**SUBMITTAL TO THE BOARD OF SUPERVISORS**
**COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

**ITEM:** 2.6
(ID # 22683)
**MEETING DATE:**
Tuesday, August 01, 2023

**FROM :** EXECUTIVE OFFICE:

**SUBJECT:** EXECUTIVE OFFICE: Receive and File the Monthly Advocacy Update for July 2023, [All Districts] [$0]

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Receive and File the Monthly Advocacy Update for July 2023.

**ACTION:Consent**

Carolina Salazar Herrera
Carolina Salazar Herrera, Deputy Director of Legislative Advocacy 7/27/2023

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**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Spiegel, seconded by Supervisor Gutierrez and duly carried by unanimous vote, IT WAS ORDERED that the above matter is received and filed as recommended.

| | |
|---|---|
| Ayes: | Jeffries, Spiegel, Perez, Washington, and Gutierrez |
| Nays: | None |
| Absent: | None |
| Date: | August 1, 2023 |
| xc: | E.O. |

Kimberly A. Rector
Clerk of the Board
By: _____
Deputy

## BACKGROUND:

**Summary**

Board Policy A-27 provides, in part, that the County's legislative advocates and/or the Executive Office shall provide monthly reports on the progress of County-sponsored legislation and issues at the forefront of discussion at State/Federal levels that may have a fiscal and/or operational impact on the County. Included in the reports shall be known formal positions of notable associations and/or organizations.

## ATTACHMENTS:

Monthly Advocacy Update (July 2023)
CSAC Letters (July 2023)
UCC Letters (July 2023)

# MONTHLY ADVOCACY UPDATE

Board Policy A-27 provides, in part, that the County's legislative advocates and/or the Executive Office shall provide monthly reports on the progress of County-sponsored legislation and issues at the forefront of discussion at state/federal levels that may have a fiscal and/or operational impact on the County. Included in the reports shall be known formal positions of notable associations and/or organizations. The Monthly Advocacy Update is meant to meet that requirement.

This report includes updates on the County's federal and state legislative advocacy efforts, legislation of interest, and copies of advocacy letters sent.

## CALIFORNIA STATE ADVOCACY

Since mid June the legislature has passed a series of bills as part of the 2023-24 budget agreement reached between Governor Gavin Newsom and the legislature. During the legislature's final week of session prior to breaking for summer recess, Governor Newsom signed the remaining budget bills including an infrastructure package that was the key sticking point in budget negotiations. Some additional budget related measures will emerge in August or September when the Legislature returns from summer recess.

The Budget Bill Jr., AB 102 combined with SB 101 and various trailer bills, reflects a state spending plan that totals $310.8 billion, of which $225.9 billion is from the General Fund. The bill also includes $750 million across several policy areas to fund dozens of legislative priority projects across the state. The RivCo legislative delegation secured funding for several countywide legislative priorities including:

- **$3,063,000** to the County of Riverside, for TruEvolution for the launch of the Inland Empire LGBTQ Resource Center and grant initiatives, including services in southwest Riverside County, including Menifee, Lake Elsinore, and Norco.
- **$2,500,000** for the Riverside University Health System for planning and design costs of Children and Youth Services facilities.
- **$2,000,000** to the Riverside County Housing Authority, for the Galilee Center Housing Shelter.
- **$500,000** for the Military Department for a feasibility study for a prospective Youth Challenge Academy in the County of Riverside

**Outreach & Communications**

- The Housing Authority of the County of Riverside (HACR) cohosted a ribbon cutting for Inland Empire LGBTQ Resource Center with TruEvolution in the City of Riverside on 06/30/23. To honor the occasion Assemblymember Sabrina Cervantes was joined by members of the state legislature.
- Representative Mark Takano toured Myers Park Apartments, a RivCo HUD funded housing development, in the City of Moreno Valley on 07/05/23.
- County leaders from Housing and Workforce Solutions met with federal members of the RivCo Legislative Delegation to highlight housing and homelessness issues as part of the National Conference on Ending Homelessness (NAEH) Capitol Hill Day on 07/19/23.

- State Senator Rosilicie Ochoa Bogh toured the RUHS Public Health Laboratories in the City of Riverside on 07/21/23. County leaders highlighted the County's Blue Zone initiative and behavioral health priorities.

## RivCo Bill List

### 118th Congress

- **H.R.696 (Rep. Calvert, Ken [CA-41])** To direct the United States Postal Service to designate a single, unique ZIP Code for Eastvale, California.
  **Position:** Support [Per Board Agenda Item 3.1 on 02/07/23]
- **H.R.726 (Rep. McClain, Lisa C. [MI-9])** To amend the Wild Free-Roaming Horses and Burros Act to direct the Secretary of the Interior to implement fertility controls to manage populations of wild free-roaming horses and burros, and to encourage training opportunities for military veterans to assist in range management activities, and for other purposes.
  **Position:** Watch
- **H.R. 1586 Forest Protection and Wildland Firefighter Safety Act of 2023 (Rep. LaMalfa, Doug [R-CA-1])/S. 796 Forest Protection and Wildland Firefighter Safety Act of 2023 (Sen. Lummis, Cynthia M. [R-WY]** Exempts discharges of fire retardant by Federal land management agencies and local governments from the permitting requirements of the National Pollutant Discharge Elimination System.
  **Position:** Support

### 2023 California Legislative Session

- **AB 386 (Nguyen-D) California Right to Financial Privacy Act.** This bill would improve the capability of Adult Protective Services (APS) to fulfill its obligation to protect seniors and disabled adults from financial abuse.
  **Position:** Support
  **Impact:** The bill was proposed by the RivCo Department of Public Social Services and is sponsored by the California Welfare Directors Association.
- **AB 444 (Addis-D) California Defense Community Infrastructure Program (DCIP).** Would establish the California Defense Community Infrastructure Program, which would require the Office of Planning and Research, to grant funds to local agencies, which would assist with applications and matching fund requirements, for the federal DCIP.
  **Position:** Support
  **Impact:** The bill could help RivCo more strategically apply for DCIP funds to help the March Air Reserve Base community.
- **AB 827 (Garcia-D) Public health: pulmonary health: Salton Sea region.** Would require the State Department of Public Health to conduct a study of the pulmonary health of communities in the Salton Sea region.
  **Position:** Support
  **Impact:** This bill could help RUHS Public Health inform and advance health equity work in the Salton Sea.

- **AB 1057 (Weber-D) California Home Visiting Program.** Codifies the California Home Visiting Program (CHVP), which the California Department of Public Health (CDPH) created administratively.
  **Position:** Support [Letter of Support sent 06/09/23 Attachment A]
  **Impact:** The bill would provide funds to local health departments to support pregnant people and parents with young children, providing funding and policy opportunities for RUHS Public Health's health equity work.
- **AB 1168 (Bennett-D) Emergency medical services (EMS): prehospital EMS.** Would change the key provisions of the EMS Act, creating a fractured local EMS (LEMSA) system in which local jurisdictions could opt out of our current LEMSA.
  **Position:** Oppose
  **Activation:** In addition to partnering with the opposition coalition, EMD staff met with legislative offices to advocate against the bill.
- **AB 1448 (Wallis-R) Cannabis: enforcement by local jurisdictions.** Increases code enforcement and collection tools for illegal cannabis operators.
  **Position:** Support [Letter of Support sent 07/03/23 Attachment B]
  **Impact:** This bill could grant the County greater enforcement tools to go after illegal cannabis operators.
- **SB 21 (Umberg-D) Civil actions: remote proceedings.** The current ability to appear remotely to conduct conferences, hearings, proceedings, and trials in civil cases, in whole or in part, is set to expire in 2023, this would extend that ability until 2026.
  **Position:** Support [Per Agenda Item 3.3 on 05/02/23]
  **Impact:** This bill would allow for greater efficiency and increased court access, promoting efficient Community Assistance, Recovery and Empowerment (CARE) Act implementation.
- **SB 22 (Umberg-D) Courts: remote proceedings.** The current ability to appear remotely to conduct conferences, hearings, proceedings, and trials in juvenile cases, in whole or in part, is set to expire in 2023, this would extend that ability until 2026.
  **Position:** Support
  **Impact:** This bill would facilitate more efficient case processing and help the court and its county partners in addressing persistent backlogs.
- **SB 45 (Roth-D) California Acute Care Psychiatric Hospital Loan Fund.** Creates the California Acute Care Psychiatric Hospital Loan Fund and would continuously appropriate moneys to provide loans to qualifying county or city and county applicants for the purpose of building or renovating acute care psychiatric hospitals, psychiatric health facilities, or psychiatric units in general acute care hospitals, as defined.
  **Position:** Support
  **Advocacy Strategy:** In addition to supporting the bill, RUHS is encouraging community partners to submit letters of support.
- **SB 75 (Roth-D) Courts: Judgeships.** This bill would authorize 26 additional judgeships, subject to appropriation. This bill would require the Judicial Council to determine the allocation of those positions, pursuant to their uniform criterion, resulting in six additional judges for Riverside County Courts.
  **Position:** Support [Per Board Agenda Item 3.5 on 01/24/23]
  **Advocacy Strategy:** RivCo leaders have highlighted the impacts of judicial shortages during meetings with members of the legislative delegation and have submitted formal letters of support [07/11/23 Attachment C].

- **SB 99 (Umberg-D) Courts: remote proceedings for criminal cases.** The current ability to appear remotely to conduct conferences, hearings, proceedings, and trials in juvenile cases, in whole or in part, is set to expire in 2023, this would extend that ability until 2026.
  **Position:** Support
  **Impact:** This bill would facilitate more efficient case processing and help the court and its county partners in addressing persistent backlogs.
- **SB 318 (Ochoa Bogh-R) 211 Infrastructure.** This bill would establish the 211 Support Services Grant Program, which would enhance and scale 211 services across California.
  **Position:** Support
  **Impact:** This bill supports statewide 211 operations, capacity, and grant funding for the various network partners.
- **SB 366 (Caballero-D) The California Water Plan: long-term supply targets.** This bill would complement and amplify Governor Newsom's Water Supply Strategy, ensuring there are reasonable water supply targets.
  **Position:** Support [Per Board Agenda Item 3.4 on 11/01/22]
  **Advocacy Strategy:** This bill is being proposed by the Solve the Water Crisis Coalition as a solution to creating more reasonable water targets.
- **SB 371 (Ochoa Bogh-D) Undomesticated burros.** This bill would also authorize a nonprofit that contracts with a county to provide services to undomesticated burros.
  **Position:** Sponsor
  **Impact:** This bill was proposed by RivCo Animal Services. If passed this bill would allow animal services to work with nonprofit providers to provide services to the burro population.
- **SB 418 (Padilla-D) Prison Redevelopment.** This bill would establish the California Prison Redevelopment Commission to prepare a report with recommendations that deliver clear and credible recommendations for creative uses of closed prison facilities and will turn those sites into community assets.
  **Position:** Support [Per Board Agenda Item 3.2 on 05/09/23]
  **Impact:** This bill could be a vehicle for the County and community of Blythe to look at the impacts of the proposed closure. [Letter of Support 06/29/23 Attachment D]
- **SB 602 (Archuleta-D & Seyarto-R) Trespass.** This bill would authorize a single request for assistance to be made and submitted electronically, allowing for streamlined enforcement of trespassing.
  **Position:** Support
  **Impact:** This bill would help our County's code enforcement partners streamline their existing processes.

Attachment A

COUNTY OF RIVERSIDE



June 29, 2023

The Honorable Anthony Portantino
Chair, Senate Appropriations Committee
1021 O Street, Suite 7630
Sacramento, CA 95814

**Re: AB 1057 (Weber): California Home Visiting Program**
**As Amended June 26, 2023 – SUPPORT**

Dear Senator Portantino:

On behalf of the County of Riverside Board of Supervisors, I am writing in support of AB 1057 by Assembly Member Akilah Weber. This bill would grant local health departments flexibility to administer the California Home Visiting Program (CHVP) in a manner that more equitably meets the unique needs of each community.

Specifically, the bill would authorize local health departments to: 1) use any one of the evidence-based models approved by the federal Maternal, Infant, and Early Childhood Home Visiting (MIECHV) Program; 2) utilize an alternative public health nursing model submitted to and approved by the California Department of Public Health (CDPH); and 3) authorize local health departments to supplement their home visiting program with mental health supports.

Currently, CDPH only allows three evidence-based home visiting models to be administered as part of the CHVP, while the federal MIECHV Program allows 20 evidence-based models to be administered. While we applaud the current models and the great impact they have, there are limitations. The three models currently in use do not fully address families experiencing mental health issues, homelessness, perinatal substance use and other high-risk circumstances.

For example, in Riverside County mothers dealing with substance use disorders are better served by less intensive and shorter-term home visiting programs. However, our ability to support these women is limited because they are either not eligible for the current models or the current models don't allow for the types of services needed. The flexibility to implement additional models and/or to submit a public health nurse model for CDPH's approval will allow the County of Riverside Department of Public Health to expand the reach and impact of our home visiting programs.

**Attachment A**

Further, because of the COVID-19 pandemic, the County of Riverside has seen a growing need to provide enhanced support for our children and families. Currently, only one of the three CDPH approved models incorporate mental health supports. According to CDPH, one in five California women experience symptoms of depression during or after pregnancy. CDPH also states that Black and Latina women, women who have low incomes, or those who experienced hardships in their childhood or during pregnancy are at heightened risk of having symptoms of depression.

Allowing local health departments to supplement home visiting with mental health supports, and including training for home visiting staff, will permit our County's visiting program to support more parents and families during the perinatal period where they are most vulnerable to maternal mental health disorders.

AB 1057 gives local health departments additional tools to better meet the needs of families and children served by CHVP. It is for these reasons that the County of Riverside strongly supports AB 1057. Should you have any questions regarding this letter of support, please do not hesitate to contact Carolina Herrera, Director of Legislative Advocacy & Governmental Affairs at the County of Riverside Executive Office (951) 955-1180 or csherrera@rivco.org.

Sincerely,

Supervisor Kevin Jeffries
Chair, County of Riverside Board of Supervisors

cc: The Honorable Akilah Weber, Member, California State Assembly
Members and Consultants, Senate Appropriations Committee
Honorable Members, County of Riverside Legislative Delegation

Attachment B

COUNTY OF RIVERSIDE



July 3, 2023

The Honorable Richard D. Roth
Chair, Senate Committee on Business, Professions and Economic Development
1021 O Street, Suite 7510
Sacramento, CA 95814

**RE: AB 1448 (Wallis) – Cannabis: Enhanced Enforcement**
**Amended 5/3/2023 – SUPPORT**
**Set for hearing 7/10/2023 – Senate Committee on Business, Professions and Economic Development**

Dear Assembly Member Wallis:

On behalf of the Riverside County Board of Supervisors, I am writing in support of AB 1448, Assembly Member Greg Wallis' measure that seeks to strengthen local enforcement mechanisms against unlicensed cannabis activities. Like many other jurisdictions across the state, the County of Riverside is interested in securing additional tools to address the regulatory, taxation, environmental, health as well as public safety challenges associated with the unlicensed cannabis industry.

Regrettably, the illicit cannabis market continues to flourish despite legalization of recreational cannabis use more than seven years ago and considerable legislative efforts in the intervening years to curb ongoing, unlicensed, and unregulated activities. We appreciate that AB 1448 would enhance existing provisions in Business and Professions Code section 26038 to: (1) strengthen requirements around demonstrating that a person aided and abetted unlicensed cannabis activities; (2) clarify the public prosecutors who may bring actions for civil penalties under this section; and (3) specify that if the action is brought by a public prosecutor at the local level then any civil penalties remaining after reimbursing local counsel for their associated costs would be split equally between the local entity and the state. We understand that additional provisions outlining specific administrative mechanisms are being discussed that would facilitate local governments' swift action to address illegal cannabis activity. The County looks forward to reviewing those enhancements to this legislation.

AB 1448 would create useful, appropriate, and thoughtfully crafted incentives for local governments to pursue statutory civil penalties associated with unlicensed cannabis operations. Importantly, revenues from these actions would then be available as a much-needed resource to reinvest in local enforcement efforts. For these reasons, the County of Riverside is pleased to

**Attachment B**

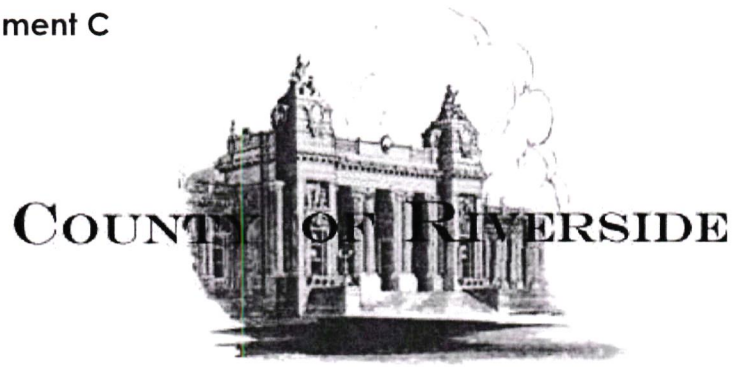
support AB 1448, and we urge your committee's most positive consideration of this measure. Should you have any questions regarding this letter of support, please do not hesitate to contact Carolina Herrera, Director of Legislative Advocacy & Governmental Affairs at the Riverside County Executive Office (951) 955-1180 or csherrera@rivco.org.

Sincerely,

Supervisor Kevin Jeffries
Chair, County of Riverside Board of Supervisors

cc: Members and Consultants, Senate Committee on Business, Professions and Economic Development
Honorable Members, County of Riverside Legislative Delegation

Attachment C






July 11, 2023

The Honorable Chris Holden
Chair, Assembly Appropriations Committee
1021 O Street, Suite 5650
Sacramento, CA 95814

**RE: SB 75 (Roth) – Additional Superior Court Judgeships**
**As amended 3/20/2023 – SUPPORT**
**In Assembly Appropriations Committee**

Dear Senator Roth:

On behalf of the County of Riverside Board of Supervisors, I write in strong support for SB 75, Senator Richard Roth's measure that would create 26 additional superior court judgeships. This bill would go a long way toward providing relief to the trial courts and improving access to justice while assisting our county's criminal justice partners in carrying out their critical functions and fulfilling core county responsibilities related to matters before the court.

As required in statute, the Judicial Council of California assesses superior courts' workload and subsequently produces a biennial report regarding statewide judgeship needs. The Judicial Needs Assessment then prioritizes placement of additionally required judicial officers based on need. The latest assessment, published in fall 2022, identifies a need for 98 additional judicial officers to meet statewide workload and caseload demands.

Riverside County has the second largest shortfall in assessed judicial need – the superior court's workload warrants an additional 23 judicial officers, which represents nearly one-quarter (23 percent) of the overall statewide need for 98 judicial officers. Even after 23 previously authorized judgeships were funded in the 2022-23 budget, four of which were directed to the Riverside County Superior Court, the gap between local trial court workload and assessed judicial need remains vast. Steep population growth in Riverside County over the last several decades has greatly outpaced the trial court's ability to keep up with the attendant demand on judicial resources.

SB 75 would take another necessary and appropriate step in addressing the clearly demonstrated shortfall in judicial resources across the state. For these reasons, the County of Riverside is pleased to support this important bill and encourages your committee's most positive

**Attachment C**

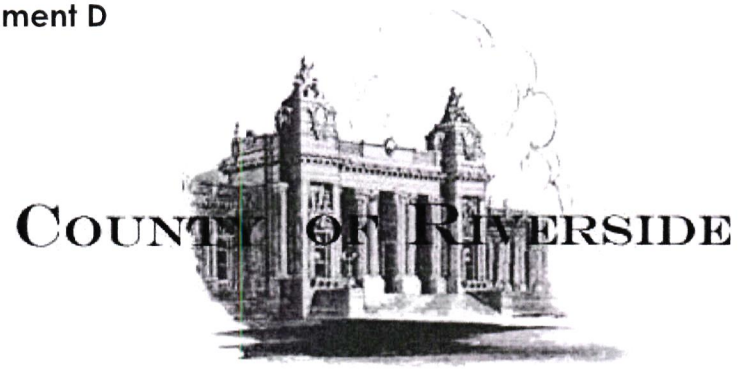
consideration. Thank you for considering our County's perspective. Should you have any questions, please do not hesitate to contact Carolina Herrera, Director of Legislative Advocacy & Governmental Affairs at the County of Riverside Executive Office (951) 955-1180 or csherrera@rivco.org.

Sincerely,

Supervisor Kevin Jeffries
Chair, Riverside County Board of Supervisors

cc: Members and Consultants, Assembly Appropriations Committee
The Honorable Richard D. Roth, Member of the Senate
Honorable Members, Riverside County Delegation

Attachment D






June 29, 2023

The Honorable Carlos Villapudua
Chair, Assembly Jobs, Economic Development, and the Economy Committee
1021 O Street, Suite 6340
Sacramento CA 95814

**Re: SB 418 (Padilla) – California Prison Redevelopment Commission**
**As amended 5/18/2023 – SUPPORT**
**Awaiting hearing – Assembly Committee on Jobs, Economic Development, and the Economy**

Dear Assembly Member Villapudua:

On behalf of the County of Riverside Board of Supervisors, I am writing in support of SB 418, Senator Steve Padilla's measure that would establish the California Prison Redevelopment Commission, specify its composition, and set forth its responsibilities with respect to developing recommendations on creative uses for repurposing closed state prison facilities.

The California Department of Corrections and Rehabilitation (CDCR) recently announced the planned closure of the Chuckawalla Valley State Prison (CVSP) located in the City of Blythe that sits at the eastern edge of Riverside County. Despite the economic benefits and employment opportunities associated with being host to a state prison facility, Blythe is a disadvantaged rural community where more than 20 percent of its population live in poverty. If the closure of CVSP is carried out, more than 800 well-compensated jobs would evaporate – resulting quite literally in devastating economic impacts from which the region is unlikely to recover unless the facility is successfully repurposed. Our County will continue to advocate for alternatives and mitigations to this closure proposal.

As it relates specifically to SB 418, this measure recognizes the need for longer-term planning and more comprehensive consideration of the impact of prison facilities closures statewide. We appreciate that the measure would incorporate community input into this process, focus on the needs of impacted communities, and drive toward a set of clear and credible recommendations for economic redevelopment opportunities of these important public assets. Given the state's stated objectives regarding further reduction of the state's carceral footprint, it is more important than ever to establish a thoughtful framework with a broad array of perspectives and expertise to inform decisions about sustaining economic resiliency in affected communities.

**Attachment D**

For these reasons, the County of Riverside is pleased to support SB 418, and we encourage your committee's most positive consideration of this measure when it comes before you. We thank you for considering the County's perspective. Should you have any questions regarding this letter of support, please do not hesitate to contact Carolina Herrera, Director of Legislative Advocacy & Governmental Affairs at the County of Riverside Executive Office (951) 955-1180 or csherrera@rivco.org.

Sincerely,

Supervisor Kevin Jeffries
Chair, County of Riverside Board of Supervisors

cc: Members and Consultants, Assembly Committee on Jobs, Economic Development, and the Economy
Honorable Members, County of Riverside Legislative Delegation

URBAN COUNTIES
OF CALIFORNIA



June 19, 2023

The Honorable Susan Talamantes Eggman
Chair, Senate Health Committee
1021 O Street, Suite 8530
Sacramento, CA 95814

**Re: AB 4 (Arambula) – Covered California Expansion**
**As Amended March 9 and Revised April 12, 2023 – SUPPORT**
**Set for Hearing July 5 in Senate Health Committee**

Dear Senator Eggman:

On behalf of the Urban Counties of California (UCC), a coalition of the state's most populous counties, I write in support of AB 4 (Arambula), which would authorize Covered California to apply for a federal waiver to allow undocumented residents to obtain coverage through the Exchange. Specifically, AB 4 will allow undocumented individuals to purchase coverage through Covered California beginning in plan year 2026.

The UC Berkeley Labor Center projects that by 2024 approximately 2.57 million Californians under age 65 (7.9% of the population) will be uninsured. Undocumented Californians will continue to be categorically excluded from Covered California under federal policy. They are currently excluded from purchasing coverage through Covered California and from receiving the federal premium subsidies that help make coverage more affordable for other Californians. UC Berkeley Labor Center estimates in 2024 there will be 520,000 uninsured undocumented Californians not eligible for Medi-Cal, without an offer of affordable employer-based coverage, and not eligible for Covered California due to federal rules.

AB 4 will continue the coverage gains made in California. Health care allows Californians to access the right care, at the right time, and in the right setting. Access to affordable coverage is essential to improving health in our communities. For these reasons, UCC supports AB 4. Please do not hesitate to contact me for additional information at 916-753-0844 or kbl@hbeadvocacy.com.

Sincerely,

Kelly Brooks-Lindsey
UCC Legislative Advocate

cc: Joaquin Arambula, Member, California State Assembly

1127 11TH STREET,
SUITE 810
SACRAMENTO, CA 95814
916.327.7531
URBANCOUNTIES.COM

Members and Consultants, Senate Health Committee

July 6, 2023

The Honorable Thomas Umberg
Chair, Senate Judiciary Committee
1021 O Street, Room 6530
Sacramento, CA 95814

**RE: AB 426 (JACKSON): Residential foster care facilities: temporary management.**
**As Amended June 28, 2023— OPPOSE**
**Set for Hearing July 11, 2023 in Senate Judiciary Committee**

Dear Senator Umberg:

On behalf of the California State Association of Counties (CSAC), Urban Counties of California (UCC), and Rural County Representatives of California (RCRC) we are writing in respectful opposition to Assembly Bill 426 (Jackson).

While well-intentioned, AB 426 is the wrong approach to addressing the significant issues currently facing the child welfare system. As has been publicly reported for more than a year now, the lack of treatment options for complex needs youth is resulting in counties utilizing unlicensed facilities such as offices and hotel rooms in lieu of licensed alternatives. This is not the situation any county wants, but it is what counties face when there are not enough appropriate licensed settings – either family based or congregate – who will accept our children and youth for placement and provide them with the treatment and services they desperately need.

Since the passage and implementation of the Continuum of Care Reform (CCR) in 2015, counties have been at the forefront of transforming California's child welfare system. Even prior to CCR, the use of congregate care options had dropped significantly across the state, making California a leader in this area compared to many other states. Since 2015, however, residential, treatment-based options for foster youth with the most severe needs have become difficult to access. California has lost over 1,000 treatment beds from former group homes that were unable, or chose not to, convert to short-term residential therapy placements or were affected by other state and federal changes. While counties have shifted to alternatives such as intensive family finding services and increased use of family-based care, as well as resource family recruitment, it is often extremely difficult to find appropriate treatment settings for foster youth who need a short-term but highly intensive therapeutic care. This need is especially acute amongst older foster youth with cooccurring issues such as substance use disorders, developmental disabilities, health conditions and mental health treatment needs.

California is not alone in struggling with options for youth with the most complex needs. Other states report a similar crisis. Our organizations have consistently advocated for legislative proposals and budget investments that would address the underlying issues by expanding placement options and services to complex needs youth. AB 426, while well intentioned, does nothing to address the underlying

issue that leads counties to have foster youth in unlicensed placements. AB 426 would allow the state, which has little to no experience in the direct care of youth, to place a "temporary manager" over a residential foster care facility and fine county staff. Allowing the state to take over a facility, does nothing to address the underlying root cause of why these youth are at such facilities in the first place – the severe lack of more appropriate, service-rich, community-based treatment options for foster youth. Were the state to come into a facility as a "temporary manager," it would still face all of these issues and, due to its lack of knowledge of direct care, likely struggle even more to arrange necessary services and supports for these youth. Rather than a recipe for success, this bill is a recipe for even more harm to youth who have already suffered significant trauma and likely numerous placement moves and staffing changes over their time in foster care.

Further, the state, which licenses all foster care placements, is well aware of the struggles counties have had in placing complex needs youth, due to the fact that counties engage regularly with the Department of Social Services (CDSS), Department of Health Care Services and Department of Developmental Services, both at the leadership level and on staff-level technical assistance calls when foster youth are in such facilities and in unlicensed care. CDSS regularly engages counties in established processes to address any licensing violations and does not hesitate to place counties on corrective action plans when they are required to address any licensing deficiencies. The level of attention being paid to this issue is significant on the state's part. Unfortunately, true solutions have not yet been identified but work continues to do so.

In short, AB 426 is not that solution. The bill would allow the state to take over a facility regardless of any other established process, or failure of that process, based on only the state's documentation of deficiencies in the facility. The proposal would inappropriately and drastically change the state and county lines of responsibility, thus undermining the counties' statutory and historic role in the administration of the child welfare program with oversight by the State.

The measure would also allow the state to impose civil penalties on a person that fails to "locate appropriate placements for all of the foster children and youth residing in an unlicensed facility within 60 days after receiving the formal statement of allegations." It is unclear whether the term person is meant to refer to social workers, child welfare agency directors, county supervisors, or all of the above. Certainly, such a provision will only add to the challenges we have locally in recruiting and retaining child welfare staff and managers.

While we understand the urge to address the inappropriate use of unlicensed facilities or concerns with licensed county facilities such as shelters, allowing the state to unilaterally decide to take over a facility while failing to address any of the other underlying provider and placement shortages and assess civil penalties, does nothing to fix the reality of foster youth staying in hotels, conference rooms, or juvenile justice facilities. All it will do is shift the burden from the counties to the state, which is simply not equipped to administer programs and facilities on the ground.

For the reasons outlined above, CSAC, UCC, and RCRC respectfully oppose AB 426. Should you have any questions regarding our position, please do not hesitate to have your staff contact our organizations.

Sincerely,

Justin Garrett
Senior Legislative Advocate
CSAC
jgarrett@counties.org
916-698-5751

Kelly Brooks-Lindsey
Legislative Advocate
UCC
kbl@hbeadvocacy.com
916-753-0844

Sarah Dukett
Policy Advocate
RCRC
sdukett@rcrcnet.org
916-447-4806

cc: The Honorable Corey Jackson, MSW, DSW, Member, California State Assembly
Members and Consultants, Senate Judiciary Committee

June 21, 2023

The Honorable Dave Cortese
Chair, Senate Labor, Public Employment and Retirement Committee
1021 O Street, Room 6740
Sacramento, CA 95814

**RE:** **AB 504 (Reyes) State and Local Public Employees: Labor Relations: Disputes.**
**OPPOSE** (As Amended 4/13/23)

Dear Senator Cortese:

The League of California Cities (Cal Cities), Rural County Representatives of California (RCRC), California Association of Joint Powers Authorities (CAJPA), Association of California Healthcare Districts (ACHD), California State Association of Counties (CSAC), Public Risk Innovation Solutions, and Management (PRISM), Urban Counties of California (UCC), and California Special Districts Association (CSDA) regretfully must **oppose** AB 504. This measure would declare the acts of sympathy striking and honoring a picket line a human right. AB 504 would also void provisions in public employer policies or collective bargaining agreements limiting or preventing an employee's right to sympathy strike.

State laws governing collective bargaining are in place to ensure a fair process for both unions and public entities. AB 504 upends the current bargaining processes which allows striking only in specified limited circumstances. Specifically, this bill states, notwithstanding any other law, policy, or collective bargaining agreement, it shall not be unlawful or a cause for discipline or other adverse action against a public employee for that public employee to refuse to do any of the following:

- Enter property that is the site of a primary labor dispute.
- Perform work for an employer involved in a primary labor dispute.
- Go through or work behind any primary picket line.

This poses a serious problem for public agencies that are providing public services on a limited budget and in a time of a workforce shortage. Allowing for any public employee, with limited exception, to join a striking bargaining unit in which that

employee is not a member could lead to a severe workforce stoppage. When a labor group is preparing to engage in protected union activities, local agencies have the ability to plan for coverage and can take steps to limit the impact on the community. This bill would remove an agency's ability to plan and provide services to the community in the event any bargaining unit decides to strike. A local agency cannot make contingency plans for an unknown number of public employees refusing to work.

Our organizations are not disputing the right of the employee organization to engage in the protected activity of striking. State law has created a framework for when unions can engage in protected strike activity that has been honored by local government and unions alike. **Unfortunately, this bill would allow those who have not gone through the negotiation process to now refuse to work simply because another bargaining unit is engaging in striking.**

AB 504 would void locally bargained memorandums of understanding (MOUs) regardless of what they say about the employee's ability to sympathy strike and would insert the ability for employees to engage in sympathy striking. No-strike provisions in local contracts have been agreed to by both parties in good faith often due to the critical nature of the employees' job duty. By overriding local MOUs, AB 504 would grant sympathy strikers greater rights than the employees engaged in a primary strike. Under current law, both primary and sympathy strikes may be precluded by an appropriate no-strike clause in the MOU, which this bill proposes to override only for sympathy strikes. Additionally, under current law, essential employees of a local public agency as defined by the California Public Employment Relations Board (PERB) law and further described in more detail by the collective bargaining agreement, cannot engage in a primary or sympathy strike. This bill would override these safeguards for sympathy strikers.

This bill declares sympathy striking a human right but exempts any public employee who is subject to Section 1962 of the Labor Code from having that right. Given that this bill would void local MOU no-sympathy strike agreements while exempting a specific job type, at the same time as declaring a new human right, it would only create confusion regarding which public employees cannot engage in sympathy striking.

Local agencies provide critical health and safety functions, including disaster response, emergency services, dispatch, mobile crisis response, health care, law enforcement, corrections, elections, and road maintenance. Local MOU provisions around striking and sympathy striking ensure local governments can continue to provide critical services. In many circumstances, counties must meet minimum staff requirements, e.g., in jails and juvenile facilities, to ensure adequate safety requirements. AB 504 overrides the essential employee process at PERB, thereby creating a system where any employee can sympathy strike, which could result in workforce shortages that jeopardize our ability to operate. In addition, it is unclear if this bill would apply to public employees with job duties that require work in a multi-jurisdiction function, like a law enforcement task force, where one entity is on strike. Shutting down government operations for sympathy strikes is an extreme approach that goes well beyond what is allowed for primary strikes and risks the public's health and safety.

As local agencies, we have statutory responsibility to provide services to our communities throughout the state. This bill jeopardizes the delivery of those services and undermines the collective bargaining process. For those reasons Cal Cities, RCRC,

CAJPA, ACHD, CSAC, PRISM, UCC, and CSDA must oppose AB 504. Please do not hesitate to reach out to us with your questions.

Sincerely,

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Michael Pott
Chief Legal Counsel
Public Risk Innovation Solutions, and Management (PRISM)
mpott@prismrisk.gov

CC: Assemblymember Eloise Gómez Reyes, Assembly District 5
Members and Staff, Senate Labor, Public Employment and Retirement Committee
Glenn A. Miles, Consultant, Senate Labor, Public Employment and Retirement Committee
Cory Botts, Policy Consultant, Republican Caucus

July 7, 2023

The Honorable Phil Ting
Member of the Assembly
1021 O Street, Suite 8230
Sacramento CA 95814

**RE: AB 505 (Ting) – The Office of Youth and Community Restoration**
**As amended 6/15/2023 – Oppose**
**Awaiting hearing – Senate Appropriations Committee**

Dear Assembly Member Ting:

On behalf of the California State Association of Counties (CSAC), the Urban Counties of California (UCC), and the Rural County Representatives of California (RCRC), we write to jointly express our respectful opposition to AB 505. This measure seeks to make substantive changes to several key provisions of SB 823, the 2020 legislation that realigned full responsibility for the juvenile justice continuum to county governments.

AB 505, at its core, disrupts the vital governance principle that authority must follow responsibility by upending three important aspects of the Division of Juvenile Justice (DJJ) realignment framework that were the subject of considerable negotiation during deliberations on SB 823. Provisions in that measure are explicit with respect to realigning responsibility from the state to county governments for the population of young people who previously were eligible for placement in a DJJ facility. Additionally, the legislative intent language in SB 823 reads in relevant part:

> To ensure that justice-involved youth are closer to their families and communities and receive age-appropriate treatment, it is necessary to close the Division of Juvenile Justice and move the jurisdiction of these youth to ***local county jurisdiction***. [Emphasis added.]

With this important context in mind, we believe that AB 505 would erect barriers to counties' efforts to responsibly and thoughtfully carry out DJJ realignment and would, in fact, fracture the important link between the *responsibility* for addressing the needs of youth and the *authority* to develop, guide, implement, and support a responsive local plan.

In counties' view, Section 19 of the bill, which amends Welfare and Institutions Code (WIC) Section 1991, features the most problematic set of changes. These changes would reverse key provisions in SB 823 by (1) conditioning the release of a county's funds allocated to carry out realigned responsibilities on the approval of a local plan by the OYCR and (2) further specifying that an approved plan would direct the local board of supervisor's related expenditures. From the county perspective, it is vital – again, in keeping with the principle of aligning responsibility and authority – that counties have the necessary flexibility and discretion to act with an appropriate level of local independence, informed but not directed by the input of the established subcommittee.

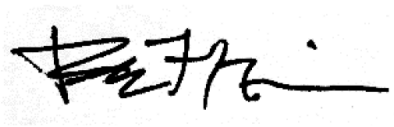
Further, we would point out that the amendments to WIC Section 1991 contradict provisions in WIC Section 733.1, the latter of which require that the state assure the continuous and uninterrupted flow of funding to support DJJ realignment or, effectively, the responsibility for the youths' care reverts to the state. These provisions were expressly included in the 2020 DJJ realignment framework to provide counties with assurances that funding would accompany the critical new responsibilities shifted to the county level. Unfortunately, those protections are directly undermined by the proposed changes in AB 505. Furthermore, these changes are also inconsistent with prior negotiated "realignments" such as 2011 Public Safety Realignment. Both SB 823 and AB 109/2011 Public Safety Realignment legislation require counties to develop an implementation plan and further require accompanying resources be spent on a broadly defined target population. However, both structures also respect the constitutional authority for county Boards of Supervisors to direct local expenditures.

Also troubling are the changes in Section 20 of the measure that would recast the subcommittee of the multiagency juvenile justice coordinating council by stripping the chief probation officer of the role as subcommittee chair. Counties find it wholly inappropriate that the subcommittee charged with developing a plan – a plan that now potentially could delay receipt of resources needed to support the youth now in our care – would be deprived of the leadership and guidance of the county department head responsible and accountable for carrying out the realigned responsibilities. Again, this change is not only inconsistent with the principles of SB 823, but also departs from a carefully negotiated and agreed-upon structure in 2011 Public Safety Realignment where the Chief Probation Officer serves as the chair of the Community Corrections Partnership—the body charged with implementation planning.

Finally, AB 505 transfers all juvenile justice-related responsibilities from the Board of State and Community Corrections (BSCC) to OYCR, including regulatory and inspection authority. Counties raised considerable concerns about the scope and reach of the newly established OYCR in our opposition to SB 823. Counties fundamentally oppose upending existing structures that created a state-local partnership where, pre-SB 823, counties were managing 98% of the juvenile justice system locally. Presumably, it was precisely this prior success that gave the state confidence that counties could again be successful with this latest round of juvenile realignment, despite counties' objections to SB 823.

Regrettably, counties believe that AB 505 would disrupt the DJJ realignment funding stream; inappropriately weaken county oversight and administrative authority; and create additional barriers to local implementation efforts. The proposed changes would not, in our view, advance what certainly are our shared goals – to ensure that trauma-informed, evidence-based care and treatment are provided to the youth and young adults in counties' care and to create strong and sustainable pathways for successful youth outcomes in our communities. It is for these reasons that CSAC, UCC, and RCRC must respectfully oppose AB 505. Please feel free to contact Ryan Morimune at CSAC (rmorimune@counties.org), Josh Gauger at UCC (jdg@hbeadvocacy.com), or Sarah Dukett at RCRC (sdukett@rcrcnet.org) for any questions on our associations' perspectives. Thank you.

Sincerely,



Ryan Morimune
Legislative Representative
CSAC

Josh Gauger
Legislative Representative
UCC

Sarah Dukett
Policy Advocate
RCRC

cc: Members and Consultants, Senate Appropriations Committee

June 20, 2023

The Honorable Thomas Umberg
Chair, Senate Judiciary Committee
1021 O Street, Room 3240
Sacramento, CA 95814

**RE: Assembly Bill 557 (Hart) – Support [As Amended June 19, 2023]**
Hearing Date: June 27, 2023 – *Senate Judiciary Committee*

Dear Senator Umberg:

The undersigned organizations are pleased to express our support for Assembly Bill 557 (Hart), related to emergency remote meeting procedures under the Ralph M. Brown Act.

The changes made to California Government Code section 54953 by Assembly Bill 361 (R. Rivas, 2021) were of vital importance to local agencies looking to meet during the COVID-19 pandemic in order to continue to conduct the people's business. These changes were necessary in order to permit local agencies to meet during a time that it would have otherwise been impossible to meet in-person safely. Important safeguards were included to ensure transparency and accountability, including the fact that the emergency provisions were only applicable in instances where the California Governor had declared a state of emergency.

