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

ITEM: 2.8
(ID # 23190)
MEETING DATE:
Tuesday, April 30, 2024

FROM : EXECUTIVE OFFICE:

SUBJECT: EXECUTIVE OFFICE: Receive and File Legislative Report for April 2024, [All Districts] [$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Receive and File the Legislative Report for April 2024.

ACTION:Consent

Jeff Van Wagenen, County Executive Officer 4/25/2024

Carolina Salazar Herrera, Deputy Director of Legislative Advocacy 4/25/2024

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, Washington, Perez and Gutierrez
Nays:	None
Absent:	None
Date:	April 30, 2024
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:

Legislative Report (April 2024)
CSAC Letters (April 2024)
UCC Letters (April 2024)

LEGISLATIVE REPORT

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 Legislative Report 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.

Regulatory Affairs and Funding
The County sent letters of support on several federal Community Project Funding (CPF) requests (Attached).

Outreach and Communications

- Probation Chief Chris Wright met with members of the RivCo Legislative Delegation as a part of the Chief Probation Officers of California (CPOC) Advocacy Day in Sacramento on 03/03/24.
- County leaders hosted Assembly Member Dr. Corey Jackson on a tour of the Harmony Haven campus on 03/28/24.
- County leaders attended Representative Norma J. Torres' Black Maternal Health Roundtable on 04/04/24.
- Members of the Board of Supervisors attended the Annual California State Association of Counties (CSAC) Legislative Conference in Sacramento 4/17-19/24 and met with several members of the RivCo legislative delegation. In addition to sharing County legislative priorities, they advocated for amendments to SB 867/AB 1567 the proposed Climate Resiliency Bond.

FEDERAL ADVOCACY

RivCo Bill List

118th Congress

- **S. 3830: Low-Income Household Water Assistance Program Establishment Act (Sen. Alex Padilla [D-CA])** Directs the Secretary of Health and Human Services in consultation with the Administrator of the Environmental Protection Agency to establish the Low-Income Household Water Assistance Program to award grants to eligible entities to provide funds to owners and operators of public water systems or treatment works to assist low-income households in paying arrearages and other rates charged to such households for drinking water or wastewater services.
  Position: Support [Per Letter Sent to Author on 04/10/24. Attached]
- **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

CALIFORNIA STATE ADVOCACY

2023-24 Legislative Session

Over 2,100 bills were introduced this year, as bills move through the legislative process the Executive Office will work with Department Leaders to create advocacy strategies. A comprehensive list of bills that the County is tracking and advocating on, can be found at https://rivco.org/legislative-advocacy-what-we-are-doing.

- **AB 817 (Pacheco-D) Local government: open meetings.**
  Would authorize members of local non-decision-making legislative bodies to participate in public meetings via two-way virtual teleconferencing without posting their location.
  Position: Support [Per Letter of Support to Author Sent on 02/15/24]
  Impact: Would allow virtual participation on County appointed boards and commissions, removing barriers for participation.
- **AB 1948 (Rendon-D, Santiago-D, and Gipson- D) Homeless Disciplinary Personnel Teams.**
  Would allow seven counties to continue using AB 728 authority to apply agency collaboration towards coordinating care for individuals and families at risk of becoming unhoused and reducing inflow into homelessness.
  Position: Support [Per Letter of Support Sent to Assembly Human Services Committee on 04/01/24. Attached]
  Impact: RivCo was one of the original pilot counties. Removing the current sunset would enable the County to continue using a collaborative approach to homelessness.
- **AB 1957 (Wilson-D) Public contracts: Best Value Construction Contracting for Counties.**
  Authorizes any county in the state to utilize the best-value contracting model and eliminates the statutory sunset on such authority.
  Position: Support [Per Letter of Support to Author Sent on 02/15/24]
  Impact: RivCo was one of the pilot counties, the use of best-value contracting has allowed for a selection of contractors based on qualifications and experience, not simply lowest bid prices.
- **AB 3182 (Lackey- R) Land conservation: California Wildlife, Coastal, and Park Land Conservation Act: County of San Bernardino.**

Clarifies state law about the use of Prop 70 land sale proceeds in San Bernardino County, allowing the County to use these land sale proceeds to improve recreational facilities and conserve open space in our region.
Position: Support [Per Letter of Support Sent to Assembly Water, Parks, and Wildlife Committee on 04/17/24. Attached]

- **SB 994 (Roth-D) Local government: joint powers authority: transfer of authority.**
  Would facilitate the transfer of land use authority from the March JPA to RivCo.
  Position: Sponsored [Per Letter of Sponsorship Sent to Author on 02/01/24]
  Impact: This bill idea was proposed by RivCo and the March JPA.
- **SB 1175 (Ochoa Bogh-R) Organic waste: reduction goals: local jurisdictions: waivers.**
  Seeks to facilitate local governments' implementation of SB 1383 (Chapter 395, Statutes of 2016), which is a statewide effort to reduce emissions of short-lived climate pollutants by setting specific phased-in targets for reduction of organic waste deposited in landfills.
  Position: Support [Per Letter Sent to Senate Environmental Quality Committee on 04/01/24. Attached]
- **SB 1224 (Ochoa Bogh-R) Alcoholic beverage control: on-sale general license: County of Riverside.**
  Would facilitate the alcoholic beverage on-sale licensing for the RivCo Fairgrounds for the variety of community-based events held at the Fairgrounds throughout the year.
  Position: Sponsored [Per Letter of Sponsorship Sent to Author on 03/05/24]
  Impact: This bill idea was proposed by RivCo Facilities Management
- **SB 1245 (Ochoa Bogh-R) In-Home Supportive Services.**
  Streamlines the process for In-Home Supportive Services (IHSS) clients to receive paramedical services.
  Position: Support [Per Letter of Support Sent to Senate Human Services Committee on 03/26/24. Attached]
  Impact: This bill supports RivCo's integrated service delivery work.
- **SB 1249 (Roth-D) Mello-Granlund Older Californians Act.**
  Charges the California Department on Aging (CDA), within specified time periods, to take administrative actions that recognize the state's major demographic shift towards an older, more diverse population.
  Position: Support [Per Letter of Support Sent to Senate Human Services Committee on 03/05/25. Attached]
  Advocacy Strategy: RivCo Office on Aging Director Jewel Lee testified in the Senate Human Services Committee on 04/01/24 as the lead witness in support.

2 Year Bills

- **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.
  Status: Held in Senate Appropriations Committee Suspense File
  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.
  Status: Held in Assembly Appropriations Committee Suspense File
  Position: Support
  Impact: This bill could help RUHS Public Health inform and advance health equity work in the Salton Sea.
- **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.
  Status: Held Senate Floor Inactive File
  Position: Oppose
  Activation: In addition to partnering with the opposition coalition, EMD staff met with legislative offices to advocate against the bill.
- **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.
  Status: Held by Author
  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.
  Status: Held in Assembly
  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.
  Status: Held in Assembly Appropriations Committee Suspense File
  Position: Support
- **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.
  Status: Held in Assembly Public Safety Committee at request of the Author
  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.
  Status: Held in Assembly Appropriations Committee Suspense File
  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.
  Status: Held in Assembly Committee on Water, Parks and Wildlife at request of the Author
  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 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.
- **Status:** Held in Assembly Appropriations Committee Suspense File
  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 prison closure.

COUNTY OF RIVERSIDE

March 29, 2024

The Honorable Alex Padilla
United States Senate
112 Hart Senate Office Building
Washington, D.C. 20510

RE: Support of Community Project Funding (CPF) for the US Bankruptcy Court and District Courthouse in Riverside

Dear Senator Padilla:

On behalf of the County of Riverside Board of Supervisors, I write in support of the County of Riverside Facilities Management Departments' CPF request to fund repairs of the US Bankruptcy Court and District Courthouse in Riverside.

The Riverside federal courthouses have been owned and managed by the County of Riverside since 1998, including the US Bankruptcy Court and District Courthouse in Riverside. While the County routinely invests in facility renewal the need to upgrade, modernize, and create safer access to the front door system and facade of the courthouse has arisen. It is estimated that well over 300 people pass through the courthouse front doors each working day. Users include the public, judges, court staff, vendors, and US Marshall personnel.

As the population of the County continues to grow, it is imperative that we maintain access to justice in spaces that are accessible and safe. This project will enhance the safety and protection of occupants, assets, and sensitive information housed within the building. By implementing robust security measures, this upgrade would help mitigate potential security breaches, unauthorized access, and other threats.

Thank you for your consideration. 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 Chuck Washington
Chair, County of Riverside Board of Supervisors

COUNTY OF RIVERSIDE

Board of Supervisors

District 1	**Kevin Jeffries** 951-955-1010
District 2	**Karen Spiegel** 951-955-1020
District 3	**Chuck Washington** 951-955-1030
District 4	**V. Manuel Perez** 951-955-1040
District 5	**Yxstian Gutierrez** 951-955-1050

March 20, 2024

The Honorable Alex Padilla
United States Senate
112 Hart Senate Office Building
Washington, D.C. 20510

RE: Support of Community Project Funding (CPF) for the Trujillo Adobe Preservation Project

Dear Senator Padilla:

On behalf of the County of Riverside Board of Supervisors, I write in support of the Riverside County Regional Park and Open-Space District's CPF request to fund the Trujillo Adobe Preservation Project.

The Trujillo Adobe holds profound significance in Riverside County, serving as a tangible link to the region's rich cultural and historical heritage. As one of the oldest surviving adobe structures in the area, its walls resonate with the stories of generations past, offering a glimpse into the lives of early settlers and indigenous communities, safeguarding our cultural heritage and creating enriching educational and recreational opportunities for residents and visitors alike.

This project aligns with the County priority of celebrating the rich history of those that have called this land home for generations and seeks to build on our cooperative relationships to support joint priorities. The Trujillo Adobe Preservation Project presents a collaborative effort of public, private, and community partnerships working towards inclusivity and diversity in our daily lives. The adobe was named as one of the Top 10 sites to be preserved by Hispanic Access Foundation. It was also named as a site of high potential along the Old Spanish National Historic Trail by the National Park Service and placed on the 2021 11 Most Endangered Places by the National Trust for Historic Preservation.

Thank you for your consideration. 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 Chuck Washington
Chair, County of Riverside Board of Supervisors

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March 20, 2024

The Honorable Alex Padilla
United States Senate
112 Hart Senate Office Building
Washington, D.C. 20510

RE: Support of Community Project Funding (CPF) for the Santa Ana River Trail Project

Dear Senator Padilla:

On behalf of the County of Riverside Board of Supervisors, I write in support of the Riverside County Regional Park and Open-Space District's CPF request to fund the Santa Ana River Trail project.

Our Board has prioritized paving the way for resilient, ready, and connected communities. This CPF would help fill in the literal and financial funding gaps in the trails 100-mile span. Once completed, the trail will provide more equitable transportation, outdoor access, and connectivity from the coast to the Inland Empire. This project complements the efforts of numerous groups within the watershed, allowing us to reach our shared vision of a recreational trail system accessible to all.

As the population of Southern California continues to grow and open space areas diminish, it is increasingly important to conserve our natural resources and to provide opportunities for recreation. This trail will link parks and points of interest along the Santa Ana River from the Pacific Ocean to the San Bernardino Mountains, enhancing the value of housing, attracting businesses and employees to the area, and providing alternative commuter options.

Thank you for your consideration. 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 Chuck Washington
Chair, County of Riverside Board of Supervisors

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March 20, 2024

The Honorable Alex Padilla
United States Senate
112 Hart Senate Office Building
Washington, D.C. 20510

RE: Support of Community Project Funding (CPF) for the Development of Stagecoach Stop Park at Gilman Ranch

Dear Senator Padilla:

On behalf of the County of Riverside Board of Supervisors, I write in support of the Riverside County Regional Park and Open-Space District's CPF request to fund the development of Stagecoach Stop Park at Gilman Ranch in Banning.

Establishing such a park will not only preserve our rich cultural heritage but also provide numerous benefits for our residents and visitors alike. Riverside County's Gilman Historic Ranch and Wagon Museum preserves, celebrates, and interprets the history of late 1800's California, from the Cahuilla Indians to the exploration and settlement of southern California and the San Gorgonio Pass. Stagecoach Stop Park will make use of largely vacant land surrounding the historic core of the site. The creation of this park will complement the history of Gilman Ranch through carefully selected design elements and aesthetics, while providing residents of the surrounding community much needed, currently non-existent park amenities, and socially equitable access to outdoor recreation

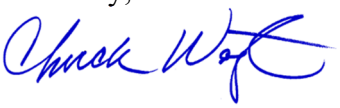
By developing a park within this historic site, we can ensure that future generations can learn about and appreciate the events and people who have shaped our community. Furthermore, Stagecoach Stop Park at Gilman Ranch offers immense recreational and educational opportunities for individuals and families. From walking trails that wind through the picturesque landscape to interpretive signage that shares the stories of the past, the park will provide a space for people of all ages to connect with nature and history. Additionally, educational programs and events hosted within the park can enrich the experiences of visitors and foster a deeper understanding of our local history and environment.

Moreover, the establishment of the park has the potential to stimulate economic growth and tourism in our area. As visitors are drawn to the park's unique offerings, they will also have the opportunity to explore other attractions and businesses within our community. This increased

foot traffic can provide a boost to local merchants, restaurants, and accommodations, ultimately contributing to the vitality of our rural economy.

Thank you for your consideration. 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 Chuck Washington
Chair, County of Riverside Board of Supervisors

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March 19, 2024

The Honorable Ken Calvert
United States House of Representatives
2205 Rayburn House Office Building
Washington, D.C. 20515

RE: Support of Community Project Funding (CPF) for I-15 Express Lanes Project Southern Extension

Dear Representative Calvert:

On behalf of the County of Riverside Board of Supervisors, I write in support of the Riverside County Transportation Commission's (RCTC) CPF request for $3 million to advance the Interstate 15 (I-15) Express Lanes Project Southern Extension.

The project advances RCTC's long-standing mission to provide a safe, interconnected, multimodal transportation system. This project extends the existing I-15 Express Lanes an additional 14.5 miles from Cajalco Road in Corona to State Route 74 (Central Avenue) in Lake Elsinore, adding tolled express lanes in both directions and two auxiliary lanes at the south end of the project. Once built, the Project will provide the following benefits:

- **Improve traffic operations and increase travel time reliability** – Providing new express lanes will enhance the flow of traffic and reduce congestion on I-15, particularly at Cajalco Road where the existing I-15 Express Lanes end.
- **Expand travel choice** – Encouraging carpooling and use of express bus service, reducing the number of vehicles on the road and improving local air quality.
- **Promote safety** – Enabling additional passenger vehicles to travel in dedicated and protected lanes separated from trucks, which rely upon the I-15 corridor to deliver goods from the ports.

The County of Riverside is the 10th largest county in the nation by population, this project will help address competing passenger and commercial traffic congestion on I-15, while relieving congestion, bolstering mobility choice, improving air quality, and supporting continued economic development.

RCTC, in partnership with the California Department of Transportation, is conducting preliminary engineering and environmental studies to support an Environmental Impact Report and Environmental Assessment (EIR/EA) for the proposed project. The pre-construction, design, and construction represent an estimated $650 million investment and will provide a cost-effective mobility solution that will significantly benefit our region.

Thank you for your consideration. 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.

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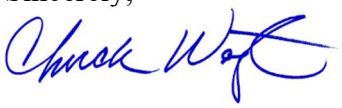

Supervisor Chuck Washington
Chair, County of Riverside Board of Supervisors

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March 19, 2024

The Honorable Alex Padilla
United States Senate
331 Hart Senate Office Building
Washington, D.C. 20510

RE: Support of Community Project Funding (CPF) for I-15 Express Lanes Project Southern Extension

Dear Senator Padilla:

On behalf of the County of Riverside Board of Supervisors, I write in support of the Riverside County Transportation Commission's (RCTC) CPF request for $3 million to advance the Interstate 15 (I-15) Express Lanes Project Southern Extension.

The project advances RCTC's long-standing mission to provide a safe, interconnected, multimodal transportation system. This project extends the existing I-15 Express Lanes an additional 14.5 miles from Cajalco Road in Corona to State Route 74 (Central Avenue) in Lake Elsinore, adding tolled express lanes in both directions and two auxiliary lanes at the south end of the project. Once built, the Project will provide the following benefits:

- **Improve traffic operations and increase travel time reliability** – Providing new express lanes will enhance the flow of traffic and reduce congestion on I-15, particularly at Cajalco Road where the existing I-15 Express Lanes end.
- **Expand travel choice** – Encouraging carpooling and use of express bus service, reducing the number of vehicles on the road and improving local air quality.
- **Promote safety** – Enabling additional passenger vehicles to travel in dedicated and protected lanes separated from trucks, which rely upon the I-15 corridor to deliver goods from the ports.

The County of Riverside is the 10th largest county in the nation by population, this project will help address competing passenger and commercial traffic congestion on I-15, while relieving congestion, bolstering mobility choice, improving air quality, and supporting continued economic development.

RCTC, in partnership with the California Department of Transportation, is conducting preliminary engineering and environmental studies to support an Environmental Impact Report and Environmental Assessment (EIR/EA) for the proposed project. The pre-construction, design, and construction represent an estimated $650 million investment and will provide a cost-effective mobility solution that will significantly benefit our region.

Thank you for your consideration. 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.

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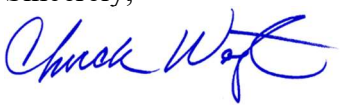

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March 19, 2024

The Honorable Mark Takano
United States House of Representatives
2078 Rayburn House Office Building
Washington, D.C. 20515

RE: Support of Community Project Funding (CPF) for the Mid County Parkway: Ramona Expressway Project

Dear Representative Takano:

On behalf of the County of Riverside Board of Supervisors, I write in support of the Riverside County Transportation Commission's (RCTC) Congressionally Directed Spending (CDS) request for $3 million to fund the Mid County Parkway: Ramona Expressway Project.

This critically important project improves road safety and reduces travel time in the growing communities of Perris, Nuevo, Lakeview, and San Jacinto. The Project advances RCTC's long-standing mission to provide a safe, interconnected, multimodal transportation system. Project benefits include:

- **Make safety improvements to reduce fatalities and severe injuries** – Providing a new lane in each direction with raised medians will reduce, if not eliminate, wrong-way head-on collisions that occur on the Ramona Expressway.
- **Invest in networks of safe and accessible bicycle and pedestrian infrastructure –** Constructing a Class II bicycle facility with three-foot buffers in each direction where no active transportation facilities exist today.
- **Protect natural and working lands** – The Project will avoid permanent impacts to agricultural and dairy operations along the expressway and develop a wildlife crossing to promote habitat connectivity and further improve motorist safety by separating the road from wildlife.
- **Enhance connections to transit** – The Project expands access to Riverside Transit Agency bus routes and Metrolink's 91/Perris Valley Line passenger rail service, reducing local road and highway congestion and improving air quality.

The growing communities of Perris, Nuevo, Lakeview, and San Jacinto rely on the Ramona Expressway to connect them to the I-215 freeway in the west, as well as State Route 60 and State Route 74 in the north. Perris and San Jacinto are expected to grow in population by well over 50% by 2045, highlighting the need for new investments in safe transportation options that connect residents, including historically disadvantaged communities, to job and educational opportunities.

Thank you for your consideration. 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 Chuck Washington
Chair, County of Riverside Board of Supervisors

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March 19, 2024

The Honorable Alex Padilla
United States Senate
331 Hart Senate Office Building
Washington, D.C. 20510

RE: Support of Community Project Funding (CPF) for the Mid County Parkway: Ramona Expressway Project

Dear Senator Padilla:

On behalf of the County of Riverside Board of Supervisors, I write in support of the Riverside County Transportation Commission's (RCTC) Congressionally Directed Spending (CDS) request for $3 million to fund the Mid County Parkway: Ramona Expressway Project.

This critically important project improves road safety and reduces travel time in the growing communities of Perris, Nuevo, Lakeview, and San Jacinto. The Project advances RCTC's long-standing mission to provide a safe, interconnected, multimodal transportation system. Project benefits include:

- **Make safety improvements to reduce fatalities and severe injuries** – Providing a new lane in each direction with raised medians will reduce, if not eliminate, wrong-way head-on collisions that occur on the Ramona Expressway.
- **Invest in networks of safe and accessible bicycle and pedestrian infrastructure –** Constructing a Class II bicycle facility with three-foot buffers in each direction where no active transportation facilities exist today.
- **Protect natural and working lands** – The Project will avoid permanent impacts to agricultural and dairy operations along the expressway and develop a wildlife crossing to promote habitat connectivity and further improve motorist safety by separating the road from wildlife.
- **Enhance connections to transit** – The Project expands access to Riverside Transit Agency bus routes and Metrolink's 91/Perris Valley Line passenger rail service, reducing local road and highway congestion and improving air quality.

The growing communities of Perris, Nuevo, Lakeview, and San Jacinto rely on the Ramona Expressway to connect them to the I-215 freeway in the west, as well as State Route 60 and State Route 74 in the north. Perris and San Jacinto are expected to grow in population by well over 50% by 2045, highlighting the need for new investments in safe transportation options that connect residents, including historically disadvantaged communities, to job and educational opportunities.

Thank you for your consideration. 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 Chuck Washington
Chair, County of Riverside Board of Supervisors

COUNTY OF RIVERSIDE

March 19, 2024

The Honorable Representative Mark Takano
United States House of Representatives
2078 Rayburn House Office Building
Washington, D.C. 20515

RE: Support of Community Project Funding (CPF) for the Metrolink Double Track Project: Moreno Valley to Perris

Dear Representative Takano:

On behalf of the County of Riverside Board of Supervisors, I write in support of the Riverside County Transportation Commission's (RCTC) CPF request for $2.5 million to fund the Metrolink Double Track Project: Moreno Valley to Perris.

This project is a vital component of RCTC's vision to implement safe multimodal solutions in the rapidly growing communities of the Perris Valley, San Jacinto Valley, and southwestern Riverside County.

The Metrolink Double Track Project: Moreno Valley to Perris will allow greater access to multimodal transportation options, provide convenient access to travelers, and help improve air quality in our region. Project benefits include:

- **Increases Commuter Rail Service –** Enabling increased Metrolink service frequency by double tracking stretches of the 91/Perris Valley Line along the Interstate (I)-215 corridor. This will offer riders with more convenient travel options while enhancing access to jobs and education centers.
- **Increases Commuter Rail Service –** Enabling increased Metrolink service frequency by double tracking stretches of the 91/Perris Valley Line along the Interstate (I)-215 corridor. This will offer riders with more convenient travel options while enhancing access to jobs and education centers.
- **Addresses Inequity –** Investments in passenger rail supports inclusive transportation for individuals and families who do not have access to a personal vehicle and rely on other forms of transportation to access jobs and education centers, medical care, recreation, and places of worship.

Decades of underinvestment in transportation systems in these communities shows in the congestion that residents must weather every day on the I-215 corridor. The same residents must also compete in traffic with the nation's freight carriers, 40 percent of which travels through the Southern California region. Projects like this provide safe, accessible, multimodal facilities which are critical for these communities and businesses to thrive. Once completed, the project will help Metrolink achieve its goals of providing bidirectional service every 30 minutes in time for the 2028 Olympics and Paralympics.

Thank you for your consideration. 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 Chuck Washington
Chair, County of Riverside Board of Supervisors

COUNTY OF RIVERSIDE

March 19, 2024

The Honorable Ken Calvert
United States House of Representatives
2205 Rayburn Building
Washington, D.C. 20515

RE: Support of Community Project Funding (CPF) for the State Route 79 Realignment Project

Dear Representative Calvert:

On behalf of the County of Riverside Board of Supervisors, I write in support of the Riverside County Transportation Commission's (RCTC) CPF request for $5 million to fund the State Route 79 (SR-79) Realignment Project.

The SR-79 Realignment Project aims to build a 12-mile facility with a safer, more direct route for travelers. The project advances RCTC's long-standing mission to provide a safe, interconnected, multimodal transportation system. Benefits of the State Route 79 Realignment Project include:

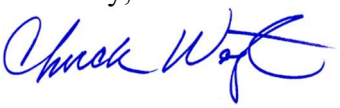
- **Delivering critical improvements to our growing region –** Communities in the San Jacinto Valley are among the fastest growing in the nation and in great need of transportation solutions to match that growth. The project would better connect travelers and residents to their destinations.
- **Advances multimodal transportation options –** The Project invests in active transportation and transit features, increasing travel options while reducing emissions and improving air quality.
- **Supports tourism and economic growth –** The Project will strengthen access to and connectivity between destinations in the San Jacinto Valley, Temecula Valley, San Gorgonio Pass, and Coachella Valley. Residents and travelers alike will benefit from a more-direct connection to major highways, including Interstate 215 to the west, State Route 60 to the north, and Interstate 15 to the south.

With this funding, RCTC will advance right-of-way acquisition for the entire corridor as well as design on Segment 3, which extends from Newport Road to Domenigoni Parkway in Winchester.

Once Segment 3 is constructed, residents and travelers will immediately enjoy the benefits of this new corridor while other segments remain under development.

Thank you for your consideration. 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 Chuck Washington
Chair, County of Riverside Board of Supervisors

March 19, 2024

The Honorable Dr. Raul Ruiz
United States House of Representatives
2342 Rayburn House Office Building
Washington, D.C. 20515

RE: Support of Community Project Funding (CPF) for the State Route 79 Realignment Project

Dear Representative Ruiz:

On behalf of the County of Riverside Board of Supervisors, I write in support of the Riverside County Transportation Commission's (RCTC) CPF request for $5 million to fund the State Route 79 (SR-79) Realignment Project.

The SR-79 Realignment Project aims to build a 12-mile facility with a safer, more direct route for travelers. The project advances RCTC's long-standing mission to provide a safe, interconnected, multimodal transportation system. Benefits of the State Route 79 Realignment Project include:

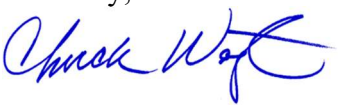
- **Delivering critical improvements to our growing region –** Communities in the San Jacinto Valley are among the fastest growing in the nation and in great need of transportation solutions to match that growth. The project would better connect travelers and residents to their destinations.
- **Advances multimodal transportation options –** The Project invests in active transportation and transit features, increasing travel options while reducing emissions and improving air quality.
- **Supports tourism and economic growth –** The Project will strengthen access to and connectivity between destinations in the San Jacinto Valley, Temecula Valley, San Gorgonio Pass, and Coachella Valley. Residents and travelers alike will benefit from a more-direct connection to major highways, including Interstate 215 to the west, State Route 60 to the north, and Interstate 15 to the south.

With this funding, RCTC will advance right-of-way acquisition for the entire corridor as well as design on Segment 3, which extends from Newport Road to Domenigoni Parkway in Winchester.

Once Segment 3 is constructed, residents and travelers will immediately enjoy the benefits of this new corridor while other segments remain under development.

Thank you for your consideration. 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 Chuck Washington
Chair, County of Riverside Board of Supervisors

COUNTY OF RIVERSIDE

Board of Supervisors

District 1	**Kevin Jeffries** 951-955-1010
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District 5	**Yxstian Gutierrez** 951-955-1050

March 19, 2024

The Honorable Representative Young Kim
United States House of Representatives
1306 Longworth House Office Building
Washington, D.C. 20515

RE: Support of Community Project Funding (CPF) for the State Route 91 Eastbound Corridor Operations Project

Dear Representative Kim:

On behalf of the County of Riverside Board of Supervisors, I write in support of the Riverside County Transportation Commission's (RCTC) CPF request for $4 million to fund the State Route 91 Eastbound Corridor Operations Project (SR 91 ECOP).

This project aims to add a new operational lane to the eastbound direction of State Route 91, from the State Route 241 Toll Road connector to the State Route 71 connector in Corona. The primary goal of the project is to enhance RCTC's long-standing mission of providing a safe, interconnected, and multimodal transportation system. The SR 91 ECOP project will bring about a range of improvements along the route to achieve this objective:

- **Eases traffic congestion –** Adding a new eastbound lane along SR 91 will reduce delays, particularly during peak travel hours in the afternoon and early evening.
- **Improve safety –** Alleviating traffic merging, diverging, and weaving will promote traveler safety and improve traffic flow.
- **Promote economic resilience –** Bolstering the flow of commerce by better connecting drivers with economic, education, and job centers in both Riverside and Orange counties and beyond.

The project is also of strategic importance to Riverside County, which is the 10th largest county in the nation and expects to add an additional 500,000 residents over the next 25 years. Additionally, more than 40% of the nation's goods travel through inland Southern California, much of that on trucks traveling east along SR 91. Greater investments along this route are critical to the stability of local infrastructure and helping drivers reach their destination more quickly.

Thank you for your consideration. 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 Chuck Washington
Chair, County of Riverside Board of Supervisors

COUNTY OF RIVERSIDE

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April 10, 2024

The Honorable Alex Padilla
United States House of Representative
331 Hart Senate Office Building
Washington, DC 20510

RE: S. 3830 (Padilla): Low-Income Household Water Assistance Program Establishment Act – SUPPORT

Dear Senator Padilla:

On behalf of the Riverside County Board of Supervisors, I write in support of the Low-Income Household Water Assistance Program (LIHWAP) Establishment Act.

Riverside County expects to face significant costs in the upcoming decade to maintain and upgrade our water and wastewater systems to confront aging infrastructure and to protect public health. Despite the historic federal investments in water infrastructure made through the Bipartisan Infrastructure Law, most water and wastewater system investment will continue to be borne by local water ratepayers which will compound the already rising costs of basic water services. This places an undue burden on the over 392,000 low-income residents of Riverside County who already struggle to meet their basic needs.

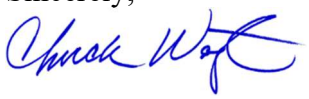
Congress recognized this growing water affordability challenge in 2020 when it established the Low-Income Household Water Assistance Program (LIHWAP) at the Department of Health and Human Services (DHHS) during the COVID-19 pandemic. It was a well-implemented and groundbreaking program that quickly became an essential lifeline 1.1 million households nationwide and the 13,000 water systems that serve them. The County of Riverside's Community Action Partnership (CAP) administered our LIHWAP program and did an excellent job ensuring that our low-income community members benefited—utilizing almost $5.5 million of the COVID-19 LIHWAP funding.

While LIHWAP was only established as a temporary program and its initial $1.1 billion appropriation expired at the end of the 2023 fiscal year, the need for low-income household

water assistance persists and is just as important to public health and economic development such as home energy and nutrition. This is the County proudly supports the LIHWAP Establishment Act which establishes a permanent, federally funded, and state administered low-income assistance program. Like the original program, benefits under this legislation would be targeted towards households with low incomes and that have the highest home water burdens and importantly, allow for recipients of programs such as the Low-Income Home Energy Assistance Program, SNAP, TANF, SSI, and means-tested Veterans programs to be categorically eligible for LIHWAP assistance. We believe this model and its eligibility requirements as currently listed hold the most promise for ensuring that LIHWAP operates as efficiently as possible.

Thank you for your consideration. We greatly appreciate your keen interest in helping the most economically challenged California residents maintain access to water service. 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 Chuck Washington
Chair, County of Riverside Board of Supervisors

cc: Honorable Members, County of Riverside Legislative Delegation

April 1, 2024

The Honorable Alex Lee, Chair
Assembly Human Services Committee
1020 O Street, Room 6330
Sacramento, California 95814

Re: AB 1948 (Rendon and Santiago) Homeless Multidisciplinary Personnel Teams As Introduced – SUPPORT

Dear Assembly Member Lee:

On behalf of the County of Riverside Board of Supervisors, I write in support of AB 1948 (Rendon and Santiago). This bill would delete the January 1, 2025, sunset date of AB 728 (Chapter 337, Statutes of 2019), which would allow seven counties to continue using AB 728 authority to apply agency collaboration towards coordinating care for individuals and families at risk of becoming unhoused and reducing inflow into homelessness.

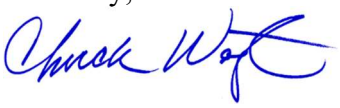
Our County is committed to delivering financially stable and results oriented service delivery. As one of the AB 728 pilot counties, the authorized multidisciplinary personnel teams (MDTs) helped County employees focus on delivering services to unhoused residents across County departments. This model is in line with RivCo1, the County's Integrated Service Delivery model, which takes a 'no wrong door' approach' to connecting residents with the full array of County services available to them. This streamlining of services focuses on prevention, early intervention, diversion, and collaboration.

This bill is also in line with the state's current focus on acting early to get people the support they need, by setting them up with individualized support. The sharing of information among County agencies is key to creating appropriate individualized plans. A challenge to integrating services can be balancing information and data sharing with privacy protections. AB 1948 will continue to have strong privacy protections, allowing for the sharing of personal information only under specific circumstances.

For these reasons, the County of Riverside supports AB 1948 and urges your aye vote on this important measure. Should you have any questions regarding this letter, 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 Chuck Washington
Chair, County of Riverside Board of Supervisors

cc: Office of Speaker Emeritus Anthony Rendon
Assembly Member Miguel Santiago
Members and Consultants, Assembly Human Services Committee
Honorable Members, County of Riverside Legislative Delegation

COUNTY OF RIVERSIDE

Board of Supervisors

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District 5	**Yxstian Gutierrez** 951-955-1050

April 17, 2024

The Honorable Diane Papan, Chair
Assembly Water, Parks, and Wildlife Committee
1020 N Street, Suite 160
Sacramento, CA 95814

Re: AB 3182 (Lackey) – Land Conservation: California Wildlife, Coastal, and Park Land Conservation Act: County of San Bernardino
As amended April 8, 2024– SUPPORT

Dear Assembly Member Papan:

On behalf of the County of Riverside Board of Supervisors, I write in support of AB 3182, an important bill that clarifies state law about the use of Prop 70 land sale proceeds in San Bernardino County. Passage of AB 3182 will allow the County to use these land sale proceeds to improve recreational facilities and conserve open space in our region.

In June 1988, California voters approved Proposition 70, a park bond that provided $776 million for developing conservation lands throughout the state. Prop 70 gave $20 million to San Bernardino County, which was used to purchase 366.55 acres on nine agricultural properties in the Chino Agricultural Preserve. However, because the lands are not adjacent to each other, the County could not use them to fulfill Prop 70's park and recreation purposes. In 2010, Prop 70's provisions were clarified by Senate Bill 1124 (Negrete-McLeod), which allowed San Bernardino County to sell or exchange its Prop 70 properties if replacement property was purchased for the use of wildlife habitat conservation, open space, or the preservation of the region's agricultural heritage.

This bill amends SB 1124 to clarify that San Bernardino County can use the proceeds from Prop 70 land sales for parks, recreational facilities, cultural venues, and infrastructure to expand access and improve amenities in the Chino Agricultural Preserve. These provisions apply solely to San Bernardino County's unique situation rather than all Prop 70 lands in the state.

By clarifying state law, AB 3182 will facilitate significant park and infrastructure improvements for Prado Regional Park and nearby communities, allowing San Bernardino County to conserve

open space and expand recreational opportunities in the Inland Empire. For these reasons, the County of Riverside supports AB 3182. Should you have any questions regarding this letter, 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 Chuck Washington
Chair, County of Riverside Board of Supervisors

cc: Honorable Members and Consultants, Assembly Water, Parks, and Wildlife Committee
Honorable Members, County of Riverside Legislative Delegation

April 1, 2024

The Honorable Rosilicie Ochoa Bogh
California State Senate
1021 O Street, Suite 7220
Sacramento, CA 95814

Re: SB 1175 (Ochoa Bogh) – Organic Waste Reduction
As introduced 2/14/2024 – SUPPORT

Dear Senator Ochoa Bogh:

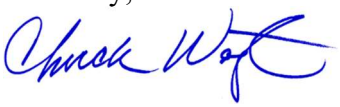
On behalf of the County of Riverside Board of Supervisors, I write to express our support for SB 1175, your measure that seeks to facilitate local governments' implementation of SB 1383 (Chapter 395, Statutes of 2016). The latter measure was a statewide effort to reduce emissions of short-lived climate pollutants by setting specific phased-in targets for reduction of organic waste deposited in landfills.

Despite local governments' diligence in working to implement SB 1383, the lack of statewide organic waste processing infrastructure has complicated full compliance as have other structural and practical challenges. To provide additional flexibility, the Legislature has authorized certain waivers and exemptions to SB 1383 collection processes. However, waivers are awarded based on delineations tied to census tracts rather than city or county boundaries, which can create less-than-optimal circumstances in which neighbors on different sides of the same street operate under different collection requirements. These dynamics pose considerable logistical challenges for waste haulers and diminish efforts to fully achieve the objectives of SB 1383.

The County of Riverside supports your measure for two key reasons. First, allowing jurisdictions to rely on an alternative boundary besides the census tract would offer additional and needed flexibility to propose alternatives that facilitate implementation of the waiver. Our waste haulers are consistently challenged with creating workable, feasible, and economically sustainable routes. Secondly, we greatly appreciate the provisions that would extend waivers for 10 years, which would provide greater continuity and would allow us to align to service agreements entered into with waste haulers.

For these reasons, the County of Riverside supports SB 1175. Should you have any questions regarding this letter, 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 Chuck Washington
Chair, County of Riverside Board of Supervisors

cc: Honorable Members and Consultants, Senate Appropriations Committee
Honorable Members, County of Riverside Legislative Delegation

March 26, 2024

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

Re: SB 1245 (Ochoa Bogh) – In-Home Supportive Services
Set for Hearing April 1, 2024 in Senate Human Services Committee

Dear Senator Alvarado-Gil:

On behalf of the County of Riverside Board of Supervisors, I write in support of SB 1245 by Senator Ochoa Bogh, which streamlines the process for In-Home Supportive Services (IHSS) clients to receive paramedical services.

Riverside County has a population of approximately 2.4 million people, the older adult population makes up approximately 15% of the population. IHSS is an important tool in meeting the needs of our older adult population and is instrumental in meeting the goals of the California Master Plan for Aging. Paramedical services are provided by IHSS, including administration of medications, wound care, and injections, among others.

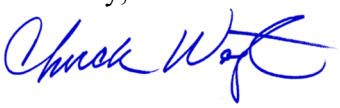
While the California Department of Social Services (CDSS) allows any licensed healthcare professional to sign off on the initial SOC 873 form required for a client to obtain IHSS, the department only allows limited types of healthcare professionals to sign the additional SOC 321 form required to authorize paramedical services. Specifically, only physicians, surgeons, podiatrists and dentists are authorized to sign this additional form, this causes strains on our healthcare systems and delays in care.

Currently, counties cannot allow paramedical services without the second form, which can lead to significant delays for a client to obtain paramedical services. Spanning 7,300 square miles, Riverside County is geographically vast, challenging the need to reach all IHSS recipients within the boundaries of a diverse county that spans rural deserts to bustling urban centers. Our County prioritizes financially stable and results oriented service delivery. By allowing the same licensed health care professionals who currently signs the IHSS health care certification form to also sign the paramedical form, SB 1245, creates more equitable access to care.

For these reasons, the County of Riverside supports SB 1245 and urges your aye vote on this important measure. Should you have any questions regarding this letter, 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 Chuck Washington
Chair, County of Riverside Board of Supervisors

cc: The Honorable Rosilicie Ochoa Bogh, Member, California State Senate
Members and Consultants, Senate Human Services Committee
Honorable Members, County of Riverside Legislative Delegation

March 5, 2024

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

Re: SB 1249 (Roth) – Mello-Granlund Older Californians Act
As Introduced – SUPPORT
Set for Hearing April 1, 2024 in Senate Human Services Committee

Dear Senator Alvarado-Gil:

On behalf of the County of Riverside Board of Supervisors, I write in support of SB 1249 by Senator Roth. This measure charges the California Department on Aging (CDA), within specified time periods, to take administrative actions that recognize the state's major demographic shift towards an older, more diverse population.

Building on the Master Plan for Aging, SB 1249 tasks the department to collect relevant robust data and develop strategies and approaches to maximize the impacts of aging programs and initiatives across communities. Specifically, the bill provides a county the option, effective January 1, 2025, to petition CDA to assume control of the area agency on aging that serves the local jurisdiction. The bill also requires on or before September 30, 2026, and in consultation with area agencies on aging and stakeholders, CDA to develop the core programs and services to be provided by all area agencies on aging.

Riverside County agrees that CDA plays a crucial role in weaving together local efforts into a cohesive system of support for seniors, by acting as a key coordinating body among various state/local agencies and organizations; and aligning resources, policies, and initiatives to ensure a comprehensive and seamless delivery of aging services.

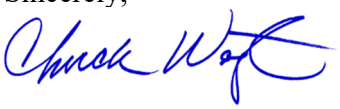
Similarly, through the Integrated Service Delivery (ISD) Model, the County of Riverside promotes a holistic approach to address the diverse needs of aging populations. Riverside's local efforts to weave social services and community health care systems allows for early detection and management of health issues, promotes preventive care, enhances social support networks, and ultimately improves the overall well-being and quality of life for older individuals.

SB 1249 charges the California Department of Aging to lead state and local alignment, so we can streamline resources, enhance collaboration between the state and communities, and ensure that

services for older adults and people with disabilities are tailored to meet the unique requirements of each person.

For these reasons, the County of Riverside supports SB 1249 and urges your aye vote on this important measure. Should you have any questions regarding this letter, 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 Chuck Washington
Chair, County of Riverside Board of Supervisors

cc: The Honorable Richard Roth, Member, California State Senate
Members and Consultants, Senate Human Services Committee
Honorable Members, County of Riverside Legislative Delegation

California State Association of Counties®

March 15, 2024

The Honorable Mike Gipson
California State Assembly
1021 O Street, Room 6210
Sacramento, CA 95814

Re: AB 1879 (Gipson) – Electronic signatures.
As Amended March 7, 2024 - SUPPORT

Dear Assembly Member Gipson,

On behalf of the California State Association of Counties (CSAC) representing all 58 counties in California, I write in support of Assembly Bill (AB) 1879, your measure regarding the acceptance of electronic signatures by county assessors.

Counties strive to simplify interactions with local fiscal offices whenever possible. AB 1879 will benefit taxpayers and improve the ability of county assessors to serve their constituents, especially those facing transportation or mobility challenges. The use of electronic signatures will simplify the tasks of local government agencies and alleviate the burdens for taxpayers associated with sending government documents via mail.

It is for these reasons CSAC supports AB 1879. Should you have any questions regarding our position, please do not hesitate to contact me at elawyer@counties.org.

Sincerely,

Eric Lawyer
Legislative Advocate

California State Association of Counties®

March 15, 2024

The Honorable Jacqui Irwin
Chair, Assembly Revenue and Taxation Committee
1020 N Street, Room 167A
Sacramento, CA 95814

Re: AB 1879 (Gipson) – Electronic signatures.
As Amended March 7, 2024 – SUPPORT
Set to be heard in the Assembly Revenue and Taxation Committee – April 1, 2024

Dear Assembly Member Irwin,

On behalf of the California State Association of Counties (CSAC) representing all 58 counties in California, I write in support of Assembly Bill (AB) 1879 by Assembly Member Mike Gipson. This measure would allow the acceptance of electronic signatures by county assessors.

Counties strive to simplify interactions with local fiscal offices whenever possible. AB 1879 will benefit taxpayers and improve the ability of county assessors to serve their constituents, especially those facing transportation or mobility challenges. The use of electronic signatures will simplify the tasks of local government agencies and alleviate the burdens for taxpayers associated with sending government documents via mail.

It is for these reasons CSAC supports AB 1879 and respectfully requests your AYE vote. Should you have any questions regarding our position, please do not hesitate to contact me at elawyer@counties.org.

Sincerely,

Eric Lawyer
Legislative Advocate

California State Association of Counties®

March 13, 2024

The Honorable Assemblymember Juan Carrillo
Chair, Assembly Committee on Local Government
1020 N Street, Room 157
Sacramento, CA 95814

RE: AB 1957 (Wilson) Public contracts: best value construction contracting for counties.
As introduced on January 29, 2024 – Support
As referred to the Assembly Committee on Local Government

Dear Assemblymember Carrillo:

The California State Association of Counties (CSAC), representing all 58 counties in the state, is proud to support AB 1957, which will extend best value contracting to allow all counties to attract a more qualified and stronger contractor bidding pool, reduce bad actors during the contractor selection process, and increase the percentage of skilled craftworkers on county construction projects while reducing the otherwise contentious relationships fostered under the traditional low-bid process; this gives counties the ability to select the contractor with skill sets directly applicable to the requirements of the project.

Best value contracting was established as a pilot program under SB 762 (Wolk – 2015) and expanded by SB 793 (Hill – 2017) and SB 128 (Beall – 2019). The authority allows counties to award contracts for construction projects in excess of $1 million to the bidder representing the best value. The participating counties are Alameda, Los Angeles, Monterey, Riverside, San Bernardino, San Diego, San Mateo, Santa Clara, Solano, and Yuba. The current authority expires on January 1, 2025.

This bill would authorize any county of the state to utilize this program and would remove the January 1, 2025, sunset date, thereby extending the operation of those provisions indefinitely.

For counties, the ability to participate in the best value process has provided substantial benefits, including improved project control and quality. These projects have started and finished more efficiently and on budget. Further, best value contracting proved to lessen administrative costs and time by increasing contract terms through renewal options, which also helps increase the capacity to deliver more projects in less time. This drives more high-quality construction work into the statewide construction marketplace while reducing administrative burdens.

CSAC supports addressing significant barriers of well-intentioned tools and processes being used to block projects or create local challenges to growth. For these reasons, CSAC is proud to support AB 1957. If you need additional information, please contact 916.591.2764 or mneuburger@counties.org.

Sincerely,

Mark Neuburger
Legislative Advocate
California State Association of Counties

CC: The Honorable Members, Assembly Committee on Local Government
Angela Mapp, Consultant, Assembly Committee on Local Government
William Weber, Consultant, Assembly Republican Caucus
Judy Yee, Legislative Director, Office of Assemblymember Luz Rivas

California State Association of Counties®

March 13, 2024

The Honorable Assemblymember Juan Carrillo
Chair, Assembly Committee on Local Government
1020 N Street, Room 157
Sacramento, CA 95814

RE: AB 2502 (L. Rivas) Public contracts: emergencies.
As introduced on February 13, 2024 – Support
As referred to the Assembly Committee on Local Government

Dear Assemblymember Carrillo:

The California State Association of Counties (CSAC), representing all 58 counties in the state, is proud to support AB 2502, which would broaden the definition of an emergency as defined in the Public Contract Code to enable local governments more options to expedite the construction and repair of homeless housing by foregoing the typical competitive bidding processes.

There is a significant housing shortage across the full housing continuum in California and the supply of affordable housing continues to be a considerable challenge to addressing homelessness. This is especially true for affordable housing to support Californians who are aged, disabled, justice involved, and/or have significant mental health or substance use disorder needs. Many jurisdictions also lack the infrastructure needed to provide basic shelter or interim housing to the unhoused population. CSAC supports the need to increase the development and operational support of permanent supportive housing and other housing tailored to support individuals with complex/high needs, including individuals with behavioral health needs, or justice involvement, including recovery residences.

Housing is an important element of economic development and essential for the health and well-being of our communities. Siting shelters and supportive housing often draws significant resistance from community members. Counties and cities must continue to work to remove these barriers by identifying and supporting the development of infrastructure needed to address homelessness. Currently, the public bidding process takes over four months between project advertisement and proposal negotiations. Meanwhile, the acute nature of the homelessness crisis continues to impose an immediate risk to the life and health of those without appropriate shelter. This bill will provide local jurisdictions the option to continue this type of emergency authority to address the homelessness housing crisis.

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 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 2502 aligns with our AT HOME efforts, specifically as it relates to the Housing pillar.

For these reasons, CSAC is proud to support AB 2502. If you need additional information, please contact 916.591.2764 or mneuburger@counties.org.

Sincerely,

Mark Neuburger
Legislative Advocate
California State Association of Counties

CC: The Honorable Members, Assembly Committee on Local Government
Angela Mapp, Consultant, Assembly Committee on Local Government
William Weber, Consultant, Assembly Republican Caucus
Judy Yee, Legislative Director, Office of Assemblymember Luz Rivas

March 13, 2024

The Honorable Mike Fong
California State Assembly, 49th District
1021 O Street, Suite 5230
Sacramento, CA 95814

Re: Assembly Bill 2631 (M. Fong) – Local agencies: ethics training – As Introduced 2/14/24 – SUPPORT

Dear Assembly Member Fong:

The Fair Political Practices Commission (FPPC), the California State Association of Counties (CSAC), and the League of California Cities (Cal Cities) are proud to co-sponsor Assembly Bill 2631, relating to the FPPC's local agency ethics training course.

Existing law requires each local agency official to receive ethics training every two years that includes training on their ethical duties under the Political Reform Act of 1974 and on other ethics principles and laws. The Fair Political Practices Commission has voluntarily maintained an online local ethics training course that is available to all local officials free of charge. The training course is a highly beneficial resource for local agencies and is heavily relied on and used by local officials, with 88,900 users completing the course since 2010. With the passage of AB 2158 in 2022, about 2,000 additional agencies and several thousand additional agency officials will become subject to these training requirements starting in 2025, which the FPPC expects will result in increased usage of the training course.

AB 2631 would codify the FPPC's ethics training program in statute, thereby making it a permanent program that can be relied on by local officials indefinitely. The bill will ensure that local officials continue to have free and convenient access to a resource that educates these officials on important ethics laws that impact their work and decision-making.

Thank you, Assembly Member Fong, for your collaboration on this important bill. If you have any questions, please contact Lindsey Nakano at LNakano@fppc.ca.gov.

Sincerely,

Richard C. Miadich

Richard C. Miadich, Chair
Fair Political Practices Commission

Eric Lawyer, Legislative Advocate
California State Association of Counties

Johnnie Piña

Johnnie Piña, Legislative Affairs Lobbyist
League of California Cities

cc: Members and Consultants, Assembly Elections Committee

California State Association of Counties®

March 11, 2024

The Honorable Sharon Quirk-Silva
Chair
Assembly Budget Subcommittee #5
1021 O Street, Suite 4210
Sacramento, CA 95814

Re: Homeless Housing, Assistance and Prevention Program Funding

Dear Assembly Member Quirk-Silva:

On behalf of the California State Association of Counties (CSAC), I am writing regarding our support for funding for the Homeless Housing, Assistance and Prevention (HHAP) Program. Counties remain on the frontlines of responding to the homelessness crisis, which is the top issue facing our communities. The HHAP program is working and transforming the lives of individuals throughout the state by helping them secure permanent housing and needed services. We are thankful for the Legislature's leadership in making unprecedented investments for this program in recent years in partnership with Governor Newsom and urge you to continue that commitment even in this difficult budget situation.

Ongoing HHAP Funding

Last year, CSAC created the AT HOME Plan (Accountability, Transparency, Housing, Outreach, Mitigation, and Economic Opportunity) that outlines the development of a comprehensive homelessness response system. Working with the Administration and the Legislature, we successfully advocated for several elements of this plan to be incorporated for the HHAP program through enactment of AB 129 (Chapter 40, Statutes of 2023). As part of these reforms, all counties are currently developing regionally coordinated homelessness action plans, signing memorandums of understanding that define roles and responsibilities, and submitting joint applications with continuums of cares (CoCs) and big cities. Combined with the $1 billion in funding for HHAP Round 5, these actions will increase accountability for HHAP funding, further local collaboration, and strengthen homelessness response efforts.

CSAC is actively supporting counties in these efforts and is encouraged by the work that will be outlined in these regional plans and accomplished with this funding. Unfortunately, the HHAP program is funded with one-time investments which prevents counties from being able to make long-term program commitments. Even more concerning, the Governor's Budget does not include funding for a HHAP Round 6, though does acknowledge a commitment to discuss potential funding during this budget process. **CSAC respectfully requests ongoing funding for the HHAP program at a level of at least the current $1 billion annual amount.** In addition, CSAC requests that the $360 million in HHAP supplemental funding be distributed as outlined in AB 129 instead of being delayed until 2025-26 as proposed in the Governor's Budget.

The HHAP program has been transformative to local efforts to address homelessness. Counties have been able to increase the availability of permanent supportive housing and provide the supportive services that

are needed to help individuals with high needs remain successfully housed. Programs that integrate rental assistance, supportive services, and landlord incentives have supported households in obtaining and maintaining housing. HHAP funds have been used to coordinate services, expand case management, and increase access to needed medical and behavioral health services which is making it possible to stabilize individuals in shelters and temporary housing before transitioning into permanent housing. These are just a few examples of the level of innovation, program success, and community coordination that would not have been possible without the dedicated and flexible HHAP funding.

Failure to provide ongoing funding or fund a Round 6 of HHAP at a consistent level would have detrimental impacts on local homelessness response efforts. Counties would have to cut housing, services, and supports for thousands of clients who are utilizing services and rental supports to stay housed. The acquisition of additional permanent housing would be delayed and grow more expensive. There would not be sufficient funding for operations and services for transitional and supportive housing, which would negatively impact many housing programs including Homekey projects. Finally, many types of vulnerable populations, such as youth, those with behavioral health conditions, older adults, and individuals with disabilities, who have come to rely on services provided with HHAP funding to remain housed would be the most at risk of becoming and remaining homeless with unpredictable or eliminated HHAP funding.

Allocation Criteria

The county-by-county allocation methodology for the HHAP program is solely based on the most recent Point in Time (PIT) count. While that is an important homelessness metric, basing a county's allocation on only that one data point creates challenges and can result in large year-to-year swings in the amount of funding allocated to a funded entity. In comparing the previous two PIT counts, seven CoCs had increases of more than 20% and five CoCs had decreases of more than 20%.

Counties that are achieving success in reducing the number of homeless individuals will see their HHAP allocations be reduced. Unfortunately, the number of individuals experiencing homelessness in those counties is then likely to increase again as homelessness services and housing supports are not able to be sustained at same level due to reduced funding. In addition, there are factors outside of the control of a county that can impact the PIT count such as severe weather.

CSAC recommends that the Legislature, Administration, and funded entities work together to identify a more comprehensive manner to determine individual applicant allocations of HHAP funding. Possible factors to consider include looking at multiple years of PIT counts, adding a buffer to allocation levels so that they can't increase or decrease more than a certain percentage in a given year, or ensuring funded entities that meet certain metrics are prevented from having their allocation reduced even if their PIT count goes down. Adjusting the method by which the county-by-county allocations are determined can create more fairness and reward successful programs.

Minimum Allocation

CSAC also recommends the inclusion of a minimum allocation for counties. This practice has long been common in human services programs funded by the state in recognition that it takes a certain level of funding to stand up a program, hire staff, and support rural counties that often cover large geographic areas. Some smaller counties in California get minimal HHAP allocations based on their PIT count, which are also sometimes impacted by severe winter weather. In the recently announced HHAP Round 5 allocations, seven counties received an allocation less than $100,000, which will make regional planning

and program implementation more difficult. CSAC does not have a specific amount to recommend as the minimum funding level as that will depend on the overall amount of funding provided for the program, but does recommend establishing that all counties will receive a minimum amount of funding.

Conclusion

While the number of homeless individuals does continue to increase in California, it is the result of a confluence of factors outside of the HHAP program that are causing individuals to become newly homeless. Without the HHAP program, the number of Californians experiencing homelessness would be far greater than the number seen today. The collaboration requirements, flexible funding, and accountability measures of the HHAP program are leading to successful program investments that must continue to be prioritized. We should not pull back on our collective commitment to this program, but rather strengthen our resolve and allow for longer-term goals and program investments by dedicating ongoing funding. We look forward to partnering with the Legislature on this issue.

Should you have any questions about our position, please do not hesitate to contact me at (916) 698-5751 or jgarrett@counties.org. Thank you for your consideration.

Sincerely,

Justin Garrett
Senior Legislative Advocate

cc: Honorable Members, Assembly Budget Subcommittee #5
The Honorable Jesse Gabriel, Chair, Assembly Budget Committee
Genevieve Morales, Assembly Budget Committee
Brent Finkel, Assembly Republican Fiscal Office
Katie Kolitsos, Office of the Assembly Speaker
Ginni Bella Navarre, Legislative Analyst's Office
Tomiquia Moss, Secretary, Business, Consumer Services, and Housing Agency
Teresa Calvert, Department of Finance
Myles White, Office of Governor Newsom
James Hacker, Office of Governor Newsom
Hafsa Kaka, Office of Governor Newsom

California State Association of Counties®

March 12, 2024

The Honorable Akilah Weber, M.D.
Chair
Assembly Budget Subcommittee #1
1021 O Street, Suite 4130
Sacramento, CA 95814

Re: Medi-Medi Navigator Program Stakeholder Proposal

Dear Assembly Member Weber:

On behalf of the California State Association of Counties (CSAC), I am writing to share our support for the stakeholder proposal to fund the Medi-Medi Navigator program. This $10 million annual investment for four years would continue and expand the current program and draw down additional federal funds to this important effort.

The Medi-Medi Navigator program provides critical outreach and enrollment support to individuals who are transitioning from Medi-Cal to Medicare coverage. This dual coverage transition is complex and can result in access issues for beneficiaries. Through the Navigator program, non-profit and community-based enrollment navigators work closely with counties to ensure that Medi-Cal beneficiaries are aware of all of their options and get all of the benefits to which they are entitled.

Over the past several years, the Medi-Medi Navigator program has been operating in 11 counties. Through partnerships with local community-based organizations, approximately 11,500 individuals have received assistance with enrollment applications. Services provided also include education and support to navigate healthcare access and understand how to utilize healthcare coverage. In addition, funding has supported an outreach campaign that helps increase awareness of the program and direct individuals to local community-based partner organizations.

The requested funding would allow the program to expand to additional counties with an aim to reach more than 100,000 older adults who are dually eligible. Many of these individuals also face health-related challenges including food insecurity, housing insecurity, and poverty. Continuing this program and helping additional eligible individuals enroll successfully in health coverage would strengthen our state's safety net system and improve access to health care for older adults, low-income communities, and communities of color.

It is for these reasons that CSAC supports the stakeholder proposal for Medi-Medi Navigator program funding. Should you have any questions about our position, please do not hesitate to contact me at (916) 698-5751 or jgarrett@counties.org. Thank you for your consideration.

