive branch. Per guidance released by the House Appropriations Committee, earmarks are being rebranded as "Community Project Funding." Committee leaders also are instituting a number of reforms to the previous earmarking process, including banning for-profit recipients and capping the total number of project requests that House Members may submit.

Members are limited to funding requests for state and local governmental entities and for eligible non-profits, and the Committee will accept a maximum of 10 community project requests from each member, though only a handful may actually be funded. Members must provide evidence of community support that were compelling factors in their decision to select the requested projects, and all projects requests must be posted on the Member's website. The House Appropriations Committee has identified the specific accounts and programs that are eligible for Community Project Funding requests and the criteria necessary for consideration in those areas. Members must submit their requests to the Committee by the end of April, but most members, including Congressman Panetta, have asked local sponsors to submit project requests to their offices as soon as possible so that they can begin their internal process of reviewing and prioritizing projects. Meanwhile, in the Senate, Appropriations Committee Democrats have indicated that they also intend to restore earmarks, though no official announcement has yet been made.

In addition to individual appropriations measures, the House Transportation and Infrastructure Committee will provide an opportunity for members to submit requests for highway and transit project designations to the upcoming surface transportation reauthorization measure. The Committee has encouraged Member offices to submit requests that advance the goals of the surface transportation legislation, which include building a safer transportation network, increasing access, strengthening our multi-modal transportation systems, reducing carbon pollution, enhancing environmental justice, supporting underserved communities, and improving state of good repair of our Nation's infrastructure. These requests must be submitted no later than April 16, 2021.

Congressman Panetta has requested preliminary information of potential County projects by April 1, 2021. The County Administrative Officer will send a letter to Congressman Panetta by that date including summaries and funding needs on the following projects/programs for his consideration:

- Pajaro River Flood Risk Management Project (in conjunction with Santa Cruz County)
- Davis Road Bridge Replacement and Road Widening Project
- Monterey Bay Sanctuary Scenic Trail - Moss Landing Segment
- Castroville sidewalks
- San Ardo sidewalks
- San Lucas sidewalks
- San Lucas safe drinking water
- Palo Colorado Road Project
- Additional Licenses for VIPER 9-1-1 Phone System at Expanded Dispatch Center
- Safety Fence and Parking Lot Repaving at Emergency Services Center (ESC)
- Emergency Operations Center (upgrade or expansion)
- Primary Care/Behavioral Health Clinic - 311 Sanborn Road, Salinas
- Primary Care/Behavioral Health Clinic - 30 Pearl Street, Salinas
- Primary Care/Behavioral Health Clinic - Alisal Health Center, 559 E. Alisal Street, Salinas
- Jolon Road - or - South County Wine Corridor/Trails Segment
- Monterey County Summer Jobs for Youth Program

OTHER AGENCY INVOLVMENT:

The County Administrative Office - Intergovernmental & Legislative Affairs Division (CAO-IGLA) prepared this report with the assistance of the County's federal legislative advocate, Brent Heberlee of Ballard Spahr LLP, and the following departments: Public Works, Facilities, Parks (PWFP); Water Resources Agency (WRA); Health; Emergency Communications (9-1-1); CAO-Office of Emergency Services; and CAO-Workforce Development.

FINANCING:

Monterey County's Legislative Program is funded in County Administrative Office-Department 1050, Intergovernmental & Legislative Affairs Division-Unit 8054. Approval of this recommendation will not result in additional general fund contributions.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Mark a check to the related Board of Supervisors Strategic Initiatives

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

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Date: March 29, 2021