While California seeks to transition to a post-COVID era, the threat of additional emergencies remains, as has been made abundantly clear by recent flooding and wildfires. Absent any legislative intervention, the processes established by AB 361 to provide remote meeting flexibility to local agencies in emergency circumstances will expire at the end of this year. To remain best equipped to address future emergencies and allow local agencies to effectively react and respond, AB 557 would eliminate the sunset on the emergency remote meeting procedures added to California Government Code section 54953. Additionally, AB 557 would adjust the timeframe for the resolutions passed to renew an agency's temporary transition to emergency remote meetings to 45 days, up from the previous number of 30 days.

This legislation will preserve an effective tool for local agencies facing emergencies that would otherwise prevent them from conducting the people's business when faced with an emergency.

Amendments to the bill following its passage out of the Senate Governance and Finance Committee strike references to social distancing, eliminating any chance at interpretating the emergency remote meeting procedures as providing for a continuation of remote meetings absent an underlying state of emergency declaration. Devoid of any mention of social distancing, the bill strikes references to the practice utilized to mitigate the effects of the COVID-19 pandemic; these and similar safety conditions are appropriately encapsulated under the general pretext for transitioning to emergency remote meeting procedures (i.e., that the state of emergency directly impacts the ability of members to meet safely in person). In this way, the bill continues to improve the efficacy of the underlying emergency remote meeting procedures while also making technical changes to accommodate received feedback.

For these reasons, the undersigned organizations are pleased to support Assembly Bill 557 (Hart).

Sincerely,

Marcus Detwiler
Legislative Representative
California Special Districts Association

Kalyn Dean
Legislative Advocate
California State Association of Counties

Carlos Machado
Legislative Advocate
California School Boards Association

Johnnie Piña
Legislative Affairs Lobbyist
League of California Cities

Sarah Bridge
Senior Legislative Advocate
Association of California Healthcare Districts

Dorothy Johnson
Legislative Advocate
Association of California School Administrators

Dane Hutchings
Managing Director
Renne Public Policy Group
on behalf of
City Clerks Association of California

Rena Masten Leddy
Board President
California Downtown Association

Danielle Blacet-Hyden
Deputy Executive Director
California Municipal Utilities Association

Martha Alvarez
Chief of Legislative Affairs and Governmental Relations
Los Angeles Unified School District

Sarah Dukett
Policy Advocate
Rural County Representatives of California

Jean Hurst
Legislative Advocate
Urban Counties of California

CC: The Honorable Gregg Hart
Members, Senate Judiciary Committee
Amanda Mattson, Counsel, Senate Judiciary Committee
Morgan Branch, Consultant, Senate Republican Caucus
Ronda Paschal, Deputy Legislative Secretary, Office of Governor Newsom

June 22, 2023

The Honorable Steve Glazer, Chair
Senate Elections and Constitutional Amendments Committee
1021 O Street, Suite 7520
Sacramento, CA 95814

Re: **AB 764 (Bryan): Local redistricting**
**As amended 5/18/23 – OPPOSE UNLESS AMENDED**
**Awaiting hearing – Senate Elections and Constitutional Amendments Committee**

Dear Senator Glazer:

On behalf of the Urban Counties of California (UCC), the Rural County Representatives of California (RCRC), the California State Association of Counties (CSAC), and the League of California Cities (CalCities) we write to share our opposition to Assembly Bill 764 unless it is amended to address our concerns associated with the proposed changes to California's FAIR MAPS Act.

While we can appreciate an interest in ensuring the public's trust in local redistricting processes, counties and cities diligently worked during the 2021 redistricting cycle to comply with the FAIR MAPS Act under extraordinary circumstances, including delayed data from the United States Census Bureau, adjusted deadlines to accommodate such delays, and COVID-related workplace challenges, including widespread health and safety protocols, remote work, and staffing shortages. To our knowledge, these efforts during the 2021 redistricting cycle were met with notable success, as noted in the findings and declarations of AB 764, especially considering that this was the first time that local agencies were tasked with new requirements for the redistricting process amidst a global pandemic. Of course, there is always room for improvement; however, some components of AB 764 impose unreasonable and impractical burdens on California counties and cities with district elections.

**Burdensome Reporting Requirements Make Compliance a Challenge.** AB 764 contains a number of new reporting requirements for counties and cities that will require significant professional assistance to ensure compliance. New requirements and reports proposed in AB 764, will be costly, time-consuming, and in all likelihood not feasible with existing staff.

In addition, each includes strict and short publishing deadlines and, in some instances, aggressively prescriptive requirements for what must be included in the report. While we support a transparent and accountable redistricting process, stringent new reporting obligations proposed in the bill pose a significant challenge to eventual compliance.

**Additional Requirements for Public Hearings Are Costly and Impractical.** AB 764 increases the number of public workshops and hearings for all counties and cities with district elections and, in some instances, increases them dramatically. The FAIR MAPS Act required counties and cities to conduct at least four public hearings; some agencies held additional workshops and hearings to better outreach to their communities. In the category of "no good deed goes unpunished," AB 764 ramps up the number of public hearings to five for the smallest agencies (plus a separate standalone workshop), seven for medium-sized agencies (plus workshops), and nine for the largest agencies (plus workshops). Further, AB 764 adds additional requirements for public meetings to be held on a weekend or evening. Public hearings and workshops require considerable time and effort to plan and execute; such a marked increase in public meetings again makes compliance a challenge. Since AB 764, like the current FAIR MAPS Act, requires live translation of public hearings upon request, this adds one more challenging task to accomplish for each and every one of these additional hearings.

**Private Right of Action Adds Significant Uncertainty and Cost.** Counties and cities have strong concerns about the special private right of action contained in AB 764 for any *ongoing* violation or *prevention of a future* violation or a *threat* of violation of the provisions of the Act. Existing law provides for robust judicial review of counties' and cities redistricting processes and decisions through a petition for writ of mandate brought under Code of Civil Procedure section 1085. These procedures provide a well-established, stable, and well-understood body of law governing judicial review of these matters, and California courts have not hesitated to intervene when county redistricting does not comply with applicable law. The proposed new private right of action interjects significant uncertainty into both the procedural requirements and substantive standards for judicial intervention, and creates significant uncertainty and invites litigation, even with a 15-day ability to cure. We are unaware of any deficiency in the current provisions for judicial review, and are likewise unaware of any flagrant violations of the FAIR MAPS Act from the 2021 redistricting, which relied upon those provisions. We consequently question the need for such a provision.

AB 764 proposes significant new requirements for local redistricting processes that, given counties' and cities' previous performance during the 2021 redistricting process, appear to be unwarranted. While it is reasonable to consider implementation of best practices for the next round of redistricting, AB 764 outlines new obligations that, when taken in total, will simply not support local agencies' redistricting success. From our perspective, such a failure would only serve to validate public distrust in the redistricting process and in our democratic systems that are already under intense public scrutiny.

We have prepared a number of what we believe are reasonable and appropriate amendments that will serve to improve the redistricting process, while ensuring that

counties and cities responsible for administering the process have the resources they need to execute the process successfully. At this time, however, we remain respectfully opposed to AB 764. Please don't hesitate to reach out if we can be of additional assistance.

Sincerely,

Jean Kinney Hurst
Legislative Advocate
Urban Counties of California
jkh@hbeadvocacy.com

Sarah Dukett
Policy Advocate
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Johnnie Pina
Legislative Affairs, Lobbyist
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cc: Members and Consultants, Senate Elections and Constitutional Amendments Committee
The Honorable Isaac Bryan, California State Assembly

July 6, 2023

The Honorable Anna Caballero, Chair
Senate Governance and Finance Committee
1021 O Street, Suite 7620
Sacramento, CA 95814

Re: **AB 764 (Bryan): Local redistricting**
**As amended 6/19/23 – OPPOSE UNLESS AMENDED**
**Set for hearing 7/12/23 – Senate Governance and Finance Committee**

Dear Senator Caballero:

On behalf of the Urban Counties of California (UCC), the Rural County Representatives of California (RCRC), the California State Association of Counties (CSAC), and the League of California Cities (CalCities) we write to share our opposition to Assembly Bill 764 unless it is amended to address our concerns associated with the proposed changes to California's FAIR MAPS Act.

While we can appreciate an interest in ensuring the public's trust in local redistricting processes, counties and cities diligently worked during the 2021 redistricting cycle to comply with the FAIR MAPS Act under extraordinary circumstances, including delayed data from the United States Census Bureau, adjusted deadlines to accommodate such delays, and COVID-related workplace challenges, including widespread health and safety protocols, remote work, and staffing shortages. To our knowledge, these efforts during the 2021 redistricting cycle were met with notable success, as noted in the findings and declarations of AB 764, especially considering that this was the first time that local agencies were tasked with new requirements for the redistricting process amidst a global pandemic. Of course, there is always room for improvement; however, some components of AB 764 impose unreasonable and impractical burdens on California counties and cities with district elections.

**Burdensome Reporting Requirements Make Compliance a Challenge.** AB 764 contains a number of new reporting requirements for counties and cities that will require significant professional assistance to ensure compliance. New requirements and reports proposed in AB 764, will be costly, time-consuming, and in all likelihood not feasible with existing staff. In addition, each includes strict and short publishing deadlines and, in some instances,

aggressively prescriptive requirements for what must be included in the report. While we support a transparent and accountable redistricting process, stringent new reporting obligations proposed in the bill pose a significant challenge to eventual compliance.

**Additional Requirements for Public Hearings Are Costly and Impractical.** AB 764 increases the number of public workshops and hearings for all counties and cities with district elections and, in some instances, increases them dramatically. The FAIR MAPS Act required counties and cities to conduct at least four public hearings; some agencies held additional workshops and hearings to better outreach to their communities. In the category of "no good deed goes unpunished," AB 764 ramps up the number of public hearings to five for the smallest agencies (plus a separate standalone workshop), seven for medium-sized agencies (plus workshops), and nine for the largest agencies (plus workshops). Further, AB 764 adds additional requirements for public meetings to be held on a weekend or evening. Public hearings and workshops require considerable time and effort to plan and execute; such a marked increase in public meetings again makes compliance a challenge. Since AB 764, like the current FAIR MAPS Act, requires live translation of public hearings upon request, this adds one more challenging task to accomplish for each and every one of these additional hearings.

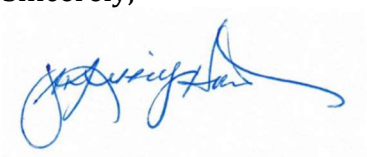
**Private Right of Action Adds Significant Uncertainty and Cost.** Counties and cities have strong concerns about the special private right of action contained in AB 764 for any *ongoing* violation or *prevention of a future* violation or a *threat* of violation of the provisions of the Act. Existing law provides for robust judicial review of counties' and cities redistricting processes and decisions through a petition for writ of mandate brought under Code of Civil Procedure section 1085. These procedures provide a well-established, stable, and well-understood body of law governing judicial review of these matters, and California courts have not hesitated to intervene when county redistricting does not comply with applicable law. The proposed new private right of action interjects significant uncertainty into both the procedural requirements and substantive standards for judicial intervention, and creates significant uncertainty and invites litigation, even with a 15-day ability to cure. We are unaware of any deficiency in the current provisions for judicial review, and are likewise unaware of any flagrant violations of the FAIR MAPS Act from the 2021 redistricting, which relied upon those provisions. We consequently question the need for such a provision.

AB 764 proposes significant new requirements for local redistricting processes that, given counties' and cities' previous performance during the 2021 redistricting process, appear to be unwarranted. While it is reasonable to consider implementation of best practices for the next round of redistricting, AB 764 outlines new obligations that, when taken in total, will simply not support local agencies' redistricting success. From our perspective, such a failure would only serve to validate public distrust in the redistricting process and in our democratic systems that are already under intense public scrutiny.

We have prepared a number of what we believe are reasonable and appropriate amendments that will serve to improve the redistricting process, while ensuring that counties and cities responsible for administering the process have the resources they need

to execute the process successfully. We also greatly appreciate the ongoing dialogue with the author's office, sponsors, and your committee staff about how to best address our concerns in a mutually beneficial manner. At this time, however, we remain respectfully opposed to AB 764. Please don't hesitate to reach out if we can be of additional assistance.

Sincerely,



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cc: Members and Consultants, Senate Governance and Finance Committee
The Honorable Isaac Bryan, California State Assembly

July 5, 2023

The Honorable Anna Caballero
Chair, Senate Governance and Finance Committee
State Capitol, Room 407
Sacramento, CA 95814

**Re: AB 1168 (Bennett): Emergency medical services (EMS): prehospital EMS**
**As Amended July 3, 2023 – OPPOSE**
**Set for Hearing on July 12, 2023 – Senate Governance and Finance Committee**

Dear Senator Caballero:

On behalf of the California State Association of Counties (CSAC), Urban Counties of California (UCC), Rural County Representatives of California (RCRC), the County Health Executives Association of California (CHEAC), and the Health Officers Association of California (HOAC), we write in OPPOSITION to AB 1168, authored by Assembly Member Steve Bennett. AB 1168 as recently amended seeks to overturn an extensive statutory and case law record that has repeatedly affirmed county responsibility for the administration of emergency medical services and with that, the flexibility to design systems to equitably serve residents throughout their jurisdiction.

With the passage of the Emergency Medical Services Act in 1980, California created a framework for a two-tiered system of EMS governance through both the state Emergency Medical Services Authority (EMSA) and local emergency medical services agencies (LEMSAs). Counties are required by the EMS Act to create a local EMS system that is timely, safe, and equitable for all residents. To do so, counties honor .201 authorities and contract with both public and private agencies to ensure coverage of underserved areas regardless of the challenges inherent in providing uniform services throughout geographically diverse areas.

AB 1168 seeks to abrogate unsuccessful legal action that attempted to argue an agency's .201 authorities – that is, the regulation that allows eligible city and fire districts which have continuously served a defined area since the 1980 EMS Act to administer EMS including providing their own or contracted non-exclusive ambulance service. In the case of the City of Oxnard v. County of Ventura, the court determined that their case "would disrupt the status quo, impermissibly broaden Health and Safety Code section 1797.201's exception in a fashion that would swallow the EMS Act itself, **fragment the long-integrated emergency medical system**, and undermine the purposes of the EMS Act."

In addition, counties have identified the following concerns with AB 1168 below.

**Oxnard v. County of Ventura**

Counties are concerned with the legislative intent language in AB 1168, which distorts the findings in the City of Oxnard v. County of Ventura case. Section 1797.11 (d) states the Oxnard v. Ventura case has created confusion and concern among local agencies regarding the utility and desirability of entering into JPAs. However, the court clearly ruled that "City contends it meets the criteria for section 1797.201 grandfathering because it contracted for ambulance services on June 1, 1980, as one of the signatories to the JPA. But on that date the JPA empowered County, not City, to contract for and administer ambulance services." Oxnard never directly contracted for ambulance services; therefore, Oxnard was not eligible to have .201 authorities. **Counties strongly oppose "giving" Oxnard .201 authorities they never had nor were eligible to have.**

In addition, the author and sponsors contend that the City of Oxnard has not received equitable ambulance services as members of the JPA. However, according to 2017-2020 data from Ventura County, the City of Oxnard had the two highest performing ambulance response time areas in the county. Furthermore, the appellate court in this case found that Oxnard's claim that current ambulance services provided by the County of Ventura were substandard was "…not supported by admissible evidence."

For the reasons stated above, we ask that Section 1797.11 (d) and Section 1797.232 (a) be removed in their entirety.

**Joint Powers Agreements**

Proponents argue that many fire districts may be reluctant to enter into joint powers agreements (JPAs) for fear of losing their .201 administrative responsibilities given this recent court case; however, in practice, many fire districts are part of JPAs and still retain their .201 authority. Nothing would preclude a JPA agreement from ensuring those administrative responsibilities could be maintained in the context of the JPA if all parties agree to those terms. If the true intent of this measure is to address .201 authority for cities and fire districts that prospectively join JPAs, counties would remove our opposition to AB 1168 if section 1797.232 (b) was the sole provision in the bill.

AB 1168, as noted, opens the door to undo years of litigation and agreements between cities and counties regarding the provision of emergency medical services and as drafted causes a great deal of uncertainty for counties who are the responsible local government entity for providing equitable emergency medical services for all of their residents. AB 1168 sets a legislative precedent that cities and fire districts can have .201 authorities bestowed when none existed. Subsequently, cities or fire districts could back out of longstanding agreements with counties. Counties would then be forced to open up already complex ambulance contracting processes while scrambling to provide continued services to impacted residents. Unfortunately, this measure creates a system where there will be haves and have nots – well-resourced cities or districts will be able to provide robust services whereas disadvantaged communities, with a less robust tax base, will have a patchwork of providers – the very problem the EMS Act, passed over 40 years ago, intended to resolve.

Our respective members are deeply alarmed by AB 1168 and the effort by the bill's sponsors to dismantle state statute, regulations, and an extensive body of case law regarding the local oversight and provision of emergency medical services in California. This bill creates fragmented and

inequitable EMS medical services statewide. For these reasons, the undersigned representatives of our organizations strongly OPPOSE AB 1168.

Thank you,

Jolie Onodera
Senior Legislative Advocate
California State Association of Counties (CSAC)

Kelly Brooks-Lindsey
Urban Counties of California (UCC)

Sarah Dukett
Legislative Advocate
Rural County Representatives of California (RCRC)

Michelle Gibbons
Executive Director
County Health Executives Association of California (CHEAC)

Kat DeBurgh
Executive Director
Health Officers Association of California (HOAC)

cc: The Honorable Steve Bennett, Member, California State Assembly
Honorable Members, Senate Governance and Finance Committee
Daniel Rounds, Consultant, Senate Governance and Finance Committee
Ryan Eisberg, Policy Consultant, Senate Republican Caucus
Kayla Williams, Policy Consultant, Senate Republican Caucus
Angela Pontes, Deputy Legislative Secretary, Office of Governor Newsom
Samantha Lui, Deputy Secretary, Legislative Affairs, CalHHS
Brendan McCarthy, Deputy Secretary for Program and Fiscal Affairs, CalHHS
Julie Souliere, Assistant Secretary, Office of Program and Fiscal Affairs, CalHHS

June 14, 2023

The Honorable Steve Glazer, Chair
Senate Elections and Constitutional Amendments Committee
1021 O Street, Suite 7520
Sacramento, CA 95814

**RE: AB 1248 (Bryan): Local redistricting: independent commissions**
**As amended 6/13/23 – OPPOSE UNLESS AMENDED**
**Set for hearing 6/20/23 – Senate Elections and Constitutional Amendments Committee**

Dear Senator Glazer:

On behalf of the Urban Counties of California (UCC), the Rural County Representatives of California (RCRC), and the California State Association of Counties (CSAC), we write to share our opposition to Assembly Bill 1248, which would require counties with populations of 300,000 or above to create an independent redistricting commission for the 2030 redistricting process.

While we acknowledge the Legislature's interest in requiring broad adoption of independent redistricting commissions at the local level, AB 1248 does not provide the necessary resources for counties to execute a successful independent redistricting commission process. To that end, we continue to urge amendments to the bill that ensure counties are fully reimbursed for costs and incorporate more robust statutory and technical assistance supports to ensure that local agencies are able to effectively deliver on the promise of independent redistricting. Additionally, we suggest amendments that would limit the scope of the bill in 2031 to those cities and counties with populations of 500,000 and to incorporate an independent assessment of the 2031 redistricting process in these jurisdictions to better understand the outcomes and impacts faced by local agencies, their independent commissions, and stakeholders before expanding a mandate to convene an independent redistricting commission to additional jurisdictions.

In terms of numbers of affected agencies, AB 1248 applies to counties most broadly. According to the most recent Department of Finance population estimates, the bill would currently apply in 22 counties; removing those counties already subject statutorily to independent redistricting commissions (Fresno, Los Angeles, Kern, Riverside, and San Diego) and those with ordinances establishing their own independent commissions (Santa

Barbara), leaving 16 counties subject to the bill. These counties, and likely their city and school counterparts, will be expected to faithfully execute the Legislature's direction to create, fund, and administer these commissions while at the same time managing their own activities to ensure that the new commissions are in fact independent. We have concerns about the capacity for those counties between the 300,000 and 500,000 in population to effectively carry out the provisions of the measure. These counties are likely to be the ones requiring additional technical assistance and support as well as resources to execute the provisions of the measure successfully.

Further, requiring an independent study of the proposed redistricting commissions before expanding the requirements of the measure to additional jurisdictions allows for sharing of best practices, an assessment of necessary resources, and an understanding of common challenges in order to help facilitate successful implementation in smaller communities.

Balancing the need for appropriate and necessary involvement at the county level with the statutory directive to ensure the commission's independence is a complex and challenging endeavor and, to date, California law does not contain additional direction to counties or their corresponding commissions nor does the state provide any technical assistance to assist when issues arise. In general, the state should provide additional guidance to counties and the corresponding commissions in the statute in areas where there is a lack of clarity and provide some avenue for technical assistance; this work should be informed by the experiences in Los Angeles, San Diego, and Santa Barbara Counties during the previous redistricting cycle, to ensure consistent practices on issues like contracting for staff, reasonable expectations for covering costs, managing litigation, maintaining a commission, and the like. Without such direction, counties and their commissions will be left to make decisions about managing the commission process on their own, informed only by the practices of their peers or their own best judgment. While counties are capable of addressing such uncertainties in the normal course of business, the "independent" nature of these commissions make it inherently difficult to have confidence as to where the line between independence and not exists.

We also reiterate the well-known fact that county elections and redistricting work are under-resourced, from a fiscal and human perspective and that there is a current lack of redistricting professionals available to provide competent assistance at a reasonable cost. The existing shortage of redistricting professionals will be exacerbated by the proposed AB 764, the FAIR MAPS Act of 2023, which will apply to hundreds of local government entities and require significant professional assistance to accomplish. There are simply not enough redistricting attorneys, map drawers, and consultants to go around and counties – and their independent redistricting commissions – will be ill-equipped to assess the expertise of such professionals without assistance. As mentioned, we are concerned with the capacity to implement this bill in the five rural counties included within the population threshold. The funding disparities, along with staffing and consultant shortages, are often magnified in smaller counties.

The promise of local independent redistricting commissions, as outlined in AB 1248, is to "ensure better outcomes for communities, in terms of fairness, transparency, public

engagement, and representation." To successfully achieve this promise, counties need more than a directive to establish a commission. They – and their corresponding commissions – need real, concrete supports from the state, including statutory changes informed by the experiences of counties that have already been through the process, financial resources, and real-time technical assistance. Without this kind of support, we are concerned that counties will be set up for failure and such a failure would only serve to validate public distrust in the redistricting process and in our democratic systems that are already under intense public scrutiny.

We appreciate your consideration of these concerns, as well as our suggested amendments, as we offer them in recognition of the Legislature's interest in requiring local independent redistricting commissions. If these efforts are to be successful, the state must do more to ensure that counties have the resources they need to effectuate a process that the Legislature expects and that voters deserve. Please don't hesitate to reach out if we can offer additional assistance.

Sincerely,

Jean Kinney Hurst
Legislative Advocate
Urban Counties of California
jkh@hbeadvocacy.com

Sarah Dukett
Policy Advocate
Rural County Representatives of California
sdukett@rcrcnet.org

Kalyn Dean
Legislative Advocate
California State Association of Counties
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cc: Members and Consultants, Senate Elections and Constitutional Amendments Committee
The Honorable Isaac Bryan, California State Assembly
Cory Botts, Elections Policy Consultant, Senate Republican Caucus

July 6, 2023

The Honorable Anna Caballero, Chair
Senate Governance and Finance Committee
1021 O Street, Suite 7620
Sacramento, CA 95814

**RE: AB 1248 (Bryan): Local redistricting: independent commissions**
**As introduced 6/13/23 – OPPOSE UNLESS AMENDED**
**Set for hearing 7/12/23 – Senate Governance and Finance Committee**

Dear Senator Caballero:

On behalf of the Urban Counties of California (UCC), the Rural County Representatives of California (RCRC), and the California State Association of Counties (CSAC), we write to share our opposition to Assembly Bill 1248, which would require counties with populations of 300,000 or above to create an independent redistricting commission for the 2030 redistricting process. While we acknowledge the Legislature's interest in requiring broad adoption of independent redistricting commissions at the local level, AB 1248 does not provide the necessary resources for counties to execute a successful independent redistricting commission process. To that end, we continue to urge amendments to the bill that ensure counties are fully reimbursed for costs and incorporate more robust statutory and technical assistance supports to ensure that local agencies are able to effectively deliver on the promise of independent redistricting. Additionally, we offer suggest amendments that would limit the scope of the bill in 2031 to those cities and counties with populations of 500,000 and to incorporate an independent assessment of the 2031 redistricting process in these jurisdictions to better understand the outcomes and impacts faced by local agencies, their independent commissions, and stakeholders before expanding a mandate to convene an independent redistricting commission to additional jurisdictions.

In terms of numbers of affected agencies, AB 1248 applies to counties most broadly. According to the most recent Department of Finance population estimates, the bill would currently apply in 22 counties; removing those counties already subject statutorily to independent redistricting commissions (Fresno, Los Angeles, Kern, Riverside, and San Diego) and those with ordinances establishing their own independent commissions (Santa Barbara), leaves 16 counties subject to the bill. These counties, and likely their city and

school counterparts, will be expected to faithfully execute the Legislature's direction to create, fund, and administer these commissions while at the same time managing their own activities to ensure that the new commissions are in fact independent. We do have concerns about the capacity for those counties between the 300,000 and 500,000 population to effectively carry out the provisions of the measure. These counties are likely to be the ones requiring additional technical assistance and support and resources to execute the provisions of the measure successfully.

Further, by requiring an independent study of independent redistricting commissions before expanding the requirements of the measure to additional jurisdictions allows for sharing of best practices, an assessment of necessary resources, and an understanding of common challenges in order to help facilitate successful implementation in smaller communities.

Balancing the need for appropriate and necessary involvement at the county level with the statutory directive to ensure the commission's independence is a complex and challenging endeavor and, to date, California law does not contain additional direction to counties or their corresponding commissions nor does the state provide any technical assistance to assist when issues arise. In general, the state should provide additional guidance to counties and the corresponding commissions in the statute in areas where there is a lack of clarity and provide some avenue for technical assistance; this work should be informed by the experiences in Los Angeles, San Diego, and Santa Barbara Counties during the previous redistricting cycle, to ensure consistent practices on issues like contracting for staff, reasonable expectations for covering costs, managing litigation, maintaining a commission, and the like. Without such direction, counties and their commissions will be left to make decisions about managing the commission process on their own, informed only by the practices of their peers or their own best judgment. While counties are capable of addressing such uncertainties in the normal course of business, the "independent" nature of these commissions make it inherently difficult to have confidence as to where the line between independence and not exists.

We also reiterate the well-known fact that county elections and redistricting work are under-resourced, from a fiscal and human perspective and that there is a current lack of redistricting professionals available to provide competent assistance at a reasonable cost. The existing shortage of redistricting professionals will be exacerbated by the proposed AB 764, the FAIR MAPS Act of 2023, which will apply to hundreds of local government entities and require significant professional assistance to accomplish. There are simply not enough redistricting attorneys, map drawers, and consultants to go around and counties – and their independent redistricting commissions – will be ill-equipped to assess the expertise of such professionals without assistance. In addition, we are concerned with the capacity to implement this bill in the five rural counties included within the population threshold. The funding disparities, along with staffing and consultant shortages, are often magnified in smaller and more remote counties.

The promise of local independent redistricting commissions, as outlined in AB 1248, is to "ensure better outcomes for communities, in terms of fairness, transparency, public

engagement, and representation." To successfully achieve this promise, counties need more than a directive to establish a commission. They – and their corresponding commissions – need real, concrete supports from the state, including statutory changes informed by the experiences of counties that have already been through the process, financial resources, and real-time technical assistance. Without this kind of support, we are concerned that counties will be set up for failure and such a failure would only serve to validate public distrust in the redistricting process and in our democratic systems that are already under intense public scrutiny.

We appreciate your consideration of these concerns, as well as our suggested amendments, as we offer them in recognition of the Legislature's interest in requiring local independent redistricting commissions. If these efforts are to be successful, the state must do more to ensure that counties have the resources they need to effectuate a process that the Legislature expects and that voters deserve. Please don't hesitate to reach out if we can offer additional assistance.

Sincerely,

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cc: Members and Consultants, Senate Governance and Finance Committee
The Honorable Isaac Bryan, California State Assembly

June 20, 2023

The Honorable Dave Cortese
Chair, Senate Committee on Labor, Public
Employment and Retirement
1021 O Street, Room 6740
Sacramento, CA 95814

**RE: AB 1484 (Zbur): Temporary public employees – OPPOSE**
**As Amended May 18, 2023**

Dear Senator Cortese:

On behalf of the Rural County Representatives of California (RCRC), the California State Association of Counties (CSAC), the Urban Counties of California (UCC), the League of California Cities (Cal Cities), the California Special Districts Association (CSDA), the California Association of Recreation and Parks Districts (CARPD), California Association of Joint Powers Authorities (CAJPA), and the California Association of Code Enforcement Officers (CACEO), Public Risk Innovation, Solutions, and Management (PRISM) and California Municipal Utilities Association (CMUA) we are strongly opposed to Assembly Bill 1484 (Zbur) related to temporary employment. As written, AB 1484 includes requirements that will be difficult, if not impossible, for public employers to fulfill, including provisions that conflict with existing law for permanent employees.

**Overly Broad Definition of a Temporary Employee**
AB 1484 includes an overly broad definition of a temporary employee, which reaches far beyond the stated purpose of the bill. "Extra help" employees are often retained for seasonal or "surge" needs, such as nurses, election workers, paid interns, mosquito and vector control technicians, and parks and recreation staff, like lifeguards and summer camp counselors. The definition also includes "causal employees" who, under PERB's own definition, lack a sufficient community of interest with regular or temporary employees due to their sporadic or intermittent relation with the employer. AB 1484 would further have unintended and unpredictable consequences when applied to the myriad existing local programs and the laws governing them. For example:

- Many temporary employees are retired annuitants whose terms and conditions of employment are strictly controlled by state law in ways that would severely impair any meaningful bargaining. Including these annuitants within a bargaining unit comprised of regular employees – who have flexibility and benefits legally

prohibited to annuitants – is virtually guaranteed to produce friction and anomalous results.

- Public agencies often offer paid student internship programs, which provide valuable work experience for the next generation of public employees. Requiring agencies to include such temporary positions within the bargaining unit will strongly discourage local governments from offering such programs (or will encourage them to offer only unpaid internships, to the detriment of financially vulnerable students).

**Creates Inconsistency in Bargaining Unit Determination Process**
This bill would inflexibly mandate that temporary employees must be included within the same bargaining unit as permanent employees; and that the wages, hours, plus terms and conditions of employment for both temporary and permanent employees must be bargained together in a single memorandum of understanding. The bill thus precludes local jurisdictions from creating a specific bargaining unit shared by all temporary employees with similar interests. The terms and conditions for permanent employees are typically negotiated based upon assumptions regarding benefits (such as CalPERS) and protections (such as the Family and Medical Leave Act), that apply only to employees who work for a certain period of time. Temporary employees will often be ineligible for these benefits and protections, making parity or "community of interest" with regular employees in the bargaining unit incompatible and producing yet further friction and anomalous results. The MMBA currently provides a robust mechanism for determining employees' bargaining units to ensure that each unit shares a "community of interest" and can therefore bargain effectively. As written, this bill upsets that mechanism significantly for one class of employees.

**Creates Inconsistency Between Rights of Temporary Employees and Permanent Employees**
Temporary employees are typically at-will, and consequently do not have a constitutionally protected property interest in their position. AB 1484 mandates that temporary employees be granted access to the grievance process if discharged. This may be argued to grant such employees a property interest in their temporary positions, leading to disputes and litigation that will further discourage public agencies from utilizing temporary employees and increase costs when they do so.

AB 1484 provides temporary employees with rights in excess of those provided to permanent employees. Discipline and discharge of all employees should be a matter within the scope of representation and established through local collective bargaining. The bill proposes a grievance procedure that will practically conflict with provisions for permanent employees. Nearly every public agency has a probationary period for permanent employees (often 6-12 months), during which the employee may be released without cause and without triggering a grievance. This probationary period is a critical part of the hiring process – and if public employers cannot use this process for temporary employees, they will be vastly less likely to hire temporary employees. Moreover, the bill

provides that these provisions for temporary employees apply unless affirmatively waived by the employee organization – i.e., public employers cannot impose more flexible discharge provisions after bargaining to impasse – a restriction unique to temporary employees, further disincentivizing their hiring.

In addition, AB 1484 includes a procedural requirement that will be difficult, if not impossible, for public employers to fulfill, including provisions that conflict with existing law for permanent employees. The bill would require public agencies to inform both temporary employees and the employee organization of the anticipated length of employment and end date within five business days rather than the standard 30 days for regular employees. Because of similarities in the requirements for public employers to provide the prescribed information in existing law, this may result in confusion and mistakes by employers as to compliance with the PECC and the provisions of this bill.

In conclusion, temporary employees are brought in for a temporary and urgent need, and the provisions of this bill severely limit local agencies' ability to utilize this workforce, ultimately impacting our ability to provide services. For the above reasons, RCRC, CSAC, UCC, Cal Cities, CSDA, CARPD, CAJPA, CACEO, PRISM, and CMUA respectfully oppose AB 1484.

Sincerely,

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Michael Pott
Chief Legal Counsel
Public Risk Innovation, Solutions And Management

cc: The Honorable Rick Zbur, Member, California State Assembly
The Honorable Members, Senate Committee on Labor, Public Employment and Retirement
Glenn Miles, Consultant, Senate Committee on Labor, Public Employment and Retirement
Scott Seekatz, Consultant, Senate Republican Caucus

June 21, 2023

The Honorable Anna Caballero, Chair
Senate Governance and Finance Committee
1021 O Street, Suite 7620
Sacramento, CA 95814

RE: **AB 1713 (Gipson) State and local agencies: federal funds: reports**
**As Amended June 19, 2023 – OPPOSE**
**Awaiting hearing – Senate Governance and Finance Committee**

Dear Senator Caballero:

On behalf of the California State Association of Counties (CSAC), the Urban Counties of California (UCC), the Rural County Representatives of California (RCRC), and the League of California Cities (Cal Cities) write in opposition to Assembly Bill 1713 (Gipson), due to the considerable costs it would impose on local governments without materially increasing transparency or accountability.

AB 1713 would require local agencies that receive federal funds subject to an expiration date to submit a written report to its legislative body no later than one year before the funding expiration date with a summary of how funds have been expended, and to provide a plan for the remaining funds to be expended if 50 percent of funds have not yet been expended.

Local governments rely on federal funding to provide numerous local programs and services on behalf of the state, much of which is associated with our role as the provider of federal entitlement programs, like Medi-Cal, CalWORKs, etc. Accordingly, and in partnership with the state, local governments seek to maximize federal funding opportunities to provide these necessary services to the residents we serve. Unfortunately, AB 1713 would require local governments to be in a state of perpetual reporting or – in most instances – require duplicative reporting, as government agencies at the state and federal level already require significant reporting and auditing as a condition of receipt of federal funds.

The level of oversight and reporting mandates proposed in AB 1713 would add considerable staffing costs for all local governments. Local agencies would likely be required to hire additional budgetary staff to track and report this information to their own

legislative bodies. Extrapolated statewide, these costs could range in the millions to tens of millions of dollars annually, while doing nothing to address real challenges in utilizing federal resources.

We note recent amendments that removed state agencies from the same reporting obligation and would respectfully point out that the proposal is just as problematic for local agencies as it is for the state.

As a result, CSAC, UCC, RCRC, and Cal Cities respectfully request your "no" vote on AB 1713. Please don't hesitate to reach out if we can be of additional assistance.

Sincerely,

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Sarah Dukett
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Rural County Representatives of California
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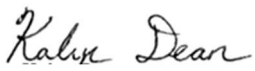

Kalyn Dean
Legislative Advocate
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Johnnie Pina
Legislative Affairs, Lobbyist
League of California Cities
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cc: Members and Consultants, Senate Governance and Finance Committee
The Honorable Mike Gipson, California State Assembly

AT HOME
ACCOUNTABILITY, TRANSPARENCY, HOUSING, OUTREACH, MITIGATION & ECONOMIC OPPORTUNITY
A COMPREHENSIVE PLAN TO ADDRESS HOMELESSNESS

June 22, 2023

The Honorable Gavin Newsom
Governor, State of California
1021 O Street, Suite 9000
Sacramento, CA 95814

The Honorable Toni Atkins
Senate President pro Tempore, California State Senate
1021 O Street, Suite 8518
Sacramento, CA 95814

The Honorable Anthony Rendon
Speaker, California State Assembly
1021 O Street, Suite 8330
Sacramento, CA 95814

**Re: Homelessness Funding Accountability**

Dear Governor Newsom, Senate President pro Tempore Atkins, and Speaker Rendon:

On behalf of the AT HOME Coalition for Accountability, our organizations write to advocate for the adoption of budget trailer bill language (TBL) that enacts clear accountability, collaboration, and responsibilities for sustainable homelessness funding. Our diverse coalition made up of local governments, non-profit organizations, and business associations has come together to support achieving those goals through the adoption of the AT HOME plan, developed under the leadership of the California State Association of Counties (CSAC). We are grateful for your leadership in supporting additional homelessness investments and an accountability framework in this year's state budget and want to highlight the relevant provisions of the AT HOME plan for your consideration as agreements are reached on the Budget Act and associated trailer bills.

Homelessness is an urgent humanitarian crisis with an estimated 172,000 unhoused individuals in California. The AT HOME plan (Accountability, Transparency, Housing, Outreach, Mitigation & Economic Opportunity) includes a full slate of policy recommendations to help build more housing, prevent individuals from becoming homeless, and better serve those individuals who are currently experiencing homelessness. The policy recommendations contained in the Accountability pillar form the core elements of a proposed comprehensive homelessness system with clear responsibilities and accountability aligned to authority, resources, and flexibility for all levels of government. Our coalition is urging the adoption of these provisions as the Accountability framework for the budget trailer bill that is currently being negotiated.

CSAC has drafted language for the Accountability pillar and has shared with appropriate staff within the Administration and the Legislature. The core elements of the Accountability pillar include:

- Requiring local collaboration and submission of one countywide or regional homelessness plan.
- Requiring counties and cities to agree to a defined set of roles and responsibilities as a condition of receiving HHAP funding.
- Enacting strong accountability mechanisms including a corrective action plan.
- Providing ongoing HHAP funding to support the required plan.
- Establishing a three-year grant cycle to allow for multi-year outcomes and consistent funding levels.
- Funding the required plan through a fiscal agent that must be a county or city as they are accountable to constituents and have unique authority to site required infrastructure.
- Utilizing the required plan to determine allocations from the fiscal agent to subrecipients commensurate with their roles and responsibilities in the plan.
- Maintaining maximum local flexibility for use of HHAP funding consistent with the required plan.

True progress on homelessness can only be achieved when it is clear who is responsible for what, and when sustainable funding and accountability provisions are aligned with those defined responsibilities. That is what can be accomplished with the Accountability pillar of the AT HOME plan. The AT HOME Coalition for Accountability respectfully asks for your consideration. We look forward to a continued partnership on this urgent humanitarian issue.