Sincerely,

Justin Garrett
Senior Legislative Advocate

cc: Honorable Members, Assembly Budget Subcommittee #1
The Honorable Jesse Gabriel, Chair, Assembly Budget Committee
Andrea Margolis, Assembly Budget Committee
Eric Dietz, Assembly Republican Caucus

California State Association of Counties®

March 11, 2024

The Honorable Steve Padilla
Chair
Senate Budget and Fiscal Review Subcommittee #4
1021 O Street, Suite 6640
Sacramento, CA 95814

Re: Homeless Housing, Assistance and Prevention Program Funding

Dear Senator Padilla:

On behalf of the California State Association of Counties (CSAC), I am writing regarding our support for funding for the Homeless Housing, Assistance and Prevention (HHAP) Program. Counties remain on the frontlines of responding to the homelessness crisis, which is the top issue facing our communities. The HHAP program is working and transforming the lives of individuals throughout the state by helping them secure permanent housing and needed services. We are thankful for the Legislature's leadership in making unprecedented investments for this program in recent years in partnership with Governor Newsom and urge you to continue that commitment even in this difficult budget situation.

Ongoing HHAP Funding

Last year, CSAC created the AT HOME Plan (Accountability, Transparency, Housing, Outreach, Mitigation, and Economic Opportunity) that outlines the development of a comprehensive homelessness response system. Working with the Administration and the Legislature, we successfully advocated for several elements of this plan to be incorporated for the HHAP program through enactment of AB 129 (Chapter 40, Statutes of 2023). As part of these reforms, all counties are currently developing regionally coordinated homelessness action plans, signing memorandums of understanding that define roles and responsibilities, and submitting joint applications with continuums of cares (CoCs) and big cities. Combined with the $1 billion in funding for HHAP Round 5, these actions will increase accountability for HHAP funding, further local collaboration, and strengthen homelessness response efforts.

CSAC is actively supporting counties in these efforts and is encouraged by the work that will be outlined in these regional plans and accomplished with this funding. Unfortunately, the HHAP program is funded with one-time investments which prevents counties from being able to make long-term program commitments. Even more concerning, the Governor's Budget does not include funding for a HHAP Round 6, though does acknowledge a commitment to discuss potential funding during this budget process. **CSAC respectfully requests ongoing funding for the HHAP program at a level of at least the current $1 billion annual amount.** In addition, CSAC requests that the $360 million in HHAP supplemental funding be distributed as outlined in AB 129 instead of being delayed until 2025-26 as proposed in the Governor's Budget.

The HHAP program has been transformative to local efforts to address homelessness. Counties have been able to increase the availability of permanent supportive housing and provide the supportive services that

are needed to help individuals with high needs remain successfully housed. Programs that integrate rental assistance, supportive services, and landlord incentives have supported households in obtaining and maintaining housing. HHAP funds have been used to coordinate services, expand case management, and increase access to needed medical and behavioral health services which is making it possible to stabilize individuals in shelters and temporary housing before transitioning into permanent housing. These are just a few examples of the level of innovation, program success, and community coordination that would not have been possible without the dedicated and flexible HHAP funding.

Failure to provide ongoing funding or fund a Round 6 of HHAP at a consistent level would have detrimental impacts on local homelessness response efforts. Counties would have to cut housing, services, and supports for thousands of clients who are utilizing services and rental supports to stay housed. The acquisition of additional permanent housing would be delayed and grow more expensive. There would not be sufficient funding for operations and services for transitional and supportive housing, which would negatively impact many housing programs including Homekey projects. Finally, many types of vulnerable populations, such as youth, those with behavioral health conditions, older adults, and individuals with disabilities, who have come to rely on services provided with HHAP funding to remain housed would be the most at risk of becoming and remaining homeless with unpredictable or eliminated HHAP funding.

Allocation Criteria

The county-by-county allocation methodology for the HHAP program is solely based on the most recent Point in Time (PIT) count. While that is an important homelessness metric, basing a county's allocation on only that one data point creates challenges and can result in large year-to-year swings in the amount of funding allocated to a funded entity. In comparing the previous two PIT counts, seven CoCs had increases of more than 20% and five CoCs had decreases of more than 20%.

Counties that are achieving success in reducing the number of homeless individuals will see their HHAP allocations be reduced. Unfortunately, the number of individuals experiencing homelessness in those counties is then likely to increase again as homelessness services and housing supports are not able to be sustained at same level due to reduced funding. In addition, there are factors outside of the control of a county that can impact the PIT count such as severe weather.

CSAC recommends that the Legislature, Administration, and funded entities work together to identify a more comprehensive manner to determine individual applicant allocations of HHAP funding. Possible factors to consider include looking at multiple years of PIT counts, adding a buffer to allocation levels so that they can't increase or decrease more than a certain percentage in a given year, or ensuring funded entities that meet certain metrics are prevented from having their allocation reduced even if their PIT count goes down. Adjusting the method by which the county-by-county allocations are determined can create more fairness and reward successful programs.

Minimum Allocation

CSAC also recommends the inclusion of a minimum allocation for counties. This practice has long been common in human services programs funded by the state in recognition that it takes a certain level of funding to stand up a program, hire staff, and support rural counties that often cover large geographic areas. Some smaller counties in California get minimal HHAP allocations based on their PIT count, which are also sometimes impacted by severe winter weather. In the recently announced HHAP Round 5 allocations, seven counties received an allocation less than $100,000, which will make regional planning

and program implementation more difficult. CSAC does not have a specific amount to recommend as the minimum funding level as that will depend on the overall amount of funding provided for the program, but does recommend establishing that all counties will receive a minimum amount of funding.

Conclusion

While the number of homeless individuals does continue to increase in California, it is the result of a confluence of factors outside of the HHAP program that are causing individuals to become newly homeless. Without the HHAP program, the number of Californians experiencing homelessness would be far greater than the number seen today. The collaboration requirements, flexible funding, and accountability measures of the HHAP program are leading to successful program investments that must continue to be prioritized. We should not pull back on our collective commitment to this program, but rather strengthen our resolve and allow for longer-term goals and program investments by dedicating ongoing funding. We look forward to partnering with the Legislature on this issue.

Should you have any questions about our position, please do not hesitate to contact me at (916) 698-5751 or jgarrett@counties.org. Thank you for your consideration.

Sincerely,

Justin Garrett
Senior Legislative Advocate

cc: Honorable Members, Senate Budget and Fiscal Review Subcommittee #4
The Honorable Scott Wiener, Chair, Senate Budget and Fiscal Review Committee
Tim Griffiths, Senate Budget and Fiscal Review Committee
Chantele Denny, Senate Republican Fiscal Office
Misa Lennox, Office of the Senate President pro Tempore
Ginni Bella Navarre, Legislative Analyst's Office
Tomiquia Moss, Secretary, Business, Consumer Services, and Housing Agency
Teresa Calvert, Department of Finance
Myles White, Office of Governor Newsom
James Hacker, Office of Governor Newsom
Hafsa Kaka, Office of Governor Newsom

California State Association of Counties®

March 12, 2024

The Honorable Caroline Menjivar
Chair
Senate Budget and Fiscal Review Subcommittee #3
1021 O Street, Suite 6720
Sacramento, CA 95814

Re: Medi-Medi Navigator Program Stakeholder Proposal

Dear Senator Menjivar:

On behalf of the California State Association of Counties (CSAC), I am writing to share our support for the stakeholder proposal to fund the Medi-Medi Navigator program. This $10 million annual investment for four years would continue and expand the current program and draw down additional federal funds to this important effort.

The Medi-Medi Navigator program provides critical outreach and enrollment support to individuals who are transitioning from Medi-Cal to Medicare coverage. This dual coverage transition is complex and can result in access issues for beneficiaries. Through the Navigator program, non-profit and community-based enrollment navigators work closely with counties to ensure that Medi-Cal beneficiaries are aware of all of their options and get all of the benefits to which they are entitled.

Over the past several years, the Medi-Medi Navigator program has been operating in 11 counties. Through partnerships with local community-based organizations, approximately 11,500 individuals have received assistance with enrollment applications. Services provided also include education and support to navigate healthcare access and understand how to utilize healthcare coverage. In addition, funding has supported an outreach campaign that helps increase awareness of the program and direct individuals to local community-based partner organizations.

The requested funding would allow the program to expand to additional counties with an aim to reach more than 100,000 older adults who are dually eligible. Many of these individuals also face health-related challenges including food insecurity, housing insecurity, and poverty. Continuing this program and helping additional eligible individuals enroll successfully in health coverage would strengthen our state's safety net system and improve access to health care for older adults, low-income communities, and communities of color.

It is for these reasons that CSAC supports the stakeholder proposal for Medi-Medi Navigator program funding. Should you have any questions about our position, please do not hesitate to contact me at (916) 698-5751 or jgarrett@counties.org. Thank you for your consideration.

Sincerely,

Justin Garrett
Senior Legislative Advocate

cc: Honorable Members, Senate Budget and Fiscal Review Subcommittee #3
The Honorable Scott Wiener, Chair, Senate Budget and Fiscal Review Committee
Scott Ogus, Senate Budget and Fiscal Review Committee
Anthony Archie, Senate Republican Fiscal Office

California State Association of Counties®

March 12, 2024

The Honorable Caroline Menjivar
Chair, Senate Budget & Fiscal Review Subcommittee No. 3
1021 O Street, Suite 6720
Sacramento, CA 95814

The Honorable Akilah Weber, M.D.
Chair, Assembly Budget Subcommittee No. 1
1021 O Street, Suite 4130
Sacramento, CA 95814

RE: CDPH Budget: CalCONNECT – REQUEST FOR REAPPROPRIATED FUNDING

Dear Senator Menjivar and Assembly Member Weber:

On behalf of the California State Association of Counties (CSAC), I write to respectfully request $33.5 million to support the continuation of the California Confidential Network for Contact Tracing (CalCONNECT) system operated by the California Department of Public Health (CDPH). Counties recognize the state's challenging budget climate and therefore recommend consideration of the reallocation of unexpended state operations funds provided to CDPH in previous years, in addition to exploration of the use of existing federal funding, to maintain this important system.

CalCONNECT is the state's information technology system for communicable disease case and outbreak investigation, contact tracing, symptom monitoring of exposed individuals, and communication with affected persons, including the dissemination of isolation and quarantine guidance for cases and contacts. This system, developed during the COVID-19 pandemic, has equipped local health departments with dynamic and modern capabilities to identify cases and expose contacts to mitigate the spread of infectious disease.

Prior to the CalCONNECT system being established, local health departments were significantly limited in disease investigation efforts. These efforts were particularly time-intensive and required considerable staff resources of local health departments, especially during the height of the COVID-19 pandemic. Since its creation, CalCONNECT has been built up to support additional communicable diseases, including Mpox and other pathogens. Further, CDPH has indicated it expects to add capabilities to support case investigation and contact tracing activities for sexually transmitted infections and HIV by June 30, 2024.

CalCONNECT has been a critically important tool for our local health departments in identifying, monitoring, and mitigating the presence of infectious diseases in communities across California. Unfortunately, the Governor's January budget proposal does not include funding for the continued development and operation of this important system past June 30, 2024. Without dedicated funding, the existence of this important system is at risk, potentially requiring local health departments to return to outdated and inefficient disease investigation processes.

CSAC respectfully urges the Legislature to consider the reappropriation of unexpended state operations funds previously provided to CDPH for information technology systems and projects and/or other programs from the 2022 and 2023 Budget Acts to support the continued operation of the CalCONNECT system.

Respectfully,

Jolie Onodera
Senior Legislative Advocate
California State Association of Counties

cc: Honorable Members, Senate Budget & Fiscal Review Subcommittee No. 3
Honorable Members, Assembly Budget Subcommittee No. 1
Elisa Wynne, Staff Director, Senate Budget & Fiscal Review Committee
Scott Ogus, Deputy Staff Director, Senate Budget & Fiscal Review Committee
Christian Griffith, Chief Consultant, Assembly Budget Committee
Andrea Margolis, Consultant, Assembly Budget Committee
Kirk Feely, Fiscal Director, Senate Republican Caucus
Anthony Archie, Consultant, Senate Republican Caucus
Joe Shinstock, Fiscal Director, Assembly Republican Caucus
Eric Dietz, Consultant, Assembly Republican Caucus
Michelle Gibbons, Executive Director, County Health Executives Association of California

California State Association of Counties®

March 27, 2024

The Honorable Alex Lee, Chair
Assembly Human Services Committee
1020 N Street, Room 124
Sacramento, CA 95814

Re: AB 1948 (Rendon and Santiago): Homeless multidisciplinary personnel teams.
As Amended March 12, 2024 – SUPPORT

Dear Assembly Member Lee,

On behalf of the California State Association of Counties (CSAC), I am writing in support of Assembly Bill 1948 by Assembly Members Rendon and Santiago. This measure deletes the January 1, 2025 sunset date on current statute that gives seven counties the authority to exchange personal information of individuals at risk of experiencing homelessness for the purposes of service delivery and prevention, and expands that authority to the County of San Mateo.

Prior to the passage of Assembly Bill 728 (Chapter 337, Statutes of 2019), counties only had statutory authority to share data within multidisciplinary personnel teams (MDT) for individuals who are homeless. AB 728 expanded MDT authority to include sharing of information for individuals at risk of homelessness while maintaining strong privacy protections, allowing coordination among personnel in county agencies to keep individuals safely housed. AB 728 included a sunset date of January 1, 2025, meaning counties currently operating these MDTs will soon lose a critical tool utilized for early intervention and homelessness prevention.

Recognizing the growing humanitarian crisis of homelessness across the state, CSAC released the AT HOME plan (Accountability, Transparency, Housing, Outreach, Mitigation & Economic Opportunity) last year. This plan outlines clear responsibilities and accountability aligned to authority, resources, and flexibility for all levels of government within a comprehensive homelessness response system. It 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. AB 1948 aligns with the recommendations included in the Outreach and Mitigation pillars of AT HOME.

As counties work collaboratively with local, state, and federal partners to address the state's growing number of unhoused residents, it is critical to preserve existing tools that aid in prevention and help stem the inflow of individuals entering or returning to homelessness. It is for these reasons that CSAC supports Assembly Bill 1948. Should you have any questions about our position, please do not hesitate to contact me at (916) 698-5751 or jgarrett@counties.org. Thank you for your consideration.

Sincerely,

Justin Garrett
Senior Legislative Advocate

cc: The Honorable Anthony Rendon
The Honorable Miguel Santiago
Members and Consultants, Assembly Human Services Committee
Martha Guerrero, Los Angeles County Legislative Representative

California State Association of Counties®

March 25, 2024

The Honorable Lori Wilson
Chair, Assembly Committee on Transportation
1020 N Street, Suite 112
Sacramento, CA 95814

RE: AB 2289 (Low) - Vehicles: parking placards for disabled veterans and persons with disabilities.
As Amended March 21, 2024 – SUPPORT
Set to be heard April 1, 2024 – Assembly Transportation Committee

Dear Assemblymember Wilson:

On behalf of the California State Association of Counties (CSAC), representing all 58 counties in California, I am pleased to support Assembly Bill (AB) 2289 by Assemblymember Low. This measure clarifies the instances under which a physical therapist may sign the appropriate certification required before a placard or license plate can be issued to a disabled veteran or person with a disability. AB 2289 adds physical therapists to the list of those who can certify the condition and submit the paperwork, consistent with other provisions of existing law and procedures established by the Department of Motor Vehicles (DMV).

During the COVID-19 pandemic, the State of California made several emergency changes in healthcare service delivery to slow the spread of the illness while maintaining an adequate service structure. After the pandemic ended, statutes were changed to allow the continuation of such delivery systems beyond the non-emergency because of the realized efficiencies.

AB 2289 offers a similar efficiency. Instead of requiring that in every case, a patient in need of certification for a disability placard get a sign-off from a physician, a physical therapist who is working directly with the patient and has specific knowledge of the person's limitations in movement could, under conditions specified in the bill, complete the necessary form for submission to the DMV, creating efficiency for the patient and providers. AB 2289 meets the patient's needs while also recognizing the professional expertise of physical therapists in evaluating and treating disorders and limitations in movement.

For these reasons, CSAC supports AB 2289 and respectfully requests your AYE vote. If you have any questions about our position, please contact me at kdean@counties.org.

Sincerely,

Kalyn Dean

Kalyn Dean

Legislative Advocate

cc: The Honorable Evan Low, California State Assembly, District 26
Members and Staff, Assembly Committee on Transportation
Casey Dunn, Consultant, Assembly Republican Caucus

California State Association of Counties®

March 26, 2024

The Honorable Jesse Gabriel
California State Assembly
1021 O Street, Room 8230
Sacramento, CA 95814

Re: AB 2455 (Gabriel) – Whistleblower protection: state and local government procedures.
As Amended March 21, 2024 – SUPPORT
Referred to the Assembly Judiciary and Public Employment and Retirement Committees

Dear Assembly Member Gabriel,

On behalf of the California State Association of Counties (CSAC) representing all 58 counties in California, I write in support of Assembly (AB) 2455, your measure to modernize the Whistleblower Protection Act, which will help local agencies prevent the misuse of government resources by extending its protections to activities related to government contractors, among other changes.

Local government agencies increasingly depend on private contractors to aid in delivering services to their communities. To ensure the Whistleblower Protection Act can fulfill its mission to prevent waste of government resources, it is crucial to safeguard whistleblowers, not only when exposing misconduct within government operations but also in the companies they enlist as contractors.

In 2002, the California legislature passed the Whistleblower Protection Act to protect employees who report unlawful activities. This legislation inspired local governments to adopt whistleblower hotlines that provide a location to file reports that disclose fraudulent and wasteful activity, save taxpayer money, and make our government more efficient. AB 2455 modernizes the law by providing clarity in the law to ensure that whistleblowers know their activity is protected not just when reporting improper governmental activities by phone, but also when submitting complaints via online portals or email.

Finally, the bill improves governmental efficiency by allowing the designees of county auditors, controllers, and auditor-controllers to review and investigate whistleblower complaints.

As counties increasingly rely on private contractors, AB 2455 would modernize the current whistleblower laws to help ensure democratic longevity.

It is for these reasons that CSAC supports AB 2455. Should you have any questions regarding our position, please do not hesitate to reach out to me at elawyer@counties.org.

Sincerely,

Eric Lawyer
Legislative Advocate

California State Association of Counties®

March 25, 2024

The Honorable Jacqui Irwin
Chair, Assembly Revenue and Taxation Committee
1020 N Street, Room 167A
Sacramento, CA 95814

Re: AB 3134 (Chen) – Property taxation: refunds:
As Introduced February 16, 2024 – SUPPORT
Set to be heard in the Assembly Revenue and Taxation Committee – April 1, 2024

Dear Assembly Member Irwin,

On behalf of the California State Association of Counties (CSAC), representing all 58 counties in California, I write in support of Assembly Bill (AB) 3134 by Assembly Member Phil Chen. This measure is related to property tax refunding procedures.

Property tax refunding typically refers to the process where property owners receive a refund or adjustment on their property taxes. Refunds could happen for various reasons, such as overpayment of property taxes, incorrect assessment of property value, or eligibility for property tax exemptions or credits. Local tax authorities or government agencies responsible for property tax administration typically handle property tax refunds.

Existing law limits the maximum refund amount that can be issued to a taxpayer without prior receipt of an application for the refund to five thousand dollars. AB 3134 raises the threshold to ten thousand dollars. If the owed amount is below five thousand dollars, the county can proactively contact the taxpayer and issue a refund. This measure allows counties to initiate refunds of up to ten thousand dollars without the taxpayer filing a claim. This will lead to improved and expedited service for the public.

For these reasons, CSAC supports AB 3134, which improves government efficiency and benefits taxpayers and respectfully requests your AYE vote. Should you have any questions regarding our position, please do not hesitate to contact me at elawyer@counties.org.

Sincerely,

Eric Lawyer
Legislative Advocate

cc: The Honorable Phil Chen, California State Assembly
Members and Consultant, Assembly Revenue and Taxation Committee
Julia King, Consultant, Assembly Republican Caucus

California State Association of Counties®

March 25, 2024

The Honorable Phil Chen
California State Assembly
1021 O Street, Suite 4620
Sacramento, CA 95814

Re: AB 3134 (Chen) – Property taxation: refunds:
As Introduced February 16, 2024 – SUPPORT
Set to be heard in the Assembly Revenue and Taxation Committee – April 1, 2024

Dear Assembly Member Chen,

On behalf of the California State Association of Counties (CSAC), representing all 58 counties in California, I write in support of Assembly Bill (AB) 3134, your measure relative to property tax refunding procedures.

AB 3134 will benefit taxpayers and counties alike by simplifying the process for refunding overpayment of property taxes. Refunds can happen for various reasons, such as overpayment of property taxes, incorrect assessment of property value, or eligibility for property tax exemptions or credits.

Existing law allows counties to proactively reach out to the taxpayer to issue the refund without prior receipt of an application if the refund amount is below five thousand dollars. AB 3134 raises the threshold to ten thousand dollars, leading to improved service for the public and efficiency of government operations.

For these reasons, CSAC is pleased to support AB 3134. Should you have any questions regarding our position, please do not hesitate to contact me at elawyer@counties.org.

Sincerely,

Eric Lawyer
Legislative Advocate

March 26, 2024

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

RE: SB 1034 (Seyarto): California Public Records Act: state of emergency
As Introduced February 6, 2024, – SUPPORT
Set to be heard on April 2, 2024 – Senate Judiciary Committee

Dear Senator Umberg,

The California State Association of Counties (CSAC), Urban Counties of California (UCC), the Rural County Representatives of California (RCRC), the California Special Districts Association (CSDA), Association of California Healthcare Districts (ACHD), Public Risk Innovations, Solutions, and Management (PRISM), the California Association of Joint Powers Authorities (CAJPA), the City Clerks Association of California (CCAC), and the California Association of Recreation and Parks Districts (CARPD) are pleased to support Senate Bill (SB) 1034 by Senator Kelly Seyarto. This measure would amend the definition of "unusual circumstances," in the California Public Records Act (PRA) to include the need to respond to a PRA request during a state of emergency.

The California Public Records Act serves as a vital tool for the public to hold their governments and elected leaders accountable. California's public agencies take their responsibilities under the PRA seriously, devoting substantial resources to responding thoroughly and promptly to public records requests.

Public agencies at all levels of government have reported a significant increase in the quantity and breadth of PRA requests. A variety of public agencies reported a 73% increase in the volume of PRA requests over the past five years. A vast majority of those agencies reported receiving PRA requests that required an inordinate amount of staff time, with more than 90% reporting PRA requests that diverted local resources away from local programs and services.

These requests can be costly and time-consuming for local agencies, as they can require significant staff time to discover, review, and redact records, often requiring the specific subject matter experts on an issue to dedicate substantial time outside of their core responsibilities to ensure the agency fully responds to a PRA request. Counties have reported single PRA requests seeking decades of 911 call transcripts or decades of correspondence from local officials. One small, rural county reported a single requestor who has submitted hundreds of PRA requests over the past few years, including a single request that required the county to review

over 621,000 records. The county estimates that responding to a portion of the requests would cost the county over $1.8 million and require a minimum of 34 employees working around the clock for a year to honor the request.

Furthermore, due to the modernization of how public sector work is conducted, there has been a significant increase in disclosable records (e.g., emails, text messages, inter-office direct chat messaging platforms, etc.) created by routine government work. In response, there has been a proportionate increase in the complexity and sophistication of the work necessary to respond to PRA requests due to the staff time spent searching for records and redacting material that is exempt or prohibited from disclosure (e.g., confidential attorney-client correspondence, social security numbers, criminal history, trade secrets, medical records, etc.).

The heightened use of the PRA – and the subsequent heightened impacts to governments – has occurred over the same period that saw local governments lose revenue sources that absorbed some of the cost pressures of PRA requests.

In 2014, California voters approved Proposition 42, which, among other provisions, amended the California constitution to discontinue the requirement that the State reimburse local governments for the cost to comply with PRA laws or any subsequent PRA laws enacted by the Legislature. Prior to Proposition 42, costs for local governments to comply with the PRA were a reimbursable state mandate for which local governments could file annual claims with the State Controller's Office.

In 2020, the California Supreme Court ruled that local agencies cannot charge for staff time and technical costs necessary to review, redact, and release public records in response to PRA requests, allowing fees to be used only for limited circumstances – including, for example, $0.10 per page for physical copies, the cost of physical hardware used to transmit records, or the cost of data extraction. Agencies are not allowed to seek reimbursement for the significant costs that can be incurred for the time spent by legal counsel in reviewing and explaining the legality of a claim, exemptions, or redactions applicable to the request – or the staff time spent redacting private information from voluminous records requests.

SB 1034 will provide some narrow, limited relief to counties when they receive PRA requests during an emergency. While there are other reforms to the PRA that could both improve public access to records and reduce impacts on local agencies, CSAC applauds any effort to reform the PRA, including this narrow, but beneficial improvement.

For these reasons, CSAC, ACHD, UCC, RCRC, PRISM, CAJPA, CCAC, CSDA, and CARPD support SB 1034 and respectfully request your AYE vote. Should you have any questions or concerns regarding our position, please do not hesitate to contact us at the below email addresses.

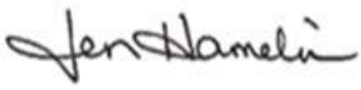
Sincerely,

Eric Lawyer
Legislative Advocate
California State Association of Counties
elawyer@counties.org

Sarah Bridge
Vice President
Association of California Healthcare Districts
sarah@deveauburrgroup.com

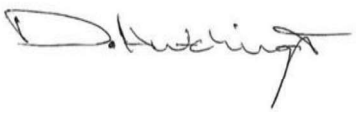
Jean Kinney Hurst
Legislative Advocate
Urban Counties of California
jkh@hbeadvocacy.com

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



Jen Hamelin
Chief Claims Officer – Workers' Compensation
Public Risk Innovations, Solutions, and Management
jhamelin@prismrisk.gov

Faith Lane Borges
Legislative Advocate
California Association of Joint Powers Authority
fborges@actumllc.com



Dane Hutchings
Legislative Representative
City Clerks Association of California
dhutchings@publicpolicygroup.com

Alyssa Silhi
Director of Government Affairs
California Association of Recreation and Park Districts
asilhi@publicpolicygroup.com

Marcus Detwiler
Legislative Representative
California Special Districts Association
marcusd@csda.net

cc: The Honorable Kelly Seyarto, California State Senate
Members and Consultant, Senate Judiciary Committee
Consultant, Senate Republican Caucus

March 26, 2024

The Honorable Kelly Seyarto
Member, California State Senate
1021 O Street, Room 7120
Sacramento, CA 95814

RE: SB 1034 (Seyarto): California Public Records Act: state of emergency
As Introduced February 6, 2024, – SUPPORT

Dear Senator Seyarto,

The California State Association of Counties (CSAC), Urban Counties of California (UCC), the Rural County Representatives of California (RCRC), the California Special Districts Association (CSDA), Association of California Healthcare Districts (ACHD), Public Risk Innovations, Solutions, and Management (PRISM), the California Association of Joint Powers Authorities (CAJPA), the City Clerks Association of California (CCAC), and the California Association of Recreation and Parks Districts (CARPD) are pleased to support your measure, which would amend the definition of "unusual circumstances," in the California Public Records Act (PRA) to include the need to respond to a PRA request during a state of emergency.

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In 2014, California voters approved Proposition 42, which, among other provisions, amended the California constitution to discontinue the requirement that the State reimburse local governments for the cost to comply with PRA laws or any subsequent PRA laws enacted by the Legislature. Prior to Proposition 42, costs for local governments to comply with the PRA were a reimbursable state mandate for which local governments could file annual claims with the State Controller's Office.

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SB 1034 will provide some narrow, limited relief to counties when they receive PRA requests during an emergency. While there are other reforms to the PRA that could both improve public access to records and reduce impacts to local agencies, CSAC applauds any effort to reform the PRA, including this narrow, but beneficial improvement.

For these reasons, CSAC, ACHD, UCC, RCRC, CSDA, PRISM, CAJPA, CCAC, and CARPD support SB 1034. Should you have any questions or concerns regarding our position, please do not hesitate to contact us at the below email addresses.

Sincerely,

Eric Lawyer
Legislative Advocate
California State Association of Counties
elawyer@counties.org

Sarah Bridge
Vice President
Association of California Healthcare Districts
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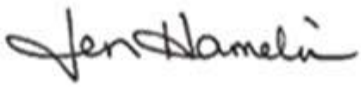
sdukett@rcrcnet.org



Jen Hamelin
Chief Claims Officer – Workers' Compensation
Public Risk Innovations, Solutions, and Management
jhamelin@prismrisk.gov

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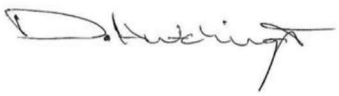

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Legislative Representative
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dhutchings@publicpolicygroup.com

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Director of Government Affairs
California Association of Recreation and Park Districts
asilhi@publicpolicygroup.com

Marcus Detwiler
Legislative Representative
California Special Districts Association
marcusd@csda.net

March 27, 2024

The Honorable Lola Smallwood-Cuevas
Chair, Senate Committee on Labor,
Public Employment and Retirement
1021 O Street, Suite 6740
Sacramento, CA 95814

RE: Senate Bill 1116 (Portantino) Unemployment Insurance: Trade Disputes: Eligibility for Benefits. – OPPOSE (As Introduced February 13, 2024)

Dear Senator Smallwood-Cuevas,

The undersigned organizations respectfully oppose Senate Bill 1116, which would provide employees who remain on strike for more than two weeks with Unemployment Insurance (UI) benefits, thus requiring employers (via UI) to fund ongoing labor disputes. Local government and school revenues are incredibly restrictive and funding sources are limited; as cost pressures continue to increase for local governments and schools, it is critical that we have a fiscally solvent UI system in order for local agencies to continue to provide services to the public and provide competitive benefits to our active and retired employees.

Under existing law, UI payments are intended to assist employees who, through no fault of their own, are forced to leave their employment. Participating local agencies fund these payments via an Unemployment Insurance Reserve Account (UI Account) with the Employment Development Department (EDD). SB 1116 makes a significant change to this approach by providing unemployment to workers who are currently employed, and not seeking other employment, but have chosen as a labor negotiating tactic to go on strike. In the event of a strike that lasts over two weeks, SB 1116 would allow all striking workers to claim UI benefits for up to 26 weeks. In this situation, a local government agency would experience simultaneous claims that would significantly increase UI costs. These costs would impact public employers, such as cities, counties, special districts, and joint powers authorities. It would also impact K-12 schools, as school districts directly pay a portion of employee wages to the State fund through the School Employee Fund, coordinated through their County Office of Education.

In addition to its considerable costs to employers, SB 1116 will likely further harm the already insolvent UI fund and threaten benefits to unemployed Californians in future recessions. California's UI Fund was exhausted during the COVID-19 pandemic, and is projected to have an outstanding balance of $20.8 billion at the end of 2024, owed to the Federal government.[1] This is nearly double the amount of funds that California borrowed the last time California's UI funds were exhausted during the 2008 recession. Beginning in 2008, California accumulated more than $10 billion in debt which was not repaid until 2018 – a decade later. This UI deficit had significant fiscal effects on employers and the general fund. California's UI insolvency resulted in significant federal tax increases ranging from the hundreds of millions to over $2 billion per year between 2012-2018. With California's UI Fund becoming insolvent less than two years after repaying federal UI from the Great Recession, California cannot afford to further leverage and strain an already burdened system.

This measure follows an identical measure, SB 799 (Portantino, 2023), which was vetoed by Governor Gavin Newsom. The Governor's veto message stated in part: "[T]he state is responsible for the interest payments on the federal UI loan and to date has paid $362.7 million in interest with another $302 million due this month. Now is not the time to increase costs or incur this sizable debt." The State Department of Finance has also stated that a prior unsuccessful predecessor to this bill, Assembly Bill 1066 (Gonzalez, Lorena, 2019), would have resulted in, "… Increased cost pressures on the UI Fund, exacerbating the condition of the Fund and hindering the ability to build a reserve to respond to variations in the economy." With the State already grappling with a multi-billion dollar budget deficit that will negatively impact local agencies, it would be counter-productive to simultaneously increase cost pressures on the State's UI fund.

It is also important to note that this measure will further erode good faith negotiations at the bargaining table for local government and schools employers. Local governments and schools work hard to engage in good faith bargaining. If SB 1116 were to become law, we anticipate longer lengths of impasse, higher costs associated with protracted Public Employee Relations Board (PERB) proceedings and a decline in quality of public services. These impacts could be amplified by a pending measure concerning sympathy strikes (Assembly Bill 2404 (Lee)) and a recently-enacted measure allowing for collective bargaining for temporary employees (Assembly Bill 1484 (Zbur, 2023)).

For these reasons, we must respectfully oppose SB 1116. Please feel free to contact us if you have any questions.

Sincerely,

Aaron Avery
Director of State Legislative Affairs
California Special Districts Association
aarona@csda.net

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

[1] https://edd.ca.gov/siteassets/files/unemployment/pdf/edduiforecastjan24.pdf

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

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

Alyssa Silhi
California Association of Recreation and Parks Districts
asilhi@publicpolicygroup.com

Faith Borges
Legislative Representative
California Association of Joint Powers Authorities
fborges@caladvocates.com

Sarah Bridge
Association of California Healthcare Districts
sarah@deveauburrgroup.com

Dorothy Johnson
Legislative Advocate
Association of California School Administrators
djohnson@acsa.org

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

Jason Schmelzer
Public Risk Innovation, Solutions, and Management (PRISM)
jason@SYASLpartners.com

cc: The Honorable Anthony Portantino
Committee Members, Senate Committee on Labor, Public Employment and Retirement
Alma Perez, Consultant, Senate Committee on Labor, Public Employment and Retirement
Scott Seekatz, Policy Consultant, Senate Republican Caucus
Cory Botts, Policy Consultant, Senate Republican Caucus

CSAC Letters
LEAGUE OF CALIFORNIA CITIES

CSAC

CSDA

March 27, 2024

The Honorable Steven Glazer
Chair, Senate Revenue and Taxation Committee
1021 O Street, Ste. 7520
Sacramento, CA 95814

RE: **SB 1164 (Newman) Property taxation: new construction exclusion: dwelling units**
Notice of OPPOSE *(02/14/2024)*

Dear Chair Glazer,

The League of California Cities (Cal Cities) along with the California State Association of Counties (CSAC), and the California Special Districts Association (CSDA) must respectfully **oppose** SB 1164 (Newman), which would negatively impact local government property tax revenue by exempting newly constructed accessory dwelling units (ADUs) from property tax assessment, if certain conditions are met, for fifteen years from the date of completion or until the property changes owners, whichever comes first.

Since 2018, there have been year over year increases in the number of newly permitted and constructed ADUs throughout the state. According to data from the UC Berkeley Center for Innovation, from 2018 to 2022, roughly 10,276 ADUs were built, while 28,547 units were permitted during that same period. It is clear there is a demand for ADUs that California cannot keep pace with.

This bill assumes property taxes are an impediment that disincentivize homeowners from building ADUs. However, the data show significant increases in the number of permits and constructed units in previous years, signaling that property tax adjustments have not exclusively halted or discouraged construction on new ADUs. Separate from property tax, the disproportionate share of accessory dwelling units that have been permitted, but not yet built, represents a supply and demand concern that is wholly divorced from property tax considerations.

Recent legislative efforts aimed at increasing the statewide housing stock, like SB 9 (Atkins, 2021), helped spur the construction of ADUs by allowing for by-right approval of an ADU in a single-family residential zone. However, increasing the housing stock triggers demand for service delivery that local governments are responsible for providing. By creating a property tax assessment exemption on newly constructed ADUs, SB 1164 will deprive local governments of the revenues needed to provide and expand services that are of communitywide benefit. Property taxes generate a critical revenue source local governments depend on to provide services, including public safety, education, parks, libraries, public health, and fire protection.

While Cal Cities, CSAC, and CSDA support the intent to increase the production of housing across the state, local governments can ill-afford any additional erosion of local tax revenues in the short- or long-term. The negative fiscal impacts of this measure would be exclusively borne by local governments. We applaud the intent of the measure but have ongoing concerns with proposals that erode the local government tax base.

For these reasons, Cal Cities, CSAC, and CSDA respectfully **oppose** SB 1164. If you have any questions, do not hesitate to contact me at btriffo@calcities.org.

Ben Triffo
Legislative Affairs Lobbyist, Cal Cities

Eric Lawyer
Legislative Advocate, CSAC

Marcus Detwiler
Legislative Representative, CSDA

cc: The Honorable Josh Newman
Members, Senate Revenue and Taxation Committee
Colin Grinnell, Senate Revenue and Taxation Committee

California State Association of Counties®

March 25, 2024

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

Re: SB 1245 (Ochoa-Bogh): In-home supportive services: licensed health care professional certification.
As Introduced February 15, 2024 – SUPPORT

Dear Senator Alvarado-Gil:

On behalf of the California State Association of Counties (CSAC), I am writing to share our support for Senate Bill 1245 by Senator Ochoa Bogh. This measure streamlines the process for In-Home Supportive Services (IHSS) clients to receive paramedical services by expanding the types of health care providers authorized to sign paramedical forms and reducing unnecessary administrative burdens that currently delay access to services.

California's population of older adults aged 65 and older is projected to reach 25 percent of the population, or 8.6 million Californians, by 2030. IHSS is an important tool in meeting the goals of the Master Plan for Aging to enable this growing population to age with dignity and independence, as well as assisting adults with disabilities. Currently, nearly 600,000 IHSS providers deliver services to over 750,000 recipients in the state. This includes paramedical services, which are tasks necessary to help maintain the client's health. Types of paramedical services include administration of medications, wound care, or injections, among others.

While the California Department of Social Services (CDSS) allows any licensed healthcare professional to sign off on the initial form required for a client to obtain IHSS, the department only allows limited types of healthcare professionals to sign the additional form required to authorize paramedical services. Specifically, only physicians, surgeons, podiatrists, and dentists are authorized to sign this additional form.

The current requirements for authorizations of both the health care certification and paramedical forms can prevent timely delivery of services essential for the client's health. Counties cannot allow paramedical services without the second form, which can lead to significant delay for a client to obtain paramedical services from their IHSS provider. This delay can be exacerbated by overwhelmed healthcare systems.

SB 1245 allows the same licensed health care professionals who currently sign the IHSS health care certification form to also sign the paramedical form. This bill would also allow nurses and nurse practitioners working at the direction of the licensed health care practitioner to complete the forms. Aligning which licensed health care professionals may sign the paramedical and health care certification forms will reduce administrative barriers. By broadening the types of

health care providers who are authorized to sign these forms, IHSS clients can have both forms signed at the same time by the same provider, thereby reducing delays, improving health outcomes, and better fulfilling the goals of the IHSS program.

It is for these reasons that CSAC supports Senate Bill 1245. Should you have any questions about our position, please do not hesitate to contact me at (916) 698-5751 or jgarrett@counties.org. Thank you for your consideration.

Sincerely,

Justin Garrett
Senior Legislative Advocate

cc: The Honorable Rosilicie Ochoa Bogh
Members and Consultants, Senate Human Services Committee
County Welfare Directors Association (CWDA)

March 26, 2024

The Honorable John Laird
Member, California State Senate
1021 O Street, Room 8720
Sacramento, CA 95814

RE: Senate Bill 1280 – SUPPORT
As Amended March 20, 2024

Dear Senator Laird:

On behalf of the Rural County Representatives of California (RCRC), California State Association of Counties (CSAC), and the League of California Cities (Cal Cities), we are pleased to support your Senate Bill 1280 regarding propane cylinders.

Beginning January 1, 2028, SB 1280 requires 1lb propane cylinders sold in the state to be reusable or refillable. Small disposable propane cylinders are commonly sold and used in the state for a variety of purposes, including in many recreation-related activities that are important to rural economies. Unfortunately, small propane cylinders are very expensive for local governments to manage in the waste stream, and it is nearly impossible to know whether a cylinder is completely empty. Large propane cylinders are refillable, but the vast majority of small 1lb cylinders are manufactured as single-use disposable products with little consideration given to end-of-life management or reuse.

Local governments are responsible for the collection, processing, recycling and disposal of solid waste, including the operation of local household hazardous waste collection programs. These local programs provide important public services and prevent improper disposal of hazardous wastes. Our local programs often offer residents free drop off of HHW; however, the cost to manage some of the waste streams are significant and put serious financial pressure on the programs and local governments that operate them. The cost for local governments to manage discarded single use propane cylinders can often approach or exceed the initial purchase price that consumers pay at the point of sale.

With refillable cylinders becoming more common in the marketplace, SB 1280's phase out of single-use small cylinders will help reduce costs, administrative burdens, and safety risks for local solid waste and household hazardous waste programs.

For these reasons, we are pleased to support your SB 1280. If you should have any questions, please do not hesitate to contact John Kennedy (RCRC) at jkennedy@rcrcnet.org; Ada Waelder (CSAC) at awaelder@counties.org; or Melissa Sparks-Kranz (Cal Cities) at msparkskranz@calcities.org.

Sincerely,

JOHN KENNEDY	MELISSA SPARKS-KRANZ	ADA WAELDER
RCRC	Cal Cities	CSAC
Senior Policy Advocate	Legislative Representative	Legislative Advocate

cc: Senator Ben Allen, Chair, Senate Environmental Quality Committee
Members of the Senate Environmental Quality Committee
Gabrielle Meindl, Chief Consultant, Senate Environmental Quality Committee
Scott Seekatz, Consultant, Senate Republican Caucus

3/26/24

Senator Benjamin Allen, Chair
Senate Environmental Quality Committee
1021 O Street, Suite 3230
Sacramento, CA 95814

Dear Chair Allen,

We strongly support the passage of SB 1393 authored by Senator Roger Niello and Assemblymember Juan Alanis relating to the establishment of an Advanced Clean Fleets (ACF)

Appeals Advisory Committee. Further, we see the passage of SB 1393 as a necessary step towards improving the ACF regulation.

Public and private sector fleets support the ACF regulation and are working diligently to reduce the carbon intensity of fleet operations while ensuring that they continue to provide the many critical fleet services Californians rely upon.These include public services such as fire, police, ambulance and other emergency services, mail delivery, school buses and public transit, and private sector services such as long-haul trucking, utility services and package delivery.

The ACF sets ambitious compliance deadlines for fleets to transition to an increasing proportion of Zero Emission Vehicles (ZEVs). The ACF recognizes that the ZEV transition requires access to adequate utility infrastructure for alternative fueling such as EV charging, as well as access to ZEVs that operationally can deliver the full spectrum of important and highly specialized services that fleets provide (many which are vital to the health and safety of Californians). The ACF allows that fleets may request exemptions granting compliance flexibility in cases where, for reasons beyond their control, fleets cannot meet the compliance timetables. However, the ACF does not provide clarity on how such exemption requests are to be evaluated and decided upon, nor does it provide a process for any administrative review of exemption request denials by the California Air Resources Board (CARB).

SB 1393 specifies a formal process by which fleets may request a review of exemption request denials from an ACF Appeals Advisory Committee that is comprised of government officials from relevant agencies and private sector representatives with relevant fleet, vehicle and utility expertise. It also specifies transparency in the decision-making process. These improvements to the ACF will ensure that fleets can continue to work diligently to decarbonize their operations and comply with the ACF without being penalized for factors beyond their control.

In cases where a regulation allows for exemptions and extensions, best practices necessitate an appeals process. Such a process can be particularly helpful and impactful by offering clear and feasible pathways to compliance **without diminishing CARB's authority as this committee only operates in an advisory role**.

The creation of this committee will enable relevant stakeholders to work together, share best practices and advise CARB on the ACF regulation to ensure real time decisions and adjustments can be made possible to safeguard the program's success.

We urge you to support SB 1393 and vote in favor of its passage. Please contact David Renschler CPFP, NAFA Fleet Management Association at 707-428-7414 or drenschler@fairfield.ca.gov if you have any questions.

Sincerely,

NAFA, SPONSOR

Damon Conklin, CalCities

Dean Talley, CMTA

Lee Brown, Western States Trucking Assoc.

Craig Baker, California Tow Truck Assoc.

Mark Neuburger, California State Association of Counties

Laura Renger, California Electric Transportation Coalition

Melanie Perron, Assoc. General Contractors CA

Howard Quan, NCPA

Amanda Gualderama, CalBoradband

Anthony J. Tannehill, CSDA

Michael P. Quigley, CA Alliance for Jobs

Brady Van Engelen, CalChamber

Emily Cohen, UCON

Cc:
Senator Brian Dahle (Vice Chair)
Senator Lena A. Gonzalez
Senator Melissa Hurtado
Senator Caroline Menjivar
Senator Janet Nguyen
Senator Nancy Skinner

California State Association of Counties®

March 25, 2024

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

RE: SB 1441 (Allen): Examination of petitions: time limitations and reimbursement of costs
As Introduced February 16, 2024 – SUPPORT
Set to be heard on April 2, 2024 – Senate Judiciary Committee

Dear Senator Umberg,

The California State Association of Counties (CSAC), representing all 58 counties in California, is pleased to support Senate Bill (SB) 1441 by Senator Ben Allen. This measure would preserve local election resources by establishing reasonable timeframes for the examination of failed petitions. The bill would also protect those vital public resources by allowing local election officials to recover the costs of the examinations.

Existing law, Government Code section 7924.110, states that a petition proponent has up to 21 days after certification of insufficiency to commence an examination of disqualified petition signatures. However, the statute does not provide proponents of a failed petition with a time limit for their review of the insufficient signatures. Also, the law is silent about cost recovery by the county for staff time and other public resources utilized during the examination process.

Election officers have been tasked with managing increasingly complex and expensive elections. In recent years, election officers have navigated rapidly changing election laws, conducted elections during a global pandemic, endured harassment by the public and direct threats to their safety, and have needed to counter the rampant spread of misinformation. Policies that are core to our democratic values, like the laws allowing the recall of public officials who have lost the faith of their constituents, are exploited by those who can consume local resources that deplete public resources that could otherwise be utilized to improve our communities.

Current law has enabled petition proponents in some jurisdictions to abuse this access to public resources through indefinite time for examination of failed petitions without any obligation to reimburse the county's costs. In one egregious case, the 14-month examination by proponents of a failed petition resulted in over $1 million taxpayer dollars spent to hire additional staff.

SB 1441 is a fair and reasonable approach to address the abuses of the failed petition examination process. The bill builds off of established policies, like Elections Code section 15624, which establishes cost recovery for voter-initiated recount efforts. Broadly, the bill helps local election officials preserve resources necessary to conduct free and fair elections that are accessible to all voters.

For these reasons, CSAC is proud to support SB 1441 and respectfully requests your AYE vote. Should you have any questions or concerns regarding our position, please do not hesitate to contact me at elawyer@counties.org.

Sincerely,

Eric Lawyer
Legislative Advocate

cc: The Honorable Ben Allen, California State Senate
Members and Consultant, Assembly Judiciary Committee
Cory Botts, Consultant, Senate Republican Caucus

March 25, 2024

The Honorable Benjamin Allen
California State Senate
1021 O Street, Room 6610
Sacramento, CA 95814

RE: SB 1441 (Allen): Examination of petitions: time limitations and reimbursement of costs
As Introduced February 16, 2024 – SUPPORT

Dear Senator Allen,

The California State Association of Counties (CSAC), representing all 58 counties in California, is pleased to support your SB 1441, which would preserve local election resources by establishing reasonable timeframes for the examination of failed petitions. The bill would also protect those vital public resources by allowing local election officials to recover the costs of the examinations.

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For these reasons, CSAC is proud to support SB 1441. Should you have any questions or concerns regarding our position, please do not hesitate to contact me at elawyer@counties.org.

Sincerely,

Eric Lawyer
Legislative Advocate

March 28, 2024

The Honorable Sharon Quirk-Silva
Chair, Assembly Budget Subcommittee No. 5
1021 O Street, Suite 4210
Sacramento, CA 95814

Re: **Item 9210: VLF Backfill**
Request Appropriation for Insufficient ERAF Amounts in Alpine, Mono, and San Mateo Counties

Dear Assembly Member Quirk-Silva:

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 respectfully urge your consideration for including an appropriation to backfill the insufficient ERAF amounts in the Counties of Alpine, Mono, and San Mateo. The Governor's proposed 2024-25 state budget, regrettably, does not include a backfill of these funds, which will significantly impact local programs and services.

Alpine County 2022-23 Amount:	$175,215
Alpine County Past Years' Amount:	$319,771
Mono County 2022-23 Amount:	$2,313,845
San Mateo County 2022-23 Amount:	$70,048,152
Total:	$72,856,983

In 2004, a state budget compromise between the state and its counties and cities was struck to permanently reduce taxpayer's Vehicle License Fee (VLF) obligations by 67.5 percent. The VLF had served as an important general purpose funding source for county and city programs and services since its inception. In exchange for this revenue reduction, the state provided counties and cities with an annual in-lieu VLF amount (adjusted annually to grow with assessed valuation) to compensate for the permanent loss of VLF revenues with revenues from each county's Educational Revenue Augmentation Fund (ERAF); this transaction became known colloquially as the "VLF Swap." The 2004 budget agreement made clear that excess ERAF funds – shifted property tax revenues that were not needed to fully fund K-14 schools – would not be used to fund the in-lieu VLF amount. Further, the Legislature and Administration agreed to a ballot measure – Proposition 1A – that amended the Constitution to ensure that future shifts or transfers of local agency

property tax revenues could not be used to pay for state obligations. That November, Proposition 1A was approved by 83.7 percent of voters.

Legislation to implement the VLF swap carefully and purposefully identified the sources of funds that were available to pay the state's in-lieu VLF obligation: ERAF distributions to non-basic aid schools and property tax revenues of non-basic aid schools. Proposition 98 ensures that state funds are provided to those schools to meet their constitutional funding guarantee, so they do not experience any financial loss. However, in those instances where there are too few non-basic aid schools in a county from which to transfer sufficient funds to pay the state's in-lieu VLF obligation, the state has historically provided annual appropriations to make up for the revenue shortfalls.

The Governor's 2024-25 proposed budget failed to include funds to ensure that these counties and cities were held harmless for losses associated with the VLF Swap. Without backfill, these counties and the cities therein – through no fault of their own – will endure a significant reduction in general purpose revenue that will directly affect the provision of local programs and services in their respective communities, at precisely the time when our respective members are being asked to do more. As a result, we respectfully urge you to consider appropriating funds for this purpose.

Sincerely,

Jean Kinney Hurst
Legislative Advocate
Urban Counties of California

Mary-Ann Warmerdam
Senior Vice President, Government Affairs
Rural County Representatives of California

Eric Lawyer
Legislative Advocate
California State Association of Counties

Ben Triffo
Legislative Advocate
League of California Cities

cc: Members and Consultants, Assembly Budget Subcommittee No. 5
Christian Griffith, Chief Consultant, Assembly Budget Committee
William Weber, Consultant, Assembly Republican Caucus
Chris Hill, Principal Program Budget Analyst, Department of Finance

California State Association of Counties®

February 26, 2024

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

RE: AB 1657 (Wicks) Affordable Housing Bond Act of 2024
Notice of SUPPORT (*As amended April 17, 2023)*

Dear Senator Portantino:

The California State Association of Counties (CSAC), representing all 58 California counties, writes in support of AB 1657 (Wicks), which would enact the Affordable Housing Bond Act of 2024.

There is a significant housing shortage across the full housing continuum in California and the supply of permanent, affordable housing continues to be a considerable challenge to addressing homelessness. Many jurisdictions also lack the infrastructure needed to provide basic shelter or interim housing to the unhoused population. In response to the COVID-19 pandemic, significant temporary federal and state funds were invested to increase capacity and provide housing and income protections to very low-income Californians, but many of those sources have expired or are expiring.

Siting shelters and supportive housing often draws significant resistance from community members, and counties and cities must continue to work to remove these barriers and identify and support the development of infrastructure needed to address homelessness. However, local governments do not have the tools and funding needed to develop these units to scale. Low-income housing projects are most often financed with a combination of tax-exempt bonds, federal and state tax credits, as well as other local funding sources. The state and federal sources of funding are significantly oversubscribed, which is limiting the number of projects that can go forward, especially in areas of the state that do not have large contributions from philanthropy for this purpose. Local governments have all too often seen projects stalled when local communities object to new housing, particularly for the most vulnerable populations.

The Affordable Housing Bond Act of 2024 (AB 1657, Wicks) comes at a crucial time for California. Historically, the state has used voter-approved General Obligation bonds to fund the construction and rehabilitation of affordable housing. However, the $3 billion in funding authorized by the Veterans and Affordable Housing Bond Act of 2018 will be fully allocated by the end of 2024. Additionally, the Governor's budget proposes to drastically reduce - and in some cases remove altogether - funding for most of the state's affordable housing and homelessness programs, making the need for a new, stable funding source even more dire. Without greater state funding, we are further unable to draw down unlimited 4% federal Low-Income Housing Tax Credits, leaving billions of dollars of federal assistance on the table.

The 2024 Affordable Housing Bond Act would place a $10 billion affordable housing bond on the November 2024 ballot to fund affordable housing development for the following four years. The bond would fund:

- $5.25 billion for the Multifamily Housing Program (MHP), including an additional $1.75 billion for funding for capitalized operating subsidy reserves for supportive housing units
- $1.75 billion for the Housing Rehabilitation Loan Fund
- $1.5 billion for preservation (Portfolio Reinvestment Program, Low-Income Weatherization Program, and Community Anti-Displacement and Preservation Program (CAPP), including at least $500 million for CAPP (SB 225)
- $1 billion for CalHome and home purchase assistance programs; and
- $500 million for tribal housing and farmworker housing

These resources will facilitate the construction of almost 30,000 new units of deeply affordable housing, help rehabilitate (with climate-friendly sustainability improvements) 90,000 additional affordable rental homes and make homeownership possible for more than 13,000 low-income households. The new construction rental housing funds will be leveraged with private, federal, and local funds at a ratio of more than 4:1.

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 1657 aligns with our AT HOME efforts, specifically as it relates to the Housing pillar.

It is for these reasons that CSAC supports AB 1657 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 Buffy Wicks, Assembly Member, 14th District
The Honorable Members, Senate Appropriations Committee
Mark McKenzie, Staff Director, Senate Appropriations Committee
Kerry Yoshida, Consultant, Senate Republican Caucus

California State Association of Counties®

February 26, 2024

The Honorable Nancy Skinner
Chair, Senate Housing Committee
1021 O Street, Suite 3330
Sacramento, CA 95814

RE: SB 1032 (Padilla) Housing finance: portfolio restructuring: loan forgiveness.
SPONSOR *(As introduced on February 6, 2024)*

Dear Senator Skinner:

The California State Association of Counties (CSAC), representing all 58 counties in the state, is proud to sponsor SB 1032, which will give the Housing and Community Development Department (HCD) the authority to forgive specific legacy loans, per HCD's discretion.

HCD administers a number of loan programs authorized by the Legislature in the 1980's and 1990's that were created to preserve existing affordable housing across the state. These programs offered loans to public housing providers (housing agencies) with terms that attempted to strike a balance between providing impactful funding and ensuring the rents charged by the housing agencies on these properties would remain affordable. All of these programs are closed and no longer offer loans.

While it was easy to obtain the loan, terms that allowed housing agencies to forgo making any payments on the loan effectively trapped these housing agencies in an endless debt cycle with no exit path. The loans were set up with the premise that the housing agencies would only pay against the loan interest. The notion being that housing entities could use excess future cash flows to pay down the principal. In reality, these affordable housing units seldom experience excess cash flows due to the rent affordability restrictions required by the loan program and the cost of maintaining the units. Given the reality of how these loans currently function, it is time to provide HCD the authority to forgive these as means to provide relief to the impacted housing agencies.

In a high number of cases, housing agencies that would benefit from loan forgiveness serve as the main affordable housing providers in their regions. Without loan forgiveness, these housing agencies will default on these loans, effectively increasing the possibility that a housing agency will need to close affordable housing sites which serve the most vulnerable residents of their communities, which will ultimately lead to more homelessness across the state.

Housing is an important element of economic development and essential for the health and wellbeing of our communities. SB 1032 would not require HCD to forgive any specific loans, but instead will give them the authority to choose to forgive certain legacy loans that are most at risk, per their discretion. Specifically, SB 1032 will allow housing providers to preserve current affordable housing units without the need to evict low-income residents out of their homes.

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 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 1032 aligns with our AT HOME efforts, specifically as it relates to the Housing pillar.

For these reasons, CSAC is proud to support and sponsor SB 1032. If you need additional information, please contact 916.591.2764 or mneuburger@counties.org.

Sincerely,

Mark Neuburger
Legislative Advocate
California State Association of Counties

CC: The Honorable Members, Senate Housing Committee
Mehgie Tabar, Consultant, Senate Housing Committee
Kerry Yoshida, Consultant, Senate Republican Caucus
Alexis Castro, Legislative Director, Office of Senator Steve Padilla
Cece Sidley, Fellow, Office of Senator Steve Padilla

The Honorable James Ramos
Chairman, Assembly Budget Subcommittee #6
1021 O St., Room 8310
Sacramento, CA 95814

Re: RETAIN FUNDING FOR PUBLIC DEFENSE PILOT PROGRAM

Dear Chairman Ramos:

We write to respectfully urge the Legislature to retain the $40 million enacted in last year's budget for the third and final year of funding for the Public Defense Pilot Program.

Since 2021-22, the state has dedicated between $40 and $50 million per year in funding for 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 between $94 million and $781 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 Assembly Budget Subcommittee #6 to support retaining the third and final year of funding to the Public Defense Pilot Program.

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[1] Estimated incarceration costs saved range from $94 million to over $781 million based on the LAO's estimated marginal cost savings of $15,000 per released person per year, and the actual annual per capita incarceration costs of $124,708 for 2022-23 as reported in the Governor's Proposed Budget. (Gabriel Petek, *The 2024-25 Budget: California Department of Corrections and Rehabilitation* 9 (February 2024), https://lao.ca.gov/reports/2024/4852/CDCR-022224.pdf; Gavin Newsom, *2024-25 Governor's Budget: Corrections and Rehabilitation* CR-5 (January 2024), https://ebudget.ca.gov/2024-25/pdf/GovernorsBudget/5210/5225.pdf.)

The significant return on the state's investment in the Public Defense Pilot Program will continue in the final year if funding is maintained. Year one and two data from 13 of the 34 grant-funded public defense programs has already yielded approximately $94 million to over $781 million in cost savings based on data from only two of the four areas covered by the pilot program.[2]

These 13 programs from two of the four areas covered by the pilot program have helped 529 people obtain release or reduced sentences, saving a total of 6,267 years of incarceration time.[3] People of color made up 85% of the people resentenced. 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 major statewide funding specifically allocated to 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 $40 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 the Legislature 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 has also allowed indigent defense providers to reinvest in families, communities of black, indigenous and people of color, as well as immigrants, and individuals earning low incomes. Additionally, the funding has 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. Ultimately, cutting the third year

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[2] Actual savings are much higher since this data only covers individuals resentenced under Penal Code section 1172.6 (felony murder) and 1172.1 (discretionary resentencing). It does not cover Youthful Offender Parole or Penal Code section 1473.7 petitions (challenging invalid convictions based on immigration consequences). Additionally, this data does not include the savings from the Los Angeles County Bar Association Independent Defender Program or the San Francisco Bar Association

[3] According to data received from 13 of the 34 public defense programs spanning March 1, 2022 – December 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 years saved calculation was also based on the life expectancy provided by the U.S. Social Security Actuarial Life Table. Actuarial Life Table (ssa.gov) The 13 public defender grantees reflected in this data are from the counties of Alameda, Contra Costa (including Alternate PD Office), Los Angeles (including Alternate PD Office), Orange (including Alternate PD Office and Associate Office), Sacramento, San Bernardino, Santa Clara, Santa Cruz, Sonoma, and Yolo.

of funding will end these public safety gains, 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 support to retain the third year of funding to a program that has a demonstrated record of success.