Respectfully,

California State Association of Counties
Alliance for Community Transformations
Asian Pacific Islander American Public Affairs Association
Association of California Healthcare Districts
California Association of Public Administrators, Public Guardians, and Public Conservators
California Business Roundtable
California Chamber of Commerce
California Church IMPACT
California Council of Community Behavioral Health Agencies
California Downtown Association
California Park and Recreation Society
California Public Defenders Association
California Special Districts Association
California State Sheriffs Association
Chief Probation Officers of California
Chula Vista Chamber of Commerce
Community Action, Service, and Advocacy
County Behavioral Health Directors Association of California
County Welfare Directors Association of California
Downtown San Diego Partnership
East Bay Leadership Council

## UCC Letters (July 2023)

Eastern Sierra Continuum of Care
Economic Roundtable
Latino Caucus of California Counties
NFIB California
PATH
Pathways to Housing
Public Health Advocates
Rural County Representatives of California
Sacramento Metro Chamber of Commerce
Safe Family Justice Centers
San Diego Black Chamber of Commerce
San Luis Obispo County Continuum of Care
Sierra Business Council
Sierra Foothill Conservancy
Small Business Majority
Urban Counties of California
Yosemite Conservancy
Alameda County
Alpine County
Colusa County
Contra Costa County
Del Norte County
Fresno County
Inyo County
Lake County
Madera County
Marin County
Mariposa County
Merced County
Modoc County
Mono County
Monterey County
Nevada County
Orange County
Placer County
Riverside County
Sacramento County
San Benito County
San Diego County
San Luis Obispo County
Santa Barbara County
Santa Clara County
Santa Cruz County
Shasta County
Siskiyou County
Solano County
Stanislaus County
Tuolumne County

Ventura County
Yolo County
Yuba County

cc: Nancy Skinner, Chair, Senate Budget and Fiscal Review Committee
Phil Ting, Chair, Assembly Budget Committee
Steve Padilla, Chair, Senate Budget and Fiscal Review Subcommittee #4
Wendy Carrillo, Chair, Assembly Budget Subcommittee #4
Joe Stephenshaw, Director, Department of Finance
Lourdes Castro Ramírez, Secretary, Business, Consumer Services, and Housing Agency

May 9, 2023

The Honorable Gavin Newsom
Governor
State of California
1021 O Street, Suite 9000
Sacramento, CA 95814

**Re: 2023-24 State Budget – Homelessness Funding and Accountability**

Dear Governor Newsom:

On behalf of the California State Association of Counties (CSAC), Urban Counties of California (UCC), Rural County Representatives of California (RCRC), County Behavioral Health Directors Association of California (CBHDA), County Welfare Directors Association of California (CWDA), California State Association of Public Administrators, Public Guardians and Public Conservators (CAPAPGPC), Chief Probation Officers of California (CPOC), and California State Sheriffs' Association (CSSA), we write to extend our commitment to working with you to ensure true accountability and progress in our efforts to combat homelessness in our state. We are grateful for your leadership in making unprecedented investments in recent years and share your goals of ensuring that homelessness funding is used as effectively as possible, that there are enhanced accountability measures in place, and that real progress is achieved in reducing the number of Californians who are unhoused.

Our organizations believe the best way to achieve those goals is through the adoption of the Accountability pillar of the AT HOME plan. Developed through a lengthy all-county effort, the AT HOME plan would establish a comprehensive homelessness system with clear lines of responsibility, accountability, and sustainable funding. It rests on a foundation of true accountability for all entities, and we respectfully request your consideration of our accountability policy recommendations that are detailed below as you consider the 2023-24 state Budget Act.

Homelessness is an urgent humanitarian crisis with an estimated 172,000 unhoused individuals in California. While the state and local governments have made unparalleled investments in addressing homelessness and dedicated staff are working every day to help provide services and housing, California does not have a comprehensive homelessness plan that assigns roles and responsibilities at every level of government – the state, counties, and cities. Whereas practically every other state policy area has a system in place, the way we deal with homelessness is fragmented and lacks clear lines of responsibility, accountability, and sustainability.

The AT HOME plan (Accountability, Transparency, Housing, Outreach, Mitigation & Economic Opportunity) outlines a comprehensive homelessness response system that includes clear responsibilities and accountability aligned to authority, resources, and flexibility for all levels of government. The six pillars of the AT HOME plan include a full slate of policy recommendations to help build more housing, prevent individuals from becoming homeless, and better serve those individuals who are currently experiencing homelessness.

The policy recommendations contained in the Accountability pillar form the core elements of a proposed comprehensive homelessness system. We are asking for the adoption of these provisions within a trailer bill as part of the state budget process. CSAC has drafted the Accountability pillar as trailer bill language and is sharing with appropriate staff within the Administration and the Legislature.

The key elements of the Accountability pillar include:

- Consolidate Homeless Housing, Assistance and Prevention (HHAP) grant and reporting countywide or within a multi-county region to support a countywide or regional plan.
    - The plan would be funded through one fiscal agent to provide clear accountability.
    - Funded entities must submit a local homelessness action plan that includes clear outcome goals on a range of metrics, including how the plan addresses equity.
    - In some instances, such as large counties with big cities, a countywide plan with multiple fiscal agents may be accommodated.
- Require counties and cities to agree to a defined set of roles and responsibilities related to homelessness as a condition of receiving HHAP funding.
    - County responsibilities include administering health and social safety net programs on behalf of the state, providing Medi-Cal specialty mental health and substance use disorder services, and siting and supporting shelters, siting permanent supportive housing, and encampment clean-up in unincorporated areas.
    - City responsibilities include siting and supporting shelters, siting permanent supportive housing, and encampment clean-up in incorporated areas.
    - Counties and cities would work together to locally agree to roles and responsibilities related to encampment outreach.
- Provide HHAP funding ongoing to support one countywide or regional plan to address homelessness.
    - Allocations through the fiscal agent would be determined by the agreed upon plan and commensurate with the level of roles and responsibilities that each entity has within the plan.
    - Maximize local flexibility for uses of this funding in order that funded entities have the ability to best utilize this funding at the local level to achieve the goals of the homelessness action plan.
    - Provide performance-based funding for countywide plans that meet metrics in reducing homelessness.
    - Establish a minimum county amount to ensure that smaller counties can sufficiently support staffing and programs.

True progress on homelessness can only be achieved when it is clear who is responsible for what, and when sustainable funding and accountability provisions are aligned with those defined responsibilities. That is what can be accomplished with the AT HOME plan. The time to make a significant change to our

approach to homelessness is now and we look forward to partnering with you on this urgent humanitarian issue. Thank you for your consideration.

Respectfully,

Graham Knaus
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Legislative Director
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cc: Joe Stephenshaw, Director, Department of Finance
Lourdes Castro Ramírez, Secretary, Business, Consumer Services, and Housing Agency
Mark Ghaly, Secretary, Health and Human Services Agency
Dana Williamson, Chief of Staff, Office of Governor Newsom
Christy Bouma, Legislative Affairs Secretary, Office of Governor Newsom

May 9, 2023

The Honorable Toni Atkins
Senate President pro Tempore
California State Senate
1021 O Street, Suite 8518
Sacramento, CA 95814

The Honorable Anthony Rendon
Speaker
California State Assembly
1021 O Street, Suite 8330
Sacramento, CA 95814

**Re: 2023-24 State Budget – Homelessness Funding and Accountability**

Dear Senate President pro Tempore Atkins and Speaker Rendon:

On behalf of the California State Association of Counties (CSAC), Urban Counties of California (UCC), Rural County Representatives of California (RCRC), County Behavioral Health Directors Association of California (CBHDA), County Welfare Directors Association of California (CWDA), California State Association of Public Administrators, Public Guardians and Public Conservators (CAPAPGPC), Chief Probation Officers of California (CPOC), and California State Sheriffs' Association (CSSA), we write to extend our commitment to working with you to ensure true accountability and progress in our efforts to combat homelessness in our state. We are grateful for your leadership in making unprecedented investments in recent years and share your goals of ensuring that homelessness funding is used as effectively as possible, that there are enhanced accountability measures in place, and that real progress is achieved in reducing the number of Californians who are unhoused.

Our organizations believe the best way to achieve those goals is through the adoption of the Accountability pillar of the AT HOME plan. Developed through a lengthy all-county effort, the AT HOME plan would establish a comprehensive homelessness system with clear lines of responsibility, accountability, and sustainable funding. It rests on a foundation of true accountability for all entities, and we respectfully request your consideration of our accountability policy recommendations that are detailed below as you consider the 2023-24 state Budget Act.

Homelessness is an urgent humanitarian crisis with an estimated 172,000 unhoused individuals in California. While the state and local governments have made unparalleled investments in addressing homelessness and dedicated staff are working every day to help provide services and housing, California does not have a comprehensive homelessness plan that assigns roles and responsibilities at every level of government – the state, counties, and cities. Whereas practically every other state policy area has a system in place, the way we deal with homelessness is fragmented and lacks clear lines of responsibility, accountability, and sustainability.

The AT HOME plan (Accountability, Transparency, Housing, Outreach, Mitigation & Economic Opportunity) outlines a comprehensive homelessness response system that includes clear responsibilities and accountability aligned to authority, resources, and flexibility for all levels of government. The six pillars of the AT HOME plan include a full slate of policy recommendations to help build more housing, prevent individuals from becoming homeless, and better serve those individuals who are currently experiencing homelessness.

The policy recommendations contained in the Accountability pillar form the core elements of a proposed comprehensive homelessness system. We are asking for the adoption of these provisions within a trailer bill as part of the state budget process. CSAC has drafted the Accountability pillar as trailer bill language and is sharing with appropriate staff within the Administration and the Legislature.

The key elements of the Accountability pillar include:

- Consolidate Homeless Housing, Assistance and Prevention (HHAP) grant and reporting countywide or within a multi-county region to support a countywide or regional plan.
    - The plan would be funded through one fiscal agent to provide clear accountability.
    - Funded entities must submit a local homelessness action plan that includes clear outcome goals on a range of metrics, including how the plan addresses equity.
    - In some instances, such as large counties with big cities, a countywide plan with multiple fiscal agents may be accommodated.
- Require counties and cities to agree to a defined set of roles and responsibilities related to homelessness as a condition of receiving HHAP funding.
    - County responsibilities include administering health and social safety net programs on behalf of the state, providing Medi-Cal specialty mental health and substance use disorder services, and siting and supporting shelters, siting permanent supportive housing, and encampment clean-up in unincorporated areas.
    - City responsibilities include siting and supporting shelters, siting permanent supportive housing, and encampment clean-up in incorporated areas.
    - Counties and cities would work together to locally agree to roles and responsibilities related to encampment outreach.
- Provide HHAP funding ongoing to support one countywide or regional plan to address homelessness.
    - Allocations through the fiscal agent would be determined by the agreed upon plan and commensurate with the level of roles and responsibilities that each entity has within the plan.
    - Maximize local flexibility for uses of this funding in order that funded entities have the ability to best utilize this funding at the local level to achieve the goals of the homelessness action plan.
    - Provide performance-based funding for countywide plans that meet metrics in reducing homelessness.
    - Establish a minimum county amount to ensure that smaller counties can sufficiently support staffing and programs.

True progress on homelessness can only be achieved when it is clear who is responsible for what, and when sustainable funding and accountability provisions are aligned with those defined responsibilities. That is what can be accomplished with the AT HOME plan. The time to make a significant change to our

approach to homelessness is now and we look forward to partnering with you on this urgent humanitarian issue. Thank you for your consideration.

Respectfully,

Graham Knaus
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cc: The Honorable Nancy Skinner, Chair, Senate Budget and Fiscal Review Committee
The Honorable Phil Ting, Chair, Assembly Budget Committee
Members, Senate Budget and Fiscal Review Committee
Members, Assembly Budget Committee
Chris Woods, Office of President pro Tempore Atkins
Jason Sisney, Office of Speaker Rendon
Elisa Wynne, Senate Budget and Fiscal Review Committee
Christian Griffith, Assembly Budget Committee

May 31, 2023

The Honorable Gavin Newsom
Governor, State of California
1021 O St., Suite 9000
Sacramento, CA 95814

**Re: RETAIN FUNDING FOR PUBLIC DEFENSE PILOT PROGRAM**

Dear Governor Newsom:

Under your leadership and with your support, the state, since 2021-22, has dedicated $50 million per year in funding to the Public Defense Pilot Program to support resentencing workloads in public defense offices following recently enacted changes to the law. This moderate, short-term investment has already yielded at least $46 million - $325.8 million in cost-savings, with potential for significant additional savings.[1]

While we recognize that challenging decisions must be made in the wake of a serious budget deficit, we respectfully urge your Administration to retain the third and final year of funding to the Public Defense Pilot Program.

The significant return on your Administration's investment in the Public Defense Pilot Program will continue in the final year if funding is maintained. Year one data from 10 of the 34 grant-funded public defense programs has already yielded approximately $46 million - $325.8 million in cost savings based on data from only two of the four areas covered by the pilot program.[2]

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[1] Estimated incarceration costs saved range from $46 million to $325.8 million based on the LAO's estimated marginal cost savings of $15,000 per released person per year and $106,131 in average incarceration costs per year.

[2] Actual savings are probably higher since this data only covers individuals resentenced under Penal Code section 1172.6 (felony murder) and 1170.03. It does not cover Youthful Offender Parole or Penal Code section 1473.7 petitions (challenging invalid convictions based on immigration consequences).

These 10 programs received $28.5 of the $45.6 million distributed in year one of the grant and helped 198 people obtain release or reduced sentence, saving a total of 3,070 years of incarceration time.[3] Without this continued funding, we fear the promises of these reforms – both in terms of the human impact and financial savings – will not be fully realized.

While states are responsible for funding the constitutional right to counsel in criminal cases, California has delegated the majority of that responsibility to the counties, who, as you know, are also struggling in this economy to maintain core government functions. Notably, the Public Defense Pilot Program is currently the only statewide funding specifically allocated to the counties for the provision of indigent defense; all other funding for indigent defense comes from the counties, or, to a small degree, outside grants. The final $50 million installment for the Public Defense Pilot Program is a modest amount to ensure that the reforms prioritized and passed by the Legislature can continue to be meaningfully implemented as your Administration intended.

In addition to valuable savings, this funding has resulted in critical public safety improvements at the local level. Investing in robust public defense programs helps keep our communities safe and healthy. The Public Defense Pilot Program funds have permitted indigent defense providers to hire social workers and expand their holistic defense teams, creating a continuum of care for indigent clients with psychiatric and substance use disorders, reducing the risk that these individuals will become homeless. The funds have allowed indigent defense teams to facilitate safe and successful reentry plans for individuals returning to the community after incarceration. And the funding has also allowed indigent defense providers to reinvest in families, communities of color, immigrants, and people earning low incomes who have been impacted by the state's racially biased and discriminatory sentencing laws of the past. The funding also saved many California residents from deportation due to invalid convictions. This is particularly significant in a state with 11 million foreign born residents where losing a breadwinner due to deportation often leads to impoverishment for the remainder of the family and significant state medical and assistance costs. Without the third year of funding, these public safety gains will largely cease, as indigent defense providers will not have the resources to provide these critical services.

The state has already seen a significant return on its investment. We respectfully urge your Administration to retain the third year of funding to a program that has a demonstrated record of success.

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Additionally, this data does not include the savings from the Los Angeles County Bar Association Independent Defender Program.

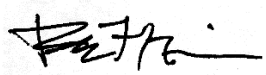
[3] According to data received from 10 of the 34 public defense programs spanning March 1, 2022 – March 31, 2023. The years-saved calculation is based on the first eligible parole date and does not account for milestone or other credits. Only approximately 44% of people eligible are paroled at the first parole hearing. The 10 public defender grantees reflected in this data are from the counties of Alameda, Contra Costa, Los Angeles, Orange, Sacramento, San Bernardino, Santa Clara, Santa Cruz, Sonoma, and Yolo.

We thank you for your time and consideration. Please contact Nick Brokaw at 916.448.1222 or nbrokaw@sacramentoadvocates.com or Mica Doctoroff at (916) 824-3264 or mdoctoroff@aclunc.org if we can provide additional information or you have any questions.

Sincerely,

Arlene Speiser
President, California Public Defenders Assoc.

Anne Irwin, Executive Director & Founder
Smart Justice California



Ryan Morimune, Legislative Advocate
California Association of Counties

Arnold Sowell Jr., Executive Director
NextGen California

Sarah Dukett, Policy Advocate
Rural County Representatives of California

Elizabeth Espinosa, Legislative Advocate
Urban Counties of California

Rebecca Gonzales, Director of Government Relations and Political Affairs
National Association of Social Workers – CA Chapter

Kathy Brady, Director
Immigrant Legal Resource Center

Carmen-Nicole Cox, Director of Government Affairs
ACLU California Action

Mano Raju
SF Public Defender

Julie Traun, Director, Court Appointment Program
The Bar Association of San Francisco

Garrett Miller, President
Los Angeles County Public Defenders Union

cc:
Jessica Devencenzi, Chief Deputy Legislative Secretary, Governor Gavin Newsom
Ann Patterson, Cabinet Secretary, Governor Gavin Newsom
Dana Williamson, Chief of Staff, Governor Gavin Newsom
Senator Nancy Skinner and Staff
Senator María Elena Durazo and Staff
Assemblymember Phil Ting and Staff
Assemblymember Mia Bonta and Staff

June 22, 2023

The Honorable Buffy Wicks
Chair, Assembly Housing and Community Development Committee
1020 N St., Room 156
Sacramento, CA 95814

**RE: Senate Bill 34 (Umberg) – Oppose Unless Amended [As Amended June 20, 2023]**

Dear Assembly Member Wicks:

The statewide associations and individual local agencies listed above must respectfully oppose Senate Bill 34 (Umberg), unless it is amended to address our concerns discussed below.

SB 34 will amend the Surplus Land Act (SLA) to provide that if the Department of Housing and Community Development (HCD), pursuant to Government Code Section 54230.5, notifies the County of Orange, or any city located within Orange County, that its planned sale or lease of surplus land is in violation of the SLA, certain procedures for addressing the notice of violation must be followed.

As written, the bill may create a concerning precedent for all local agencies statewide. Because SB 34 includes a reference to notices of violation from HCD in connection with a "sale ***or lease***" by a local agency, the bill may establish a statutory precedent that leases are subject to the SLA. Notwithstanding guidelines developed by HCD defining "disposition of surplus land," at this time the term "dispose" is undefined in the SLA, and prior legislative efforts to define "dispose" to include leases were unsuccessful. Removing and excluding the bill's reference to leases would in no way compromise or otherwise impact the ability of this legislation to address a planned sale of surplus land by the County of Orange or any city located within Orange County. However, including any reference to leases in the bill would be inconsistent with the clear, established legislative intent for the meaning of disposal of surplus land that is subject to the requirements of the SLA as currently written. We therefore oppose SB 34 unless it is amended to remove its reference to leases and HCD notices of violations in connection with planned leases.

Local agencies routinely enter leases for a variety of purposes that support their work or operations and that do not relate to the purposes of the SLA. Examples include a cell tower lease, a lease to a nonprofit for office space because that nonprofit is partnering with a local government to further a governmental purpose, and a short-term lease of park space.

The clear, established intent of the Legislature is not to apply the requirements of the SLA for surplus land to leases. In 2019, as introduced, AB 1486 (Ting) proposed to define "dispose of" as the "sale, **lease**, transfer, or other conveyance of any interest in real property owned by a local agency" (emphasis added).

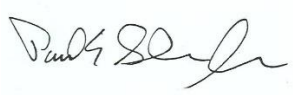
A broad local agency coalition opposed this proposed expansion of the meaning of "dispose of," and consequently leases were amended out of the bill before it became law.

For the above reasons, we must respectfully oppose Senate Bill 34, unless it is amended to address our concerns.

Sincerely,

Aaron A. Avery
Senior Legislative Representative
California Special Districts Association

Paul A. Cook
General Manager
Irvine Ranch Water District



Paul E. Shoenberger, P.E.
General Manager
Mesa Water District

Daniel R. Ferons
General Manager
Santa Margarita Water District

Dennis P. Cafferty
General Manager
El Toro Water District

Robert S. Grantham
General Manager
Rancho California Water District

Fernando Paludi
General Manager
Trabuco Canyon Water District

Rob Thompson
General Manager
Orange County Sanitation District

Mark Neuburger
Legislative Advocate
California State Association of Counties

Jean Hurst
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Urban Counties of California

Tracy Rhine
Senior Policy Advocate
Rural County Representatives of California

Sarah Bridge
Senior Legislative Advocate
Association of California Healthcare Districts

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CC: The Honorable Thomas Umberg
Members, Assembly Housing and Community Development Committee
Steve Wertheim, Principal Consultant,
Assembly Housing and Community Development Committee
William Weber, Policy Consultant, Assembly Republican Caucus
Ronda Paschal, Deputy Legislative Secretary, Office of Governor Newsom
Emily Patterson, Assistant Legislative Deputy and Chief Deputy of Legislative Operations,
Office of Governor Newsom

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June 22, 2023

The Honorable Cecilia Aguiar-Curry
Chair, Assembly Local Government Committee
1020 N St., Room 157
Sacramento, CA 95814

**RE: Senate Bill 34 (Umberg) – Oppose Unless Amended [As Amended June 20, 2023]**

Dear Assembly Member Aguiar-Curry:

The statewide associations and individual local agencies listed above must respectfully oppose Senate Bill 34 (Umberg), unless it is amended to address our concerns discussed below.

SB 34 will amend the Surplus Land Act (SLA) to provide that if the Department of Housing and Community Development (HCD), pursuant to Government Code Section 54230.5, notifies the County of Orange, or any city located within Orange County, that its planned sale or lease of surplus land is in violation of the SLA, certain procedures for addressing the notice of violation must be followed.

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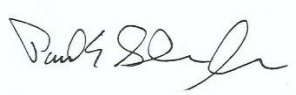

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CC: The Honorable Thomas Umberg
Members, Assembly Committee on Local Government
Hank Brady, Consultant, Assembly Committee on Local Government
William Weber, Policy Consultant, Assembly Republican Caucus

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June 16, 2023

The Honorable Jim Wood
Chair, Assembly Committee on Health
1020 N Street, Room 390
Sacramento, California 95814

Re: **Senate Bill 43 (Eggman): Behavioral Health**
**As Amended April 27, 2023 – CONCERNS**
**Set for Hearing June 27, 2023**

Dear Assembly Member Wood:

On behalf of the Rural County Representatives of California (RCRC), the Urban Counties of California (UCC), and the California State Association of Counties (CSAC), we write to express concerns with Senate Bill 43 (Eggman), which expands the definition of "gravely disabled" under the Lanterman-Petris-Short (LPS) Act and modifies hearsay evidentiary standards for conservatorship hearings.

Counties agree with concerns expressed by the author and sponsors that too many individuals suffer without adequate and appropriate treatment and housing; we share in the urgency to bring about real change to address the needs of unhoused individuals with serious mental illness and substance use disorders (SUDs). Counties provide the full continuum of prevention, outpatient, intensive outpatient, crisis and inpatient, and residential mental health and SUD services, primarily to low-income Californians who receive Medi-Cal benefits or are uninsured. Counties also have responsibility for supporting and guiding individuals through the process of involuntary commitment under the LPS Act in both our county behavioral health and Public Guardian capacities.

**Substance Use Disorder (SUD) Concerns**

SB 43 expands the eligibility criteria for LPS by redefining grave disability to include individuals with an SUD-only condition (i.e., without a mental health diagnosis). Counties lack the ability to provide involuntary SUD treatment, as California has no such system of care, including no existing civil models for locked treatment settings or models of care for involuntary SUD treatment. In addition, funding for SUD treatment is limited, even under Medi-Cal; the federal and state governments provide no reimbursement for long-term residential and long-term inpatient drug treatment under Medi-Cal. The current treatment landscape doesn't address involuntary treatment for individuals with SUD. We respectfully request that SB 43 be amended to require that a substance use disorder be co-occurring with a mental health diagnosis.

Counties welcome more detailed conversations about a path forward on court-ordered SUD treatment. However, significant discussions need to occur on issues including a

state study to: evaluate court-ordered SUD treatment models; assess the creation of a licensing structure for involuntary SUD treatment facilities; identify appropriate policy changes necessary to facilitate implementation; and understand the resources/infrastructure required to serve this new population.

**Capacity and Resources**

Responsibility for administering and funding the LPS system falls almost entirely on counties. Today, counties solely fund the role of the public guardian; there are no state or federal revenue streams available to support the public guardian. Existing law provides counties with substantial legal tools to conserve individuals who may be at risk to themselves or others under existing law. In the LPS system today, that demand outweighs existing resources.

Counties have wide discretion regarding the commencement of LPS conservatorship proceedings, and the availability and adequacy of care for the proposed conservatee informs the exercise of that discretion. It makes little sense to impose a conservatorship, if there is no adequate placement available for the proposed conservatee, and the conservatorship, therefore, provides no treatment benefits. It is essential that SB 43 recognizes this discretion, and the real-world constraints under which it is exercised. Counties are unable to meet the current demand for placements, and conserved individuals in rural areas are often placed hundreds of miles away from the county in which they were conserved. Without significant ongoing investment into LPS conservatorships, this bill will have little to no impact on the number of individuals conserved and will likely exacerbate the resource problem.

To truly realize an expansion of LPS, additional investments are needed for treatment, including locked facilities, workforce, housing, and step-down care options. According to a comprehensive 2021 study of the state's mental health infrastructure by the non-partisan think tank RAND, as reported by the Editorial Board in the San Francisco Chronicle, "California lacks space to meet demand at all three main levels of care — *acute,* highly structured, around-the-clock medically monitored inpatient care that aims to stabilize patients who can't care for themselves or risk harming themselves or others; *subacute,* inpatient care with slightly less intensive monitoring; and *community residential,* staffed non-hospital facilities that aim to help patients with lower-acuity or longer-term needs achieve interpersonal and independent living skills. Excluding state hospital beds, California is short about 2,000 acute beds and 3,000 beds each at the subacute and community residential levels, RAND estimated — though woefully inaccurate and incomplete data makes it difficult to determine the state's actual bed totals."

A build-out of delivery networks to support this significant policy change will take years, with new, sustained and dedicated state resources, above and beyond the one-time investments already made by the state through recent initiatives such as the Behavioral Health Continuum Infrastructure Program (BHCIP). While an unprecedented level of investment has been made across the continuum through BHCIP, funding is in the early stages of deployment, and we are still years away from seeing the results of this investment.

These challenges sit on top of the most intense behavioral health workforce crisis our state has experienced, and at a time when state initiatives are attempting to significantly expand services – through initiatives such as the Medi-Cal mobile crisis services benefit, diversion from jails and state hospitals, CARE Court, and expanded services in schools and primary care.

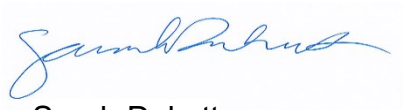
For LPS expansion to be successful, additional investments including ongoing state funding for public guardians must be prioritized. SB 43 should reiterate the Legislature's commitment to continue exploring options for the expansion of these resources to meet growing needs.

**Hearsay Exception**

Lastly, counties believe there is merit in SB 43's hearsay exception by enabling public guardians to provide courts with evidence of individuals' ongoing grave disability. We appreciate these changes that will ensure the court is considering the contents of the medical record and that, during conservatorship proceedings, relevant testimony regarding medical history can be considered to provide the most appropriate and timely care. However, we want to make sure that the exception appropriately balances the ability to introduce evidence with health care providers who have the appropriate level of behavioral health training and expertise.

For these reasons, RCRC, UCC and CSAC respectfully offer a position of "concerns" for SB 43. Should you have any questions regarding our position, please do not hesitate to have your staff contact our organizations.

Sincerely,



Sarah Dukett
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916-447-4806

Kelly Brooks-Lindsey
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Jolie Onodera
Senior Legislative Advocate
California State Association of Counties
jonodera@counties.org
916-591-5308

cc: The Honorable Susan Talamantes Eggman
Members of the Assembly Committee on Health
Judy Babcock, Consultant, Assembly Committee on Health
Gino Folchi, Consultant, Assembly Republican Caucus
Angela Pontes, Deputy Legislative Secretary, Office of the Governor

July 3, 2023

The Honorable Brian Maienschein
Chair, Assembly Committee on Judiciary
1020 N Street, Room 104
Sacramento, California 95814

Re: **Senate Bill 43 (Eggman): Behavioral Health**
**As Amended June 30, 2023 – CONCERNS**
**Set for Hearing July 11, 2023**

Dear Assembly Member Maienschein:

On behalf of the Rural County Representatives of California (RCRC), the Urban Counties of California (UCC), and the California State Association of Counties (CSAC), we write to express concerns with Senate Bill 43 (Eggman), which expands the definition of "gravely disabled" under the Lanterman-Petris-Short (LPS) Act and modifies hearsay evidentiary standards for conservatorship hearings.

Counties agree with concerns expressed by the author and sponsors that too many individuals suffer without adequate and appropriate treatment and housing; we share in the urgency to bring about real change to address the needs of unhoused individuals with serious mental illness and substance use disorders (SUDs). Counties provide the full continuum of prevention, outpatient, intensive outpatient, crisis and inpatient, and residential mental health and SUD services, primarily to low-income Californians who receive Medi-Cal benefits or are uninsured. Counties also have responsibility for supporting and guiding individuals through the process of involuntary commitment under the LPS Act in both our county behavioral health and Public Guardian capacities.

**Substance Use Disorder (SUD) Concerns**

SB 43 expands the eligibility criteria for LPS by redefining grave disability to include individuals with an SUD-only condition (i.e., without a mental health diagnosis). While we appreciate the recent amendments to limit LPS expansion to only those with severe SUD, counties still lack the ability to provide involuntary SUD treatment, as California has no such system of care, including no existing civil models for locked treatment settings or models of care for involuntary SUD treatment. In addition, funding for SUD treatment is limited, even under Medi-Cal; the federal and state governments provide no reimbursement for long-term residential and long-term inpatient drug treatment under Medi-Cal. The current treatment landscape doesn't address involuntary treatment for individuals with SUD. We respectfully request that SB 43 be amended to limit a substance use disorder be co-occurring with a mental health diagnosis.

Counties welcome more detailed conversations about a path forward on court-ordered SUD treatment. However, significant discussions need to occur on issues including a state study to: evaluate court-ordered SUD treatment models; assess the creation of a licensing structure for involuntary SUD treatment facilities; identify appropriate policy changes necessary to facilitate implementation; and understand the resources/infrastructure required to serve this new population.

**Capacity and Resources**

Responsibility for administering and funding the LPS system falls almost entirely on counties. Today, counties solely fund the role of the public guardian; there are no state or federal revenue streams available to support the public guardian. Existing law provides counties with substantial legal tools to conserve individuals who may be at risk to themselves or others under existing law. In the LPS system today, that demand outweighs existing resources.

Counties have wide discretion regarding the commencement of LPS conservatorship proceedings, and the availability and adequacy of care for the proposed conservatee informs the exercise of that discretion. It makes little sense to impose a conservatorship, if there is no adequate placement available for the proposed conservatee, and the conservatorship, therefore, provides no treatment benefits. It is essential that SB 43 recognizes this discretion, and the real-world constraints under which it is exercised. Counties are unable to meet the current demand for placements, and conserved individuals in rural areas are often placed hundreds of miles away from the county in which they were conserved. Without significant ongoing investment into LPS conservatorships, this bill will have little to no impact on the number of individuals conserved and will likely exacerbate the resource problem.

To truly realize an expansion of LPS, additional investments are needed for treatment, including locked facilities, workforce, housing, and step-down care options. According to a comprehensive 2021 study of the state's mental health infrastructure by the non-partisan think tank RAND, as reported by the Editorial Board in the San Francisco Chronicle, "California lacks space to meet demand at all three main levels of care — *acute,* highly structured, around-the-clock medically monitored inpatient care that aims to stabilize patients who can't care for themselves or risk harming themselves or others; *subacute,* inpatient care with slightly less intensive monitoring; and *community residential,* staffed non-hospital facilities that aim to help patients with lower-acuity or longer-term needs achieve interpersonal and independent living skills. Excluding state hospital beds, California is short about 2,000 acute beds and 3,000 beds each at the subacute and community residential levels, RAND estimated — though woefully inaccurate and incomplete data makes it difficult to determine the state's actual bed totals."

A build-out of delivery networks to support this significant policy change will take years, with new, sustained and dedicated state resources, above and beyond the one-time investments already made by the state through recent initiatives such as the Behavioral Health Continuum Infrastructure Program (BHCIP). While an unprecedented level of investment has been made across the continuum through BHCIP, funding is in the early

stages of deployment, and we are still years away from seeing the results of this investment.

These challenges sit on top of the most intense behavioral health workforce crisis our state has experienced, and at a time when state initiatives are attempting to significantly expand services – through initiatives such as the Medi-Cal mobile crisis services benefit, diversion from jails and state hospitals, CARE Court, and expanded services in schools and primary care.

For LPS expansion to be successful, additional investments including ongoing state funding for public guardians must be prioritized. SB 43 should reiterate the Legislature's commitment to continue exploring options for the expansion of these resources to meet growing needs.

**Hearsay Exception**

Lastly, counties believe there is merit in SB 43's hearsay exception by enabling public guardians to provide courts with evidence of individuals' ongoing grave disability. We appreciate these changes that will ensure the court is considering the contents of the medical record and that, during conservatorship proceedings, relevant testimony regarding medical history can be considered to provide the most appropriate and timely care. However, we want to make sure that the exception appropriately balances the ability to introduce evidence with health care providers who have the appropriate level of behavioral health training and expertise.

For these reasons, RCRC, UCC and CSAC respectfully offer a position of "concerns" for SB 43. Should you have any questions regarding our position, please do not hesitate to have your staff contact our organizations.

Sincerely,

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Kelly Brooks-Lindsey
Legislative Advocate
Urban Counties of California
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916-753-0844

Jolie Onodera
Senior Legislative Advocate
California State Association of Counties
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916-591-5308

cc: The Honorable Susan Talamantes Eggman
Members of the Assembly Committee on Judiciary
Alison Merrillees, Chief Counsel, Assembly Committee on Judiciary
Tom Clark, Staff Counsel, Assembly Committee on Judiciary
Gino Folchi, Consultant, Assembly Republican Caucus
Angela Pontes, Deputy Legislative Secretary, Office of the Governor

June 22, 2023

The Honorable Buffy Wicks
Chair, Assembly Housing and Community Development Committee
1020 N St., Room 156
Sacramento, CA 95814

**RE: Senate Bill 229 (Umberg) – Oppose Unless Amended [As Amended February 23, 2023]**

Dear Assembly Member Wicks:

The statewide associations and individual local agencies listed above must respectfully oppose Senate Bill 229, unless it is amended to address our concerns discussed below.

SB 229 will amend the Surplus Land Act (SLA) to provide that if a local agency is disposing of a parcel by sale or lease, and received a notice of violation from the Department of Housing and Community Development (HCD), pursuant to Government Code Section 54230.5, that it is in violation of the SLA with regard to the parcel, the local agency shall hold an open and public session to review and consider the substance of the notice of violation. In addition to any other applicable notice requirements, the local agency shall provide notice disclosed on the local agency's internet website, in a conspicuous public place at the offices of the local agency, and to HCD no later than 14 days before the public session at which the notice of violation will be considered. The local agency's governing body shall not take final action to ratify or approve the proposed disposal until a public session is held.

The concerns underlying our position are as follows:

1. SB 229 is a companion bill to SB 34 (Umberg), which is also pending before this committee. SB 34 would similarly require procedures for the County of Orange and cities in the County of Orange to address notices of violation from HCD, albeit different procedures. However, SB 34 would seek to impose its requirements when a notice of violation is received from HCD by a local agency in connection with a "planned sale or lease of **surplus land**." In contrast, SB 229 would impose its requirements if a notice of violation is received from HCD when a local agency "is disposing of **a parcel** by sale or lease." This is a critical and problematic distinction because SB 229 may be improperly implied to broaden HCD's authority to issue notices of violation to **any** parcel of land. Without appropriately limiting the bill's application to notices of violation in connection with sales of **surplus land**, SB 229 may significantly disrupt local agencies' planning for uses of land, including for exempt surplus land explicitly not subject to the SLA. (See Government Code Section 54222.3 "This article shall not apply to the disposal of exempt surplus land as defined in Section 54221 by an agency of the state or any local agency.")

   To correct this problem, SB 229 should be amended to make clear that it applies only to sales of surplus land, as follows:

Government Code section 54230.7(a): "If a local agency is disposing of ~~a parcel~~ **surplus land** by sale ~~or lease~~ and has received a notification from the Department of Housing and Community Development…."

Government Code section 54230.7(b): "The local agency's governing body shall not take final action to ratify or approve the proposed ~~disposal~~ **sale of surplus land** until a public session is held as required by this section."

2. As written, the bill may create a concerning precedent for all local agencies statewide. Because SB 229 includes a reference to notices of violation from HCD in connection with a "sale ***or lease***" by a local agency, the bill may establish a statutory precedent that leases are subject to the SLA. Notwithstanding guidelines developed by HCD defining "disposition of surplus land," at this time the term "dispose" is undefined in the SLA, and prior legislative efforts to define "dispose" to include leases were unsuccessful. Removing and excluding the bill's reference to leases would in no way compromise or otherwise impact the ability of this legislation to address a planned sale of surplus land. However, including any reference to leases in the bill would be inconsistent with the clear, established legislative intent for the meaning of disposal of surplus land that is subject to the requirements of the SLA as currently written. We therefore oppose SB 229 unless it is amended to remove its reference to leases and HCD notices of violations in connection with planned leases.

   Local agencies routinely enter leases for a variety of purposes that support their work or operations and that do not relate to the purposes of the SLA. Examples include a cell tower lease, a lease to a nonprofit for office space because that nonprofit is partnering with a local government to further a governmental purpose, and a short-term lease of park space.

   The clear, established intent of the Legislature is not to apply the requirements of the SLA for surplus land to leases. In 2019, as introduced, AB 1486 (Ting) proposed to define "dispose of" as the "sale, **lease**, transfer, or other conveyance of any interest in real property owned by a local agency" (emphasis added). A broad local agency coalition opposed this proposed expansion of the meaning of "dispose of," and consequently leases were amended out of the bill before it became law.

3. Our organizations also seek amendments to the procedural requirements of SB 229, to provide reasonable flexibility to local agencies. While our organizations recognize the transparency concerns addressed by this bill, those concerns can be addressed while providing additional local agency flexibility. For example:

   a. A public **meeting**, instead of a public session, to consider a notice of violation, provides transparency while providing flexibility to local agencies in their selection of a format consistent with the Brown Act.
   b. Local agencies should be provided with an offramp from the requirement to hold a meeting if they elect not to proceed with a proposed disposal after receiving a notice of violation from HCD.
   c. Not all local agencies maintain websites, and additional notice flexibility is needed.

   The bill's prescriptive requirements for holding a public session, and absence of an offramp when that public session is no longer required due to changed circumstances, will unnecessarily increase SLA compliance costs for local agencies.

For the above reasons, we must respectfully oppose Senate Bill 229, unless it is amended to address our concerns.

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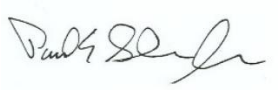
Sincerely,

Aaron A. Avery
Senior Legislative Representative
California Special Districts Association

Paul A. Cook
General Manager
Irvine Ranch Water District



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General Manager
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Daniel R. Ferons
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Dennis P. Cafferty
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El Toro Water District

Robert S. Grantham
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Rancho California Water District

Fernando Paludi
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Mark Neuburger
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Jean Hurst
Legislative Representative
Urban Counties of California

Tracy Rhine
Senior Policy Advocate
Rural County Representatives of California

Sarah Bridge
Senior Legislative Advocate
Association of California Healthcare Districts

CC: The Honorable Thomas Umberg
Members, Assembly Housing and Community Development Committee

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Steve Wertheim, Principal Consultant,
Assembly Housing and Community Development Committee
William Weber, Policy Consultant, Assembly Republican Caucus
Ronda Paschal, Deputy Legislative Secretary, Office of Governor Newsom
Emily Patterson, Assistant Legislative Deputy and Chief Deputy of Legislative Operations,
Office of Governor Newsom

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URBAN COUNTIES
OF CALIFORNIA



June 19, 2023

The Honorable Corey Jackson, MSW, DSW
Chair, Assembly Human Services Committee
1021 O Street, Suite 6120
Sacramento, CA 95814

**RE: SB 245 (Hurtado): Food for All**
**As Amended March 16, 2023 – SUPPORT**

Dear Assembly Member Jackson:

On behalf of the Urban Counties of California (UCC), a coalition of the state's most populous counties, I write in support of SB 245 (Hurtado) "Food for All", which would expand the California Food Assistance Program (CFAP) to provide vital food assistance to income-eligible Californians who are currently ineligible due to their immigration status.

California immigrants experience high levels of food insecurity as a result of racial and economic disparities that exist within our state's safety net programs. The COVID-19 pandemic and rising cost of food due to inflation have worsened hardships across the state, particularly among low-income undocumented immigrants.

Children in families with undocumented immigrant members are three to four times more likely to struggle to meet their basic needs than children in non-immigrant households[1]. Recent studies indicate that 45 percent of undocumented Californians and 64 percent of undocumented children are currently affected by food insecurity[2]. While CalFresh and CFAP provide a critical lifeline for millions of Californians with low income, these programs exclude between 690,000 to 840,000 Californians based on their immigration status.

The consequences of food instability are far-reaching and devastating, linked to birth defects, oral decay, asthma, mental health issues and more among children. In adults, it's a major contributor to diseases like hypertension and diabetes. Food insecure people also have higher overall healthcare

[1] https://childrenspartnership.org/wp-content/uploads/2022/06/AChildIsaChild_Children-in-Immigrant-Families-2022-FINAL.pdf

[2] https://nourishca.org/food4all-briefs/

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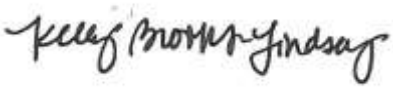
costs, causing additional financial strain on families.