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,

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

Allene Speiser, President
California Public Defenders Association

Mano Raju
San Francisco Public Defender

Anne Irwin, Founder and Executive Director
Smart Justice California

Paul A. Rodriguez
Public Defender
County of San Diego, Office of the Public Defender

Ryan Morimune, Legislative Advocate
California Association of Counties

Sarah Dukett, Policy Advocate
Rural County Representatives of California

Elizabeth Espinosa, Legislative Advocate
Urban Counties of California

Kathy Brady, Director
Immigrant Legal Resource Center

Marie Mazzone, DDS
Core Volunteer, Restorative Justice Committee
Bend the Arc: Jewish Action, California

Arnold Sowell, Jr., Executive Director
NextGen California

cc. Members, Assembly Budget Subcommittee #6
Jennifer Kim, Consultant, Assembly Budget Subcommittee #6

CSAC Letters

#Oakland Undivided

MEDIA ALLIANCE

California COMMUNITY Foundation

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CATALYZING EXCELLENCE IN PUBLIC EDUCATION

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ELECTRONIC FRONTIER FOUNDATION

nextgen california

DESTINATION CRENSHAW

30 YEARS
COMMUNITY CLINIC ASSOCIATION
CELEBRATING THREE DECADES OF ADVOCACY AND SERVICE

ABC
Alliance for a Better Community

common sense media

BOYS & GIRLS CLUBS
OF THE LOS ANGELES HARBOR

USC Annenberg
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Center on Communication Leadership and Policy

PARENT INSTITUTE FOR QUALITY EDUCATION
PIQE
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ITUP
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Access Humboldt

PON
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Breaking Through Barriers

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CALIFORNIA NATIVE VOTE PROJECT

MICHELSON CENTER FOR PUBLIC POLICY

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NAACP
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LIGHTHOUSE
Community Public Schools
WHERE OAKLAND SHINES

INNERCITY STRUGGLE
Building a Movement in the Eastside

CITIZEN SCHOOLS

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COMMUNITY COALITION OF THE ANTELOPE VALLEY

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Tech Exchange

Oakland Youth Commission

FRESNO COALITION FOR DIGITAL INCLUSION

LATINO EQUALITY ALLIANCE

ALIANZA LATINA POR LA IGUALDAD

UNITE LA
Education Innovation Through Collaboration

United PARENTS & STUDENTS

TURN
THE UTILITY REFORM NETWORK
Lower bills. Livable planet.

para los niños
for the children

CAT
The Center For Accessible Technology

CSAC

February 26, 2024

Assemblymember Avelino Valencia, Chair
Assembly Budget Subcommittee No. 7 on Accountability and Oversight
1021 O Street, Suite 8230
Sacramento, CA 95814

CC: Assemblymembers Cecilia Aguiar-Curry, Steve Bennett, Tasha Boerner, Mia Bonta, Isaac Bryan, Heath Flora, Gregg Hart, Jim Patterson, Sharon Quirk-Silva, and Jim Wood

Re: Safeguarding the $1.5B Middle-Mile Broadband Initiative Investment in 2024

Dear Chair Valencia,

We, the undersigned organizations and leaders, **invite you to work alongside us to safeguard the $1.5 billion allocation for the Middle-Mile Broadband Initiative (MMBI) in the Governor's proposed budget**.

The middle mile is linked to the backbone of the internet, ensuring whole communities and regions can connect. Without a robust middle mile, last mile connections - those to homes, businesses, schools, libraries, clinics, etc. - range from impossible to impossibly expensive. There are myriad projects across the State already underway making use of this critical resource.

If the MMBI is completed as planned (which requires the $1.5B in the Governor's proposed budget), California's MMBI will be a future-proof network supporting connectivity in every part of the State, in all kinds of communities - urban, rural, and tribal - for decades to come. Today, 1 in 5 Californians do not have fast, reliable, and affordable connectivity. The remaining pieces of the MMBI are critical to changing that reality.

The internet is essential as a vehicle for a community's economic growth and overall wellness. As referenced in the California Broadband Council Plan, this includes:

- **Individual benefits:** Broadband access enables individuals to work, study, communicate, apply for government services, operate home-based businesses, receive emergency information, and access health care.
- **Powering the state's critical systems:** Broadband powers the state's most critical systems, from its electrical grid to its water supply systems and its public safety and emergency response networks.
- **Enabling thriving businesses**: Broadband enables communities to build thriving economies by attracting talent and businesses. It powers California's advancement and success in industries from higher education to manufacturing and agriculture and in the service economy.

Previously allocated funding has provided for 80% of the MMBI network. By protecting the $1.5 billion investment in the Governor's current proposed budget to fully complete it, the State protects the value of its existing, encumbered MMBI investments as well as the efficiency and effectiveness of other related Broadband for All programs. To delay the completion of the entire network risks depreciating the value of the existing infrastructure and limiting the State's return on investment. Moreover, the $1.5 billion is a commitment to equity, giving the California Department of Technology the opportunity to prioritize historically marginalized communities and regions in completing the network, as is the legislative intent of the Federal dollars funding the MMBI.

As organizations and leaders that represent many of the most disconnected communities in California, we ask you to stand alongside us and call for the safeguarding of the critical $1.5 billion investment in the MMBI. By coupling the federal dollars put to use in 2021 in SB156 with additional state dollars this year, the State can stand by its commitment to closing the digital divide. There is no time to waste.

Sincerely,

Organizations

- California Alliance for Digital Equity
- Digital Equity LA
- #OaklandUndivided
- California Community Foundation
- GPSN
- Healing and Justice Center
- Media Alliance
- The Children's Partnership
- Communities in Schools of Los Angeles (CISLA)
- Common Sense Media
- Lynwood Unified School District
- Destination Crenshaw
- Electronic Frontier Foundation
- NextGen California
- Our Voice: Communities for Quality Education
- Boys & Girls Clubs of the Los Angeles Harbor
- Institute for Local Self Reliance (ILSR)
- PIQE
- Alliance for a Better Community

Leaders

- Sheng Thao, Mayor, City of Oakland
- Emma Sharif, Mayor, City of Compton
- John Erickson, Mayor, City of West Hollywood
- Janani Ramachandran, Councilmember, City of Oakland, District 4
- Noel Gallo, Councilmember, City of Oakland, District 5
- Treva Reid, Councilmember, City of Oakland, District 7
- Sam Davis, Oakland Board of Education President
- Cindy Chavez, Santa Clara County Supervisor, District 2
- Al Rios, Councilmember, City of South Gate
- Eddie Martinez, Councilmember, City of Huntington Park
- Kyra Mungia, CEO, TRiO Plus

- USC Annenberg Center on Communication Leadership and Policy
- Community Clinic Association of Los Angeles County
- Insure the Uninsured Project (ITUP)
- Community Coalition of the Antelope Valley
- Innovate Public Schools
- California Native Vote Project
- YMCA of Metropolitan Los Angeles
- Hack the Hood
- Arts for LA
- Michelson Center for Public Policy
- Families In Schools
- Parent Organization Network (PON)
- One Institute
- The Greenlining Institute
- A Place Called Home
- Oakland Thrives
- Watts of Power Foundation
- Center for Powerful Public Schools
- Citizen Schools
- InnerCity Struggle
- Lighthouse Community Public Schools
- EveryoneOn
- NAACP Oakland
- Kapor Center
- COFEM
- Newstart Housing Corp
- Tech Exchange
- Parent Engagement Academy
- Greater San Fernando Valley Chamber of Commerce
- Diversity in Leadership Institute
- United Parents and Students
- Rural County Representatives of California
- Oakland Youth Commission
- Fresno Coalition for Digital Inclusion
- Para Los Niños
- Latino Equality Alliance

- Center for Accessible Technology
- SELA Collaborative
- The Utility Reform Network (TURN)
- California State Association of Counties
- UNITE-LA
- Access Humboldt
- The Oakland REACH

April 4, 2024

The Honorable Chris Ward
Chair, Assembly Committee on Housing and Community Development
1020 N Street, Room 124
Sacramento, CA 95814

RE: AB 1820 (Schiavo) Housing Development Projects: Applications: Fees and Exactions
(As Amended 4/1/24)
Notice of Oppose Unless Amended

Dear Assemblymember Schiavo,

The League of California Cities (Cal Cities), California State Association of Counties (CSAC), Urban Counties of California (UCC), and the Rural County Representatives of California (RCRC) regretfully must take a position of oppose AB 1820 (Schiavo) unless it is amended to address our concerns. AB 1820 as currently drafted, would require all local agencies to provide within 20 days of a request by a developer, an itemized list and the total sum of all fees and exactions for a proposed development project during the preliminary application process.

Our organizations support the intent of the legislature to improve the transparency, predictability, and governance of impact fees, while preserving the ability to fund public facilities and other infrastructure in a manner flexible enough to meet the needs of California's varied and diverse communities, regardless of whether they are small or large, or rural or urban. Our organizations have participated in several stakeholder meetings to find areas of common agreement for improvements to California's laws related to development impact fees.

Since 2022, cities, counties, and special districts have been required to post fee schedules on their websites via Government Code Section 65940.1. In addition, fee schedules are a public record and are easily available upon request. The fee schedule lists the standard generally applicable fees for a specific project type that are common across all similar projects in a jurisdiction, however, it does not account for project-specific fees or CEQA mitigation measures which cannot be estimated during a preliminary application process. Project-specific fees vary on a project-by-project basis and cannot be determined before the project is fully designed and approved. Additionally, if the intent of AB 1820 is to provide an estimate of all fees associated with a specific development project, 20 days is not nearly enough time for local governments to estimate and provide the necessary materials to the project applicant. Finally, our organizations are concerned that local governments would be unable to charge fees after the preliminary application process, which is concerning as fees may differ from the preliminary estimate as construction begins to address necessary local infrastructure upgrades due to a new development project proposal.

Given the concerns listed above our organizations must respectfully oppose unless amended AB 1820. To help address our concerns, the author's office should specify that this measure would only apply to standardized general fees known at the time of the preliminary application and not apply to project-specific fees. Additionally, the author's office should consider extending the 20-day deadline to 45

business days instead. Finally, local governments need protections that the estimated fees and exactions are nonbinding and should be granted the authority to cover the cost of services provided by the local government for a new development project. Without these fees, local jurisdictions will be unable to provide the needed services.

We appreciate the author's interest in bringing this measure forward and remain concerned about the bill's costs to local governments. For these reasons, our organizations respectfully oppose unless amended AB 1820. If you have any questions, do not hesitate to contact Brady Guertin at Cal Cities, Chris Lee at UCC, Mark Neuburger at CSAC, or Tracy Rhine at RCRC.

Sincerely,

Brady Guertin
Legislative Affairs, Lobbyist
League of California Cities

Christopher Lee
Legislative Advocate, UCC

Mark Neuburger
Legislative Advocate
California State Association of Counties

Tracy Rhine
Senior Policy Advocate
Rural County Representatives of California

cc: The Honorable Pilar Schiavo
Members, Asm Housing and Community Development
Dori Ganetsos, Senior Consultant, Asm Committee on Housing and Community Development
William Weber, Policy Consultant, Assembly Republican Caucus

California State Association of Counties®

April 1, 2024

The Honorable Rebecca Bauer-Kahan
Chair, Assembly Privacy and Consumer Protection Committee
1020 N Street, Room 162
Sacramento, CA 95814

Re: AB 2050 (Pellerin): Voter registration database: Electronic Registration Information Center
As Introduced February 1, 2024 – SUPPORT
Set to be heard on April 16, 2024 – Assembly Privacy and Consumer Protection Committee

Dear Assembly Member Bauer-Kahan,

On behalf of the California State Association of Counties, representing all 58 counties in California, I am pleased to support Assembly Bill (AB) 2050 by Assembly Member Pellerin. This measure would allow California to enroll in the voter registration database: Electronic Registration Information Center.

California counties play a crucial role in voter registration by overseeing the processing of voter registration forms, updating voter rolls, and ensuring eligible residents are registered to vote. Additionally, counties amongst a myriad of other duties, administer elections, including managing polling places, distributing ballots, counting votes, and conducting voter outreach and education campaigns.

Existing law requires the Secretary of State to establish a statewide system to remove duplicate or prior voter registrations. This system aims to facilitate reporting election results and voter and candidate information and enhance election administration. As per the Secretary of State's determination, certain voter registration information should be provided to individuals for election, scholarly, journalistic, political, or governmental purposes.

This measure would authorize the Secretary of State to apply for Electronic Registration Information Center membership, ensuring that counties maintain their ability to provide voters with the benefits of their services. If approved, the Secretary of State can execute a membership agreement with the Electronic Registration Information Center on behalf of the state.

AB 2050 would also require the Secretary of State to ensure the confidentiality of any information or data provided by another state. Moreover, the Secretary of State can securely transmit certain confidential information or data under that agreement. The bill will also allow the Secretary of State to develop regulations necessary to implement these provisions in consultation with the California Privacy Protection Agency.

For these reasons, CSAC supports AB 2050 and respectfully requests your AYE vote. Should you have any questions or concerns regarding our position, please do not hesitate to contact me at elawyer@counties.org.

Sincerely,

Eric Lawyer

Legislative Advocate

cc: The Honorable Gail Pellerin, California State Assembly
Members and Consultant, Assembly Privacy and Consumer Protection Committee
Liz Enea, Consultant, Assembly Republican Caucus

California State Association of Counties®

April 1, 2024

The Honorable Gail Pellerin
California State Assembly
1021 O Street, Room 6310
Sacramento, CA 95814

Re: AB 2050 (Pellerin): Voter registration database: Electronic Registration Information Center
As Introduced February 1, 2024 – SUPPORT
Set to be heard on April 16, 2024 – Assembly Privacy and Consumer Protection Committee

Dear Assembly Member Pellerin,

On behalf of the California State Association of Counties, representing all 58 counties in California, I am pleased to support Assembly Bill (AB) 2050, your measure that would allow California to enroll into the voter registration database: Electronic Registration Information Center.

California counties play a crucial role in voter registration by overseeing the processing of voter registration forms, updating voter rolls, and ensuring eligible residents are registered to vote. Additionally, counties amongst a myriad of other duties, administer elections, including managing polling places, distributing ballots, counting votes, and conducting voter outreach and education campaigns.

Existing law requires the Secretary of State to establish a statewide system to remove duplicate or prior voter registrations. This system aims to facilitate reporting election results and voter and candidate information and enhance election administration. As per the Secretary of State's determination, certain voter registration information should be provided to individuals for election, scholarly, journalistic, political, or governmental purposes.

This measure would authorize the Secretary of State to apply for Electronic Registration Information Center membership, ensuring that counties maintain their ability to provide voters with the benefits of their services. If approved, the Secretary of State can execute a membership agreement with the Electronic Registration Information Center on behalf of the state.

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For these reasons, CSAC supports AB 2050. Should you have any questions or concerns regarding our position, please do not hesitate to contact me at elawyer@counties.org.

Sincerely,

Eric Lawyer
Legislative Advocate

California State Association of Counties®

April 4, 2024

The Honorable Isaac Bryan
Assembly Natural Resources Committee
1020 N Street, Room 164
Sacramento, CA 95814

Re: AB 2276 (Wood): Forestry: Timber Harvest Plans: Exemptions
As Amended: February 26, 2024–SUPPORT

Dear Chair Bryan,

On behalf of the California State Association of Counties (CSAC), representing all 58 California Counties, I write in support of AB 2276 (Wood) which would extend various timber harvest exemptions scheduled to sunset on January 1, 2026 to January 1, 2031. These changes were created to decrease the risk of wildfire through strategic exemptions to the Z'berg-Nejedly Forest Practice Act of 1973 which prohibits a person from conducting timber operations without a timber harvesting plan (THP) approved by the Department of Forestry and Fire Protection.

Specifically, this bill would extend the following exemptions to January 1, 2031:

- The Small Timberland Owner Exemption, which is the cutting or removal of trees on the person's property that eliminates the vertical continuity of vegetative fuels and the horizontal continuity of tree crowns for the purpose of reducing flammable materials;
- The Forest Fire Prevention Exemption, which is the harvesting of trees that eliminate the vertical continuity of vegetative fuels and the horizontal continuity of tree crowns;
- The cutting or removal of trees on the person's property in compliance with specified defensible space requirements.

Counties are on the front lines of wildfire emergencies and support measures that maximize California counties' ability to effectively mitigate, prepare for, respond to, and recover from natural and man-made disasters, such as wildfires. Increasing the amount of acreage with wildfire risk-reduced vegetation management, both on the ground and in tree canopies are critical for counties. It is for these reasons CSAC supports AB 2276 and respectfully requests your AYE vote.

Should you have any questions about our position, please do not hesitate to contact me at (916) 662-6400 or cfreeman@counties.org.

Sincerely,

Catherine Freeman
Senior Legislative Advocate

cc: The Honorable Assemblymember Jim Wood

CSAC Letters

April 2, 2024

The Honorable Tina McKinnor
Chair, Assembly Public Employment and Retirement Committee
1021 O St. Ste. 5520
Sacramento, CA 95814

RE: Assembly BIII 2404 (Lee) State and Local Public Employees: Labor Relations: Strikes.
OPPOSE – As Amended March 21, 2024

Dear Assembly Member McKinnor,

The Rural County Representatives of California (RCRC), League of California Cities (Cal Cities), 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) respectfully oppose AB 2404 (Lee). This measure is a re-introduction of last year's AB 504 (Reyes), which would declare the acts of sympathy striking and honoring a strike line a human right and, thereby, disallow provisions in public employer policies or collective bargaining agreements going forward that would limit or prevent 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 2404 would upend the current bargaining processes which allow striking only in specified limited circumstances. Specifically, this bill states 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 strike;
- Perform work for an employer involved in a primary strike; or
- Go through or work behind any primary strike line.

This poses a serious problem for public agencies that are providing public services on a limited budget and in a time of workforce shortage. Allowing 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 prepares to engage in protected union activities, local agencies can plan for coverage and 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.

In addition, when government services are co-located, employees from a non-struck agency could refuse to work at the shared campus if employees from a different agency are on strike, as it would be considered crossing the picket line. We offered the author amendments, similar to the private sector, that allow a separate entrance to ensure the picket line would not be crossed while allowing vital services from a non-struck agency to continue. For example, there are co-located county and court services at almost every court. A county strike could potentially shut down court activities because court employees could refuse to enter the premises as it would be considered crossing the picket line.

In rural communities, it is common to see co-location of government services to ensure remote areas are served. Disrupting the services of an innocent employer as part of a strike against another employer – known in labor law as "secondary pressure" – has long been held to be an unfair labor practice that this bill should not facilitate or legalize. Public employers that bargained in good faith and have approved MOU agreements should not be penalized for sharing a business space with another government employer.

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.**

Local agencies provide critical health and safety functions including: disaster response; emergency services; dispatch; utilities; mobile crisis response; health care; law enforcement; corrections; elections; and road maintenance. Local memorandums of understanding (MOUs) 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. 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

duties. 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 disallow following the expiration of a collective bargaining agreement that was entered into before January 1, 2025.

While we appreciate AB 2404 including language from last year's AB 504 (Reyes) that address issues we raised regarding existing MOUs, peace officers, and certain essential employees of a local public agency, without additional amendments to address co-located agencies our communities may be left without needed services. 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.

Our concerns with AB 2404 are consistent with the issues raised in response to last year's AB 504 (Reyes) and reflected in the veto message of that measure. "Unfortunately, this bill is overly broad in scope and impact. The bill has the potential to seriously disrupt or even halt the delivery of critical public services, particularly in places where public services are co-located. This could have significant, negative impacts on a variety of government functions including academic operations for students, provision of services in rural communities where co-location of government agencies is common, and accessibility of a variety of safety net programs for millions of Californians." – Governor Gavin Newsom

It is also important to note these impacts could be amplified by another pending measure concerning unemployment benefits for striking workers (Senate Bill 1116 (Portantino)) and a recently enacted measure allowing for collective bargaining for temporary employees (Assembly Bill 1484 (Zbur, 2023)).

As local agencies, we have a 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, RCRC, Cal Cities, CSAC, CAJPA, ACHD, PRISM, UCC, and CSDA must respectfully oppose AB 2404 (Lee). Please do not hesitate to reach out to us with your questions.

Sincerely,

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

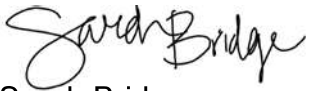
Johnnie Pina
Legislative Affairs, Lobbyist
League of California Cities
jpina@calcities.org

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

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

Aaron A. Avery
Director of State Legislative Affairs
California Special Districts Association
aarona@csda.net

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



Sarah Bridge
Legislative Advocate
Association of California Healthcare Districts
sarah@deveauburrgroup.com

Michael Pott
Chief Legal Counsel
Public Risk Innovation Solutions, and Management (PRISM)

cc: The Honorable Alex Lee, California State Assembly
Members of the Assembly Public Employment and Retirement Committee
Michael Bolden, Chief Consultant, Assembly Public Employment and Retirement Committee
Lauren Prichard, Consultant, Assembly Republican Caucus

March 28, 2024

The Honorable Tina McKinnor
Chair, Assembly Public Employment and Retirement Committee
1021 O St. Ste. 5520
Sacramento, CA 95814

RE: **AB 2421 (Low) Employer-Employee Relations: Confidential Communications.**
OPPOSE *(As Introduced 02/13/24)*

Dear Assembly Member McKinnor,

The League of California Cities (Cal Cities), California State Association of Counties (CSAC), California Special Districts Association (CSDA), Rural County Representatives of California (RCRC), Urban Counties of California (UCC), the Association of California Healthcare Districts (ACHD), Public Risk Innovation, Solutions, and Management (PRISM), California Association of Joint Powers Authorities (CAJPA), Community College League of California, and the Association of California School Administrators (ACSA), write to inform you of our respectful opposition to Assembly Bill (AB) 2421 (Low). This bill would restrict an employer's ability to conduct internal investigations to the detriment of employees' and the public's safety and well-being. The bill also states its intent to establish an employee-union representative privilege in the context of California public employment and to supersede *American Airlines, Inc. v. Superior Court*, 114 Cal.App.4th 881 (2003).

Previous Legislation and Previous Veto
Our concerns with AB 2421 are consistent with the issues raised in response to similar legislation (AB 418 (Kalra, 2019) and reflected in the veto message to AB 729 (Hernandez, 2013)). *"I don't believe it is appropriate to put communications with a union agent on equal footing with communications with one's spouse, priest, physician or attorney. Moreover, this bill could compromise the ability of employers to conduct*

investigations into workplace safety, harassment and other allegations." – Governor Jerry Brown

Limit the Ability for Local Agencies to Conduct Thorough Internal Investigations

In order to conduct proper investigations, that uphold the public's trust and ensure the safety and well-being of both public employees and the public, it is critical that a public employer have the ability to interview all potential parties and witnesses to ascertain the facts and understand the matter fully. AB 2421 interferes with the ability to interview witnesses because it would prohibit public agencies from questioning any employee or employee representative regarding communications made between an employee and an employee representative. In doing so, this bill would permit the silencing of employees who wish to voluntarily report an incident or testify in front of necessary employer investigations into misconduct and could limit the ability of employers to conduct investigations into workplace safety, harassment, and other allegations.

Under this bill, the employee or the "employee representative" could at will decide to apply privilege over virtually any work-related communication. This could be problematic regarding workplace investigations for alleged harassment or other misconduct; as the employee representative could potentially prevent an employer from completing a comprehensive investigation. This is especially problematic because a union representative does not only represent one worker, but the bargaining unit as a whole. AB 2421 lacks guardrails to prevent potential conflicts of interest that could arise during employee conflicts.

Further, the bill may impede the ability of law enforcement agencies to investigate and correct instances of misconduct. The bill's findings and declarations state that although it does not apply to criminal investigations, it prohibits agencies from compelling disclosure. Ordering employees to testify in an internal investigation is a practice that has allowed law enforcement agencies to timely investigate misconduct that may have criminal implications, while protecting the employee against the use of such compelled statements in a criminal proceeding. Without the ability to compel disclosure, the unlawful conduct may be allowed to continue, unabated, in the workplace.

Expansion of New One-Sided Privilege Standard

The bill's comparison between the proposed employee-union representative privilege and the attorney-client privilege is misplaced. The attorney-client relationship is carefully defined by state law. Privilege is by design narrow in scope to protect the confidentiality and integrity of relationships, both professional and familiar in nature, where highly sensitive and deeply personal information is exchanged. AB 2421 fails to recognize this well-established threshold and instead would create a new, broad privilege for public employees, without limitation on how the privilege functions.

Additionally, the "privilege" under AB 2421 would apply to any employee, and anyone designated as the "employee representative," a term that is not defined in the bill. This means that AB 2421 could be interpreted to not only apply to a union representative

but also to a coworker, friend, or family member in certain workplace investigations, administrative proceedings, and civil litigation.

Unlike other privileges that apply to both sides of the litigation or proceedings such as the attorney-client privilege, AB 2421 does not equally protect the management-employee communication, or communications between members of management regarding labor union disputes or grievance issues. Consequently, in labor related proceedings such as California Public Employment Relations Board hearings, an employer would be forced to disclose all related communications, while the employee representative or employee could pick and choose which communications they wanted to disclose which may result in unjust rulings or decisions made against the public agency regarding labor related proceedings.

Additionally, the bill would impede a public employer's ability to defend itself in litigation, and conduct fact-finding in other adversarial processes. It would create a significant advantage to employees in the context of disciplinary and grievance proceedings, significantly limiting an employer from investigating, prosecuting, or defending against such actions.

Workplace Safety and Government Operations

The bill would interfere with the public employer's responsibility to provide a safe workplace, free from unlawful discrimination, harassment, or retaliation, by impeding a public employer's ability to communicate with employees to learn about, investigate and respond to such concerns. AB 2421 could also decrease workplace safety if public employers are limited in their ability to investigate threats of violence within the workforce. Employers are legally required to promptly investigate complaints of unlawful discrimination, harassment, retaliation, and other types of unlawful workplace conduct. If the employer is limited in its communications with employees, it will make it much more difficult to comply with these legal obligations, which were imposed by the legislature to create safer workplaces, free from unlawful discrimination and harassment.

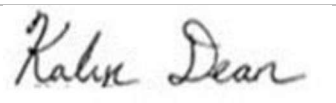
In the context of the recent pandemic, the bill could have also compromised the ability of public employers to investigate outbreaks and implement public health orders or regulations.

Given the overly broad nature of the bill, it could be read to prohibit employers from communicating with employees about anything from day-to-day activities to matters that are important for government operations. Employers may not even know they are violating the bill by communicating with staff, because only the employee or their representative would know or could decide when a communication was made "in confidence." Lastly, the bill could even decrease public agency transparency and accountability due to the potential increased difficulty in investigating accusations of public corruption, or misuse of public funds.

For the aforementioned reasons, the organizations listed below respectfully oppose AB 2421. If you have any questions, please do not hesitate to contact our organizations' representatives directly.

Sincerely,

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



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

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

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

Aaron Avery
Director of State Legislative Affairs
California Special Districts Association
aarona@csda.net

Faith Borges
Legislative Representative
California Association of Joint Powers Authorities
FBorges@Actumllc.com

Sarah Bridge
Association of California Healthcare Districts sarah@deveauburrgroup.com

Jason Schmelzer
jason@SYASLpartners.com
Public Risk Innovation, Solutions, and Management (PRISM),

Dorothy Johnson
Legislative Advocate
Association of California School Administrators
djohnson@acsa.org

Andrew Martinez
Senior Director of Government Relations
Community College League of California
amartinez@ccleague.org

cc. The Honorable Evan Low, California State Assembly
Honorable Members, Assembly Public Employment and Retirement Committee
Mao Yang, Office of Assemblymember Low
Michael Bolden, Chief Consultant, Assembly Public Employment and Retirement Committee
Lauren Prichard, Assembly Republican Caucus

April 4, 2024

The Honorable Sharon Quirk-Silva
Member, California State Assembly
1021 O Street, Suite 4210
Sacramento, CA 95814

RE: Assembly Bill 2433 – Oppose Unless Amended
As Introduced February 13, 2024

Dear Assembly Member Quirk-Silva:

On behalf of the Rural County Representatives of California (RCRC), the California State Association of Counties (CSAC), the Urban Counties of California (UCC), and the League of California Cities (Cal Cities), we must regrettably oppose your Assembly Bill 2433 unless amended. This measure creates the California Private Permitting Review and Inspection Act, which allows applicants for building permits to independently pay a third party for plan and field inspection of a project, without county or city building official oversight.

Plan review and field inspection of construction projects in an integral step in ensuring that structures built in California are safe, not only to inhabit, but for the surrounding environment and community. City and county building departments review and inspect projects based on consistency with the jurisdiction's General Plan, State building codes and associated regulations. Related laws and ordinances that jurisdictions must enforce change regularly and it is the responsibility of those employees to ensure that each project in constructed in a manner that complies with those laws.

AB 2433 creates "shot clocks," or timelines for action, that if not met will allow a permit applicant to contract or employ a private professional to conduct the project plan check and site inspection. The local jurisdiction must then approve or deny the permit application within 30 days of receiving the final report prepared by the private professional. The timelines in the bill are unreasonable, such as five days to conduct a field inspection, but more concerning is AB 2433 sets up a structure to include a "deemed approved" remedy in the future that would remove all discretion by the local jurisdiction to make certain that projects are consistent with related health and safety building requirements.

We understand the issue of lagging permitting times in some jurisdictions and would like to find a path to facilitating that needed construction, whether commercial or

residential, in a reasonable amount of time. However, we do not believe that the solution put forth in AB 2433 adequately preserves a local jurisdiction's ability and duty to enforce building related laws. AB 2433 allows an applicant for a construction project (large or small with the only exceptions being health facilities, high rises and public buildings) to pay a private third party to review plans and inspect the site, even if that is the same professional that designed the plans and works with (or for) the company. Even if the bill included an anti-collusion provision that disallowed services from professionals connected with a project, there is a clear financial incentive for the person paid by the applicant to do site review and inspection to render decisions favorable to applicant. Quite simply, directly paying the "regulator" (a private individual in this case) to regulate you leads to biased results and creates a structure of deregulation.

Building inspection is an important step in the public safety process – there are many examples of unpermitted activities leading to catastrophic outcomes, such as 2016 Valley fire that killed four people and burned over 76,000 acres - all caused by an unpermitted hot tub electrical connection. We are concerned that as currently drafted, AB 2433 removes government oversight in the permitting process, allowing only approval or denial based on a private third-party report, negating any involvement, oversight or independent verification or judgment of the facts by the local jurisdiction.

To address concerns of slow permitting timelines in some jurisdictions, we suggest the bill is amended to allow for an expediated permitting process, similar to those that are already in place for other specific permits, such as broadband microtrenching permits or those in the air pollution permitting arena.

For these reasons, RCRC, CSAC, UCC, and Cal Cities are regrettably opposed to AB 2433 unless amended to address our concerns. If you have any questions, please do not hesitate to contact Tracy Rhine (RCRC) trhine@rcrcnet.org, Mark Neuburger (CSAC) mneuburger@counties.org, Chris Lee (UCC) clee@politicogroup.com, or Brady Guertin (Cal Cities) bguertin@calcities.org.

Sincerely,

Mark Neuburger
Legislative Advocate
California State Association of Counties

Tracy Rhine
Senior Policy Advocate
Rural County Representatives of California

Chris Lee
Legislative Advocate
Urban Counties of California

Brady Guertin
Legislative Representative
League of California Cities

cc: The Honorable Juan Carrillo, Chair, Assembly Local Government Committee
Members of the Assembly Local Government Committee
Angela Mapp, Consultant, Assembly Local Government Committee
William Weber, Consultant, Assembly Republican Caucus

California State Association of Counties®

April 1, 2024

The Honorable Ash Kalra
Chair, Assembly Judiciary Committee
1020 N Street, Room 104
Sacramento, CA 95814

Re: AB 2455 (Gabriel) – Whistleblower protection: state and local government procedures.
As Amended March 21, 2024 – SUPPORT
Set to be heard April 9, 2024 - Assembly Judiciary Committee

Dear Assembly Member Kalra,

On behalf of the California State Association of Counties (CSAC) representing all 58 counties in California, I write in support of Assembly (AB) 2455 by Assembly Member Gabriel. This measure would modernize the Whistleblower Protection Act, which will help local agencies prevent the misuse of government resources by extending its protections to activities related to government contractors, among other changes.

Local government agencies increasingly depend on private contractors to aid in delivering services to their communities. To ensure the Whistleblower Protection Act can fulfill its mission to prevent waste of government resources, it is crucial to safeguard whistleblowers, not only when exposing misconduct within government operations but also in the companies they enlist as contractors.

In 2002, the California legislature passed the Whistleblower Protection Act to protect employees who report unlawful activities. This legislation inspired local governments to implement whistleblower hotlines that provide a location to file reports that disclose fraudulent and wasteful activity, in hopes of saving taxpayers money and making government operations more efficient. AB 2455 modernizes the law by providing clarity in the law to ensure that whistleblowers know their activity is protected not just when reporting improper governmental activities by phone, but also when submitting complaints via online portals or email.

Finally, the bill improves governmental efficiency by allowing the designees of county auditors, controllers, and auditor-controllers to review and investigate whistleblower complaints.

As counties increasingly rely on private contractors, AB 2455 would modernize the current whistleblower laws to help ensure democratic longevity.

It is for these reasons that CSAC supports AB 2455 and respectfully requests your AYE vote. Should you have any questions regarding our position, please do not hesitate to reach out to me at elawyer@counties.org.

Sincerely,

Eric Lawyer
Legislative Advocate

cc: The Honorable Jesse Gabriel, California State Assembly
Members and Consultant, Assembly Judiciary Committee
Daryl Thomas, Consultant, Assembly Republican Caucus

California State Association of Counties®

April 2, 2024

The Honorable Assemblymember Chris Ward
Chair, Assembly Committee on Housing and Community Development
1020 N Street, Room 124
Sacramento, CA 95814

RE: AB 2485 (J. Carrillo) Regional housing need: determination.
As amended on March 19, 2024 – Support
Set for Hearing – April 17, 2024 – Assembly Committee on Housing and Community Development

Dear Assemblymember Ward:

The California State Association of Counties (CSAC), representing all 58 counties in the state, is proud to support AB 2485, which would establish procedures for the Department of Housing and Community Development (HCD) to publicize its data sources, analyses, and methodology before finalizing a region's regional determination and would require HCD to establish and convene a panel of experts to advise the department on its assumptions, data, and analyses before making its final determination on a region.

Given the potential for the Regional Housing Needs Allocation (RHNA) process to help alleviate the state's housing crisis, accompanied by the sheer magnitude of needed housing compared to what has been built in the past, there is severe risk to the credibility of the process if it is insufficiently transparent, credible, and robust. An accountable system to address homelessness requires transparency. Improved data systems are important to improve effectiveness of countywide systems.

Regional agencies in California play an important role in the allocation of regional housing need numbers, programming of Federal and State transportation dollars, in addressing air quality non-attainment problems, and climate change to name a few. Regional collaboration remains crucial to address issues associated with growth in California, such as revenue equity issues, service responsibilities, a seamless and efficient transportation network, reducing GHGs and tackling climate change, job creation, housing, agricultural and resource protection, and open space designation.

If a local Housing Element is based on an inaccurate RHNA determination, that could directly translate to housing units that are unaccounted for and thus remain unbuilt. This is made even more critical given that RHNA accounts for future growth as well as current need. In a March 2022 letter to the Legislature, the California State Auditor found that two of the three COG regions it studied had received underassessed housing needs. Therefore, it is imperative that the determinations provided to each region, and the housing allocation provided to each jurisdiction, be as accurate as possible, while ensuring that the communities using these numbers are confident in that accuracy.

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 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 2485 aligns with our AT HOME efforts, specifically as it relates to the Housing and Transparency pillars.

For these reasons, CSAC is proud to support AB 2485. If you need additional information, please contact 916.591.2764 or mneuburger@counties.org.

Sincerely,

Mark Neuburger
Legislative Advocate
California State Association of Counties

CC: The Honorable Members, Assembly Committee on Housing and Community Development
Nicole Restmeyer, Senior Consultant, Assembly Committee on Housing and Community Development
William Weber, Consultant, Assembly Republican Caucus

CSAC Letters

April 5, 2024

The Honorable Tina McKinnor
Chair, Assembly Public Employment and Retirement Committee
1020 N Street, Room 153
Sacramento, CA 95814

RE: AB 2561 (McKinnor) Local public employees: vacant positions – OPPOSE (As Amended March 11, 2024)

Dear Assembly Member McKinnor,

The California State Association of Counties (CSAC), Urban Counties of California (UCC), California Special Districts Association (CSDA), Rural County Representatives of California (RCRC), California Transit Association (CTA), County Health Executives Association of California (CHEAC), County Behavioral Health Directors Association (CBHDA), California Welfare Directors Association (CWDA), and the League of California Cities (Cal Cities), respectfully oppose Assembly Bill (AB) 2561. This measure requires local agencies with bargaining unit vacancy rates exceeding 10% for more than 180 days (approximately 6 months) to produce, implement, and publish a plan to reduce their vacancy rates to 0% within the subsequent 180 days. The bill also requires the public agency to present this plan during a public hearing to the governing legislative body and to publish the plan on its internet website for public review for at least one year.

Sizable vacancy rates exist in the public sector – for the state and for local employers. While the bill notably omits the state, the vacancy rate for the State of California has consistently been above 10 percent statewide for at least the past 20 years. As of February 2024, the vacancy rate for state jobs in California is about 20 percent.[1]

For counties, the issue of vacancies is particularly acute with the highest rates typically in behavioral health, the sheriff's department, corrections, and employment and social

[1] https://lao.ca.gov/Publications/Report/4888

services. Local government decision-makers and public agency department heads recognize the impact that long-term vacancy rates have, both on current employees and those who receive services from those departments. Many specialty positions like nurses, licensed behavioral health professionals, social workers, police, teachers, and planners are experiencing nationwide workforce shortages and a dwindling pipeline for new entrants, driven by both an expansion of services and an aging workforce. To further complicate recruitment, local governments are competing with both the private sector and other government agencies. Local governments have been implementing innovative ways to try to boost recruitment and incentivize retention (e.g., sign-on bonuses, housing stipends, etc.).

In spite of these efforts, vacancies persist; driven by several distinct circumstances. The public sector workforce has changed. In a post-COVID era, there is a much higher demand for remote work, which is not a benefit that can be offered within public agencies across all departments or for all roles. Furthermore, newer entrants to the workforce have changed priorities when it comes to the benefits and conditions of their work. Public employees were on the front lines of the COVID response. While the state passed legislation and the Governor signed executive orders and set policy during those challenging months, public agency employees were the vessel of service delivery and the implementer of those policies. This work was arduous, nearly endless and seemingly thankless. In conjunction with delivering on the policies and priorities set by the state during the pandemic, counties specifically, have been burdened with several simultaneous overhauls of county service delivery, as mandated by the state. There is no doubt a correlation between the county programs dealing with the largest realignments of service delivery and structural overhaul as mandated in State law and those departments with the highest vacancy rates. Employees have experienced burn-out, harassment from the public, and a seemingly endless series of demands to transform systems of care or service delivery while simultaneously providing consistent and effective services, without adequate state support to meet state law. Obviously, it is difficult to retain staff in those conditions.

If the true intent of AB 2561 is to provide a path for public agencies to reduce staff vacancies, diverting staff away from core service delivery and mandating they spend time producing reports on their vacancy rates will not achieve that goal. The total impact of mandated realignments without adequate concurrent funding and flexibility has also contributed to these vacancy rates. Adding another unfunded mandate on public agencies will not solve the problem this bill has identified. It is just as likely to create even more burn-out from employees tasked with producing the very report the bill mandates.

Local agencies are committed to continuing the work happening now between all levels of government and employees to expand pipeline programs, build pathways into public sector jobs, modernize the hiring process, and offer competitive compensation. We cannot close the workforce shortages overnight; it will take investment from educational institutions, all levels of government, and the private sector to meet the workforce demands across the country. We must use our limited human resources staff to hire employees during this economically challenging time rather than diverting resources to

additional reports that will tell what we already know. Local bargaining units have the ability to address workforce concerns or develop hiring/retention strategies/incentives at the barraging table within agreements and compensation studies. We welcome partnering on workforce strategies and believe there is a more productive and economical pathway than AB 2561.

For those reasons, CSAC, UCC, CSDA, RCRC, CTA, CHEAC, CBHDA, CWDA, and Cal Cities respectfully oppose AB 2561 (McKinnor). Please do not hesitate to reach out to us with your questions.

Sincerely,

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

Aaron A. Avery
Director of State Legislative Affairs
California Special Districts Association
aarona@csda.net

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

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

Michael Pimental
Executive Director
California Transit Association
Michael@caltransit.org

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

Joseph Saenz
Deputy Director of Policy
County Health Executives Association of California
jsaenz@cheac.org

Lisa Gardiner
Director of Government Affairs
County Behavioral Health Directors Association
lgardiner@cbhda.org

Eileen Cubanski
Executive Director
California Welfare Directors Association
ecubanski@cwda.org

cc: Members, Assembly Public Employment and Retirement Committee
Michael Bolden, Consultant, Assembly Public Employment and Retirement Committee
Lauren Prichard, Consultant, Assembly Republican Caucus
Malik Gover, Legislative Aide, Assembly Member McKinnor's Office

California State Association of Counties®

April 1, 2024

The Honorable Freddie Rodriguez
Chair, Assembly Emergency Management Committee
1020 N Street, Room 360B
Sacramento, CA 95814

Re: AB 2594 (Committee on Emergency Management) Emergency services: mutual aid: gap analysis.
As Introduced February 14, 2024 – SUPPORT

Dear Assemblymember Rodriguez,

On behalf of the California State Association of Counties (CSAC), representing all 58 California Counties, I write in support of AB 2594 (Committee on Emergency Management), requiring a biennial gap analysis of the state's mutual aid systems.

The risks of disasters impacting multi-county jurisdictions have increased throughout the years. From flooding to wildfires, climate change and a multitude of other factors are having a monumental impact on the state's resources. To effectively respond to an evolving landscape, it is appropriate for the state to evaluate gaps in it's mutual aid system and develop strategies that would assist local government operations in their response capabilities.

CSAC supports proposals recognizing that the 58 California counties have unique characteristics, differing capacities, and diverse environments. Additionally, counties seek improved coordination between state and local offices of emergency services and state and local departments with health and safety-related responsibilities. AB 2594 addresses this by requiring a gap analysis in the mutual aid system, and thereby providing a foundation to improve resource levels and coordination throughout the state in preparation of major disasters.

Should you have any questions about our position, please do not hesitate to contact me at (916) 662-6400 or cfreeman@counties.org.

Sincerely,

Catherine Freeman
Senior Legislative Advocate

California State Association of Counties®

April 1, 2024

The Honorable Freddie Rodriguez
Chair, Assembly Emergency Management Committee
1020 N Street, Room 360B
Sacramento, CA 95814

Re: AB 2660 (Committee on Emergency Management) Office of Emergency Services: federal grant funding
As Introduced February 14, 2024 – SUPPORT

Dear Assemblymember Rodriguez,

On behalf of the California State Association of Counties (CSAC), representing all 58 California Counties, I write in support of AB 2660 (Committee on Emergency Management), which would require the California Office of Emergency Services (Cal OES) to allocate the maximum local share of specified federal grant funding to local operational areas.

Counties typically serve as the lead agency of an operational area during a disaster. As such, CSAC supports legislative proposals that maximize California counties' ability to effectively prepare for and respond to natural and man-made disasters and public health emergencies. This includes supporting full funding for on-going emergency preparedness and all hazard planning at the state and local level.

AB 2660 bolsters the capability of counties to respond to emergencies. The proposed measure maximizes the local share of grant programs that aim at sustaining core capabilities focused on prevention, protection, mitigation, response and recovery mission areas, including the evolving threats and risks associated with climate change.

Should you have any questions about our position, please do not hesitate to contact me at (916) 662-6400 or cfreeman@counties.org.

Sincerely,

Catherine Freeman
Senior Legislative Advocate

CSAC Letters

California Special Districts Association

Districts Stronger Together

April 3, 2024

The Honorable Joe Patterson
California State Senate
1021 O Street, Suite 4530
Sacramento, CA 95814

RE: Assembly Bill 2729 (Patterson) – Oppose [As Introduced February 15, 2024]

Dear Assembly Member Patterson:

The California Special Districts Association (CSDA) and California State Association of Counties (CSAC), representing nearly 1,000 independent special districts throughout the state and all 58 counties, the California Fire Chiefs Association (CFCA – CalChiefs), and the Fire Districts Association of California (FDAC) respectfully opposes Assembly Bill 2729 as introduced February 15, 2024. CSDA and CSAC represent all types of special districts and counties, which provide millions of Californians with essential local services such as fire protection, water, healthcare, recreation and parks, and more.

This bill would repeal the current authorization for a local agency to require payment of development impact fees or charges prior to the date of final inspection or issuance of the certificate of occupancy, whichever occurs first, under certain conditions.

AB 2729 limits local agencies and the communities they serve from having options and financial safeguards to provide the high-quality infrastructure and services that new developments need to build thriving communities.

By universally prohibiting a local agency from collecting fees on any type of development project at any point prior to the completion of that project, AB 2729 risks delaying those vital improvements. Furthermore, it denies the flexibility for communities to work with, and partner with, development proponents to build the thriving and equitable communities that the residents deserve and right-size the timeline of delivery of payments and improvements. This measure creates a one-size fits all approach for all communities and all projects. The additional prohibition on seeking reimbursement for public improvements that are already planned to serve that community only serves to exacerbate this issue.

For these reasons, CSDA, CSAC, FDAC, and Cal Chiefs are opposed to AB 2729. Please feel free to contact either of us if you have any questions for Anthony Tannehill at anthonyt@csda.net and Mark Neuburger at mneuburger@counties.org and Julee Malinowski-Ball at Julee@ppallc.com.

1112 I Street, Suite 200
Sacramento, CA 95814
Toll-free: 877.924.2732
t: 916.442.7887
f: 916.442.7889
csda.net

Sincerely,

Anthony Tannehill
Legislative Representative
California Special Districts Association

Mark Neuburger
Legislative Advocate
California State Association of Counties

Julee Malinowski-Ball, Legislative Advocate
California Fire Chiefs Association
Fire Districts Association of California

CSAC Letters

California Special Districts Association
Districts Stronger Together

April 3, 2024

The Honorable Juan Carrillo
Chair, California State Assembly Committee on Local Government
Legislative Office Building, 1020 N Street, Room 157
Sacramento, CA 95814

RE: Assembly Bill 2729 (Patterson) – Oppose [As Introduced February 15, 2024]

Dear Assembly Member Carrillo:

The California Special Districts Association (CSDA) and California State Association of Counties (CSAC), representing nearly 1,000 independent special districts throughout the state and all 58 counties, the California Fire Chiefs Association (CFCA – CalChiefs), and the Fire Districts Association of California (FDAC) respectfully opposes Assembly Bill 2729 as introduced February 15, 2024. CSDA and CSAC represent all types of special districts and counties, which provide millions of Californians with essential local services such as fire protection, water, healthcare, recreation, and parks, and more.

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By universally prohibiting a local agency from collecting fees on any type of development project at any point prior to the completion of that project, AB 2729 risks delaying those vital improvements. Furthermore, it denies the flexibility for communities to work with, and partner with, development proponents to build the thriving and equitable communities that the residents deserve and right-size the timeline of delivery of payments and improvements. This measure creates a one-size fits all approach for all communities and all projects. The additional prohibition on seeking reimbursement for public improvements that are already planned to serve that community only serves to exacerbate this issue.

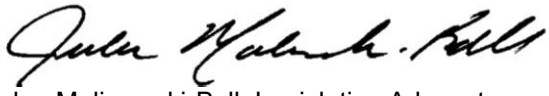
For these reasons, CSDA, CSAC, FDAC, and CalChiefs are opposed to AB 2729. Please feel free to contact either of us if you have any questions for Anthony Tannehill at anthonyt@csda.net and Mark Neuburger at mneuburger@counties.org.

1112 I Street, Suite 200
Sacramento, CA 95814
Toll-free: 877.924.2732
t: 916.442.7887
f: 916.442.7889
csda.net

Sincerely,

Anthony Tannehill
Legislative Representative
California Special Districts Association

Mark Neuburger
Legislative Advocate
California State Association of Counties



Julee Malinowski-Ball, Legislative Advocate
California Fire Chiefs Association
Fire Districts Association of California

CC:

The Honorable Joe Patterson
Members, California State Assembly Committee on Local Government
Linda Rios, Senior Consultant, Assembly Committee on Local Government
William Weber, Republicam Caucus Consultant

April 3, 2024

The Honorable Pilar Schiavo
Chair, Assembly Military & Veterans Affairs Committee
1020 N Street, Room 389
Sacramento, CA 95814

Re: AB 2736 (Carrillo, J) - Veterans: benefits.
As Introduced February 15, 2024
Set to be heard April 9, 2024 - Assembly Military and Veterans Committee

Dear Assembly Member Schiavo,

On behalf of the California State Association of Counties (CSAC), representing all 58 counties of California, I write in support of Assembly Bill (AB) 2736, which would improve access to higher education for family members of disabled veterans by allowing them to receive the California College Fee Waiver at the same time as Survivors' and Dependents' Educational Assistance (DEA).

Improving access to higher education for family members of disabled veterans by allowing them to receive the California College Fee Waiver at the same time as Survivors' and Dependents' Educational Assistance (DEA) is important. California established the College Fee Waiver in 1935 to provide support for family members of disabled veterans who wanted to pursue higher education. Similarly, the DEA program was created by the federal government in 1956 and was meant to cover expenses outside the scope of tuition to help financially support the veteran's household. In 1972, a bill was passed that prohibited the acceptance of both benefits at the same time under College Fee Waiver Plan A, one of the four plans under which dependents may be eligible, despite the right to both forms of aid.

Spouses and children of disabled veterans with a 100% service-connected disability rating meet the eligibility requirements for both programs due to the severity of the veterans' injuries during their time of service. In acknowledgment of the valuable contributions and sacrifices made by veterans and their families, it is imperative to extend support to the spouses and children of disabled veterans. AB 2736 aims to rectify an outdated restriction that prevents beneficiaries covered under Plan A of the California College Fee Waiver from concurrently receiving monthly payments from the DEA program. By removing this prohibition, this bill seeks to improve accessibility to financial and educational assistance for these deserving individuals, thereby fostering greater opportunities for personal and professional advancement.

County Veteran Service Offices (CVSOs) frequently serve as the first point of contact in the community for veterans needing help in identifying federal, state, and local benefits accessible to them and their dependents. CVSOs assist with information regarding medical, pension, educational benefits, home loans, help with claims, advocacy, and more. CVSOs are critical to providing California's veterans with the support and assistance they need to be able to take advantage of programs like DEA.

The economic challenges posed by factors such as increasing living expenses, escalating tuition fees, and the profound impacts of the COVID-19 pandemic have significantly heightened financial vulnerabilities for individuals. These circumstances have exacerbated the pressing need for individuals to receive multiple support programs that they are already entitled to. For veterans and their families, these economic pressures can be particularly burdensome considering the additional costs associated with disabilities and the unique circumstances they face stemming from their time of service. California recognizes the substantial benefits that higher education programs offer to veterans and their families. Therefore, there is a compelling imperative to eliminate barriers that impede access to both of these programs simultaneously.

AB 2736 offers individuals the opportunity to pursue higher education goals by removing outdated language in Section 896.1 of the Military and Veterans Code, the provision that does not permit spouses and children of disabled veterans with a one hundred percent service-connected disability rating to receive monthly payments concurrently from the DEA under Plan A of the California College Fee Waiver.

For these reasons, CSAC supports AB 2736, and we respectfully request your "AYE" vote. Should you have any questions regarding our position please do not hesitate to contact me at kdean@counties.org

Sincerely,

Kalyn Dean

Kalyn M. Dean
Legislative Advocate

cc: The Honorable Juan Carrillo, Chair, Assembly District 39
Members and Staff, Assembly Military and Veterans Affairs Committee
Lyndsay Mitchell, Consultant, Assembly Republican Caucus

March 27, 2024

The Honorable Kevin McCarty
Chair, Assembly Public Safety Committee
1021 O Street, Suite 5610
Sacramento, CA 95814

RE: AB 2882 (McCarty) - California Community Corrections Performance Incentives.
As introduced 2/15/2024 – OPPOSE
Set for hearing 4/2/2024 – Assembly Public Safety Committee

Dear Assembly Member McCarty:

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 2882. This measure would amend the composition of the local Community Corrections Partnership (CCP) and the CCP Executive Committee; specify new plan development and processing requirements at the local level; and add considerable new CCP data collection and reporting requirements.

The objective of AB 2882 appears to seek reprioritization of an existing community corrections revenue stream to address the behavioral health treatment needs of justice-involved individuals. However, we are concerned that the measure focuses on the oversight and planning associated with a single subaccount in isolation, without considering (1) that the justice-involved population realigned to counties pursuant to AB 109 in 2011 has many needs, including but not limited to behavioral health treatment needs, (2) other revenue sources brought to bear in supporting the populations in counties' care, and (3) other important policy changes that took place concurrent to 2011 Realignment, as well as more recent initiatives that fundamentally revise behavioral health funding and service delivery at the local level.

Our associations agree that the state and counties together must continue exploration of how best to improve behavioral health care for those in our communities, including justice-involved individuals. However, we have a number of specific concerns related to the approach contemplated in AB 2882.

- ***This measure inappropriately presumes that the Community Corrections Subaccount is the main fund source for the care and treatment of the county justice-involved population and that system-involved individuals have no other service needs beyond behavioral health treatment***. While behavioral health treatment is a priority at the local level, by bringing this new data collection and reporting responsibility under the purview of the CCP, the changes contemplated in AB 2882 to the CCP structure appear to be based on the inaccurate assumption that the Community Corrections Subaccount is the main fund source to support the treatment needs of justice-involved individuals. If the intent of this measure is to develop a comprehensive picture of local behavioral health investments, the study would need to include the impact of the Affordable Care Act expansion on the justice-involved population, other behavioral health-related programs and funding in 2011 Realignment, other jail medical and mental health budget investments, local behavioral health funding gaps, the potential impacts of the justice-involved initiative of CalAIM, as well as the Behavioral Health Services Act enacted in Proposition 1 (2024). The isolated focus on the Community Corrections Subaccount inappropriately excludes a vast array of other local investments as well as complex and varied funding and policy developments that have come to pass since 2011. Furthermore, robust behavioral health treatment planning and collaboration, including public safety stakeholder engagement, is already included in the integrated plans specified in Proposition 1.

- ***Proposed changes to the CCP and CCP Executive Committee[1] do not align with assigned functions and could result in unintended consequences.*** There are distinct differences between the role and responsibilities of the CCP and its Executive Committee. AB 2882 appears to conflate the two bodies and their responsibilities. The full CCP has primary authority over the Community Corrections Performance Incentive Act (SB 678) implementation – an incentive-based program that shares state correctional savings with county probation departments associated with reductions in prison admissions from local felony supervision. The expertise of the proposed new CCP members does not appear to align with the original and primary responsibility of the CCP. Secondly, the expansion of the CCP Executive Committee appears to rebalance the composition away from a multi-agency public safety collaboration focused on community corrections to one that prioritizes behavioral health considerations. While these funds are often used to fund behavioral health treatment for justice-involved individuals, the composition and balance of the CCP Executive Committee was designed with the primary focus of 2011 Realignment in mind – public safety, a responsibility that resides primarily at the local government

[1] The CCP was created pursuant to the enactment of SB 678 (Ch. 608, Statutes of 2009), while the creation of the CCP Executive Committee was a feature added by AB 109 (Ch. 15, Statutes of 2011), as subsequently amended in AB 117 (Ch. 39, Statute of 2011), to develop a local community corrections plan.

level. Behavioral health services are a critically important component of addressing the needs of the justice-involved population, but only one aspect. Finally, it also is important to note that county behavioral health treatment planning occurs through other structured processes with local collaboration and with ultimate expenditure authority resting with the county Board of Supervisors.

- ***Higher levels of service associated with CCP responsibilities – including new plan requirements and reporting responsibilities – must be accompanied by an appropriation.*** Provisions in Proposition 30 (2012)[2] require the state to provide a new appropriation to support new and higher levels of service associated with programs and responsibilities realigned in 2011. Even though we believe that the proposed new plan elements as well as additional data collection and reporting requirements are unnecessary and inappropriate, if they were enacted, additional state funding would be required both for the specific plan elements amended into Penal Code section 1230.1 as well as data collection and reporting responsibilities in new Penal Code section 1230.2 before counties would be obligated to carry out these new functions.

For these reasons, CSAC, UCC, and RCRC must respectfully oppose this measure. We welcome an opportunity to more fully discuss the specific aspects of our position outlined above. Please feel free to contact Ryan Morimune at CSAC (rmorimune@counties.org), Elizabeth Espinosa at UCC (ehe@hbeadvocacy.com), or Sarah Dukett at RCRC (sdukett@rcrcnet.org) for any questions on our associations' perspectives. Thank you.

Sincerely,

Ryan Morimune	Elizabeth Espinosa	Sarah Dukett
Legislative Representative	Legislative Representative	Policy Advocate
CSAC	UCC	RCRC

cc: Members and Counsel, Assembly Public Safety Committee

[2] California Constitution Section 36(b)(4): "Legislation enacted after September 30, 2012, that has an overall effect of increasing the costs already borne by a local agency for programs or levels of service mandated by the 2011 Realignment Legislation shall apply to local agencies only to the extent that the State provides annual funding for the cost increase. Local agencies shall not be obligated to provide programs or levels of service required by legislation, described in this subparagraph, above the level for which funding has been provided."