To effectively address increasing food insecurity, reduce poverty and homelessness, and support an equitable recovery from the impact of COVID-19, it is critical that California eliminate immigrant exclusions within CFAP and bring equity to our state's food safety net.

For these reasons, UCC supports SB 245. Please do not hesitate to contact me for additional information at 916-753-0844 or kbl@hbeadvocacy.com.

Sincerely,



Kelly Brooks-Lindsey
UCC Legislative Advocate

cc: The Honorable Melissa Hurtado, Member, California State Senate
Members and Consultants, Assembly Human Services Committee

June 21, 2023

The Honorable Ash Kalra
Chair, Assembly Labor and Employment Committee
1020 N St., Room 155
Sacramento, CA 95814

**RE:** **SB 399 (Wahab) Employer Communications: Intimidation**
**Oppose** (*As Amended 5/2/2023)*

Dear Assembly Member Kalra:

The League of California Cities (Cal Cities), California Special Districts Association (CSDA), Urban Counties of California (UCC), Rural County representatives of California (RCRC), California Association of Recreation and Parks Districts (CARPD), California State Associations of Counties (CSAC), and the Association of California Healthcare Districts (ACHD) must respectfully **oppose SB 399**, which would prohibit an employer from subjecting, or threatening to subject, an employee any adverse action because the employee declines to attend an employer-sponsored meeting or affirmatively declines to participate in, receive, or listen to any communications with the employer, the purpose of which is to communicate the employer's opinion about religious or political matters.

SB 399 applies to all employers, including private employers as well as public employers such as local governments and the State of California. Public employers do not appear to be the primary focus of SB 399. However, cities, counties, special districts, and all other local government employers are swept up in the bill's provisions.

**Senate Bill 399 is Inconsistent with Routine Government Operations**

While on its face this bill may appear as if it would not be a problem for local agencies, in reality, SB 399 is overly broad and could pose serious concerns for local jurisdictions. The bill defines *"Political matters" as matters relating to elections for political office, political parties, legislation, regulation, and the decision to join or support any political party or political or labor organization.* By this definition, it could be reasonably argued that many of the issues before a city council or a special district board would fall under "legislation" or "regulation."

The bill's provisions are incompatible with the proper and legitimate functioning of government. Government entities are required to make and implement policies for the benefit of their communities. This may come in the form of internal deliberations, analysis, and vetting of local rules, ordinances or other policies adopted by local legislative bodies, or the consideration of state and federal legislation, local government positions on such legislation, and implementation of state and federal laws applicable to local governments. If enacted, SB 399 would treat many routine government functions as political matters and interfere with government operations. SB 399 may apply to employees required to be present where legislation or regulations/ordinances are debated, such as a city council or board meetings, and even to such mundane tasks as seeking input or analysis from employees as to the implementation of proposed or enacted legislation. Because governments develop and implement policy, any activity could potentially be argued to be political, leading to costly disputes.

**Existing Law Already Restricts Local Governments' Communications with Employees**

We are not aware of a widespread problem involving local agencies forcing their religious or political beliefs on their employees. Additionally, SB 399 is not appropriately applied to local government because existing law already provides significant protections for public employees. For example, Government Code Section 3550 provides that a public employer shall not deter or discourage public employees or applicants to be public employees from becoming or remaining members of an employee organization. Section 3551.5 imposes significant penalties for violations of Section 3550 and grants employee organizations standing to bring the claims.

**Senate Bill 399 Does Not Contain Exemptions Sufficient to Cover the Breadth of Government Operations**

The exceptions and definitions in the bill are vague. The bill says that it does not prohibit:

- *An employer from communicating to its employees any information that the employer is required by law to communicate, but only to the extent of that legal requirement.*
- *An employer from communicating to its employees any information that is necessary for those employees to perform their job duties.*

It is difficult to say who would fall under the exemption and who would be the arbiter of whether certain communications are necessary to do an employee's job, and this exemption likely would not cover the breadth of circumstances discussed in this letter.

There is no clarity in the bill about what it means to require an employee to attend an "employer-sponsored" meeting. For example, even if an employer explicitly says that employees are not required to attend a meeting, an employee could claim that they still felt required to attend because others were attending, or some sort of benefit was being provided.

**Senate Bill 399 Exposes Local Governments to Risk of Significant Litigation Expenses**

The uncertainty created because of the vague and overly broad provisions of this bill would make this incredibly difficult to comply with and would certainly be litigated. SB 399 would also create a private right of action in court for damages caused by adverse actions on account of the employee's refusal to attend an employer-sponsored meeting.

From the perspective of local governments, SB 399 is a solution in search of a problem. For these reasons, Cal Cities and CSDA have an OPPOSE position on Senate Bill 399. Please feel free to contact us with any questions.

Sincerely,

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Aaron A. Avery
Senior Legislative Representative
California Special Districts Association
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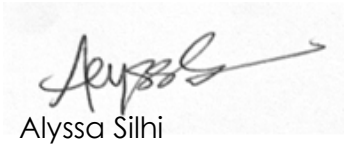

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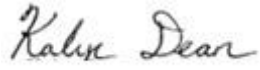

Kalyn Dean
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Sarah Bridge
Senior Legislative Advocate
Association of California Healthcare Districts
Sarah.bridge@achd.org

CC: The Honorable Aisha Wahab
Members, Assembly Labor and Employment Committee
Megan Lane, Chief Consultant, Assembly Labor and Employment Committee
Lauren Prichard, Republican Caucus Consultant

July 6, 2023

The Honorable Jim Wood
Chair, Assembly Health Committee
1020 N Street, Room 390
Sacramento, California 95814

**Re: SB 408 (Ashby): Child Welfare Services for Foster Youth with Complex Needs**
**As Amended May 18, 2023 – SUPPORT**
**Set for Hearing July 11, 2023 in Assembly Health Committee**

Dear Chair Wood:

On behalf of the California State Association of Counties (CSAC), the Urban Counties of California (UCC) and the Rural County Representatives of California (RCRC), we write in support of SB 408 to establish programs and services to support foster youth and youth at risk of foster care with significant trauma and complex needs. This investment is needed to ensure no youth are left behind in California's continuing effort to implement Continuum of Care Reform (CCR).

Counties have embraced the goals of the Continuum of Care Reform (CCR), implemented through AB 403 (Stone, Ch. 773, Statutes of 2015), to reduce the use of congregate care and improve permanency and other outcomes for foster youth. CCR has resulted in profound shifts in child welfare practice and has helped to improve outcomes for many – but not all – children, youth and families. Improvements in practices include the use of child and family teaming to ensure youth and family voice in case management and placement decisions, statewide use of the Resource Family Approval process to align and streamline licensing and approval for families, increases in foster care rates, and use of a universal child strengths and needs assessment tool. CCR resulted in significant reductions in the use of congregate care and a greater focus on supporting children and youth in family-based settings.

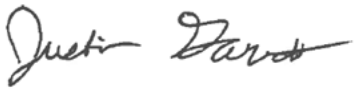
However, CCR was not designed to serve some of our foster youth who have experienced severe trauma and/or have complex physical, behavioral and other needs. County child welfare agency collaborates diligently with their system partners – mental health plans, care providers, regional centers, educational agencies, etc., – to care for youth with severe trauma and/or complex care needs, but challenges remain. Higher-level treatment services are not always available at the moment they are needed, and providers are not always able to offer the intensive care needed by some youth. As a result, these youth often experience multiple placement disruptions and hospitalizations, and sometimes stay in unlicensed settings, while social workers seek other appropriate services and treatment settings. Unfortunately, this further exacerbates a youth's trauma and is likely to lead to poor outcomes.

SB 408 would establish up to ten regional health teams across the state to improve assessments and timely access to needed services (physical, mental health, substance use, etc.), perform comprehensive case management in coordination with other child-serving systems, and ensure appropriate follow-up to

prevent placement disruptions with families and care coordination for youth stepping down from hospitals or other settings. This approach is critical to preserving families, preventing disruptions in family-based foster care, and identifying and supporting families as early as possible to reduce trauma.

SB 408 will help county child welfare agencies preserve families and improve services to our youth with significant trauma and/or complex needs. For these reasons, CSAC, UCC and RCRC support SB 408 and urge your 'aye' vote. Please do not hesitate to reach out with questions or concerns.

Sincerely,



Justin Garrett
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Sarah Dukett
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cc: The Honorable Angelique Ashby, Member, California State Senate
Members and Consultants, Assembly Health Committee

June 14, 2023

The Honorable Corey Jackson, DSW, MSW
Chair, Assembly Human Services Committee
1021 O Street, Room 6120
Sacramento, California 95814

**Re: SB 408 (Ashby): Child Welfare Services for Foster Youth with Complex Needs**
**As Amended May 18, 2023 – SUPPORT**

Dear Chair Jackson:

On behalf of the California State Association of Counties (CSAC), the Urban Counties of California (UCC) and the Rural County Representatives of California (RCRC), we write in support of SB 408 to establish programs and services to support foster youth and youth at risk of foster care with significant trauma and complex needs. This investment is needed to ensure no youth are left behind in California's continuing effort to implement Continuum of Care Reform (CCR).

Counties have embraced the goals of the Continuum of Care Reform (CCR), implemented through AB 403 (Stone, Ch. 773, Statutes of 2015), to reduce the use of congregate care and improve permanency and other outcomes for foster youth. CCR has resulted in profound shifts in child welfare practice and has helped to improve outcomes for many – but not all – children, youth, and families. Improvements in practices include the use of child and family teaming to ensure youth and family voice in case management and placement decisions, statewide use of the Resource Family Approval process to align and streamline licensing and approval for families, increases in foster care rates, and use of a universal child strengths and needs assessment tool. CCR resulted in significant reductions in the use of congregate care and a greater focus on supporting children and youth in family-based settings.

However, CCR was not designed to serve some of our foster youth who have experienced severe trauma and/or have complex physical, behavioral, and other needs. County child welfare agency collaborates diligently with their system partners – mental health plans, care providers, regional centers, educational agencies, etc., – to care for youth with severe trauma and/or complex care needs, but challenges remain. Higher-level treatment services are not always available at the moment they are needed, and providers are not always able to offer the intensive care needed by some youth. As a result, these youth often experience multiple placement disruptions and hospitalizations, and sometimes stay in unlicensed settings, while social workers seek other appropriate services and treatment settings. Unfortunately, this further exacerbates a youth's trauma and is likely to lead to poor outcomes.

SB 408 would establish up to ten regional health teams across the state to improve assessments and timely access to needed services (physical, mental health, substance use, etc.), perform comprehensive case management in coordination with other child-serving systems, and ensure appropriate follow-up to prevent placement disruptions with families and care coordination for youth stepping down from

hospitals or other settings. This approach is critical to preserving families, preventing disruptions in family-based foster care, and identifying and supporting families as early as possible to reduce trauma.

SB 408 will help county child welfare agencies preserve families and improve services to our youth with significant trauma and/or complex needs. For these reasons, CSAC, UCC and RCRC support SB 408 and urge your 'AYE' vote. Please do not hesitate to reach out with questions or concerns.

Sincerely,

Justin Garrett
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cc: The Honorable Angelique Ashby, Member, California State Senate
Members and Consultants, Assembly Human Services Committee

June 16, 2023

The Honorable Ash Kalra
Chair, Assembly Committee on Labor and Employment
1020 N Street, Room 155
Sacramento, CA 95814

**RE: SB 525 (Durazo): Minimum Wage Health Care Workers**
**As Amended 5/25/23 – OPPOSE**

Dear Assemblymember Kalra:

On behalf of the California State Association of Counties (CSAC), Urban Counties of California (UCC), and the Rural County Representatives of California (RCRC), we write in respectful opposition to Senate Bill 525 by Senator Durazo.

Even with recent amendments to increase wages in consecutive years, SB 525 will still increase heath care costs and county-wide wages and salaries, potentially resulting in provider closures and cutbacks – jeopardizing access to care for the most vulnerable.

SB 525 proposes to raise the health care minimum wage broadly across the health sector to $21 per hour commencing on June 1, 2024, then raising to $25 per hour after June 1, 2025, and increasing wages by 3.5% or by inflation based on the Consumer Price Index (CPI) every year thereafter, for employees working in county agencies – specifically, county health departments, county mental health departments, county correctional health settings, county hospitals, and county owned and operated clinics. Additionally, SB 525 requires exempt/salaried employees to be paid 1.5 times the proposed minimum wage – creating a new salary base of approximately $78,000 per year. The measure also broadly applies the wage requirements to contractors within these facilities. Counties are estimating that the cost to implement the bill statewide across all 58 counties to be in excess of several hundreds of millions of dollars annually. When wage compression and compaction issues are factored in, the cost estimates increase exponentially. The cost estimates are discussed in more detail in the following pages.

***The Immense Breadth of County Services and Impact of SB 525***

County health departments are the public health experts monitoring and investigating diseases in the community, conducting testing and contact tracing, providing vaccination against disease, providing health education, inspecting restaurants, and addressing health disparities. County behavioral health departments provide mental health and substance use disorder services, primarily to California's low-income populations with serious mental illness and substance use disorders, through Medi-Cal and other programs. County health and mental health departments also prepare for and respond to natural

disasters. Twelve counties own and operate hospitals, which primarily serve Medi-Cal beneficiaries and the remaining uninsured. Those twelve counties and additional counties own and operate health clinics.

County employees are generally represented by local bargaining units and counties negotiate in good faith to set wages and benefits for employees. We work with our labor partners in a variety of settings and recognize the important work of our employees. **SB 525 would undermine the collective bargaining process by requiring counties to raise wages substantially, which will impact county operations beyond the health care field.** Counties provide a vast array of municipal services to residents beyond health and behavioral health, including roads, parks, law enforcement, emergency response services and libraries. Counties also deliver services on behalf of the state for programs such as foster care, CalWORKs, and elections. Setting an hourly wage floor for employees in the health care field will undoubtedly impact the wages of our employees and contracted services in all aspects of county government, making the mandate required by SB 525 cost counties significantly more.

***1991 and 2011 Realignment Considerations***

County health functions are funded by 1991 Realignment (a combination of state sales tax and vehicle license fees), as well as other state and federal funds; county mental health services are funded by a combination of 1991 and 2011 Realignment, Mental Health Services Act, as well as other state and federal funds. In years where the Realignment revenues grow slowly or decline – as they have done several years since 1991, including during the Great Recession – counties would not have funds to cover this health care minimum wage increase. In addition, counties primarily serve Medi-Cal beneficiaries and reimbursement rates have remained stagnant. The current rate structure cannot absorb the costs proposed in this bill.

Counties have a unique role in providing health care services to low-income Californians. Welfare and Institutions Code section 17000 obligates counties to serve as the provider of "last resort" for indigent Californians who have no other means of support. Because of that requirement, counties focus on serving Medi-Cal beneficiaries and uninsured Californians in their hospitals, health systems, and clinics. Counties are not in the health care business to make a profit, instead they are focused on serving individuals with the fewest means – and the payer mix of patients they care for reflects that. Counties are important state partners in the Medi-Cal program. To the extent that SB 525 will increase costs without accompanying resources, counties may scale back the services they provide, thus impacting Medi-Cal recipients, low income, and uninsured Californians.

***SB 525 Fiscal Estimate***

A sampling of several counties consisting of approximately 46.2 percent of California's total population estimates a fiscal impact of approximately $241.2 million, annually, if the minimum wage for covered health care employment and work performed on the premises of a covered health care setting is increased to $25/hour. This aggregate estimate of the counties sampled estimates that over 15,000 employees would be impacted. It is important to note that the $241.2 million annual estimate does not factor in other costs for employment, such as pension costs and other overhead. In addition, this estimate does not factor in other significant downstream cost pressures, such as salary compression and compaction and other impacts that reverberate beyond. When wage compression/compaction issues are factored in, the estimated impact is much higher. Extrapolated to all counties throughout the state, the $241.20 estimated annual figure would increase exponentially and would still not include the additional cost pressures previously referenced.

***Compression and Compaction Issues***

If the minimum wage for covered health care employment and work performed on the premises of a covered health care setting is raised to $21/hour and subsequently to $25/hour, there would be compression and compaction issues, causing a major impact to counties who would have to also increase the wages for workers in other sectors and for supervisorial employees. This creates significant downstream pressures on county budgets.

First, many counties have signed local labor agreements that will require them to increase wages for other workers outside of the healthcare system because of equal pay extensions. For example, if a custodian who works in a county hospital gets their wages raised to $21/hour, then the county will also need to raise the wages of all custodians who are employed by the county to $21/hour. Failing to do so would put the county in breach of previously agreed to labor contracts.

Second, if a supervisor is making wages at or near $21/hour or $25/hour minimum prior to SB 525 going into effect, there will be additional wage pressures because direct reports or non-supervisory staff wages will be outpacing salary increases for supervisory employees. If the wage difference between supervisor and non-supervisors are too small (or even at matching wages), it may reduce the incentive for employees to accept the additional responsibilities of being a supervisor/manager and can affect recruitment and retention. Addressing the wage differential will dramatically increase costs across all bargaining units.

Finally, if the minimum wage across the healthcare sector is increased to $21/hour and then to $25/hour, it may eliminate differences in factors such as skills, performance, seniority, or tenure between different employees with similar job classifications. For example, the wage increase could result in a new or recent hire making as much as someone that has held the same or similarly classified position for several years – whose wages have increased over time as a result of performance and merit increases, cost of living adjustments, etc., and it would disincentivize retention. To effectively retain an experienced workforce and ensure that the workforce needs of counties are being met to fill positions to support county-administered services, there would need to be consideration to increasing the wages of longstanding employees as well, given that new employees would be making the same wage as a more seasoned employee.

To address the wage compression and compaction issues, counties will likely need a compensation study to evaluate appropriate grade increases across the organization and reopen collective bargaining agreements creating new unfunded administration processes to implement SB 525. Wage increases across a bargaining unit as a result of SB 525 would far exceed the increases for just the health care worker wage minimum proposed in this measure.

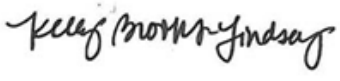
**SB 525 Would Create Continued Cost Pressures on County Budgets**

Given that SB 525 includes an inflator of the lesser of 3.5 percent or inflation, it is unlikely that existing revenue sources available to counties will grow sufficiently to cover the wage requirements in SB 525. Additionally, SB 525 would require implementation to begin next year raising wages by $5.50/hour from the current minimum wage of $15.50/hour, and then increasing by $9.50/hour on June 1, 2025. We estimate the costs to implement SB 525 for counties alone will be in the range of hundreds of millions of dollars annually. With the uncertain state of the economy and anticipated state budget deficit, SB 525 will dramatically and significantly affect county budgets at precisely the time when they are least able to afford it.

Simply put, SB 525 is not sustainable for county government and undermines the local collective bargaining process. Counties will not be able to absorb the additional wage requirements in SB 525 without curtailing services to California's most vulnerable residents or laying off staff in non-health care sectors. The overall impact will be less services provided by county government to the public – and potentially fewer public sector employees to provide that work.

For these reasons, CSAC, UCC and RCRC respectfully oppose SB 525.

Sincerely,



**Kalyn Dean**
Legislative Advocate
kdean@counties.org
CSAC

**Kelly Brooks-Lindsey**
Legislative Advocate
kbl@hbeadvocacy.com
UCC

**Sarah Dukett**
Policy Advocate
sdukett@rcrcnet.org
RCRC

Cc: The Honorable Maria Elena Durazo, Member, California State Senate District 26
Members and Staff, Assembly Committee on Labor and Employment
Lauren Prichard, Assembly Republican Caucus, Labor and Employment Policy Consultant

URBAN COUNTIES
OF CALIFORNIA



June 19, 2023

The Honorable Corey Jackson, MSW, DSW
Chair, Assembly Human Services Committee
1021 O Street, Suite 6120
Sacramento, CA 95814

**RE: SB 600 (Menjivar): California CalFresh Minimum Benefit Adequacy Act of 2023**
**As Introduced February 15, 2023 – SUPPORT**
**Set for Hearing July 11, 2023 in Assembly Human Services Committee**

Dear Assembly Member Jackson:

On behalf of the Urban Counties of California (UCC), a coalition of the state's most populous counties, I write in support in support of SB 600 (Menjivar), which would update the CalFresh minimum benefit.

SB 600 would, by January 1, 2025, require the Department of Social Services to establish the CalFresh Minimum Nutrition Benefit Program to provide a household with a monthly CalFresh allotment of a minimum monthly benefit of $50. Under current law the monthly minimum benefit is $23 for one and two person households.

SB 600 will provide a much needed update to the CalFresh monthly minimum benefit. The consequences of food instability are far-reaching and devastating, linked to birth defects, oral decay, asthma, mental health issues and more among children. In adults, it's a major contributor to diseases like hypertension and diabetes. Food insecure people also have higher overall healthcare costs, causing additional financial strain on families. SB 600 will effectively address food insecurity and bolster our state's food safety net.

For these reasons, UCC supports SB 600. Please do not hesitate to contact me for additional information at 916-753-0844 or kbl@hbeadvocacy.com.

Sincerely,

Kelly Brooks-Lindsey
UCC Legislative Advocate

cc: The Honorable Caroline Menjivar, Member, California State Senate
Members and Consultants, Assembly Human Services Committee

1127 11TH STREET,
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SACRAMENTO, CA 95814
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URBANCOUNTIES.COM

URBAN COUNTIES
OF CALIFORNIA



June 22, 2023

The Honorable Brian Maienschein
Chair, Assembly Judiciary Committee
1021 O Street, Suite 5640
Sacramento, CA 95814

**RE: SB 642 (Cortese) – Enforcement of Hazardous Waste Violations**
**As introduced 2/16/2023 – SUPPORT**
**Set for hearing on 6/27/2023 – Assembly Judiciary Committee**

Dear Assembly Member Maienschein:

On behalf of the Urban Counties of California, a 14-member coalition of the state's most populous counties, I write in support of SB 642 by Senator Dave Cortese. This bill would confer full civil enforcement authority to county counsels for hazardous waste violations.

This measure would fulfill the intention clearly articulated in current law. Health and Safety Code section 25182 provides that "[e]very civil action brought under [the Hazardous Waste Control Act] at the request of the [Department of Toxic Substances Control] or a unified program agency shall be brought by the city attorney, *the county attorney*, the district attorney, or the Attorney General in the name of the people of the State of California." SB 642 would make narrow, conforming changes to several related statutes to ensure that enforcement authority appropriately extends to county counsels along with other public prosecutors now identified in statute.

Granting county counsel, the authority to prosecute hazardous waste regulatory laws would yield several important benefits. It would bring new capacity to expand enforcement of hazardous waste laws and thereby ameliorate environmental dangers as well as help address

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chronically non-compliant violators. Several urban counties have developed specialized expertise and committed considerable resources to affirmative litigation. SB 642 would position these jurisdictions to more fully address enforcement gaps and enforce important public rights.

For these reasons, UCC is pleased to support SB 642. We thank you for your committee's most positive consideration of this measure.

Sincerely,

Elizabeth Espinosa
UCC Legislative Advocate

cc: The Honorable Dave Cortese, Member of the State Senate
Members and Counsel, Assembly Judiciary Committee

July 6, 2023

The Honorable Buffy Wicks
Chair, Assembly Housing Committee
1021 O Street, Suite 4240
Sacramento, CA 95814

RE: **Senate Bill 747 (Caballero): Land use: economic development: surplus land**
**As amended 6/30/23 – SUPPORT WITH AMENDMENTS**
**Set for hearing 7/12/23 – Assembly Housing and Community Development Committee**

Dear Assembly Member Wicks:

On behalf of the Urban Counties of California (UCC), the Rural County Representatives of California (RCRC), and the California State Association of Counties (CSAC), we write in strong support of Senate Bill 747. This bill makes important changes to the Surplus Lands Act (SLA), which strike an appropriate balance between the broad policy interests of local governments in providing a wide array of critical public services to their communities, while also ensuring that the development of affordable housing is prioritized when local governments dispose of their surplus land. SB 747 also makes numerous small but important improvements to the SLA that will ease implementation of the law and ensure that the law's processes are focused on properties most likely to be redeveloped for housing.

**Counties Require Flexibility to Use Properties to Meet Long-Term Community Needs**
Counties provide an incredibly broad range of services that include statewide health and human services programs, countywide public safety and environmental protections, and a full suite of municipal services for the residents of unincorporated communities. Each of these services requires physical facilities sited in appropriate locations amongst the diverse communities of every county. To effectively deliver services in the communities where they are needed and where clients live, counties must hold and acquire property for both current and planned community needs.

While counties have been leaders in redeveloping their properties to provide affordable housing opportunities, including redeveloping outdated county-owned sites,[1] joint-use developments in conjunction with new county facilities,[2] and countywide efforts to identify properties appropriate for affordable housing development,[3]just to name a few examples, excessively restrictive prohibitions on the leasing of county-owned properties under current Department of Housing and Community

[1] https://www.dailydemocrat.com/2018/12/11/affordable-housing-complex-officially-opens-tuesday/
[2] https://www.huduser.gov/portal/casestudies/study_100520.html
[3] https://www.countynewscenter.com/county-breaks-ground-for-first-affordable-housing-development-on-surplus-property/

Development SLA guidelines are counterproductive. A five-year limitation on leases of properties that may currently be underutilized, but which are integral to the future provision of vital community services, does not encourage redevelopment for housing, but merely impedes worthwhile, temporary uses of public property.

SB 747's provisions related to the lease of local government property provides a bright-line standard for when a long-term lease of a property should be considered a disposition and subject to the SLA's requirements to give housing providers a first opportunity to negotiate acquisition of the property. However, we believe that a 15-year lease term is inconsistent with typical local agency planning and operations. We suggest that the bill be amended to include a more appropriate lease term of 25-years.

Additionally, we recommend that proposed GC 54221(d) be amended to clarify that the new definition of "dispos[al]" is exclusive – and in particular, that leases of surplus land for less than the specified term do not trigger the SLA. This is arguably implicit in the current language, but some may argue that HCD can/should adopt supplemental definitions (see GC 54230(c)) identifying additional circumstances where leases (or other types of property transactions) are treated as covered dispositions and thus trigger the SLA. That is not our understanding of the intent of this bill, and should thus be addressed explicitly.

**Improves Surplus Lands Act Procedures and Applicability**
SB 747 includes numerous incremental changes to the SLA that will improve administration at the local level and ensure that the process is focused on the disposition of properties that are most likely to be suitable and available for housing. The bill exempts local agencies that are disposing property, or entering negotiations with, the developer of a qualifying affordable housing project from notification requirements and broadens the current exemption for mixed-use developments with at least 25% affordable housing; requires improved public transparency when HCD notifies a jurisdiction of a potential SLA violation; and exempts properties with valid legal restrictions, including conservation easements, while ensuring transparency during the disposal process.

The bill also reasonably expands the definition of agency use to include numerous important functions that county-affiliated districts may undertake, including airport-related uses, transit and transit-oriented development, port properties to support logistics uses, broadband and wireless facilities, and buffer zones near waste disposal sites.

For the reasons stated above, our organizations strongly support SB 747. If you need additional information about our position, please contact Jean Hurst (UCC) at jkh@hbeadvocacy.com, Tracy Rhine (RCRC) at trhine@rcrcnet.org or Mark Neuburger (CSAC) at mneuburger@counties.org .

Sincerely,

Jean Kinney Hurst
UCC

Tracy Rhine
RCRC

Mark Neuburger
CSAC

cc: Members and Consultants, Assembly Housing and Community Development Committee
The Honorable Anna Caballero, California State Senate

June 22, 2023

The Honorable Cecilia Aguiar-Curry
Chair, Assembly Local Government Committee
1021 O Street, Suite 6350
Sacramento, CA 95814

RE: **Senate Bill 747 (Caballero): Land use: economic development: surplus land**
**As amended 5/18/23 – SUPPORT WITH AMENDMENTS**
**Set for hearing 6/28/23 – Assembly Local Government Committee**

Dear Assembly Member Aguiar-Curry:

On behalf of the Urban Counties of California (UCC), the Rural County Representatives of California (RCRC), and the California State Association of Counties (CSAC), we write in strong support of Senate Bill 747. This bill makes important changes to the Surplus Lands Act (SLA), which strike an appropriate balance between the broad policy interests of local governments in providing a wide array of critical public services to their communities, while also ensuring that the development of affordable housing is prioritized when local governments dispose of their surplus land. SB 747 also makes numerous small but important improvements to the SLA that will ease implementation of the law and ensure that the law's processes are focused on properties most likely to be redeveloped for housing.

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For the reasons stated above, our organizations strongly support SB 747. If you need additional information about our position, please contact Jean Hurst (UCC) at jkh@hbeadvocacy.com, Tracy Rhine (RCRC) at trhine@rcrcnet.org or Mark Neuburger (CSAC) at mneuburger@counties.org .

Sincerely,

Jean Kinney Hurst
UCC

Tracy Rhine
RCRC

Mark Neuburger
CSAC

cc: Members and Consultants, Assembly Local Government Committee
The Honorable Anna Caballero, California State Senate

ACCOUNTABILITY, TRANSPARENCY, HOUSING, OUTREACH, MITIGATION & ECONOMIC OPPORTUNITY

A COMPREHENSIVE PLAN TO ADDRESS HOMELESSNESS

June 22, 2023

The Honorable Gavin Newsom
Governor, State of California
1021 O Street, Suite 9000
Sacramento, CA 95814

The Honorable Toni Atkins
Senate President pro Tempore, California State Senate
1021 O Street, Suite 8518
Sacramento, CA 95814

The Honorable Anthony Rendon
Speaker, California State Assembly
1021 O Street, Suite 8330
Sacramento, CA 95814

**Re: Homelessness Funding Accountability**

Dear Governor Newsom, Senate President pro Tempore Atkins, and Speaker Rendon:

On behalf of the AT HOME Coalition for Accountability, our organizations write to advocate for the adoption of budget trailer bill language (TBL) that enacts clear accountability, collaboration, and responsibilities for sustainable homelessness funding. Our diverse coalition made up of local governments, non-profit organizations, and business associations has come together to support achieving those goals through the adoption of the AT HOME plan, developed under the leadership of the California State Association of Counties (CSAC). We are grateful for your leadership in supporting additional homelessness investments and an accountability framework in this year's state budget and want to highlight the relevant provisions of the AT HOME plan for your consideration as agreements are reached on the Budget Act and associated trailer bills.

Homelessness is an urgent humanitarian crisis with an estimated 172,000 unhoused individuals in California. The AT HOME plan (Accountability, Transparency, Housing, Outreach, Mitigation & Economic Opportunity) includes a full slate of policy recommendations to help build more housing, prevent individuals from becoming homeless, and better serve those individuals who are currently experiencing homelessness. The policy recommendations contained in the Accountability pillar form the core elements of a proposed comprehensive homelessness system with clear responsibilities and accountability aligned to authority, resources, and flexibility for all levels of government. Our coalition is urging the adoption of these provisions as the Accountability framework for the budget trailer bill that is currently being negotiated.

CSAC has drafted language for the Accountability pillar and has shared with appropriate staff within the Administration and the Legislature. The core elements of the Accountability pillar include:

- Requiring local collaboration and submission of one countywide or regional homelessness plan.
- Requiring counties and cities to agree to a defined set of roles and responsibilities as a condition of receiving HHAP funding.
- Enacting strong accountability mechanisms including a corrective action plan.
- Providing ongoing HHAP funding to support the required plan.
- Establishing a three-year grant cycle to allow for multi-year outcomes and consistent funding levels.
- Funding the required plan through a fiscal agent that must be a county or city as they are accountable to constituents and have unique authority to site required infrastructure.
- Utilizing the required plan to determine allocations from the fiscal agent to subrecipients commensurate with their roles and responsibilities in the plan.
- Maintaining maximum local flexibility for use of HHAP funding consistent with the required plan.

True progress on homelessness can only be achieved when it is clear who is responsible for what, and when sustainable funding and accountability provisions are aligned with those defined responsibilities. That is what can be accomplished with the Accountability pillar of the AT HOME plan. The AT HOME Coalition for Accountability respectfully asks for your consideration. We look forward to a continued partnership on this urgent humanitarian issue.

Respectfully,

California State Association of Counties
Alliance for Community Transformations
Asian Pacific Islander American Public Affairs Association
Association of California Healthcare Districts
California Association of Public Administrators, Public Guardians, and Public Conservators
California Business Roundtable
California Chamber of Commerce
California Church IMPACT
California Council of Community Behavioral Health Agencies
California Downtown Association
California Park and Recreation Society
California Public Defenders Association
California Special Districts Association
California State Sheriffs Association
Chief Probation Officers of California
Chula Vista Chamber of Commerce
Community Action, Service, and Advocacy
County Behavioral Health Directors Association of California
County Welfare Directors Association of California
Downtown San Diego Partnership
East Bay Leadership Council

Eastern Sierra Continuum of Care
Economic Roundtable
Latino Caucus of California Counties
NFIB California
PATH
Pathways to Housing
Public Health Advocates
Rural County Representatives of California
Sacramento Metro Chamber of Commerce
Safe Family Justice Centers
San Diego Black Chamber of Commerce
San Luis Obispo County Continuum of Care
Sierra Business Council
Sierra Foothill Conservancy
Small Business Majority
Urban Counties of California
Yosemite Conservancy
Alameda County
Alpine County
Colusa County
Contra Costa County
Del Norte County
Fresno County
Inyo County
Lake County
Madera County
Marin County
Mariposa County
Merced County
Modoc County
Mono County
Monterey County
Nevada County
Orange County
Placer County
Riverside County
Sacramento County
San Benito County
San Diego County
San Luis Obispo County
Santa Barbara County
Santa Clara County
Santa Cruz County
Shasta County
Siskiyou County
Solano County
Stanislaus County
Tuolumne County

Ventura County
Yolo County
Yuba County

cc: Nancy Skinner, Chair, Senate Budget and Fiscal Review Committee
Phil Ting, Chair, Assembly Budget Committee
Steve Padilla, Chair, Senate Budget and Fiscal Review Subcommittee #4
Wendy Carrillo, Chair, Assembly Budget Subcommittee #4
Joe Stephenshaw, Director, Department of Finance
Lourdes Castro Ramírez, Secretary, Business, Consumer Services, and Housing Agency

June 21, 2023

The Honorable Dave Cortese
Chair, Senate Labor, Public Employment and Retirement Committee
1021 O Street, Room 6740
Sacramento, CA 95814

**RE:** **AB 504 (Reyes) State and Local Public Employees: Labor Relations: Disputes.**
**OPPOSE** (As Amended 4/13/23)

Dear Senator Cortese:

The League of California Cities (Cal Cities), Rural County Representatives of California (RCRC), California Association of Joint Powers Authorities (CAJPA), Association of California Healthcare Districts (ACHD), California State Association of Counties (CSAC), Public Risk Innovation Solutions, and Management (PRISM), Urban Counties of California (UCC), and California Special Districts Association (CSDA) regretfully must **oppose** AB 504. This measure would declare the acts of sympathy striking and honoring a picket line a human right. AB 504 would also void provisions in public employer policies or collective bargaining agreements limiting or preventing an employee's right to sympathy strike.

State laws governing collective bargaining are in place to ensure a fair process for both unions and public entities. AB 504 upends the current bargaining processes which allows striking only in specified limited circumstances. Specifically, this bill states, notwithstanding any other law, policy, or collective bargaining agreement, it shall not be unlawful or a cause for discipline or other adverse action against a public employee for that public employee to refuse to do any of the following:

- Enter property that is the site of a primary labor dispute.
- Perform work for an employer involved in a primary labor dispute.
- Go through or work behind any primary picket line.

This poses a serious problem for public agencies that are providing public services on a limited budget and in a time of a workforce shortage. Allowing for any public employee, with limited exception, to join a striking bargaining unit in which that

employee is not a member could lead to a severe workforce stoppage. When a labor group is preparing to engage in protected union activities, local agencies have the ability to plan for coverage and can take steps to limit the impact on the community. This bill would remove an agency's ability to plan and provide services to the community in the event any bargaining unit decides to strike. A local agency cannot make contingency plans for an unknown number of public employees refusing to work.

Our organizations are not disputing the right of the employee organization to engage in the protected activity of striking. State law has created a framework for when unions can engage in protected strike activity that has been honored by local government and unions alike. **Unfortunately, this bill would allow those who have not gone through the negotiation process to now refuse to work simply because another bargaining unit is engaging in striking.**

AB 504 would void locally bargained memorandums of understanding (MOUs) regardless of what they say about the employee's ability to sympathy strike and would insert the ability for employees to engage in sympathy striking. No-strike provisions in local contracts have been agreed to by both parties in good faith often due to the critical nature of the employees' job duty. By overriding local MOUs, AB 504 would grant sympathy strikers greater rights than the employees engaged in a primary strike. Under current law, both primary and sympathy strikes may be precluded by an appropriate no-strike clause in the MOU, which this bill proposes to override only for sympathy strikes. Additionally, under current law, essential employees of a local public agency as defined by the California Public Employment Relations Board (PERB) law and further described in more detail by the collective bargaining agreement, cannot engage in a primary or sympathy strike. This bill would override these safeguards for sympathy strikers.

This bill declares sympathy striking a human right but exempts any public employee who is subject to Section 1962 of the Labor Code from having that right. Given that this bill would void local MOU no-sympathy strike agreements while exempting a specific job type, at the same time as declaring a new human right, it would only create confusion regarding which public employees cannot engage in sympathy striking.

Local agencies provide critical health and safety functions, including disaster response, emergency services, dispatch, mobile crisis response, health care, law enforcement, corrections, elections, and road maintenance. Local MOU provisions around striking and sympathy striking ensure local governments can continue to provide critical services. In many circumstances, counties must meet minimum staff requirements, e.g., in jails and juvenile facilities, to ensure adequate safety requirements. AB 504 overrides the essential employee process at PERB, thereby creating a system where any employee can sympathy strike, which could result in workforce shortages that jeopardize our ability to operate. In addition, it is unclear if this bill would apply to public employees with job duties that require work in a multi-jurisdiction function, like a law enforcement task force, where one entity is on strike. Shutting down government operations for sympathy strikes is an extreme approach that goes well beyond what is allowed for primary strikes and risks the public's health and safety.

As local agencies, we have statutory responsibility to provide services to our communities throughout the state. This bill jeopardizes the delivery of those services and undermines the collective bargaining process. For those reasons Cal Cities, RCRC,

CAJPA, ACHD, CSAC, PRISM, UCC, and CSDA must oppose AB 504. Please do not hesitate to reach out to us with your questions.

Sincerely,

Johnnie Pina
Legislative Affairs, Lobbyist
League of California Cities
jpina@calcities.org

Sarah Bridge
Senior Legislative Advocate
Association of California Healthcare Districts
Sarah.bridge@achd.org

Faith Borges
Legislative Advocate
California Association of Joint Power Authorities
fborges@caladvocates.com

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Aaron A. Avery
Senior Legislative Representative
California Special Districts Association
aarona@csda.net

Michael Pott
Chief Legal Counsel
Public Risk Innovation Solutions, and Management (PRISM)
mpott@prismrisk.gov

CC: Assemblymember Eloise Gómez Reyes, Assembly District 5
Members and Staff, Senate Labor, Public Employment and Retirement Committee
Glenn A. Miles, Consultant, Senate Labor, Public Employment and Retirement Committee
Cory Botts, Policy Consultant, Republican Caucus

June 20, 2023

The Honorable Gregg Hart
California State Assembly
1021 O Street, Room 6230
Sacramento, CA 95814

**RE: Assembly Bill 557 (Hart) – Support [As Amended June 19, 2023]**
Hearing Date: June 27, 2023 – *Senate Judiciary Committee*

Dear Assembly Member Hart:

The California Special Districts Association (CSDA), the California State Association of Counties (CSAC), the California School Boards Association (CSBA), and the League of California Cities (CalCities) are proud to sponsor Assembly Bill 557, related to emergency remote meeting procedures under the Ralph M. Brown Act.

The changes made to California Government Code section 54953 by Assembly Bill 361 (R. Rivas, 2021) were of vital importance to local agencies looking to meet during the COVID-19 pandemic in order to continue to conduct the people's business. These changes were necessary in order to permit local agencies to meet during a time that it would have otherwise been impossible to meet in-person safely. Important safeguards were included to ensure transparency and accountability, including the fact that the emergency provisions were only applicable in instances where the California Governor had declared a state of emergency.