California State Association of Counties®

April 1, 2024

The Honorable Eduardo Garcia, Chair
Assembly Environmental Safety & Toxic Materials Committee
1020 N Street, Room 171
Sacramento, CA 95814

Re: AB 3073 (Haney): Wastewater testing: illicit substances.
As Amended March 21, 2024 – SUPPORT
Set to be heard April 9, 2024 – Assembly Environmental Safety and Toxic Materials Committee

Dear Assembly Member Garcia,

On behalf of the California State Association of Counties (CSAC), I am writing in support of Assembly Bill 3073 by Assembly Member Matt Haney. This measure would allow counties to voluntarily participate in a pilot program to test illicit substances in wastewater.

Many local health departments (LHDs) currently participate in the California Wastewater Surveillance Network, which tests wastewater for infectious diseases such as SARS-CoV-2, influenza, and Mpox. The Network has been a valuable tool that assists LHDs in understanding and mitigating the spread of infectious diseases within their communities. Additionally, three California counties are participating in a pilot program, funded by the National Institute on Drug Abuse, that tests sewage samples for opioids and other drugs to inform overdose prevention efforts. However, this program is set to expire in August of this year.

As California's opioid overdose epidemic continues to worsen, reaching 7,385 deaths in 2022, AB 3073 provides LHDs with an additional tool to understand community needs and develop successful prevention and harm reduction strategies. It is for these reasons that CSAC supports Assembly Bill 3073. Should you have any questions about our position, please do not hesitate to contact me at (916) 591-5308 or jonodera@counties.org. Thank you for your consideration.

Sincerely,

Jolie Onodera
Senior Legislative Advocate

cc: The Honorable Matt Haney
Honorable Members, Assembly Environmental Safety and Toxic Materials Committee
Josh Tooker, Chief Consultant, Assembly Environmental Safety and Toxic Materials Committee
Gino Folchi, Consultant, Assembly Republican Caucus

California State Association of Counties®

April 4, 2024

The Honorable Mike McGuire
President Pro Tempore, California State Senate
1021 O St., Suite 8518
Sacramento CA 95814

RE: Senate Bill 620 (McGuire) Low-Impact Camping Areas
As Amended: July 13, 2023 – SUPPORT

Senator McGuire:

The California State Association of Counties is pleased to support Senate Bill 620, which defines and creates standards for "low-impact camping areas" which will give counties a new way to encourage recreation and promote local tourism.

Outdoor recreation hit a record high in 2021 with more than 19 million Californians getting outside.[1] But nearly half of all campers report difficulty finding available campsites[2]. As a result, half of all campers (51%) who started camping in the past few years said they camped less often in 2021 due to overcrowding.[3] There are too few outdoor recreation accommodations for Californians and visitors.

This bill would increase affordable access to California's outdoor destinations, from the redwoods to the low desert and from the Sierra to the coastline. Low-impact camping requires little or no infrastructure and is offered at every price point. This means more Californians can benefit from time outdoors.

This bill would also diversify and supplement income for small farms and ranches, which are highly desirable locations for low-impact camping. Welcoming campers on working lands connects Californians to agricultural lands and lifestyles while providing sustainable and diverse revenue to our small farmers and ranchers. Low-impact camping is an important diversification strategy for landowners who are working tirelessly to hedge against low commodity prices, higher production costs, drought, wildfires, and more.

CSAC supports efforts to promote agricultural, historic, and natural resources tourism throughout the state. SB 620 would be a valuable tool for local governments to promote tourism in their respective areas while also maintaining local control. Expanding tourism

[1] S Department of Commerce, Bureau of Economic Analysis, Outdoor Recreation Satellite Account, U.S. and States, 2021
[2] 2022 Camping Report, The Dyrt
[3] KOA North American Camping Report 2022

opportunities benefits counties by increasing local revenue and supporting jobs throughout the local economy.

It is for these reasons, we strongly support SB 620, and appreciate your work on this issue.

Sincerely,

Ada Waelder
Legislative Advocate
California State Association of Counties
awaelder@counties.org

March 27, 2024

The Honorable Scott Wiener
Member, California State Senate
1021 O Street, Room 8620
Sacramento, CA 95814

RE: **SB 937 (Wiener) Development projects: permits and other entitlements: fees and charges.**
Notice of OPPOSE UNLESS AMENDED *(As of January 17, 2024)*

Dear Senator Wiener,

On behalf of The League of California Cities (Cal Cities), the Urban Counties of California (UCC), and the California State Association of Counties (CSAC) regretfully must **oppose unless amended** your measure **SB 937** which would prohibit local agencies from collecting the payment of fees for the construction of public improvements or facilities until the development receives its certificate of occupancy.

Local governments and planners appreciate the need to provide builders with some level of certainty regarding the fees and other conditions applicable to their proposed development before they make substantial investments in pursuing the development. However, that certainty often comes with social costs. The roads, fire stations, water and sewer facilities, and other necessary assets that will serve future residents of the development - or to mitigate the development's environmental impacts - are not without cost. And these do not become less expensive as time goes on. "Freezing" development fees and related conditions for an extended period ultimately mean that the local government cannot recover the ever-increasing costs of those facilities - which in turn means that construction of those facilities may be delayed, or never fully occur. These consequences must be balanced against the builders' certainty interests, to avoid creating unmitigated impacts or future underserved communities.

There are often years, or even decades, between the initial application for approval of the very first land use entitlement relating to a project and when a developer applies for issuance of building permits for a project. During this period, the costs of infrastructure and public services inevitably rise. This bill would prevent local governments from recovering those costs, thereby resulting in inadequate public facilities.

SB 937 counter-intuitively *discourages* speedy approval of housing developments. If the "freeze" commences with the very first development entitlement, conscientious local governments, who desire to fully fund and provide adequate public facilities and services, will be encouraged to defer that approval until the developer can provide positive assurances that the project will be completed without delay. Further, the inability to ensure that the applicable fees will *produce* sufficient funding to construct the necessary facilities within a reasonable timeframe may make it more difficult to rely on those fee mechanisms as mitigation for environmental impacts under CEQA - thereby encouraging legal challenges and consequent delays.

Additionally, SB 937 prohibits local agencies from posting a performance bond or a letter of credit from a federally insured, recognized depository institution to guarantee payment of any fees or charges with the proposed development project. This is concerning as local governments need to be able to guarantee that the collection of fees is allowed through a legally binding agreement. That means if a city starts construction on public improvement projects before final inspection, it will be much more difficult to enforce the developer's obligation to pay these fees and as a result, cause local governments to subsidize costly infrastructure upgrades necessary to promote public health and safety for residents within the community.

To improve the bill, the author should clarify in the language that a certificate of occupancy or another similar measure determines the time when local governments can collect permit fees as not all jurisdictions issue certificates of occupancy. Additionally, the author should remove the language prohibiting the local government's authority to require a bond or letter of credit if a housing development project does not pay fees until the final building inspection. We are very concerned by the inclusion of Quimby Act park land dedications within the Mitigation Fee Act, as well as the language that includes utility-related connection fees and capacity charges within Section 66077 of the bill, and urge the author to remove these provisions from the bill. Finally, while we understand the economic forces that have led to the delay of numerous housing projects, we are concerned by continued legislative efforts to extend expiring land use entitlements and urge the author to take a measured approach to this issue in SB 937, including by perhaps limiting applicability to 100% affordable housing projects.

For these reasons, we have taken an "oppose unless amended position" on SB 937. If you have any questions, do not hesitate to contact Brady Guertin of Cal Cities at bguertin@calcities.org, Chris Lee of UCC at clee@politicogroup.com, or Mark Neuburger of CSAC at mneuburger@counties.org.

Sincerely,

Brady Guertin
Legislative Affairs, Lobbyist
League of California Cities

Christopher Lee
Legislative Advocate, UCC

Mark Neuburger
Legislative Advocate
California State Association of Counties

CC: The Honorable Maria Elena Durazo, Chair, Senate Local Government Committee
Members, Senate Local Government Committee
Jonathan Peterson, Consultant, Senate Local Government Committee
Ryan Eisberg, Minority Consultant

California State Association of Counties®

April 1, 2024

The Honorable Steven M Glazer, Chair
Senate Revenue and Taxation Committee
State Capitol, Room 407
Sacramento, CA 95814

Re: SB 952 (Dahle): Personal Income Taxes: Fire Safe Home Tax Credits Act
As Introduced January 22, 2024 – SUPPORT

Dear Senator Glazer,

On behalf of the California State Association of Counties (CSAC), representing all 58 California Counties, I write in support of SB 952 (Dahle) which would authorize a new personal income tax credit for fire safe home expenditures, starting in 2025 and lasting for five years. Qualifying costs allowable for credits include home hardening and qualified vegetation management to increase the amount of fire safe hardened homes in areas at risk of wildfires.

Counties are on the front lines of wildfire emergencies and support measures that maximize California counties' ability to effectively mitigate, prepare for, respond to, and recover from natural and man-made disasters and public health emergencies. Increasing the number of hardened homes in wildfire prone areas will reduce overall fire risks but the costs of hardening a home pose a financial challenge for many of our residents.

CSAC supports policies, practices, and funding designed to promote innovation at the local level and to permit maximum flexibility, so that services can best target individual community needs, hazards, threats, and capacities. SB 952 addresses this by creating a tax credit that would incentivize home hardening projects with the goal of reducing wildfire risks.

Should you have any questions about our position, please do not hesitate to contact me at (916) 662-6400 or cfreeman@counties.org.

Sincerely,

Catherine Freeman
Senior Legislative Advocate

cc: The Honorable Brian Dahle

April 4, 2024

The Honorable Anna Caballero
Chair, Senate Appropriations Committee
State Capitol, Room 412
Sacramento, CA 95814

RE: Senate Bill 1046 (Laird) – SUPPORT
As Amended March 21, 2024

Dear Senator Caballero:

On behalf of the Rural County Representatives of California (RCRC), California State Association of Counties (CSAC), the League of California Cities (Cal Cities), and Californians Against Waste (CAW) we are pleased to support Senate Bill 1046 (Laird). This measure seeks to expedite the construction of compost facilities without compromising the stringency of environmental review under the California Environmental Quality Act (CEQA).

Senate Bill 1046 requires CalRecycle to develop a programmatic environmental impact report for small and medium-sized organic waste compost facilities. We support SB 1046 because we believe it will simplify the process for local permitting of small and medium-sized compost facilities and reduce delays related to environmental review and litigation.

SB 1383 requires the state to reduce landfill disposal of organic waste 75 percent below 2014 levels by 2025. CalRecycle's implementing regulations require local governments to divert organic waste and procure recycled materials derived from that organic waste stream. These requirements are estimated to cost $20 billion to implement and will require the construction of 50-100 new organic waste recycling facilities. There are many permitting, siting and construction challenges for building new compost facilities, including delays and litigation risk arising from CEQA.

CEQA includes processes by which specific projects can "tier" off a more comprehensive programmatic environmental impact report (EIR). Once a programmatic EIR has been finalized (and any legal challenges resolved), subsequent projects can rely on that document and applicable mitigation measures. As such, subsequent projects do not need to "recreate the wheel" and can instead focus their CEQA analyses on project-specific impacts that were not contemplated and discussed in the programmatic EIR. This

approach can reduce costs, the time required for CEQA review, and litigation delays. CalRecycle can draw upon its experience preparing a similar programmatic EIR for anaerobic digestion facilities several years ago. That work, like a similar programmatic EIR prepared by CalFire for vegetation management work, has been very helpful for those seeking to construct anaerobic digestion facilities.

Given the importance the state has assigned to reducing methane emissions from organic waste management - and the significant investments that will be required to achieve those objectives - a small state investment in developing a programmatic EIR for composting facilities will repay itself many times over.

We are pleased to support SB 1046 because we believe it will help increase organic waste recycling, reduce pollution, help local governments comply with SB 1383, and create in-state manufacturing jobs.

For the above reasons, we respectfully request your "aye" vote when this bill is heard before your committee. Please do not hesitate to contact us if you have any questions.

Sincerely,

JOHN KENNEDY
RCRC
Senior Policy Advocate
jkennedy@rcrcnet.org

MELISSA SPARKS-KRANZ
Cal Cities
Legislative Representative
msparkskranz@calcities.org

ADA WAELDER
CSAC
Legislative Advocate
awaelder@counties.org

ERICA PARKER
CAW
Policy Associate
erica@cawrecycles.org

cc: The Honorable John Laird, Member of the California State Senate
Members of the Senate Appropriations Committee
Ashley Ames, Consultant, Senate Appropriations Committee
Scott Seekatz, Consultant, Senate Republican Caucus

April 3, 2024

The Honorable Lola Smallwood-Cuevas, Chair
Senate Labor, Public Employment and Retirement Committee
1021 N. Street, Room 6740
Sacramento, CA 95814

RE: SB 1205 (Laird) – Expansion of Temporary Disability Benefits
OPPOSE

Dear Chair Smallwood-Cuevas,

The undersigned organizations are respectfully **OPPOSED** to **SB 1205 (Laird)**, which would increase costs and administrative friction in California's workers' compensation system by broadly expanding the payment of temporary disability benefits in a way that fundamentally undermines its purpose, which is to be available as wage replacement in situations where the worker is temporarily disabled and unable to work while recovering from an industrial injury. Once the employee's condition stabilizes or reaches maximal medical improvement, they are no longer entitled to temporary disability. While the author and sponsors contend that the bill is needed to allow injured workers to effectively access medical treatment, they have provided no objective information indicating that injured workers are struggling to access care for this reason, or that SB 1205 appropriate solution. SB 1205 would be a costly expansion of temporary disability benefits that would lead to extraordinary frictional costs to employers while providing no significant new benefit to employees.

Workers' Compensation Background

It is important to note that California's workers' compensation system is based on a compromise between workers and their employers, and that balance is important to proper system operation. Prior to the creation of the workers' compensation system, an injured employee would need to provide for their own medical care, go without wage replacement when disabled, and then sue their employer in civil court and prove negligence to recover their financial loss. In situations where the employer was not at fault there would be no recovery and the worker would bear the entire burden of the injury. The workers' compensation system replaced the traditional tort system by promising to cover all injuries that occur while workers are within the course and scope of their work duties, whether the employer is at fault or not. Employees hurt at work are provided employer-funded medical care, temporary disability to replace lost wages, and permanent disability to compensate for lasting impairment even if the employer is not responsible for the injury in a traditional tort sense. If a third party is responsible for the injury, the employer is required to pay workers' compensation benefits to the injured worker and then separately pursue recovery from the third party. Thus, reasonable protections are afforded to both employers and employees by this grand bargain, and both are required to participate in the compromise.

For California's workers' compensation system to remain functional, the balance of this compromise must be maintained. California already has one of the most progressive systems in the nation, covering an expansive scope of injuries and illnesses and providing more medical and indemnity benefits when compared to other states. According to a recent analysis by the California Workers' Compensation Institute (CWCI) California represents only 11.9% of nationwide jobs but pays 20.7% of the nation's workers' compensation benefits. The history of California's workers' compensation system is littered with examples where the legislature expanded benefits substantially without caution (e.g. studying the problem being asserted and the proposed solutions) and the system was knocked painfully out of balance, ultimately harming both employers and injured workers.

SB 1205 Undermines the Purpose of Temporary Disability Benefits

California currently limits temporary disability to 104 weeks of aggregate benefits, payable within five years of the date of injury. This limitation was established because most workplace injuries will resolve (an injured worker will either recover fully or reach a plateau in their recovery) within those timeframes. Temporary disability is intended to assist with wage replacement while an employee is recovering from an injury, and it should be preserved for that purpose. If SB 1205 were to become law, it is not clear how much temporary disability would be used, on average, per claim. It is also unclear how this would impact the availability of temporary disability benefits when an injured worker is medically disabled and needs wage replacement benefits. Studies suggest that only a very small percentage of injured workers (fewer than 1%) need or use all 104 weeks of temporary disability benefits. However, if injured workers start to deplete their available temporary disability benefits while not disabled, as would be allowed under SB 1205, it is likely that more injured workers may have insufficient benefits when disability prevents them from working.

SB 1205 also departs significantly from current law by requiring that temporary disability benefits be paid after the worker's condition is permanent and stationary, which means that they've reached their maximum level of medical improvement. Current law and extensive precedent hold that once an employee's work-related medical condition plateaus, they are not entitled to temporary disability benefits, hence the title of the benefit as "temporary." Instead, once a worker's condition is permanent and stationary they are started on permanent disability benefits if there is a reasonable expectation that they will have permanent impairment, and the worker is typically back at work in either a normal or permanently modified capacity. From our perspective, this fundamental feature of California's workers' compensation system is a key part of the compromise – it helps bring injuries to a timely conclusion and return workers to their employment, which has repeatedly been shown to reduce the negative economic impact of a workplace injury for both employees and employers.

No Evidence SB 1205 is Necessary

When evaluating various types of employees who participate in the workers' compensation system, there is no evidence of an unaddressed need. Salaried exempt employees who need to receive treatment in the middle of a shift will be paid for their full day of work in most cases. All employees, whether part- or full-time, are allowed under Labor Code Section 246.5 to use sick days for "diagnosis, care, or treatment of an existing health condition". The Legislature just increased the number of hours that can be used annually to 40 hours[1], which does not include any other time off that may be offered by the employer. Further, workers are also entitled to up to 12 weeks of leave if they have a medical condition, which can be used intermittently, under the California Family Rights Act (CFRA) Finally, part-time workers and many full-time workers have work schedules that leave plenty of time to schedule medical treatment while not working. The author's fact sheet proclaims that injured workers are "being forced to forego essential medical care" under the status quo, but we are unaware of any credible finding by the myriad state and private entities who routinely evaluate the California workers' compensation system that substantiate this assertion.

The author's fact sheet also makes frequent reference to "retaliation" by employers for receiving care during work hours, despite extensive protections for such conduct in current law. Labor Code Section 132(a) prohibits

[1] Some local ordinances mandate sick leave in excess of 40 hours.

discrimination "in any manner" against any employee for pursuing a workers' compensation claim and would clearly prohibit the type of retaliation alleged by proponents. Employers who fail to allow proper use of sick leave are prohibited from retaliation under Labor Code Section 246.5, which is enforceable outside of the workers' compensation system via the California Private Attorney Generals Act, or PAGA.

Administrative Hassle and Friction

California's workers' compensation system is known for its complexity, and claims administrators are responsible for collecting, processing, and appropriately accounting for vast amounts of factual, medical, and other pieces of information in the execution of their duties. Administrators then must use that information to make critical decisions about care and benefits.

SB 1205 would substantially complicate the administration of claims by requiring workers and claims administrators to accurately track the dates of medical appointments, the specific amount of time an injured worker missed work for each appointment, and the details necessary to inform decisions about reasonable travel and meal expenses required by the bill. According to the Commission on Health and Safety and Workers' Compensation's (CHSWC) 2022 Annual Report, there were 683,500 workers' compensation claims in 2021. This means SB 1205 will result in millions of unique fact-intensive coverage decisions and calculations that need to be tracked and documented. Implementing SB 1205 would be burdensome and would create a new point of friction between employers and injured workers, resulting in additional litigation further clogging the workers' compensation appeals board (WCAB). Implementation will be especially frictional in situations where there are ongoing disputes over industrial causation of the injury or the coverage of specific medical treatment.

Additional ambiguities in the drafting of SB 1205 are also likely to cause disputes and necessitate involvement by the WCAB. The bill requires the payment of "reasonable" costs of transportation, meals, and lodging that are "incident to receiving treatment". The bill gives little guidance to claims administrators who will be tasked with complying, leaving these disputes to be adjudicated by the WCAB.

Finally, this bill does not address the requirement that employers send a written notice to injured workers every time temporary disability benefits are started or stopped. As drafted, SB 1205 would require multiple notices every time benefits were paid for a medical appointment. Current law also requires employers to start permanent disability benefits within 14 days of ending temporary disability benefits, and SB 1205 does nothing to blunt the application of this requirement to this new scenario. Moreover, time spent by claims administrators on these notices would prevent them from spending time on the claims of more seriously injured workers who are still in the acute recovery phase of their injuries.

The Sponsor Could Collectively Bargain For This Benefit

California law allows unions to collectively bargain a "carve out" to the statutorily mandated workers' compensation system. Unions and employers are provided wide latitude in negotiating the benefit levels, benefit delivery, and dispute resolution processes, but agreements must be approved by the Administrative Director of the Division of Workers' Compensation (DWC). In fact, there are dozens of carve outs that have been negotiated between unions and their employers. While there is no evidence that there is a statewide problem, any problems experienced in a specific workplace could be resolved through this process.

No Evaluation of Cost

California's workers' compensation system is expensive but stable. According to the State of Oregon's biannual study of workers' compensation insurance rates by state, California is the third most expensive state in the country at 178% of the median cost. This high cost works as a tax on employment in the private sector, and significantly depletes public sector budgets while diverting limited resources away from public benefits. SB 1205 represents a significant policy change, yet there has been no study of the cost impact to businesses and public entities. The state of California is facing a significant budget deficit and SB 1205 would unquestionably increase costs to the general fund and divert funds from needed services and programs. The additional benefits, increased cost of

administration, printing, and postage for new benefit notices, and increased frictional litigation would all add significant costs to the system.

For these reasons and more, the undersigned organizations are respectfully opposed to SB 1205 (Laird) and urge you to vote “no” when the bill comes before your committee.

Sincerely,

American Property Casualty Insurance Association
Association of California Health Care Districts
California Association of Joint Powers Authorities
California Chamber of Commerce
California Coalition on Workers’ Compensation
California Grocers Association
California Joint Powers Insurance Authority
California Manufacturers & Technology Association
California State Association of Counties (CSAC)
Public Risk, Innovation, Solutions, and Management (PRISM)

April 3, 2024

The Honorable Richard Roth
Chair, Senate Health Committee
1021 O Street, Room 3310
Sacramento, CA 95814

RE: SB 1397 (Eggman): Behavioral health services coverage.
As amended on March 20, 2024 – SUPPORT
Set for Hearing on April 10, 2024 – Senate Health Committee

Dear Senator Roth:

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) 1397 by Senator Susan Eggman. This measure establishes a mechanism for county behavioral health agencies to recoup reimbursement from commercial plans for privately insured clients referred to services through Full Service Partnerships (FSPs).

FSPs provide comprehensive, intensive, community-based services and case management to those facing severe mental health conditions and play a critical role in preventing long-term institutionalization. All counties offer FSP services, which are unique for their low staff to client ratio, 24/7 availability, and "whatever it takes" approach tailored to the individual needs of a client. FSPs have been proven to help prevent costly hospitalizations, criminal justice involvement, and homelessness among clients.

Although the primary focus of county behavioral health agencies is to serve Medi-Cal beneficiaries, they often serve the commercially insured who are unable to access certain specialty behavioral services through their commercial insurance, including crisis intervention services, first episode psychosis, FSPs, or other critical behavioral health services. Although counties fund services to individuals with commercial plans to the extent resources are available, they must prioritize their Medi-Cal plan responsibilities.

SB 1397 will create a reimbursement mechanism for county behavioral health agencies to recover the costs of providing lifesaving behavioral health services to commercially insured clients through FSPs. 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,

Jolie Onodera
Senior Legislative Advocate
CSAC
jonodera@counties.org

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

Sarah Dukett
Policy Advocate
RCRC
sdukett@rcrcnet.org

cc: The Honorable Susan Talamantes Eggman, Senator
Honorable Members, Senate Health Committee
Teri Boughton, Principal Consultant, Senate Health Committee
Joe Parra, Consultant, Senate Republican Caucus
Anna Billy, Office of Senator Susan Talamantes Eggman

California State Association of Counties®

April 9, 2024

The Honorable Buffy Wicks
Chair, Assembly Appropriations Committee
1021 O Street, Suite 8220
Sacramento, CA 95814

Re: AB 1879 (Gipson) – Electronic signatures.
As Amended March 7, 2024 – SUPPORT
Set to be heard in the Assembly Appropriations Committee – April 10, 2024

Dear Assembly Member Wicks,

On behalf of the California State Association of Counties (CSAC) representing all 58 counties in California, I write in support of Assembly Bill (AB) 1879 by Assembly Member Mike Gipson. This measure would allow the acceptance of electronic signatures by county assessors.

Counties strive to simplify interactions with local fiscal offices whenever possible. AB 1879 will benefit taxpayers and improve the ability of county assessors to serve their constituents, especially those facing transportation or mobility challenges. The use of electronic signatures will simplify the tasks of local government agencies and alleviate the burdens for taxpayers associated with sending government documents via mail.

It is for these reasons CSAC supports AB 1879 and respectfully requests your AYE vote. Should you have any questions regarding our position, please do not hesitate to contact me at elawyer@counties.org.

Sincerely,

Eric Lawyer
Legislative Advocate

cc: The Honorable Mike Gipson, California State Assembly
Members and Consultant, Assembly Appropriations Committee
Joe Shinstock, Consultant, Assembly Republican Caucus

April 8, 2024

The Honorable Buffy Wicks
Chair, Assembly Appropriations Committee
1021 O Street, Suite 8220
Sacramento, CA 95814

Re: AB 1956 (Reyes) – Victim services.
As Amended March 4, 2024 – SUPPORT
Set for Hearing April 10, 2024 – Assembly Appropriations Committee

Dear Assembly Member Wicks:

The California State Association of Counties (CSAC), Urban Counties of California (UCC), and Rural County Representatives of California (RCRC) write in support of AB 1956 by Assembly Member Eloise Gómez Reyes. This measure, upon appropriation of funds by the Legislature, would require the state to supplement federal support for the Victims of Crime Act (VOCA), which provides grants for the delivery of crucial crime victim services.

The VOCA Crime Victims Fund (CVF) is a non-taxpayer source of funding that is financed by monetary penalties associated with federal criminal convictions, as well as penalties from federal deferred prosecution and non-prosecution agreements. Deposits into the CVF fluctuate based on the number of criminal cases that are handled by the United States Department of Justice (U.S. DOJ), with Congress determining on an annual basis how much to release from the CVF to states. Last year, according to the U.S. DOJ, the CVF balance was over $2.3 billion. Unfortunately, despite continual federal advocacy by counties and other organizations, Congress funded VOCA at $1.35 billion through their annual appropriation bill for U.S. DOJ programs in the 2024 fiscal year. This is a substantial reduction from the previous level of $1.9 billion in the last fiscal year, and most notably, continues the downward trend and represents a historic low. As such, the decline in funding will result in a fundamentally decreased level of service delivery to victims of crimes, and thus behooves supplemental state support.

VOCA grants support a variety of locally administered victim services programs, including crisis intervention, domestic violence shelters, resources for victims of human trafficking, and programs for elder victims and victims with disabilities. VOCA grants also fund victim compensation

programs, which help survivors pay medical bills and recuperate lost wages. If federal funding levels remain low and continue to shrink, victim service providers across the state will be forced to lay off staff, cut programs, and shut down operations unless there is state assistance. As a member of the California Office of Emergency Services' (CalOES) VOCA Steering Committee, CSAC will continue to focus on the most effective and impactful programming, but ultimately, further decline in VOCA funding will reduce the number and amount of grants administered by CalOES, resulting in an immediate and direct impact on the delivery of victim services statewide.

Whereas VOCA is a federally funded program, and California is facing a significant budget shortfall, it is a sound policy decision to address funding gaps to ensure the continuity of existing victim services and preserve programs that meet the needs of some of our most vulnerable populations. Absent state support, counties will be faced with increasingly tough investment decisions in the months and years to come, which will yield a negative impact on critical, core state services delivered by counties.

It is for these reasons that CSAC, UCC, and RCRC are in strong support of AB 1956, which would guarantee a minimal level of funding to protect essential victim services in our state. Should you have any questions regarding our position, please do not hesitate to contact Ryan Morimune at CSAC (rmorimune@counties.org), Elizabeth Espinosa at UCC (ehe@hbeadvocacy.com), or Sarah Dukett at RCRC (sdukett@rcrcnet.org). Thank you for your consideration.

Sincerely,

Ryan Morimune	Elizabeth Espinosa	Sarah Dukett
Legislative Advocate	Legislative Representative	Policy Advocate
CSAC	UCC	RCRC

cc: The Honorable Buffy Wicks, California State Assembly
The Honorable Eloise Gómez Reyes, California State Assembly
Members and Consultant, Assembly Appropriations Committee

California State Association of Counties®

April 12, 2024
The Honorable Diane Papan
Assembly Water, Parks, and Wildlife Committee
1020 N Street, Room 160
Sacramento, CA 95814

RE: AB 2079 (Bennet) Groundwater extraction: large-diameter, high-capacity wells: permits.
Oppose Unless Amended – As Amended March 21, 2024
Set for Hearing April 23, 2024 – Assembly Water, Parks, and Wildlife Committee

Dear Chair Papan,

On behalf of the California State Association of Counties (CSAC), representing all 58 of California Counties, we respectfully oppose unless amended AB 2079 (Bennett) because the bill restricts the local control of groundwater previously guaranteed by the Sustainable Groundwater Management Act (SGMA). The proposed requirements in the bill would mandate ministerial permitting agencies deny all large-diameter, high-capacity wells within a quarter mile of a well used for supplying domestic water to one or more persons or to a community.

A Second Bite at the Apple? AB 2079 would attempt to fundamentally redirect groundwater management from the original intent of SGMA—to allow for flexible local control based on hydrologic conditions. At this point in time, all basins above a medium priority are required to be managed under a Groundwater Sustainability Plan (GSP) under Water Code Sec. 10720.7 (a)(2). Groundwater Sustainability Agencies (GSAs) must annually report to the Department of Water Resources on progress towards sustainability (Water Code Sec. 10728). SGMA anticipated development of new locally-managed rules culminating with final approval and adoption of GSPs by 2025 in all required basins.

The Department of Water Resources (DWR) has already had an opportunity to review GSPs and to make recommendations to approve and adopt, or to reject and move these basins to probationary hearings at the State Water Resources Control Board (SWRCB). DWR will continue to review progress made towards these approved plans annually. This process is clearly set out within the SGMA legislation and subsequent guidance documents. Those basins that have moved to the SWRCB will move through the SGMA outlined probationary hearing process, and will be afforded due process through a public hearing schedule. CSAC, along with partner GSAs and water agencies, is closely following these probationary hearings.

Counties and GSAs have expended significant sums in their efforts to comply with SGMA and prepare paths forward toward sustainability. By essentially replacing the local control element of SGMA related to well interference and subsidence mitigation with a statewide, inflexible mandate, this bill makes these expenditures superfluous. Keeping the focus on a holistic approach to groundwater sustainability that is driven by local knowledge will maintain meaning behind the public funds already invested in SGMA and will ensure that locals can tailor their strategies to local conditions.

Hydrology and Geology Matter. Seemingly, this bill is intended to address well spacing issues but does not respect varying hydrology and geology throughout the state of California. SGMA anticipates that the state will continue to support our essential residential and business communities. The legislation anticipates that if an individual or business has a domestic well, even in a developed area, or an area with an abundance of groundwater, a large-diameter, modern well will interfere with a domestic well. This includes water banks, groundwater recharge areas, and basin boundary areas. The legislation would exempt the same large diameter well to be developed in rural residential areas regardless of the amount of water withdrawn. The bill does not exclude well replacement or modernization of existing wells, nor does it consider the efficiency of new wells over time.

When SGMA was developed, the focus on achieving groundwater sustainability was rightfully on the relative use of groundwater: on how much water is used. It did not focus on how many wells are or may be in existence. This is because achieving sustainability depends on inputs and outputs overall, not how many locations that can extract groundwater.

While we understand the seriousness of subsidence, the issue remains an overall use question. A new well does not give a water user any entitlement to using a certain amount of water. The amount available to use is regulated by state law and the relevant groundwater sustainability plan developed pursuant to SGMA. Thus, the pure focus of this bill on new wells, is misplaced. Continued focus on sufficient GSPs and compliance with those GSPs is necessary to ensuring that SGMA's goals are reached and negative consequences like subsidence are reduced.

Notifications Cumbersome and Expensive. The notification process outlined in the legislation is cumbersome and expensive—and may be difficult to achieve. The notifications are overly complicated and unnecessary in some cases. Counties are often the lead agency but are not always the Local Enforcement Agency (LEA). The bill includes confusing notification language requiring a LEA to also notify all other LEAs administering well programs within a basin regardless of whether that LEA is within the jurisdiction of the LEA or not. The legislation requires LEA to notify by written US Postal Service all owners or agents of all parcels within a one-mile radius—including in areas where rural postal service is challenged by closed post offices and services. Failure to meet any of these multiple requirements would likely result in lawsuits.

Moving Forward. Counties are working with the Administration and will continue to increase communication and information sharing regarding SGMA, with our partners at the GSAs. CSAC supports a continued focus on groundwater, basin management and the implementation of local water policies with support from state and federal partners. We encourage legislation that focuses on progress to groundwater sustainability through the local implementation of SGMA, dedicated groundwater recharge, and expedited permitting for recharge events. We remain committed to establishing strong Groundwater Sustainability Plans, driven at the local level, and look forward to continuing to work with our county partners to achieve water sustainability statewide.

For these reasons we must respectfully oppose AB 2079 unless amended. For more information, please contact Catherine Freeman at cfreeman@counties.org.

Sincerely,

Catherine Freeman
Senior Legislative Advocate
California State Association of Counties (CSAC)

cc: The Honorable Assemblymember Steve Bennett
Honorable Members, Assembly Water, Parks, and Wildlife Committee
Pablo Garza, Chief Consultant, Assembly, Water, Parks, and Wildlife Committee
Casey Dunn, Consultant, Assembly Republican Caucus

April 10, 2024

The Honorable Damon Connolly
Member, California State Assembly
1021 O Street, Suite 5240
Sacramento, CA 95814

RE: Assembly Bill 2149 (Connolly) – Oppose Unless Amended
As Amended April 8, 2024

Dear Assembly Member Connolly:

On behalf of the Rural County Representatives of California (RCRC) and the California State Association of Counties (CSAC), we must regrettably oppose your Assembly Bill 2149 unless amended. This measure creates a requirement for counties to be involved in the regulation and enforcement gates that meet the bills very broad definition.

Counties are responsible for providing a wide array of critical services including, treating individuals living with mental illness, managing solid waste, ensuring accurate weights and measures as well as maintaining local roads and bridges. Counties are providing many of these services in extremely constrained fiscal environments. Additionally, the process for counties to obtain funding through the state's mandates process is lengthy and provides no guarantee of an adequate level of funding if successful. Moreover, the state has suspended mandate funding in past period of strained budgets and is likely to do so to solve current budget challenges. It is in this environment that counties raise our concerns with AB 2149.

AB 2149 creates an entirely new regulatory and enforcement burden on counties at a scale that is unworkable. Although the latest amendments narrow the bill's definition of regulated gate, AB 2149 still includes a wide universe of gates that would likely create enforcement duties over thousands of gates in each county. After discussions with the author's office, it seems clear that a local government role is a key part of this effort. However, we do not believe all of our members have uniform agreement that county involvement in this regulatory space is the most effective way to address the risks identified by this bill. With that in mind, we suggest amending the bill to create a process where county regulatory and enforcement involvement only occurs when a county Board of Supervisors takes an affirmative step to enforce the county provisions of this bill.

We note that the current definition of regulated gate in the bill does not adequately focus attention on the type of gates that motivated the introduction of this bill. Therefore, we suggest that the author's office focus the bill on the types of gates that pose the greatest risk to the populations they are seeking to protect. This would ensure that counties have a clear understanding of the scope and risk of the gates they are considering to regulate.

For these reasons, RCRC and CSAC are regrettably opposed to AB 2149 unless amended to address our concerns. If you have any questions, please do not hesitate to contact Tracy Rhine (RCRC) trhine@rcrcnet.org or Mark Neuburger (CSAC) mneuburger@counties.org.

Sincerely,

Mark Neuburger
Legislative Advocate
California State Association of Counties

Tracy Rhine
Senior Policy Advocate
Rural County Representatives of California

cc: The Honorable Ash Kalra, Chair, Assembly Judiciary Committee
Members of the Assembly Judiciary Committee
Alison Merrilees, Chief Counsel, Assembly Judiciary Committee
Daryl Thomas, Consultant, Assembly Republican Caucus

April 9, 2024

The Honorable Marc Berman
Chair, Assembly Business & Professions Committee
1021 O St., Ste. 8130
Sacramento, CA 95814

Re: AB 2265 – Animals, Spaying, Neutering, Euthanasia - OPPOSE

Dear Chair Berman and Committee Members,

On behalf of the undersigned organizations, representing the departments and agencies in local government with oversight of animal care and control, we write in OPPOSITION to AB 2265 (McCarty).

Shelters in California are in crisis, with many facing extreme overcrowding, higher intake, longer lengths of stay, and lower reclaim and adoption rates. Since the onset of the COVID-19 pandemic, the entire animal welfare sector has faced a wave of related and compounding difficulties. Shelters are receiving more animals than our facilities are designed for, making it harder to manage the spread of contagious diseases and putting immense stress on staff and the animals. Rescue partners are transferring fewer animals as they experience the same challenges and this means that shelters are faced with making more difficult decisions, and in some areas, euthanasia is rising.

These conditions require that there is a closer look at the "why"– and that includes examining all of the factors contributing to root causes of why so many animals are ending up in the shelter in the first place. That's the only way we'll collectively apply the right programs, policy interventions, and support for the shelters receiving more animals than they can re-home.

Government and contracted animal shelter staff use their best discretion to provide the highest level of care their resources allow. AB 2265 tries to fix today's issues by assuming the overcrowding in shelters and increase in euthanasia is due to a problem within the sheltering system itself. While we are not claiming that every shelter is operationally perfect, what we are seeing today is a product of the environment outside of the shelters. Inflation, housing insecurity, a lack of pet-friendly housing, breed

discrimination from insurance companies, and inaccessible or costly veterinary care are forcing families to make difficult decisions regarding their ability to keep pets. As a result, shelters are seeing overwhelming numbers of unwanted animals come through their doors.

We know that animal lovers in California are frustrated seeing us struggle and we are working with a number of authors and bill sponsors this year to address some of the core themes that have surfaced including internal factors like operational transparency and external factors like soaring pet care costs, housing availability and pet restrictions, and a critical shortage of veterinary access in nearly every community. We understand what the proponents and author of AB 2265 are trying to accomplish, unfortunately, this bill will only exacerbate the difficulties facing shelters in nearly every imaginable way and will ultimately lead to even worse overcrowding and tragic outcomes both in and out of shelters.

Public Safety

AB 2265 strips away a shelter's ability to make critical decisions in the best interest of animal welfare and public safety. This bill removes important industry-recognized definitions like adoptable and treatable and redefines state policy to say all animals should be released for adoption or rescue transfer except those suffering from the most extreme health or behavioral afflictions. Under AB 2265, to humanely euthanize for behavior, a dog must be declared under a rarely used state law on vicious dogs. Setting aside the fact that most municipalities rely instead on more comprehensive local ordinances for their designations of dangerous or vicious dogs, this provision ignores that, as with people, behavior is a spectrum.

There are many factors that go into making humane euthanasia decisions for behavior. A dog can have a multitude of dispositions that alone would not equate dangerous or vicious, but combined, would make placement in a home and community unsafe.

Further, it appears to only apply to dogs with an owner. If a shelter dog attacks another animal, volunteer, visitor, or staff, humane euthanasia decisions are made without a declaration hearing. Shelter staff routinely and expertly balance decisions in both the best interest of animal welfare and public safety. Policies that demand the release of dangerous animals only serve to erode the public's trust, their safety, and their interest in adopting shelter animals.

Foster Programs

Foster programs are the lifeblood of shelters. They are safe environments for animals to be housed that increases shelter capacity and decreases animal stress and mental and physical decline. Foster programs are utilized to support young animals who aren't old enough for surgery, provide a loving home for animals recovering from a medical condition, extend shelter capacity to reduce overcrowding, or allow a soon-to-be-adopted animal to start living and bonding with their new family while they await their spay or neuter appointment. The caregiver may have the animal for short or long-term assignments. While in foster care, the animal is still the property of the shelter and laws related to spay/neuter prior to adoption or transfer to a new owner still apply. These programs have provided a wonderful lifeline for so many animals throughout the state.

As access to veterinary care issues become more and more acute in California, animals may await spay/neuter surgeries for weeks or even months. It is well documented that California, like other states,

is experiencing a veterinary shortage and that shortage is felt significantly in less populated and already under-resourced areas of our state. While there is no evidence to suggest that animals in foster care are contributing to animal overpopulation, AB 2265 also ignores the current state of veterinary care. The restrictions this bill places on shelter and foster caregivers would essentially eliminate these lifesaving programs.

If a foster caregiver is unable to secure a spay/neuter appointment within the arbitrary and nearly impossible to meet timeframe outlined in AB 2265, animals being cared for in foster homes will be forced to re-enter an animal shelter. It is difficult to comprehend what this provision is attempting to solve for, as it will most certainly result in further congesting shelters and contributing to illness, stress, and poor outcomes.

Public Trust

Let us be explicitly clear; *animal shelters do not want to euthanize animals.* They make significant efforts that begin when the animal first arrives: to get them back home, to promote them online and at events, and to plan for contingencies if these efforts fail.

California animal shelters, along with rescue partners, communities, volunteers, and donors, have made tremendous lifesaving progress. The number of dogs and cats entering our state's shelters fell by more than 50% between 2001 and 2021 (800,000 to 366,000), with euthanasia falling from around 60 percent to under 15 percent.

These results *would not be possible* without healthy shelter and rescue group partnerships that comprise the safety net for animals in need throughout our state. Rescue groups with cooperative agreements with shelters can transfer animals any time after the initial hold period, and puppies and kittens are immediately available. The attempt to mandate a "hurry, this animal is about to die" promotion is misguided and does not improve overall live outcomes. We make real progress when we *minimize* the length of stay for animals, and don't wait until euthanasia is imminent to do everything possible to adopt or foster that animal.

AB 2265 amends SEC. 11. Section 32004 of Food and Agriculture to require a 24-72 hour mandated hold period on animals scheduled for euthanasia. This requirement isn't as easy as just "planning ahead" or being more transparent; it's a one-size-fits-all mandate that will undoubtedly have negative consequences. Public shelters and contracted nonprofit shelters need to pivot quickly when intake outpaces space. To consistently meet the requirements under AB 2265, shelters will need to redefine what it means to be "full." Currently, most shelters are operating at capacity and only make difficult humane euthanasia decisions when absolutely necessary.

Further, as this bill sets a new policy for the state that no animals shall be euthanized except in the most egregious circumstances; it appears to require that shelters unnecessarily extend animal suffering after a qualified professional determines that euthanasia is in the animal's best interest for health or behavioral reasons. This is truly unconscionable and cruel.

These types of postings cause significant harm to the animal shelters and the communities they serve. What shelters need most are more families walking through their buildings to adopt their next pet. Employing strategies of desperate signage and internet postings, only continue to perpetuate the idea that shelters are sad, scary places where animals go to die. While hardworking staff and volunteers work

diligently to ensure this is not the case, these postings result in harassment, bullying, and even death threats. This unquestionably limits the ability to attract and retain staff in these vitally important roles.

Public Hearings

Finally, AB 2265 will require government and government-contracted animal shelters to provide public notice and ultimately a public hearing if they want to change any policy, practice, or protocol specific to Food and Agriculture SEC. 12. Section 32005 (2). As government entities, the very nature of their business is built around transparency with public information requests and the ability to voice one's thoughts and opinions in public hearings like City Council or County Supervisor meetings.

The laws that govern the work done by government animal shelters span a variety of code sections. They are diverse, complicated, and can be hard for the public to understand. As a perfect example, this section of the bill references a variety of codes that are suspended annually due to a lack of state appropriated funded.

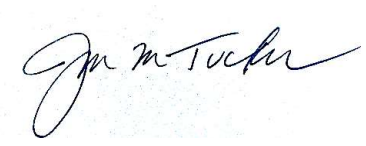
Animal lifesaving fundamentally depends on some level of flexibility and discretion. As an industry, they are always looking for ways to improve care and positive outcomes. We support accountability and value public participation, but not at the expense of hamstringing the ability to quickly adjust to current circumstances. Conversely, we do not support any animal shelter adopting policies in violation of operational state statutes. Providing a pathway for legally skirting California animal welfare laws seems completely counter to increasing lifesaving in our state.

Unfortunately, the provisions in AB 2265 show a profound lack of the most basic understanding of animal shelter operations, current law, and how the practical outcomes of this bill will unquestionably lead to more overcrowding, cause more harm, higher humane euthanasia, and reduced public safety.

We are in the shelters every day fighting for the animals in our care. We work tirelessly to see every cat and dog as an individual with independent needs. Lifesaving is a collaboration and the undersigned organizations and our shelter members welcome opportunities to have productive conversations around solutions that help create positive outcomes and greater support for animals and their people in California.

We will continue to work openly with lawmakers and partners in animal welfare to reach the outcomes we all desire most, and while we do, we respectfully request your opposition to AB 2265.

Sincerely,



Jill Tucker
CEO
Cal Animals

Ada Waelder
Legislative Advocate
CSAC

Jean Kinney Hurst
Legislative Advocate
UCC

Caroline Grinder
Legislative Advocate
League of California Cities

Joseph Saenz, Deputy Director of Policy
County Health Executives Association of California

April 4, 2024

The Honorable Sharon Quirk-Silva
Member, California State Assembly
1021 O Street, Suite 4210
Sacramento, CA 95814

RE: Assembly Bill 2433 – Oppose Unless Amended
As Introduced February 13, 2024

Dear Assembly Member Quirk-Silva:

On behalf of the Rural County Representatives of California (RCRC), the California State Association of Counties (CSAC), the Urban Counties of California (UCC), and the League of California Cities (Cal Cities), we must regrettably oppose your Assembly Bill 2433 unless amended. This measure creates the California Private Permitting Review and Inspection Act, which allows applicants for building permits to independently pay a third party for plan and field inspection of a project, without county or city building official oversight.

Plan review and field inspection of construction projects in an integral step in ensuring that structures built in California are safe, not only to inhabit, but for the surrounding environment and community. City and county building departments review and inspect projects based on consistency with the jurisdiction's General Plan, State building codes and associated regulations. Related laws and ordinances that jurisdictions must enforce change regularly and it is the responsibility of those employees to ensure that each project in constructed in a manner that complies with those laws.

AB 2433 creates "shot clocks," or timelines for action, that if not met will allow a permit applicant to contract or employ a private professional to conduct the project plan check and site inspection. The local jurisdiction must then approve or deny the permit application within 30 days of receiving the final report prepared by the private professional. The timelines in the bill are unreasonable, such as five days to conduct a field inspection, but more concerning is AB 2433 sets up a structure to include a "deemed approved" remedy in the future that would remove all discretion by the local jurisdiction to make certain that projects are consistent with related health and safety building requirements.

We understand the issue of lagging permitting times in some jurisdictions and would like to find a path to facilitating that needed construction, whether commercial or

residential, in a reasonable amount of time. However, we do not believe that the solution put forth in AB 2433 adequately preserves a local jurisdiction's ability and duty to enforce building related laws. AB 2433 allows an applicant for a construction project (large or small with the only exceptions being health facilities, high rises and public buildings) to pay a private third party to review plans and inspect the site, even if that is the same professional that designed the plans and works with (or for) the company. Even if the bill included an anti-collusion provision that disallowed services from professionals connected with a project, there is a clear financial incentive for the person paid by the applicant to do site review and inspection to render decisions favorable to applicant. Quite simply, directly paying the "regulator" (a private individual in this case) to regulate you leads to biased results and creates a structure of deregulation.

Building inspection is an important step in the public safety process – there are many examples of unpermitted activities leading to catastrophic outcomes, such as 2016 Valley fire that killed four people and burned over 76,000 acres - all caused by an unpermitted hot tub electrical connection. We are concerned that as currently drafted, AB 2433 removes government oversight in the permitting process, allowing only approval or denial based on a private third-party report, negating any involvement, oversight or independent verification or judgment of the facts by the local jurisdiction.

To address concerns of slow permitting timelines in some jurisdictions, we suggest the bill is amended to allow for an expediated permitting process, similar to those that are already in place for other specific permits, such as broadband microtrenching permits or those in the air pollution permitting arena.

For these reasons, RCRC, CSAC, UCC, and Cal Cities are regrettably opposed to AB 2433 unless amended to address our concerns. If you have any questions, please do not hesitate to contact Tracy Rhine (RCRC) trhine@rcrcnet.org, Mark Neuburger (CSAC) mneuburger@counties.org, Chris Lee (UCC) clee@politicogroup.com, or Brady Guertin (Cal Cities) bguertin@calcities.org.

Sincerely,

Mark Neuburger
Legislative Advocate
California State Association of Counties

Tracy Rhine
Senior Policy Advocate
Rural County Representatives of California

Chris Lee
Legislative Advocate
Urban Counties of California

Brady Guertin
Legislative Representative
League of California Cities

cc: The Honorable Juan Carrillo, Chair, Assembly Local Government Committee
Members of the Assembly Local Government Committee
Angela Mapp, Consultant, Assembly Local Government Committee
William Weber, Consultant, Assembly Republican Caucus

California State Association of Counties®

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Graham Knaus

April 12, 2024

The Honorable Tina McKinnor
Chair, Assembly Public Employment and Retirement Committee
1020 N Street, Room 153
Sacramento, CA 95814

Re: AB 2455 (Gabriel) – Whistleblower protection: state and local government procedures.
As Amended April 4, 2024 – SUPPORT
Set to be heard on April 17, 2024 - Assembly Public Employment and Retirement Committee

Dear Assembly Member McKinnor,

On behalf of the California State Association of Counties (CSAC) representing all 58 counties in California, I write in support of Assembly (AB) 2455 by Assembly Member Gabriel. This measure would modernize the Whistleblower Protection Act and will help local agencies prevent the misuse of government resources by extending its protections to activities related to government contractors, among other changes.

Local government agencies increasingly depend on private contractors to aid in delivering services to their communities. To ensure the Whistleblower Protection Act can fulfill its mission to prevent waste of government resources, it is crucial to safeguard whistleblowers, not only when exposing misconduct within government operations, but also for the companies they enlist as contractors.

In 2002, the California legislature passed the Whistleblower Protection Act to protect employees who report unlawful activities. This legislation inspired local governments to implement whistleblower hotlines that provide a location to file reports that disclose fraudulent and wasteful activity, in hopes of saving taxpayers money and making government operations more efficient. AB 2455 modernizes the law by providing clarity in the law to ensure that whistleblowers know their activity is protected not just when reporting improper governmental activities by phone, but also when submitting complaints via online portals or email.

Finally, the bill improves governmental efficiency by allowing the designees of county auditors, controllers, and auditor-controllers to review and investigate whistleblower complaints.

As counties increasingly rely on private contractors, AB 2455 would modernize the current whistleblower laws to help protect local resources and improve accountability for governments and their contractors alike.

It is for these reasons that CSAC supports AB 2455 and respectfully requests your AYE vote. Should you have any questions regarding our position, please do not hesitate to reach out to me at elawyer@counties.org.

Sincerely,

Eric Lawyer
Legislative Advocate

cc: The Honorable Jesse Gabriel, California State Assembly
Members and Consultant, Assembly Public Employment and Retirement Committee
Lauren Prichard, Consultant, Assembly Republican Caucus

California State Association of Counties®

April 8, 2024

The Honorable Freddie Rodriguez
Chair, Assembly Emergency Management Committee
1020 N Street, Room 360B
Sacramento, CA 95814

Re: AB 2469 (Committee on Emergency Management) Emergency Management Assistance Compact: California Wildfire Mitigation Financial Assistance Program As Amended March 21, 2024 – SUPPORT

Dear Assemblymember Rodriguez,

On behalf of the California State Association of Counties (CSAC), representing all 58 California Counties, I write in support of AB 2469 (Committee on Emergency Management). The bill would permanently establish the Emergency Management Assistance Compact (EMAC).

The EMAC is a national interstate mutual aid agreement that enables states to share resources during times of disaster. Climate change and a multitude of other factors are having a monumental impact on states' resources – including both inside and outside of California. Reliance on emergency aid resources outside of a state's borders will only increase if current trends continue. The EMAC serves as an additional tool to assist local jurisdictions in case of an emergency.

CSAC supports legislative proposals that maximize California counties' ability to effectively mitigate, prepare for, respond to, and recover from natural and man-made disasters. Emergency management and homeland security policies should be designed to permit maximum flexibility, so that services can best target individual community needs, hazards, threats, and capacities. As such, CSAC advocates for improved coordination between state and local offices of emergency services and state and local departments. AB 2469 accomplishes this by making the EMAC operative permanently.

Additionally, CSAC supports efforts around supplementing the state's response to mitigating the risks of fire as the California Wildfire Mitigation Financial Assistance Program aims to do. Therefore, extending the program's repeal date to July 1, 2030 as the bill would require is imperative in achieving these goals. It is for these reasons that CSAC supports AB 2469. Should you have questions, please don't hesitate to contact me at cfreeman@counties.org.

Sincerely,

Catherine Freeman
Senior Legislative Advocate

April 12, 2024

The Honorable Chris Ward
California State Assembly
1021 O Street, Suite 6350
Sacramento, CA 95814

Re: **AB 2489 (Ward): contracts for special services and temporary help**
As amended 3/21/24 – OPPOSE
Set for hearing 4/17/24 – Assembly Public Employment and Retirement Committee

Dear Assembly Member Ward,

On behalf of the Urban Counties of California (UCC), the Rural County Representatives of California (RCRC), the California State Association of Counties (CSAC), the League of California Cities (CalCities), the California Special Districts Association (CSDA), the Association of California Healthcare Districts (ACHD), the California Association of Recreation and Park Districts (CARPD), the California Association of Sanitation Agencies (CASA), the County Health Executives of California (CHEAC), the County Welfare Directors Association (CWDA), and the County Behavioral Health Directors Association (CBHDA), we write to inform you of our opposition to your Assembly Bill 2489, a measure relating to contracting by local agencies. Like previous legislative efforts that attempted to curb local agency authority for contracting, our organizations believe the proposal contained in AB 2489 is unnecessary and inflexible, likely resulting in worse outcomes for vulnerable communities and diminished local services for our residents.

Specifically, AB 2489 would require local agencies – at least 10 months prior to a procurement process to contract for special services that are currently or in the past 10 years provided by a member of an employee organization – to notify the employee organization affected by the contract of its determination to begin a procurement process by the governing body. The definition of special services varies by agency type, but covers a broad array of services provided by local agencies, from essential government administration services to medical and therapeutic services to legal and other technical services. This is an infeasible obligation, as local agencies often are unaware of a need for a procurement process 10 months prior. Such a situation could occur under any number of circumstances: from a labor dispute that results in a strike, a natural disaster, a global pandemic, emergency utility repairs, emergent and on-call situations, an unanticipated need to care for those crossing our southern border seeking asylum, and the list goes on. Local agencies have proven their ability to be adaptable in times of need, but the 10-month timeframe and extensive range of services included in AB 2489 are both arbitrary and unworkable, impeding local agencies' capacity to respond to local needs.

AB 2489 would also require a contractor to ensure that its employees meet or exceed the minimum qualifications and standards required of bargaining unit civil service employees who perform or have performed the same job functions, including:

- Criminal history and background checks before beginning employment
- Academic attainment
- Licensure
- Years of experience
- Child and elder abuse reporting
- Physical requirements
- Assessment exams
- Performance standards

Further, contractors are required to provide information to ensure that their employees meet the minimum qualifications and standards and must retain this information for two years. These records would also be subject to the California Public Records Act.

We are concerned that these provisions would only serve to deter non-profit providers, community-based organizations, and other private service providers from engaging with local agencies, likely exacerbating existing demanding caseloads and workloads for our existing staff and driving up costs. This private employee data would be accessible to any member of the public via the California Public Records Act. Further, minimum qualifications and standards are not fixed indefinitely, making comparison of those qualifications required by this bill difficult to achieve.

It is important to note that local agencies are already subject to the statutory provisions of the Meyers-Milias-Brown Act (MMBA) and related provisions of state law. These laws already establish that local agencies cannot contract out bargaining unit work simply to save money and most contracting-out decisions are subject to meet-and-confer requirements. There are exceptions to the meet-and-confer requirement in cases of compelling necessity (like an emergency) or when there is an established past practice of contracting out particular work. AB 2557 does not incorporate either of these limitations. Our position is that these issues are better addressed at the bargaining table where local conditions can be appropriately considered.

In recent years, the Newsom Administration and the Legislature have directed local agencies to engage more with community partners to more effectively connect with vulnerable communities. There are countless examples of programs and policies that have specified components that are directed to be delivered by entities that have direct, lived experience and/or cultural familiarity. One need only look to efforts over the last few years with the state's Homeless Housing and Prevention (HHAP) program or the significant reforms to the Medi-Cal program contained in CalAIM or various criminal justice reforms, to name a few. These efforts explicitly include a role for non-profit, community-based, and private sector providers, sometimes specifically with individuals with different lived experience and expertise than those in a similar government job. Without that partnership, local agencies will be less successful in meeting the expectations and outcomes the state has directed – a consequence of which could be penalties and fines – and, in doing so, will have failed those that we are jointly committed to serve and undermined general trust in government.

Counties, cities, and special districts are constantly challenged by the state to do more, to be more effective and efficient, to be accountable to the public for the resources that we are responsible for managing. Efforts like AB 2489 – along with a similar measure, AB 2557 by Assembly Member Liz Ortega –

tie the hands of local agencies in their most basic administrative function. In doing so, the proposal sets local agencies up for failure – without reasonable tools to manage our constitutional and statutory obligations, there can be no expectation that local agencies make progress on the policy goals that the Legislature and Administration have set forth.

AB 2489 represents a sweeping change to the fundamental work of local governments, but we are unaware of a specific, current problem that this measure would resolve or prevent. We are keenly aware, though, of the very real harm that could result from this measure. AB 2489 will not improve services, reduce costs, or protect employees. As a result, we are opposed to AB 2489. Should you have any questions about our position, please reach out directly.