While California seeks to transition to a post-COVID era, the threat of additional emergencies remains, as has been made abundantly clear by recent flooding and wildfires. Absent any legislative intervention, the processes established by AB 361 to provide remote meeting flexibility to local agencies in emergency circumstances will expire at the end of this year. To remain best equipped to address future emergencies and allow local agencies to effectively react and respond, AB 557 would eliminate the sunset on the emergency remote meeting procedures added to California Government Code section 54953. Additionally, AB 557 would adjust the timeframe for the resolutions passed to renew an agency's temporary transition to emergency remote meetings to 45 days, up from the previous number of 30 days.

This legislation will preserve an effective tool for local agencies facing emergencies that would otherwise prevent them from conducting the people's business when faced with an emergency.

Amendments to the bill following its passage out of the Senate Governance and Finance Committee strike references to social distancing, eliminating any chance at interpretating the emergency remote meeting procedures as providing for a continuation of remote meetings absent an underlying state of emergency declaration. Devoid of any mention of social distancing, the bill strikes references to the practice utilized to mitigate the effects of the COVID-19 pandemic; these and similar safety conditions are appropriately encapsulated under the general pretext for transitioning to emergency remote meeting procedures (i.e., that the state of emergency directly impacts the ability of members to meet safely in person). In this way, the bill continues to improve the efficacy of the underlying emergency remote meeting procedures while also making technical changes to accommodate received feedback.

For these reasons, the California Special Districts Association, the California State Association of Counties, the California School Boards Association, and the League of California Cities are pleased to sponsor Assembly Bill 557. If you have any questions about this letter or our position, please contact CSDA Legislative Representative Marcus Detwiler at marcusd@csda.net, CSAC Legislative Advocate Kalyn Dean at kdean@counties.org, CSDA Legislative Advocate Carlos Machado at cmachado@csba.org, and CalCities Legislative Affairs Lobbyist Jonnie Piña at jpina@calcities.org.

Sincerely,

Marcus Detwiler
Legislative Representative
California Special Districts Association

Kalyn Dean
Legislative Advocate
California State Association of Counties

Carlos Machado
Legislative Advocate
California School Boards Association

Johnnie Piña
Legislative Affairs Lobbyist
League of California Cities

June 20, 2023

The Honorable Thomas Umberg
Chair, Senate Judiciary Committee
1021 O Street, Room 3240
Sacramento, CA 95814

**RE: Assembly Bill 557 (Hart) – Support [As Amended June 19, 2023]**
Hearing Date: June 27, 2023 – *Senate Judiciary Committee*

Dear Senator Umberg:

The undersigned organizations are pleased to express our support for Assembly Bill 557 (Hart), related to emergency remote meeting procedures under the Ralph M. Brown Act.

The changes made to California Government Code section 54953 by Assembly Bill 361 (R. Rivas, 2021) were of vital importance to local agencies looking to meet during the COVID-19 pandemic in order to continue to conduct the people's business. These changes were necessary in order to permit local agencies to meet during a time that it would have otherwise been impossible to meet in-person safely. Important safeguards were included to ensure transparency and accountability, including the fact that the emergency provisions were only applicable in instances where the California Governor had declared a state of emergency.

While California seeks to transition to a post-COVID era, the threat of additional emergencies remains, as has been made abundantly clear by recent flooding and wildfires. Absent any legislative intervention, the processes established by AB 361 to provide remote meeting flexibility to local agencies in emergency circumstances will expire at the end of this year. To remain best equipped to address future emergencies and allow local agencies to effectively react and respond, AB 557 would eliminate the sunset on the emergency remote meeting procedures added to California Government Code section 54953. Additionally, AB 557 would adjust the timeframe for the resolutions passed to renew an agency's temporary transition to emergency remote meetings to 45 days, up from the previous number of 30 days.

This legislation will preserve an effective tool for local agencies facing emergencies that would otherwise prevent them from conducting the people's business when faced with an emergency.

Amendments to the bill following its passage out of the Senate Governance and Finance Committee strike references to social distancing, eliminating any chance at interpretating the emergency remote meeting procedures as providing for a continuation of remote meetings absent an underlying state of emergency declaration. Devoid of any mention of social distancing, the bill strikes references to the practice utilized to mitigate the effects of the COVID-19 pandemic; these and similar safety conditions are appropriately encapsulated under the general pretext for transitioning to emergency remote meeting procedures (i.e., that the state of emergency directly impacts the ability of members to meet safely in person). In this way, the bill continues to improve the efficacy of the underlying emergency remote meeting procedures while also making technical changes to accommodate received feedback.

For these reasons, the undersigned organizations are pleased to support Assembly Bill 557 (Hart).

Sincerely,

Marcus Detwiler
Legislative Representative
California Special Districts Association

Kalyn Dean
Legislative Advocate
California State Association of Counties

Carlos Machado
Legislative Advocate
California School Boards Association

Johnnie Piña
Legislative Affairs Lobbyist
League of California Cities

Sarah Bridge
Senior Legislative Advocate
Association of California Healthcare Districts

Dorothy Johnson
Legislative Advocate
Association of California School Administrators

Dane Hutchings
Managing Director
Renne Public Policy Group
on behalf of
City Clerks Association of California

Rena Masten Leddy
Board President
California Downtown Association

Danielle Blacet-Hyden
Deputy Executive Director
California Municipal Utilities Association

Martha Alvarez
Chief of Legislative Affairs and Governmental Relations
Los Angeles Unified School District

Sarah Dukett
Policy Advocate
Rural County Representatives of California

Jean Hurst
Legislative Advocate
Urban Counties of California

CC: The Honorable Gregg Hart
Members, Senate Judiciary Committee
Amanda Mattson, Counsel, Senate Judiciary Committee
Morgan Branch, Consultant, Senate Republican Caucus
Ronda Paschal, Deputy Legislative Secretary, Office of Governor Newsom

June 19, 2023

The Honorable Susan Talamantes Eggman
Chair, Senate Health Committee
1021 O Street, Suite 8530
Sacramento, CA 95814

**Re: AB 1168 (Bennett): Emergency medical services (EMS): prehospital EMS**
**As Amended May 26, 2023 – OPPOSE**
**Set for Hearing on June 28, 2023 – Senate Health Committee**

Dear Senator Eggman:

On behalf of the California State Association of Counties (CSAC), Urban Counties of California (UCC), Rural County Representatives of California (RCRC), the County Health Executives Association of California (CHEAC), and the Health Officers Association of California (HOAC), we write in OPPOSITION to AB 1168, authored by Assembly Member Steve Bennett. AB 1168 as recently amended seeks to overturn an extensive statutory and case law record that has repeatedly affirmed county responsibility for the administration of emergency medical services and with that, the flexibility to design systems to equitably serve residents throughout their jurisdiction.

With the passage of the Emergency Medical Services Act in 1980, California created a framework for a two-tiered system of EMS governance through both the state Emergency Medical Services Authority (EMSA) and local emergency medical services agencies (LEMSAs). Counties are required by the EMS Act to create a local EMS system that is timely, safe, and equitable for all residents. To do so, counties honor .201 authorities and contract with both public and private agencies to ensure coverage of underserved areas regardless of the challenges inherent in providing uniform services throughout geographically diverse areas.

AB 1168 seeks to abrogate unsuccessful legal action that attempted to argue an agency's .201 authorities – that is, the regulation that allows eligible city and fire districts which have continuously served a defined area since the 1980 EMS Act to administer EMS including providing their own or contracted non-exclusive ambulance service. In the case of the City of Oxnard v. County of Ventura, the court determined that their case "would disrupt the status quo, impermissibly broaden Health and Safety Code section 1797.201's exception in a fashion that would swallow the EMS Act itself, **fragment the long-integrated emergency medical system**, and undermine the purposes of the EMS Act."

In addition, counties have identified the following concerns with AB 1168 below.

**Oxnard v. County of Ventura Intent Language**
Counties are concerned with the legislative intent language in AB 1168, which distorts the findings in the City of Oxnard v. County of Ventura case. Section 1797.11 (d) states the validity of the joint exercise of powers (JPA) based on the Oxnard v. Ventura case has been called into question. This is not true. The court clearly ruled that "City contends it meets the criteria for section 1797.201 grandfathering because it contracted for ambulance services on June 1, 1980, as one of the signatories to the JPA. But on that date the JPA empowered County, not City, to contract for and administer ambulance services." Oxnard never directly contracted for ambulance services; therefore, Oxnard was not eligible to have .201 authorities.

In addition, the author and sponsors contend recent amendments make this a district only measure; however, intent language in Section 1797.11 (e) states that AB 1168 seeks to "clarify the effect of agreements for the joint exercise of powers regarding prehospital EMS…and to abrogate any contrary holdings in the City of Oxnard v. County of Ventura…". Counties are concerned that this misleading legislative intent language will be leveraged in future litigation, just as we have seen in previous court cases filed against counties (e.g.: South San Joaquin County Fire Authority v. San Joaquin County Emergency Medical Services Agency). This language could unintentionally suggest that .201 authorities should be restored for any city or fire district that previously lost their .201 authority while entering into an agreement with the county – including a JPA. This abrogation of Oxnard v. County of Ventura could have significant implications on how EMS is structured today, risking further fragmentation of our EMS system.

For the reasons stated above, we ask that this intent section be removed in its entirety.

**Joint Powers Agreements**
Proponents argue that many fire districts may be reluctant to enter into joint powers agreements (JPAs) for fear of losing their .201 administrative responsibilities given this recent court case; however, in practice, many fire districts are part of JPAs and still retain their .201 authority. Nothing would preclude a JPA agreement from ensuring those administrative responsibilities could be maintained in the context of the JPA if all parties agree to those terms. If the true intent of this measure is to address .201 authority for cities and fire districts that prospectively join JPAs, counties would remove our opposition to AB 1168 if section 1797.232 (b) was the sole provision in the bill.

AB 1168, as noted, opens the door to undo years of litigation and agreements between cities and counties regarding the provision of emergency medical services and as drafted causes a great deal of uncertainty for counties who are the responsible local government entity for providing equitable emergency medical services for all of their residents. As drafted, cities and fire districts could opt to back out of longstanding agreements with counties; counties would then be forced to open up already complex ambulance contracting processes while scrambling to provide continued services to impacted residents. Unfortunately, this measure creates a system where there will be haves and have nots – well-resourced cities or districts will be able to provide robust services whereas disadvantaged communities, with a less robust tax base, will have a patchwork of providers – the very problem the EMS Act, passed over 40 years ago, intended to resolve.

Our respective members are deeply alarmed by AB 1168 and the effort by the bill's sponsors to dismantle state statute, regulations, and an extensive body of case law regarding the local oversight

and provision of emergency medical services in California. This bill creates fragmented and inequitable EMS medical services statewide. For these reasons, the undersigned representatives of our organizations strongly OPPOSE AB 1168.

Thank you,

Jolie Onodera
Senior Legislative Advocate
California State Association of Counties (CSAC)

Kelly Brooks-Lindsey
Urban Counties of California (UCC)

Sarah Dukett
Legislative Advocate
Rural County Representatives of California (RCRC)

Michelle Gibbons
Executive Director
County Health Executives Association of California (CHEAC)

Kat DeBurgh
Executive Director
Health Officers Association of California (HOAC)

cc: The Honorable Steve Bennett, Member, California State Assembly
Honorable Members, Senate Health Committee
Vince Marchand, Principal Consultant, Senate Health Committee
Tim Conaghan, Policy Consultant, Senate Republican Caucus
Joe Parra, Policy Consultant, Senate Republican Caucus
Angela Pontes, Deputy Legislative Secretary, Office of Governor Newsom
Samantha Lui, Deputy Secretary, Legislative Affairs, CalHHS
Brendan McCarthy, Deputy Secretary for Program and Fiscal Affairs, CalHHS
Julie Souliere, Assistant Secretary, Office of Program and Fiscal Affairs, CalHHS

June 21, 2023

The Honorable Dave Cortese, Chair
Senate Public Employment & Retirement Committee
1021 O Street, Suite 6630
Sacramento, CA 95814

**RE: AB 1672 (Haney) – IHSS Employer-Employee Relations Act - Position Pending**

Dear Chair Cortese:

On behalf of the California State Association of Counties (CSAC), the County Welfare Directors Association of California (CWDA), and the California Association of Public Authorities for IHSS (CAPA), we are writing to provide feedback on AB 1672 authored by Assembly Member Matt Haney. While our organizations do not yet have a position on this bill, we are in ongoing discussions with the author and sponsors on several aspects of this legislation and related budget bill language that we want to highlight for the committee.

The In-Home Supportive Services (IHSS) program serves over 600,000 consumers in California and allows qualified aged, blind, or disabled persons to receive supportive services from a provider to help them live at home. Counties have proudly partnered with the state and administered the IHSS program since it was realigned in 1991. County social workers, Public Authority workers, and IHSS providers are the backbone of this social services program which has proven to reduce care costs and improve the well-being of individuals.

Existing law deems a Public Authority (PA) as the employer of record for the purposes of collective bargaining for IHSS providers. This bill establishes the IHSS Employer-Employee Relations Act (Act), which would shift collective bargaining for IHSS providers to the state. If collective bargaining transfers to the state, it should do so in a manner that works effectively for all entities involved. With that in mind, counties and PAs have identified several key areas in this bill that we are engaging with the author and sponsors on in a collaborative manner. These include:

- Providing clarity that the state would be responsible for the full nonfederal share of cost for any negotiated wage and benefit increases agreed to in state bargaining and the full cost of any negotiated new mandates on counties and public authorities. Under state bargaining, the state would be solely responsible for agreeing to wage and benefit increases and counties would have no ability to manage the associated costs within Realignment funding and county budgets.

- Preserving and strengthening PA functions and the funding for those PA services that are performed outside of collective bargaining. There are numerous provisions of AB 1672 that directly or indirectly impact the work and functions of PAs. Additionally, not all PAs are equally funded based on caseload, creating existing equity issues that may become exacerbated under this bill.

- Examining the items included within the scope of bargaining and potential county and PA representation in the statewide entity responsible for bargaining. There are currently several

items within the scope of bargaining that are functions performed by PAs, yet counties and PAs would have no ability to provide input on the impacts of any potential changes to those functions.

The Budget Act of 2023 (SB 101) contains budget bill language that would establish a working group to determine the best way to implement statewide collective bargaining of IHSS providers as proposed in AB 1672. The working group would include representatives of several state agencies, provider unions, and our three organizations. Whether conversations on statewide collective bargaining continue through the establishment of a working group in the budget process or through the legislative process with this bill, we appreciate being able to provide continued feedback regarding the significant county impacts.

IHSS is a vital program for older adults and people with disabilities that continues to grow, and many families rely on this program to care for their loved ones. We appreciate the opportunity to work with the author and sponsors on this important bill to ensure the best outcome for IHSS consumers, IHSS providers, counties, and PAs.

Sincerely,

Kim Levy Rothschild
Executive Director
CAPA

Justin Garrett
Senior Legislative Advocate
CSAC

Cathy Senderling-McDonald
Executive Director
CWDA

cc: The Honorable Matt Haney, California State Assembly
Members and Consultants, Senate Labor, Public Employment & Retirement Committee

California State Association of Counties®

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June 22, 2023

The Honorable Buffy Wicks
Chair, Assembly Committee on Housing and Community Development
1021 O Street, Suite 4240
Sacramento, CA 95814

**RE: SB 4 (Wiener): Planning and zoning: housing development: higher education institutions and religious institutions**
**As Amended on May 18, 2023 – SUPPORT**
**Set for Hearing – June 28, 2023 – Assembly Committee on Housing and Community Development**

Dear Assemblymember Wicks:

The California State Association of Counties (CSAC), representing all 58 of the state's counties, writes in support of SB 4 by Senator Scott Wiener, which enacts the Affordable Housing on Faith and Higher Education Lands Act of 2023 to streamline housing production on land religious and independent higher education institutions own.

SB 4 would streamline affordable housing construction, making it easier, faster, and cheaper for faith-based institutions and nonprofit colleges that want to do so. Many of these organizations are already community anchors, and this would help them build stable, safe, affordable housing for local residents and families and open doors to high-resource neighborhoods.

Homelessness is an urgent humanitarian crisis with an estimated 172,000 unhoused individuals and countless others who are housing insecure up and down the state. This situation is due in part to the state's housing affordability crisis. Research shows that California needs millions of more homes than it currently has just to house the people already here. This shortage of homes has caused homelessness and housing costs to skyrocket.

To make meaningful progress in helping those who are unhoused, CSAC developed the 'AT HOME' Plan. The six-pillar plan is designed to make true progress to effectively address homelessness at every level - state, local and federal. Through the AT-HOME Plan CSAC is working to identify the policy changes needed to build a homelessness system that is effective and accountable including specific recommendations related to prevention, housing, the unsheltered response system, and sustainable funding. SB 4 aligns with our AT HOME efforts, specifically as it relates to the Accountability and Housing pillars.

SB 4 would ensure that churches, faith institutions, and nonprofit colleges are able to build affordable housing on their land without having to experience the delays and uncertainties associated with the rezoning and discretionary approval process. Accordingly, SB 4 is an important tool in mitigating barriers to the development of affordable housing and would provide additional affordable housing opportunities for our residents.

It is for these reasons that CSAC supports SB 4 and respectfully urges your support. If you have any questions or concerns about our position, please do not hesitate to reach me at mneuburger@counties.org.

Sincerely,

Mark Neuburger
Legislative Advocate

cc: The Honorable Scott Wiener, Senator, 11th District
The Honorable Members, Assembly Committee on Housing and Community Development
Lisa Engel, Chief Consultant, Assembly Committee on Housing and Community Development
William Weber, Consultant, Assembly Republican Caucus

June 16, 2023

The Honorable Jim Wood
Chair, Assembly Committee on Health
1020 N Street, Room 390
Sacramento, California 95814

Re: **Senate Bill 43 (Eggman): Behavioral Health**
**As Amended April 27, 2023 – CONCERNS**
**Set for Hearing June 27, 2023**

Dear Assembly Member Wood:

On behalf of the Rural County Representatives of California (RCRC), the Urban Counties of California (UCC), and the California State Association of Counties (CSAC), we write to express concerns with Senate Bill 43 (Eggman), which expands the definition of "gravely disabled" under the Lanterman-Petris-Short (LPS) Act and modifies hearsay evidentiary standards for conservatorship hearings.

Counties agree with concerns expressed by the author and sponsors that too many individuals suffer without adequate and appropriate treatment and housing; we share in the urgency to bring about real change to address the needs of unhoused individuals with serious mental illness and substance use disorders (SUDs). Counties provide the full continuum of prevention, outpatient, intensive outpatient, crisis and inpatient, and residential mental health and SUD services, primarily to low-income Californians who receive Medi-Cal benefits or are uninsured. Counties also have responsibility for supporting and guiding individuals through the process of involuntary commitment under the LPS Act in both our county behavioral health and Public Guardian capacities.

**Substance Use Disorder (SUD) Concerns**

SB 43 expands the eligibility criteria for LPS by redefining grave disability to include individuals with an SUD-only condition (i.e., without a mental health diagnosis). Counties lack the ability to provide involuntary SUD treatment, as California has no such system of care, including no existing civil models for locked treatment settings or models of care for involuntary SUD treatment. In addition, funding for SUD treatment is limited, even under Medi-Cal; the federal and state governments provide no reimbursement for long-term residential and long-term inpatient drug treatment under Medi-Cal. The current treatment landscape doesn't address involuntary treatment for individuals with SUD. We respectfully request that SB 43 be amended to require that a substance use disorder be co-occurring with a mental health diagnosis.

Counties welcome more detailed conversations about a path forward on court-ordered SUD treatment. However, significant discussions need to occur on issues including a

state study to: evaluate court-ordered SUD treatment models; assess the creation of a licensing structure for involuntary SUD treatment facilities; identify appropriate policy changes necessary to facilitate implementation; and understand the resources/infrastructure required to serve this new population.

**Capacity and Resources**

Responsibility for administering and funding the LPS system falls almost entirely on counties. Today, counties solely fund the role of the public guardian; there are no state or federal revenue streams available to support the public guardian. Existing law provides counties with substantial legal tools to conserve individuals who may be at risk to themselves or others under existing law. In the LPS system today, that demand outweighs existing resources.

Counties have wide discretion regarding the commencement of LPS conservatorship proceedings, and the availability and adequacy of care for the proposed conservatee informs the exercise of that discretion. It makes little sense to impose a conservatorship, if there is no adequate placement available for the proposed conservatee, and the conservatorship, therefore, provides no treatment benefits. It is essential that SB 43 recognizes this discretion, and the real-world constraints under which it is exercised. Counties are unable to meet the current demand for placements, and conserved individuals in rural areas are often placed hundreds of miles away from the county in which they were conserved. Without significant ongoing investment into LPS conservatorships, this bill will have little to no impact on the number of individuals conserved and will likely exacerbate the resource problem.

To truly realize an expansion of LPS, additional investments are needed for treatment, including locked facilities, workforce, housing, and step-down care options. According to a comprehensive 2021 study of the state's mental health infrastructure by the non-partisan think tank RAND, as reported by the Editorial Board in the San Francisco Chronicle, "California lacks space to meet demand at all three main levels of care — *acute,* highly structured, around-the-clock medically monitored inpatient care that aims to stabilize patients who can't care for themselves or risk harming themselves or others; *subacute,* inpatient care with slightly less intensive monitoring; and *community residential,* staffed non-hospital facilities that aim to help patients with lower-acuity or longer-term needs achieve interpersonal and independent living skills. Excluding state hospital beds, California is short about 2,000 acute beds and 3,000 beds each at the subacute and community residential levels, RAND estimated — though woefully inaccurate and incomplete data makes it difficult to determine the state's actual bed totals."

A build-out of delivery networks to support this significant policy change will take years, with new, sustained and dedicated state resources, above and beyond the one-time investments already made by the state through recent initiatives such as the Behavioral Health Continuum Infrastructure Program (BHCIP). While an unprecedented level of investment has been made across the continuum through BHCIP, funding is in the early stages of deployment, and we are still years away from seeing the results of this investment.

These challenges sit on top of the most intense behavioral health workforce crisis our state has experienced, and at a time when state initiatives are attempting to significantly expand services – through initiatives such as the Medi-Cal mobile crisis services benefit, diversion from jails and state hospitals, CARE Court, and expanded services in schools and primary care.

For LPS expansion to be successful, additional investments including ongoing state funding for public guardians must be prioritized. SB 43 should reiterate the Legislature's commitment to continue exploring options for the expansion of these resources to meet growing needs.

**Hearsay Exception**

Lastly, counties believe there is merit in SB 43's hearsay exception by enabling public guardians to provide courts with evidence of individuals' ongoing grave disability. We appreciate these changes that will ensure the court is considering the contents of the medical record and that, during conservatorship proceedings, relevant testimony regarding medical history can be considered to provide the most appropriate and timely care. However, we want to make sure that the exception appropriately balances the ability to introduce evidence with health care providers who have the appropriate level of behavioral health training and expertise.

For these reasons, RCRC, UCC and CSAC respectfully offer a position of "concerns" for SB 43. Should you have any questions regarding our position, please do not hesitate to have your staff contact our organizations.

Sincerely,

Sarah Dukett
Policy Advocate
Rural County Representatives of California
sdukett@rcrcnet.org
916-447-4806

Kelly Brooks-Lindsey
Legislative Advocate
Urban Counties of California
kbl@hbeadvocacy.com
916-753-0844

Jolie Onodera
Senior Legislative Advocate
California State Association of Counties
jonodera@counties.org
916-591-5308

cc: The Honorable Susan Talamantes Eggman
Members of the Assembly Committee on Health
Judy Babcock, Consultant, Assembly Committee on Health
Gino Folchi, Consultant, Assembly Republican Caucus
Angela Pontes, Deputy Legislative Secretary, Office of the Governor

California State Association of Counties®



June 22, 2023

The Honorable Buffy Wicks
Chair, Assembly Committee on Housing and Community Development
1021 O Street, Suite 4240
Sacramento, CA 95814

**RE: SB 91 (Umberg) California Environmental Quality Act: exemption: supportive and transitional housing: motel conversion.**
**As introduced on January 17, 2023 – SUPPORT**
**Set for Hearing – June 28, 2023 – Assembly Committee on Housing and Community Development**

Dear Assemblymember Wicks:

The California State Association of Counties (CSAC), representing all 58 of the state's counties, writes in support of SB 91 by Senator Tom Umberg, which would permanently extend existing law that allows for a motel, hotel, residential hotel, or hostel that is converted into a supportive housing or transitional housing project to be exempt from the California Environmental Quality Act (CEQA).

When SB 450 (Umberg) passed in 2019, it spurred motel conversion projects to better house individuals as soon as possible. It has helped streamline at least 804 units of motel conversions to supportive housing in Southern California by exempting these projects from the California Environmental Quality Act (CEQA).

SB 91 (Umberg) addresses both the need for supportive housing and the externalities created by nuisance motels. Additionally, SB 91 will lift the 5-year sunset provision previously established by SB 450.

CSAC supports providing counties with flexibility and options to house homeless individuals. Converting motels, hotels, residential hotels, and hostels into housing is a faster and more cost-effective option for counties to provide housing. SB 450 streamlined the process of converting these structures into supportive and transitional housing. These conversions could not expand the floor area of each individual living unit by more than 10 percent, increase the number of dwelling units, or substantially reduce the number of parking spaces.

SB 91 would continue to allow the streamlining of the CEQA process for motels, hotels, residential hotels, and hostels that are converted to provide housing to homeless individuals.

It is for these reasons that CSAC supports SB 91 and respectfully urges your support. If you have any questions or concerns about our position, please do not hesitate to reach me at mneuburger@counties.org.

Sincerely,

**Mark Neuburger**
Legislative Advocate
California State Association of Counties

CC: The Honorable Senator Tom Umberg, Senator, 34th District
The Honorable Members, Assembly Committee on Housing and Community Development
Steve Wertheim, Principal Consultant, Assembly Committee on Housing and Community Development
William Weber, Consultant, Assembly Republican Caucus

California State Association of Counties®



June 20, 2023

The Honorable Jesse Gabriel
Chair, Assembly Privacy and Consumer Protection Committee
1021 O Street, Suite 5220
Sacramento, CA 95814

**RE: SB 362 (Becker) Data brokers: privacy**
**As Amended, May 18, 2023 – Request for Technical Amendment**

Dear Assemblymember Gabriel,

The California State Association of Counties (CSAC), representing all 58 counties in the state, respectfully requests a technical, cross-referencing amendment clarifying that SB 362 (Becker) does not eliminate exemptions expressly authorized under the California Consumer Privacy Act of 2018 (CCPA). SB 362 would amend the data broker registry law and transfer most of the registry requirements and duties from the California Attorney General to the California Privacy and Protection Agency.

As you know, the CCPA grants consumers certain rights with regard to their personal information, including enhanced notice, access, and disclosure; the right to deletion; the right to restrict the sale of information; and protection from discrimination for exercising these rights. It also places attendant obligations on businesses to respect those rights. Importantly, under Civil Code (CIV) §1798.145, there are various exemptions from the obligations imposed by the CCPA, such as where they would restrict a business' ability to comply with federal, state, or local laws.

Our proposed amendment, which is included on the second page of this letter, would provide necessary clarity by incorporating a simple cross-reference to CIV §1798.145, to ensure that disclosure of personal information is not disrupted to comply with federal, state, or local laws or to comply with a court order or subpoena to provide information.

While we remain neutral on this measure, we are hopeful that you would consider our proposed amendment, which is critical in addressing the obligations imposed by the CCPA. If you have any questions about our position, please do not hesitate to contact me at jwh@counties.org.

Sincerely,

**Jacqueline Wong-Hernandez**
Chief Policy Officer

cc: Members and Staff, Assembly Privacy and Consumer Protection Committee
Liz Enea, Assembly Republican Caucus
The Honorable Josh B. Becker, California State Senate, 13th District

Attachment

**Proposed Amendment SB 362, CIV §1798.99.86 as Amended on May 18, 2023**

Text proposed to be added is reflected in underline.

**Sec. 6, Section 1798.99.86(d) is added to the Civil Code, to read:**

...

(2) Beginning July 1, 2026, after a consumer has submitted a deletion request and a data broker has deleted the consumer's data pursuant to this section, the data broker shall not sell or share new personal information of the consumer unless the consumer requests otherwise or as permitted under Section 1798.145.

June 21, 2023

The Honorable Ash Kalra
Chair, Assembly Labor and Employment Committee
1020 N St., Room 155
Sacramento, CA 95814

**RE:** **SB 399 (Wahab) Employer Communications: Intimidation**
**Oppose** (*As Amended 5/2/2023)*

Dear Assembly Member Kalra:

The League of California Cities (Cal Cities), California Special Districts Association (CSDA), Urban Counties of California (UCC), Rural County representatives of California (RCRC), California Association of Recreation and Parks Districts (CARPD), California State Associations of Counties (CSAC), and the Association of California Healthcare Districts (ACHD) must respectfully **oppose SB 399**, which would prohibit an employer from subjecting, or threatening to subject, an employee any adverse action because the employee declines to attend an employer-sponsored meeting or affirmatively declines to participate in, receive, or listen to any communications with the employer, the purpose of which is to communicate the employer's opinion about religious or political matters.

SB 399 applies to all employers, including private employers as well as public employers such as local governments and the State of California. Public employers do not appear to be the primary focus of SB 399. However, cities, counties, special districts, and all other local government employers are swept up in the bill's provisions.

**Senate Bill 399 is Inconsistent with Routine Government Operations**

While on its face this bill may appear as if it would not be a problem for local agencies, in reality, SB 399 is overly broad and could pose serious concerns for local jurisdictions. The bill defines "*Political matters" as matters relating to elections for political office, political parties, legislation, regulation, and the decision to join or support any political party or political or labor organization.* By this definition, it could be reasonably argued that many of the issues before a city council or a special district board would fall under "legislation" or "regulation."

The bill's provisions are incompatible with the proper and legitimate functioning of government. Government entities are required to make and implement policies for the benefit of their communities. This may come in the form of internal deliberations, analysis, and vetting of local rules, ordinances or other policies adopted by local legislative bodies, or the consideration of state and federal legislation, local government positions on such legislation, and implementation of state and federal laws applicable to local governments. If enacted, SB 399 would treat many routine government functions as political matters and interfere with government operations. SB 399 may apply to employees required to be present where legislation or regulations/ordinances are debated, such as a city council or board meetings, and even to such mundane tasks as seeking input or analysis from employees as to the implementation of proposed or enacted legislation. Because governments develop and implement policy, any activity could potentially be argued to be political, leading to costly disputes.

**Existing Law Already Restricts Local Governments' Communications with Employees**

We are not aware of a widespread problem involving local agencies forcing their religious or political beliefs on their employees. Additionally, SB 399 is not appropriately applied to local government because existing law already provides significant protections for public employees. For example, Government Code Section 3550 provides that a public employer shall not deter or discourage public employees or applicants to be public employees from becoming or remaining members of an employee organization. Section 3551.5 imposes significant penalties for violations of Section 3550 and grants employee organizations standing to bring the claims.

**Senate Bill 399 Does Not Contain Exemptions Sufficient to Cover the Breadth of Government Operations**

The exceptions and definitions in the bill are vague. The bill says that it does not prohibit:

- *An employer from communicating to its employees any information that the employer is required by law to communicate, but only to the extent of that legal requirement.*
- *An employer from communicating to its employees any information that is necessary for those employees to perform their job duties.*

It is difficult to say who would fall under the exemption and who would be the arbiter of whether certain communications are necessary to do an employee's job, and this exemption likely would not cover the breadth of circumstances discussed in this letter.

There is no clarity in the bill about what it means to require an employee to attend an "employer-sponsored" meeting. For example, even if an employer explicitly says that employees are not required to attend a meeting, an employee could claim that they still felt required to attend because others were attending, or some sort of benefit was being provided.

**Senate Bill 399 Exposes Local Governments to Risk of Significant Litigation Expenses**

The uncertainty created because of the vague and overly broad provisions of this bill would make this incredibly difficult to comply with and would certainly be litigated. SB 399 would also create a private right of action in court for damages caused by adverse actions on account of the employee's refusal to attend an employer-sponsored meeting.

From the perspective of local governments, SB 399 is a solution in search of a problem. For these reasons, Cal Cities and CSDA have an OPPOSE position on Senate Bill 399. Please feel free to contact us with any questions.

Sincerely,

Johnnie Pina
Legislative Affairs, Lobbyist
League of California Cities
Jpina@calcities.org

Aaron A. Avery
Senior Legislative Representative
California Special Districts Association
Aarona@csda.net

Jean Kinney Hurst
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Kalyn Dean
Legislative Advocate
California State Association of Counties
kdean@counties.org

Sarah Bridge
Senior Legislative Advocate
Association of California Healthcare Districts
Sarah.bridge@achd.org

CC: The Honorable Aisha Wahab
Members, Assembly Labor and Employment Committee
Megan Lane, Chief Consultant, Assembly Labor and Employment Committee
Lauren Prichard, Republican Caucus Consultant

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Graham Knaus

June 22, 2023

The Honorable Buffy Wicks
Chair, Assembly Committee on Housing and Community Development
1021 O Street, Suite 4240
Sacramento, CA 95814

**RE: SB 406 (Cortese) California Environmental Quality Act: exemption: financial assistance: residential housing.**
**As introduced on June 19, 2023 – SUPPORT**
**Set for Hearing – June 28, 2023 – Assembly Committee on Housing and Community Development**

Dear Assemblymember Wicks:

The California State Association of Counties (CSAC), representing all 58 of the state's counties, writes in support of SB 406 by Senator Dave Cortese, which promotes affordable housing development without circumventing environmental review by extending to local governments, who are not acting as the lead agency to provide financial assistance or insurance for the development and construction of residential housing, an existing law that makes State financial assistance for affordable housing projects—but not the projects themselves—exempt from California Environmental Quality Act (CEQA) review.

Housing is an important element of economic development and essential for the health and wellbeing of our communities. Counties support identifying and generating a variety of permanent financing resources and subsidy mechanisms for affordable housing, including a statewide permanent source for affordable housing. To address California's unprecedented housing crisis, local governments have adopted measures to provide financial assistance for the development and construction of affordable housing. In 2016, Santa Clara County voters approved an affordable housing bond to raise $950 million to support the creation and preservation of approximately 4,800 affordable units. Low-interest loans from public agencies help create a pipeline of new affordable housing projects and ensure their long-term viability. Similar measures have been adopted in the Counties of Alameda, Los Angeles, and San Francisco.

However, this financial assistance arguably requires local agencies to make independent CEQA determinations for a project. The Legislature has already acknowledged that CEQA review of affordable housing financing creates unnecessary burdens. Under section 21080.10(b) of the Public Resources Code, CEQA does not apply to financial assistance from the Department of Housing and Community Development or the California Housing

Finance Agency to support the development of a qualifying affordable housing project if the project will be subject to CEQA review by another public agency.

This bill would extend that exemption to local government financing of affordable housing, thereby accelerating local development of the most urgently needed housing.

It is for these reasons that CSAC supports SB 406 and respectfully urges your support. If you have any questions or concerns about our position, please do not hesitate to reach me at mneuburger@counties.org.

Sincerely,

**Mark Neuburger**
Legislative Advocate
California State Association of Counties

CC: The Honorable Senator Dave Cortese, Senator, 15th District
The Honorable Members, Assembly Committee on Housing and Community Development
Steve Wertheim, Principal Consultant, Assembly Committee on Housing and Community Development
William Weber, Consultant, Assembly Republican Caucus

California State Association of Counties®



June 22, 2023

The Honorable Buffy Wicks
Chair, Assembly Committee on Housing and Community Development
1021 O Street, Suite 4240
Sacramento, CA 95814

**Re: SB 440 (Skinner) – Regional Housing Finance Authorities**
**As Amended June 15, 2023 – SUPPORT**
**Set for Hearing – June 28, 2023 – Assembly Committee on Housing and Community Development**

Dear Assemblymember Wicks:

The California State Association of Counties (CSAC), representing all 58 of the state's counties, writes in support of SB 440 by Senator Nancy Skinner, which would authorize two or more local governments to establish a regional housing authority for purposes of raising, administering, and allocating funding and provide technical assistance at a regional level for affordable housing development.

To make meaningful progress in helping those who are unhoused, CSAC developed the 'AT HOME' Plan. The six-pillar plan (Accountability, Transparency, Housing, Outreach, Mitigation, and Economic Opportunity) is designed to effectively address homelessness at every level – state, local, and federal. Through the AT HOME Plan, CSAC is working to identify the policy changes necessary to build a comprehensive homelessness system that is effective and accountable, including specific recommendations related to prevention, housing, the unsheltered response system, and sustainable funding.

SB 440 aligns with our AT HOME efforts to advocate for more federal and state support to build and maintain housing for low-income Californians and develop creative financing models to increase the feasibility of more projects.

It is for these reasons that CSAC supports SB 440 and respectfully urges your support. If you have any questions or concerns about our position, please do not hesitate to reach me at mneuburger@counties.org.

Sincerely,

Mark Neuburger
Legislative Advocate

cc: The Honorable Nancy Skinner, Senator, 9th District
The Honorable Members, Assembly Committee on Housing and Community Development
Lisa Engel, Chief Consultant, Assembly Committee on Housing and Community Development
William Weber, Consultant, Assembly Republican Caucus

California State Association of Counties®



June 22, 2023

The Honorable Nancy Skinner
California State Senate
1021 O Street, Suite 8630
Sacramento, CA 95814

**Re: SB 440 (Skinner) – Regional Housing Finance Authorities**
**As Amended June 15, 2023 – SUPPORT**
**Set for Hearing – June 28, 2023 – Assembly Committee on Housing and Community Development**

Dear Senator Skinner:

The California State Association of Counties (CSAC), representing all 58 of the state's counties, is pleased to support your measure, SB 440 (Skinner), which would authorize two or more local governments to establish a regional housing authority for purposes of raising, administering, and allocating funding and provide technical assistance at a regional level for affordable housing development.

To make meaningful progress in helping those who are unhoused, CSAC developed the 'AT HOME' Plan. The six-pillar plan (Accountability, Transparency, Housing, Outreach, Mitigation, and Economic Opportunity) is designed to effectively address homelessness at every level – state, local, and federal. Through the AT HOME Plan, CSAC is working to identify the policy changes necessary to build a comprehensive homelessness system that is effective and accountable, including specific recommendations related to prevention, housing, the unsheltered response system, and sustainable funding.

SB 440 aligns with our AT HOME efforts to advocate for more federal and state support to build and maintain housing for low-income Californians and develop creative financing models to increase the feasibility of more projects.

It is for these reasons that CSAC is pleased to support SB 440. If you have any questions or concerns about our position, please do not hesitate to reach me at mneuburger@counties.org.

Sincerely,

Mark Neuburger
Legislative Advocate

CC: Josh Wright, Legislative Aide, Office of Senator Nancy Skinner

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June 22, 2023

The Honorable Buffy Wicks
Chair, Assembly Committee on Housing and Community Development
1021 O Street, Suite 4240
Sacramento, CA 95814

**RE: SB 482 (Blakespear): Multifamily Housing Program: supportive housing: capitalized operating reserves**
**As Introduced February 14, 2023 – Support**
**Set for Hearing – June 28, 2023 – Assembly Committee on Housing and Community Development**

Dear Assemblymember Wicks:

The California State Association of Counties (CSAC), representing all 58 of the state's counties, writes in support of SB 482 by Senator Catherine Blakespear, which would require the California Department of Housing and Community Development (HCD) to offer capitalized operating reserves to supportive housing units developed under the Multifamily Housing Program.

Capitalized operating subsidy reserves are fundamental in assisting with development of affordable housing projects for unhoused and extremely low-income individuals. Accordingly, SB 482 would encourage an upfront subsidy to cover deficits in annual operating revenues for housing developments, and these reserves are often used in conjunction with permanent supportive housing projects for extremely low-income households. Requiring HCD to offer these subsidy reserves through the Multifamily Housing Program would encourage more special needs units to be built with life-changing supportive services.

SB 482 is consistent with CSAC's 'AT HOME' Plan. The six-pillar plan (Accountability, Transparency, Housing, Outreach, Mitigation, and Economic Opportunity) is designed to effectively address homelessness at every level – state, local, and federal. Through the AT HOME Plan, CSAC is working to identify the policy changes necessary to build a comprehensive homelessness system that is effective and accountable, including encouraging sustainable funding. SB 482 aligns with our AT HOME efforts, specifically as it relates to the Housing pillar and allows flexible and accountable state funding for housing projects.

By encouraging the development of more special needs units, SB 482 would provide additional housing opportunities and services for our unhoused and extremely low-income residents.

It is for these reasons that CSAC supports SB 482 and respectfully urges your support. If you have any questions or concerns about our position, please do not hesitate to reach me at mneuburger@counties.org.