Sincerely,

Jean Kinney Hurst
Legislative Advocate
Urban Counties of California

Aaron Avery
Director of State Legislative Affairs
California Special Districts Association

Alyssa Silhi
Legislative Advocate
California Association of Park and Recreation Districts

Johnnie Pina
Legislative Affairs, Lobbyist
League of California Cities

Kalyn Dean
Legislative Advocate
California State Association of Counties

Sarah Dukett
Policy Advocate
Rural County Representatives of California

Sarah Bridge
Legislative Advocate
Association of California Healthcare Districts

Jessica Gauger
Director of Legislative Advocacy & Public Affairs
California Association of Sanitation Agencies

Joseph Saenz
Deputy Director of Policy
County Health Executives Association of California

Lisa Gardiner
Director of Government Affairs
County Behavioral Health Directors Association

Eileen Cubanski
Executive Director
California Welfare Directors Association

cc: The Honorable Tina McKinnor, Chair, Assembly Public Employment and Retirement Committee
Members and Consultants, Assembly Public Employment and Retirement Committee
The Honorable Robert Rivas, Speaker, California State Assembly
The Honorable Juan Carrillo, Chair, Assembly Local Government Committee
The Honorable Liz Ortega, California State Assembly
Mary Hernandez, Deputy Legislative Secretary, Office of Governor Gavin Newsom
Katie Kolitsos, Consultant, Office of Assembly Speaker Robert Rivas

March 21, 2024

The Honorable Lori Wilson, Chair
Assembly Committee on Transportation
1020 N Street, Room 112
Sacramento, CA 95814

Chair Wilson,

On behalf of the undersigned organizations, we must respectfully **OPPOSE** AB 2535, which proposes significant constraints on the use of Trade Corridor Enhancement Program (TCEP) funding created as part of Senate Bill 1 (Beall – 2017), (TCEP) funding. The TCEP is California's only dedicated account whose objective is to provide funding for projects that make infrastructure improvements along corridors that have a high volume of freight movement.[1i]

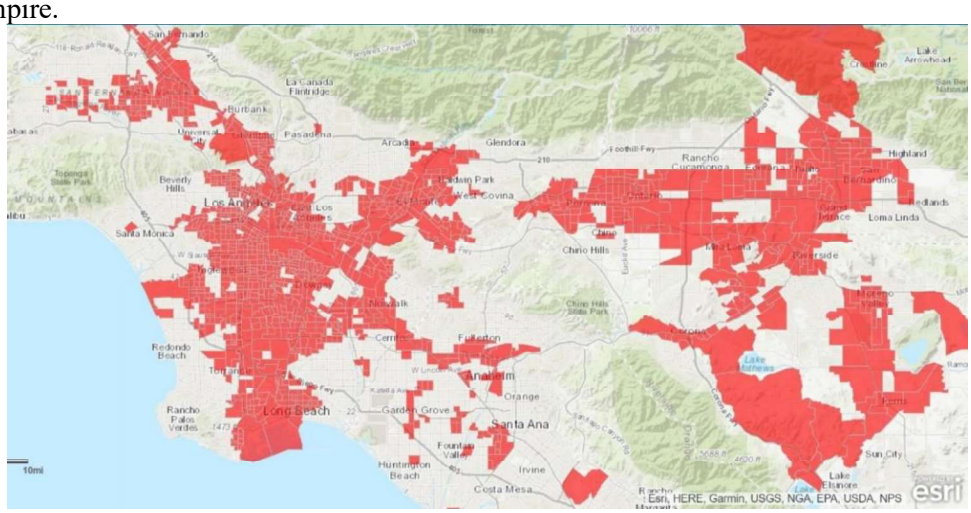
AB 2535 Virtually Bans TCEP Goods Movement Improvement Projects

AB 2535 would prohibit the California Transportation Commission (CTC) from approving TCEP funding if a project either:

(A) Adds a general-purpose lane to a highway, or
(B) Expands highway capacity in a community that ranks in the highest quintile in CalEnviroScreen.

The areas of the state that would be covered by a total prohibition include those listed in the maps below:

Figure I. AB 2535 would apply to nearly all population centers in Southern California, including critical ingress/egress into the Ports of Los Angeles and Long Beach, critical rail facilities, and the east-west freight corridor into the Inland Empire.



[1i] https://catc.ca.gov/-/media/ctc-media/documents/programs/tcep/102622-adopted-2022-tcep-guidelines-v2-a11y.pdf

Figure II. AB 2535 would also apply to virtually the entire Central Valley, including Interstate 5 and Highway 99.

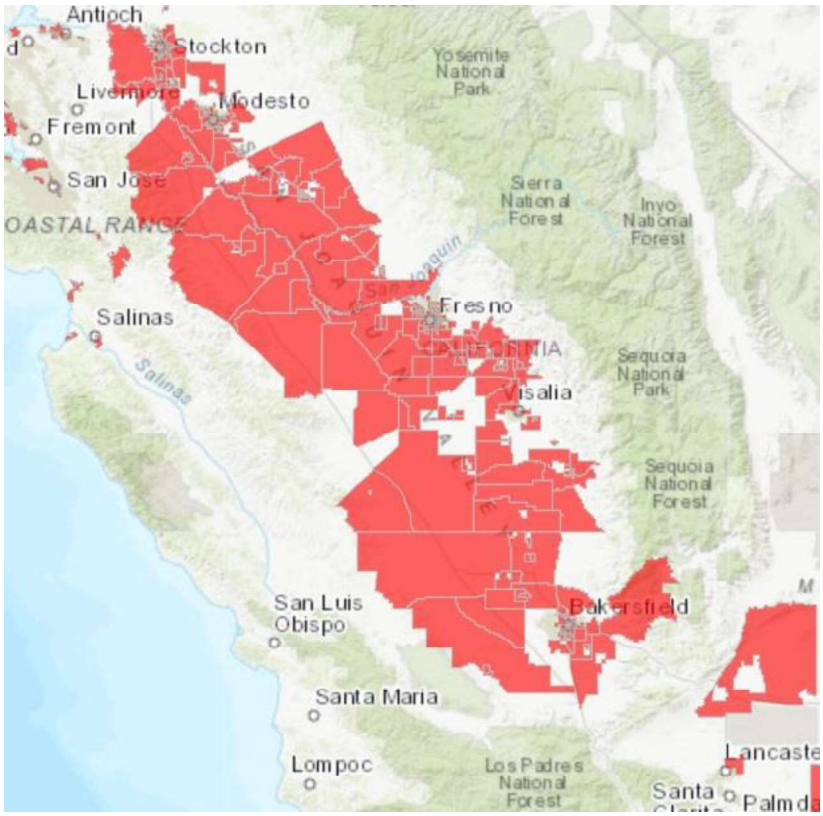
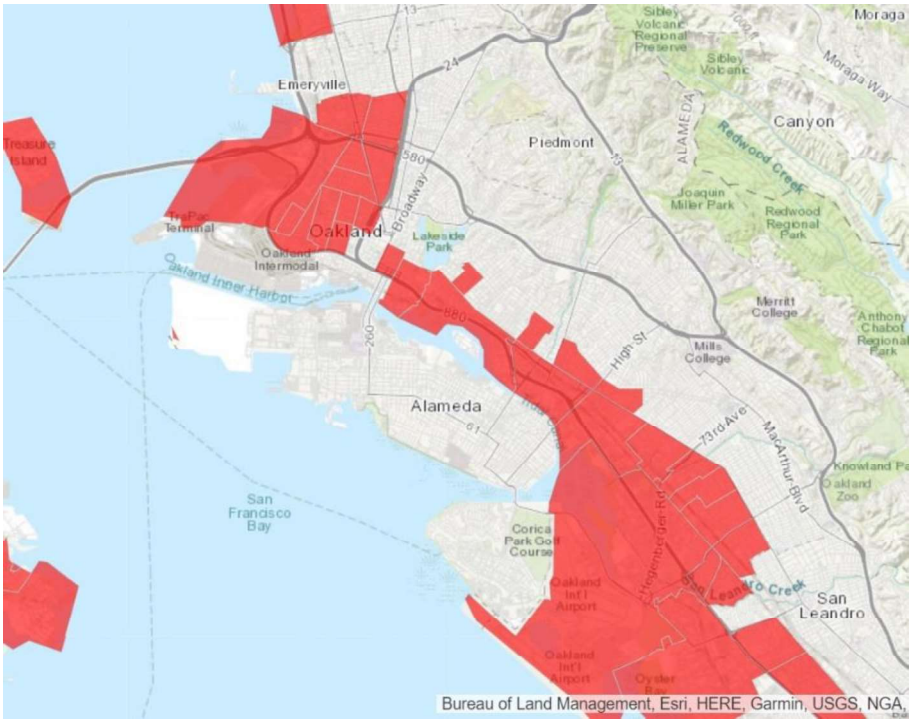


Figure III. AB 2535 also applies to the Ingress/Egress to the Port of Oakland and critical rail facilities.



Conditions to Fund Goods Movement Improvement Fiscally Infeasible, Include Duplicative Efforts

Aside from virtually banning goods movement improvement projects throughout the State, AB 2535 places conditions on CTC projects that "expand a highways footprint" (presumably, non-general-purpose lanes, non-25% percentile CalEnviroScreen projects).

These conditions include:

- Added requirements under CEQA.
- Added mitigation requirements.
- Project must create a limited access, tolled right of way.
- Project must deploy zero-emission technology.

First, these conditions are not unlike project alternatives analyzed as part of the I-710 South project. Incorporating separated zero-emission truck corridors nearly doubled the cost of that project[ii].

Second, California already has the most aggressive environmental regulations for trucking in the nation. Since 2005, existing regulations are estimated to have reduced diesel particulate matter from trucks at major freight facilities by over 98%.[iii]

These emissions will be further reduced by already adopted regulations, such as the Air Resources Board's (CARB) Clean Truck Check program, which is estimated to cut what little diesel particulate remains by almost half.[iv]

California's efforts to deploy zero-emission trucks are already underway at CARB, the Energy Commission (CEC) and the Public Utilities Commission (CPUC). These include, but are not limited to:

- CARB
  - Advanced Clean Trucks and Advanced Clean Fleets Regulation.
  - Low Carbon Fuel Standard which subsidizes electric truck charging.
  - Hybrid Voucher Incentive Program (HVIP) which typically provides $200-$500 million in zero-emission truck funding.
- CEC
  - Clean Transportation Program which provides over $200 million for zero-emission charging/fueling infrastructure.
  - Ongoing charging/fueling forecasts in AB 2127 Transportation Electrification Assessments.
- CPUC
  - Freight Infrastructure Planning Process which is forecasting freight electrification needs and establishing policy to deploy both on-site and utility-side infrastructure.
  - Approval of make-ready programs that partially subsidize installation of medium and heavy-duty charging infrastructure.
  -

In summary, there is no shortage of existing California policy and funding programs, which target the deployment of zero-emission freight technologies. This is in stark contrast to the policy objective of improving freight movement in areas with high volumes of freight activity, of which the TCEP is the only dedicated stream of funding.

California Must Continue to Invest in Its Critical Freight Highway Infrastructure

[ii] https://thesource.metro.net/2018/03/01/board-approves-alternative-for-710-but-defers-decision-on-widening/#:~:text=The%20studies%20eventually%20whittled%20their,corridor%20adjacent%20to%20the%20710

[iii] https://kentico.portoflosangeles.org/getmedia/409590b5-0e6a-4c15-8d9b-fcdb02624933/2022_air_emissions_inventory

[iv] https://ww2.arb.ca.gov/sites/default/files/barcu/regact/2021/hdim2021/appd.pdf

Goods movement-dependent industries account for one-third of California's economy and jobs, as well as delivering 80% of the State's goods via trucks. Therefore, it is critical that the State not restrict its only dedicated freight funding source in perpetuity.

Congestion continues to challenge California's trucking industry, leading to supply chain delays, increased freight costs and increased emissions. The American Transportation Research Institute 2024 report on the nation's worse freight bottlenecks identified 8 locations in California among the most congested in the nation, including three in the Top 20.[v]

From the initial creation of the TCEP program in 2006 (originally the Transportation Corridor Improvement Fund, TCIF), TCEP has funded goods movement projects that have provided significant impacts to regional economies. From the well-paying union jobs created to complete these projects, to the economic stimulus to local businesses, to the mobility efficiencies created (i.e. cost savings both to passenger vehicles and commercial vehicles) from these projects, TCEP has created thousands of unionized construction jobs and clearly demonstrated how vital these enhancement projects are to regional economies.

Conclusion
For the reasons outlined above, the undersigned organizations must unfortunately oppose AB 2535.

Respectfully,

Bernice Jimenez Creager, Director
California Trucking Association

Rob Lapsley, President
California Business Roundtable

Peter Friedmann, Executive Director
Agriculture Transportation Coalition

Robert Spiegel, Vice President Government Affairs
California Manufacturers & Technology Association

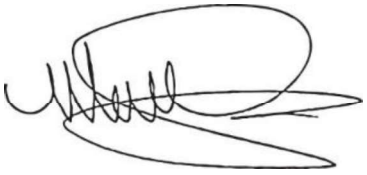
Michael P. Quigley, Executive Director
California Alliance for Jobs

Mark Neuburger, Legislative Advocate
California State Association of Counties

Matthew Hargrove, Executive Director
California Business Properties Association
Building Owners and Managers Association of California

Brady Van Engelen, Policy Advocate
California Chamber of Commerce

[v] ATRI's 2024 Top 100 Truck Bottleneck List "Traffic congestion on our National Highway System inflicts an enormous cost on the supply chain and environment, adding $95 billion to the cost of freight transportation and generating 69 million metric tons of excess carbon emissions every year," said ATA President and CEO Chris Spear.



Matt Schrap, Chief Executive Officer
Harbor Trucking Association

Damon Conklin, Legislative Affairs - Lobbyist
League of California Cities

Marisa Salinas, President &CEO
Los Angeles Area Chamber of Commerce

Amanda Walsh, Vice President of Government Affairs
Orange County Business Council

Luis Portillo, President & CEO
San Gabriel Valley Economic Partnership

Richard Lambros, Managing Director
Southern California Leadership Council

Lee Brown, Executive Director
Western States Trucking Association

Cc: Natalie Pita, Legislative Fellow, Office of Assemblymember Mia Bonta
Vice Chair Fong & Members, Assembly Committee on Transportation

[1] [1] https://catc.ca.gov/-/media/ctc-media/documents/programs/tcep/102622-adopted-2022-tcep-guidelines-v2-a11y.pdf

CSAC Letters

April 12, 2024

The Honorable Liz Ortega
California State Assembly
1021 O Street, Suite 5120
Sacramento, CA 95814

Re: **AB 2557 (Ortega): Local agencies: contracts for special services and temporary help: performance reports**
As amended 4/8/24 – OPPOSE
Set for hearing 4/17/24 – Assembly Public Employment and Retirement Committee

Dear Assembly Member Ortega,

On behalf of the Urban Counties of California (UCC), the Rural County Representatives of California (RCRC), the California State Association of Counties (CSAC), the League of California Cities (CalCities), the California Special Districts Association (CSDA), the Association of California Healthcare Districts (ACHD), the California Association of Recreation and Park Districts (CARPD), the California Association of Sanitation Agencies (CASA), the County Health Executives of California (CHEAC), the County Welfare Directors Association (CWDA), and the County Behavioral Health Directors Association (CBHDA), we write to inform you of our opposition to your Assembly Bill 2557, a measure relating to contracting by local agencies. Like previous legislative efforts that attempted to curb local agency authority for contracting, our organizations believe the proposal contained in AB 2557 is overly burdensome and inflexible, likely resulting in worse outcomes for vulnerable communities and diminished local services for our residents. To be frank, AB 2557 creates a de facto prohibition on local agency service contracts due to the onerous obligations and costs associated with its requirements, creating untenable circumstances for local agencies and disastrous consequences for the communities we serve.

Specifically, AB 2557 would require local agencies – at least 10 months prior to a procurement process to contract for special services that are currently or in the past 10 years provided by a member of an employee organization – to notify the employee organization affected by the contract of its determination to begin a procurement process the governing body. The definition of special services varies by agency type, but cover a broad array of services provided by local agencies, from essential government administration services to medical and therapeutic services to legal and other technical services. This is an infeasible obligation, as local agencies often are unaware of a need for a procurement process 10 months prior. Such a situation could occur under any number of circumstances; a few examples: a labor dispute that results in a strike, a natural disaster, a global pandemic, emergency utility repairs, emergent and on-call situations, an unanticipated need to care for those crossing our southern border seeking asylum, and the list goes on. Local agencies have proven their ability to be adaptable in times of need, but the 10-month timeframe and

extensive range of services included in AB 2557 are both arbitrary and unworkable, impeding local agencies' capacity to respond to local needs.

AB 2557 would then require contractors to provide quarterly performance reports with a litany of required components, including personally identifiable information for its employees and subcontractors, that is then subject to the California Public Records Act. An entire local bureaucracy would have to be created at a considerable cost to comply with provisions that require these quarterly performance reports to be monitored to evaluate the quality of service. A particularly troubling provision would *require* the local agency to withhold payment to the contractor under any of the following circumstances that are deemed breach of contract: (1) Three or more consecutive quarterly performance reports are deemed as underperforming by a representative of the governing body *or a representative of the exclusive bargaining unit*; (2) The contractor fails to provide the quarterly reports required by this section or provides a report that is incomplete. Payment may only be made when a contractor submits a plan to achieve substantial compliance with the contract and this section, unless *the governing body, the employee organization, or assigned representatives* reject the plan as insufficient and explain the reasons for the rejection or, in the case of incomplete reports, all complete reports are provided unless *the governing body, the employee organization, or assigned representatives* reject the reports as incomplete.

These provisions would undoubtedly deter non-profit providers, community-based organizations, and other private service providers from engaging with local agencies, likely exacerbating existing demanding caseloads and workloads for our current staff and driving up costs. In addition, not only would private employee data be accessible to any member of the public via the California Public Records Act, but the measure disregards constitutional privacy rights by requiring the publication of personal financial information about private employees. Finally, these provisions elevate the employee organization to a decision-making entity for expenditure of local resources equal to that of the duly elected governing body that is directly accountable to voters. Authorizing an employee organization to decide to withhold payment to a contractor is not just an inconceivable policy proposal, but also raises serious constitutional questions about delegation of a public authority to a non-public entity. Even if a contractor were comfortable with sharing the personal information of its employees, what contractor would be willing to take the risk that they would not get paid for completed work as outlined in a contract?

Finally, in addition to the obligation of the contractor to provide quarterly performance reports every 90 days, AB 2557 requires a performance audit by an independent auditor (who would likely also be subject to the provisions of AB 2557) to determine whether performance standards are being met for contracts with terms exceeding two years *at the contractor's cost*. (It is unclear to us what is intended to be learned from this performance audit as opposed to the quarterly performance reports that are proposed for review by the governing body *and* the employee organization. Four quarterly performance reports would be provided, then a performance audit would be started, while four additional quarterly performance reports would be provided presumably prior to completion of the performance audit. That is a total of *nine* reports over a period of 24 months.) This provision fails to reflect an understanding of the practical logistics of actually achieving this reporting and review in a timely manner, not to mention the additional burden placed on contractors, which would presumably be an additional deterrent to engaging with local agencies. Because a contract renewal or extension may only occur after a review in conference with a representative of the exclusive bargaining unit, this provision also provides the opportunity to defer or delay such a renewal or extension. No matter what, the abundance of reporting obligations outlined in AB 2557 is likely to come with considerable local costs and is unlikely to facilitate effective and efficient provision of local programs and services to our mutual constituencies.

All of the above provisions also apply to temporary employees working under a contract for temporary help. Temporary employees working under a contract for temporary help are routinely used for important local

services. An example that we have previously shared with the Legislature are public and district hospitals, which often operate both hospitals and clinics, that must ensure they are adequately staffed to care for patients and meet the requirements of state law. It is no secret that California is in a statewide health care provider shortage, and as providers adjust to surges in patient volumes and fluctuations in staffing levels, they must have the tools available to them to bring on additional staffing quickly to fill gaps.

It is important to note that local agencies are already subject to the statutory provisions of the Meyers-Milias-Brown Act (MMBA) and related provisions of state law. These laws already establish that local agencies cannot contract out bargaining unit work simply to save money and most contracting-out decisions are subject to meet-and-confer requirements. There are exceptions to the meet-and-confer requirement in cases of compelling necessity (like an emergency) or when there is an established past practice of contracting out particular work. AB 2557 does not incorporate either of these limitations. Our position is that these issues are better addressed at the bargaining table where local conditions can be appropriately considered.

In recent years, the Newsom Administration and the Legislature have directed local agencies to engage more with community partners to more effectively connect with vulnerable communities. There are countless examples of programs and policies that have specified components that are directed to be delivered by entities that have direct, lived experience and/or cultural familiarity. One need only look to efforts over the last few years with the state's Homeless Housing and Prevention (HHAP) program or the significant reforms to the Medi-Cal program contained in CalAIM or various criminal justice reforms, to name just a few. These efforts explicitly include a role for non-profit, community-based, and private sector providers. Without that partnership, local agencies will be less successful in meeting the expectations and outcomes the state has directed – a consequence of which could be penalties and fines – and, in doing so, will have fallen short in meeting the needs of those that we are jointly committed to serve and undermined general trust in government.

Counties, cities, and special districts are constantly challenged by the state to do more, to be more effective and efficient, to be accountable to the public for the resources that we are responsible for managing. Efforts like AB 2557 – along with a similar measure, AB 2489 by Assembly Member Chris Ward – tie the hands of local agencies in their most basic administrative function. In doing so, the proposal sets local agencies up for failure – without reasonable tools to manage our constitutional and statutory obligations, there can be no expectation that local agencies make progress on the policy goals that the Legislature and Administration have set forth.

AB 2557 represents a sweeping change to the fundamental work of local governments, but we are unaware of a specific, current problem that this measure would resolve or prevent. We are keenly aware, though, of the very real harm that will result from this measure. AB 2557 will not improve services, reduce costs, or protect employees. As a result, we are opposed to AB 2557. Should you have any questions about our position, please reach out to us directly.

Sincerely,

Jean Kinney Hurst
Legislative Advocate
Urban Counties of California

Aaron Avery
Director of State Legislative Affairs
California Special Districts Association

Alyssa Silhi
Legislative Advocate
California Association of Park and Recreation Districts

Johnnie Pina
Legislative Affairs, Lobbyist
League of California Cities

Kalyn Dean
Legislative Advocate
California State Association of Counties

Sarah Dukett
Policy Advocate
Rural County Representatives of California

Sarah Bridge
Legislative Advocate
Association of California Healthcare Districts

Jessica Gauger
Director of Legislative Advocacy & Public Affairs
California Association of Sanitation Agencies

Joseph Saenz
Deputy Director of Policy
County Health Executives Association of California

Lisa Gardiner
Director of Government Affairs
County Behavioral Health Directors Association

Eileen Cubanski
Executive Director
California Welfare Directors Association

cc: The Honorable Tina McKinnor, Chair, Assembly Public Employment and Retirement Committee
Members and consultants, Assembly Public Employment and Retirement Committee
The Honorable Robert Rivas, Speaker, California State Assembly
The Honorable Juan Carrillo, Chair, Assembly Local Government Committee
The Honorable Chris Ward, California State Assembly
Mary Hernandez, Deputy Legislative Secretary, Office of Governor Gavin Newsom
Katie Kolitsos, Consultant, Office of Assembly Speaker Robert Rivas

April 10, 2024

The Honorable Juan Carrillo
Chair, Assembly Local Government Committee
1020 N Street, Room 157
Sacramento, CA 95814

RE: AB 2591 (Quirk-Silva) – Local government: youth commission
As Amended April 9, 2024 – OPPOSE
Set for Hearing April 17, 2024

Dear Chair Carrillo:

On behalf of the Rural County Representatives of California (RCRC), the California State Association of Counties (CSAC), the Urban Counties of California (UCC), and the League of California Cities (Cal Cities), we regretfully oppose Assembly Bill 2591 (Quirk-Silva). This bill creates a new mandated local program by requiring cities and counties to establish a youth commission in response to petitions from high school pupils enrolled in their jurisdiction.

Counties and cities do not take issue with the policy of establishing local youth commissions. Local governments have the authority to create boards and commissions based on local needs, available funding, and staff resources. Local governments frequently use that authority to establish boards, commissions, and advisory bodies to ensure they are informed by the diverse perspectives of their communities. While we appreciate the bill's intent to expand access to civic engagement for youth, as currently drafted, the provisions would create a new mandate that will require significant investment in staff resources without a corresponding allocation of funds.

As Brown Act-governed bodies, commissions require financial resources to fund the staff time required to respond to the initial petition and create the body, fill vacancies, provide the venue, staff the meetings, and fulfill Brown Act requirements (e.g., agenda preparation, meeting minutes, coordination with commission members). Given the serious fiscal challenges that exist at all levels of government, it is increasingly unlikely that counties and cities would have the necessary resources to meet this new requirement. Furthermore, this bill negates the real and challenging circumstances, primarily in rural jurisdictions, where a county or city cannot seat vacant positions on existing bodies – not for lack of trying, but merely for lack of available or willing volunteers. In addition to the real, direct costs imposed on local governments, the bill creates unnecessary opportunity costs for the time spent on a state-prescribed activity that could

have been spent on issues of greater need for that community. Establishing new meeting bodies, which would presumably be funded by redirecting local General Fund dollars from existing programs, must remain a local decision based on local conditions and needs.

For the reasons outlined above, RCRC, CSAC, UCC, and Cal Cities respectfully oppose AB 2591. Should you have any questions regarding our position, please do not hesitate to contact our organizations.

Sincerely,

Sarah Dukett
Policy Advocate
RCRC
sdukett@rcrcnet.org

Eric Lawyer
Legislative Advocate
CSAC
elawyer@counties.org

Jean Hurst
Legislative Advocate
UCC
jkh@hbeadvocacy.com

Johnnie Pina
Legislative Affairs, Lobbyist
Cal Cities
jpina@calcities.org

cc: The Honorable Sharon Quirk-Silva, Member of the California State Assembly
Members of the Assembly Local Government Committee
Angela Mapp, Chief Consultant, Assembly Local Government Committee
William Weber, Consultant, Assembly Republican Caucus

April 10, 2024

The Honorable Juan Carrillo
Chair, Assembly Local Government Committee
1021 O Street, Suite 4320
Sacramento, CA 95814

Re: **AB 2715 (Boerner): Ralph M. Brown Act: closed sessions**
As introduced 2/14/24 – SUPPORT
Set for hearing 4/17/24 – Assembly Local Government Committee

Dear Assembly Member Carrillo:

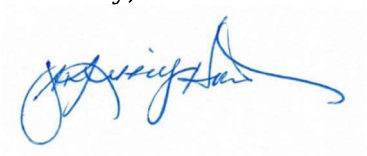
On behalf of the Urban Counties of California (UCC), Rural County Representatives of California (RCRC), and the California State Association of Counties (CSAC), we write in support of Assembly Bill 2715, Assembly Member Tasha Boerner's measure that would authorize local agency governing bodies to convene a closed session to consider or evaluate matters related to cybersecurity.

Local agencies are subject to a wide range of cybersecurity risks, from elections and patient data to critical infrastructure and emergency communications. The significant level of risk and the increasing sophistication of cybercriminals makes us exceptionally vulnerable to a security breach. Existing law is unclear about whether current exemptions can be used to hold a closed session discussion about a local agency's cybersecurity risks and vulnerabilities when a cyberattack is not imminent or underway. Therefore, local agencies do not currently have a method of privately discussing their cybersecurity, which increases local agencies' vulnerability to such attacks.

Our obligations to sustain reliable and effective services that protect the health and safety of the public are paramount. Allowing discussion of cybersecurity in closed session helps facilitate discussion of effective and safe mechanisms to ensure the safety of public information and infrastructure. As exists for current closed session items, any decision that results from such a closed session must be disclosed in an open session, ensuring the public is aware of the decision that has been made.

AB 2715 represents an important modernization of the Brown Act and, as such, we are supportive of the measure. 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

Eric Lawyer
Legislative Advocate
California State Association of Counties
elawyer@counties.org

cc: Members and Consultants, Assembly Local Government Committee
The Honorable Tasha Boerner, California State Assembly

April 10, 2024

The Honorable Matt Haney
California State Assembly
1021 O Street, Suite 5740
Sacramento, CA 95814

Re: **AB 2751 (Haney): Employer communications during nonworking hours**
As amended 3/21/24 – OPPOSE
Set for hearing 4/17/24 – Assembly Labor and Employment Committee

Dear Assembly Member Haney:

On behalf of the Urban Counties of California (UCC), the Rural County Representatives of California (RCRC), the California State Association of Counties (CSAC), the League of California Cities (CalCities), the California Special Districts Association (CSDA), and the Association of California School Administrators (ACSA), we write to express our opposition to your Assembly Bill 2751, a measure that would prohibit communication between employers and employees outside of an ambiguous definition of "emergency". Even though the bill is clearly intended to apply to public agency employers, AB 2751 raises considerable concerns, questions, and potential unintended consequences for counties, cities, and special districts and our employees. As a result, the measure has the potential to create significant uncertainty regarding the delivery of important local programs and services.

As you know, the provision of government services is a 24-hour, 7-day per week obligation. Local agencies construct their employee work periods in a collaborative manner through the collective bargaining process with duly recognized employee organizations. Those negotiations result in collective bargaining agreements that outline the terms of employment, including pay, benefits, hours, leave, job health and safety policies, as well as ways to balance work and home obligations. Even though it exempts employees subject to a collective bargaining agreement, AB 2571 would likely require reopening such agreements to negotiate new provisions associated with establishing contact outside of work hours. Further, local agencies also have employees that are not subject to a collective bargaining agreement; often these individuals have management or director responsibilities that facilitate and direct departmental activities which are inherently different from the activities of other types of employees. Other agencies, particularly smaller agencies, may not have collective bargaining agreements, or have collective bargaining agreements covering a portion of employees, while still providing important services in their communities. Agreements with these non-represented employees would also have to be amended to accommodate the provisions of the measure. AB 2751's blanket prohibition puts a "one size fits all" approach that may not be appropriate for the government sector as it creates burdensome challenges for ensuring suitable service levels around the clock, and has implications for represented and non-represented employees.

There are also a number of new definitions and references in AB 2751 that are vague and confusing. For example, we are unclear as to who is considered an "employer" and "employee" under the measure. Managers, directors, and other appointed and/or elected officials may run individual

agency departments, while the local governing body – who are clearly not employees – sets policy and direction for the local agency. Who is to assume responsibility for contacting which employees if contact is necessary after hours? The bill also does not appear to address "on-call" employees, who do not necessarily have assigned hours of work. The lack of clarity in the measure will undoubtedly create considerable challenges for public agency employers and, in doing so, potentially undermine the provision of public services.

In addition, pursuant to the California Emergency Services Act, any person employed by a county, city, state agency, or school district or special district in California is a public employee and considered a disaster service worker. This means that all public employees may be required to serve as disaster service workers in support of government efforts for disaster response and recovery efforts. AB 2751 is sufficiently vague regarding such obligations as to raise questions about how disaster service workers would be contacted outside of their normal work period for this purpose. If employees must "disconnect," how may they be reached in an emergency? How would local agencies ensure that they have access to sufficient personnel to respond to an emergency? Also, the definition of "emergency" is likely to result in a difference of opinion as to what constitutes an emergency, creating additional confusion at what will likely be the most inopportune time.

While we appreciate the goal of ensuring that employees are able to have time for themselves and their families, we respectfully suggest that the provisions of AB 2751 are problematic for local public agencies, their employees, and the communities we serve. As a result, we are opposed to AB 2751. If you have questions about our position, please do not hesitate to reach out.

Sincerely,

Jean Kinney Hurst
Legislative Advocate
Urban Counties of California

Aaron Avery
Director of State Legislative Affairs
California Special Districts Association

Dorothy Johnson
Legislative Advocate
Association of California School Administrators

Johnnie Pina
Legislative Affairs, Lobbyist
League of California Cities

Kalyn Dean
Legislative Advocate
California State Association of Counties

Sarah Dukett
Policy Advocate
Rural County Representatives of California

cc: The Honorable Liz Ortega, Chair, Assembly Labor and Employment Committee
Members and Consultants, Assembly Labor and Employment Committee

April 12, 2024

The Honorable Bob Archuleta
Chair, Senate Military and Veterans Affairs
1020 N Street, Room 251
Sacramento, CA 95814

Re: SB 1124 (Menjivar) – Deceptive practices: service members and veterans.
As Introduced February 13, 2024 – SUPPORT
Set to be heard on April 22, 2024 - Senate Military and Veterans Affairs Committee

Dear Senator Archuleta,

On behalf of the California State Association of Counties (CSAC), representing all 58 counties in California, I write in support of Senate Bill (SB) 1124 by Senator Menjivar. This measure would strengthen state law protections for veterans by prohibiting any person not accredited by the Department of Veterans Affairs (VA) from charging a veteran for help with a benefits claim, increases penalties for those who obtain unauthorized access to veterans' data on VA computer systems, and prohibits the charging of fees that exceed what a VA-accredited attorney or claims agent could legally charge to assist a veteran with a benefits claim.

Veterans' benefits are a crucial support system for those who have served this country in the armed forces. As with other government benefits, applicants may need assistance in applying for these critical benefits. California veterans who need assistance with filing a claim for disability benefits can get help at no charge from their VA-accredited county veteran service office (CVSO) or from nonprofit veterans service organizations (VSOs) like the Veterans of Foreign Wars (VFW). CVSOs are county agencies established to assist veterans and their families in obtaining benefits and services accrued through military service. In addition to CVSOs and nonprofit VSOs, which provide assistance free of charge, the VA also accredits attorneys and claims agents to represent veterans and assist with benefit claims. The VA accreditation program exists to ensure that veterans receive competent and fair representation on their VA benefits claims. Accredited attorneys and claims agents cannot charge money for assistance with an initial claim for veteran's benefits, but, subject to limits set and enforced by the VA, they can charge for other services. Members of the public can apply to the VA for accreditation as a claims agent, and lawyers can apply for accreditation as an attorney.

Congress amended a federal law in 2006 that established a process for organizations, attorneys, and additional claims agents to become accredited to assist veterans in applying for, preparing, presenting, and prosecuting their claims for federal benefits. It eliminated important prohibitions that made it a crime to assist veterans with benefits claims without being accredited. This had the unintentional effect of driving the creation of an unregulated industry of businesses that charge veterans for assistance with benefits without being accredited.

Prohibiting unaccredited claims agents and lawyers from charging a veteran for help with an initial benefits claim not only protects veterans, but it also ensures that counties continue to play a crucial role in connecting their resident veterans with benefits and services available to them. County governments often collaborate with federal and state agencies, as well as local nonprofit organizations, to ensure that veterans are aware of and have access to the benefits they are

entitled to. By working with veterans and their families, counties can ensure that those who have served their country receive the support and assistance they deserve.

It is for these reasons that CSAC supports SB 1124 and respectfully requests your "AYE" vote. Should you have any questions regarding our position please do not hesitate to contact me at kdean@counties.org.

Sincerely,

Kalyn Dean

Kalyn Dean
Legislative Advocate

cc: The Honorable Caroline Menjivar, California State Senate District 20
Members and Staff, Senate Military and Veterans Affairs Committee
Todd Moffitt, Consultant, Senate Republican Caucus

April 5, 2024

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

Re: SB 1124 (Menjivar) – Deceptive practices: service members and veterans.
As Introduced February 13, 2024 – SUPPORT
Set to be heard in the Senate Judiciary Committee – April 9, 2024

Dear Senator Umberg,

On behalf of the California State Association of Counties (CSAC), representing all 58 counties in California, I write in support of Senate Bill (SB) 1124 by Senator Menjivar. This measure would strengthen state law protections for veterans by prohibiting any person not accredited by the Department of Veterans Affairs (VA) from charging a veteran for help with a benefits claim, increases penalties for those who obtain unauthorized access to veterans' data on VA computer systems, and prohibits the charging of fees that exceed what a VA-accredited attorney or claims agent could legally charge to assist a veteran with a benefits claim.

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entitled to. By working with veterans and their families, counties can ensure that those who have served their country receive the support and assistance they deserve.

It is for these reasons that CSAC supports SB 1124 and respectfully requests your "AYE" vote. Should you have any questions regarding our position please do not hesitate to contact me at kdean@counties.org.

Sincerely,

Kalyn Dean

Kalyn Dean
Legislative Advocate

cc: The Honorable Caroline Menjivar, California State Senate District 20
Members, Senate Judiciary Committee
Christian Kurpiewski, Deputy Chief Counsel, Senate Judiciary Committee
Morgan Branch, Consultant, Senate Republican Caucus

April 11, 2024

The Honorable Anna Caballero
Chair, Senate Appropriations Committee
State Capitol, Room 412
Sacramento, CA 95814

Re: SB 1261 (Alvarado-Gil)—SUPPORT

Dear Chair Caballero:

This coalition, comprised of representatives of the fair industry, local government, agricultural and community groups, write in support of SB 1261 (Alvarado-Gil), which will enhance an existing fund source for California's network of fairs and offer much needed financial support for fair projects involving public health and safety, infrastructure, deferred maintenance, and reinvestment into the state's 76 fairs.

Fairgrounds are an important public asset, especially important in rural areas, often providing the only space available for enhancing commercial enterprises, hosting affordable and accessible community gatherings, and providing invaluable emergency support. They are also substantial economic drivers, providing a wide variety of services and supporting hundreds of small businesses that rely on a solid network to create thousands of jobs and millions in tax revenue for California. The fair industry reflects California's diversity like no other. Women, minorities, and veterans are all represented in this humble business sector, and they all rely on the solvency of the fairground.

For more than 75 years, California's fairs had a stable source of funding from horse racing license fees and supplementary General Fund resources. These fund sources were eliminated in the 2011-12 state budget, requiring all fairs to become self-sufficient. With the lapse in funding, many fairs suffered from deferred maintenance, while concurrently becoming more necessary as climactic and community emergencies increased. In response in 2017, the Legislature authored, and the Governor signed AB 1499, which offered an opportunity for fairs to retain three-quarters of 1% (0.75%) of sales and use tax revenues generated on fairgrounds. Through these limited revenues some fairs have been able to benefit, however the amount of revenue is not sufficient to serve as a statewide fiscal solution as currently crafted. And as a result, many of our fairgrounds remain in jeopardy.

SB 1261 makes a simple change by increasing the fairs' share of tax revenues generated from on-fairground sales from 0.75% to 5%.

This measure will result in long-term sustainable funding for the operations and maintenance of the fairgrounds enabling the network to serve California communities, from the fun and excitement of fair time to the times of flood and fires.

For these reasons, we respectfully request an "Aye" vote and appreciate your ongoing support of California fairs.

Sincerely,

Matthew Patton, Executive Director
California Agricultural Teachers' Association

Christopher Reardon, Director of Legislative Affairs
California Farm Bureau Federation

Eric Lawyer, Legislative Advocate
California State Association of Counties

Sidd Nag, Legislative Advocate
Rural County Representatives of California

Sarah Cummings, President & CEO
Western Fairs Association
California Fairs Alliance

Cc: The Honorable Marie Alvarado-Gil, California State Senate
Members, Senate Appropriations Committee
Robert Ingenito, Consultant, Senate Appropriations Committee

April 8, 2024

The Honorable Anna Caballero
Chair, Senate Appropriations Committee
State Capitol, Room 412
Sacramento, CA 95814

RE: Senate Bill 1280 – SUPPORT
As Amended March 20, 2024

Dear Senator Caballero:

On behalf of the Rural County Representatives of California (RCRC), California State Association of Counties (CSAC), and the League of California Cities (Cal Cities), we are pleased to support Senate Bill 1280 regarding propane cylinders.

Beginning January 1, 2028, SB 1280 requires 1lb propane cylinders sold in the state to be reusable or refillable. Small disposable propane cylinders are commonly sold and used in the state for a variety of purposes, including in many recreation-related activities that are important to rural economies. Unfortunately, small propane cylinders are very expensive for local governments to manage in the waste stream, and it is nearly impossible to know whether a cylinder is completely empty. Large propane cylinders are refillable, but the vast majority of small 1lb cylinders are manufactured as single-use disposable products with little consideration given to end-of-life management or reuse.

Local governments are responsible for the collection, processing, recycling and disposal of solid waste, including the operation of local household hazardous waste collection programs. These local programs provide important public services and prevent improper disposal of hazardous wastes. Our local programs often offer residents free drop off of HHW; however, the cost to manage some of the waste streams are significant and put serious financial pressure on the programs and local governments that operate them. The cost for local governments to manage discarded single use propane cylinders can often approach or exceed the initial purchase price that consumers pay at the point of sale.

With refillable cylinders becoming more common in the marketplace, SB 1280's phase out of single-use small cylinders will help reduce costs, administrative burdens, and safety risks for local solid waste and household hazardous waste programs.

For these reasons, we are pleased to support SB 1280. If you should have any questions, please do not hesitate to contact John Kennedy (RCRC) at jkennedy@rcrcnet.org; Ada Waelder (CSAC) at awaelder@counties.org; or Melissa Sparks-Kranz (Cal Cities) at msparkskranz@calcities.org.

Sincerely,

JOHN KENNEDY	MELISSA SPARKS-KRANZ	ADA WAELDER
RCRC	Cal Cities	CSAC
Senior Policy Advocate	Legislative Representative	Legislative Advocate

cc: The Honorable John Laird
Members of the Senate Appropriations Committee
Ashley Ames, Consultant, Senate Appropriations Committee
Emilye Reeb, Budget Consultant, Senate Republican Caucus

April 11, 2024

The Honorable Anna Caballero
Chair, Senate Appropriations Committee
1021 O Street, Suite 6730
Sacramento, CA 95814

Re: SB 1346 (Durazo) – Temporary Disability Benefits

Dear Senator Caballero,

The organizations listed above respectfully **OPPOSE SB 1346**, which is a reintroduction of the extremely flawed AB 1213 (Ortega, 2023) that was vetoed by Governor Newsom. It would further complicate California's onerous claims-handling process and create an incentive to unnecessarily challenge Utilization Review (UR) decisions through Independent Medical Review (IMR). While we share the goal of reducing delays in the medical treatment authorization process, we must oppose SB 1346 because the bill is poorly conceived and fails to protect against well-documented unintended consequences.

STATE DATA SHOWS UR & IMR WORK

We understand why the legislature would be concerned about delays that eat away at an injured worker's time-limited Temporary Disability (TD) benefits. Fortunately, there is clear data that demonstrates that UR is not causing delay. The problem lies with attorneys and doctors who continue to needlessly challenge UR decisions at obscene volumes, despite losing these appeals at a rate of 90% for an entire decade. The UR process is fast, accurate, and accountable. The delay comes from the hundreds of thousands of IMR requests that are needlessly requested on an annual basis and cause a substantial delay for the injured worker.

Calendar Year	Total Number of IMR Requests	UR Decision Upheld	UR Decision Overturned
2021	264,196	92.8%	7.2%
2020	270,281	90.5%	9.5%

2019	319,505	89.6%	10.4%
2018	360,124	89.7%	10.3%
2017	343,451	91.7%	8.3%
2016	343,141	91.6%	8.4%
2015	308,785	88.8%	11.2%
2014	274,598	91.4%	8.6%
2013	7,805	84.3%	15.7%
Source: State of California Department of Industrial Relations & Division of Workers' Compensation: 2022 Independent Medical Review (IMR) Report: Analysis of 2021 Data (LINK)			

The data contained in the chart above is unimpeachable and clear. IMR is overutilized and that is where the delay occurs for injured workers. If the legislature wants to meaningfully reduce delays, then they should focus on the overuse of IMR by attorneys and physicians. If mitigating unreasonable delay is the issue, then the data clearly shows that ten times as many injured workers are experiencing delays because of an overuse of IMR. The Utilization Review process is not perfect, but it is consistently providing strong results for the system and the data shows clearly that UR is not the cause of delays.

Data continues to suggest that it's a small number of physicians driving this high volume of IMR requests and therefore causing delays for injured workers. A 2021 Research Update from the California Workers' Compensation Institute found that 1% of requesting physicians (89 doctors) account for 39.9% of disputed treatment requests. Just ten individual providers account for 11% of the disputed treatment requests. The report also notes that the same providers continue to be a problem year after year.

Again, we understand why the legislature would want to act if there was a problem related to utilization review and causing delays for injured workers on temporary disability. That is not what the data shows. There is, however, a decade's worth of data clearly demonstrating substantial delays for injured workers resulting from the overuse of IMR caused by providers continuing to prescribe treatment that is outside of established medical evidence and attorneys who have a business model of overusing IMR.

SB 1346 CREATES MORE DELAY, NOT LESS

Our coalition is opposed to SB 1346 because we believe that it will result in additional delay for injured workers, not less. Research from the California Workers' Compensation Institute conducted on a prior version of the same legislation shows that *fewer than 1%* of injured workers can benefit from the provisions in SB 1346 because they've had both a UR denial overturned by IMR and are approaching the 104-week cap in TD benefits. Any benefits from the bill are targeted at a very small group, however, we believe the unintended consequences could cause additional delays and negatively impact more workers than the bill helps.

Specifically, we believe that SB 1346 will cause injured workers and their attorneys to trigger unnecessary IMR more frequently in hopes of preserving their potential legal right to the additional temporary disability benefits allowed by the bill, with absolutely no downside for the provider or the applicant attorney, as the expenses of the IMR are carried entirely by the claims administrator even if an attorney submits an IMR for a course of treatment that has been denied by IMR as outside the legal standard dozens of times in the same year. The increase in IMR volume will have a direct

impact on the turnaround time for these reviews and decisions, thus impacting the injured workers further. The IMR process takes a substantial amount of time, and employers prevail at a rate of roughly 90% over the past decade. If the result of SB 1346 is more IMR that ultimately upholds the UR determination, then it will undermine the intent of the bill by causing even more delay for workers and more frictional cost for employers.

FURTHER COMPLICATES CLAIMS ADMINISTRATION

California's workers' compensation system is known for its complexity, high rate of litigation, and high cost of delivering benefits. Claims administrators are responsible for collecting, processing, and appropriately accounting for vast amounts of factual, medical, and other pieces of information in the execution of their duties. There are complex systems of accountability and oversight of claims administrators by state regulators, attorneys representing injured workers, and the workers' compensation appeals board. The requirements of SB 1346 would further complicate the claims administration process and result in additional system friction and litigation.

For these reasons and more, our coalition is **opposed** to **SB 1346**. Please contact Jason Schmelzer with any questions at jason@SYASLpartners.com or (916) 446-4656.

Sincerely,

Acclamation Insurance Management Services (AIMS)
Allied Managed Care (AMC)
American Property Casualty Insurance Association
California Association of Joint Powers Authorities
California Attractions and Parks Association
California Chamber of Commerce
California Coalition on Workers' Compensation
California Joint Powers Insurance Authority
California League of Food Producers
California Restaurant Association
California State Association of Counties
Coalition of Small and Disabled Veteran Businesses
County of Monterey
Flasher Barricade Association (FBA)
Landscape Contractors Insurance Services
League of California Cities
Public Risk Innovation, Solutions, and Management: PRISM
Schools Insurance Authority
Self-Insured Schools of California
The Protected Insurance Program for Schools & Community Colleges Joint Powers Authority

CC: Members and Consultants, Senate Appropriations Committee

California State Association of Counties®

April 8, 2024

The Honorable Dave Min, Chair
Senate Natural Resources and Water Committee
1021 O Street, Room 3220
Sacramento, CA 95814

Re: SB 1390 (Caballero): Groundwater Recharge: floodflows diversion
As Introduced: February 16, 2024—SUPPORT

Dear Senator Min,

On behalf of the California State Association of Counties, representing all 58 California Counties, I write to support SB 1390 (Caballero). This measure builds upon the progress made in the past year to enable California to divert flood flows for groundwater recharge by clarifying when these flows may be captured for the benefit of aquifers, what planning requirements are necessary for local agencies pursuing recharge, and expanding reporting requirements for diversions made under existing law.

In recent years, weather conditions have worsened and are becoming an increasing problem for California. Facing whiplash from drought, our counties experienced historic flooding, coastal erosion, and record snowpack. Counties are on the front lines of support when water emergencies, drought and flood occur. Our communities are dependent upon reliable water supply and flood control planning and distribution at the state and local level. While this year has been marked by flooding and historic snowpack levels, it is clear that these types of wet years are unreliable, and California will need to adapt to extremes in future flood and drought cycles.

In March 2023, Governor Newsom issued an Executive Order, authorizing water agencies, with a set of reporting requirements and safety parameters, to divert excess floodflows on rivers and streams for the purposes of groundwater recharge, without the need to obtain a costly and time-consuming permit. The process established by this Executive Order was later codified in SB 122 (Committee on Budget, 2023), with additional requirements for diverters to better protect groundwater quality and downstream water users.

CSAC supports projects and programs that invest in water supplies through a variety of means – from recycling to stormwater capture. Groundwater recharge during high flood flow event is one of the most effective ways to move water into long-term storage, and to bring over drafted basins into balance. CSAC encourages legislation that focuses on movement to groundwater sustainability through the local implementation of SGMA, dedicated groundwater recharge, and expedited permitting for recharge events.

SB 1390 carries forward the progress of the Executive Order and SB 122 by allowing more recharge projects to be completed in a safe and responsible manner. Should you have any questions about our position, please don't hesitate to contact me at cfreeman@counties.org.

Sincerely,

Catherine Freeman
Senior Legislative Advocate

cc: The Honorable Senator Anna Caballero

California State Association of Counties®

April 9, 2024

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

Re: SB 1396 (Alvarado-Gil): CalWORKs: Home Visiting Program
As Amended April 8, 2024 – SUPPORT
Set for Hearing on April 15, 2024

Dear Senator Alvarado-Gil:

On behalf of the California State Association of Counties (CSAC), I am writing to share our support for your Senate Bill 1396. This measure would extend the enrollment timeframe for the CalWORKs Home Visiting Program (HVP) from a child under 24 months to a child under 36 months and would extend the amount of time that families can participate in the program.

CalWORKs HVP is a voluntary program supervised by the California Department of Social Services (CDSS) and administered by participating counties. Currently, 41 out of 58 counties administer CalWORKs HVP, which matches trained professionals with expecting and new parents to assist with the early development of their children. HVPs follow evidence-based models that provide positive health development and well-being for low-income families that expand future educational, economic, and financial outcomes and improve the likelihood that they will exit poverty.

While HVP models managed by the California Department of Public Health (CDPH) through the California Home Visiting Program (CHVP) allow families to remain in a program through an HVP's recommended duration, CalWORKs HVP can only be offered to families for 24 months or until a child reaches their second birthday. SB 1396 would align the CalWORKs HVP participation timeline with CHVP participation timelines and allow families participating in CalWORKs HVP models to participate in programs for the full duration, maximizing the health and development benefits for vulnerable families.

It is for these reasons that CSAC supports Senate Bill 1396. Should you have any questions about our position, please do not hesitate to contact me at (916) 698-5751 or jgarrett@counties.org. Thank you for your consideration.

Sincerely,

Justin Garrett
Senior Legislative Advocate

cc: Members and Consultants, Senate Human Services Committee
Joe Parra, Consultant, Senate Republican Caucus
County Welfare Directors Association

California State Association of Counties®

April 8, 2024

The Honorable Catherine Blakespear
Chair, Senate Elections and Constitutional Amendments Committee
1020 N Street, Room 533
Sacramento, CA 95814

RE: SB 1441 (Allen): Examination of petitions: time limitations and reimbursement of costs
As Amended April 4, 2024 – SUPPORT
Set to be heard on April 16, 2024 – Senate Elections and Constitutional Amendments Committee

Dear Senator Blakespear,

The California State Association of Counties (CSAC), representing all 58 counties in California, is pleased to support Senate Bill (SB) 1441 by Senator Ben Allen. This measure would preserve local election resources by establishing reasonable timeframes for the examination of failed petitions. The bill would also protect those vital public resources by allowing local election officials to recover the costs of the examinations.

Existing law, Government Code section 7924.110, states that a petition proponent has up to 21 days after certification of insufficiency to commence an examination of disqualified petition signatures. However, the statute does not provide proponents of a failed petition with a time limit for their review of the insufficient signatures. Also, the law is silent about cost recovery by the county for staff time and other public resources utilized during the examination process.

Election officers have been tasked with managing increasingly complex and expensive elections. In recent years, election officers have navigated rapidly changing election laws, conducted elections during a global pandemic, endured harassment by the public and direct threats to their safety, and have needed to counter the rampant spread of misinformation. Policies that are core to our democratic values, like the laws allowing the recall of public officials who have lost the faith of their constituents, are exploited by those who can consume local resources that deplete public resources that could otherwise be utilized to improve our communities.

Current law has enabled petition proponents in some jurisdictions to abuse this access to public resources through indefinite time for examination of failed petitions without any obligation to reimburse the county's costs. In one egregious case, the 14-month examination by proponents of a failed petition resulted in over $1 million taxpayer dollars spent to hire additional staff.

SB 1441 is a fair and reasonable approach to address the abuses of the failed petition examination process. The bill builds off of established policies, like Elections Code section 15624, which establishes cost recovery for voter-initiated recount efforts. Broadly, the bill helps local election officials preserve resources necessary to conduct free and fair elections that are accessible to all voters.

For these reasons, CSAC is proud to support SB 1441 and respectfully requests your AYE vote. Should you have any questions or concerns regarding our position, please do not hesitate to contact me at elawyer@counties.org.
Sincerely,

Eric Lawyer
Legislative Advocate

cc: The Honorable Ben Allen, California State Senate
Members and Consultant, Senate Elections and Constitutional Amendments Committee
Cory Botts, Consultant, Senate Republican Caucus

CSAC Letters

April 16, 2024

The Honorable Ash Kalra
Chair, Assembly Judiciary Committee
1020 N Street, Room 104
Sacramento, CA 95814

RE: Assembly Bill 2404 (Lee)
State and Local Public Employees: Labor Relations: Strikes.
OPPOSE – As Amended March 21, 2024

Dear Chair Kalra,

The Rural County Representatives of California (RCRC), League of California Cities (Cal Cities), 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) respectfully oppose Assembly Bill 2404 (Lee). This measure is a re-introduction of last year's AB 504 (Reyes), which would declare the acts of sympathy striking and honoring a strike line a human right and, thereby, disallow provisions in public employer policies or collective bargaining agreements going forward that would limit or prevent 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 2404 would upend the current bargaining processes which allow striking only in specified limited circumstances. Specifically, this bill states 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 strike;
- Perform work for an employer involved in a primary strike; or
- Go through or work behind any primary strike line.

This poses a serious problem for public agencies that are providing public services on a limited budget and in a time of workforce shortage. Allowing 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 prepares to engage in protected union activities, local agencies can plan for coverage and 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.

In addition, when government services are co-located, employees from a non-struck agency could refuse to work at the shared campus if employees from a different agency are on strike, as it would be considered crossing the picket line. We offered the author amendments, similar to the private sector, that allow a separate entrance to ensure the picket line would not be crossed while allowing vital services from a non-struck agency to continue. For example, there are co-located county and court services at almost every court. A county strike could potentially shut down court activities because court employees could refuse to enter the premises as it would be considered crossing the picket line.

In rural communities, it is common to see co-location of government services to ensure remote areas are served. Disrupting the services of an innocent employer as part of a strike against another employer – known in labor law as "secondary pressure" – has long been held to be an unfair labor practice that this bill should not facilitate or legalize. Public employers that bargained in good faith and have approved MOU agreements should not be penalized for sharing a business space with another government employer.

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.**

Local agencies provide critical health and safety functions including: disaster response; emergency services; dispatch; utilities; mobile crisis response; health care; law enforcement; corrections; elections; and road maintenance. Local memorandums of understanding (MOUs) 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. 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 duties. 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 disallow following the expiration of a collective bargaining agreement that was entered into before January 1, 2025.

We appreciate AB 2404 including language from last year's AB 504 (Reyes) in connection with issues we raised regarding existing MOUs, peace officers, and certain essential employees of a local public agency. Without additional amendments to address co-located agencies our communities may be left without needed services. 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.

Our concerns with AB 2404 are consistent with the issues raised in response to last year's AB 504 (Reyes) and reflected in the veto message of that measure. "Unfortunately, this bill is overly broad in scope and impact. The bill has the potential to seriously disrupt or even halt the delivery of critical public services, particularly in places where public services are co-located. This could have significant, negative impacts on a variety of government functions including academic operations for students, provision of services in rural communities where co-location of government agencies is common, and accessibility of a variety of safety net programs for millions of Californians." – Governor Gavin Newsom

It is also important to note these impacts could be amplified by another pending measure concerning unemployment benefits for striking workers (Senate Bill 1116 (Portantino)) and a recently enacted measure allowing for collective bargaining for temporary employees (Assembly Bill 1484 (Zbur, 2023)).

As local agencies, we have a 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, RCRC, Cal Cities, CSAC, CAJPA, ACHD, PRISM, UCC, and CSDA must respectfully oppose AB 2404 (Lee). Please do not hesitate to reach out to us with your questions.

Sincerely,

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

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

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

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

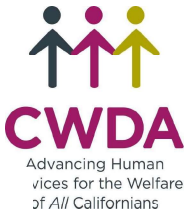
Aaron A. Avery
Director of State Legislative Affairs
California Special Districts Association
aarona@csda.net

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

Sarah Bridge
Legislative Advocate
Association of California Healthcare Districts
sarah@deveauburrgroup.com

Michael Pott
Chief Legal Counsel
Public Risk Innovation Solutions, and Management (PRISM)

cc: The Honorable Alex Lee, Member of the California State Assembly
Members of the Assembly Judiciary Committee
Manuela Boucher, Counsel, Assembly Judiciary Committee
Daryl Thomas, Consultant, Assembly Republican Caucus



April 16, 2024

The Honorable Ash Kalra, Chair
Assembly Judiciary Committee
1021 O Street, Suite 4610
Sacramento, CA 95814

Re: **AB 2557 (Ortega): Local agencies: contracts for special services and temporary help: performance reports**
As amended 4/8/24 – OPPOSE
Set for hearing 4/23/24 – Assembly Judiciary Committee

Dear Assembly Member Kalra,

On behalf of the Urban Counties of California (UCC), the Rural County Representatives of California (RCRC), the California State Association of Counties (CSAC), the League of California Cities (CalCities), the California Special Districts Association (CSDA), the Association of California Healthcare Districts (ACHD), the California Association of Recreation and Park Districts (CARPD), the California Association of Sanitation Agencies (CASA), the County Health Executives of California (CHEAC), the County Welfare Directors Association (CWDA), the County Behavioral Health Directors Association (CBHDA), and the Association of California School Administrators, we write to inform you of our opposition to Assembly Bill 2557, Assembly Member Liz Ortega's measure relating to contracting by local agencies. Like previous legislative efforts that attempted to curb local agency authority for contracting, our organizations believe the proposal contained in AB 2557 is overly burdensome and inflexible, likely resulting in worse outcomes for vulnerable communities and diminished local services for our residents. To be frank, AB 2557 creates a de facto prohibition on local agency service contracts due to the onerous obligations and costs associated with its requirements, creating untenable circumstances for local agencies and disastrous consequences for the communities we serve.

Specifically, AB 2557 would require local agencies – at least 10 months prior to a procurement process to contract for special services that are currently or in the past 10 years provided by a member of an employee organization – to notify the employee organization affected by the contract of its determination to begin a procurement process the governing body. The definitions of special services varies by agency type, but cover a broad array of services provided by local agencies, from essential government administration services to medical and therapeutic services to legal and other technical services. This is an infeasible obligation, as local agencies often are unaware of a need for a procurement process 10 months prior. Such a situation could occur under any number of circumstances; a few examples: a labor dispute that results in a strike, a natural disaster, a global pandemic, emergency utility repairs, emergent and on-call situations, an unanticipated need to care for those crossing our southern border seeking asylum, and the list goes on.

Local agencies have proven their ability to be adaptable in times of need, but the 10-month timeframe and extensive range of services included in AB 2557 are both arbitrary and unworkable, impeding local agencies' capacity to respond to local needs.

AB 2557 would then require contractors to provide quarterly performance reports with a litany of required components, including personally identifiable information for its employees and subcontractors, that is then subject to the California Public Records Act. An entire local bureaucracy would have to be created at a considerable cost to comply with provisions that require these quarterly performance reports to be monitored to evaluate the quality of service. A particularly troubling provision would *require* the local agency to withhold payment to the contractor under any of the following circumstances that are deemed breach of contract: (1) Three or more consecutive quarterly performance reports are deemed as underperforming by a representative of the governing body *or a representative of the exclusive bargaining unit*; (2) The contractor fails to provide the quarterly reports required by this section or provides a report that is incomplete. Payment may only be made when a contractor submits a plan to achieve substantial compliance with the contract and this section, unless *the governing body, the employee organization, or assigned representatives* reject the plan as insufficient and explain the reasons for the rejection or, in the case of incomplete reports, all complete reports are provided unless *the governing body, the employee organization, or assigned representatives* reject the reports as incomplete.

These provisions would undoubtedly deter non-profit providers, community-based organizations, and other private service providers from engaging with local agencies, likely exacerbating existing demanding caseloads and workloads for our current staff and driving up costs. In addition, not only would private employee data be accessible to any member of the public via the California Public Records Act, but the measure disregards constitutional privacy rights by requiring the publication of personal financial information about private employees. Finally, these provisions elevate the employee organization to a decision-making entity for expenditure of local resources equal to that of the duly elected governing body that is directly accountable to voters. Authorizing an employee organization to decide to withhold payment to a contractor is not just an inconceivable policy proposal, but also raises serious constitutional questions about delegation of a public authority to a non-public entity. Even if a contractor were comfortable with sharing the personal information of its employees, what contractor would be willing to take the risk that they would not get paid for completed work as outlined in a contract?

Finally, in addition to the obligation of the contractor to provide quarterly performance reports every 90 days, AB 2557 requires a performance audit by an independent auditor (who would likely also be subject to the provisions of AB 2557) to determine whether performance standards are being met for contracts with terms exceeding two years *at the contractor's cost*. (It is unclear to us what is intended to be learned from this performance audit as opposed to the quarterly performance reports that are proposed for review by the governing body *and* the employee organization. Four quarterly performance reports would be provided, then a performance audit would be started, while four additional quarterly performance reports would be provided presumably prior to completion of the performance audit. That is a total of *nine* reports over a period of 24 months.) This provision fails to reflect an understanding of the practical logistics of actually achieving this reporting and review in a timely manner, not to mention the additional burden placed on contractors, which would presumably be an additional deterrent to engaging with local agencies. Because a contract renewal or extension may only occur after a review in conference with a representative of the exclusive bargaining unit, this provision also provides the opportunity to defer or delay such a renewal or extension. No matter what, the abundance of reporting obligations outlined in AB 2557 is likely to come with considerable local costs and is unlikely to facilitate effective and efficient provision of local programs and services to our mutual constituencies.

All of the above provisions also apply to temporary employees working under a contract for temporary help. Temporary employees working under a contract for temporary help are routinely used for important local services. An example that we have previously shared with the Legislature are public and district hospitals, which often operate both hospitals and clinics, that must ensure they are adequately staffed to care for patients and meet the requirements of state law. It is no secret that California is in a statewide health care provider shortage, and as providers adjust to surges in patient volumes and fluctuations in staffing levels, they must have the tools available to them to bring on additional staffing quickly to fill gaps.

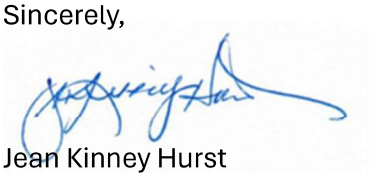
It is important to note that local agencies are already subject to the statutory provisions of the Meyers-Milias-Brown Act (MMBA), the Ralph C. Dills Act, and related provisions of state law. These laws already establish that local agencies cannot contract out bargaining unit work simply to save money and most contracting-out decisions are subject to meet-and-confer requirements. There are exceptions to the meet-and-confer requirement in cases of compelling necessity (like an emergency) or when there is an established past practice of contracting out particular work. AB 2557 does not incorporate either of these limitations. Our position is that these issues are better addressed at the bargaining table where local conditions can be appropriately considered.

In recent years, the Newsom Administration and the Legislature have directed local agencies to engage more with community partners to more effectively connect with vulnerable communities. There are countless examples of programs and policies that have specified components that are directed to be delivered by entities that have direct, lived experience and/or cultural familiarity. One need only look to efforts over the last few years with the state's Homeless Housing and Prevention (HHAP) program or the significant reforms to the Medi-Cal program contained in CalAIM or various criminal justice reforms, to name just a few. These efforts explicitly include a role for non-profit, community-based, and private sector providers. Without that partnership, local agencies will be less successful in meeting the expectations and outcomes the state has directed – a consequence of which could be penalties and fines – and, in doing so, will have fallen short in meeting the needs of those that we are jointly committed to serve and undermined general trust in government.

Counties, cities, special districts, and schools are constantly challenged by the state to do more, to be more effective and efficient, to be accountable to the public for the resources that we are responsible for managing. Efforts like AB 2557 – along with a similar measure, AB 2489 by Assembly Member Chris Ward – tie the hands of local agencies in their most basic administrative function. In doing so, the proposal sets local agencies up for failure – without reasonable tools to manage our constitutional and statutory obligations, there can be no expectation that local agencies make progress on the policy goals that the Legislature and Administration have set forth.

AB 2557 represents a sweeping change to the fundamental work of local governments, but we are unaware of a specific, current problem that this measure would resolve or prevent. We are keenly aware, though, of the very real harm that will result from this measure. AB 2557 will not improve services, reduce costs, or protect employees. As a result, we are opposed to AB 2557. Should you have any questions about our position, please reach out to us directly.

Sincerely,



Jean Kinney Hurst
Legislative Advocate

Aaron Avery
Director of State Legislative Affairs

Urban Counties of California

Alyssa Silhi
Legislative Advocate
California Association of Recreation and Park Districts

Kalyn Dean
Legislative Advocate
California State Association of Counties

Sarah Bridge
Legislative Advocate
Association of California Healthcare Districts

Joseph Saenz
Deputy Director of Policy
County Health Executives Association of California

Eileen Cubanski
Executive Director
California Welfare Directors Association

California Special Districts Association

Johnnie Pina
Legislative Affairs, Lobbyist
League of California Cities

Sarah Dukett
Policy Advocate
Rural County Representatives of California

Jessica Gauger
Director of Legislative Advocacy & Public Affairs
California Association of Sanitation Agencies

Lisa Gardiner
Director of Government Affairs
County Behavioral Health Directors Association

Dorothy Johnson
Legislative Advocate
Association of California School Administrators

cc: Members and Consultants, Assembly Judiciary Committee
The Honorable Liz Ortega, California State Assembly
The Honorable Robert Rivas, Speaker, California State Assembly
The Honorable Juan Carrillo, Chair, Assembly Local Government Committee
The Honorable Chris Ward, California State Assembly
Mary Hernandez, Deputy Legislative Secretary, Office of Governor Gavin Newsom
Katie Kolitsos, Consultant, Office of Assembly Speaker Robert Rivas
Tim Rainey, Consultant, Office of Assembly Speaker Robert Rivas

California State Association of Counties®

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CEO
Graham Knaus

April 19, 2024

The Honorable Juan Carrillo
Chair, Assembly Local Government Committee
1020 N Street, Room 157
Sacramento, CA 95814

Re: AB 2813 (Aguiar-Curry) – Government Investment Act.
As Introduced February 15, 2024 - SUPPORT
Set to be heard in the Assembly Local Government Committee April 24, 2024

Dear Assembly Member Carrillo,

On behalf of the California State Association of Counties (CSAC), representing the 58 counties in California, I write in support of Assembly Bill (AB) 2813 by Assembly Member Aguiar-Curry. This measure would provide technical amendments and further specify the intent of your ACA 1, a measure which would empower our local communities to address their critical housing and infrastructure needs.

ACA 1 would achieve those goals by reducing the voter threshold for approval of bond and special tax measures that help fund critical infrastructure, affordable housing projects, and permanent supportive housing for individuals at risk of chronic homelessness.

The California Constitution currently requires a two-thirds vote at the local level for both general obligation bonds and special taxes, which serve as vital financial tools for local governments, regardless of the intended use for the funds by cities, counties, or special districts in service of their residents. However, local school districts can seek approval for bonded indebtedness with only a 55 percent vote threshold for the construction, reconstruction, rehabilitation, or replacement of schools. The changes included in ACA 1 will create parity for cities, counties and special districts for voter approval thresholds already granted to school districts.

Markedly, ACA 1 would reduce the vote requirement for issues that are most pressing to the quality of life and well-being of all Californians, including increased local supplies of affordable housing. Addressing the challenges posed by our homelessness crisis demands a comprehensive, holistic approach encompassing the expansion of affordable housing stock and assistance for those consistently vulnerable to homelessness. Crucially, our local communities cannot fully address the affordable housing shortage without significant resources.

The goals of ACA 1 are aligned with the goals and policy recommendations found in CSAC's AT HOME plan, the county comprehensive plan to address homelessness. Developed through a lengthy all-county effort, the AT HOME plan (Accountability, Transparency, Housing, Outreach, Mitigation & Economic Opportunity) outlines clear responsibilities and accountability aligned to authority, resources, and flexibility for all levels of government within a comprehensive homelessness response system. It 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.

Absent ongoing state funding for local governments to address homelessness and the supply of affordable housing, which is a pillar of our AT HOME Plan, local governments have no choice but to seek funding from local sources to increase and maintain housing units across the spectrum of needs. ACA 1 provides an opportunity for communities to continue to do their fair share to support California's most vulnerable residents.

Increasing local capacity to procure and produce the necessary infrastructure to serve our unhoused neighbors is far from being the singular local benefit of ACA 1. This measure would also allow local voters to elect to increase their community's funding for parks and recreation, libraries, maintenance of streets and highways, protection against sea level rise, and more. The necessity for this measure is illustrated, notably, by the 2021 California Statewide Local Streets and Roads Needs Assessment which reports that 55 out of 58 counties are considered at risk of, or presently have, poor pavements. Further, the Federal Environmental Protection Agency estimates that California communities, collectively, have water infrastructure needs of nearly $64.7 billion. Now, more than ever, is the appropriate time to empower California residents to choose to fund solutions for their communities.

ACA 1 preserves the need for overwhelming voter support for a bond or special tax in order for it to be approved, thus protecting voters' control over how their tax dollars are spent. The bill also provides specific requirements for voter protection, public notice, and financial accountability. With these protections in place, communities should be able to decide the appropriate level of taxation to meet their local needs.

AB 2813 will provide clarity to ACA 1 and ensure that local governments are accountable for ACA 1 projects by further specifying how citizens' oversight committees will operate and refine the role of the California State Auditor in overseeing ACA 1 projects. AB 2813 will ensure that future ACA 1 measures are set up for success by guaranteeing the proceeds can be used to support meaningful progress in their communities, ensure accountability and transparency of ACA 1 projects, and will exist as a vehicle to make necessary technical adjustments to the provisions of ACA 1 before it is considered by voters.

It is for these reasons that CSAC supports AB 2813 and respectfully requests your AYE vote. Should you have any questions regarding our position, please do not hesitate to contact me at elawyer@counties.org.

Sincerely,

Eric Lawyer
Legislative Advocate

cc: The Honorable Cecilia Curry-Aguiar, California State Assembly
Members and Consultant, Assembly Local Government
William Weber, Consultant, Assembly Republican Caucus

April 9, 2024

The Honorable Buffy Wicks
Chair, Assembly Appropriations Committee
1021 O Street, Suite 8220
Sacramento CA 95814

RE: AB 2882 (McCarty) – Community Corrections Partnerships
As introduced 2/15/2024 – OPPOSE
Awaiting hearing – Assembly Appropriations Committee

Dear Assembly Member Wicks:

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 opposition to AB 2882. In addition to amending the composition of the local Community Corrections Partnership (CCP) and the CCP Executive Committee, this measure would impose new costs to counties for a program realigned in 2011 related specifically to (1) new community corrections plan development and processing requirements and (2) considerable new CCP data collection and reporting requirements.

In 2011, when California faced a devastating budget shortfall similar to today's, the state and counties negotiated what is known as Public Safety Realignment – a transfer of programs and responsibilities with accompanying funding – to the local level. Subsequently, voters enacted Proposition 30 (2012), which – among other provisions – constitutionally guaranteed a permanent funding source for 2011 Realignment and provided a range of protections to counties. Article XIII, Section 36(c)(4)(A) provides that if the state enacts legislation after September 30, 2012 that increases local costs associated with programs or services realigned in 2011, then the state must provide funding to cover those costs; if no state funding is provided, counties have no obligation to deliver the higher levels of service.

AB 2882 proposes to increase the level of service associated with the responsibilities required of local CCPs related to developing an implementation plan for AB 109 (Chapter 15, 2011); given that these new community corrections responsibilities were enacted as part of 2011 Realignment, they are subject to Proposition 30 protections.

Specifically, this measure would increase CCP responsibilities in two specific ways:

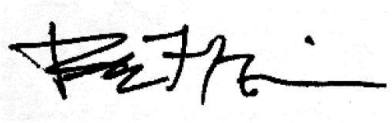
- Expands – by amending Penal Code section 1230.1 – the elements of the local community corrections plan (i.e., AB 109 implementation plan), which (1) are new, detailed and specific and (2) require annual updates and approval by the new CCP executive committee membership proposed in the bill. These elements require new comprehensive and in-depth analyses and recommendations about how criminal justice funds might be used as matching funds for other sources, quantifiable goals for improving the community corrections systems, and specific targets for each goal; and
- Adds an entire new section (Penal Code section 1230.2) of county reporting requirements to the Board of State and Community Corrections (BSCC), which enumerates 13 expansive categories of data, many of which include multiple sub-elements.

The bill proposes no funding to cover counties' costs associated with carrying out these additional responsibilities and higher levels of service beyond what was defined in 2011 Realignment legislation.

Counties already report annually to the BSCC about their local community corrections plans developed by the local CCP; the BSCC posts these detailed and voluminous reports annually. In the Legislature's early budget action, $7.95 million in CCP grants, which have been awarded every year since 2011 and are conditioned upon counties' submission of the CCP reports, is slated to be eliminated. It seems especially inappropriate to saddle counties with new duties and responsibilities at a time when funding that today accompanies our existing reporting responsibilities for the same program has been zeroed out.

Beyond the Prop 30 considerations, the fiscal impacts contemplated by this measure come at a time when neither the state nor counties have sufficient resources to perform their existing responsibilities. Our associations also have extensive policy objections to AB 2882, which we will reserve for policy committee deliberations. CSAC, RCRC, and UCC remain opposed to AB 2882.

Sincerely,



Ryan Morimune
Legislative Representative, CSAC

Elizabeth Espinosa
Legislative Representative, UCC

Sarah Dukett
Policy Advocate, RCRCRCRC

cc: Members and Counsel, Assembly Appropriations Committee
The Honorable Kevin McCarty, Member of the Assembly

April 16, 2024

The Honorable Avelino Valencia
California State Assembly
1021 O Street, Room 4120
Sacramento, CA 95814

Re: **AB 2946 (Valencia): Discretionary funds: County of Orange**
As amended 3/21/24 – CONCERNS
Set for hearing 4/24/24 – Assembly Local Government Committee

Dear Assembly Member Valencia:

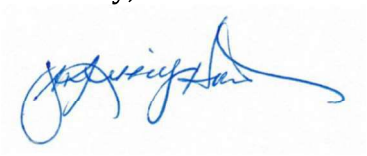
On behalf of the Urban Counties of California (UCC), the California State Association of Counties (CSAC), and the Rural County Representatives of California (RCRC), I write to express concerns regarding your Assembly Bill 2946, a measure that would require the Orange County Board of Supervisors to handle certain items of appropriation in a specific manner. Even though AB 2946 explicitly applies to the County of Orange, we are concerned about some language used in the bill and the precedent-setting nature of the measure.

We understand that your primary interest exists with the process by which county funds are appropriated to each supervisor for purposes of awarding such funds to community organizations. AB 2946's definition of "discretionary funds" extends far beyond this limited scope to all county general purpose revenue used for its budget; essentially, any county resource that is not a state, federal, grant, or restricted fee dollar would be subject to the limitation imposed by the bill. This imprecise definition has the potential to hamstring a board of supervisors to such an extent that a final budget could not be approved by the statutory deadline.

We respectfully request your consideration of an amendment that more narrowly defines the items of appropriation subject to the limitations of the bill. Such an amendment would address our concerns about the precedent-setting nature of AB 2946, as AB 2946 would serve as a model for any future legislation that may be considered on this topic.

We greatly appreciate your consideration of our concerns and are available to assist your staff on this matter should that be helpful.

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

Eric Lawyer
Legislative Advocate
California State Association of Counties
elawyer@counties.org

cc: The Honorable Juan Carrillo, Chair, Assembly Local Government Committee
Members and Consultants, Assembly Local Government Committee

California State Association of Counties®

April 15, 2024

The Honorable Isaac Bryan, Chair
Assembly Natural Resources Committee
1020 N Street, Room 164
Sacramento, CA 95814

Re: AB 3023 (Papan): Wildfire and Forest Resilience Task Force: Watershed Restoration Plans
As Amended April 2, 2024—SUPPORT
Set to be heard in Assembly Natural Resources Committee – April 22, 2024

Dear Chair Bryan,

On behalf of the California State Association of Counties (CSAC), representing all 58 California Counties, I write to support AB 3023 (Papan) related to state watershed and wildfire planning. AB 3023 would move the state further toward aligning watershed restoration plans and initiatives with forest resilience actions to achieve greater integration and benefits at the local level. The bill would further require state agencies and departments to align grant guidelines of climate change, forest, fire, and watershed restoration programs to promote greater program coordination and integrate planning and outcomes.

Counties are on the front lines of water and wildfire disasters. Over the past several years, counties have experienced the brunt of increasingly volatile weather events, drought and flood whiplash, and wind-driven wildfire events. Throughout these changing times, counties have partnered with the state to increase wildfire and community resilience, drought preparedness, and decrease risks to all communities such as being a member of the California Wildfire and Forest Resilience Task Force, which is making progress integrating local, state and federal actions.

However, counties are still challenged by legacy integration and coordination issues in our state agency silos. Grants and state assistance programs vary by agency, board, and department. Even if a county has a grant coordinator, the reality is that application processes and reporting requirements can be a significant burden and a deterrent to success. We have seen progress in several departments, including Department of Water Resources groundwater grants, where simplification of the process and reporting resulted in good or better outcomes for policy. Streamlining across state agencies, boards and departments makes sense for everyone.

On behalf of CSAC, we support AB 3023 and its policy goals to align and streamline the grant process. Should you have any questions about our position, please don't hesitate to contact me at cfreeman@counties.org.

Sincerely,

Catherine Freeman
Senior Legislative Advocate

cc: Assemblymember Diane Papan, AD 21

April 19, 2024
The Honorable Kelly Seyarto
Member, California State Senate
1021 O Street, 7120
Sacramento, CA 95814

Re: SB 964 (Seyarto) – Property tax: tax-defaulted property sales.
Based on amendments not yet in print, shared by author on April 4, 2024 – OPPOSE

Dear Senator Seyarto,

On behalf of the California State Association of Counties (CSAC), the Rural County Representatives of California (RCRC), and the Urban Counties of California (UCC), we write to share our regretful opposition to your Senate Bill 964. This measure would substantially revise the longstanding process for certain sales of tax-defaulted properties by county governments.

Under current law, residences with unpaid property taxes are prohibited from being sold by a county tax collector[1] until at least a period of five years has elapsed since the initial delinquency—or three years for residences subject to a nuisance abatement lien. Prior to selling the property at auction, the county must issue notices to the owners of the defaulted property and inform the individual of the intent to sell the property. Until the completion of a sale of a property, the owner of the tax-delinquent property can redeem the status of the property by paying any unpaid taxes, assessments, penalties, and fees. During a period of delinquency, tax collectors are required to conduct regular direct outreach to the property owner, notice the sale in a newspaper or public location, and a county board of supervisors must provide approval before a tax-defaulted property sale may occur.

Tax-defaulted properties must be sold to the highest bidder at or above the minimum bid price—determined by the amount of unpaid taxes, penalties and assessments, in addition to some administrative fees. Upon completion of the sale, the former owner of a property is entitled to claim any excess proceeds resulting from the sale up to one year after the date of the sale. If the property owner does not claim their excess proceeds, the balance may be transferred to the county general fund after being used to reimburse the costs of the sale. This may only occur if a minimum of six years has elapsed since the initial default on a property tax payment – or four years for residences with nuisance abatement leans – during which time county tax collectors conduct regular direct outreach to the property owner.

Counties often conduct tax-defaulted property sales through two different methods: a Chapter 7 sale through public auction or sealed bid, or a Chapter 8 sale by agreement, in which a nonprofit organization seeking to rehabilitate substandard properties for low-income housing may object to a Chapter 7 sale and seek a direct sale by agreement with the entity.

[1] In some counties, this role is conducted by the county auditor-controller. However, for the sake of simplicity, this letter refers to county tax collectors, as they represent the majority of county officers responsible for the task.

SB 964 would impose unnecessary restrictions on how Chapter 8 tax-defaulted property sales may occur, limiting a tool used to build local affordable housing. The bill ignores the expertise of the local tax collector, who may determine that a Chapter 8 sale is more pragmatic, cost effective, and beneficial for their community. Instead, SB 964 would needlessly involves the Board of Equalization in the Chapter 8 sale process, imposing new requirements on a state agency that lacks the existing resources to conduct residential property valuations at the local level. To compound the problem, counties are provided no recourse to appeal valuations that do not comport with local realities.

The bill would require the Board of Equalization to complete property valuations within 45 days, a timeframe it is unlikely to consistently accommodate. While all parties involved would prefer expedition in conducting valuations, imposing such a rapid timeframe on a state agency unaccustomed to this work is likely to lead to rushed work, inviting errors in valuations, especially for distressed properties that are naturally complicated to value.

Counties are in the best position to determine the values of their local properties and conduct sales of tax-defaulted properties in a way that serves the needs of their communities. This bill ignores the input of vast and experienced local expertise in favor of a state agency lacking any direct experience in conducting local residential valuations. The bill undermines a tool used to improve affordable housing stock and values of neighborhoods statewide.

It is for these reasons that CSAC, RCRC, and UCC must regretfully oppose SB 964. Should you have any questions regarding our position, please do not hesitate to contact us at the email addresses below.

Sincerely,

Eric Lawyer
Legislative Advocate
California State Association of Counties
elawyer@counties.org

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

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

April 19, 2024

The Honorable Steven Glazer
Chair, Senate Revenue and Taxation Committee
State Capitol, Room 407
Sacramento, CA 95814

Re: SB 964 (Seyarto) – Property tax: tax-defaulted property sales.
Based on amendments not yet in print, shared by author on April 4, 2024 – OPPOSE
Set to be heard in the Senate Revenue and Taxation Committee April 24, 2024

Dear Senator Glazer,

On behalf of the California State Association of Counties (CSAC), the Rural County Representatives of California (RCRC), and the Urban Counties of California (UCC), we write to share our regretful opposition to Senate Bill 964 by Senator Seyarto. This measure would substantially revise the longstanding process for certain sales of tax-defaulted properties by county governments.

Under current law, residences with unpaid property taxes are prohibited from being sold by a county tax collector[1] until at least a period of five years has elapsed since the initial delinquency—or three years for residences subject to a nuisance abatement lien. Prior to selling the property at auction, the county must issue notices to the owners of the defaulted property and inform the individual of the intent to sell the property. Until the completion of a sale of a property, the owner of the tax-delinquent property can redeem the status of the property by paying any unpaid taxes, assessments, penalties, and fees. During a period of delinquency, tax collectors are required to conduct regular direct outreach to the property owner, notice the sale in a newspaper or public location, and a county board of supervisors must provide approval before a tax-defaulted property sale may occur.

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The bill would require the Board of Equalization to complete property valuations within 45 days, a timeframe it is unlikely to consistently accommodate. While all parties involved would prefer expedition in conducting valuations, imposing such a rapid timeframe on a state agency unaccustomed to this work is likely to lead to rushed work, inviting errors in valuations, especially for distressed properties that are naturally complicated to value.

Counties are in the best position to determine the values of their local properties and conduct sales of tax-defaulted properties in a way that serves the needs of their communities. This bill ignores the input of vast and experienced local expertise in favor of a state agency lacking any direct experience in conducting local residential valuations. The bill undermines a tool used to improve affordable housing stock and values of neighborhoods statewide.

It is for these reasons that CSAC, RCRC, and UCC must regretfully oppose SB 964 and request your NO vote. Should you have any questions regarding our position, please do not hesitate to contact us at the email addresses below.

Sincerely,

Eric Lawyer
Legislative Advocate
California State Association of Counties
elawyer@counties.org

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

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

cc: The Honorable Kelly Seyarto, California State Senate
Members and Consultant, Senate Revenue and Taxation Committee

Karen Lange, Legislative Advocate, California Association of Treasurers and Tax Collectors
Phonxay Keokham, President, California Association of County Treasurers and Tax Collectors

California State Association of Counties®

April 18, 2024

The Honorable Anna Caballero
Chair, Senate Committee on Appropriations
State Capitol, Room 412
Sacramento, CA 95814

RE: SB 1032 (Padilla) Housing finance: portfolio restructuring: loan forgiveness.
As amended on March 21, 2024 – SPONSOR

Dear Senator Caballero:

The California State Association of Counties (CSAC), representing all 58 counties in the state, is proud to sponsor SB 1032, which will give the Housing and Community Development Department (HCD) the authority to forgive specific legacy loans, per HCD's discretion, if a borrower demonstrates that the loan is impeding the ability to maintain and operate the project for affordable housing or senior housing.

HCD administers a number of loan programs authorized by the Legislature in the 1980's and 1990's that were created to preserve existing affordable housing across the state. These programs offered loans to public housing providers (housing agencies) with terms that attempted to strike a balance between providing impactful funding and ensuring the rents charged by the housing agencies on these properties would remain affordable. All of these programs are closed and no longer offer loans.

While it was easy to obtain the loan, terms that allowed housing agencies to forgo making any payments on the loan effectively trapped these housing agencies in an endless debt cycle with no exit path. The loans were set up with the premise that the housing agencies would only pay against the loan interest. The notion being that housing entities could use excess future cash flows to pay down the principal. In reality, these affordable housing units seldom experience excess cash flows due to the rent affordability restrictions required by the loan program and the cost of maintaining the units. Given the reality of how these loans currently function, it is time to provide HCD the authority to forgive these as means to provide relief to the impacted housing agencies.

In a high number of cases, housing agencies that would benefit from loan forgiveness serve as the main affordable housing providers in their regions. Without loan forgiveness, these housing agencies will default on these loans, effectively increasing the possibility that a housing agency will need to close affordable housing sites which serve the most vulnerable residents of their communities, which will ultimately lead to more homelessness across the state.

Housing is an important element of economic development and essential for the health and wellbeing of our communities. SB 1032 would not require HCD to forgive any specific loans, but instead will give them the authority to choose to forgive certain legacy loans that are most at risk, per their discretion. Specifically, SB 1032 will allow housing providers to preserve current affordable housing units without the need to evict low-income residents out of their homes.

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 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 1032 aligns with our AT HOME efforts, specifically as it relates to the Housing pillar.

For these reasons, CSAC is proud to support and sponsor SB 1032. If you need additional information, please contact 916.591.2764 or mneuburger@counties.org.

Sincerely,

Mark Neuburger
Legislative Advocate
California State Association of Counties

CC: The Honorable Members, Senate Committee on Appropriations
Mark McKenzie, Staff Director, Senate Committee on Appropriations
Kerry Yoshida, Consultant, Senate Republican Caucus
Alexis Castro, Legislative Director, Office of Senator Stephen Padilla
Cece Sidley, Fellow, Office of Senator Stephen Padilla

April 4, 2024

The Honorable Anna Caballero
Chair, Senate Appropriations Committee
State Capitol, Room 412
Sacramento, CA 95814

RE: Senate Bill 1046 (Laird) – SUPPORT
As Amended March 21, 2024

Dear Senator Caballero:

On behalf of the Rural County Representatives of California (RCRC), California State Association of Counties (CSAC), the League of California Cities (Cal Cities), and Californians Against Waste (CAW) we are pleased to support Senate Bill 1046 (Laird). This measure seeks to expedite the construction of compost facilities without compromising the stringency of environmental review under the California Environmental Quality Act (CEQA).

Senate Bill 1046 requires CalRecycle to develop a programmatic environmental impact report for small and medium-sized organic waste compost facilities. We support SB 1046 because we believe it will simplify the process for local permitting of small and medium-sized compost facilities and reduce delays related to environmental review and litigation.

SB 1383 requires the state to reduce landfill disposal of organic waste 75 percent below 2014 levels by 2025. CalRecycle's implementing regulations require local governments to divert organic waste and procure recycled materials derived from that organic waste stream. These requirements are estimated to cost $20 billion to implement and will require the construction of 50-100 new organic waste recycling facilities. There are many permitting, siting and construction challenges for building new compost facilities, including delays and litigation risk arising from CEQA.

CEQA includes processes by which specific projects can "tier" off a more comprehensive programmatic environmental impact report (EIR). Once a programmatic EIR has been finalized (and any legal challenges resolved), subsequent projects can rely on that document and applicable mitigation measures. As such, subsequent projects do not need to "recreate the wheel" and can instead focus their CEQA analyses on project-specific impacts that were not contemplated and discussed in the programmatic EIR. This

approach can reduce costs, the time required for CEQA review, and litigation delays. CalRecycle can draw upon its experience preparing a similar programmatic EIR for anaerobic digestion facilities several years ago. That work, like a similar programmatic EIR prepared by CalFire for vegetation management work, has been very helpful for those seeking to construct anaerobic digestion facilities.

Given the importance the state has assigned to reducing methane emissions from organic waste management - and the significant investments that will be required to achieve those objectives - a small state investment in developing a programmatic EIR for composting facilities will repay itself many times over.

We are pleased to support SB 1046 because we believe it will help increase organic waste recycling, reduce pollution, help local governments comply with SB 1383, and create in-state manufacturing jobs.

For the above reasons, we respectfully request your "aye" vote when this bill is heard before your committee. Please do not hesitate to contact us if you have any questions.

Sincerely,

JOHN KENNEDY
RCRC
Senior Policy Advocate
jkennedy@rcrcnet.org

MELISSA SPARKS-KRANZ
Cal Cities
Legislative Representative
msparkskranz@calcities.org

ADA WAELDER
CSAC
Legislative Advocate
awaelder@counties.org

ERICA PARKER
CAW
Policy Associate
erica@cawrecycles.org

cc: The Honorable John Laird, Member of the California State Senate
Members of the Senate Appropriations Committee
Ashley Ames, Consultant, Senate Appropriations Committee
Scott Seekatz, Consultant, Senate Republican Caucus

April 15, 2024

The Honorable Caroline Menjivar
Member of the Senate
1021 O Street, Suite 6720
Sacramento CA 95814

RE: SB 1057 (Menjivar) – Juvenile Justice Coordinating Council
As amended 3/19/2024 – OPPOSE
Set for hearing 4/23/2024 – Senate Public Safety Committee

Dear Senator Menjivar:

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 SB 1057.

Like several bills that have been put before the Legislature in recent years – including AB 1007 (Jones-Sawyer, 2020), SB 493 (Bradford, 2021) and AB 702 (Jackson, 2023) – SB 1057, as recently amended, proposes to make considerable changes to local Juvenile Justice Coordinating Councils (JJCC), as well as the process for the JJCC's deployment of Juvenile Justice Crime Prevention Act (JJCPA) funds. These funds were realigned to counties in 2011 and serve as the bedrock of virtually all counties' juvenile justice systems. Notably, with the passage of SB 823 in 2020, counties now bear full responsibility for the entire juvenile justice system at the local level.

More specifically, SB 1057 extensively recasts the composition of the JJCC by (1) requiring that the body be comprised of at least half community representatives and the remainder from governmental entities and (2) inappropriately removing the chief probation officer as the chair of the JJCC and instead specifying that the JJCC with its newly formulated composition shall elect two co-chairs, at least one of whom must be a community representative. Second, this measure confers authority to the Board of State and Community Corrections (BSCC) or other state entity with oversight over administration of these funds to determine remedial action or to withhold JJCPA funding if a county fails to establish a JJCC. Third, it establishes a new request for proposal (RFP) process for JJCPA funds under which a local agency other than a law enforcement related agency – with a stated preference for behavioral health-related local agencies – must administer the RFP.

First, to be clear, counties welcome the participation of community members and value partner organizations in supporting the therapeutic needs of justice-involved youth in our community.

However, to reinforce our position on the aforementioned previous iterations of this measure, it continues to be wholly inappropriate for community organizations to assume responsibility of core functions for which counties – probation departments, specifically – are prescribed by law to provide and are held fully accountable for the outcomes.

Second, as we also have noted in our advocacy during past legislative deliberations, under no circumstances is it appropriate to withhold or in any way disrupt the flow of JJCPA funds or any other resources that accompany services and responsibilities realigned to counties in 2011. As was outlined in a 2019 state audit report, the JJCPA was enacted statutorily in 2000 and funded for over a decade through the state General Fund. However, the JJCPA – along with a variety of other local assistance services and programs – was moved under the 2011 Public Safety Realignment fiscal structure to ensure it would remain a stable, foundational funding source to support local innovation and a continuum of community service options for youth. Provisions in Proposition 30 (2012) dedicate a specified level of Vehicle License Fee (VLF) funding to the JJCPA along with other local programs and constitutionally protects those investments. This latter feature requires careful thinking and understanding about the constitutional implications of withholding, delaying, repurposing, or redirecting to any degree JJCPA funds.

Counties continue to be concerned about potential remedial action and/or withholding of JJCPA funds, coupled with the proposed JJCC composition requirements, as the bill does not account for the real and challenging circumstances. This concern is exacerbated in rural jurisdictions, where a county may be unable to seat a full JJCC – not for lack of trying, but merely for lack of available or willing volunteers. Thus, the amendment to Government Code section 30061(a)(4) would impede the flow of realigned funds for circumstances that are often outside of county control, and again, appears to ignore the constitutional protections that surround this funding stream. Moreover, increasing the required number of community representatives serving on the JJCC from one "at-large community representative" and "representatives from nonprofit community-based organizations" to "at least 50 percent community representatives" as proposed in Welfare and Institutions Code section 749.22(c)(1), deepens existing challenges with establishing a JJCC.

Third, SB 1057 contemplates establishing a new and unspecified RFP process for deploying JJCPA resources. Taken together with the proposed changes to the JJCC composition, it is our expectation that, in its application, the new RFP process would result in the redirection of JJCPA funds away from county probation departments, as was the intent and goal of the previously referenced bills that failed passage due to the same policy impacts. In short, mandating a community representative as co-chair and explicitly removing law enforcement-related agencies from overseeing the RFP process for funding inappropriately strips the authority county government has over a county government function.

Today, JJCPA funds are – in many instances – dedicated to staffing and personnel costs that are the backbone of our juvenile probation departments. These expenditures have been and continue to be wholly eligible and lawful under the JJCPA. While counties are not opposed to

evaluating ways in which to improve JJCPA reporting and the structure of local coordinating councils (as was done through AB 1998 – Chapter 880, Statutes of 2016), we must oppose any legislation that would undercut a stable, constitutionally protected funding structure at a time when all counties are working diligently to support the entirety of the juvenile justice system. The goal of this measure would contradict the spirit – if not letter – of 2011 Realignment legislation, as well as provisions of Proposition 30.

On the surface, changes to the composition of the JJCC (and for that matter, any other juvenile justice committee or subcommittee), the frequency of meetings, and required components of multiagency juvenile justice plans may seem reasonable. However, from the county perspective, they are reflective of the eventual objective to minimize local authority over mandated county responsibilities and redirect funding. It is also indicative of a latent intent to create endless litigation if dollars are not allocated away from probation departments to other non-law enforcement entities and community-based organizations. These changes not only run counter to the vital governance principle that responsibility must be accompanied by the authority to implement, but unfortunately also result in diminished and delayed programming and service delivery to young people under county care.

UCC, RCRC, and CSAC are united in our view that community-based organizations provide valuable programs and services to justice-involved populations in many parts of the state. However, the process for allocating funds to these organizations should remain a local decision with robust community engagement, as is provided under current law, given that local governments are accountable for the outcomes associated with the treatment and supervision of justice-involved youth. Ultimately, a more productive approach would be to engage in a collaborative discussion on separate, new investments in programs to complement and expand the existing work of county probation departments that share the goals of diverting individuals from the justice system where possible and facilitating positive community reentry.

For these reasons, CSAC, UCC, and RCRC must therefore respectfully, but firmly oppose this measure. Please feel free to contact Ryan Morimune at CSAC (rmorimune@counties.org), Elizabeth Espinosa at UCC (ehe@hbeadvocacy.com), or Sarah Dukett at RCRC (sdukett@rcrcnet.org) for any questions on our associations' perspectives. Thank you.

Sincerely,

Ryan Morimune	Elizabeth Espinosa	Sarah Dukett
Legislative Representative	Legislative Representative	Policy Advocate
CSAC	UCC	RCRC

cc: Members and Counsel, Senate Public Safety Committee

California State Association of Counties®

April 17, 2024

The Honorable Susan Rubio
California State Senate
1021 O St., Suite 8710
Sacramento, CA 95814

RE: Senate Bill 1060 (Becker) Property Insurance Underwriting
As Amended: April 4, 2024 – SUPPORT

Senator Rubio:

On behalf of the California State Association of Counties (CSAC), which represents all 58 counties in California, I write in support of SB 1060 (Becker), which would require insurers to take wildfire risk reduction measures into account when underwriting policies.

As California's wildfire risk has grown in recent years, we have seen a major crisis unfold in the insurance industry. This crisis is leaving entire communities unprotected, driving people out of their homes for lack of affordability, and restricting an already dire housing market. It is critical to communities across our state, from the tip of the North Coast down to the border with Mexico, that we take bold action to stabilize the market.

SB 1060 takes important steps in the right direction by ensuring that property owners across the state are not penalized for taking steps, recommended by the state, to protect their communities. Counties have made significant investments in community-wide approaches to increase compliance with recommended home hardening and defensible space upgrades as well as major vegetation management and fuel reductions work. All of this has helped communities become tangibly more resilient to wildfire, and inherently reduces risk to the insurers.

There is no one solution that is going to solve this crisis, however, we feel that SB 1060 addresses an important facet of the issue by accounting for the benefits of risk reduction measures. Should you have further questions on our position, please do not hesitate to reach out.

Sincerely,

Ada Waelder
Legislative Advocate
awaelder@counties.org

April 8, 2024

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

RE: Senate Bill 1066 – SUPPORT
As Introduced February 12, 2024

Dear Senator Umberg:

On behalf of the Rural County Representatives of California (RCRC), California State Association of Counties (CSAC), and the League of California Cities (Cal Cities), we are pleased to support Senate Bill 1066, which creates a producer responsibility program for end-of-life management of marine flares.

Senate Bill 1066 requires manufacturers to create, fund, and implement a producer responsibility program for the end-of-life management of expired flares. Flares are important safety and emergency devices. The U.S. Coast Guard requires marine flares to be carried on recreational boats for use as visual distress signals. While flares are vital safety devices, they generally have expiration dates of less than four years and must be managed as explosive hazardous wastes. While flares can cost consumers from $13-$26 each, they generally cost local governments $46 or more per flare for disposal.

Local governments are responsible for the collection, processing, recycling and disposal of solid waste, including the operation of local household hazardous waste collection programs. These local programs provide important public services and prevent improper disposal of hazardous wastes. Our local programs often offer residents free drop off of HHW; however, the cost to manage some of the waste streams are shocking and put serious financial pressure on the programs and local governments that operate them. Many products, including flares, are far more expensive to manage at the end-of-life than it cost consumers to purchase the product at the point-of-sale. Rather than forcing local governments (and taxpayers) to shoulder those costs, SB 1066 appropriately requires the manufacturers who introduce those goods into the stream of commerce to take charge of the collection, transportation, and management of their expired flares. We also hope that SB 1066 will create clearer and more convenient disposal opportunities for consumers to safety dispose of expired flares.

We are pleased to support SB 1066 because it will increase convenience for consumer disposal of flares while reducing costs for local hazardous waste programs. We also look forward to working with you on minor clarifications to the bill to improve program operation and reduce ambiguity. If you should have any questions, please do not hesitate to contact John Kennedy (RCRC) at jkennedy@rcrcnet.org, Ada Waelder (CSAC) at awaelder@counties.org, or Melissa Sparks-Kranz (Cal Cities) at msparkskranz@calcities.org.

Sincerely,

JOHN KENNEDY	MELISSA SPARKS-KRANZ	ADA WAELDER
RCRC	Cal Cities	CSAC
Senior Policy Advocate	Legislative Representative	Legislative Advocate

cc: The Honorable Catherine Blakespear
Members of the Senate Judiciary Committee
Amanda Mattson, Chief Consultant, Senate Judiciary Committee
Morgan Branch, Policy Consultant, Senate Republican Caucus

April 15, 2024

The Honorable Anna M. Caballero
Chair, Senate Appropriations Committee
1021 O Street, Suite 7620
Sacramento, CA 95814

RE: SB 1205 (Laird) – Expansion of Temporary Disability Benefits
OPPOSE

Dear Chair Caballero,

The undersigned organizations are respectfully **OPPOSED** to **SB 1205 (Laird)**, which would increase costs and administrative friction in California's workers' compensation system by broadly expanding the payment of temporary disability benefits in a way that fundamentally undermines its purpose, which is to be available as wage replacement in situations where the worker is temporarily disabled and unable to work while recovering from an industrial injury. Once the employee's condition stabilizes or reaches maximal medical improvement, they are no longer entitled to temporary disability. While the author and sponsors contend that the bill is needed to allow injured workers to effectively access medical treatment, they have provided no objective information indicating that injured workers are struggling to access care for this reason, or that SB 1205 would create an appropriate solution. SB 1205 would be a costly expansion of temporary disability benefits that would lead to extraordinary frictional costs to employers while providing no significant new benefit to employees.

Workers' Compensation Background

It is important to note that California's workers' compensation system is based on a compromise between workers and their employers, and that balance is important to proper system operation. Prior to the creation of the workers' compensation system, an injured employee would need to provide for their own medical care, go without wage replacement when disabled, and then sue their employer in civil court and prove negligence to recover their financial loss. In situations where the employer was not at fault there would be no recovery and the worker would bear the entire burden of the injury. The workers' compensation system replaced the traditional tort system by promising to cover all injuries that occur while workers are within the course and scope of their work duties, whether the employer is at fault or not. Employees hurt at work are provided employer-funded medical care, temporary disability to replace lost wages, and permanent disability to compensate for lasting impairment even if the employer is not responsible for the injury in a traditional tort sense. If a third party is responsible for the injury, the employer is required to pay workers' compensation benefits to the injured worker and then separately pursue recovery from the third party. Thus, reasonable protections are afforded to both employers and employees by this grand bargain, and both are required to participate in the compromise.

For California's workers' compensation system to remain functional, the balance of this compromise must be maintained. California already has one of the most progressive systems in the nation, covering an expansive scope of injuries and illnesses and providing more medical and indemnity benefits when compared to other states. According to a recent analysis by the California Workers' Compensation Institute (CWCI) California represents only 11.9% of nationwide jobs but pays 20.7% of the nation's workers' compensation benefits. The history of California's workers' compensation system is littered with examples where the legislature expanded benefits substantially without caution (e.g. studying the problem being asserted and the proposed solutions) and the system was knocked painfully out of balance, ultimately harming both employers and injured workers.

SB 1205 Undermines the Purpose of Temporary Disability Benefits

California currently limits temporary disability to 104 weeks of aggregate benefits, payable within five years of the date of injury. This limitation was established because most workplace injuries will resolve (an injured worker will either recover fully or reach a plateau in their recovery) within those timeframes. Temporary disability is intended to assist with wage replacement while an employee is recovering from an injury, and it should be preserved for that purpose. If SB 1205 were to become law, it is not clear how much temporary disability would be used, on average, per claim. It is also unclear how this would impact the availability of temporary disability benefits when an injured worker is medically disabled and needs wage replacement benefits. Studies suggest that only a very small percentage of injured workers (fewer than 1%) need or use all 104 weeks of temporary disability benefits. However, if injured workers start to deplete their available temporary disability benefits while not disabled, as would be allowed under SB 1205, it is likely that more injured workers may have insufficient benefits when disability prevents them from working.

SB 1205 also departs significantly from current law by requiring that temporary disability benefits be paid after the worker's condition is permanent and stationary, which means that they've reached their maximum level of medical improvement. Current law and extensive precedent hold that once an employee's work-related medical condition plateaus, they are not entitled to temporary disability benefits, hence the title of the benefit as "temporary." Instead, once a worker's condition is permanent and stationary they are started on permanent disability benefits if there is a reasonable expectation that they will have permanent impairment, and the worker is typically back at work in either a normal or permanently modified capacity. From our perspective, this fundamental feature of California's workers' compensation system is a key part of the compromise – it helps bring injuries to a timely conclusion and return workers to their employment, which has repeatedly been shown to reduce the negative economic impact of a workplace injury for both employees and employers.

No Evidence SB 1205 is Necessary

When evaluating various types of employees who participate in the workers' compensation system, there is no evidence of an unaddressed need. Salaried exempt employees who need to receive treatment in the middle of a shift will be paid for their full day of work in most cases. All employees, whether part- or full-time, are allowed under Labor Code Section 246.5 to use sick days for "diagnosis, care, or treatment of an existing health condition". The Legislature just increased the number of hours that can be used annually to 40 hours[1], which does not include any other time off that may be offered by the employer. Further, workers are also entitled to up to 12 weeks of leave if they have a medical condition, which can be used intermittently, under the California Family Rights Act (CFRA) Finally, part-time workers and many full-time workers have work schedules that leave plenty of time to schedule medical treatment while not working. The author's fact sheet proclaims that injured workers are "being forced to forego essential medical care" under the status quo, but we are unaware of any credible finding by the myriad state and private entities who routinely evaluate the California workers' compensation system that substantiate this assertion.

The author's fact sheet also makes frequent reference to "retaliation" by employers for receiving care during work hours, despite extensive protections for such conduct in current law. Labor Code Section 132(a) prohibits

[1] Some local ordinances mandate sick leave in excess of 40 hours.

discrimination "in any manner" against any employee for pursuing a workers' compensation claim and would clearly prohibit the type of retaliation alleged by proponents. Employers who fail to allow proper use of sick leave are prohibited from retaliation under Labor Code Section 246.5, which is enforceable outside of the workers' compensation system via the California Private Attorney Generals Act, or PAGA.

Administrative Hassle and Friction

California's workers' compensation system is known for its complexity, and claims administrators are responsible for collecting, processing, and appropriately accounting for vast amounts of factual, medical, and other pieces of information in the execution of their duties. Administrators then must use that information to make critical decisions about care and benefits.

SB 1205 would substantially complicate the administration of claims by requiring workers and claims administrators to accurately track the dates of medical appointments, the specific amount of time an injured worker missed work for each appointment, and the details necessary to inform decisions about reasonable travel and meal expenses required by the bill. According to the Commission on Health and Safety and Workers' Compensation's (CHSWC) 2022 Annual Report, there were 683,500 workers' compensation claims in 2021. This means SB 1205 will result in millions of unique fact-intensive coverage decisions and calculations that need to be tracked and documented. Implementing SB 1205 would be burdensome and would create a new point of friction between employers and injured workers, resulting in additional litigation further clogging the workers' compensation appeals board (WCAB). Implementation will be especially frictional in situations where there are ongoing disputes over industrial causation of the injury or the coverage of specific medical treatment.

Additional ambiguities in the drafting of SB 1205 are also likely to cause disputes and necessitate involvement by the WCAB. The bill requires the payment of "reasonable" costs of transportation, meals, and lodging that are "incident to receiving treatment". The bill gives little guidance to claims administrators who will be tasked with complying, leaving these disputes to be adjudicated by the WCAB.

Finally, this bill does not address the requirement that employers send a written notice to injured workers every time temporary disability benefits are started or stopped. As drafted, SB 1205 would require multiple notices every time benefits were paid for a medical appointment. Current law also requires employers to start permanent disability benefits within 14 days of ending temporary disability benefits, and SB 1205 does nothing to blunt the application of this requirement to this new scenario. Moreover, time spent by claims administrators on these notices would prevent them from spending time on the claims of more seriously injured workers who are still in the acute recovery phase of their injuries.

The Sponsor Could Collectively Bargain For This Benefit

California law allows unions to collectively bargain a "carve out" to the statutorily mandated workers' compensation system. Unions and employers are provided wide latitude in negotiating the benefit levels, benefit delivery, and dispute resolution processes, but agreements must be approved by the Administrative Director of the Division of Workers' Compensation (DWC). In fact, there are dozens of carve outs that have been negotiated between unions and their employers. While there is no evidence that there is a statewide problem, any problems experienced in a specific workplace could be resolved through this process.

No Evaluation of Cost

California's workers' compensation system is expensive but stable. According to the State of Oregon's biannual study of workers' compensation insurance rates by state, California is the third most expensive state in the country at 178% of the median cost. This high cost works as a tax on employment in the private sector, and significantly depletes public sector budgets while diverting limited resources away from public benefits. SB 1205 represents a significant policy change, yet there has been no study of the cost impact to businesses and public entities. The state of California is facing a significant budget deficit and SB 1205 would unquestionably increase costs to the general fund and divert funds from needed services and programs. The additional benefits, increased cost of

administration, printing, and postage for new benefit notices, and increased frictional litigation would all add significant costs to the system.

For these reasons and more, the undersigned organizations are respectfully opposed to SB 1205 (Laird) and urge you to vote "no" when the bill comes before your committee.

Sincerely,

Acclamation Insurance Management Services (AIMS)
Allied Managed Care (AMC)
American Property Casualty Insurance Association
Association of California Health Care Districts
California Association of Joint Powers Authorities
California Chamber of Commerce
California Coalition on Workers' Compensation
California Grocers Association
California Joint Powers Insurance Authority
California Manufacturers & Technology Association
California State Association of Counties (CSAC)
Public Risk, Innovation, Solutions, and Management (PRISM)

CC: Members and Consultants, Senate Appropriations Committee

April 8, 2024

The Honorable Anna Caballero
Chair, Senate Appropriations Committee
State Capitol, Room 412
Sacramento, CA 95814

RE: Senate Bill 1280 – SUPPORT
As Amended March 20, 2024

Dear Senator Caballero:

On behalf of the Rural County Representatives of California (RCRC), California State Association of Counties (CSAC), and the League of California Cities (Cal Cities), we are pleased to support Senate Bill 1280 regarding propane cylinders.

Beginning January 1, 2028, SB 1280 requires 1lb propane cylinders sold in the state to be reusable or refillable. Small disposable propane cylinders are commonly sold and used in the state for a variety of purposes, including in many recreation-related activities that are important to rural economies. Unfortunately, small propane cylinders are very expensive for local governments to manage in the waste stream, and it is nearly impossible to know whether a cylinder is completely empty. Large propane cylinders are refillable, but the vast majority of small 1lb cylinders are manufactured as single-use disposable products with little consideration given to end-of-life management or reuse.

Local governments are responsible for the collection, processing, recycling and disposal of solid waste, including the operation of local household hazardous waste collection programs. These local programs provide important public services and prevent improper disposal of hazardous wastes. Our local programs often offer residents free drop off of HHW; however, the cost to manage some of the waste streams are significant and put serious financial pressure on the programs and local governments that operate them. The cost for local governments to manage discarded single use propane cylinders can often approach or exceed the initial purchase price that consumers pay at the point of sale.

With refillable cylinders becoming more common in the marketplace, SB 1280's phase out of single-use small cylinders will help reduce costs, administrative burdens, and safety risks for local solid waste and household hazardous waste programs.

For these reasons, we are pleased to support SB 1280. If you should have any questions, please do not hesitate to contact John Kennedy (RCRC) at jkennedy@rcrcnet.org; Ada Waelder (CSAC) at awaelder@counties.org; or Melissa Sparks-Kranz (Cal Cities) at msparkskranz@calcities.org.

Sincerely,

JOHN KENNEDY	MELISSA SPARKS-KRANZ	ADA WAELDER
RCRC	Cal Cities	CSAC
Senior Policy Advocate	Legislative Representative	Legislative Advocate

cc: The Honorable John Laird
Members of the Senate Appropriations Committee
Ashley Ames, Consultant, Senate Appropriations Committee
Emilye Reeb, Budget Consultant, Senate Republican Caucus

April 17, 2024

The Honorable Dave Cortese
Chair, California State Senate Transportation Committee
State Capitol, Room 405
Sacramento, CA 95814

Re: **SB 1387 (Newman): ZEV Pickup Truck Incentives**
Notice of SUPPORT *(3/18/2024)*

Dear Chair Cortese,

The League of California Cities (Cal Cities) and the California Association of Counties (CSAC), write to express our support measure SB 1387 (Newman), which would expand the Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project (HVIP) to include medium-duty zero-emission pickup trucks and expand the list of those eligible to receive a voucher for the purchase of a zero-emission pickup.

The California Air Resources Board's (CARB) Advanced Clean Fleets (ACF) Regulations requires local governments to ensure that 50% of their medium- and heavy-duty vehicle purchases are zero-emission, with that share progressively scaling up to 100% in 2027. Local agency fleet managers have indicated that the duty requirements their public fleet vehicles have to meet will prove difficult to electrify in the short and medium term due to a combination of range limitations as well as the current reality that the technological options available on the commercial market today are insufficient to meet their energy-intensive payload and towing needs. Local agency fleet managers have indicated that hydrogen fuel cell electric vehicles (FCEVs) offer substantial promise in meeting the transportation needs of hard-to decarbonize drivers, such as those utilizing pickup trucks as part of the necessary conduct of their work.

Hydrogen FCEVs allow users to rapidly refuel and tow without the range anxiety and charging delays associated with their battery-electric equivalents. Consequently, hydrogen fuel cell technology is particularly well suited to meet the needs of medium-duty pickup trucks in ways battery technology currently cannot.

For many local agencies zero-emission vehicles continue to remain prohibitively expensive to procure. This is especially the case for the many local agencies who are required to begin bringing their fleets in compliance with the ACF regulations, SB 1387's revisions to HVIP's recipient eligibility requirements are an essential update to ensure local agencies can attempt to obtain grant resources to assist their transition to a zero-emission vehicle fleet.

Further, by expanding HVIP to include medium-duty pickups, SB 1387 would provide for the very first-time incentives to transition Class 2b and Class 3 medium-duty pickup trucks. For local agency fleet managers, there are deep concerns that the zero-emission options available on the market today remain frustratingly unaffordable and insufficient in meeting their energy-intensive towing needs. By providing incentives to the medium-duty segment, which represents more than 52% of the entire American truck market, SB 1387 closes a glaring gap within the State's zero-emission transition strategy.

For these reasons, Cal Cities and CSAC **support SB 1387**. If you have any questions, do not hesitate to contact Damon Conklin of Cal Cities at dconklin@calcities.org or Mark Neuburger of CSAC at mneuburger@counties.org

Sincerely,

Damon Conklin
Legislative Affairs, Lobbyist
League of Califonria Cities

Mark Neuburger
Legislative Advocate
California State Association of Counties

CC: The Honorable Josh Newman
Honorables Members, Senate Transportation Committee
Benjamin O'Brien-Hokanson, Science Fellow, Senate Transportation Committee
Ted Morley, Policy Consultant, Senate Republic Caucus

April 19, 2024

The Honorable Anna Caballero
Chair, Senate Appropriations Committee
State Capitol, Room 412
Sacramento, CA 95814

RE: SB 1397 (Eggman): Behavioral health services coverage.
As amended on April 15, 2024 – SUPPORT
Set for Hearing on April 22, 2024 – Senate Appropriations Committee

Dear Senator Caballero:

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) 1397 by Senator Susan Eggman. This measure establishes a mechanism for county behavioral health agencies to recoup reimbursement from commercial plans for privately insured clients referred to services through Full Service Partnerships (FSPs).

FSPs provide comprehensive, intensive, community-based services and case management to those facing severe mental health conditions and play a critical role in preventing long-term institutionalization. All counties offer FSP services, which are unique for their low staff to client ratio, 24/7 availability, and "whatever it takes" approach tailored to the individual needs of a client. FSPs have been proven to help prevent costly hospitalizations, criminal justice involvement, and homelessness among clients.

Although the primary focus of county behavioral health agencies is to serve Medi-Cal beneficiaries, they often serve the commercially insured who are unable to access certain specialty behavioral services through their commercial insurance, including crisis intervention services, first episode psychosis, FSPs, or other critical behavioral health services. Although counties fund services to individuals with commercial plans to the extent resources are available, they must prioritize their Medi-Cal plan responsibilities.

SB 1397 will create a reimbursement mechanism for county behavioral health agencies to recover the costs of providing lifesaving behavioral health services to commercially insured clients through FSPs. 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,

Jolie Onodera
Senior Legislative Advocate
CSAC
jonodera@counties.org

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

Sarah Dukett
Policy Advocate
RCRC
sdukett@rcrcnet.org

cc: The Honorable Susan Talamantes Eggman, Senator
Honorable Members, Senate Appropriations Committee
Agnes Lee, Consultant, Senate Appropriations Committee
Joe Parra, Consultant, Senate Republican Caucus
Anna Billy, Office of Senator Susan Talamantes Eggman

March 28, 2024

The Honorable Sharon Quirk-Silva
Chair, Assembly Budget Subcommittee No. 5
1021 O Street, Suite 4210
Sacramento, CA 95814

Re: **Item 9210: VLF Backfill**
Request Appropriation for Insufficient ERAF Amounts in Alpine, Mono, and San Mateo Counties

Dear Assembly Member Quirk-Silva:

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 respectfully urge your consideration for including an appropriation to backfill the insufficient ERAF amounts in the Counties of Alpine, Mono, and San Mateo. The Governor's proposed 2024-25 state budget, regrettably, does not include a backfill of these funds, which will significantly impact local programs and services.