Sincerely,

Mark Neuburger
Legislative Advocate

cc: The Honorable Catherine Blakespear, Senator, 38th District
The Honorable Members, Assembly Committee on Housing and Community Development
Nicole Restmeyer, Associate Consultant, Assembly Committee on Housing and Community Development
William Weber, Consultant, Assembly Republican Caucus

June 9, 2023

The Honorable Marie Alvarado-Gil
Chair, Senate Human Services Committee
1021 O Street, Suite 7240
Sacramento, CA 95814

Re: AB 262 (Holden): Children's camps: safety and regulation
As Amended April 18, 2023 – SUPPORT
Set for Hearing June 19, 2023 – Senate Human Services Committee

Dear Senator Alvarado-Gil:

On behalf of the California State Association of Counties (CSAC), Urban Counties of California (UCC), Rural County Representatives of California (RCRC), the County Health Executives Association of California (CHEAC), and the Health Officers Association of California (HOAC), we write in SUPPORT of AB 262, authored by Assembly Member Chris Holden, which would direct the California Department of Social Services (CDSS) to establish a statewide workgroup to develop recommendations and a report to the Legislature pertaining to child safety at children's camps.

Previous legislative proposals relating to children's camps have inappropriately assigned responsibility to local health departments (LHDs) – which exist to protect communities from public health threats, like COVID-19 – to regulate child supervision and safety at children's camps. CHEAC has long advocated that children's camps in California should be regulated by an agency with the applicable training and expertise in child supervision and safety.

AB 262 sets out a process, led by CDSS, to engage with other relevant state agencies, such as the California Department of Public Health and the California Department of Education, as well as stakeholders such as children's camps representatives, parent advocate groups, and local public health and environmental health departments, to gather information and develop recommendations to establish child supervision requirements, physical facility standards, and camp licensure and regulatory requirements, among others. This process will identify the appropriate agencies and/or entities, with applicable expertise, to ensure children's safety and supervision when attending these day camps.

CDSS is well suited to lead this process given their expertise in regulating facilities that provide care to children, including childcare facilities and children's residential care facilities.

Our organizations believe ensuring children's safety while attending day camps is paramount and that it is vital for an entity with appropriate expertise to oversee their operation. AB 262 is the first step towards achieving that goal. For the above reasons, the undersigned representatives of our organizations strongly SUPPORT AB 262.

Thank you,

Jolie Onodera
Senior Legislative Advocate
California State Association of Counties (CSAC)

Kelly Brooks-Lindsey
Urban Counties of California (UCC)

Sarah Dukett
Legislative Advocate
Rural County Representatives of California (RCRC)

Michelle Gibbons
Executive Director
County Health Executives Association of California (CHEAC)

Kat DeBurgh
Executive Director
Health Officers Association of California (HOAC)

cc: The Honorable Chris Holden, Member, California State Assembly
The Honorable Members, Senate Human Services Committee
Bridgett Hankerson, Principal Consultant, Senate Human Services Committee
Joe Parra, Consultant, Senate Republican Caucus

California State Association of Counties®



June 30, 2023

The Honorable Anthony J. Portantino
Chair, Senate Appropriations Committee
State Capitol, Room 412
Sacramento, CA 95814

**RE: AB 286 (Wood) Broadband infrastructure: mapping**
**As Amended June 29, 2023 – SUPPORT**

Dear Senator Portantino:

The California State Association of Counties (CSAC), representing all 58 counties in the state, is pleased to support Assembly Bill 286 by Assemblymember Wood. This bill would improve the California Public Utilities Commission's (CPUC) statewide broadband map by increasing transparency, granularity, and accuracy for household broadband service data.

Current broadband maps express broadband access at the census-block level, despite the Federal Communications Commission's (FCC) broadband maps expressing broadband access at the address level. These maps, which are created and maintained by the CPUC, gather feedback but do not incorporate that data into the publicly available maps. These publicly available broadband maps fail to fully illustrate the digital divide, preventing millions of Californians from receiving broadband. Maps today are painted with a broad brush of served versus unserved, with no detail regarding what might be keeping a household offline. Today's maps only reflect where Internet Service Providers (ISPs) have the capacity to serve an address, essentially serving as a one-dimensional map that provides no context as to why a household remains offline.

AB 286 will close a loophole that allows the CPUC to solicit feedback about problems with the existing map, but not to commit to upgrading the map with crowdsourced data correction. The FCC's new maps (which are far from perfect) rely on 200 sources of data. As acknowledged by the FCC, the providers alone cannot provide the necessary level of data granularity. Accepting and integrating alternate sources of data is crucial to achieving the goals of California's public broadband maps and digital equity plan.

CSAC strongly supports policies and programs that ensure all Californians have access to high quality, affordable internet services. Internet access must be treated as a right for all Californians and not just a luxury for some. For these reasons, we are pleased to support

AB 286 and respectfully urge your support. If you have any questions about our position, please do not hesitate to contact me at kdean@counties.org.

Sincerely,

Kalyn M. Dean
Legislative Advocate

cc: The Honorable Jim Wood, California State Assembly, 2nd Assembly District
Members and Staff, Senate Appropriations Committee
Anthony Williams, Senate Republican Caucus


DESIGN-BUILD INSTITUTE OF AMERICA | Western Pacific Region
21520 Yorba Linda Blvd., Suite G-419 | Yorba Linda, CA 92887 | T 714.912.9729 | F 714.912.8269





June 28, 2023

The Honorable Anthony Portantino
Chair, Senate Committee on Appropriations
1021 O Street, Room 7630
Sacramento, CA 95814

**RE: AB 400 (Rubio) Local agency design-build projects: authorization**
**As Amended on June 13, 2023 – SUPPORT**

Dear Senator Portantino:

On behalf of the California State Association of Counties (CSAC), Design-Build Institute of America Western Pacific Region (DBIA), League of California Cities (CalCities), California Special Districts Association (CSDA), Urban Counties of California (UCC), and the Rural County Representatives of California (RCRC), we are pleased to be in strong support of AB 400 by Assemblymember Blanca Rubio, which would allow local governments to continue the utilization of existing state law which allows them to use the Design-Build (DB) procurement process for qualifying public works projects. This bill achieves this by extending the existing January 1, 2025 sunset date to January 1, 2031 on the statutory DB authority.

Existing statute enacts more uniform provisions authorizing most local agencies, counties included, to use the DB procurement process for specified public works projects within Public Contract Codes Sections 22160-22169, which excludes roads but includes buildings, utility improvements associated with buildings, flood control, underground utility improvements, and bridges.

The DB method is an approach to delivering public works projects in which both the design and construction of a project are procured from a single entity. Under design-build, the owner contracts with a single entity to both design and construct a project at a fixed price. Simultaneously, contractors are provided with more flexibility over project design, materials and construction methods. This promotes project design and construction innovation, which can result in higher quality, as well as cost savings. The approach also reduces the county and local agencies' risk and results in fewer litigation claims for all parties involved.

In the traditional Design-Bid-Build (DBB) method of construction procurement the design and contracting phases are sequential, with no direct collaboration process. Allowing alternative delivery methods for construction projects gives local governments the ability to make the most cost-effective and advantageous decision for a particular project.

The DB method streamlines project delivery through a single contract between the owner and the design-build team. Thus, using the DB method for more complex projects facilitates the completion and delivery of public works construction projects efficiently and cost effectively. AB 400 would allow local governments to continue using this authority until January 1, 2031.

It is for these reasons that CSAC, DBIA, CalCities, CSDA, UCC and RCRC are proud to support AB 400 and respectfully request your AYE vote. Should you have any questions or concerns regarding our position, please do not hesitate to contact Mark Neuburger (CSAC) at mneuburger@counties.org, Beau Biller (DBIA) at bcb@platinumadvisors.com, Damon Conklin (CalCities) at dconklin@calcities.org, Heidi Hannaman (CSDA) at heidih@csda.net, Jean Hurst (UCC) at jkh@hbeadvocacy.com, or Sidd Nag (RCRC) at snag@rcrcnet.org.

Sincerely,

Mark Neuburger
California State Association of Counties

Marianne O'Brien
Design Build Institute of America-Western Pacific Region

Damon Conklin
League of California Cities

Heidi Hannaman
California Special Districts Association

Jean Hurst
Urban Counties of California

Sidd Nag
Rural County Representatives of California

CC: The Honorable Assemblymember Blanca Rubio, Author
The Honorable Members, Senate Committee on Appropriations
Mark McKenzie, Staff Director, Senate Committee on Appropriations
Ryan Eisberg and Kayla Williams, Consultants, Senate Republican Caucus

June 29, 2023

The Honorable Marie Alvarado-Gil
Chair, Senate Human Services Committee
1020 N Street, Room 521
Sacramento, CA 95814

**RE: AB 426 (JACKSON): Residential foster care facilities: temporary management.**
**As Amended June 28, 2023— OPPOSE**
**Set for Hearing July 3, 2023 in Senate Human Services Committee**

Dear Senator Alvarado-Gil:

On behalf of the California State Association of Counties (CSAC), Urban Counties of California (UCC), and Rural County Representatives of California (RCRC) we are writing in respectful opposition to Assembly Bill 426 (Jackson).

While well-intentioned, AB 426 is the wrong approach to addressing the significant issues currently facing the child welfare system. As has been publicly reported for more than a year now, the lack of treatment options for complex needs youth is resulting in counties utilizing unlicensed facilities such as offices and hotel rooms in lieu of licensed alternatives. This is not the situation any county wants, but it is what counties face when there are not enough appropriate licensed settings – either family based or congregate – who will accept our children and youth for placement and provide them with the treatment and services they desperately need.

Since the passage and implementation of the Continuum of Care Reform (CCR) in 2015, counties have been at the forefront of transforming California's child welfare system. Even prior to CCR, the use of congregate care options had dropped significantly across the state, making California a leader in this area compared to many other states. Since 2015, however, residential, treatment-based options for foster youth with the most severe needs have become difficult to access. California has lost over 1,000 treatment beds from former group homes that were unable, or chose not to, convert to short-term residential therapy placements or were affected by other state and federal changes. While counties have shifted to alternatives such as intensive family finding services and increased use of family-based care, as well as resource family recruitment, it is often extremely difficult to find appropriate treatment settings for foster youth who need a short-term but highly intensive therapeutic care. This need is especially acute amongst older foster youth with cooccurring issues such as substance use disorders, developmental disabilities, health conditions and mental health treatment needs.

California is not alone in struggling with options for youth with the most complex needs. Other states report a similar crisis. Our organizations have consistently advocated for legislative proposals and budget investments that would address the underlying issues by expanding placement options and services to complex needs youth. AB 426, while well intentioned, does nothing to address the underlying

issue that leads counties to have foster youth in unlicensed placements. AB 426 would allow the state, which has little to no experience in the direct care of youth, to place a "temporary manager" over a residential foster care facility and fine county staff. Allowing the state to take over a facility, does nothing to address the underlying root cause of why these youth are at such facilities in the first place – the severe lack of more appropriate, service-rich, community-based treatment options for foster youth. Were the state to come into a facility as a "temporary manager," it would still face all of these issues and, due to its lack of knowledge of direct care, likely struggle even more to arrange necessary services and supports for these youth. Rather than a recipe for success, this bill is a recipe for even more harm to youth who have already suffered significant trauma and likely numerous placement moves and staffing changes over their time in foster care.

Further, the state, which licenses all foster care placements, is well aware of the struggles counties have had in placing complex needs youth, due to the fact that counties engage regularly with the Department of Social Services (CDSS), Department of Health Care Services and Department of Developmental Services, both at the leadership level and on staff-level technical assistance calls when foster youth are in such facilities and in unlicensed care. CDSS regularly engages counties in established processes to address any licensing violations and does not hesitate to place counties on corrective action plans when they are required to address any licensing deficiencies. The level of attention being paid to this issue is significant on the state's part. Unfortunately, true solutions have not yet been identified but work continues to do so.

In short, AB 426 is not that solution. The bill would allow the state to take over a facility regardless of any other established process, or failure of that process, based on only the state's documentation of deficiencies in the facility. The proposal would inappropriately and drastically change the state and county lines of responsibility, thus undermining the counties' statutory and historic role in the administration of the child welfare program with oversight by the State.

The measure would also allow the state to impose civil penalties on a person that fails to "locate appropriate placements for all of the foster children and youth residing in an unlicensed facility within 60 days after receiving the formal statement of allegations." It is unclear whether the term person is meant to refer to social workers, child welfare agency directors, county supervisors, or all of the above. Certainly, such a provision will only add to the challenges we have locally in recruiting and retaining child welfare staff and managers.

While we understand the urge to address the inappropriate use of unlicensed facilities or concerns with licensed county facilities such as shelters, allowing the state to unilaterally decide to take over a facility while failing to address any of the other underlying provider and placement shortages and assess civil penalties, does nothing to fix the reality of foster youth staying in hotels, conference rooms, or juvenile justice facilities. All it will do is shift the burden from the counties to the state, which is simply not equipped to administer programs and facilities on the ground.

For the reasons outlined above, CSAC, UCC, and RCRC respectfully oppose AB 426. Should you have any questions regarding our position, please do not hesitate to have your staff contact our organizations.

Sincerely,

Justin Garrett
Senior Legislative Advocate
CSAC
jgarrett@counties.org
916-698-5751

Kelly Brooks-Lindsey
Legislative Advocate
UCC
kbl@hbeadvocacy.com
916-753-0844

Sarah Dukett
Policy Advocate
RCRC
sdukett@rcrcnet.org
916-447-4806

cc: The Honorable Corey Jackson, MSW, DSW, Member, California State Assembly
Members and Consultants, Senate Human Services Committee

June 23, 2023

The Honorable Anna Caballero
Senate Governance and Finance Committee
1021 O Street, Suite 7620
Sacramento, CA 95814

RE: **AB 480 (Ting): Surplus lands**
**As amended 6/21/23 – OPPOSE UNLESS AMENDED**
**Set for hearing 6/28/23 – Senate Governance and Finance Committee**

Dear Assembly Member Ting:

The League of California Cities (Cal Cities), California State Association of Counties (CSAC), the Urban Counties of California (UCC), and the Rural County Representatives of California (RCRC), write to inform you of our Oppose Unless Amended position on Assembly Bill 480, which would make changes to the Surplus Lands Act (SLA) that will interfere with the disposal of both exempt surplus land and land that is for the agency's use. Our concerns are consistent with our position on similar measures in previous years and has yet to be addressed.

**Exempt Surplus Land**
AB 480 would require an agency to notify the California Department of Housing and Community Development 30 days prior to the disposal of "exempt surplus lands." There is no apparent purpose for this requirement since the SLA does not "apply to the disposal of exempt surplus land" (Government Code Section 54222.3). If the notification provision remains in the bill, then we would ask for the following amendment to Section 54221.5(d):

> Notwithstanding Section 54222.3, ~~**30 days**~~ before disposing of land declared "exempt surplus land," a local agency shall provide the Department of Housing and Community Development a written notification of its declaration and findings in a form and manner prescribed by the department. ***A local agency shall not be liable for the penalty imposed by subdivision (a) if the department does not notify the agency that the agency is in violation of this article within 30 days of receiving the notification.***

**Land for Agency's Use**
AB 480 would add Section 54221.5 to the Government Code which states in (a) "Before taking any action to dispose of land, a local agency shall declare that the land is either "surplus land" or "exempt surplus land." This change runs contrary to the definition of "surplus land" which makes it clear that land for an "agency's use" is not surplus land. Land that is for an "agency's use" is neither surplus land nor exempt surplus land and, therefore, should not be included in Section 54221.5

To address this concern, AB 480 should be amended as follows:

> Before taking any action to dispose of **surplus** land, a local agency shall declare that the land is either "surplus land" or "exempt surplus land" as specified in this section. The declaration shall be supported by written findings before the local agency may dispose of the land in a manner that is consistent with this section and the local agency's policies.

For the reasons stated above, our organizations are opposed to AB 480 unless it is amended to address our concerns. If you need additional information about our position on AB 480, please contact Jason Rhine (Cal Cities) at jrhine@calcities.org, Mark Neuberger (CSAC) at mneuberger@counties.org, Jean Hurst (UCC) at jkh@hbeadvocacy.com, or Tracy Rhine (RCRC) at trhine@rcrcnet.org,

Sincerely,

Jason Rhine
Cal Cities

Mark Neuberger
CSAC

Jean Hurst
UCC

Tracy Rhine
RCRC

cc: Members and Consultants, Senate Governance and Finance Committee
The Honorable Phil Ting, California State Assembly

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CEO
Graham Knaus

June 23, 2023

The Honorable Scott Wiener
Chair, Senate Housing Committee
1021 O Street, Room 3330
Sacramento, CA 95814

**Re: AB 578 (Berman) – Multifamily Housing Program: No Place Like Home Program**
**As Amended on May 18, 2023 – SUPPORT**
**Set for Hearing – July 10, 2023 – Senate Housing Committee**

Dear Senator Wiener:

The California State Association of Counties (CSAC), representing all 58 of the state's counties, writes in support of AB 578 by Assemblymember Marc Berman, which would cap the monitoring fees that the Department of Housing and Community Development (HCD) charges.

Today, HCD charges 0.42% of the award amount every year to monitor a development. While this was appropriate when loans were small, this percentage now could result in a fee up to $126,000 per year for one development. This is equivalent to more than one full-time staff person to monitor one development for the entire year. By capping the fee to a smaller, but reasonable, cost, the savings could be used to leverage private money from a bank.

AB 578 caps the monitoring fee to $260 per unit in the development, which is still adequate to cover HCD's monitoring costs. The bill provides a simple, reasonable fix which would result in more than 100 additional units of affordable housing being built every year. This housing is essential for many people including farmworkers, veterans, and those suffering from homelessness.

To make meaningful progress in helping those who are unhoused, CSAC developed the 'AT HOME' Plan. The six-pillar plan (Accountability, Transparency, Housing, Outreach, Mitigation, and Economic Opportunity) is designed to effectively address homelessness at every level – state, local, and federal. Through the AT HOME Plan, CSAC is working to identify the policy changes necessary to build a comprehensive homelessness system that is effective and accountable, including specific recommendations related to prevention, housing, the unsheltered response system, and sustainable funding.

AB 578 aligns with our AT HOME efforts to advocate for more federal and state support to build and maintain housing for low-income Californians and develop creative financing models to increase the feasibility of more projects.

It is for these reasons that CSAC supports AB 578 and respectfully urges your support. If you have any questions or concerns about our position, please do not hesitate to reach me at mneuburger@counties.org.

Sincerely,

Mark Neuburger
Legislative Advocate

cc: The Honorable Marc Berman, Assemblymember, 23rd District
The Honorable Members, Senate Housing Committee
Aiyana Cortez, Science Fellow, Senate Housing Committee
Kerry Yoshida, Consultant, Senate Republican Caucus

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Graham Knaus

June 23, 2023

The Honorable Scott Wiener
Chair, Senate Housing Committee
1021 O Street, Room 3330
Sacramento, CA 95814

**RE: AB 653 (Reyes) Federal Housing Voucher Acceleration Program.**
**As Amended on May 1, 2023 – SUPPORT**
**Set for Hearing – July 10, 2023 – Senate Housing Committee**

Dear Senator Wiener:

The California State Association of Counties (CSAC), representing all 58 of the state's counties, writes in support of AB 653 by Assemblymember Eloise Gomez Reyes, which creates the Federal Housing Voucher Acceleration Program to provide housing search assistance, landlord incentives, and deposit resources to help tenants with vouchers find and secure housing.

To make meaningful progress in helping those who are unhoused, CSAC developed the 'AT HOME' Plan. The six-pillar plan is designed to make true progress to effectively address homelessness at every level - state, local and federal. Through the AT-HOME Plan, CSAC is working to identify the policy changes needed to build a homelessness system that is effective and accountable including specific recommendations related to prevention, housing, the unsheltered response system, and sustainable funding. CSAC is in support of this bill, as we believe this bill provides meaningful policy changes that support county efforts to address significant barriers in providing housing to low-income individuals, which ultimately prevents individuals from becoming homeless.

Unfortunately, California's voucher families face significant barriers to using their vouchers because they can't compete in the state's competitive rental housing market. Further, because of the way the program is funded, failure to utilize all our federally allocated vouchers can result in lower rental subsidy funding for California jurisdictions in future years.

AB 653 would specifically require the California Department of Housing and Community Development (HCD) to establish, administer and fund a grant application process and award grants to public housing authorities on or before July 1, 2024, as well as require HCD to provide technical assistance to applicants that receive the grant funds. The bill would also require housing authorities that have low lease-up rates to apply evidence-

based tools to help voucher families move to low poverty neighborhoods and to work with HCD to further analyze and improve their voucher policies.

It is for these reasons that CSAC supports AB 653 and respectfully urges your support. If you have any questions or concerns about our position, please do not hesitate to reach me at mneuburger@counties.org.

Sincerely,

**Mark Neuburger**
Legislative Advocate
California State Association of Counties

CC: The Honorable Eloise Gomez Reyes, Assemblymember, 50th District
The Honorable Members, Senate Housing Committee
Alison Hughes, Chief Consultant, Senate Housing Committee
Kerry Yoshida, Consultant, Senate Republican Caucus

June 27, 2023

Honorable Lena Gonzalez
Chair, Senate Committee on Transportation
State Capitol, Room 405
Sacramento, CA 95814

Re: AB 744 (Carrillo) Statewide Data Strategy to Support Climate, Housing, Transportation, and Equity Goals - **SUPPORT**

Dear Chair Gonzalez,

The undersigned organizations representing regional and local governments and other stakeholders invested in transportation, housing, climate, sustainable communities, economic development, and jobs related policies write in support of AB 744. Specifically, we support data and analytics initiatives that would procure data solutions including, but not limited to, transportation data analytics and other mobility information, activity-based travel demand models, commercial freight, consumer spending, demographic, parking, and census-tract level land use data for state agencies and California's regional governments charged with implementing SB 375 (Chapter No. 728, Statues of 2008), among others.

Currently important decisions are made with data that's out of date, incomplete, or both. Afterward, there is no data to measure the impact of those decisions. The traditional way to gather traffic counts is to send staff onto a handful of targeted roadways to either manually count vehicles or install a temporary "tube" sensor across the roadway to capture counts for the vehicles that drive over it. Some areas install expensive permanent traffic counters on priority roadways. Data planners also use survey data, asking respondents questions about their travel routes and habits. But counts and surveys may fall short in gathering sufficient traffic counter data for many reasons.

State agencies, including the Department of Transportation, the State Air Resources Board, and the California Transportation Commission, have already begun procurement programs for "big data" analytics, but lack coordination and sustainable funding for ongoing investments and determinations about the value of those programs. Regional and local agencies like ours are also participating in procurements without ongoing sustainable funding options. Now, more than any time in recent history, the state is in a position to bring data to bear to aid state, regional, and local efforts to address climate change, improve equity within various state and regionally supported transportation and sustainable communities programs, the deployment of the requisite

infrastructure to accelerate adoption of ZEVs, improve air quality and environmental outcomes, support economic activity broadly and also help to unsnarl the supply chain, just to enumerate a few.

California's complex and interrelated policy problems and ambitious policy goals require robust data to inform decision making and support evidence-based outcomes. By combining existing state, regional, and local data with privacy-sensitive data from the private sector, the state and its regional and local partners can create a complete set of metrics to measure the effects of programs and policy-decisions. Setting baselines and measuring outcomes will allow more accurate course corrections over time to ensure investments and policies are achieving the desired outcomes in the most efficient and effective manner.

The State of California and its regional and local partners do possess some helpful data, including the statewide travel demand model, but as many recent reports indicate, the existing data is not sufficient to meet the state's various policy goals. The Climate Action Plan for Transportation Infrastructure (CAPTI) for instance includes as a key action deploying tools to analyze CAPTI progress. Specifically, CAPTI states that, "CalSTA, in partnership with Caltrans, will also work to ensure that the necessary tools are developed, procured, or deployed in order to enable use of the identified progress metrics for reporting purposes at the funding program level." Further, California's Chief Data Officer recently heralded the need to build a better "data highway" system to remove information silos and connect various streams and sets to ensure better delivery of public services.

Moreover, the Legislature invested billions of dollars in a transportation funding package in the 2022-23 State Budget as well as other investments in zero-emission vehicles, goods movement and supply chain infrastructure, affordable housing, and another substantial package of investments to address climate change in a variety of sectors. Finally, data would be beneficial in the implementation of Regional Early Action Planning Grant funds authorized for 2023, continuous appropriations to competitive grant programs supported by cap-and-trade, as well as the Community Economic Resilience Fund, which aims to build an equitable economy across California's diverse regions and foster long-term economic resilience in the overall transition to a carbon-neutral economy.

The following are just a few examples of how data and analytics can be applied and leveraged by state, regional, and local governments in support of statewide goals:

1. SB 375/SB 743 Implementation
   The state, regions, and locals can leverage data to accurately measure the outcomes of various policy and funding decisions and how it impacts progress toward climate goals. Household surveys, other data options, and existing travel modeling can be meaningfully supplemented in support of regional sustainable communities strategies to reduce greenhouse gas emissions from the transportations sector. Moreover, additional data is critical to document vehicle miles traveled to analyze development and transportation projects in compliance with SB 743.

2. Freight/Supply Chain
   Supply chain disruptions stemming from COVID-19, combined with strong demand for consumer goods, have resulted in shipping congestion at California's ports. Data can be used to monitor the issue with near real-time data and evaluate the impact of interventions.
   Data can be used to overlay commercial and personal vehicular, pedestrian and bicycle traffic, demographics, and economic spend data with harbor vessel traffic and queuing data, air quality data, and other relevant data for a holistic view of supply chain challenges.

3. Zero-Emission Vehicle Infrastructure
   Data can help the state determine where EV charging infrastructure should be sited with a focus on equity and access for low-income and disadvantaged communities. Additional data can be used to combine existing location data with mobility (parcel level land use, daily vehicle miles traveled per capita, network link volumes and trip patterns, commercial and on-street parking) and demographic data (mean household incomes) to create a common operating picture for the state, regions, locals, and interested stakeholders. Data can then be used to measure baselines and understand how policy and siting decisions have impacted ZEV deployment.

4. Equity Analysis
   In the transportation context, data can be used to measure equity impacts from various funding and policy decisions. Statewide demographics and socioeconomic data can be used to analyze the inequities certain communities face in daily transportation decisions – from access to transportation options to commute times to access to jobs, school, healthcare, and recreational activities, as well as pollution exposure due to regional transportation activity.

Finally, while we are very cognizant of the many demands and limitations on the state's current budget, we would be remiss if we did not acknowledge that data can increase cost-effectiveness and efficiency of other state investments, helping to address climate change, improve equity within various state and regionally supported transportation and sustainable communities programs, the deployment of the requisite infrastructure to accelerate adoption of ZEVs, improve air quality and environmental outcomes, support economic activity broadly but also by helping to unsnarl the supply chain, just to enumerate a few. By measuring what matters, the State of California would be taking a historic first step to setting baselines for the policy outcomes it envisions as it relates to transportation, housing, climate, sustainable communities, economic development, jobs access and racial equity.

A data rich environment can help the state, regions, and cities and counties create more resilient, sustainable, equitable and livable places. For these reasons, we support AB 744 and respectfully urge your AYE vote.

Damon Conklin
Legislative Representative
League of California Cities

Kiana Valentine
Executive Director
Transportation California

Mark Neuberger
Legislative Representative
California State Association of Counties

Bill Higgins
Executive Director
California Association of Council of Government

Cc: Members of the Senate Committee on Transportation
Randy Chinn, Chief Consultant, Senate Committee on Transportation
Ted Morley, Senate Republican Policy Consultant

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Graham Knaus

June 23, 2023

The Honorable Scott Wiener
Chair, Senate Housing Committee
1021 O Street, Room 3330
Sacramento, CA 95814

**RE: AB 1053 (Gabriel): Housing programs: multifamily housing programs: expenditure of loan proceeds**
**As Amended March 30, 2023 – SUPPORT**
**Set for Hearing – July 10, 2023 – Senate Housing Committee**

Dear Senator Wiener:

The California State Association of Counties (CSAC), representing all 58 of the state's counties, writes in support of AB 1053 by Assemblymember Jesse Gabriel, which would allow housing developers to receive state loans for construction financing, permanent financing, or a combination of both.

The Department of Housing and Community Development (HCD) makes rental housing affordable by providing financing in the form of 55-year deferred loans. HCD funds these loans after construction is complete when the development converts to permanent financing. AB 1053 significantly reduces construction period interest expenses by allowing developers to receive HCD loan funds during the construction period.

To make meaningful progress in helping those who are unhoused, CSAC developed the 'AT HOME' Plan. The six-pillar plan (Accountability, Transparency, Housing, Outreach, Mitigation, and Economic Opportunity) is designed to effectively address homelessness at every level – state, local, and federal. Through the AT HOME Plan, CSAC is working to identify the policy changes necessary to build a comprehensive homelessness system that is effective and accountable, including specific recommendations related to prevention, housing, the unsheltered response system, and sustainable funding.

AB 1053 aligns with our AT HOME efforts to advocate for more federal and state support to build and maintain housing for low-income Californians and develop creative financing models to increase the feasibility of more projects.

By reducing the costs of each development, AB 1053 will stretch precious state resources to create more affordable homes.

It is for these reasons that CSAC supports AB 1053 and respectfully urges your support. If you have any questions or concerns about our position, please do not hesitate to reach me at mneuburger@counties.org.

Sincerely,

Mark Neuburger
Legislative Advocate

cc: The Honorable Jesse Gabriel, Assemblymember, 46th District
The Honorable Members, Senate Housing Committee
Mehgie Tabar, Principal Consultant, Senate Housing Committee
Kerry Yoshida, Consultant, Senate Republican Caucus

June 28, 2023

The Honorable Anthony Portantino
Chair, Senate Appropriations Committee
State Capitol, Room 412
Sacramento, CA 95814

**RE: AB 1057 (Weber): California Home Visiting Program**
**As Amended June 26, 2023 – SUPPORT**
**Set for Hearing July 3, 2023**

Dear Chair Portantino:

On behalf of the California State Association of Counties (CSAC), Urban Counties of California (UCC) and the Rural County Representatives of California (RCRC), we write in support of AB 1057 by Assembly Member Weber. This measure seeks to give additional flexibility to local health jurisdictions to administer more Home Visiting Programs that address the unique needs of their communities and provide support to families who need it most.

The California Home Visiting Program (CHVP) is designed to be a preventative intervention by focusing on positive parenting and child development for families who are at risk for adverse childhood experiences such as neglect, abuse, child maltreatment, mental health related issues, or other potentially traumatic experiences. California utilizes the federal Maternal, Infant, and Early Childhood Home Visiting Program (MIECHV) and recent general fund investments to operate the program. There are currently 20 evidence-based home visiting models that meet the federal MIECHV requirements. Currently, the California Department of Public Health limits local health jurisdictions to three models.

Many families need more support as a result of enduring the COVID-19 pandemic, as mental health supports have been limited in the existing home visiting program. Maternal mental health disorders (MMHDs) are the most common complication during the perinatal period, which often goes both undetected and untreated. MMHDs are even more prevalent for birthing people of color with rates that are often as high as 20 percent for African American and Latino women, attributed to a lack of awareness and stigma of mental health issues within their respective communities, higher levels of stress and other factors. While new mandates require pregnant and postpartum people to be screened for MMHDs, the CHVP is

uniquely positioned to support parents and children who may not otherwise engage in care as part of the home visit.

AB 1057 will accomplish three objectives: it will allow local health departments the flexibility to use any other federally approved home visiting model. It will also permit local health departments the opportunity to supplement home visiting with mental health supports and training. Lastly, local health jurisdictions will have the opportunity to submit an alternative public health nursing model that prioritizes the unique needs of individuals in that jurisdiction.

It is for these reasons that UCC, RCRC, and CSAC support AB 1057 and respectfully request your AYE vote. Should you or your staff have additional questions about our position, please do not hesitate to reach out to Kelly Brooks-Lindsey, UCC Legislative Advocate at kbl@hbeadvocacy.com, Sarah Dukett, RCRC Legislative Advocate at sdukett@rcrcnet.org, and Jolie Onodera, CSAC Senior Legislative Advocate at jonodera@counties.org.

Sincerely,

Kelly Brooks-Lindsey
Legislative Advocate
UCC
kbl@hbeadvocacy.com
916-753-0844

Sarah Dukett
Policy Advocate
RCRC
sdukett@rcrcnet.org
916-447-4806

Jolie Onodera
Senior Legislative Advocate
CSAC
jonodera@counties.org
916-591-5308

cc: The Honorable Dr. Akilah Weber, Member, California State Assembly
Members and Consultants, Senate Appropriations Committee
Tim Conaghan, Consultant, Senate Republican Caucus
Joe Parra, Consultant, Senate Republican Caucus

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Graham Knaus

June 29, 2023

The Honorable Scott Wiener
Chair, Senate Housing Committee
1021 O Street, Room 3330
Sacramento, CA 95814

**RE: AB 1307 (Wicks) California Environmental Quality Act: noise impact: residential projects.**
**As Amended on June 26, 2023 – SUPPORT**
**Set for Hearing – July 10, 2023 – Senate Housing Committee**

Dear Senator Wiener:

The California State Association of Counties (CSAC), representing all 58 of the state's counties, writes in support of AB 1307 by Assemblymember Buffy Wicks, which would specify that noise generated by occupants is not a significant effect on the environment for residential projects for purposes of the California Environmental Quality Act (CEQA).

To make meaningful progress in helping those who are unhoused, CSAC developed the 'AT HOME' Plan. The six-pillar plan is designed to make true progress to effectively address homelessness at every level - state, local and federal. Through the AT-HOME Plan CSAC is working to identify the policy changes needed to build a homelessness system that is effective and accountable including specific recommendations related to prevention, housing, the unsheltered response system, and sustainable funding. AB 1307 aligns with our AT HOME efforts, specifically as it relates to the Housing pillar, which seeks to increase and maintain housing units across the spectrum.

AB 1307 would reverse the "people as pollution" precedent created by a recent Appellate Court decision. If this precedent is not reversed, it will lead to a massive increase in Environmental Impact Reports (EIRs) for residential projects and provide a powerful new tool for NIMBYs to block the production of affordable housing. AB 1307 would reverse this precedent by declaring that noise generated by the occupants of a residential project cannot be considered a significant effect on the environment pursuant to the California Environmental Quality Act (CEQA).

By making this change, AB 1307 would remove the potential for litigants to challenge residential development based on the speculation that the new residents will create unwanted noises. It would also reestablish the existing precedent that minor and

intermittent noise nuisances be addressed through local nuisance ordinances and not via CEQA. As such, no longer could CEQA consider "people as pollution."

It is for these reasons that CSAC supports AB 1307 and respectfully asks for your AYE vote. Should you have any questions or concerns regarding our position, please do not hesitate to contact me at mneuburger@counties.org.

Sincerely,

**Mark Neuburger**
Legislative Advocate
California State Association of Counties

CC: The Honorable Assemblymember Buffy Wicks, Author
The Honorable Members, Senate Housing Committee
Alison Hughes, Chief Consultant, Senate Housing Committee
Kerry Yoshida, Consultant, Senate Republican Caucus

June 22, 2023

The Honorable Buffy Wicks
Chair, Assembly Housing and Community Development Committee
1020 N St., Room 156
Sacramento, CA 95814

**RE: Senate Bill 34 (Umberg) – Oppose Unless Amended [As Amended June 20, 2023]**

Dear Assembly Member Wicks:

The statewide associations and individual local agencies listed above must respectfully oppose Senate Bill 34 (Umberg), unless it is amended to address our concerns discussed below.

SB 34 will amend the Surplus Land Act (SLA) to provide that if the Department of Housing and Community Development (HCD), pursuant to Government Code Section 54230.5, notifies the County of Orange, or any city located within Orange County, that its planned sale or lease of surplus land is in violation of the SLA, certain procedures for addressing the notice of violation must be followed.

As written, the bill may create a concerning precedent for all local agencies statewide. Because SB 34 includes a reference to notices of violation from HCD in connection with a "sale ***or lease***" by a local agency, the bill may establish a statutory precedent that leases are subject to the SLA. Notwithstanding guidelines developed by HCD defining "disposition of surplus land," at this time the term "dispose" is undefined in the SLA, and prior legislative efforts to define "dispose" to include leases were unsuccessful. Removing and excluding the bill's reference to leases would in no way compromise or otherwise impact the ability of this legislation to address a planned sale of surplus land by the County of Orange or any city located within Orange County. However, including any reference to leases in the bill would be inconsistent with the clear, established legislative intent for the meaning of disposal of surplus land that is subject to the requirements of the SLA as currently written. We therefore oppose SB 34 unless it is amended to remove its reference to leases and HCD notices of violations in connection with planned leases.

Local agencies routinely enter leases for a variety of purposes that support their work or operations and that do not relate to the purposes of the SLA. Examples include a cell tower lease, a lease to a nonprofit for office space because that nonprofit is partnering with a local government to further a governmental purpose, and a short-term lease of park space.

The clear, established intent of the Legislature is not to apply the requirements of the SLA for surplus land to leases. In 2019, as introduced, AB 1486 (Ting) proposed to define "dispose of" as the "sale, **lease**, transfer, or other conveyance of any interest in real property owned by a local agency" (emphasis added).

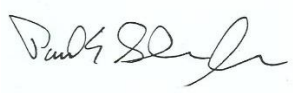
A broad local agency coalition opposed this proposed expansion of the meaning of "dispose of," and consequently leases were amended out of the bill before it became law.

For the above reasons, we must respectfully oppose Senate Bill 34, unless it is amended to address our concerns.

Sincerely,

Aaron A. Avery
Senior Legislative Representative
California Special Districts Association

Paul A. Cook
General Manager
Irvine Ranch Water District



Paul E. Shoenberger, P.E.
General Manager
Mesa Water District

Daniel R. Ferons
General Manager
Santa Margarita Water District

Dennis P. Cafferty
General Manager
El Toro Water District

Robert S. Grantham
General Manager
Rancho California Water District

Fernando Paludi
General Manager
Trabuco Canyon Water District

Rob Thompson
General Manager
Orange County Sanitation District

Mark Neuburger
Legislative Advocate
California State Association of Counties

Jean Hurst
Legislative Representative
Urban Counties of California

Tracy Rhine
Senior Policy Advocate
Rural County Representatives of California

Sarah Bridge
Senior Legislative Advocate
Association of California Healthcare Districts

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csda.net

CC: The Honorable Thomas Umberg
Members, Assembly Housing and Community Development Committee
Steve Wertheim, Principal Consultant,
Assembly Housing and Community Development Committee
William Weber, Policy Consultant, Assembly Republican Caucus
Ronda Paschal, Deputy Legislative Secretary, Office of Governor Newsom
Emily Patterson, Assistant Legislative Deputy and Chief Deputy of Legislative Operations,
Office of Governor Newsom

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June 22, 2023

The Honorable Cecilia Aguiar-Curry
Chair, Assembly Local Government Committee
1020 N St., Room 157
Sacramento, CA 95814

**RE: Senate Bill 34 (Umberg) – Oppose Unless Amended [As Amended June 20, 2023]**

Dear Assembly Member Aguiar-Curry:

The statewide associations and individual local agencies listed above must respectfully oppose Senate Bill 34 (Umberg), unless it is amended to address our concerns discussed below.

SB 34 will amend the Surplus Land Act (SLA) to provide that if the Department of Housing and Community Development (HCD), pursuant to Government Code Section 54230.5, notifies the County of Orange, or any city located within Orange County, that its planned sale or lease of surplus land is in violation of the SLA, certain procedures for addressing the notice of violation must be followed.

As written, the bill may create a concerning precedent for all local agencies statewide. Because SB 34 includes a reference to notices of violation from HCD in connection with a "sale ***or lease***" by a local agency, the bill may establish a statutory precedent that leases are subject to the SLA. Notwithstanding guidelines developed by HCD defining "disposition of surplus land," at this time the term "dispose" is undefined in the SLA, and prior legislative efforts to define "dispose" to include leases were unsuccessful. Removing and excluding the bill's reference to leases would in no way compromise or otherwise impact the ability of this legislation to address a planned sale of surplus land by the County of Orange or any city located within Orange County. However, including any reference to leases in the bill would be inconsistent with the clear, established legislative intent for the meaning of disposal of surplus land that is subject to the requirements of the SLA as currently written. We therefore oppose SB 34 unless it is amended to remove its reference to leases and HCD notices of violations in connection with planned leases.

Local agencies routinely enter leases for a variety of purposes that support their work or operations and that do not relate to the purposes of the SLA. Examples include a cell tower lease, a lease to a nonprofit for office space because that nonprofit is partnering with a local government to further a governmental purpose, and a short-term lease of park space.