Alpine County 2022-23 Amount:	$175,215
Alpine County Past Years' Amount:	$319,771
Mono County 2022-23 Amount:	$2,313,845
San Mateo County 2022-23 Amount:	$70,048,152
Total:	$72,856,983

In 2004, a state budget compromise between the state and its counties and cities was struck to permanently reduce taxpayer's Vehicle License Fee (VLF) obligations by 67.5 percent. The VLF had served as an important general purpose funding source for county and city programs and services since its inception. In exchange for this revenue reduction, the state provided counties and cities with an annual in-lieu VLF amount (adjusted annually to grow with assessed valuation) to compensate for the permanent loss of VLF revenues with revenues from each county's Educational Revenue Augmentation Fund (ERAF); this transaction became known colloquially as the "VLF Swap." The 2004 budget agreement made clear that excess ERAF funds – shifted property tax revenues that were not needed to fully fund K-14 schools – would not be used to fund the in-lieu VLF amount. Further, the Legislature and Administration agreed to a ballot measure – Proposition 1A – that amended the Constitution to ensure that future shifts or transfers of local agency

property tax revenues could not be used to pay for state obligations. That November, Proposition 1A was approved by 83.7 percent of voters.

Legislation to implement the VLF swap carefully and purposefully identified the sources of funds that were available to pay the state's in-lieu VLF obligation: ERAF distributions to non-basic aid schools and property tax revenues of non-basic aid schools. Proposition 98 ensures that state funds are provided to those schools to meet their constitutional funding guarantee, so they do not experience any financial loss. However, in those instances where there are too few non-basic aid schools in a county from which to transfer sufficient funds to pay the state's in-lieu VLF obligation, the state has historically provided annual appropriations to make up for the revenue shortfalls.

The Governor's 2024-25 proposed budget failed to include funds to ensure that these counties and cities were held harmless for losses associated with the VLF Swap. Without backfill, these counties and the cities therein – through no fault of their own – will endure a significant reduction in general purpose revenue that will directly affect the provision of local programs and services in their respective communities, at precisely the time when our respective members are being asked to do more. As a result, we respectfully urge you to consider appropriating funds for this purpose.

Sincerely,

Jean Kinney Hurst
Legislative Advocate
Urban Counties of California

Mary-Ann Warmerdam
Senior Vice President, Government Affairs
Rural County Representatives of California

Eric Lawyer
Legislative Advocate
California State Association of Counties

Ben Triffo
Legislative Advocate
League of California Cities

cc: Members and Consultants, Assembly Budget Subcommittee No. 5
Christian Griffith, Chief Consultant, Assembly Budget Committee
William Weber, Consultant, Assembly Republican Caucus
Chris Hill, Principal Program Budget Analyst, Department of Finance

URBAN COUNTIES
OF CALIFORNIA

March 26, 2023

The Honorable Jim Wood
Chair, Assembly Health Committee
1020 N Street, Suite 390
Sacramento, California 94814

Re: AB 4 (Arambula) – Covered California Expansion
As Amended March 9, 2023 – SUPPORT
Set for Hearing April 11 in Assembly Health Committee

Dear Assembly Member Wood:

On behalf of the Urban Counties of California (UCC), I write in support of AB 4, 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.

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.

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

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
Legislative Advocate

cc: Joaquin Arambula, Member, California State Assembly
Members and Consultants, Assembly Health Committee

UCC Letters

April 7, 2023

The Honorable Eloise Gómez Reyes
Member, California State Assembly
1021 O Street, Suite 8210
Sacramento, CA 95814

RE: **AB 504 (Reyes) State and Local Public Employees: Labor Relations: Disputes.**
Notice of OPPOSITION (As Amended 3/30/23)

Dear Assembly Member Reyes,

The League of California Cities (Cal Cities), Rural County Representatives of California (RCRC), Califorlia Assocation of Joint Powers authorities (CAJPA), Assocatation of Calfironia Healthcare Districts (ACHD), California State Assocation of Counties. and Urban Counties of California (UCC) regretfully must **oppose** your 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 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 Empliyment 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 specially exempting a specific job type, while at the same time also declaring a new human right only creates 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's 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 ultimately 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, and UCC must oppose AB 504. Please do not hesitate to reach out to us with your questions.

Sincerely,

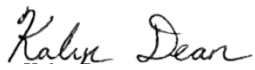
Johnnie Pina
Legislative Affairs, Lobbyist
League of California Cities
jpina@calcities.org

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

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

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



Kayln Dean
Legislative Acovcate
California State Assocation of Counties
kdean@counties.org

CC: Chair Tina McKinnor, Assembly Public Employment and Retirement Committee
Members, Assembly Public Employment and Retirement Committee
Michael Bolden, Chief Consultant, Assembly Public Employment and Retirement Committee
Lauren Prichard, Consultant, Republican Caucus

April 4, 2023

The Honorable Marc Berman
Chair, Committee on Business and Professions
Legislative Office Building, Room 379
Sacramento, California 95814

RE: AB 595 (Essayli): 72-Hour Public Notice of Euthanasia at Animal Shelters
OPPOSE – As Amended March 21, 2023

Dear Assembly Member Berman,

On behalf of the California State Association of Counties (CSAC), Urban Counties of California (UCC), the League of California Cities (Cal Cities), and the Rural County Representatives of California (RCRC) we write to respectfully oppose AB 595, Assembly Member Bill Essayli's measure that would require all animal shelters provide online public notice at least 72 hours before euthanizing any animal. While we agree that euthanasia should only be used as a last resort, AB 595 will not resolve any of the underlying issues that lead to euthanasia. Instead, it will exacerbate shelter overcrowding, creating an unfunded mandate by increasing holding times for animals in shelters and costing valuable resources shelters could otherwise use to help the animals in their care.

AB 595 will require shelters to make significant changes to their current processes in ways that run counter to long-standing best practices in shelter management. Currently, shelters can operate at capacity and only end up euthanizing as a last resort in emergent situations. When shelters are presented with new animals they are statutorily required to admit, such as owned strays, victims of hoarding or animal abuse, or animals that require temporary safe keeping when owners are arrested or hospitalized, staff must find ways to make space for all of these animals within their limited capacity. In order to meet the 72-hour requirement in this bill, shelters may end up needing to euthanize animals sooner than they otherwise would have to ensure there is space to accommodate new animals when they arrive, which is obviously an undesirable outcome.

Additionally, the criminal provisions for failure to provide timely public notice will lead to serious consequences for shelter staff, the very individuals who have dedicated their lives to saving animals. Shelters are already experiencing staffing challenges and AB 595 will only lead

to increased staff shortages in animal shelters that are already stretched thin. In a scenario where internet connectivity is somehow disrupted (for example, during a wildfire or flood), leading to a failure to provide timely notice, staff could be cited for a misdemeanor.

There is no direct state or federal funding to support local animal shelters, leaving shelter staff to make the most with what few resources they have. This is especially true in under-resourced areas of our state where animal shelters see higher animal intake per capita, fewer adoptions, and staffing challenges. These shelters serve residents who are often already struggling with larger issues, like housing and income insecurity, that increase the likelihood that pets need to be surrendered.

Many animal shelters in California are over capacity, understaffed, and underfunded; the added costs, stress on capacity, and criminalization of staff outlined in AB 595 will only serve to exacerbate shelters' operational limitations. We support and encourage the bill's provisions to evaluate California's sheltering system, which we hope would lead to increased understanding and support for animal shelters across the state. Unfortunately, the rest of the bill, while well-intentioned, will not serve to help the animals most in need. For these reasons, we must oppose AB 595.

Sincerely,

Ada Waelder
Legislative Advocate
California State Association of Counties
awaelder@counties.org

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

Tracy Rhine
Senior Policy Advocate
Rural County Representatives of California
TRhine@rcrcnet.org

Caroline Cirrincione
Legislative Affairs, Lobbyist
League of California Cities
ccirrincione@calcities.org

cc: The Honorable Bill Essayli, California State Assembly
Honorable Members & Staff, Assembly Committee on Business and Professions
Bill Lewis, Assembly Republican Caucus

April 4, 2023

The Honorable Corey Jackson
Member of the Assembly
1021 O Street, Suite 6120
Sacramento CA 95814

RE: AB 702 (Jackson) – Local government financing: juvenile justice
As amended 3/23/2023 – OPPOSE
Awaiting hearing – Assembly Public Safety 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 to jointly express our respectful opposition to AB 702. This measure would redirect Juvenile Justice Crime Prevention Act (JJCPA) funds, revise the composition of local Juvenile Justice Coordinating Councils (JJCC), and recast various elements of required multiagency juvenile justice plans. While our organizations support the continued evaluation of the most effective ways to address the therapeutic needs of youth in our community, we are steadfast in our opposition to diverting meaningful and long-standing investments in local systems, particularly during the ongoing implementation of interrelated juvenile justice reforms, most notably realignment (SB 823, 2020 and SB 92, 2021) and the imminent closure of the Division of Juvenile Justice on June 30, 2023.

As we have noted in our advocacy during legislative deliberation on similar measures[1], it is our understanding that AB 702 is in response to findings of a 2019 state audit report that examined five counties' use and reporting of JJCPA funds. As was outlined briefly in the audit report, the JJCPA was enacted statutorily in 2000 and funded for just over a decade through the state General Fund. JJCPA – along with a variety of other local assistance services and programs – was moved under the 2011 Public Safety Realignment fiscal structure to ensure it would remain a stable, foundational funding source to support local innovation and a continuum of community service options for

[1] AB 1007 (Jones-Sawyer, 2020) and SB 493 (Bradford, 2021).

youth. Provisions in Proposition 30 (2012) dedicate a specified level of Vehicle License Fee (VLF) funding to JJCPA along with other local programs and constitutionally protects those investments. This latter feature requires careful thinking and understanding about the constitutional implications of potentially repurposing, or redirecting, the vast majority of JJCPA funds.

AB 702 proposes to require redirection of nearly every dollar of JJCPA funds, which today are – in many instances – dedicated to staffing and personnel costs that make up the backbone of our juvenile probation departments. These expenditures have been and continue to be wholly eligible and lawful under JJCPA. While counties are not opposed to evaluating ways in which to improve JJCPA reporting and the structure of local coordinating councils (as was done through Chapter 880, Statutes of 2016), we must oppose this measure that would redirect a stable, constitutionally protected funding structure at a time when counties are working diligently toward full implementation of SB 823, which shifted responsibility for the care and custody of all system-involved youth to county responsibility.

Further, we would draw your attention to a 2002 report[2] by the Assembly Select Committee on Juvenile Justice, chaired by then-Assembly Member Tony Cárdenas and author of AB 1913 (2000), the measure that established the JJCPA. That report outlines counties' use of AB 1913 funding some two years after program implementation and describes investment of resources broadly across county-run (probation and other county agencies) programs as well as through local partnerships with community-based organizations and other entities. The cover letter by Chair Cárdenas is overwhelmingly supportive of counties' approaches, and there is no mention of a need to divert funds to community-based organizations nor any statement seeking a different purpose than the initiatives and priorities described in the county reports. Indeed, the chair indicates that he hopes the report will "serve as a guide to those involved in juvenile justice programming and advocacy."

Finally, one specific point of particular concern is the provision that would condition receipt of JJCPA funding upon the "establishment of a juvenile justice coordinating council." This provision does not take into account the real and challenging circumstances, primarily in rural jurisdictions, where a county is unable to seat a JJCC – not for lack of trying, but merely for lack of available or willing volunteers. This amendment would impede the flow of realigned funds for circumstances that are often

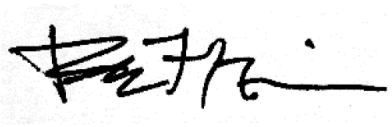
[2] https://digitalcommons.law.ggu.edu/cgi/viewcontent.cgi?article=1392&context=caldocs_assembly

outside of county control, and again, appears to ignore the constitutional protections that surround this funding stream.

UCC, RCRC, and CSAC are united in our view that community-based organizations provide vital, indispensable programs and services to justice-involved youth and young adults and are key partners in delivering responsive and culturally relevant programming. However, the process for allocating funds to partner organizations should remain a local decision with robust community engagement given that local governments are accountable for the outcomes associated with the support and supervision of justice-involved youth. Furthermore, we would value a collaborative discussion on separate, new investments in these programs as to complement the existing work of county probation departments that share the goals of diverting individuals from the criminal justice system where possible and facilitating positive community reentry.

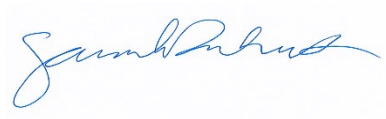
For these reasons, CSAC, UCC, and RCRC must therefore respectfully, but firmly oppose this measure. Please feel free to contact Ryan Morimune at CSAC (rmorimune@counties.org), Elizabeth Espinosa at UCC (ehe@hbeadvocacy.com), or Sarah Dukett at RCRC (sdukett@rcrcnet.org) for any questions on our associations' perspectives. Thank you.

Sincerely,



Ryan Morimune
Legislative Representative
CSAC

Elizabeth Espinosa
Legislative Representative
UCC



Sarah Dukett
Policy Advocate
RCRC

Cc: Members and Counsel, Assembly Public Safety Committee

UCC Letters

April 6, 2023

The Honorable Tina McKinnor
Chair, Assembly Public Employment and Retirement Committee
Legislative Office Building, Room 153
Sacramento, California 95814

RE: AB 1484 (Zbur): Temporary public employees – OPPOSE
As Amended March 28, 2023

Dear Assembly Member McKinnor:

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), we are strongly opposed to Assembly Bill 1484 (Zbur). This measure relates to temporary employment.

While AB 1484 is ostensibly intended to benefit temporary employees of local public agencies, in reality, it will directly harm these employees by severely limiting their future opportunities for temporary employment. 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. This result is already possible under current law, but only if the temporary and permanent employees have a "community of interest" making such combined treatment appropriate – an important component of fair representation and bargaining that this bill eschews.

More importantly, the provisions of this bill, including the restrictions on discharging temporary employees and the inevitable increases in cost to public employers, will

seriously discourage public agencies from hiring temporary employees. This will reduce temporary employment opportunities statewide, with devastating effects. Temporary positions provide income, stability, and flexibility to working parents, students, and those just entering or re-entering the workforce, among others, and are often an important stepping-stone to long-term public employment. Disincentivizing public agencies from offering these positions will further cement the barriers to upward mobility and income equality for the very persons whom this bill aims to help.

In addition to harming temporary employees, AB 1484 would also negatively impact public services. "Extra help" employees are often retained for seasonal or “surge” needs, such as nurses, health care workers, election workers, mosquito and vector control technicians, agricultural field inspectors, and parks and recreation staff, like lifeguards and summer camp counselors. This bill would significantly increase the costs for local governments to hire such employees, thereby reducing levels of service to the detriment of public health and well-being. Similarly, temporary employees are frequently brought in to backfill permanent employees who are on leave or temporarily reassigned. This bill would discourage such hiring, leaving positions unfilled and the public unserved.

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.

- Many public agencies obtain temporary help through staffing agencies, nurse registries, and similar services. Under current law, it is not always clear whether these workers are employees of the public agency. This bill will compound that uncertainty regarding their status and eligibility for inclusion in a bargaining unit. This will almost certainly lead to disputes and litigation – all of which will further speed the reduction or elimination of these work opportunities.

- 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 impossible, and producing yet further 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 (and afford them discharge protections) 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).

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.

Perhaps most critically, AB 1484 provides temporary employees with rights in excess of those provided to permanent employees. Proposed Section 3507.7(b)(5) provides that "temporary employees...who have been employed for more than 30 calendar days shall be entitled to use any grievance procedure in the memorandum of understanding to challenge any discipline without cause." By contrast, 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.

Finally, 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. However, temporary employees are often retained in exigent circumstances, to fulfill an immediate need of uncertain duration, as was the case during the recent COVID emergency. In these cases, the agency will not be able to identify an end date that is anything more than speculation, which will serve no useful purpose and may lead to unnecessary disputes.

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. We are unaware of a specific, current problem that AB 1484 would resolve or prevent. We are very much aware, however, of the very real harm AB 1484 would cause the residents of California. For the

aforementioned reasons, our organizations must, therefore, respectfully but firmly, OPPOSE AB 1484. Please do not hesitate to reach out to us with your questions.

Sincerely,

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

Kalyn Dean
Legislative Representative
California State Association of Counties
kdean@counties.org

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

Johnnie Pina
Legislative Representative
League of California Cities
jpina@calcities.org

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

Alyssa Silhi
Legislative Representative
California Association of Recreation and Parks Districts
asilhi@publicpolicygroup.com

Faith Borges
Legislative Representative
California Association of Joint Powers Authorities
California Association of Code Enforcement Officers
fborges@caladvocates.com

cc: The Honorable Rick Chavez Zbur, Member of the California State Assembly
Members of the Assembly Public Employment and Retirement Committee
Michael Bolden, Chief Consultant, Public Employment and Retirement Committee
Lauren Prichard, Consultant, Assembly Republican Caucus

April 4, 2023

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

RE: **AB 1637 (Irwin) Websites: Domain Names.**
OPPOSE UNLESS AMENDED *(As introduced)*

Dear Chair Aguiar-Curry,

The undersigned organizations are regrettably **opposed to Assembly Bill 1637 (Irwin) unless it is amended.** This measure would require local agencies to secure and utilize their website through a new .gov or ca.gov domain no later than January 1, 2025. It would also require all employee email addresses to reflect the updated domain within the same time frame.

While we appreciate the intended goal of this measure and the perceived benefits that some believe utilizing a new domain may provide, we remain deeply concerned about the added costs associated with migrating to a new domain and corresponding email addresses; confusion that will be created by forcing a new website to be utilized; and the absence of any resources to better assist local agencies with this proposed migration.

To secure and register a .gov domain, an authorization letter must be submitted to the Cybersecurity and Infrastructure Security Agency (CISA). Competing domain names are not processed on a first come, first served basis, but rather by a review process to determine which agency most closely related will receive it. As a result, this process can take long periods of time with some applicants citing weeks, if not months, to have CISA process and approve a domain. CISA's registrar manages .gov domain hosts and by requiring thousands of California-based local governments (cities, counties, special districts, water authorities, parks, fire, police, sheriff, county hospitals, school districts/students, etc.) to migrate to a .gov domain, it will cause interruptions to support lines, thus creating interruptions and confusion for constituents trying to access critical information on a local government website.

Also, it should be noted that not all federal governments use the .gov domains. Some U.S. government-related websites use non-.gov domain names, including the United States Postal Service (e.g., usps.com) and various recruiting websites for armed services (e.g., goarmy.com), as well as the United States Department of Defense and its subsidiary organizations typically use the .mil top-level domain instead of .gov.

While the .gov domain is seen as more "secure" than other domains, several .gov websites have been compromised. As recently as 2019, someone impersonated the mayor of Exeter, Rhode Island successfully gained control of "exeterri.gov" domain name. Furthermore, many .gov websites have been victims of hacking and malware. BART.gov, OaklandCA.gov, USMarshals.gov, FBI.gov, and even closer to home, the California Department of Finance's website, were recently hacked and/or victims of serious ransomware attacks crippling their websites and how constituents accessed information on those websites.

While applying for and obtaining a .gov domain has no fees, there are significant costs that an agency must budget for to recode, establish corresponding e-mail, and network login changes, single sign on/multi-factors authentication, encryption keys, revising and redesign website/url links, updating social media and external entities. All of these costs are increased two-fold to co-exist both the previous and newly acquired domains.

Initial sampling of impacted local governments has identified considerable costs and programmatic impacts. Extrapolated to all local agencies throughout the state, cumulative costs to local agencies are likely to be hundreds of millions of dollars. For example, one large local government that recently went through the process of migrating to a .gov domain required 15 full-time information technology professionals and over 14 months to complete the project. This included changing all websites, web applications, emails, and active directory accounts for over 12,000 employees and contractors – a considerable endeavor and exactly what is required, should AB 1637 be enacted as currently drafted. One suburban local government ran preliminary estimates that suggested that the costs for migration to .gov could range from $750,000 to $1 million. Another large urban local government itemized costs of about $6.3 million and anticipates that most of the work that would be required would have to be completed by contract labor due to the large number of high-priority projects that information technology staff are currently completing. Additionally, smaller, and rural local governments would also experience considerable costs and not just for matters directly related to migration .gov domains, given that information technology staff would likely have to be pulled off critical information technology infrastructure projects and life and safety projects, such as mapping wildfires via GIS, to complete the .gov migration.

Finally, local authorities and service districts provide critical information to communities every day. Requiring the change in domain names will require staff to expend effort that could take away from critical services at a time when these entities are already providing emergency services on behalf of the state and while dealing with wildfires, snowstorms, and severe flooding. Pulling staff off critical IT projects to work on a domain change could potentially put communities at risk. Especially in rural areas under the

threat of wildfire, these communities are often the smallest and do not have sufficient resources to redirect staff. Unfortunately, AB 1637 proposes an aggressive compliance date of January 2025, which will cause significant confusion for vulnerable populations who have relied on using these websites for decades.

For these reasons, we propose that AB 1637 narrow its scope to permissively encourage local governments to acquire .gov domains and provide state resources to match available federal grants, as well as establish technical assistance resources for applicants seeking to utilize the .gov domain. Furthermore, we recommend that Cal OES and the California Cybersecurity Integration Center utilize a series of surveys and information requests administered through newly established working groups composed of representatives of local agencies to collect data on the cybersecurity needs around the State and to provide a report summarizing those needs to the Governor and the Legislature.

Collectively, our organizations and respective members promote safe, recognizable, and trustworthy online services; however, AB 1637 goes too far, too soon, and contains no resources to help local authorities comply with the proposed mandate. If you have any questions, please do not hesitate to contact Damon Conklin, Legislative Affairs, Lobbyist, Cal Cities at dconklin@calcities.org, Kalyn Dean, Legislative Advocate, CSAC, at kdean@counties.org, Dorothy Johnson, Legislative Advocate, ACSA at djohnson@ACSA.org, Aaron Avery, Senior Legislative Representative, CSDA at aarona@csda.net and Jean Kinney Hurst, Legislative Advocate, UCCC at jkh@hbeadvocacy.com

Sincerely,

Damon Conklin
Legislative Affairs, Lobbyist
League of California Cities

Kalyn Dean
Legislative Advocate
California State Association of Counties

Dorothy Johnson
Legislative Advocate
Association of California School Administrators

Aaron Avery
Senior Legislative Representative
California Special Districts Association

Sarah Dukett
Policy Advocate
Rural County Representatives of California

Jean Kinney Hurst
Legislative Advocate
Urban Counties of California

cc: The Honorable Jacqui Irwin
Members, Assembly Committee on Local Government
Jimmy MacDonald, Consultant, Assembly Committee on Local Government
Jith Meganathan, Chief Consultant, Assembly Committee on Privacy and Consumer Protection
William Weber, Consultant, Assembly Republican Caucus

April 4, 2024

The Honorable Chris Ward
Chair, Assembly Committee on Housing and Community Development
1020 N Street, Room 124
Sacramento, CA 95814

RE: AB 1820 (Schiavo) Housing Development Projects: Applications: Fees and Exactions
(As Amended 4/1/24)
Notice of Oppose Unless Amended

Dear Assemblymember Schiavo,

The League of California Cities (Cal Cities), California State Association of Counties (CSAC), Urban Counties of California (UCC), and the Rural County Representatives of California (RCRC) regretfully must take a position of oppose AB 1820 (Schiavo) unless it is amended to address our concerns. AB 1820 as currently drafted, would require all local agencies to provide within 20 days of a request by a developer, an itemized list and the total sum of all fees and exactions for a proposed development project during the preliminary application process.

Our organizations support the intent of the legislature to improve the transparency, predictability, and governance of impact fees, while preserving the ability to fund public facilities and other infrastructure in a manner flexible enough to meet the needs of California's varied and diverse communities, regardless of whether they are small or large, or rural or urban. Our organizations have participated in several stakeholder meetings to find areas of common agreement for improvements to California's laws related to development impact fees.

Since 2022, cities, counties, and special districts have been required to post fee schedules on their websites via Government Code Section 65940.1. In addition, fee schedules are a public record and are easily available upon request. The fee schedule lists the standard generally applicable fees for a specific project type that are common across all similar projects in a jurisdiction, however, it does not account for project-specific fees or CEQA mitigation measures which cannot be estimated during a preliminary application process. Project-specific fees vary on a project-by-project basis and cannot be determined before the project is fully designed and approved. Additionally, if the intent of AB 1820 is to provide an estimate of all fees associated with a specific development project, 20 days is not nearly enough time for local governments to estimate and provide the necessary materials to the project applicant. Finally, our organizations are concerned that local governments would be unable to charge fees after the preliminary application process, which is concerning as fees may differ from the preliminary estimate as construction begins to address necessary local infrastructure upgrades due to a new development project proposal.

Given the concerns listed above our organizations must respectfully oppose unless amended AB 1820. To help address our concerns, the author's office should specify that this measure would only apply to standardized general fees known at the time of the preliminary application and not apply to project-specific fees. Additionally, the author's office should consider extending the 20-day deadline to 45

business days instead. Finally, local governments need protections that the estimated fees and exactions are nonbinding and should be granted the authority to cover the cost of services provided by the local government for a new development project. Without these fees, local jurisdictions will be unable to provide the needed services.

We appreciate the author's interest in bringing this measure forward and remain concerned about the bill's costs to local governments. For these reasons, our organizations respectfully oppose unless amended AB 1820. If you have any questions, do not hesitate to contact Brady Guertin at Cal Cities, Chris Lee at UCC, Mark Neuburger at CSAC, or Tracy Rhine at RCRC.

Sincerely,

Brady Guertin
Legislative Affairs, Lobbyist
League of California Cities

Christopher Lee
Legislative Advocate, UCC

Mark Neuburger
Legislative Advocate
California State Association of Counties

Tracy Rhine
Senior Policy Advocate
Rural County Representatives of California

cc: The Honorable Pilar Schiavo
Members, Asm Housing and Community Development
Dori Ganetsos, Senior Consultant, Asm Committee on Housing and Community Development
William Weber, Policy Consultant, Assembly Republican Caucus

March 7, 2024

The Honorable Kevin McCarty
Chair, Assembly Public Safety Committee
1020 N Street, Room 111
Sacramento, CA 95814

Re: AB 1956 (Reyes) – Victim services
As Amended March 4, 2024 – SUPPORT
Set for Hearing March 12, 2024 – Assembly Public Safety Committee

Dear Assemblymember McCarty:

The California State Association of Counties (CSAC), Urban Counties of California (UCC), and Rural County Representatives of California (RCRC) write in support of AB 1956 by Assemblymember Eloise Gómez Reyes. This measure, upon appropriation of funds, would require the state to supplement federal support for the Victims of Crime Act (VOCA), which provides grants for the delivery of essential crime victim services.

The VOCA Crime Victims Fund (CVF) is a non-taxpayer source of funding that is financed by monetary penalties associated with federal criminal convictions, as well as penalties from federal deferred prosecution and non-prosecution agreements. Deposits into the CVF fluctuate based on the number of criminal cases that are handled by the United States Department of Justice (U.S. DOJ), with Congress determining on an annual basis how much to release from the CVF to states. Last year, according to the U.S. DOJ, the CVF balance was over $2.3 billion. Unfortunately, despite continual federal advocacy by counties and other organizations, Congress is poised to fund VOCA at $1.35 billion through their annual appropriation bill for U.S. DOJ programs in the 2024 fiscal year. This is a substantial reduction from the previous level of $1.9 billion in the last fiscal year, and most notably, continues the downward trend and represents a historic low.

VOCA grants support a variety of locally administered victim services programs, including crisis intervention, domestic violence shelters, resources for victims of human trafficking, and programs for elder victims and victims with disabilities. VOCA grants also fund victim compensation programs, which help survivors pay medical bills and recuperate lost wages. If federal funding levels remain low and continue to shrink, victim service providers across the state will be forced to layoff staff, cut programs, and shut down operations unless there is state assistance. As a member of the California Office of Emergency Services' (CalOES) VOCA Steering Committee, CSAC will continue to focus on the most effective and impactful programming, but

ultimately, further decline in VOCA funding will reduce the number and amount of grants administered by CalOES, resulting in an immediate and direct impact on the delivery of victim services statewide.

Whereas VOCA is a federally funded program, and California is facing a significant budget shortfall, it is a sound policy decision to address funding gaps to ensure the continuity of existing victim services and preserve programs that meet the needs of some of our most vulnerable populations. Absent state support, counties will be faced with increasingly tough investment decisions in the months and years to come, which will yield a negative impact on critical, core state services delivered by counties.

It is for these reasons that CSAC, UCC, and RCRC are in strong support of AB 1956, which would guarantee a minimal level of funding to protect essential victim services in our state. Should you have any questions regarding our position, please do not hesitate to contact Ryan Morimune at CSAC (rmorimune@counties.org), Elizabeth Espinosa at UCC (ehe@hbeadvocacy.com), or Sarah Dukett at RCRC (sdukett@rcrcnet.org). Thank you for your consideration.

Sincerely,

Ryan Morimune	Elizabeth Espinosa	Sarah Dukett
Legislative Representative	Legislative Representative	Policy Advocate
CSAC	UCC	RCRC

cc: The Honorable Eloise Gómez Reyes, California State Assembly
Members and Consultant, Assembly Public Safety Committee

March 28, 2024

The Honorable Lori Wilson
California State Assembly
1020 O Street, Suite 8110
Sacramento, CA 95814

Re: **AB 1957 (Wilson): Public contracts: best-value contracting for counties**
As introduced 1/29/24 – SUPPORT
Awaiting hearing: Assembly Local Government Committee

Dear Assembly Member Wilson:

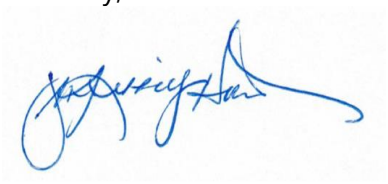
On behalf of the Urban Counties of California (UCC) and the Rural County Representatives of California (RCRC), we write to express our support for Assembly Bill 1957, your measure that would authorize any county in the state to utilize the best-value contracting model and eliminates the statutory sunset on such authority. A number of our member counties were eligible under the previous pilot and wish to continue to be able to use the authority, and others are interested in utilizing the authority, as it has been a cost-effective and efficient method for completing important projects.

Pilot counties have shared that the use of best-value contracting has allowed for a selection of contractors based on qualifications and experience. Agreements require contractors to use a skilled and trained labor force, which allows work to be performed with a high degree of quality and expertise, contributing to better performance and expedited completion of highly complex projects. Further, these features also contribute to reduced project costs by potentially avoiding contractor errors, costly change orders, and redo of projects.

The award of best-value contracts and public projects in such a manner allows for the delivery of better projects with highly qualified firms with skilled labor, fewer change orders due to errors, and knowledgeable project management support to keep projects on time and on budget. Because of counties' positive experience with best-value contracting, our members appreciate the opportunity to continue to pursue such contracts; AB 1957 not only eliminates the statutory sunset on the authority, but rightfully expands the authority to utilize this beneficial tool to other counties in the state. As a result, UCC and RCRC support AB 1957 and greatly appreciates

your authorship of the measure. Please don't hesitate to reach out with any questions about our position.

Sincerely,



Jean Kinney Hurst
Legislative Advocate
Urban Counties of California

Sarah Dukett
Policy Advocate
Rural County Representatives of California

cc: The Honorable Juan Carrillo, Chair, Assembly Local Government Committee
Members and Consultants, Assembly Local Government Committee

April 11, 2024

The Honorable Mia Bonta
Chair, Assembly Health Committee
1020 N Street, Room 385
Sacramento, CA 95814

RE: AB 1975 (Bonta): Medically Tailored Meals
As Introduced — SUPPORT
Set for Hearing April 16, 2024 in Assembly Health Committee

Dear Assembly Member Bonta:

On behalf of the Urban Counties of California (UCC) and the Rural County Representatives of California (RCRC), we write in support of your AB 1975, which would make medically supportive food and nutrition interventions a covered benefit under the Medi-Cal program effective July 1, 2026.

Specifically, AB 1975 would require medically supportive food and nutrition interventions to be covered by Medi-Cal if determined to be medically necessary by a health care provider or health care plan. The bill would require the provision of interventions for 12 weeks, or longer if deemed medically necessary. The bill would also require the Department of Health Care Services (DHCS) to establish a medically supportive food and nutrition benefit stakeholder group to advise the department and would require the workgroup to issue final guidance on or before July 1, 2026.

Too many Californians, particularly Californians of color, are living with largely preventable chronic conditions. Adequate food and nutrition are a fundamental part of preventing and treating chronic conditions and can significantly improve a patient's quality of life and health status while also reducing healthcare costs. Medically tailored meals are effective in improving health. Studies have on medically tailored meals have found:

- A 17% reduction in patients with poorly controlled diabetes when patients were providing diabetes appropriate MTMs.
- A study among older adults found that 79% of individuals who fallen in the past did not fall again during the study period compared to 46% in the control group, showing a 33% increase in fall prevention.
- A 2014 study on MTMs recipients with diabetes, HIV, and comorbid conditions found a 50% increase in medication adherence among recipients.
- Double-digit percentage point decreases in emergency department visits, inpatient admissions, and 30-day hospital readmissions among MTM recipients.

Counties provide direct health care services through our county owned and operated clinics, hospitals and public health departments and are therefore vitally concerned about health outcomes. Malnutrition and poor nutrition can lead to devastating health outcomes, higher utilization, and increased costs, particularly among individuals with chronic conditions. Meals help individuals achieve their nutrition goals at critical times to help them regain and maintain their health.

AB 1975 builds on the opportunity started in CalAIM and would permanently address social drivers of health through food-based interventions. This measure will improve health outcomes, advance health equity across California, reduce avoidable healthcare costs and support the prevention, not just the treatment, of chronic conditions.

For these reasons, UCC and RCRC support AB 1975. Please do not hesitate to reach out with any questions.

Sincerely,

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

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

cc: Members, Assembly Health Committee
Lisa Murawski, Consultant, Assembly Health Committee
Gino Folchi, Consultant, Assembly Republican Caucus

March 25, 2024

The Honorable Alex Lee
Chair, Assembly Human Services Committee
1020 N Street, Room 124
Sacramento, CA 95814

RE: AB 2141 (GIPSON): Cash Assistance Programs: Direct Deposit.
As Introduced — OPPOSE
Set for Hearing April 2, 2024 in Assembly Human Services Committee

Dear Assembly Member Lee:

On behalf of the County Welfare Directors Association (CWDA), Urban Counties of California (UCC), and Rural County Representatives of California (RCRC) we are writing in respectful opposition to Assembly Bill 2141 (Gipson).

Specifically, this measure would require direct deposit of the Cash Assistance Program for Aged, Blind, and Disabled Legal Immigrants, CalWORKs, and general assistance aid provided under Section 17000 – and requires counties to inform recipients of their right to direct deposit. Our organizations have concerns with requiring counties to offer direct deposit for general assistance. While the state requires counties to provide general assistance, counties have the discretion under current law to set the amount, duration and local rules for receiving general assistance. The Legislature has not mandated changes to general assistance in several decades.

While well-intentioned, counties are concerned that AB 2141 imposes additional new costs on county human services agencies to set up and administer direct deposit for general assistance. This is an unfunded mandate on counties at a time when the Governor has proposed significant cuts to human services as part of the 2024-25 state budget, including nearly $400 million in cuts to CalWORKs and $62 million to child welfare services. Under state law, when the state requires counties to perform a new service or a higher level of service, counties can recoup their costs by filing state mandate claims – which counties would do to cover the costs associated with AB 2141. Counties believe limited state resources should be prioritized to reduce cuts to core human services programs – not to expand services or create new requirements on counties.

For the reasons outlined above, CWDA, UCC, and RCRC respectfully oppose AB 2141. Should you have any questions regarding our position, please do not hesitate to have your staff contact our organizations.

Sincerely,

Amanda Kirchner
Director of Legislative Advocacy
CWDA
akirchner@cwda.org
916-443-1749

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 Mike Gipson, Member, California State Assembly
Members and Consultants, Assembly Human Services Committee

URBAN COUNTIES
OF CALIFORNIA

April 9, 2024

The Honorable Isaac Bryan
Chair, Assembly Natural Resources Committee
1020 N Street, Room 164
Sacramento, CA 95814

RE: AB 2199 (Berman) - CEQA Exemption: Residential or Mixed-Use Housing Projects
As amended on March 18, 2024 – SPONSOR
Set for hearing in Assembly Natural Resources – April 15, 2024

Dear Chair Bryan:

The Urban Counties of California (UCC), a coalition of 14 of the state's most populous counties, is proud to sponsor AB 2199 by Assemblymember Berman. UCC is committed to supporting the expeditious development of housing at all income levels in our communities, particularly within the urbanized infill areas where AB 2199 applies. By deleting the sunset date of a narrow exemption from the California Environmental Quality Act (CEQA) for infill residential and mixed-use projects in the urbanized parts of our unincorporated counties, AB 2199 ensures that climate-friendly housing projects can continue to benefit from the exemption.

Infill housing projects in cities have enjoyed a categorical exemption from CEQA since the 1990s, but there was no similar exemption for projects in urbanized unincorporated areas until the passage of Assemblymember Berman's AB 1804 in 2018. Since that time, this narrow exemption has been used to accelerate the environmental review and approval of nine multifamily residential and mixed-use projects consisting of 378 housing units. While the exemption has primarily been used in urban counties, including Alameda, Orange, Sacramento, and San Diego counties, it has also benefitted two affordable multi-family infill housing projects within existing developed communities in Santa Cruz County and Lake County.

Numerous protections are incorporated within AB 2199 to ensure that the exemption applies only to the most environmentally beneficial housing projects. These protections go beyond the requirements for the city infill exemption, including a clear definition for the requirement that developments by substantially surrounded by existing urban uses, minimum density requirements, and exceptions to the exemption which mirror those that apply to the categorical infill exemption for cities. Finally, AB 2199 continues to require counties to file Notices of Exemption with the Office of Planning and Research so policymakers can monitor its use.

AB 2199 extends a narrow CEQA exemption that has proven effective in expediting the environmental review and approval of much-needed housing projects. While most Californians live within cities, counties have the same responsibilities as cities to plan to accommodate housing needs at all income levels. AB 2199 offers a regulatory incentive that counties can use to encourage growth required under the Regional Housing Needs

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

Allocation process within infill areas, thereby supporting state and local climate, conservation, and housing production goals. For these reasons, UCC is proud to sponsor AB 2199 and encourages your “aye” vote. Please contact me at clee@politicogroup.com with any questions about our position.

Sincerely,

Christopher Lee
Legislative Advocate

cc: The Honorable Marc Berman, California Assembly
Honorable Members, Assembly Natural Resources Committee
Lawrence Lingbloom, Chief Consultant, Assembly Natural Resources Committee
Casey Dunn, Consultant, Assembly Republican Caucus

April 9, 2024

The Honorable Marc Berman
Chair, Assembly Business & Professions Committee
1021 O St., Ste. 8130
Sacramento, CA 95814

Re: AB 2265 – Animals, Spaying, Neutering, Euthanasia - OPPOSE

Dear Chair Berman and Committee Members,

On behalf of the undersigned organizations, representing the departments and agencies in local government with oversight of animal care and control, we write in OPPOSITION to AB 2265 (McCarty).

Shelters in California are in crisis, with many facing extreme overcrowding, higher intake, longer lengths of stay, and lower reclaim and adoption rates. Since the onset of the COVID-19 pandemic, the entire animal welfare sector has faced a wave of related and compounding difficulties. Shelters are receiving more animals than our facilities are designed for, making it harder to manage the spread of contagious diseases and putting immense stress on staff and the animals. Rescue partners are transferring fewer animals as they experience the same challenges and this means that shelters are faced with making more difficult decisions, and in some areas, euthanasia is rising.

These conditions require that there is a closer look at the "why"– and that includes examining all of the factors contributing to root causes of why so many animals are ending up in the shelter in the first place. That's the only way we'll collectively apply the right programs, policy interventions, and support for the shelters receiving more animals than they can re-home.

Government and contracted animal shelter staff use their best discretion to provide the highest level of care their resources allow. AB 2265 tries to fix today's issues by assuming the overcrowding in shelters and increase in euthanasia is due to a problem within the sheltering system itself. While we are not claiming that every shelter is operationally perfect, what we are seeing today is a product of the environment outside of the shelters. Inflation, housing insecurity, a lack of pet-friendly housing, breed

discrimination from insurance companies, and inaccessible or costly veterinary care are forcing families to make difficult decisions regarding their ability to keep pets. As a result, shelters are seeing overwhelming numbers of unwanted animals come through their doors.

We know that animal lovers in California are frustrated seeing us struggle and we are working with a number of authors and bill sponsors this year to address some of the core themes that have surfaced including internal factors like operational transparency and external factors like soaring pet care costs, housing availability and pet restrictions, and a critical shortage of veterinary access in nearly every community. We understand what the proponents and author of AB 2265 are trying to accomplish, unfortunately, this bill will only exacerbate the difficulties facing shelters in nearly every imaginable way and will ultimately lead to even worse overcrowding and tragic outcomes both in and out of shelters.

Public Safety

AB 2265 strips away a shelter's ability to make critical decisions in the best interest of animal welfare and public safety. This bill removes important industry-recognized definitions like adoptable and treatable and redefines state policy to say all animals should be released for adoption or rescue transfer except those suffering from the most extreme health or behavioral afflictions. Under AB 2265, to humanely euthanize for behavior, a dog must be declared under a rarely used state law on vicious dogs. Setting aside the fact that most municipalities rely instead on more comprehensive local ordinances for their designations of dangerous or vicious dogs, this provision ignores that, as with people, behavior is a spectrum.

There are many factors that go into making humane euthanasia decisions for behavior. A dog can have a multitude of dispositions that alone would not equate dangerous or vicious, but combined, would make placement in a home and community unsafe.

Further, it appears to only apply to dogs with an owner. If a shelter dog attacks another animal, volunteer, visitor, or staff, humane euthanasia decisions are made without a declaration hearing. Shelter staff routinely and expertly balance decisions in both the best interest of animal welfare and public safety. Policies that demand the release of dangerous animals only serve to erode the public's trust, their safety, and their interest in adopting shelter animals.

Foster Programs

Foster programs are the lifeblood of shelters. They are safe environments for animals to be housed that increases shelter capacity and decreases animal stress and mental and physical decline. Foster programs are utilized to support young animals who aren't old enough for surgery, provide a loving home for animals recovering from a medical condition, extend shelter capacity to reduce overcrowding, or allow a soon-to-be-adopted animal to start living and bonding with their new family while they await their spay or neuter appointment. The caregiver may have the animal for short or long-term assignments. While in foster care, the animal is still the property of the shelter and laws related to spay/neuter prior to adoption or transfer to a new owner still apply. These programs have provided a wonderful lifeline for so many animals throughout the state.

As access to veterinary care issues become more and more acute in California, animals may await spay/neuter surgeries for weeks or even months. It is well documented that California, like other states,

is experiencing a veterinary shortage and that shortage is felt significantly in less populated and already under-resourced areas of our state. While there is no evidence to suggest that animals in foster care are contributing to animal overpopulation, AB 2265 also ignores the current state of veterinary care. The restrictions this bill places on shelter and foster caregivers would essentially eliminate these lifesaving programs.

If a foster caregiver is unable to secure a spay/neuter appointment within the arbitrary and nearly impossible to meet timeframe outlined in AB 2265, animals being cared for in foster homes will be forced to re-enter an animal shelter. It is difficult to comprehend what this provision is attempting to solve for, as it will most certainly result in further congesting shelters and contributing to illness, stress, and poor outcomes.

Public Trust

Let us be explicitly clear; *animal shelters do not want to euthanize animals.* They make significant efforts that begin when the animal first arrives: to get them back home, to promote them online and at events, and to plan for contingencies if these efforts fail.

California animal shelters, along with rescue partners, communities, volunteers, and donors, have made tremendous lifesaving progress. The number of dogs and cats entering our state's shelters fell by more than 50% between 2001 and 2021 (800,000 to 366,000), with euthanasia falling from around 60 percent to under 15 percent.

These results *would not be possible* without healthy shelter and rescue group partnerships that comprise the safety net for animals in need throughout our state. Rescue groups with cooperative agreements with shelters can transfer animals any time after the initial hold period, and puppies and kittens are immediately available. The attempt to mandate a "hurry, this animal is about to die" promotion is misguided and does not improve overall live outcomes. We make real progress when we *minimize* the length of stay for animals, and don't wait until euthanasia is imminent to do everything possible to adopt or foster that animal.

AB 2265 amends SEC. 11. Section 32004 of Food and Agriculture to require a 24-72 hour mandated hold period on animals scheduled for euthanasia. This requirement isn't as easy as just "planning ahead" or being more transparent; it's a one-size-fits-all mandate that will undoubtedly have negative consequences. Public shelters and contracted nonprofit shelters need to pivot quickly when intake outpaces space. To consistently meet the requirements under AB 2265, shelters will need to redefine what it means to be "full." Currently, most shelters are operating at capacity and only make difficult humane euthanasia decisions when absolutely necessary.

Further, as this bill sets a new policy for the state that no animals shall be euthanized except in the most egregious circumstances; it appears to require that shelters unnecessarily extend animal suffering after a qualified professional determines that euthanasia is in the animal's best interest for health or behavioral reasons. This is truly unconscionable and cruel.

These types of postings cause significant harm to the animal shelters and the communities they serve. What shelters need most are more families walking through their buildings to adopt their next pet. Employing strategies of desperate signage and internet postings, only continue to perpetuate the idea that shelters are sad, scary places where animals go to die. While hardworking staff and volunteers work

diligently to ensure this is not the case, these postings result in harassment, bullying, and even death threats. This unquestionably limits the ability to attract and retain staff in these vitally important roles.

Public Hearings

Finally, AB 2265 will require government and government-contracted animal shelters to provide public notice and ultimately a public hearing if they want to change any policy, practice, or protocol specific to Food and Agriculture SEC. 12. Section 32005 (2). As government entities, the very nature of their business is built around transparency with public information requests and the ability to voice one's thoughts and opinions in public hearings like City Council or County Supervisor meetings.

The laws that govern the work done by government animal shelters span a variety of code sections. They are diverse, complicated, and can be hard for the public to understand. As a perfect example, this section of the bill references a variety of codes that are suspended annually due to a lack of state appropriated funded.

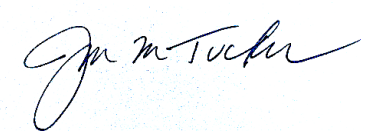
Animal lifesaving fundamentally depends on some level of flexibility and discretion. As an industry, they are always looking for ways to improve care and positive outcomes. We support accountability and value public participation, but not at the expense of hamstringing the ability to quickly adjust to current circumstances. Conversely, we do not support any animal shelter adopting policies in violation of operational state statutes. Providing a pathway for legally skirting California animal welfare laws seems completely counter to increasing lifesaving in our state.

Unfortunately, the provisions in AB 2265 show a profound lack of the most basic understanding of animal shelter operations, current law, and how the practical outcomes of this bill will unquestionably lead to more overcrowding, cause more harm, higher humane euthanasia, and reduced public safety.

We are in the shelters every day fighting for the animals in our care. We work tirelessly to see every cat and dog as an individual with independent needs. Lifesaving is a collaboration and the undersigned organizations and our shelter members welcome opportunities to have productive conversations around solutions that help create positive outcomes and greater support for animals and their people in California.

We will continue to work openly with lawmakers and partners in animal welfare to reach the outcomes we all desire most, and while we do, we respectfully request your opposition to AB 2265.

Sincerely,



Jill Tucker
CEO
Cal Animals

Ada Waelder
Legislative Advocate
CSAC

Jean Kinney Hurst
Legislative Advocate
UCC

Caroline Grinder
Legislative Advocate
League of California Cities

Joseph Saenz, Deputy Director of Policy
County Health Executives Association of California

UCC Letters

April 16, 2024

The Honorable Ash Kalra
Chair, Assembly Judiciary Committee
1020 N Street, Room 104
Sacramento, CA 95814

RE: Assembly Bill 2404 (Lee)
State and Local Public Employees: Labor Relations: Strikes.
OPPOSE – As Amended March 21, 2024

Dear Chair Kalra,

The Rural County Representatives of California (RCRC), League of California Cities (Cal Cities), 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) respectfully oppose Assembly Bill 2404 (Lee). This measure is a re-introduction of last year's AB 504 (Reyes), which would declare the acts of sympathy striking and honoring a strike line a human right and, thereby, disallow provisions in public employer policies or collective bargaining agreements going forward that would limit or prevent 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 2404 would upend the current bargaining processes which allow striking only in specified limited circumstances. Specifically, this bill states 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 strike;
- Perform work for an employer involved in a primary strike; or
- Go through or work behind any primary strike line.

This poses a serious problem for public agencies that are providing public services on a limited budget and in a time of workforce shortage. Allowing 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 prepares to engage in protected union activities, local agencies can plan for coverage and 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.

In addition, when government services are co-located, employees from a non-struck agency could refuse to work at the shared campus if employees from a different agency are on strike, as it would be considered crossing the picket line. We offered the author amendments, similar to the private sector, that allow a separate entrance to ensure the picket line would not be crossed while allowing vital services from a non-struck agency to continue. For example, there are co-located county and court services at almost every court. A county strike could potentially shut down court activities because court employees could refuse to enter the premises as it would be considered crossing the picket line.

In rural communities, it is common to see co-location of government services to ensure remote areas are served. Disrupting the services of an innocent employer as part of a strike against another employer – known in labor law as "secondary pressure" – has long been held to be an unfair labor practice that this bill should not facilitate or legalize. Public employers that bargained in good faith and have approved MOU agreements should not be penalized for sharing a business space with another government employer.

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.**

Local agencies provide critical health and safety functions including: disaster response; emergency services; dispatch; utilities; mobile crisis response; health care; law enforcement; corrections; elections; and road maintenance. Local memorandums of understanding (MOUs) 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. 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 duties. 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 disallow following the expiration of a collective bargaining agreement that was entered into before January 1, 2025.

We appreciate AB 2404 including language from last year's AB 504 (Reyes) in connection with issues we raised regarding existing MOUs, peace officers, and certain essential employees of a local public agency. Without additional amendments to address co-located agencies our communities may be left without needed services. 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.

Our concerns with AB 2404 are consistent with the issues raised in response to last year's AB 504 (Reyes) and reflected in the veto message of that measure. "Unfortunately, this bill is overly broad in scope and impact. The bill has the potential to seriously disrupt or even halt the delivery of critical public services, particularly in places where public services are co-located. This could have significant, negative impacts on a variety of government functions including academic operations for students, provision of services in rural communities where co-location of government agencies is common, and accessibility of a variety of safety net programs for millions of Californians." – Governor Gavin Newsom

It is also important to note these impacts could be amplified by another pending measure concerning unemployment benefits for striking workers (Senate Bill 1116 (Portantino)) and a recently enacted measure allowing for collective bargaining for temporary employees (Assembly Bill 1484 (Zbur, 2023)).

As local agencies, we have a 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, RCRC, Cal Cities, CSAC, CAJPA, ACHD, PRISM, UCC, and CSDA must respectfully oppose AB 2404 (Lee). Please do not hesitate to reach out to us with your questions.

Sincerely,

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

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

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

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

Aaron A. Avery
Director of State Legislative Affairs
California Special Districts Association
aarona@csda.net

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

Sarah Bridge
Legislative Advocate
Association of California Healthcare Districts
sarah@deveauburrgroup.com

Michael Pott
Chief Legal Counsel
Public Risk Innovation Solutions, and Management (PRISM)

cc: The Honorable Alex Lee, Member of the California State Assembly
Members of the Assembly Judiciary Committee
Manuela Boucher, Counsel, Assembly Judiciary Committee
Daryl Thomas, Consultant, Assembly Republican Caucus

UCC Letters

April 2, 2024

The Honorable Tina McKinnor
Chair, Assembly Public Employment and Retirement Committee
1021 O St. Ste. 5520
Sacramento, CA 95814

RE: Assembly BIll 2404 (Lee) State and Local Public Employees: Labor Relations: Strikes.
OPPOSE – As Amended March 21, 2024

Dear Assembly Member McKinnor,

The Rural County Representatives of California (RCRC), League of California Cities (Cal Cities), 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) respectfully oppose AB 2404 (Lee). This measure is a re-introduction of last year's AB 504 (Reyes), which would declare the acts of sympathy striking and honoring a strike line a human right and, thereby, disallow provisions in public employer policies or collective bargaining agreements going forward that would limit or prevent 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 2404 would upend the current bargaining processes which allow striking only in specified limited circumstances. Specifically, this bill states 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 strike;
- Perform work for an employer involved in a primary strike; or
- Go through or work behind any primary strike line.

This poses a serious problem for public agencies that are providing public services on a limited budget and in a time of workforce shortage. Allowing 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 prepares to engage in protected union activities, local agencies can plan for coverage and 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.

In addition, when government services are co-located, employees from a non-struck agency could refuse to work at the shared campus if employees from a different agency are on strike, as it would be considered crossing the picket line. We offered the author amendments, similar to the private sector, that allow a separate entrance to ensure the picket line would not be crossed while allowing vital services from a non-struck agency to continue. For example, there are co-located county and court services at almost every court. A county strike could potentially shut down court activities because court employees could refuse to enter the premises as it would be considered crossing the picket line.

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duties. 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 disallow following the expiration of a collective bargaining agreement that was entered into before January 1, 2025.

While we appreciate AB 2404 including language from last year's AB 504 (Reyes) that address issues we raised regarding existing MOUs, peace officers, and certain essential employees of a local public agency, without additional amendments to address co-located agencies our communities may be left without needed services. 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.

Our concerns with AB 2404 are consistent with the issues raised in response to last year's AB 504 (Reyes) and reflected in the veto message of that measure. "Unfortunately, this bill is overly broad in scope and impact. The bill has the potential to seriously disrupt or even halt the delivery of critical public services, particularly in places where public services are co-located. This could have significant, negative impacts on a variety of government functions including academic operations for students, provision of services in rural communities where co-location of government agencies is common, and accessibility of a variety of safety net programs for millions of Californians." – Governor Gavin Newsom

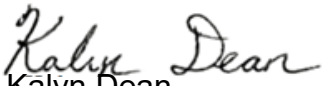
It is also important to note these impacts could be amplified by another pending measure concerning unemployment benefits for striking workers (Senate Bill 1116 (Portantino)) and a recently enacted measure allowing for collective bargaining for temporary employees (Assembly Bill 1484 (Zbur, 2023)).

As local agencies, we have a 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, RCRC, Cal Cities, CSAC, CAJPA, ACHD, PRISM, UCC, and CSDA must respectfully oppose AB 2404 (Lee). Please do not hesitate to reach out to us with your questions.

Sincerely,

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

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



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

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

Aaron A. Avery
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aarona@csda.net

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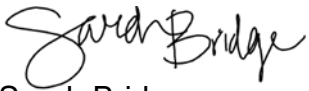
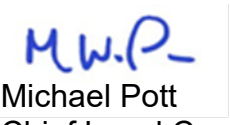


Sarah Bridge
Legislative Advocate
Association of California Healthcare Districts
sarah@deveauburrgroup.com



Michael Pott
Chief Legal Counsel
Public Risk Innovation Solutions, and Management (PRISM)

cc: The Honorable Alex Lee, California State Assembly
Members of the Assembly Public Employment and Retirement Committee
Michael Bolden, Chief Consultant, Assembly Public Employment and Retirement Committee
Lauren Prichard, Consultant, Assembly Republican Caucus

April 4, 2024

The Honorable Sharon Quirk-Silva
Member, California State Assembly
1021 O Street, Suite 4210
Sacramento, CA 95814

RE: Assembly Bill 2433 – Oppose Unless Amended
As Introduced February 13, 2024

Dear Assembly Member Quirk-Silva:

On behalf of the Rural County Representatives of California (RCRC), the California State Association of Counties (CSAC), the Urban Counties of California (UCC), and the League of California Cities (Cal Cities), we must regrettably oppose your Assembly Bill 2433 unless amended. This measure creates the California Private Permitting Review and Inspection Act, which allows applicants for building permits to independently pay a third party for plan and field inspection of a project, without county or city building official oversight.

Plan review and field inspection of construction projects in an integral step in ensuring that structures built in California are safe, not only to inhabit, but for the surrounding environment and community. City and county building departments review and inspect projects based on consistency with the jurisdiction's General Plan, State building codes and associated regulations. Related laws and ordinances that jurisdictions must enforce change regularly and it is the responsibility of those employees to ensure that each project in constructed in a manner that complies with those laws.

AB 2433 creates "shot clocks," or timelines for action, that if not met will allow a permit applicant to contract or employ a private professional to conduct the project plan check and site inspection. The local jurisdiction must then approve or deny the permit application within 30 days of receiving the final report prepared by the private professional. The timelines in the bill are unreasonable, such as five days to conduct a field inspection, but more concerning is AB 2433 sets up a structure to include a "deemed approved" remedy in the future that would remove all discretion by the local jurisdiction to make certain that projects are consistent with related health and safety building requirements.

We understand the issue of lagging permitting times in some jurisdictions and would like to find a path to facilitating that needed construction, whether commercial or

residential, in a reasonable amount of time. However, we do not believe that the solution put forth in AB 2433 adequately preserves a local jurisdiction's ability and duty to enforce building related laws. AB 2433 allows an applicant for a construction project (large or small with the only exceptions being health facilities, high rises and public buildings) to pay a private third party to review plans and inspect the site, even if that is the same professional that designed the plans and works with (or for) the company. Even if the bill included an anti-collusion provision that disallowed services from professionals connected with a project, there is a clear financial incentive for the person paid by the applicant to do site review and inspection to render decisions favorable to applicant. Quite simply, directly paying the "regulator" (a private individual in this case) to regulate you leads to biased results and creates a structure of deregulation.

Building inspection is an important step in the public safety process – there are many examples of unpermitted activities leading to catastrophic outcomes, such as 2016 Valley fire that killed four people and burned over 76,000 acres - all caused by an unpermitted hot tub electrical connection. We are concerned that as currently drafted, AB 2433 removes government oversight in the permitting process, allowing only approval or denial based on a private third-party report, negating any involvement, oversight or independent verification or judgment of the facts by the local jurisdiction.

To address concerns of slow permitting timelines in some jurisdictions, we suggest the bill is amended to allow for an expediated permitting process, similar to those that are already in place for other specific permits, such as broadband microtrenching permits or those in the air pollution permitting arena.