The clear, established intent of the Legislature is not to apply the requirements of the SLA for surplus land to leases. In 2019, as introduced, AB 1486 (Ting) proposed to define "dispose of" as the "sale, **lease**, transfer, or other conveyance of any interest in real property owned by a local agency" (emphasis added).

A broad local agency coalition opposed this proposed expansion of the meaning of "dispose of," and consequently leases were amended out of the bill before it became law.

For the above reasons, we must respectfully oppose Senate Bill 34, unless it is amended to address our concerns.

Sincerely,

Aaron A. Avery
Senior Legislative Representative
California Special Districts Association

Paul A. Cook
General Manager
Irvine Ranch Water District

Paul E. Shoenberger, P.E.
General Manager
Mesa Water District

Daniel R. Ferons
General Manager
Santa Margarita Water District

Dennis P. Cafferty
General Manager
El Toro Water District

Robert S. Grantham
General Manager
Rancho California Water District

Fernando Paludi
General Manager
Trabuco Canyon Water District

Rob Thompson
General Manager
Orange County Sanitation District

Marl Neuburger
Legislative Advocate
California State Association of Counties

Jean Hurst
Legislative Representative
Urban Counties of California

Tracy Rhine
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CC: The Honorable Thomas Umberg
Members, Assembly Committee on Local Government
Hank Brady, Consultant, Assembly Committee on Local Government
William Weber, Policy Consultant, Assembly Republican Caucus

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June 22, 2023

The Honorable Buffy Wicks
Chair, Assembly Housing and Community Development Committee
1020 N St., Room 156
Sacramento, CA 95814

**RE: Senate Bill 229 (Umberg) – Oppose Unless Amended [As Amended February 23, 2023]**

Dear Assembly Member Wicks:

The statewide associations and individual local agencies listed above must respectfully oppose Senate Bill 229, unless it is amended to address our concerns discussed below.

SB 229 will amend the Surplus Land Act (SLA) to provide that if a local agency is disposing of a parcel by sale or lease, and received a notice of violation from the Department of Housing and Community Development (HCD), pursuant to Government Code Section 54230.5, that it is in violation of the SLA with regard to the parcel, the local agency shall hold an open and public session to review and consider the substance of the notice of violation. In addition to any other applicable notice requirements, the local agency shall provide notice disclosed on the local agency's internet website, in a conspicuous public place at the offices of the local agency, and to HCD no later than 14 days before the public session at which the notice of violation will be considered. The local agency's governing body shall not take final action to ratify or approve the proposed disposal until a public session is held.

The concerns underlying our position are as follows:

1. SB 229 is a companion bill to SB 34 (Umberg), which is also pending before this committee. SB 34 would similarly require procedures for the County of Orange and cities in the County of Orange to address notices of violation from HCD, albeit different procedures. However, SB 34 would seek to impose its requirements when a notice of violation is received from HCD by a local agency in connection with a "planned sale or lease of **surplus land**." In contrast, SB 229 would impose its requirements if a notice of violation is received from HCD when a local agency "is disposing of **a parcel** by sale or lease." This is a critical and problematic distinction because SB 229 may be improperly implied to broaden HCD's authority to issue notices of violation to **any** parcel of land. Without appropriately limiting the bill's application to notices of violation in connection with sales of **surplus land**, SB 229 may significantly disrupt local agencies' planning for uses of land, including for exempt surplus land explicitly not subject to the SLA. (See Government Code Section 54222.3 "This article shall not apply to the disposal of exempt surplus land as defined in Section 54221 by an agency of the state or any local agency.")

   To correct this problem, SB 229 should be amended to make clear that it applies only to sales of surplus land, as follows:

Government Code section 54230.7(a): "If a local agency is disposing of ~~a parcel~~ **surplus land** by sale ~~or lease~~ and has received a notification from the Department of Housing and Community Development…."

Government Code section 54230.7(b): "The local agency's governing body shall not take final action to ratify or approve the proposed ~~disposal~~ **sale of surplus land** until a public session is held as required by this section."

2. As written, the bill may create a concerning precedent for all local agencies statewide. Because SB 229 includes a reference to notices of violation from HCD in connection with a "sale ***or lease***" by a local agency, the bill may establish a statutory precedent that leases are subject to the SLA. Notwithstanding guidelines developed by HCD defining "disposition of surplus land," at this time the term "dispose" is undefined in the SLA, and prior legislative efforts to define "dispose" to include leases were unsuccessful. Removing and excluding the bill's reference to leases would in no way compromise or otherwise impact the ability of this legislation to address a planned sale of surplus land. However, including any reference to leases in the bill would be inconsistent with the clear, established legislative intent for the meaning of disposal of surplus land that is subject to the requirements of the SLA as currently written. We therefore oppose SB 229 unless it is amended to remove its reference to leases and HCD notices of violations in connection with planned leases.

   Local agencies routinely enter leases for a variety of purposes that support their work or operations and that do not relate to the purposes of the SLA. Examples include a cell tower lease, a lease to a nonprofit for office space because that nonprofit is partnering with a local government to further a governmental purpose, and a short-term lease of park space.

   The clear, established intent of the Legislature is not to apply the requirements of the SLA for surplus land to leases. In 2019, as introduced, AB 1486 (Ting) proposed to define "dispose of" as the "sale, **lease**, transfer, or other conveyance of any interest in real property owned by a local agency" (emphasis added). A broad local agency coalition opposed this proposed expansion of the meaning of "dispose of," and consequently leases were amended out of the bill before it became law.

3. Our organizations also seek amendments to the procedural requirements of SB 229, to provide reasonable flexibility to local agencies. While our organizations recognize the transparency concerns addressed by this bill, those concerns can be addressed while providing additional local agency flexibility. For example:

   a. A public **meeting**, instead of a public session, to consider a notice of violation, provides transparency while providing flexibility to local agencies in their selection of a format consistent with the Brown Act.
   b. Local agencies should be provided with an offramp from the requirement to hold a meeting if they elect not to proceed with a proposed disposal after receiving a notice of violation from HCD.
   c. Not all local agencies maintain websites, and additional notice flexibility is needed.

   The bill's prescriptive requirements for holding a public session, and absence of an offramp when that public session is no longer required due to changed circumstances, will unnecessarily increase SLA compliance costs for local agencies.

For the above reasons, we must respectfully oppose Senate Bill 229, unless it is amended to address our concerns.

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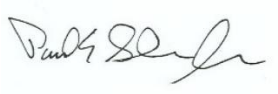
Sacramento, CA 95814
Toll-free: 877.924.2732
t: 916.442.7887
f: 916.442.7889
csda.net

Sincerely,

Aaron A. Avery
Senior Legislative Representative
California Special Districts Association

Paul A. Cook
General Manager
Irvine Ranch Water District



Paul E. Shoenberger, P.E.
General Manager
Mesa Water District

Daniel R. Ferons
General Manager
Santa Margarita Water District

Dennis P. Cafferty
General Manager
El Toro Water District

Robert S. Grantham
General Manager
Rancho California Water District

Fernando Paludi
General Manager
Trabuco Canyon Water District

Rob Thompson
General Manager
Orange County Sanitation District

Mark Neuburger
Legislative Advocate
California State Association of Counties

Jean Hurst
Legislative Representative
Urban Counties of California

Tracy Rhine
Senior Policy Advocate
Rural County Representatives of California

Sarah Bridge
Senior Legislative Advocate
Association of California Healthcare Districts

CC: The Honorable Thomas Umberg
Members, Assembly Housing and Community Development Committee

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Steve Wertheim, Principal Consultant,
Assembly Housing and Community Development Committee
William Weber, Policy Consultant, Assembly Republican Caucus
Ronda Paschal, Deputy Legislative Secretary, Office of Governor Newsom
Emily Patterson, Assistant Legislative Deputy and Chief Deputy of Legislative Operations,
Office of Governor Newsom

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California State Association of Counties®



June 30, 2023

The Honorable Buffy Wicks
Chair, Assembly Housing and Community Development Committee
1020 N Street, Room 156
Sacramento, CA 95814

**RE: SB 240 (Ochoa Bogh) - Surplus state real property: affordable and housing for formerly incarcerated individuals.**
**As Amended May 2, 2023 – SUPPORT**
**Set for Hearing – July 12, 2023 – Assembly Housing and Community Development Committee**

Dear Senator Wicks,

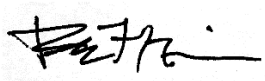
The California State Association of Counties (CSAC), representing all 58 of the state's counties, writes in support of SB 240 by Senator Rosilicie Ochoa Bogh. This measure would add affordable housing projects intended for formerly incarcerated individuals as a priority in the disposal of state surplus land and provides that these projects are a use by-right.

Specifically, SB 240 will ensure the timely development of affordable housing on surplus property sold by the state by exempting the property from California Environmental Quality Act (CEQA) reviews as "by-right" developments. Additionally, SB 240 would be a positive step aimed at preventing homelessness by ensuring that affordable housing is developed for criminal justice-involved individuals who need assistance transitioning back into our communities.

To make meaningful progress in helping those who are unhoused, CSAC developed the 'AT HOME' Plan. The six-pillar plan (Accountability, Transparency, Housing, Outreach, Mitigation, and Economic Opportunity) is designed to effectively address homelessness at every level – state, local, and federal. Through the AT HOME Plan, CSAC is working to identify the policy changes necessary to build a comprehensive homelessness system that is effective and accountable, including specific recommendations related to prevention, housing, the unsheltered response system, and sustainable funding. SB 240 aligns with our AT HOME efforts, specifically as it relates to the Housing pillar. Roughly 70% of California's unsheltered homeless population are criminal justice involved. Given this high percentage, it is imperative that the justice-involved population receives the necessary services and resources that are essential for successful reentry. Access to affordable housing is the most critical and fundamental need to prevent homelessness. SB 240 would further the efforts of CSAC and numerous stakeholders by increasing access to affordable housing options, which is a dire need across our state. Ultimately, additional housing support improves reentry outcomes and also plays a significant role in the prevention of crime and homelessness.

It is for these reasons CSAC supports SB 240 and respectfully requests your AYE vote. Should you have any questions or concerns regarding our position, please do not hesitate to contact me at rmorimune@counties.org.

Sincerely,



Ryan Morimune
Legislative Advocate

cc: The Honorable Rosilicie Ochoa Bogh, California State Senate
Members and Consultant, Assembly Housing and Community Development Committee
William Weber, Consultant, Assembly Republican Caucus

June 28, 2023

The Honorable Brian Maienschein
Chair, Assembly Judiciary Committee
1021 N Street, Room 104
Sacramento, CA 95814

**Re:** **Senate Bill 553 (Cortese).** Occupational safety: workplace violence: restraining orders and workplace violence prevention plan.
**Oppose** *(as amended June 20, 2023)*

Dear Assembly Member Maienschein:

On behalf of the undersigned organizations, we write in respectful opposition to Senate Bill 553, related to workplace violence prevention plans. We fully support providing a safe worksite for both employees and those members of the public who are present on our county, special district and school facilities. Regrettably, the approach proposed in SB 553 is a poor fit for our respective organizations and our public agencies would be better served through more tailored approaches through the established stakeholder process.

We understand there is concern with the deliberative, stakeholder inclusive regulatory process underway with Cal/OSHA to develop guidance on the same topic. We appreciate the recent amendment to delay implementation but would encourage consideration to also delay moving this bill forward without more extensive conversations with the diverse types of employers, and still aim to meet a January 1, 2025 deadline.

We are concerned with the scale and cost of obligations imposed by SB 553. Unlike private industry, local fee authority does not allow for cost recovery. For school districts alone, the initiation workplace violence prevention plan training component for just one hour would be approximately $19 million in Proposition 98 dollars.

Local agencies take employee safety seriously. There are also existing requirements across various statutes to provide workplace protections for public employers. Furthermore, if implementation is not to take place until January 2025, we request that conversations continue during the legislative interim to understand the full implementation needs and possible unintended consequences of applying a healthcare worksite standard to a diverse group of public sector settings like schools, libraries, and public safety departments.

SB 553 would not necessarily result in an immediate reduction in workplace violence and we welcome the conversation on other means to best use local resources to achieve this goal. For the aforementioned reasons, we respectfully oppose SB 553.

(continued)

Sincerely,

Dorothy Johnson
Legislative Advocate
Association of California School Administrators

Aaron Avery
Senior Legislative Representative
California Special District Association

Sarah Dukett
Policy Advocate
Rural County Representatives of California

Kalyn Dean
Legislative Representative
California State Association of Counties

Brianna Bruns
Director, Policy & Advocacy
California County Superintendents

cc: The Honorable David Cortese, California State Senate
Honorable Members, Assembly Judiciary Committee
Manuela Boucher, Staff Counsel, Assembly Judiciary Committee
Daryl Thomas, Consultant, Assembly Republican Caucus

California State Association of Counties®



June 27, 2023

The Honorable Gavin Newsom
Governor of the State of California
State Capitol, First Floor
Sacramento, California 95814

**Re: SB 564 (Laird) – Sheriffs and Marshals: fees**
**As Enrolled June 21, 2023 – Request for Signature**

Dear Governor Newsom:

The California State Association of Counties (CSAC), representing all 58 of the state's counties, is pleased to support Senate Bill 564 by Senator John Laird. This measure would increase the fees sheriffs and marshals may collect for serving civil process.

Current law provides that the sheriff shall serve all processes and notices, which includes summons, warrants, evictions, wage garnishments, small claims documents, levies on property, writs, and other court orders. Existing law also establishes the various fees that sheriffs' offices are permitted to collect in connection with performing the service of civil process, and also provides a fee waiver for individuals experiencing financial hardship. The problem is that many of the locally collected fees do not typically cover the costs of the services to which they are connected to. Further, the fees have not been increased since 2015 and have not kept pace with inflation and rising personnel and resource costs, creating revenue deficits within sheriffs' budgets. Although sheriffs' offices are operated and managed directly under the supervision of the county elected sheriff, they are funded through the county budget. Thus, any costs associated with serving, executing, and processing required court orders that are not covered by collected fees, are subsidized by counties. SB 564 will address this issue, while ensuring that individuals in need of financial assistance can apply for relief and access critical sheriff services.

Simply put, SB 564 would modestly increase and conform various fees that sheriffs' offices are permitted to collect to fulfill their legal obligation and more closely align the costs of providing the services.

It is for these reasons CSAC respectfully requests your signature on SB 564. Should you have any questions or concerns regarding our position, please do not hesitate to contact me at rmorimune@counties.org.

Sincerely,

Ryan Morimune
Legislative Advocate

cc: The Honorable John Laird, California State Senate
Jessica Devencenzi, Deputy Legislative Secretary, Governor's Office

June 22, 2023

The Honorable Cecilia Aguiar-Curry
Chair, Assembly Local Government Committee
1021 O Street, Suite 6350
Sacramento, CA 95814

RE: **Senate Bill 747 (Caballero): Land use: economic development: surplus land**
**As amended 5/18/23 – SUPPORT WITH AMENDMENTS**
**Set for hearing 6/28/23 – Assembly Local Government Committee**

Dear Assembly Member Aguiar-Curry:

On behalf of the Urban Counties of California (UCC), the Rural County Representatives of California (RCRC), and the California State Association of Counties (CSAC), we write in strong support of Senate Bill 747. This bill makes important changes to the Surplus Lands Act (SLA), which strike an appropriate balance between the broad policy interests of local governments in providing a wide array of critical public services to their communities, while also ensuring that the development of affordable housing is prioritized when local governments dispose of their surplus land. SB 747 also makes numerous small but important improvements to the SLA that will ease implementation of the law and ensure that the law's processes are focused on properties most likely to be redeveloped for housing.

**Counties Require Flexibility to Use Properties to Meet Long-Term Community Needs**
Counties provide an incredibly broad range of services that include statewide health and human services programs, countywide public safety and environmental protections, and a full suite of municipal services for the residents of unincorporated communities. Each of these services requires physical facilities sited in appropriate locations amongst the diverse communities of every county. To effectively deliver services in the communities where they are needed and where clients live, counties must hold and acquire property for both current and planned community needs.

While counties have been leaders in redeveloping their properties to provide affordable housing opportunities, including redeveloping outdated county-owned sites,[1] joint-use developments in conjunction with new county facilities,[2] and countywide efforts to identify properties appropriate for affordable housing development,[3]just to name a few examples, excessively restrictive prohibitions on the leasing of county-owned properties under current Department of Housing and Community

[1] https://www.dailydemocrat.com/2018/12/11/affordable-housing-complex-officially-opens-tuesday/
[2] https://www.huduser.gov/portal/casestudies/study_100520.html
[3] https://www.countynewscenter.com/county-breaks-ground-for-first-affordable-housing-development-on-surplus-property/

Development SLA guidelines are counterproductive. A five-year limitation on leases of properties that may currently be underutilized, but which are integral to the future provision of vital community services, does not encourage redevelopment for housing, but merely impedes worthwhile, temporary uses of public property.

SB 747's provisions related to the lease of local government property provides a bright-line standard for when a long-term lease of a property should be considered a disposition and subject to the SLA's requirements to give housing providers a first opportunity to negotiate acquisition of the property. However, we believe that a 15-year lease term is inconsistent with typical local agency planning and operations. We suggest that the bill be amended to include a more appropriate lease term of 25-years.

Additionally, we recommend that proposed GC 54221(d) be amended to clarify that the new definition of "dispos[al]" is exclusive – and in particular, that leases of surplus land for less than the specified term do not trigger the SLA. This is arguably implicit in the current language, but some may argue that HCD can/should adopt supplemental definitions (see GC 54230(c)) identifying additional circumstances where leases (or other types of property transactions) are treated as covered dispositions and thus trigger the SLA. That is not our understanding of the intent of this bill, and should thus be addressed explicitly.

**Improves Surplus Lands Act Procedures and Applicability**
SB 747 includes numerous incremental changes to the SLA that will improve administration at the local level and ensure that the process is focused on the disposition of properties that are most likely to be suitable and available for housing. The bill exempts local agencies that are disposing property, or entering negotiations with, the developer of a qualifying affordable housing project from notification requirements and broadens the current exemption for mixed-use developments with at least 25% affordable housing; requires improved public transparency when HCD notifies a jurisdiction of a potential SLA violation; and exempts properties with valid legal restrictions, including conservation easements, while ensuring transparency during the disposal process.

The bill also reasonably expands the definition of agency use to include numerous important functions that county-affiliated districts may undertake, including airport-related uses, transit and transit-oriented development, port properties to support logistics uses, broadband and wireless facilities, and buffer zones near waste disposal sites.

For the reasons stated above, our organizations strongly support SB 747. If you need additional information about our position, please contact Jean Hurst (UCC) at jkh@hbeadvocacy.com, Tracy Rhine (RCRC) at trhine@rcrcnet.org or Mark Neuburger (CSAC) at mneuburger@counties.org .

Sincerely,

Jean Kinney Hurst
UCC

Tracy Rhine
RCRC

Mark Neuburger
CSAC

cc: Members and Consultants, Assembly Local Government Committee
The Honorable Anna Caballero, California State Senate

California State Association of Counties®

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Graham Knaus

July 5, 2023

The Honorable Steven Bradford
Chair, Senate Committee on Energy, Utilities and Communications
1021 O Street, Room 3350
Sacramento, CA 95814

**Re: AB 41 (Holden) Telecommunications: The Digital Equity in Video Franchising Act of 2023 - SUPPORT**
**As Amended June 29, 2023**

Dear Senator Bradford,

The California State Association of Counties (CSAC), representing all 58 counties in the state, is pleased to support AB 41 by Assemblymember Holden, which would recast the Digital Infrastructure and Video Competition Act of 2006 (DIVCA) as the Digital Equity in Video Franchising Act, in order to revise the renewal process for a state-issued video franchise, strengthen anti-discrimination requirements, require video franchise holders to provide equal access to service, and mitigate other digital equity barriers that impact the ability of California residents to access high-quality video and broadband services.

One of the primary lessons learned from the COVID-19 Pandemic is that the internet and broadband are critical for almost every aspect of our lives and the economy, from work and school, to access to government and health care, and to important social linkages. Since the enactment of DIVCA in 2006, technology has greatly changed – for instance, Apple had yet to introduce the iPhone, Netflix did not have a streaming service, and most television broadcasts were still in standard definition format. The speed and breadth of technology has dramatically changed and DIVCA's efforts to benefit consumers by lowering prices has fallen short of its original intent given the swath of households that continue to lack access to broadband services.

Accordingly, many areas throughout the state struggled to transition to remote work and school following the initial outbreak of COVID-19 due to unreliable service at home, further exacerbating the digital divide. In its current state, DIVCA has not incentivized providers to give equitable access to low-income and underserved areas. These issues broadly impact California communities across the rural, suburban, and urban spectrum. AB 41 addresses critical issues with equitable access to services offered by holders of state franchises, creates a transparent and fair process for once-a-decade franchise renewals, and establishes a mechanism for California customers to make the California Public Utilities Commission aware of service quality issues.

For these reasons, we are pleased to support AB 41. If you have any questions about our position, please do not hesitate to contact me at kdean@counties.org.

Sincerely,

Kalyn M. Dean
Legislative Advocate

Cc: The Honorable Chris Holden, Assembly District 41
Members and Staff, Senate Committee on Energy, Utilities and Communications
Kerry Yoshida, Policy Consultant, Senate Republican Caucus

June 26, 2023

The Honorable Blanca Rubio
California State Assembly
1021 O Street, Suite 5140
Sacramento, CA 95814

**RE: Assembly Bill 334 – SUPPORT**

Dear Assemblywoman Rubio:

On behalf of the organizations listed below, we are pleased to be in strong support of your Assembly Bill 334, which seeks to clarify the state's conflict of interest law, Government Code 1090.

Public agencies are experiencing an alarming contracting issue when seeking to partner with independent contractors on their projects.

For example, when agencies seek to contract with engineers, land surveyors, architects, and geologists on public works infrastructure projects, these design professionals are increasingly – and inappropriately – being subjected to the terms of Government Code Section 1090 as a result of unclarity in the law and case law. In consequence, well-qualified professionals are being precluded from participating in subsequent phases of work if they had any involvement in an earlier phase.

Engineers and architects conceive, design, and oversee much of the state's infrastructure projects, including roads, buildings, airports, tunnels, dams, bridges, rail, and water systems. The public is at great risk if qualified consultants and contractors are prohibited from working on certain phases of our projects.

Public agencies should be free to choose through a competitive process who the most qualified professional is to partner with them and deliver projects to their constituents. Thank you for your leadership in addressing this issue and working toward a solution.

Sincerely,

Scott Terrell, Director of Government Relations
American Institute of Architects, California (AIA California)

Shahnawaz Ahmad, Director
American Public Works Association (APWA) Region VIII

Kenneth H. Rosenfield, Director
American Society of Civil Engineers (ASCE) Region 9

Kris Anderson, State Relations Advocate
Association of California Water Agencies (ACWA)

Matthew Duarte, Executive Director
California Association of Recreation and Park Districts (CARPD)

Nick Bundra, Executive Director
California Geotechnical Engineers Association (CalGeo)

Mike Belote, Legislative Advocate
California Land Surveyors Association (CLSA)

Danielle Blacet-Hyden, Deputy Executive Director
California Municipal Utilities Association (CMUA)

Eric Angstadt, Executive Secretary
California & Nevada Civil Engineers and Land Surveyors Association (CELSA)

Heidi Hannaman, Legislative Representative
California Special Districts Association (CSDA)

Mark Neuburger, Legislative Representative
California State Association of Counties (CSAC)

Alyssa Silhi, Legislative Advocate
City of Belmont

Damon Conklin, Legislative Affairs – Lobbyist
League of California Cities

Don Schinske, Executive Director
Structural Engineers Association of California (SEAOC)

c.c. Allison Meredith, Senate Committee on Judiciary
c.c. Cory Botts, Senate Republican Caucus

July 6, 2023

The Honorable Thomas Umberg
Chair, Senate Judiciary Committee
1021 O Street, Room 6530
Sacramento, CA 95814

**RE: AB 426 (JACKSON): Residential foster care facilities: temporary management.**
**As Amended June 28, 2023— OPPOSE**
**Set for Hearing July 11, 2023 in Senate Judiciary Committee**

Dear Senator Umberg:

On behalf of the California State Association of Counties (CSAC), Urban Counties of California (UCC), and Rural County Representatives of California (RCRC) we are writing in respectful opposition to Assembly Bill 426 (Jackson).

While well-intentioned, AB 426 is the wrong approach to addressing the significant issues currently facing the child welfare system. As has been publicly reported for more than a year now, the lack of treatment options for complex needs youth is resulting in counties utilizing unlicensed facilities such as offices and hotel rooms in lieu of licensed alternatives. This is not the situation any county wants, but it is what counties face when there are not enough appropriate licensed settings – either family based or congregate – who will accept our children and youth for placement and provide them with the treatment and services they desperately need.

Since the passage and implementation of the Continuum of Care Reform (CCR) in 2015, counties have been at the forefront of transforming California's child welfare system. Even prior to CCR, the use of congregate care options had dropped significantly across the state, making California a leader in this area compared to many other states. Since 2015, however, residential, treatment-based options for foster youth with the most severe needs have become difficult to access. California has lost over 1,000 treatment beds from former group homes that were unable, or chose not to, convert to short-term residential therapy placements or were affected by other state and federal changes. While counties have shifted to alternatives such as intensive family finding services and increased use of family-based care, as well as resource family recruitment, it is often extremely difficult to find appropriate treatment settings for foster youth who need a short-term but highly intensive therapeutic care. This need is especially acute amongst older foster youth with cooccurring issues such as substance use disorders, developmental disabilities, health conditions and mental health treatment needs.

California is not alone in struggling with options for youth with the most complex needs. Other states report a similar crisis. Our organizations have consistently advocated for legislative proposals and budget investments that would address the underlying issues by expanding placement options and services to complex needs youth. AB 426, while well intentioned, does nothing to address the underlying

issue that leads counties to have foster youth in unlicensed placements. AB 426 would allow the state, which has little to no experience in the direct care of youth, to place a "temporary manager" over a residential foster care facility and fine county staff. Allowing the state to take over a facility, does nothing to address the underlying root cause of why these youth are at such facilities in the first place – the severe lack of more appropriate, service-rich, community-based treatment options for foster youth. Were the state to come into a facility as a "temporary manager," it would still face all of these issues and, due to its lack of knowledge of direct care, likely struggle even more to arrange necessary services and supports for these youth. Rather than a recipe for success, this bill is a recipe for even more harm to youth who have already suffered significant trauma and likely numerous placement moves and staffing changes over their time in foster care.

Further, the state, which licenses all foster care placements, is well aware of the struggles counties have had in placing complex needs youth, due to the fact that counties engage regularly with the Department of Social Services (CDSS), Department of Health Care Services and Department of Developmental Services, both at the leadership level and on staff-level technical assistance calls when foster youth are in such facilities and in unlicensed care. CDSS regularly engages counties in established processes to address any licensing violations and does not hesitate to place counties on corrective action plans when they are required to address any licensing deficiencies. The level of attention being paid to this issue is significant on the state's part. Unfortunately, true solutions have not yet been identified but work continues to do so.

In short, AB 426 is not that solution. The bill would allow the state to take over a facility regardless of any other established process, or failure of that process, based on only the state's documentation of deficiencies in the facility. The proposal would inappropriately and drastically change the state and county lines of responsibility, thus undermining the counties' statutory and historic role in the administration of the child welfare program with oversight by the State.

The measure would also allow the state to impose civil penalties on a person that fails to "locate appropriate placements for all of the foster children and youth residing in an unlicensed facility within 60 days after receiving the formal statement of allegations." It is unclear whether the term person is meant to refer to social workers, child welfare agency directors, county supervisors, or all of the above. Certainly, such a provision will only add to the challenges we have locally in recruiting and retaining child welfare staff and managers.

While we understand the urge to address the inappropriate use of unlicensed facilities or concerns with licensed county facilities such as shelters, allowing the state to unilaterally decide to take over a facility while failing to address any of the other underlying provider and placement shortages and assess civil penalties, does nothing to fix the reality of foster youth staying in hotels, conference rooms, or juvenile justice facilities. All it will do is shift the burden from the counties to the state, which is simply not equipped to administer programs and facilities on the ground.

For the reasons outlined above, CSAC, UCC, and RCRC respectfully oppose AB 426. Should you have any questions regarding our position, please do not hesitate to have your staff contact our organizations.

Sincerely,

Justin Garrett
Senior Legislative Advocate
CSAC
jgarrett@counties.org
916-698-5751

Kelly Brooks-Lindsey
Legislative Advocate
UCC
kbl@hbeadvocacy.com
916-753-0844

Sarah Dukett
Policy Advocate
RCRC
sdukett@rcrcnet.org
916-447-4806

cc: The Honorable Corey Jackson, MSW, DSW, Member, California State Assembly
Members and Consultants, Senate Judiciary Committee

California State Association of Counties®



July 3, 2023

The Honorable Gavin Newsom
Governor of the State of California
State Capitol, First Floor
Sacramento, California 95814

**Re: AB 479 (Rubio, B.) – Alternative domestic violence program**
**As Enrolled June 30, 2023 – Request for Signature**

Dear Governor Newsom:

The California State Association of Counties (CSAC), representing all 58 of the state's counties, writes in support of AB 479 by Assembly Member Blanca Rubio. This measure will further develop batterer intervention systems to address the underlying criminogenic needs of those who engage in domestic violence.

For years domestic violence (DV) programs have remained in a stagnant place – unchanged from inception, and in many cases, lacking clear evidence as to what works in reducing intimate partner violence for those people convicted of DV and mandated to treatment. In the early 1990s, California established a mandatory 52-week domestic violence batterer intervention program for persons convicted and placed on probation for DV. A 2008 study by the Judicial Council of California found a wide variety of practices, programs, and systems with several complicating socio-economic factors, between and within counties. These factors lead to low program engagement rates, unmet criminogenic needs, and ultimately, high levels of recidivism as measured by new arrests. The study also found substance abuse confounded DV programming involvement, as well as the ability to pay impacting completion rates.

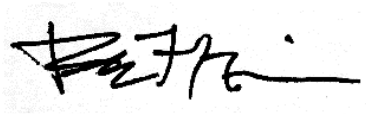
In 2017, former Assembly Member Mark Stone authored AB 372 to help advance DV batterer intervention programs. CSAC co-sponsored this legislation, which authorized six counties (Napa, San Luis Obispo, Santa Clara, Santa Cruz, Santa Barbara, and Yolo) to pilot alternative interventions, focusing on creating opportunities for change to prevent future incidents of DV.

AB 372 (2018) required that alternative programs meet specific conditions, including that the pilot counties perform risk and needs assessments and that programs incorporate components that are evidence-based or promising practices, as defined in the legislation. Following the bill being signed into law, CSAC created the Initiative on Improving Domestic Violence Programs and Systems. This initiative began with local county collaboration on the development and future implementation of legislation. This included convening various strategy meetings with the pilot counties, in addition to working on the development of a new DV analytical tool created to help counties determine the efficacy of alternative interventions. Collaboration and data-synthetization continues to this day. Thus, extension of the pilot program will

allow for a fully planned evaluation and more robust policy discussions to best inform local and state practices that result in true system transformation.

It is for these reasons that CSAC respectfully requests your signature on AB 479. Should you have any questions regarding our position, please do not hesitate to contact me at (916) 650-8129 or rmorimune@counties.org.

Sincerely,



Ryan Morimune
Legislative Advocate

cc: The Honorable Blanca Rubio, California State Assembly
Jessica Devencenzi, Deputy Legislative Secretary, Governor's Office

July 3, 2023

The Honorable Thomas J. Umberg
Chair, Senate Committee on Judiciary
1021 O Street, Room 3240
Sacramento, CA 95814

**RE:** **AB 504 (Reyes) State and Local Public Employees: Labor Relations: Disputes.**
**OPPOSE** (As Amended 4/13/23)

Dear Senator Umberg:

The League of California Cities (Cal Cities), Rural County Representatives of California (RCRC), California Association of Joint Powers Authorities (CAJPA), Association of California Healthcare Districts (ACHD), California State Association of Counties (CSAC), Public Risk Innovation Solutions, and Management (PRISM), Urban Counties of California (UCC), and California Special Districts Association (CSDA) regretfully must **oppose AB 504**. This measure would declare the acts of sympathy striking and honoring a picket line a human right. AB 504 would also void provisions in public employer policies or collective bargaining agreements limiting or preventing an employee's right to sympathy strike.

State laws governing collective bargaining are in place to ensure a fair process for both unions and public entities. AB 504 upends the current bargaining processes which allows striking only in specified limited circumstances. Specifically, this bill states, notwithstanding any other law, policy, or collective bargaining agreement, it shall not be unlawful or a cause for discipline or other adverse action against a public employee for that public employee to refuse to do any of the following:

- Enter property that is the site of a primary labor dispute.
- Perform work for an employer involved in a primary labor dispute.
- Go through or work behind any primary picket line.

This poses a serious problem for public agencies that are providing public services on a limited budget and in a time of a workforce shortage. Allowing for any public employee, with limited exception, to join a striking bargaining unit in which that

employee is not a member could lead to a severe workforce stoppage. When a labor group is preparing to engage in protected union activities, local agencies have the ability to plan for coverage and can take steps to limit the impact on the community. This bill would remove an agency's ability to plan and provide services to the community in the event any bargaining unit decides to strike. A local agency cannot make contingency plans for an unknown number of public employees refusing to work.

Our organizations are not disputing the right of the employee organization to engage in the protected activity of striking. State law has created a framework for when unions can engage in protected strike activity that has been honored by local government and unions alike. **Unfortunately, this bill would allow those who have not gone through the negotiation process to now refuse to work simply because another bargaining unit is engaging in striking.**

AB 504 would void locally bargained memorandums of understanding (MOUs) regardless of what they say about the employee's ability to sympathy strike and would insert the ability for employees to engage in sympathy striking. No-strike provisions in local contracts have been agreed to by both parties in good faith often due to the critical nature of the employees' job duty. By overriding local MOUs, AB 504 would grant sympathy strikers greater rights than the employees engaged in a primary strike. Under current law, both primary and sympathy strikes may be precluded by an appropriate no-strike clause in the MOU, which this bill proposes to override only for sympathy strikes. Additionally, under current law, essential employees of a local public agency as defined by the California Public Employment Relations Board (PERB) law and further described in more detail by the collective bargaining agreement, cannot engage in a primary or sympathy strike. This bill would override these safeguards for sympathy strikers.

This bill declares sympathy striking a human right but exempts any public employee who is subject to Section 1962 of the Labor Code from having that right. Given that this bill would void local MOU no-sympathy strike agreements while exempting a specific job type, at the same time as declaring a new human right, it would only create confusion regarding which public employees cannot engage in sympathy striking.

Local agencies provide critical health and safety functions, including disaster response, emergency services, dispatch, mobile crisis response, health care, law enforcement, corrections, elections, and road maintenance. Local MOU provisions around striking and sympathy striking ensure local governments can continue to provide critical services. In many circumstances, counties must meet minimum staff requirements, e.g., in jails and juvenile facilities, to ensure adequate safety requirements. AB 504 overrides the essential employee process at PERB, thereby creating a system where any employee can sympathy strike, which could result in workforce shortages that jeopardize our ability to operate. In addition, it is unclear if this bill would apply to public employees with job duties that require work in a multi-jurisdiction function, like a law enforcement task force, where one entity is on strike. Shutting down government operations for sympathy strikes is an extreme approach that goes well beyond what is allowed for primary strikes and risks the public's health and safety.

As local agencies, we have statutory responsibility to provide services to our communities throughout the state. This bill jeopardizes the delivery of those services and undermines the collective bargaining process. For those reasons Cal Cities, RCRC,

CAJPA, ACHD, CSAC, PRISM, UCC, and CSDA must oppose AB 504. Please do not hesitate to reach out to us with your questions.

Sincerely,

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CC: Assemblymember Eloise Gómez Reyes, Assembly District 5
Members and Staff, Senate Committee on Judiciary
Ian Dougherty, Principal Consultant, Senate Committee on Judiciary
Morgan Branch, Policy Consultant, Republican Caucus

July 5, 2023

The Honorable Scott Wiener
Chair, Senate Committee on Housing
1021 O Street, Room 8620
Sacramento, CA 95814

**RE: Assembly Bill 531 (Irwin): The Behavioral Health Infrastructure Bond Act of 2023**
**As Amended on June 19, 2023 – SUPPORT IN CONCEPT**
**Set for Hearing in Senate Housing – July 10, 2023**

Dear Senator Wiener:

On behalf of the California State Association of Counties (CSAC), Urban Counties of California (UCC) and the Rural County Representatives of California (RCRC), we write to share our "Support in Concept" position on AB 531, which would place before the voters a $4.7 billion bond to finance the acquisition and construction of voluntary, unlocked residential treatment facilities and other types of housing for Californians experiencing behavioral health issues, including veterans and others experiencing or at risk of homelessness. The bonds included in AB 531 would only be authorized upon voter approval of the bond act. AB 531 is linked to Senate Bill 326 (Eggman), which was also recently amended to modernize the public behavioral health system, including revising the Mental Health Services Act (Proposition 63 of 2004). SB 326 includes policy provisions governing the use of bond funds and the processes for permitting bond-funded capital facilities.

Counties are broadly supportive of increasing funding for behavioral health infrastructure and related housing for residents with behavioral health conditions. We note, however, that as currently drafted, AB 531 does not include requirements for geographic equity in distribution of the funding—especially to areas of the state that have disproportionately fewer beds across the continuum. Recent behavioral health infrastructure budget investments and the AB 531 bond are all focused on unlocked, subacute and community residential levels of care. However, California still needs investment in acute beds for individuals with the highest needs and who may be in crisis. Finally, we support provisions in AB 531 and SB 326to streamline the siting, permitting, and environmental review of facilities funded by the bond measure, but believe this language must be strengthened and clarified to achieve its goal.

**Geographic Equity**
AB 531 does not include requirements that the Department of Housing and Community Development (HCD) or the Department of Health Care Services (DHCS) distribute bond funding in a way that promotes geographic equity, including compensating for a relative lack of behavioral health infrastructure in certain regions of the state. SB 326 includes Chapter 3, the Behavioral Health Modernization Act, with Article 1 related to Veterans Behavioral Health and Housing, and Article 3 related to the Behavioral

Health Infrastructure Act grant program. While Article 1 directs HCD to consider, *where possible*, "geographic need across the state," there is no such requirement in Article 3 for DHCS.

Counties would like to see AB 531 amended to affirmatively require geographic equity in funding distribution, including population-based regional or county-level shares, set-asides and funding floors for small and rural counties, and supplemental funding beyond population-based shares for regions of the state that face shortages of psychiatric beds at all three major levels of adult inpatient and residential care. As noted in a recent report from the RAND Corporation, there are significant regional differences in the estimated shortfall of beds across the acute, subacute, and community residential services levels of care.[1]

**Facilities for Acute Care**

Counties recognize that expanding voluntary housing placements is integral to meeting the needs of many Californians experiencing behavioral health issues, including people experiencing homelessness. Given the State's recent direction to counties to prioritize clients with the most acute behavioral health needs, counties request consideration of funding to also be made available for appropriate treatment facilities.

California lacks beds to meet behavioral health demand at all three main levels of care — *acute* (highly structured, around-the-clock medically monitored inpatient care that aims to stabilize patients who can't care for themselves or risk harming themselves or others); *subacute* (inpatient care with slightly less intensive monitoring); and *community residential* (staffed non-hospital facilities that aim to help patients with lower-acuity or longer-term needs achieve interpersonal and independent living skills). The RAND Corporation study estimated that excluding state hospital beds, California is short about 2,000 acute beds and 3,000 beds each at the subacute and community residential levels. Recent behavioral health infrastructure investments and the AB 531 bond are all focused on unlocked, subacute and community residential levels of care. However, California still needs investment in acute beds for individuals with the highest needs and who may be in crisis.

**Clarifying Streamlined Approval Process**

Counties support AB 531's fundamental goal of providing for an expeditious permitting process for projects receiving bond funding. However, the bill's cross-references to the Affordable Housing and High Road Jobs Act of 2022 (Ch. 647, Stats. 2022) are unclear regarding the extent to which the substantive requirements of that law apply to these bond-funded projects, which may lead to implementation difficulties, disputes, and delays. Moreover, the interaction between these provisions and the streamlining provisions proposed for these same projects under Senate Bill 326 are likewise unclear, with the same potential negative results. Counties suggest aligning and clarifying the streamlining and CEQA provisions of both bills to ensure that they are efficiently workable for counties and other funding recipients.

For these reasons, CSAC, UCC and RCRC support AB 531 in concept. We hope to work with the author, the Administration, and the author of the related SB 326 to ensure that this much-needed bond funding targeted to address behavioral health and housing needs is distributed in an equitable and expeditious manner across California. Should you or your staff have additional questions about our position, please do not hesitate to contact our organizations.

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[1] Adult Psychiatric Bed Capacity, Need, and Shortage Estimates in California—2021. https://www.rand.org/pubs/research_reports/RRA1824-1-v2.html

Sincerely,

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cc: The Honorable Jacqui Irwin, California Assembly
Honorable Members, Senate Housing Committee
The Honorable Anna Caballero, Chair, Senate Governance and Finance Committee
The Honorable Susan Eggman, California Senate
Alison Hughes, Chief Consultant, Senate Housing Committee
Colin Grinnell, Staff Director, Senate Governance and Finance Committee
Misa Lennox, Consultant, Office of the Senate President pro Tempore
Marjorie Schwartz, Consultant, Office of the Senate President pro Tempore
Angela Pontes, Deputy Legislative Secretary, Governor's Office
Jessica Devencenzi, Chief Deputy Legislative Secretary, Governor's Office
Michelle Baass, Director, Department of Health Care Services
Stephanie Welch, Assistant Secretary, California Health and Human Services Agency
Pedro Galvao, Deputy Director for Legislation, Department of Housing and Community Development

July 6, 2023

The Honorable Anna Caballero, Chair
Senate Governance and Finance Committee
1021 O Street, Suite 7620
Sacramento, CA 95814

Re: **AB 764 (Bryan): Local redistricting**
**As amended 6/19/23 – OPPOSE UNLESS AMENDED**
**Set for hearing 7/12/23 – Senate Governance and Finance Committee**

Dear Senator Caballero:

On behalf of the Urban Counties of California (UCC), the Rural County Representatives of California (RCRC), the California State Association of Counties (CSAC), and the League of California Cities (CalCities) we write to share our opposition to Assembly Bill 764 unless it is amended to address our concerns associated with the proposed changes to California's FAIR MAPS Act.

While we can appreciate an interest in ensuring the public's trust in local redistricting processes, counties and cities diligently worked during the 2021 redistricting cycle to comply with the FAIR MAPS Act under extraordinary circumstances, including delayed data from the United States Census Bureau, adjusted deadlines to accommodate such delays, and COVID-related workplace challenges, including widespread health and safety protocols, remote work, and staffing shortages. To our knowledge, these efforts during the 2021 redistricting cycle were met with notable success, as noted in the findings and declarations of AB 764, especially considering that this was the first time that local agencies were tasked with new requirements for the redistricting process amidst a global pandemic. Of course, there is always room for improvement; however, some components of AB 764 impose unreasonable and impractical burdens on California counties and cities with district elections.

**Burdensome Reporting Requirements Make Compliance a Challenge.** AB 764 contains a number of new reporting requirements for counties and cities that will require significant professional assistance to ensure compliance. New requirements and reports proposed in AB 764, will be costly, time-consuming, and in all likelihood not feasible with existing staff. In addition, each includes strict and short publishing deadlines and, in some instances,

aggressively prescriptive requirements for what must be included in the report. While we support a transparent and accountable redistricting process, stringent new reporting obligations proposed in the bill pose a significant challenge to eventual compliance.

**Additional Requirements for Public Hearings Are Costly and Impractical.** AB 764 increases the number of public workshops and hearings for all counties and cities with district elections and, in some instances, increases them dramatically. The FAIR MAPS Act required counties and cities to conduct at least four public hearings; some agencies held additional workshops and hearings to better outreach to their communities. In the category of "no good deed goes unpunished," AB 764 ramps up the number of public hearings to five for the smallest agencies (plus a separate standalone workshop), seven for medium-sized agencies (plus workshops), and nine for the largest agencies (plus workshops). Further, AB 764 adds additional requirements for public meetings to be held on a weekend or evening. Public hearings and workshops require considerable time and effort to plan and execute; such a marked increase in public meetings again makes compliance a challenge. Since AB 764, like the current FAIR MAPS Act, requires live translation of public hearings upon request, this adds one more challenging task to accomplish for each and every one of these additional hearings.

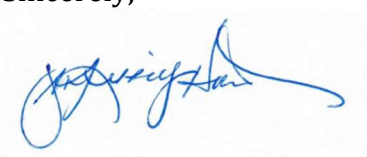
**Private Right of Action Adds Significant Uncertainty and Cost.** Counties and cities have strong concerns about the special private right of action contained in AB 764 for any *ongoing* violation or *prevention of a future* violation or a *threat* of violation of the provisions of the Act. Existing law provides for robust judicial review of counties' and cities redistricting processes and decisions through a petition for writ of mandate brought under Code of Civil Procedure section 1085. These procedures provide a well-established, stable, and well-understood body of law governing judicial review of these matters, and California courts have not hesitated to intervene when county redistricting does not comply with applicable law. The proposed new private right of action interjects significant uncertainty into both the procedural requirements and substantive standards for judicial intervention, and creates significant uncertainty and invites litigation, even with a 15-day ability to cure. We are unaware of any deficiency in the current provisions for judicial review, and are likewise unaware of any flagrant violations of the FAIR MAPS Act from the 2021 redistricting, which relied upon those provisions. We consequently question the need for such a provision.

AB 764 proposes significant new requirements for local redistricting processes that, given counties' and cities' previous performance during the 2021 redistricting process, appear to be unwarranted. While it is reasonable to consider implementation of best practices for the next round of redistricting, AB 764 outlines new obligations that, when taken in total, will simply not support local agencies' redistricting success. From our perspective, such a failure would only serve to validate public distrust in the redistricting process and in our democratic systems that are already under intense public scrutiny.

We have prepared a number of what we believe are reasonable and appropriate amendments that will serve to improve the redistricting process, while ensuring that counties and cities responsible for administering the process have the resources they need

to execute the process successfully. We also greatly appreciate the ongoing dialogue with the author's office, sponsors, and your committee staff about how to best address our concerns in a mutually beneficial manner. At this time, however, we remain respectfully opposed to AB 764. Please don't hesitate to reach out if we can be of additional assistance.

Sincerely,



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Johnnie Pina
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cc: Members and Consultants, Senate Governance and Finance Committee
The Honorable Isaac Bryan, California State Assembly

California State Association of Counties®



July 5, 2023

The Honorable Scott Wiener
Chair, Senate Housing Committee
1021 O Street, Suite 8620
Sacramento, CA 95814

**RE: Assembly Bill 799 (L. Rivas): Homelessness: financing plan**
**As Amended on July 3, 2023 – SUPPORT IN CONCEPT**
**Set for Hearing on July 10, 2023 – Senate Housing Committee**

Dear Senator Wiener:

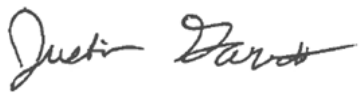
The California State Association of Counties (CSAC) is pleased to have a support in concept position on AB 799 authored by Assembly Member Luz Rivas. This bill would address several aspects of the state's response to homelessness including financing, goal setting, and program streamlining.

Throughout 2023, CSAC has worked closely with the author of AB 799 and the sponsors, the Bring California Home Coalition, on shared priorities to address homelessness. County homelessness priorities are reflected in the AT HOME plan (Accountability, Transparency, Housing, Outreach, Mitigation & Economic Opportunity), which includes a full slate of policy recommendations to help build more housing, prevent individuals from becoming homeless, and better serve those individuals who are currently experiencing homelessness. CSAC recently took a support in concept position on the prior version of AB 799 given the alignment between our respective proposals on promoting systematic improvements to local homeless responses, fostering collaboration across regions and between local governments and the state, and improving outcomes for Californians experiencing homelessness.

The July 3 amendments to AB 799 modify the bill in response to the inclusion of significant Homeless Housing, Assistance and Prevention (HHAP) program changes in the housing and homelessness budget trailer bill (AB 129) that was recently passed by the Legislature. The AB 799 amendments would require the state to take additional steps aimed at reducing homelessness in California. These include: (1) Establishing a process for setting state-level homelessness goals that are realistic and that will reduce racial inequities and increase exits to permanent housing; (2) Creating a financing plan that would create the needed housing and support a stable homeless services workforce; and (3) Developing a unified funding application that can be utilized by local governments to apply for homelessness funding across various programs in a streamlined and simpler process. CSAC looks forward to fully reviewing the amended language, analyzing the impacts of these proposed changes, and determining how best our organization can continue to positively engage on this important bill moving forward.

It is for these reasons that CSAC has a support in concept position on Assembly Bill 799. Should you or your staff have any questions about our position, please do not hesitate to contact me at (916) 698-5751 or jgarrett@counties.org.

Sincerely,



Justin Garrett
Senior Legislative Advocate

cc: The Honorable Luz Rivas, California State Assembly
Members and Consultants, Senate Housing Committee

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June 30, 2023

The Honorable Anna Caballero
Chair, Senate Governance and Finance Committee
1021 O Street, Room 7620
Sacramento, CA 95814

**RE: AB 1033 (Ting) Accessory dwelling units: local ordinances: separate sale or conveyance.**
**As amended on June 29, 2023 – SUPPORT**
**Set for Hearing – July 5, 2023 – Senate Governance and Finance Committee**

Dear Senator Caballero:

The California State Association of Counties (CSAC), representing all 58 of the state's counties, writes in support of AB 1033 by Assemblymember Phil Ting, which would authorize a local agency to adopt a local ordinance to allow the separate conveyance of the primary dwelling unit and ADU or ADUs as condominiums.

To make meaningful progress in helping those who are unhoused, CSAC developed the 'AT HOME' Plan. The six-pillar plan is designed to make true progress to effectively address homelessness at every level - state, local and federal. Through the AT-HOME Plan, CSAC is working to identify the policy changes needed to build a homelessness system that is effective and accountable including specific recommendations related to prevention, housing, the unsheltered response system, and sustainable funding. AB 1033 aligns with our AT HOME efforts, specifically as it relates to the Housing pillar.

Homelessness is an urgent humanitarian crisis with an estimated 172,000 unhoused individuals and countless others who are housing insecure up and down the state. This situation is due in part to the state's housing affordability crisis. Research shows that California needs millions of more homes than it currently has just to house the people already here. This shortage of homes has caused homelessness to skyrocket and homeownership opportunities to plumet.

Since 2017, ADUs have shown themselves to be an effective method for reversing this trend on overall production. Because of state reforms, they have increased from about 1,000 homes per year to about 20,000. They provide homes to people that are typically affordable to low-income people, because they are cheap to build, easy, and naturally smaller.

However, current law prohibits, with a narrow exception, an ADU from being sold or otherwise conveyed separate from the primary residence. AB 1033 would repeal the state's prohibition against selling ADUs. This would allow local governments to choose how and if to allow for-sale ADUs through a local ordinance. Local governments that want to allow smaller starter homes for sale will take this chance to use ADU law to create more affordable for-sale options in their communities.

It is for these reasons that CSAC supports AB 1033 and respectfully asks for your AYE vote. If you have any questions or concerns about our position, please do not hesitate to reach me at mneuburger@counties.org.

Sincerely,

**Mark Neuburger**
Legislative Advocate
California State Association of Counties

CC: The Honorable Assemblymember Phil Ting, Author
Linda Rios, Legislative Aide, Office of Assemblymember Phil Ting
The Honorable Members, Senate Governance and Finance Committee
Jonathan Peterson, Consultant, Senate Governance and Finance Committee
Ryan Eisberg and Kayla Williams, Consultants, Senate Republican Caucus

July 5, 2023

The Honorable Anna Caballero
Chair, Senate Governance and Finance Committee
State Capitol, Room 407
Sacramento, CA 95814

**Re: AB 1168 (Bennett): Emergency medical services (EMS): prehospital EMS**
**As Amended July 3, 2023 – OPPOSE**
**Set for Hearing on July 12, 2023 – Senate Governance and Finance Committee**

Dear Senator Caballero:

On behalf of the California State Association of Counties (CSAC), Urban Counties of California (UCC), Rural County Representatives of California (RCRC), the County Health Executives Association of California (CHEAC), and the Health Officers Association of California (HOAC), we write in OPPOSITION to AB 1168, authored by Assembly Member Steve Bennett. AB 1168 as recently amended seeks to overturn an extensive statutory and case law record that has repeatedly affirmed county responsibility for the administration of emergency medical services and with that, the flexibility to design systems to equitably serve residents throughout their jurisdiction.

With the passage of the Emergency Medical Services Act in 1980, California created a framework for a two-tiered system of EMS governance through both the state Emergency Medical Services Authority (EMSA) and local emergency medical services agencies (LEMSAs). Counties are required by the EMS Act to create a local EMS system that is timely, safe, and equitable for all residents. To do so, counties honor .201 authorities and contract with both public and private agencies to ensure coverage of underserved areas regardless of the challenges inherent in providing uniform services throughout geographically diverse areas.

AB 1168 seeks to abrogate unsuccessful legal action that attempted to argue an agency's .201 authorities – that is, the regulation that allows eligible city and fire districts which have continuously served a defined area since the 1980 EMS Act to administer EMS including providing their own or contracted non-exclusive ambulance service. In the case of the City of Oxnard v. County of Ventura, the court determined that their case "would disrupt the status quo, impermissibly broaden Health and Safety Code section 1797.201's exception in a fashion that would swallow the EMS Act itself, **fragment the long-integrated emergency medical system**, and undermine the purposes of the EMS Act."

In addition, counties have identified the following concerns with AB 1168 below.

**Oxnard v. County of Ventura**
Counties are concerned with the legislative intent language in AB 1168, which distorts the findings in the City of Oxnard v. County of Ventura case. Section 1797.11 (d) states the Oxnard v. Ventura case has created confusion and concern among local agencies regarding the utility and desirability of entering into JPAs. However, the court clearly ruled that "City contends it meets the criteria for section 1797.201 grandfathering because it contracted for ambulance services on June 1, 1980, as one of the signatories to the JPA. But on that date the JPA empowered County, not City, to contract for and administer ambulance services." Oxnard never directly contracted for ambulance services; therefore, Oxnard was not eligible to have .201 authorities. **Counties strongly oppose "giving" Oxnard .201 authorities they never had nor were eligible to have.**

In addition, the author and sponsors contend that the City of Oxnard has not received equitable ambulance services as members of the JPA. However, according to 2017-2020 data from Ventura County, the City of Oxnard had the two highest performing ambulance response time areas in the county. Furthermore, the appellate court in this case found that Oxnard's claim that current ambulance services provided by the County of Ventura were substandard was "…not supported by admissible evidence."

For the reasons stated above, we ask that Section 1797.11 (d) and Section 1797.232 (a) be removed in their entirety.

**Joint Powers Agreements**
Proponents argue that many fire districts may be reluctant to enter into joint powers agreements (JPAs) for fear of losing their .201 administrative responsibilities given this recent court case; however, in practice, many fire districts are part of JPAs and still retain their .201 authority. Nothing would preclude a JPA agreement from ensuring those administrative responsibilities could be maintained in the context of the JPA if all parties agree to those terms. If the true intent of this measure is to address .201 authority for cities and fire districts that prospectively join JPAs, counties would remove our opposition to AB 1168 if section 1797.232 (b) was the sole provision in the bill.

AB 1168, as noted, opens the door to undo years of litigation and agreements between cities and counties regarding the provision of emergency medical services and as drafted causes a great deal of uncertainty for counties who are the responsible local government entity for providing equitable emergency medical services for all of their residents. AB 1168 sets a legislative precedent that cities and fire districts can have .201 authorities bestowed when none existed. Subsequently, cities or fire districts could back out of longstanding agreements with counties. Counties would then be forced to open up already complex ambulance contracting processes while scrambling to provide continued services to impacted residents. Unfortunately, this measure creates a system where there will be haves and have nots – well-resourced cities or districts will be able to provide robust services whereas disadvantaged communities, with a less robust tax base, will have a patchwork of providers – the very problem the EMS Act, passed over 40 years ago, intended to resolve.

Our respective members are deeply alarmed by AB 1168 and the effort by the bill's sponsors to dismantle state statute, regulations, and an extensive body of case law regarding the local oversight and provision of emergency medical services in California. This bill creates fragmented and

inequitable EMS medical services statewide. For these reasons, the undersigned representatives of our organizations strongly OPPOSE AB 1168.

Thank you,

Jolie Onodera
Senior Legislative Advocate
California State Association of Counties (CSAC)

Kelly Brooks-Lindsey
Urban Counties of California (UCC)

Sarah Dukett
Legislative Advocate
Rural County Representatives of California (RCRC)

Michelle Gibbons
Executive Director
County Health Executives Association of California (CHEAC)

Kat DeBurgh
Executive Director
Health Officers Association of California (HOAC)

cc: The Honorable Steve Bennett, Member, California State Assembly
Honorable Members, Senate Governance and Finance Committee
Daniel Rounds, Consultant, Senate Governance and Finance Committee
Ryan Eisberg, Policy Consultant, Senate Republican Caucus
Kayla Williams, Policy Consultant, Senate Republican Caucus
Angela Pontes, Deputy Legislative Secretary, Office of Governor Newsom
Samantha Lui, Deputy Secretary, Legislative Affairs, CalHHS
Brendan McCarthy, Deputy Secretary for Program and Fiscal Affairs, CalHHS
Julie Souliere, Assistant Secretary, Office of Program and Fiscal Affairs, CalHHS

July 6, 2023

The Honorable Anna Caballero, Chair
Senate Governance and Finance Committee
1021 O Street, Suite 7620
Sacramento, CA 95814

**RE: AB 1248 (Bryan): Local redistricting: independent commissions**
**As introduced 6/13/23 – OPPOSE UNLESS AMENDED**
**Set for hearing 7/12/23 – Senate Governance and Finance Committee**

Dear Senator Caballero:

On behalf of the Urban Counties of California (UCC), the Rural County Representatives of California (RCRC), and the California State Association of Counties (CSAC), we write to share our opposition to Assembly Bill 1248, which would require counties with populations of 300,000 or above to create an independent redistricting commission for the 2030 redistricting process. While we acknowledge the Legislature's interest in requiring broad adoption of independent redistricting commissions at the local level, AB 1248 does not provide the necessary resources for counties to execute a successful independent redistricting commission process. To that end, we continue to urge amendments to the bill that ensure counties are fully reimbursed for costs and incorporate more robust statutory and technical assistance supports to ensure that local agencies are able to effectively deliver on the promise of independent redistricting. Additionally, we offer suggest amendments that would limit the scope of the bill in 2031 to those cities and counties with populations of 500,000 and to incorporate an independent assessment of the 2031 redistricting process in these jurisdictions to better understand the outcomes and impacts faced by local agencies, their independent commissions, and stakeholders before expanding a mandate to convene an independent redistricting commission to additional jurisdictions.

In terms of numbers of affected agencies, AB 1248 applies to counties most broadly. According to the most recent Department of Finance population estimates, the bill would currently apply in 22 counties; removing those counties already subject statutorily to independent redistricting commissions (Fresno, Los Angeles, Kern, Riverside, and San Diego) and those with ordinances establishing their own independent commissions (Santa Barbara), leaves 16 counties subject to the bill. These counties, and likely their city and

school counterparts, will be expected to faithfully execute the Legislature's direction to create, fund, and administer these commissions while at the same time managing their own activities to ensure that the new commissions are in fact independent. We do have concerns about the capacity for those counties between the 300,000 and 500,000 population to effectively carry out the provisions of the measure. These counties are likely to be the ones requiring additional technical assistance and support and resources to execute the provisions of the measure successfully.

Further, by requiring an independent study of independent redistricting commissions before expanding the requirements of the measure to additional jurisdictions allows for sharing of best practices, an assessment of necessary resources, and an understanding of common challenges in order to help facilitate successful implementation in smaller communities.

Balancing the need for appropriate and necessary involvement at the county level with the statutory directive to ensure the commission's independence is a complex and challenging endeavor and, to date, California law does not contain additional direction to counties or their corresponding commissions nor does the state provide any technical assistance to assist when issues arise. In general, the state should provide additional guidance to counties and the corresponding commissions in the statute in areas where there is a lack of clarity and provide some avenue for technical assistance; this work should be informed by the experiences in Los Angeles, San Diego, and Santa Barbara Counties during the previous redistricting cycle, to ensure consistent practices on issues like contracting for staff, reasonable expectations for covering costs, managing litigation, maintaining a commission, and the like. Without such direction, counties and their commissions will be left to make decisions about managing the commission process on their own, informed only by the practices of their peers or their own best judgment. While counties are capable of addressing such uncertainties in the normal course of business, the "independent" nature of these commissions make it inherently difficult to have confidence as to where the line between independence and not exists.

We also reiterate the well-known fact that county elections and redistricting work are under-resourced, from a fiscal and human perspective and that there is a current lack of redistricting professionals available to provide competent assistance at a reasonable cost. The existing shortage of redistricting professionals will be exacerbated by the proposed AB 764, the FAIR MAPS Act of 2023, which will apply to hundreds of local government entities and require significant professional assistance to accomplish. There are simply not enough redistricting attorneys, map drawers, and consultants to go around and counties – and their independent redistricting commissions – will be ill-equipped to assess the expertise of such professionals without assistance. In addition, we are concerned with the capacity to implement this bill in the five rural counties included within the population threshold. The funding disparities, along with staffing and consultant shortages, are often magnified in smaller and more remote counties.

The promise of local independent redistricting commissions, as outlined in AB 1248, is to "ensure better outcomes for communities, in terms of fairness, transparency, public

engagement, and representation." To successfully achieve this promise, counties need more than a directive to establish a commission. They – and their corresponding commissions – need real, concrete supports from the state, including statutory changes informed by the experiences of counties that have already been through the process, financial resources, and real-time technical assistance. Without this kind of support, we are concerned that counties will be set up for failure and such a failure would only serve to validate public distrust in the redistricting process and in our democratic systems that are already under intense public scrutiny.

We appreciate your consideration of these concerns, as well as our suggested amendments, as we offer them in recognition of the Legislature's interest in requiring local independent redistricting commissions. If these efforts are to be successful, the state must do more to ensure that counties have the resources they need to effectuate a process that the Legislature expects and that voters deserve. Please don't hesitate to reach out if we can offer additional assistance.

Sincerely,

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cc: Members and Consultants, Senate Governance and Finance Committee
The Honorable Isaac Bryan, California State Assembly

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July 7, 2023

The Honorable Luz Rivas
Chair, Assembly Natural Resources Committee
1021 O Street, Suite 4250
Sacramento, CA 95814

**RE: SB 4 (Wiener): Planning and zoning: housing development: higher education institutions and religious institutions**
**As Amended on June 30, 2023 – SUPPORT**
**Set for Hearing – July 10, 2023 – Assembly Natural Resources Committee**

Dear Assemblymember Rivas:

The California State Association of Counties (CSAC), representing all 58 of the state's counties, writes in support of SB 4 by Senator Scott Wiener, which enacts the Affordable Housing on Faith and Higher Education Lands Act of 2023, which would enable an affordable housing development to be a use by right on land owned by independent higher education institutions or religious institutions.

SB 4 would streamline affordable housing construction, making it easier, faster, and cheaper for faith-based institutions and nonprofit colleges that want to do so. Many of these organizations are already community anchors, and this would help them build stable, safe, affordable housing for local residents and families and open doors to high-resource neighborhoods.

Homelessness is an urgent humanitarian crisis with an estimated 172,000 unhoused individuals and countless others who are housing insecure up and down the state. This situation is due in part to the state's housing affordability crisis. Research shows that California needs millions of more homes than it currently has just to house the people already here. This shortage of homes has caused homelessness and housing costs to skyrocket.

To make meaningful progress in helping those who are unhoused, CSAC developed the 'AT HOME' Plan. The six-pillar plan is designed to make true progress to effectively address homelessness at every level - state, local and federal. Through the AT-HOME Plan, CSAC is working to identify the policy changes needed to build a homelessness system that is effective and accountable including specific recommendations related to prevention, housing, the unsheltered response system, and sustainable funding. SB 4 aligns with our AT HOME efforts, specifically as it relates to the Accountability and Housing pillars.

SB 4 would ensure that churches, faith institutions, and nonprofit colleges are able to build affordable housing on their land without having to experience the delays and uncertainties associated with the rezoning and discretionary approval process. Accordingly, SB 4 is an important tool in mitigating barriers to the development of affordable housing and would provide additional affordable housing opportunities for our residents.

It is for these reasons that CSAC supports SB 4 and respectfully urges your support. If you have any questions or concerns about our position, please do not hesitate to reach me at mneuburger@counties.org.

Sincerely,

Mark Neuburger
Legislative Advocate

cc: The Honorable Scott Wiener, Senator, 11th District
The Honorable Members, Assembly Natural Resources Committee
Lawrence Lingbloom, Chief Consultant, Assembly Natural Resources Committee
Nick Dokoozlian, Consultant, Assembly Republican Caucus

July 3, 2023

The Honorable Brian Maienschein
Chair, Assembly Committee on Judiciary
1020 N Street, Room 104
Sacramento, California 95814

Re: **Senate Bill 43 (Eggman): Behavioral Health**
**As Amended June 30, 2023 – CONCERNS**
**Set for Hearing July 11, 2023**

Dear Assembly Member Maienschein:

On behalf of the Rural County Representatives of California (RCRC), the Urban Counties of California (UCC), and the California State Association of Counties (CSAC), we write to express concerns with Senate Bill 43 (Eggman), which expands the definition of "gravely disabled" under the Lanterman-Petris-Short (LPS) Act and modifies hearsay evidentiary standards for conservatorship hearings.

Counties agree with concerns expressed by the author and sponsors that too many individuals suffer without adequate and appropriate treatment and housing; we share in the urgency to bring about real change to address the needs of unhoused individuals with serious mental illness and substance use disorders (SUDs). Counties provide the full continuum of prevention, outpatient, intensive outpatient, crisis and inpatient, and residential mental health and SUD services, primarily to low-income Californians who receive Medi-Cal benefits or are uninsured. Counties also have responsibility for supporting and guiding individuals through the process of involuntary commitment under the LPS Act in both our county behavioral health and Public Guardian capacities.

**Substance Use Disorder (SUD) Concerns**

SB 43 expands the eligibility criteria for LPS by redefining grave disability to include individuals with an SUD-only condition (i.e., without a mental health diagnosis). While we appreciate the recent amendments to limit LPS expansion to only those with severe SUD, counties still lack the ability to provide involuntary SUD treatment, as California has no such system of care, including no existing civil models for locked treatment settings or models of care for involuntary SUD treatment. In addition, funding for SUD treatment is limited, even under Medi-Cal; the federal and state governments provide no reimbursement for long-term residential and long-term inpatient drug treatment under Medi-Cal. The current treatment landscape doesn't address involuntary treatment for individuals with SUD. We respectfully request that SB 43 be amended to limit a substance use disorder be co-occurring with a mental health diagnosis.

Counties welcome more detailed conversations about a path forward on court-ordered SUD treatment. However, significant discussions need to occur on issues including a state study to: evaluate court-ordered SUD treatment models; assess the creation of a licensing structure for involuntary SUD treatment facilities; identify appropriate policy changes necessary to facilitate implementation; and understand the resources/infrastructure required to serve this new population.

**Capacity and Resources**

Responsibility for administering and funding the LPS system falls almost entirely on counties. Today, counties solely fund the role of the public guardian; there are no state or federal revenue streams available to support the public guardian. Existing law provides counties with substantial legal tools to conserve individuals who may be at risk to themselves or others under existing law. In the LPS system today, that demand outweighs existing resources.

Counties have wide discretion regarding the commencement of LPS conservatorship proceedings, and the availability and adequacy of care for the proposed conservatee informs the exercise of that discretion. It makes little sense to impose a conservatorship, if there is no adequate placement available for the proposed conservatee, and the conservatorship, therefore, provides no treatment benefits. It is essential that SB 43 recognizes this discretion, and the real-world constraints under which it is exercised. Counties are unable to meet the current demand for placements, and conserved individuals in rural areas are often placed hundreds of miles away from the county in which they were conserved. Without significant ongoing investment into LPS conservatorships, this bill will have little to no impact on the number of individuals conserved and will likely exacerbate the resource problem.

To truly realize an expansion of LPS, additional investments are needed for treatment, including locked facilities, workforce, housing, and step-down care options. According to a comprehensive 2021 study of the state's mental health infrastructure by the non-partisan think tank RAND, as reported by the Editorial Board in the San Francisco Chronicle, "California lacks space to meet demand at all three main levels of care — *acute,* highly structured, around-the-clock medically monitored inpatient care that aims to stabilize patients who can't care for themselves or risk harming themselves or others; *subacute,* inpatient care with slightly less intensive monitoring; and *community residential,* staffed non-hospital facilities that aim to help patients with lower-acuity or longer-term needs achieve interpersonal and independent living skills. Excluding state hospital beds, California is short about 2,000 acute beds and 3,000 beds each at the subacute and community residential levels, RAND estimated — though woefully inaccurate and incomplete data makes it difficult to determine the state's actual bed totals."

A build-out of delivery networks to support this significant policy change will take years, with new, sustained and dedicated state resources, above and beyond the one-time investments already made by the state through recent initiatives such as the Behavioral Health Continuum Infrastructure Program (BHCIP). While an unprecedented level of investment has been made across the continuum through BHCIP, funding is in the early

stages of deployment, and we are still years away from seeing the results of this investment.

These challenges sit on top of the most intense behavioral health workforce crisis our state has experienced, and at a time when state initiatives are attempting to significantly expand services – through initiatives such as the Medi-Cal mobile crisis services benefit, diversion from jails and state hospitals, CARE Court, and expanded services in schools and primary care.

For LPS expansion to be successful, additional investments including ongoing state funding for public guardians must be prioritized. SB 43 should reiterate the Legislature's commitment to continue exploring options for the expansion of these resources to meet growing needs.

**Hearsay Exception**

Lastly, counties believe there is merit in SB 43's hearsay exception by enabling public guardians to provide courts with evidence of individuals' ongoing grave disability. We appreciate these changes that will ensure the court is considering the contents of the medical record and that, during conservatorship proceedings, relevant testimony regarding medical history can be considered to provide the most appropriate and timely care. However, we want to make sure that the exception appropriately balances the ability to introduce evidence with health care providers who have the appropriate level of behavioral health training and expertise.

For these reasons, RCRC, UCC and CSAC respectfully offer a position of "concerns" for SB 43. Should you have any questions regarding our position, please do not hesitate to have your staff contact our organizations.

Sincerely,

Sarah Dukett
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cc: The Honorable Susan Talamantes Eggman
Members of the Assembly Committee on Judiciary
Alison Merrillees, Chief Counsel, Assembly Committee on Judiciary
Tom Clark, Staff Counsel, Assembly Committee on Judiciary
Gino Folchi, Consultant, Assembly Republican Caucus
Angela Pontes, Deputy Legislative Secretary, Office of the Governor

July 5, 2023

Honorable Jim Wood
Chair, Assembly Health Committee
1020 N Street, Room 390
Sacramento, CA 95814

**RE: SB 282 (Eggman): Medi-Cal: federally qualified health centers and rural health clinics.**
**As amended on March 13, 2023 – SUPPORT**
**Set for Hearing on July 11, 2023**

Dear Chair Wood:

On behalf of the state's 58 counties, the California State Association of Counties (CSAC), Urban Counties of California (UCC), and Rural County Representatives of California (RCRC) are pleased to support Senate Bill (SB) 282. This measure would allow Federally Qualified Health Centers (FQHCs) and Rural Health Clinics (RHCs) to receive Medi-Cal reimbursement for up to two visits that take place on the same day.

This bill would allow reimbursement for a patient who schedules a medical visit and a behavioral health or dental visit on the same day at the same location, integrating health care services and ensuring that people can access the care they need. The impacts of untreated mental health and substance use disorders have become increasingly visible throughout the state, and FQHCs and RHCs often partner with counties to provide access to both health care and substance use disorder or mental health services for underserved populations and in geographically diverse areas. Additionally, some counties own and operate FQHCs and RHCs. These clinics were designed to provide primary care services and decrease health disparities and in recent years have become an important resource for the successful integration of primary health and behavioral health needs.

Under the current reimbursement system, if a patient visits their co-located medical provider and mental health provider on the same day, the FQHC or RHC will only receive a payment for one of the providers. This process in some cases leads to providers scheduling mental health appointments on subsequent days or requiring clinics to take on an increased financial burden. The burden placed on patients, who must arrange transportation, time off work, and/or caregiving for single appointments on different days can influence patient return rates and patient satisfaction.

SB 282 would ensure that people can access this care and allow California to take advantage of increased federal funds. It will improve the continuity of care to patients, and it is for these reasons that CSAC, UCC, and RCRC support this measure. Should you or your staff have additional questions about our position, please do not hesitate to contact our organizations.

Sincerely,

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Kelly Brooks-Lindsey
Legislative Advocate
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Sarah Dukett
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sdukett@rcrcnet.org

cc:
Honorable Members, Assembly Health Committee
Honorable Susan Talamantes Eggman, California Senate
Lisa Murawski, Principal Consultant, Assembly Health Committee
Richard Figueroa, Deputy Cabinet Secretary, Office of Governor Newsom
Angela Pontes, Deputy Legislative Secretary, Office of Governor Newsom
Marjorie Swartz, Office of the Senate pro Tempore
Kirk Feely, Fiscal Director, Senate Republican Caucus
Joseph Shinstock, Fiscal Director, Assembly Republican Caucus

July 5, 2023

Assembly Member Corey Jackson, Chair
Assembly Human Services Committee
1020 N Street, Room 124
Sacramento CA 95814

**Re: Senate Bill 318 (Ochoa Bogh) – 211 information and referral network**
**As Introduced February 6, 2023 – SUPPORT**
**Set for Hearing on July 11, 2023 – Assembly Human Services Committee**

Dear Assembly Member Jackson,

On behalf of the California State Association of Counties (CSAC), the Urban Counties of California (UCC) and the Rural County Representatives of California (RCRC), we write in support of SB 318 authored by Senator Rosilicie Ochoa Bogh. This legislation would establish the 211 Support Services Grant Program, which would support, scale, and innovate 211 services across California.

211 is a free information and referral gateway to access information on critical local health, human services, and economic supports. Working with non-profits and local public agencies throughout the state, 211 not only provides accurate information but can identify emerging needs as Californians struggle to stay economically secure. 211, which is funded with a patchwork of local resources, also relieves pressure on the critical 911 emergency systems by providing access to non-emergency help during times of health emergencies and natural disasters.

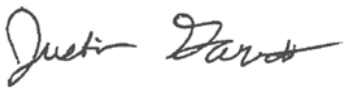
In recent years, 211 systems have experienced a significant increase in demand. Throughout the Covid-19 pandemic, Governor Newsom and other public officials encouraged the public to use 211 services to access critical information and assistance such as emergency rental assistance, vaccine and testing appointments, home food delivery for seniors, and more – because it is the only statewide trusted, easy to access, multilingual, 24/7 live information and referral service. In addition, there have been an increasing number of wildfires and other natural disasters in our state in recent years that have also increased the number of calls to 211 call centers. In 2021, California's 211 providers answered over 2 million calls, averaging over 11,000 inquiries from Californians in need every single day of the year. While emergency and other COVID funding is coming to an end, Californians are still contacting 211 at near peak pandemic levels due to the housing and homelessness crises and weather emergencies.

Additional state support is needed to help 211 service providers meet the continued high demand for 211 assistance. It is critical for the state to support safety net services to meet the needs of vulnerable communities. SB 318 would strengthen and enhance 211 services by:

- Supporting core 211 operations, capacity, and community engagement
- Innovating resource and community needs data sharing to health and government partners; and,
- Ensuring 211 availability across rural counties for disasters and full 211 service operability.

For these reasons, CSAC, UCC, and RCRC are pleased to support SB 318, and respectfully request your "Aye" vote on this bill. Thank you for your consideration.

Sincerely,



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cc: Honorable Members and Consultants, Senate Human Services Committee
The Honorable Rosilicie Ochoa Bogh, Member, California State Senate
Eric Dietz, Consultant, Assembly Republican Caucus

July 6, 2023

The Honorable Jim Wood
Chair, Assembly Health Committee
1020 N Street, Room 390
Sacramento, California 95814

**Re: SB 408 (Ashby): Child Welfare Services for Foster Youth with Complex Needs**
**As Amended May 18, 2023 – SUPPORT**
**Set for Hearing July 11, 2023 in Assembly Health Committee**

Dear Chair Wood:

On behalf of the California State Association of Counties (CSAC), the Urban Counties of California (UCC) and the Rural County Representatives of California (RCRC), we write in support of SB 408 to establish programs and services to support foster youth and youth at risk of foster care with significant trauma and complex needs. This investment is needed to ensure no youth are left behind in California's continuing effort to implement Continuum of Care Reform (CCR).

Counties have embraced the goals of the Continuum of Care Reform (CCR), implemented through AB 403 (Stone, Ch. 773, Statutes of 2015), to reduce the use of congregate care and improve permanency and other outcomes for foster youth. CCR has resulted in profound shifts in child welfare practice and has helped to improve outcomes for many – but not all – children, youth and families. Improvements in practices include the use of child and family teaming to ensure youth and family voice in case management and placement decisions, statewide use of the Resource Family Approval process to align and streamline licensing and approval for families, increases in foster care rates, and use of a universal child strengths and needs assessment tool. CCR resulted in significant reductions in the use of congregate care and a greater focus on supporting children and youth in family-based settings.

However, CCR was not designed to serve some of our foster youth who have experienced severe trauma and/or have complex physical, behavioral and other needs. County child welfare agency collaborates diligently with their system partners – mental health plans, care providers, regional centers, educational agencies, etc., – to care for youth with severe trauma and/or complex care needs, but challenges remain. Higher-level treatment services are not always available at the moment they are needed, and providers are not always able to offer the intensive care needed by some youth. As a result, these youth often experience multiple placement disruptions and hospitalizations, and sometimes stay in unlicensed settings, while social workers seek other appropriate services and treatment settings. Unfortunately, this further exacerbates a youth's trauma and is likely to lead to poor outcomes.

SB 408 would establish up to ten regional health teams across the state to improve assessments and timely access to needed services (physical, mental health, substance use, etc.), perform comprehensive case management in coordination with other child-serving systems, and ensure appropriate follow-up to

prevent placement disruptions with families and care coordination for youth stepping down from hospitals or other settings. This approach is critical to preserving families, preventing disruptions in family-based foster care, and identifying and supporting families as early as possible to reduce trauma.

SB 408 will help county child welfare agencies preserve families and improve services to our youth with significant trauma and/or complex needs. For these reasons, CSAC, UCC and RCRC support SB 408 and urge your 'aye' vote. Please do not hesitate to reach out with questions or concerns.

Sincerely,

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cc: The Honorable Angelique Ashby, Member, California State Senate
Members and Consultants, Assembly Health Committee

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Graham Knaus

July 7, 2023

The Honorable Juan Carrillo
Chair, Assembly Committee on Local Government
1020 N Street, Room 157
Sacramento, CA 95814

**Re: SB 440 (Skinner) – Regional Housing Finance Authorities**
**As Amended on June 30, 2023 – SUPPORT**
**Set for Hearing – July 12, 2023 – Assembly Committee on Local Government**

Dear Assemblymember Carrillo:

The California State Association of Counties (CSAC), representing all 58 of the state's counties, writes in support of SB 440 by Senator Nancy Skinner, which would authorize two or more local governments to establish a regional housing authority for purposes of raising, administering, and allocating funding and provide technical assistance at a regional level for affordable housing development.

In addition, CSAC supports exempting all permanent supportive housing, shelters, and transitional housing that meet specified criteria from CEQA review. Specifically, this bill would exempt actions taken by a regional housing authority to raise, administer, or allocate funding for affordable housing preservation, new affordable housing production, or to provide technical assistance consistent with the authority's purpose from CEQA.

To make meaningful progress in helping those who are unhoused, CSAC developed the 'AT HOME' Plan. The six-pillar plan (Accountability, Transparency, Housing, Outreach, Mitigation, and Economic Opportunity) is designed to effectively address homelessness at every level – state, local, and federal. Through the AT HOME Plan, CSAC is working to identify the policy changes necessary to build a comprehensive homelessness system that is effective and accountable, including specific recommendations related to prevention, housing, the unsheltered response system, and sustainable funding. SB 440 aligns with our AT HOME efforts to advocate for more federal and state support to build and maintain housing for low-income Californians and develop creative financing models to increase the feasibility of more projects.

It is for these reasons that CSAC supports SB 440 and respectfully urges your support. If you have any questions or concerns about our position, please do not hesitate to reach me at mneuburger@counties.org.

Sincerely,

Mark Neuburger
Legislative Advocate

cc: The Honorable Nancy Skinner, Senator, 9th District
The Honorable Members, Assembly Local Government Committee
Hank Brady, Consultant, Assembly Local Government Committee
William Weber, Consultant, Assembly Republican Caucus