For these reasons, RCRC, CSAC, UCC, and Cal Cities are regrettably opposed to AB 2433 unless amended to address our concerns. If you have any questions, please do not hesitate to contact Tracy Rhine (RCRC) trhine@rcrcnet.org, Mark Neuburger (CSAC) mneuburger@counties.org, Chris Lee (UCC) clee@politicogroup.com, or Brady Guertin (Cal Cities) bguertin@calcities.org.

Sincerely,

Mark Neuburger
Legislative Advocate
California State Association of Counties

Tracy Rhine
Senior Policy Advocate
Rural County Representatives of California

Chris Lee
Legislative Advocate
Urban Counties of California

Brady Guertin
Legislative Representative
League of California Cities

cc: The Honorable Juan Carrillo, Chair, Assembly Local Government Committee
Members of the Assembly Local Government Committee
Angela Mapp, Consultant, Assembly Local Government Committee
William Weber, Consultant, Assembly Republican Caucus

UCC Letters

URBAN COUNTIES
OF CALIFORNIA

March 28, 2024

The Honorable Ash Kalra, Chair
Assembly Judiciary Committee
1021 O Street, Suite 4610
Sacramento, CA 95814

Re: **AB 2455 (Gabriel): Whistleblower protections: state and local government procedures**
As amended 3/21/24 – SUPPORT
Set for hearing 4/9/24 – Assembly Judiciary Committee

Dear Assembly Member Kalra:

On behalf of the Urban Counties of California (UCC), I write to express our support for Assembly Bill 2455, Assembly Member Gabriel's measure that seeks to modernize whistleblower statutes to incorporate modern technology and clarify whistleblower protections. This important measure – the Whistleblower Protection Enhancement Act – will help to improve accountability, increase public trust, and ensure transparency.

AB 2455 clarifies that reporting methods using modern technology, such as emails and online submissions, are subject to the same standards and protections as telephone calls under whistleblower rules. Further, the bill authorizes auditor-controllers to empower their deputies to enforce state and local whistleblower protection laws. Finally, the bill clarifies "improper governmental activity" in a manner that encompasses what would commonly be considered a violation of the public trust.

UCC is pleased to support AB 2455 and respectfully requests your "aye" vote. Please feel free to reach out with any questions or concerns.

Sincerely,

Jean Kinney Hurst
Legislative Advocate

cc: Members and Consultants, Assembly Judiciary Committee
The Honorable Jesse Gabriel, California State Assembly

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

URBAN COUNTIES
OF CALIFORNIA

April 11, 2024

The Honorable Tina McKinnor, Chair
Assembly Public Employment and Retirement Committee
1021 O Street, Suite 5520
Sacramento, CA 95814

Re: **AB 2455 (Gabriel): Whistleblower protections: state and local government procedures**
As amended 4/4/24 – SUPPORT
Set for hearing 4/17/24 – Assembly Public Employment and Retirement Committee

Dear Assembly Member McKinnor:

On behalf of the Urban Counties of California (UCC), I write to express our support for Assembly Bill 2455, Assembly Member Gabriel's measure that seeks to modernize whistleblower statutes to incorporate modern technology and clarify whistleblower protections. This important measure – the Whistleblower Protection Enhancement Act – will help to improve accountability, increase public trust, and ensure transparency.

AB 2455 clarifies that reporting methods using modern technology, such as emails and online submissions, are subject to the same standards and protections as telephone calls under whistleblower rules. Further, the bill authorizes auditor-controllers to empower their deputies to enforce state and local whistleblower protection laws. Finally, the bill clarifies "improper governmental activity" in a manner that encompasses what would commonly be considered a violation of the public trust.

UCC is pleased to support AB 2455 and respectfully requests your "aye" vote. Please feel free to reach out with any questions or concerns.

Sincerely,

Jean Kinney Hurst
Legislative Advocate

cc: Members and Consultants, Assembly Public Employment and Retirement Committee
The Honorable Jesse Gabriel, California State Assembly

1127 11TH STREET,
SUITE 810
SACRAMENTO, CA 95814
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April 16, 2024

The Honorable Ash Kalra
Assembly Judiciary Committee
1021 O Street, Suite 4610
Sacramento, CA 95814

Re: **AB 2489 (Ward): contracts for special services and temporary help**
As amended 3/21/24 – OPPOSE
Set for hearing 4/23/24 – Assembly Judiciary Committee

Dear Assembly Member Kalra,

On behalf of the Urban Counties of California (UCC), the Rural County Representatives of California (RCRC), the California State Association of Counties (CSAC), the League of California Cities (CalCities), the California Special Districts Association (CSDA), the Association of California Healthcare Districts (ACHD), the California Association of Recreation and Park Districts (CARPD), the California Association of Sanitation Agencies (CASA), the County Health Executives of California (CHEAC), the County Welfare Directors Association (CWDA), the County Behavioral Health Directors Association (CBHDA), and the Association of California School Administrators (ACSA) we write to inform you of our opposition to Assembly Bill 2489, Assembly Member Chris Ward's measure relating to contracting by local agencies. Like previous legislative efforts that attempted to curb local agency authority for contracting, our organizations believe the proposal contained in AB 2489 is unnecessary and inflexible, likely resulting in worse outcomes for vulnerable communities and diminished local services for our residents.

Specifically, AB 2489 would require local agencies – at least 10 months prior to a procurement process to contract for special services that are currently or in the past 10 years provided by a member of an employee organization – to notify the employee organization affected by the contract of its determination to begin a procurement process by the governing body. The definitions of special services varies by agency type, but covers a broad array of services provided by local agencies, from essential government administration services to medical and therapeutic services to legal and other technical services. This is an infeasible obligation, as local agencies often are unaware of a need for a procurement process 10 months prior. Such a situation could occur under any number of circumstances: from a labor dispute that results in a strike, a natural disaster, a global pandemic, emergency utility repairs, emergent and on-call situations, an unanticipated need to care for those crossing our southern border seeking asylum, and the list goes on. Local agencies have proven their ability to be adaptable in times of need, but the 10-month timeframe and extensive range of services included in AB 2489 are both arbitrary and unworkable, impeding local agencies' capacity to respond to local needs.

AB 2489 would also require a contractor to ensure that its employees meet or exceed the minimum qualifications and standards required of bargaining unit civil service employees who perform or have performed the same job functions, including:

- Criminal history and background checks before beginning employment
- Academic attainment
- Licensure
- Years of experience
- Child and elder abuse reporting
- Physical requirements
- Assessment exams
- Performance standards

Further, contractors are required to provide information to ensure that their employees meet the minimum qualifications and standards and must retain this information for two years. These records would also be subject to the California Public Records Act.

We are concerned that these provisions would only serve to deter non-profit providers, community-based organizations, and other private service providers from engaging with local agencies, likely exacerbating existing demanding caseloads and workloads for our existing staff and driving up costs. This private employee data would be accessible to any member of the public via the California Public Records Act. Further, minimum qualifications and standards are not fixed indefinitely, making comparison of those qualifications required by this bill difficult to achieve.

It is important to note that local agencies are already subject to the statutory provisions of the Meyers-Milias-Brown Act (MMBA). Ralph C. Dills Act, and related provisions of state law. These laws already establish that local agencies cannot contract out bargaining unit work simply to save money and most contracting-out decisions are subject to meet-and-confer requirements. There are exceptions to the meet-and-confer requirement in cases of compelling necessity (like an emergency) or when there is an established past practice of contracting out particular work. AB 2489 does not incorporate either of these limitations. Our position is that these issues are better addressed at the bargaining table where local conditions can be appropriately considered.

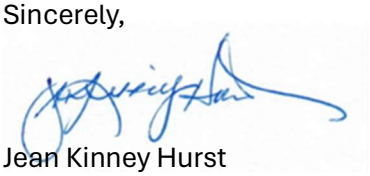
In recent years, the Newsom Administration and the Legislature have directed local agencies to engage more with community partners to more effectively connect with vulnerable communities. There are countless examples of programs and policies that have specified components that are directed to be delivered by entities that have direct, lived experience and/or cultural familiarity. One need only look to efforts over the last few years with the state's Homeless Housing and Prevention (HHAP) program or the significant reforms to the Medi-Cal program contained in CalAIM or various criminal justice reforms, to name a few. These efforts explicitly include a role for non-profit, community-based, and private sector providers, sometimes specifically with individuals with different lived experience and expertise than those in a similar government job. Without that partnership, local agencies will be less successful in meeting the expectations and outcomes the state has directed – a consequence of which could be penalties and fines – and, in doing so, will have failed those that we are jointly committed to serve and undermined general trust in government.

Counties, cities, special districts, and schools are constantly challenged by the state to do more, to be more effective and efficient, to be accountable to the public for the resources that we are responsible for

managing. Efforts like AB 2489 – along with a similar measure, AB 2557 by Assembly Member Liz Ortega – tie the hands of local agencies in their most basic administrative function. In doing so, the proposal sets local agencies up for failure – without reasonable tools to manage our constitutional and statutory obligations, there can be no expectation that local agencies make progress on the policy goals that the Legislature and Administration have set forth.

AB 2489 represents a sweeping change to the fundamental work of local governments, but we are unaware of a specific, current problem that this measure would resolve or prevent. We are keenly aware, though, of the very real harm that could result from this measure. AB 2489 will not improve services, reduce costs, or protect employees. As a result, we are opposed to AB 2489. Should you have any questions about our position, please reach out directly.

Sincerely,

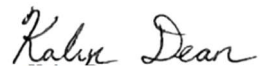


Jean Kinney Hurst
Legislative Advocate
Urban Counties of California

Aaron Avery
Director of State Legislative Affairs
California Special Districts Association

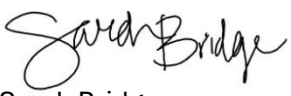
Alyssa Silhi
Legislative Advocate
California Association of Recreation and Park Districts

Johnnie Pina
Legislative Affairs, Lobbyist
League of California Cities



Kalyn Dean
Legislative Advocate
California State Association of Counties

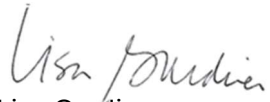
Sarah Dukett
Policy Advocate
Rural County Representatives of California



Sarah Bridge
Legislative Advocate
Association of California Healthcare Districts

Jessica Gauger
Director of Legislative Advocacy & Public Affairs
California Association of Sanitation Agencies

Joseph Saenz
Deputy Director of Policy
County Health Executives Association of California



Lisa Gardiner
Director of Government Affairs
County Behavioral Health Directors Association

Eileen Cubanski
Executive Director
California Welfare Directors Association

Dorothy Johnson
Legislative Advocate
Association of California School Administrators

cc: Members and Consultants, Assembly Public Employment and Retirement Committee
The Honorable Chris Ward, California State Assembly
The Honorable Robert Rivas, Speaker, California State Assembly
The Honorable Juan Carrillo, Chair, Assembly Local Government Committee
The Honorable Liz Ortega, California State Assembly
Mary Hernandez, Deputy Legislative Secretary, Office of Governor Gavin Newsom
Katie Kolitsos, Consultant, Office of Assembly Speaker Robert Rivas
Tim Rainey, Consultant, Office of Assembly Speaker Robert Rivas

April 12, 2024

The Honorable Chris Ward
California State Assembly
1021 O Street, Suite 6350
Sacramento, CA 95814

Re: **AB 2489 (Ward): contracts for special services and temporary help**
As amended 3/21/24 – OPPOSE
Set for hearing 4/17/24 – Assembly Public Employment and Retirement Committee

Dear Assembly Member Ward,

On behalf of the Urban Counties of California (UCC), the Rural County Representatives of California (RCRC), the California State Association of Counties (CSAC), the League of California Cities (CalCities), the California Special Districts Association (CSDA), the Association of California Healthcare Districts (ACHD), the California Association of Recreation and Park Districts (CARPD), the California Association of Sanitation Agencies (CASA), the County Health Executives of California (CHEAC), the County Welfare Directors Association (CWDA), and the County Behavioral Health Directors Association (CBHDA), we write to inform you of our opposition to your Assembly Bill 2489, a measure relating to contracting by local agencies. Like previous legislative efforts that attempted to curb local agency authority for contracting, our organizations believe the proposal contained in AB 2489 is unnecessary and inflexible, likely resulting in worse outcomes for vulnerable communities and diminished local services for our residents.

Specifically, AB 2489 would require local agencies – at least 10 months prior to a procurement process to contract for special services that are currently or in the past 10 years provided by a member of an employee organization – to notify the employee organization affected by the contract of its determination to begin a procurement process by the governing body. The definition of special services varies by agency type, but covers a broad array of services provided by local agencies, from essential government administration services to medical and therapeutic services to legal and other technical services. This is an infeasible obligation, as local agencies often are unaware of a need for a procurement process 10 months prior. Such a situation could occur under any number of circumstances: from a labor dispute that results in a strike, a natural disaster, a global pandemic, emergency utility repairs, emergent and on-call situations, an unanticipated need to care for those crossing our southern border seeking asylum, and the list goes on. Local agencies have proven their ability to be adaptable in times of need, but the 10-month timeframe and extensive range of services included in AB 2489 are both arbitrary and unworkable, impeding local agencies' capacity to respond to local needs.

AB 2489 would also require a contractor to ensure that its employees meet or exceed the minimum qualifications and standards required of bargaining unit civil service employees who perform or have performed the same job functions, including:

- Criminal history and background checks before beginning employment
- Academic attainment
- Licensure
- Years of experience
- Child and elder abuse reporting
- Physical requirements
- Assessment exams
- Performance standards

Further, contractors are required to provide information to ensure that their employees meet the minimum qualifications and standards and must retain this information for two years. These records would also be subject to the California Public Records Act.

We are concerned that these provisions would only serve to deter non-profit providers, community-based organizations, and other private service providers from engaging with local agencies, likely exacerbating existing demanding caseloads and workloads for our existing staff and driving up costs. This private employee data would be accessible to any member of the public via the California Public Records Act. Further, minimum qualifications and standards are not fixed indefinitely, making comparison of those qualifications required by this bill difficult to achieve.

It is important to note that local agencies are already subject to the statutory provisions of the Meyers-Milias-Brown Act (MMBA) and related provisions of state law. These laws already establish that local agencies cannot contract out bargaining unit work simply to save money and most contracting-out decisions are subject to meet-and-confer requirements. There are exceptions to the meet-and-confer requirement in cases of compelling necessity (like an emergency) or when there is an established past practice of contracting out particular work. AB 2557 does not incorporate either of these limitations. Our position is that these issues are better addressed at the bargaining table where local conditions can be appropriately considered.

In recent years, the Newsom Administration and the Legislature have directed local agencies to engage more with community partners to more effectively connect with vulnerable communities. There are countless examples of programs and policies that have specified components that are directed to be delivered by entities that have direct, lived experience and/or cultural familiarity. One need only look to efforts over the last few years with the state's Homeless Housing and Prevention (HHAP) program or the significant reforms to the Medi-Cal program contained in CalAIM or various criminal justice reforms, to name a few. These efforts explicitly include a role for non-profit, community-based, and private sector providers, sometimes specifically with individuals with different lived experience and expertise than those in a similar government job. Without that partnership, local agencies will be less successful in meeting the expectations and outcomes the state has directed – a consequence of which could be penalties and fines – and, in doing so, will have failed those that we are jointly committed to serve and undermined general trust in government.

Counties, cities, and special districts are constantly challenged by the state to do more, to be more effective and efficient, to be accountable to the public for the resources that we are responsible for managing. Efforts like AB 2489 – along with a similar measure, AB 2557 by Assembly Member Liz Ortega –

tie the hands of local agencies in their most basic administrative function. In doing so, the proposal sets local agencies up for failure – without reasonable tools to manage our constitutional and statutory obligations, there can be no expectation that local agencies make progress on the policy goals that the Legislature and Administration have set forth.

AB 2489 represents a sweeping change to the fundamental work of local governments, but we are unaware of a specific, current problem that this measure would resolve or prevent. We are keenly aware, though, of the very real harm that could result from this measure. AB 2489 will not improve services, reduce costs, or protect employees. As a result, we are opposed to AB 2489. Should you have any questions about our position, please reach out directly.

Sincerely,

Jean Kinney Hurst
Legislative Advocate
Urban Counties of California

Aaron Avery
Director of State Legislative Affairs
California Special Districts Association

Alyssa Silhi
Legislative Advocate
California Association of Park and Recreation Districts

Johnnie Pina
Legislative Affairs, Lobbyist
League of California Cities

Kalyn Dean
Legislative Advocate
California State Association of Counties

Sarah Dukett
Policy Advocate
Rural County Representatives of California

Sarah Bridge
Legislative Advocate
Association of California Healthcare Districts

Jessica Gauger
Director of Legislative Advocacy & Public Affairs
California Association of Sanitation Agencies

Joseph Saenz
Deputy Director of Policy
County Health Executives Association of California

Lisa Gardiner
Director of Government Affairs
County Behavioral Health Directors Association

Eileen Cubanski
Executive Director
California Welfare Directors Association

cc: The Honorable Tina McKinnor, Chair, Assembly Public Employment and Retirement Committee
Members and Consultants, Assembly Public Employment and Retirement Committee
The Honorable Robert Rivas, Speaker, California State Assembly
The Honorable Juan Carrillo, Chair, Assembly Local Government Committee
The Honorable Liz Ortega, California State Assembly
Mary Hernandez, Deputy Legislative Secretary, Office of Governor Gavin Newsom
Katie Kolitsos, Consultant, Office of Assembly Speaker Robert Rivas

April 12, 2024

The Honorable Liz Ortega
California State Assembly
1021 O Street, Suite 5120
Sacramento, CA 95814

Re: **AB 2557 (Ortega): Local agencies: contracts for special services and temporary help: performance reports**
As amended 4/8/24 – OPPOSE
Set for hearing 4/17/24 – Assembly Public Employment and Retirement Committee

Dear Assembly Member Ortega,

On behalf of the Urban Counties of California (UCC), the Rural County Representatives of California (RCRC), the California State Association of Counties (CSAC), the League of California Cities (CalCities), the California Special Districts Association (CSDA), the Association of California Healthcare Districts (ACHD), the California Association of Recreation and Park Districts (CARPD), the California Association of Sanitation Agencies (CASA), the County Health Executives of California (CHEAC), the County Welfare Directors Association (CWDA), and the County Behavioral Health Directors Association (CBHDA), we write to inform you of our opposition to your Assembly Bill 2557, a measure relating to contracting by local agencies. Like previous legislative efforts that attempted to curb local agency authority for contracting, our organizations believe the proposal contained in AB 2557 is overly burdensome and inflexible, likely resulting in worse outcomes for vulnerable communities and diminished local services for our residents. To be frank, AB 2557 creates a de facto prohibition on local agency service contracts due to the onerous obligations and costs associated with its requirements, creating untenable circumstances for local agencies and disastrous consequences for the communities we serve.

Specifically, AB 2557 would require local agencies – at least 10 months prior to a procurement process to contract for special services that are currently or in the past 10 years provided by a member of an employee organization – to notify the employee organization affected by the contract of its determination to begin a procurement process the governing body. The definition of special services varies by agency type, but cover a broad array of services provided by local agencies, from essential government administration services to medical and therapeutic services to legal and other technical services. This is an infeasible obligation, as local agencies often are unaware of a need for a procurement process 10 months prior. Such a situation could occur under any number of circumstances; a few examples: a labor dispute that results in a strike, a natural disaster, a global pandemic, emergency utility repairs, emergent and on-call situations, an unanticipated need to care for those crossing our southern border seeking asylum, and the list goes on. Local agencies have proven their ability to be adaptable in times of need, but the 10-month timeframe and

extensive range of services included in AB 2557 are both arbitrary and unworkable, impeding local agencies' capacity to respond to local needs.

AB 2557 would then require contractors to provide quarterly performance reports with a litany of required components, including personally identifiable information for its employees and subcontractors, that is then subject to the California Public Records Act. An entire local bureaucracy would have to be created at a considerable cost to comply with provisions that require these quarterly performance reports to be monitored to evaluate the quality of service. A particularly troubling provision would *require* the local agency to withhold payment to the contractor under any of the following circumstances that are deemed breach of contract: (1) Three or more consecutive quarterly performance reports are deemed as underperforming by a representative of the governing body *or a representative of the exclusive bargaining unit*; (2) The contractor fails to provide the quarterly reports required by this section or provides a report that is incomplete. Payment may only be made when a contractor submits a plan to achieve substantial compliance with the contract and this section, unless *the governing body, the employee organization, or assigned representatives* reject the plan as insufficient and explain the reasons for the rejection or, in the case of incomplete reports, all complete reports are provided unless *the governing body, the employee organization, or assigned representatives* reject the reports as incomplete.

These provisions would undoubtedly deter non-profit providers, community-based organizations, and other private service providers from engaging with local agencies, likely exacerbating existing demanding caseloads and workloads for our current staff and driving up costs. In addition, not only would private employee data be accessible to any member of the public via the California Public Records Act, but the measure disregards constitutional privacy rights by requiring the publication of personal financial information about private employees. Finally, these provisions elevate the employee organization to a decision-making entity for expenditure of local resources equal to that of the duly elected governing body that is directly accountable to voters. Authorizing an employee organization to decide to withhold payment to a contractor is not just an inconceivable policy proposal, but also raises serious constitutional questions about delegation of a public authority to a non-public entity. Even if a contractor were comfortable with sharing the personal information of its employees, what contractor would be willing to take the risk that they would not get paid for completed work as outlined in a contract?

Finally, in addition to the obligation of the contractor to provide quarterly performance reports every 90 days, AB 2557 requires a performance audit by an independent auditor (who would likely also be subject to the provisions of AB 2557) to determine whether performance standards are being met for contracts with terms exceeding two years *at the contractor's cost*. (It is unclear to us what is intended to be learned from this performance audit as opposed to the quarterly performance reports that are proposed for review by the governing body *and* the employee organization. Four quarterly performance reports would be provided, then a performance audit would be started, while four additional quarterly performance reports would be provided presumably prior to completion of the performance audit. That is a total of *nine* reports over a period of 24 months.) This provision fails to reflect an understanding of the practical logistics of actually achieving this reporting and review in a timely manner, not to mention the additional burden placed on contractors, which would presumably be an additional deterrent to engaging with local agencies. Because a contract renewal or extension may only occur after a review in conference with a representative of the exclusive bargaining unit, this provision also provides the opportunity to defer or delay such a renewal or extension. No matter what, the abundance of reporting obligations outlined in AB 2557 is likely to come with considerable local costs and is unlikely to facilitate effective and efficient provision of local programs and services to our mutual constituencies.

All of the above provisions also apply to temporary employees working under a contract for temporary help. Temporary employees working under a contract for temporary help are routinely used for important local

services. An example that we have previously shared with the Legislature are public and district hospitals, which often operate both hospitals and clinics, that must ensure they are adequately staffed to care for patients and meet the requirements of state law. It is no secret that California is in a statewide health care provider shortage, and as providers adjust to surges in patient volumes and fluctuations in staffing levels, they must have the tools available to them to bring on additional staffing quickly to fill gaps.

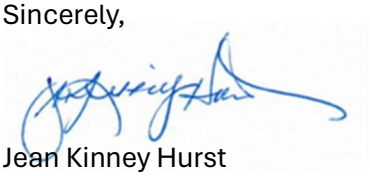
It is important to note that local agencies are already subject to the statutory provisions of the Meyers-Milias-Brown Act (MMBA) and related provisions of state law. These laws already establish that local agencies cannot contract out bargaining unit work simply to save money and most contracting-out decisions are subject to meet-and-confer requirements. There are exceptions to the meet-and-confer requirement in cases of compelling necessity (like an emergency) or when there is an established past practice of contracting out particular work. AB 2557 does not incorporate either of these limitations. Our position is that these issues are better addressed at the bargaining table where local conditions can be appropriately considered.

In recent years, the Newsom Administration and the Legislature have directed local agencies to engage more with community partners to more effectively connect with vulnerable communities. There are countless examples of programs and policies that have specified components that are directed to be delivered by entities that have direct, lived experience and/or cultural familiarity. One need only look to efforts over the last few years with the state's Homeless Housing and Prevention (HHAP) program or the significant reforms to the Medi-Cal program contained in CalAIM or various criminal justice reforms, to name just a few. These efforts explicitly include a role for non-profit, community-based, and private sector providers. Without that partnership, local agencies will be less successful in meeting the expectations and outcomes the state has directed – a consequence of which could be penalties and fines – and, in doing so, will have fallen short in meeting the needs of those that we are jointly committed to serve and undermined general trust in government.

Counties, cities, and special districts are constantly challenged by the state to do more, to be more effective and efficient, to be accountable to the public for the resources that we are responsible for managing. Efforts like AB 2557 – along with a similar measure, AB 2489 by Assembly Member Chris Ward – tie the hands of local agencies in their most basic administrative function. In doing so, the proposal sets local agencies up for failure – without reasonable tools to manage our constitutional and statutory obligations, there can be no expectation that local agencies make progress on the policy goals that the Legislature and Administration have set forth.

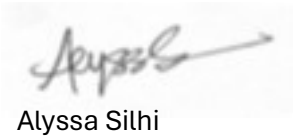
AB 2557 represents a sweeping change to the fundamental work of local governments, but we are unaware of a specific, current problem that this measure would resolve or prevent. We are keenly aware, though, of the very real harm that will result from this measure. AB 2557 will not improve services, reduce costs, or protect employees. As a result, we are opposed to AB 2557. Should you have any questions about our position, please reach out to us directly.

Sincerely,



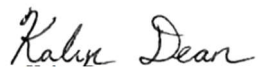
Jean Kinney Hurst
Legislative Advocate
Urban Counties of California

Aaron Avery
Director of State Legislative Affairs
California Special Districts Association



Alyssa Silhi
Legislative Advocate
California Association of Park and Recreation Districts

Johnnie Pina
Legislative Affairs, Lobbyist
League of California Cities



Kalyn Dean
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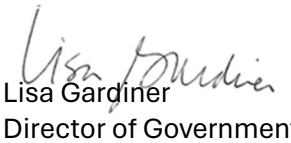
County Health Executives Association of California



Lisa Gardiner
Director of Government Affairs
County Behavioral Health Directors Association

Eileen Cubanski
Executive Director
California Welfare Directors Association

cc: The Honorable Tina McKinnor, Chair, Assembly Public Employment and Retirement Committee
Members and consultants, Assembly Public Employment and Retirement Committee
The Honorable Robert Rivas, Speaker, California State Assembly
The Honorable Juan Carrillo, Chair, Assembly Local Government Committee
The Honorable Chris Ward, California State Assembly
Mary Hernandez, Deputy Legislative Secretary, Office of Governor Gavin Newsom
Katie Kolitsos, Consultant, Office of Assembly Speaker Robert Rivas

UCC Letters

April 5, 2024

The Honorable Tina McKinnor
Chair, Assembly Public Employment and Retirement Committee
1020 N Street, Room 153
Sacramento, CA 95814

RE: AB 2561 (McKinnor) Local public employees: vacant positions – OPPOSE (As Amended March 11, 2024)

Dear Assembly Member McKinnor,

The California State Association of Counties (CSAC), Urban Counties of California (UCC), California Special Districts Association (CSDA), Rural County Representatives of California (RCRC), California Transit Association (CTA), County Health Executives Association of California (CHEAC), County Behavioral Health Directors Association (CBHDA), California Welfare Directors Association (CWDA), and the League of California Cities (Cal Cities), respectfully oppose Assembly Bill (AB) 2561. This measure requires local agencies with bargaining unit vacancy rates exceeding 10% for more than 180 days (approximately 6 months) to produce, implement, and publish a plan to reduce their vacancy rates to 0% within the subsequent 180 days. The bill also requires the public agency to present this plan during a public hearing to the governing legislative body and to publish the plan on its internet website for public review for at least one year.

Sizable vacancy rates exist in the public sector – for the state and for local employers. While the bill notably omits the state, the vacancy rate for the State of California has consistently been above 10 percent statewide for at least the past 20 years. As of February 2024, the vacancy rate for state jobs in California is about 20 percent.[1]

For counties, the issue of vacancies is particularly acute with the highest rates typically in behavioral health, the sheriff's department, corrections, and employment and social

[1] https://lao.ca.gov/Publications/Report/4888

services. Local government decision-makers and public agency department heads recognize the impact that long-term vacancy rates have, both on current employees and those who receive services from those departments. Many specialty positions like nurses, licensed behavioral health professionals, social workers, police, teachers, and planners are experiencing nationwide workforce shortages and a dwindling pipeline for new entrants, driven by both an expansion of services and an aging workforce. To further complicate recruitment, local governments are competing with both the private sector and other government agencies. Local governments have been implementing innovative ways to try to boost recruitment and incentivize retention (e.g., sign-on bonuses, housing stipends, etc.).

In spite of these efforts, vacancies persist; driven by several distinct circumstances. The public sector workforce has changed. In a post-COVID era, there is a much higher demand for remote work, which is not a benefit that can be offered within public agencies across all departments or for all roles. Furthermore, newer entrants to the workforce have changed priorities when it comes to the benefits and conditions of their work. Public employees were on the front lines of the COVID response. While the state passed legislation and the Governor signed executive orders and set policy during those challenging months, public agency employees were the vessel of service delivery and the implementer of those policies. This work was arduous, nearly endless and seemingly thankless. In conjunction with delivering on the policies and priorities set by the state during the pandemic, counties specifically, have been burdened with several simultaneous overhauls of county service delivery, as mandated by the state. There is no doubt a correlation between the county programs dealing with the largest realignments of service delivery and structural overhaul as mandated in State law and those departments with the highest vacancy rates. Employees have experienced burn-out, harassment from the public, and a seemingly endless series of demands to transform systems of care or service delivery while simultaneously providing consistent and effective services, without adequate state support to meet state law. Obviously, it is difficult to retain staff in those conditions.

If the true intent of AB 2561 is to provide a path for public agencies to reduce staff vacancies, diverting staff away from core service delivery and mandating they spend time producing reports on their vacancy rates will not achieve that goal. The total impact of mandated realignments without adequate concurrent funding and flexibility has also contributed to these vacancy rates. Adding another unfunded mandate on public agencies will not solve the problem this bill has identified. It is just as likely to create even more burn-out from employees tasked with producing the very report the bill mandates.

Local agencies are committed to continuing the work happening now between all levels of government and employees to expand pipeline programs, build pathways into public sector jobs, modernize the hiring process, and offer competitive compensation. We cannot close the workforce shortages overnight; it will take investment from educational institutions, all levels of government, and the private sector to meet the workforce demands across the country. We must use our limited human resources staff to hire employees during this economically challenging time rather than diverting resources to

additional reports that will tell what we already know. Local bargaining units have the ability to address workforce concerns or develop hiring/retention strategies/incentives at the barraging table within agreements and compensation studies. We welcome partnering on workforce strategies and believe there is a more productive and economical pathway than AB 2561.

For those reasons, CSAC, UCC, CSDA, RCRC, CTA, CHEAC, CBHDA, CWDA, and Cal Cities respectfully oppose AB 2561 (McKinnor). Please do not hesitate to reach out to us with your questions.

Sincerely,

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

Aaron A. Avery
Director of State Legislative Affairs
California Special Districts Association
aarona@csda.net

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

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

Michael Pimental
Executive Director
California Transit Association
Michael@caltransit.org

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

Joseph Saenz
Deputy Director of Policy
County Health Executives Association of California
jsaenz@cheac.org

Lisa Gardiner
Director of Government Affairs
County Behavioral Health Directors Association
lgardiner@cbhda.org

Eileen Cubanski
Executive Director
California Welfare Directors Association
ecubanski@cwda.org

cc: Members, Assembly Public Employment and Retirement Committee
Michael Bolden, Consultant, Assembly Public Employment and Retirement Committee
Lauren Prichard, Consultant, Assembly Republican Caucus
Malik Gover, Legislative Aide, Assembly Member McKinnor's Office

April 10, 2024

The Honorable Juan Carrillo
Chair, Assembly Local Government Committee
1020 N Street, Room 157
Sacramento, CA 95814

RE: AB 2591 (Quirk-Silva) – Local government: youth commission
As Amended April 9, 2024 – OPPOSE
Set for Hearing April 17, 2024

Dear Chair Carrillo:

On behalf of the Rural County Representatives of California (RCRC), the California State Association of Counties (CSAC), the Urban Counties of California (UCC), and the League of California Cities (Cal Cities), we regretfully oppose Assembly Bill 2591 (Quirk-Silva). This bill creates a new mandated local program by requiring cities and counties to establish a youth commission in response to petitions from high school pupils enrolled in their jurisdiction.

Counties and cities do not take issue with the policy of establishing local youth commissions. Local governments have the authority to create boards and commissions based on local needs, available funding, and staff resources. Local governments frequently use that authority to establish boards, commissions, and advisory bodies to ensure they are informed by the diverse perspectives of their communities. While we appreciate the bill's intent to expand access to civic engagement for youth, as currently drafted, the provisions would create a new mandate that will require significant investment in staff resources without a corresponding allocation of funds.

As Brown Act-governed bodies, commissions require financial resources to fund the staff time required to respond to the initial petition and create the body, fill vacancies, provide the venue, staff the meetings, and fulfill Brown Act requirements (e.g., agenda preparation, meeting minutes, coordination with commission members). Given the serious fiscal challenges that exist at all levels of government, it is increasingly unlikely that counties and cities would have the necessary resources to meet this new requirement. Furthermore, this bill negates the real and challenging circumstances, primarily in rural jurisdictions, where a county or city cannot seat vacant positions on existing bodies – not for lack of trying, but merely for lack of available or willing volunteers. In addition to the real, direct costs imposed on local governments, the bill creates unnecessary opportunity costs for the time spent on a state-prescribed activity that could

have been spent on issues of greater need for that community. Establishing new meeting bodies, which would presumably be funded by redirecting local General Fund dollars from existing programs, must remain a local decision based on local conditions and needs.

For the reasons outlined above, RCRC, CSAC, UCC, and Cal Cities respectfully oppose AB 2591. Should you have any questions regarding our position, please do not hesitate to contact our organizations.

Sincerely,

Sarah Dukett
Policy Advocate
RCRC
sdukett@rcrcnet.org

Eric Lawyer
Legislative Advocate
CSAC
elawyer@counties.org

Jean Hurst
Legislative Advocate
UCC
jkh@hbeadvocacy.com

Johnnie Pina
Legislative Affairs, Lobbyist
Cal Cities
jpina@calcities.org

cc: The Honorable Sharon Quirk-Silva, Member of the California State Assembly
Members of the Assembly Local Government Committee
Angela Mapp, Chief Consultant, Assembly Local Government Committee
William Weber, Consultant, Assembly Republican Caucus

April 10, 2024

The Honorable Juan Carrillo
Chair, Assembly Local Government Committee
1021 O Street, Suite 4320
Sacramento, CA 95814

Re: **AB 2715 (Boerner): Ralph M. Brown Act: closed sessions**
As introduced 2/14/24 – SUPPORT
Set for hearing 4/17/24 – Assembly Local Government Committee

Dear Assembly Member Carrillo:

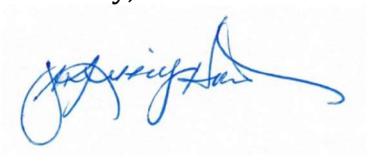
On behalf of the Urban Counties of California (UCC), Rural County Representatives of California (RCRC), and the California State Association of Counties (CSAC), we write in support of Assembly Bill 2715, Assembly Member Tasha Boerner's measure that would authorize local agency governing bodies to convene a closed session to consider or evaluate matters related to cybersecurity.

Local agencies are subject to a wide range of cybersecurity risks, from elections and patient data to critical infrastructure and emergency communications. The significant level of risk and the increasing sophistication of cybercriminals makes us exceptionally vulnerable to a security breach. Existing law is unclear about whether current exemptions can be used to hold a closed session discussion about a local agency's cybersecurity risks and vulnerabilities when a cyberattack is not imminent or underway. Therefore, local agencies do not currently have a method of privately discussing their cybersecurity, which increases local agencies' vulnerability to such attacks.

Our obligations to sustain reliable and effective services that protect the health and safety of the public are paramount. Allowing discussion of cybersecurity in closed session helps facilitate discussion of effective and safe mechanisms to ensure the safety of public information and infrastructure. As exists for current closed session items, any decision that results from such a closed session must be disclosed in an open session, ensuring the public is aware of the decision that has been made.

AB 2715 represents an important modernization of the Brown Act and, as such, we are supportive of the measure. 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

Eric Lawyer
Legislative Advocate
California State Association of Counties
elawyer@counties.org

cc: Members and Consultants, Assembly Local Government Committee
The Honorable Tasha Boerner, California State Assembly

UCC Letters

April 10, 2024

The Honorable Matt Haney
California State Assembly
1021 O Street, Suite 5740
Sacramento, CA 95814

Re: **AB 2751 (Haney): Employer communications during nonworking hours**
As amended 3/21/24 – OPPOSE
Set for hearing 4/17/24 – Assembly Labor and Employment Committee

Dear Assembly Member Haney:

On behalf of the Urban Counties of California (UCC), the Rural County Representatives of California (RCRC), the California State Association of Counties (CSAC), the League of California Cities (CalCities), the California Special Districts Association (CSDA), and the Association of California School Administrators (ACSA), we write to express our opposition to your Assembly Bill 2751, a measure that would prohibit communication between employers and employees outside of an ambiguous definition of "emergency". Even though the bill is clearly intended to apply to public agency employers, AB 2751 raises considerable concerns, questions, and potential unintended consequences for counties, cities, and special districts and our employees. As a result, the measure has the potential to create significant uncertainty regarding the delivery of important local programs and services.

As you know, the provision of government services is a 24-hour, 7-day per week obligation. Local agencies construct their employee work periods in a collaborative manner through the collective bargaining process with duly recognized employee organizations. Those negotiations result in collective bargaining agreements that outline the terms of employment, including pay, benefits, hours, leave, job health and safety policies, as well as ways to balance work and home obligations. Even though it exempts employees subject to a collective bargaining agreement, AB 2571 would likely require reopening such agreements to negotiate new provisions associated with establishing contact outside of work hours. Further, local agencies also have employees that are not subject to a collective bargaining agreement; often these individuals have management or director responsibilities that facilitate and direct departmental activities which are inherently different from the activities of other types of employees. Other agencies, particularly smaller agencies, may not have collective bargaining agreements, or have collective bargaining agreements covering a portion of employees, while still providing important services in their communities. Agreements with these non-represented employees would also have to be amended to accommodate the provisions of the measure. AB 2751's blanket prohibition puts a "one size fits all" approach that may not be appropriate for the government sector as it creates burdensome challenges for ensuring suitable service levels around the clock, and has implications for represented and non-represented employees.

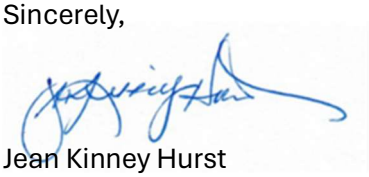
There are also a number of new definitions and references in AB 2751 that are vague and confusing. For example, we are unclear as to who is considered an "employer" and "employee" under the measure. Managers, directors, and other appointed and/or elected officials may run individual

agency departments, while the local governing body – who are clearly not employees – sets policy and direction for the local agency. Who is to assume responsibility for contacting which employees if contact is necessary after hours? The bill also does not appear to address "on-call" employees, who do not necessarily have assigned hours of work. The lack of clarity in the measure will undoubtedly create considerable challenges for public agency employers and, in doing so, potentially undermine the provision of public services.

In addition, pursuant to the California Emergency Services Act, any person employed by a county, city, state agency, or school district or special district in California is a public employee and considered a disaster service worker. This means that all public employees may be required to serve as disaster service workers in support of government efforts for disaster response and recovery efforts. AB 2751 is sufficiently vague regarding such obligations as to raise questions about how disaster service workers would be contacted outside of their normal work period for this purpose. If employees must "disconnect," how may they be reached in an emergency? How would local agencies ensure that they have access to sufficient personnel to respond to an emergency? Also, the definition of "emergency" is likely to result in a difference of opinion as to what constitutes an emergency, creating additional confusion at what will likely be the most inopportune time.

While we appreciate the goal of ensuring that employees are able to have time for themselves and their families, we respectfully suggest that the provisions of AB 2751 are problematic for local public agencies, their employees, and the communities we serve. As a result, we are opposed to AB 2751. If you have questions about our position, please do not hesitate to reach out.

Sincerely,



Jean Kinney Hurst
Legislative Advocate
Urban Counties of California

Aaron Avery
Director of State Legislative Affairs
California Special Districts Association

Dorothy Johnson
Legislative Advocate
Association of California School Administrators

Johnnie Pina
Legislative Affairs, Lobbyist
League of California Cities

Kalyn Dean
Legislative Advocate
California State Association of Counties

Sarah Dukett
Policy Advocate
Rural County Representatives of California

cc: The Honorable Liz Ortega, Chair, Assembly Labor and Employment Committee
Members and Consultants, Assembly Labor and Employment Committee

URBAN COUNTIES
OF CALIFORNIA

April 12, 2024

Assembly Member Rebecca Bauer-Kahan
Chair, Assembly Privacy and Consumer Protection Committee
1020 N Street, Room 162
Sacramento, CA 95814

RE: AB 2871 (Maienschein): Overdose Fatality Review Teams
As introduced 2/15/2024 – SUPPORT
Set for hearing 4/16/2024 – Assembly Privacy and Consumer Protection Committee

Dear Assembly Member Bauer-Kahan:

On behalf of the Urban Counties of California, a 14-member coalition of the state's most populous counties, I write in support of AB 2871, Assembly Member Maienschein's measure that would authorize counties to create Overdose Fatality Review Teams. These interagency teams would facilitate communication and data sharing to help inform local overdose prevention strategies.

Drug overdose fatalities have increased in California and across the nation in recent years. Primarily attributed to opioid and fentanyl use, more than 11,000 people in California died from drug overdoses in 2022, a figure that has more than doubled since 2018. AB 2871 represents an important component of a thoughtful, integrated local approach that will facilitate review of overdose fatalities, promote communication among the various local agencies and stakeholders involved in tracking these deaths, and – most importantly – allow sharing of vital information that in turn will help inform local overdose prevention efforts.

This measure builds on existing death review team models at the local level for focused populations, including children, domestic violence, and elder abuse, which have resulted in system improvements. AB 2871 would authorize counties to establish overdose death review teams with a goal of designing and deploying strategies for best addressing local drug and opioid crises. An essential aspect of this measure is the statutory framework for sharing confidential medical and other information within the drug fatality review team structure.

UCC is pleased to support AB 2871. We believe it is critical for preventing and addressing drug overdose death by facilitating needed local prevention efforts. Thank you for your leadership.

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

Sincerely,

Elizabeth Espinosa
Legislative Advocate

Cc: Honorable Members and Consultants, Assembly Privacy and Consumer Protection Committee
Assembly Member Brian Maienschein

UCC Letters

URBAN COUNTIES
OF CALIFORNIA

April 1, 2024

Assembly Member Brian Maienschein
California Assembly
1021 O Street, Suite 5640
Sacramento, CA 95814

RE: AB 2871 (Maienschein): Overdose Fatality Review Teams
As introduced 2/15/2024 – SUPPORT
Set for hearing 4/9/2024 – Assembly Health 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 AB 2871, your measure that would authorize counties to create Overdose Fatality Review Teams. These interagency teams would facilitate communication and data sharing to help inform local overdose prevention strategies.

Drug overdose fatalities have increased in California and across the nation in recent years. Primarily attributed to opioid and fentanyl use, more than 11,000 people in California died from drug overdoses in 2022, a figure that has more than doubled since 2018. AB 2871 represents an important component of a thoughtful, integrated local approach that will facilitate review of overdose fatalities, promote communication among the various local agencies and stakeholders involved in tracking these deaths, and – most importantly – allow sharing of vital information that in turn will help inform local overdose prevention efforts.

Your measure builds on existing death review team models at the local level for focused populations, including children, domestic violence, and elder abuse, which have resulted in system improvements. AB 2871 would authorize counties to establish overdose death review teams with a goal of designing and deploying strategies for best addressing local drug and opioid crises. An essential aspect of your measure is the statutory framework for sharing confidential medical and other information within the drug fatality review team structure.

UCC is pleased to support AB 2871. We believe this measure is critical for preventing and addressing drug overdose death by facilitating needed local prevention efforts. Thank you for your leadership on this measure.

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

Sincerely,

Elizabeth Espinosa
Legislative Advocate

Cc: The Honorable Mia Bonta, Chair, Assembly Health Committee
Honorable Members and Consultants, Assembly Health Committee

April 9, 2024

The Honorable Buffy Wicks
Chair, Assembly Appropriations Committee
1021 O Street, Suite 8220
Sacramento CA 95814

RE: AB 2882 (McCarty) – Community Corrections Partnerships
As introduced 2/15/2024 – OPPOSE
Awaiting hearing – Assembly Appropriations Committee

Dear Assembly Member Wicks:

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 opposition to AB 2882. In addition to amending the composition of the local Community Corrections Partnership (CCP) and the CCP Executive Committee, this measure would impose new costs to counties for a program realigned in 2011 related specifically to (1) new community corrections plan development and processing requirements and (2) considerable new CCP data collection and reporting requirements.

In 2011, when California faced a devastating budget shortfall similar to today's, the state and counties negotiated what is known as Public Safety Realignment – a transfer of programs and responsibilities with accompanying funding – to the local level. Subsequently, voters enacted Proposition 30 (2012), which – among other provisions – constitutionally guaranteed a permanent funding source for 2011 Realignment and provided a range of protections to counties. Article XIII, Section 36(c)(4)(A) provides that if the state enacts legislation after September 30, 2012 that increases local costs associated with programs or services realigned in 2011, then the state must provide funding to cover those costs; if no state funding is provided, counties have no obligation to deliver the higher levels of service.

AB 2882 proposes to increase the level of service associated with the responsibilities required of local CCPs related to developing an implementation plan for AB 109 (Chapter 15, 2011); given that these new community corrections responsibilities were enacted as part of 2011 Realignment, they are subject to Proposition 30 protections.

Specifically, this measure would increase CCP responsibilities in two specific ways:

- Expands – by amending Penal Code section 1230.1 – the elements of the local community corrections plan (i.e., AB 109 implementation plan), which (1) are new, detailed and specific and (2) require annual updates and approval by the new CCP executive committee membership proposed in the bill. These elements require new comprehensive and in-depth analyses and recommendations about how criminal justice funds might be used as matching funds for other sources, quantifiable goals for improving the community corrections systems, and specific targets for each goal; and
- Adds an entire new section (Penal Code section 1230.2) of county reporting requirements to the Board of State and Community Corrections (BSCC), which enumerates 13 expansive categories of data, many of which include multiple sub-elements.

The bill proposes no funding to cover counties' costs associated with carrying out these additional responsibilities and higher levels of service beyond what was defined in 2011 Realignment legislation.

Counties already report annually to the BSCC about their local community corrections plans developed by the local CCP; the BSCC posts these detailed and voluminous reports annually. In the Legislature's early budget action, $7.95 million in CCP grants, which have been awarded every year since 2011 and are conditioned upon counties' submission of the CCP reports, is slated to be eliminated. It seems especially inappropriate to saddle counties with new duties and responsibilities at a time when funding that today accompanies our existing reporting responsibilities for the same program has been zeroed out.

Beyond the Prop 30 considerations, the fiscal impacts contemplated by this measure come at a time when neither the state nor counties have sufficient resources to perform their existing responsibilities. Our associations also have extensive policy objections to AB 2882, which we will reserve for policy committee deliberations. CSAC, RCRC, and UCC remain opposed to AB 2882.

Sincerely,

Ryan Morimune	Elizabeth Espinosa	Sarah Dukett
Legislative Representative, CSAC	Legislative Representative, UCC	Policy Advocate, RCRCRCRC

cc: Members and Counsel, Assembly Appropriations Committee
The Honorable Kevin McCarty, Member of the Assembly

March 27, 2024

The Honorable Kevin McCarty
Chair, Assembly Public Safety Committee
1021 O Street, Suite 5610
Sacramento, CA 95814

RE: AB 2882 (McCarty) - California Community Corrections Performance Incentives.
As introduced 2/15/2024 – OPPOSE
Set for hearing 4/2/2024 – Assembly Public Safety Committee

Dear Assembly Member McCarty:

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 2882. This measure would amend the composition of the local Community Corrections Partnership (CCP) and the CCP Executive Committee; specify new plan development and processing requirements at the local level; and add considerable new CCP data collection and reporting requirements.

The objective of AB 2882 appears to seek reprioritization of an existing community corrections revenue stream to address the behavioral health treatment needs of justice-involved individuals. However, we are concerned that the measure focuses on the oversight and planning associated with a single subaccount in isolation, without considering (1) that the justice-involved population realigned to counties pursuant to AB 109 in 2011 has many needs, including but not limited to behavioral health treatment needs, (2) other revenue sources brought to bear in supporting the populations in counties' care, and (3) other important policy changes that took place concurrent to 2011 Realignment, as well as more recent initiatives that fundamentally revise behavioral health funding and service delivery at the local level.

Our associations agree that the state and counties together must continue exploration of how best to improve behavioral health care for those in our communities, including justice-involved individuals. However, we have a number of specific concerns related to the approach contemplated in AB 2882.

- ***This measure inappropriately presumes that the Community Corrections Subaccount is the main fund source for the care and treatment of the county justice-involved population and that system-involved individuals have no other service needs beyond behavioral health treatment***. While behavioral health treatment is a priority at the local level, by bringing this new data collection and reporting responsibility under the purview of the CCP, the changes contemplated in AB 2882 to the CCP structure appear to be based on the inaccurate assumption that the Community Corrections Subaccount is the main fund source to support the treatment needs of justice-involved individuals. If the intent of this measure is to develop a comprehensive picture of local behavioral health investments, the study would need to include the impact of the Affordable Care Act expansion on the justice-involved population, other behavioral health-related programs and funding in 2011 Realignment, other jail medical and mental health budget investments, local behavioral health funding gaps, the potential impacts of the justice-involved initiative of CalAIM, as well as the Behavioral Health Services Act enacted in Proposition 1 (2024). The isolated focus on the Community Corrections Subaccount inappropriately excludes a vast array of other local investments as well as complex and varied funding and policy developments that have come to pass since 2011. Furthermore, robust behavioral health treatment planning and collaboration, including public safety stakeholder engagement, is already included in the integrated plans specified in Proposition 1.

- ***Proposed changes to the CCP and CCP Executive Committee[1] do not align with assigned functions and could result in unintended consequences.*** There are distinct differences between the role and responsibilities of the CCP and its Executive Committee. AB 2882 appears to conflate the two bodies and their responsibilities. The full CCP has primary authority over the Community Corrections Performance Incentive Act (SB 678) implementation – an incentive-based program that shares state correctional savings with county probation departments associated with reductions in prison admissions from local felony supervision. The expertise of the proposed new CCP members does not appear to align with the original and primary responsibility of the CCP. Secondly, the expansion of the CCP Executive Committee appears to rebalance the composition away from a multi-agency public safety collaboration focused on community corrections to one that prioritizes behavioral health considerations. While these funds are often used to fund behavioral health treatment for justice-involved individuals, the composition and balance of the CCP Executive Committee was designed with the primary focus of 2011 Realignment in mind – public safety, a responsibility that resides primarily at the local government

[1] The CCP was created pursuant to the enactment of SB 678 (Ch. 608, Statutes of 2009), while the creation of the CCP Executive Committee was a feature added by AB 109 (Ch. 15, Statutes of 2011), as subsequently amended in AB 117 (Ch. 39, Statute of 2011), to develop a local community corrections plan.

level. Behavioral health services are a critically important component of addressing the needs of the justice-involved population, but only one aspect. Finally, it also is important to note that county behavioral health treatment planning occurs through other structured processes with local collaboration and with ultimate expenditure authority resting with the county Board of Supervisors.

- ***Higher levels of service associated with CCP responsibilities – including new plan requirements and reporting responsibilities – must be accompanied by an appropriation.*** Provisions in Proposition 30 (2012)[2] require the state to provide a new appropriation to support new and higher levels of service associated with programs and responsibilities realigned in 2011. Even though we believe that the proposed new plan elements as well as additional data collection and reporting requirements are unnecessary and inappropriate, if they were enacted, additional state funding would be required both for the specific plan elements amended into Penal Code section 1230.1 as well as data collection and reporting responsibilities in new Penal Code section 1230.2 before counties would be obligated to carry out these new functions.

For these reasons, CSAC, UCC, and RCRC must respectfully oppose this measure. We welcome an opportunity to more fully discuss the specific aspects of our position outlined above. Please feel free to contact Ryan Morimune at CSAC (rmorimune@counties.org), Elizabeth Espinosa at UCC (ehe@hbeadvocacy.com), or Sarah Dukett at RCRC (sdukett@rcrcnet.org) for any questions on our associations' perspectives. Thank you.

Sincerely,

Ryan Morimune	Elizabeth Espinosa	Sarah Dukett
Legislative Representative	Legislative Representative	Policy Advocate
CSAC	UCC	RCRC

cc: Members and Counsel, Assembly Public Safety Committee

[2] California Constitution Section 36(b)(4): "Legislation enacted after September 30, 2012, that has an overall effect of increasing the costs already borne by a local agency for programs or levels of service mandated by the 2011 Realignment Legislation shall apply to local agencies only to the extent that the State provides annual funding for the cost increase. Local agencies shall not be obligated to provide programs or levels of service required by legislation, described in this subparagraph, above the level for which funding has been provided."

UCC Letters

April 15, 2024

The Honorable Sharon Quirk-Silva
California State Assembly
1021 O Street, 4210
Sacramento, California 95814

RE: AB 2904(Quirk-Silva) Zoning ordinances: notice – Neutral as Proposed to be Amended on 4/17/2024

Dear Assemblymember Quirk-Silva:

The American Planning Association, California Chapter (APA California), League of California Cities (Cal Cities), California State Association of Counties (CSAC), Urban Counties of California (UCC), and the Rural County Representatives of California (RCRC) are pleased to move to a neutral position based on forthcoming amendments to your bill, AB 2904. As introduced, AB 2904 would require notice of a Planning Commission's hearing on a proposed zoning ordinance or amendment to a zoning ordinance, if the proposed ordinance or amendment affects the permitted uses of real property, to be mailed or delivered at least 60 days before the hearing to the owner of each property subject to the proposed zoning ordinance or amendment, in addition to new onerous mailing requirements.

Given that this new 60 day noticing and associated mailing requirements would have substantially delayed efforts to adopt zoning ordinances and created significant cost burdens on local governments, our organizations opposed these proposed changes. Local governments are working diligently to update zoning ordinances to comply with existing laws that have passed requiring very specific timelines to do so. In addition, zoning ordinances are generally proposed after extensive community outreach and engagement, which allows opportunities to affected property owners to have a voice in the planning process, *before* action is taken by the Planning Commission. That said, we appreciate our discussion with your office to voice our concerns and are pleased to find a solution that will work for everyone. Forthcoming amendments will move the existing 10 day notice requirement to 20 days, rather than the proposed 60 days, while returning all other noticing requirements back to existing law.

We appreciate the opportunity to engage on this issue and especially the time your staff and the Local Government Committee spent to find a workable solution. Based on these forthcoming amendments, our organizations will move to a neutral position. If you have any questions, do not hesitate to contact Lauren De Valencia at APA California, Brady Guertin at Cal Cities, Chris Lee at UCC, Mark Neuburger at CSAC, or Tracy Rhine at RCRC.

Sincerely,

Brady Guertin
Legislative Affairs, Lobbyist
League of California Cities

Christopher Lee
Legislative Advocate, UCC

Mark Neuburger
Legislative Advocate
California State Association of Counties

Tracy Rhine
Senior Policy Advocate
Rural County Representatives of California

Erik de Kok, AICP
Vice President Policy and Legislation
APA California

cc: Assembly Local Government Committee
Assembly Republican Caucus
The Governor
The Office of Planning and Research
The California Department of Housing and Community Development

April 16, 2024

The Honorable Avelino Valencia
California State Assembly
1021 O Street, Room 4120
Sacramento, CA 95814

Re: **AB 2946 (Valencia): Discretionary funds: County of Orange**
As amended 3/21/24 – CONCERNS
Set for hearing 4/24/24 – Assembly Local Government Committee

Dear Assembly Member Valencia:

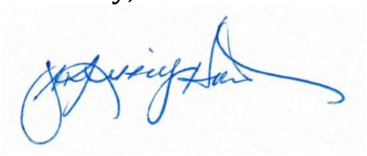
On behalf of the Urban Counties of California (UCC), the California State Association of Counties (CSAC), and the Rural County Representatives of California (RCRC), I write to express concerns regarding your Assembly Bill 2946, a measure that would require the Orange County Board of Supervisors to handle certain items of appropriation in a specific manner. Even though AB 2946 explicitly applies to the County of Orange, we are concerned about some language used in the bill and the precedent-setting nature of the measure.

We understand that your primary interest exists with the process by which county funds are appropriated to each supervisor for purposes of awarding such funds to community organizations. AB 2946's definition of "discretionary funds" extends far beyond this limited scope to all county general purpose revenue used for its budget; essentially, any county resource that is not a state, federal, grant, or restricted fee dollar would be subject to the limitation imposed by the bill. This imprecise definition has the potential to hamstring a board of supervisors to such an extent that a final budget could not be approved by the statutory deadline.

We respectfully request your consideration of an amendment that more narrowly defines the items of appropriation subject to the limitations of the bill. Such an amendment would address our concerns about the precedent-setting nature of AB 2946, as AB 2946 would serve as a model for any future legislation that may be considered on this topic.

We greatly appreciate your consideration of our concerns and are available to assist your staff on this matter should that be helpful.

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

Eric Lawyer
Legislative Advocate
California State Association of Counties
elawyer@counties.org

cc: The Honorable Juan Carrillo, Chair, Assembly Local Government Committee
Members and Consultants, Assembly Local Government Committee

URBAN COUNTIES
OF CALIFORNIA

April 16, 2024

The Honorable Phil Ting
California State Assembly
1021 O Street, Suite 5220
Sacramento, CA 95814

Re: **AB 2967 (Ting): Teacher Housing Act of 2016: definitions**
As amended 3/21/24 – SUPPORT
Set for hearing 4/17/24 – Assembly Housing and Community Development Committee

Dear Assembly Member Ting:

On behalf of the Urban Counties of California (UCC), I write to express our support for Assembly Bill 2967, your measure that would create a third category of educators eligible for a housing preference, specifically employees of non-profits who operate early childhood, pre-kindergarten, or school-aged childcare on school district property, under the Teacher Housing Act of 2016.

The lack of affordable housing for the early childhood workforce has forced many to leave the profession, find second jobs, and undertake long, difficult commutes from cheaper housing markets. This makes it extremely difficult for nonprofit employers operating state- or federally-funded programs for low-income children to recruit and retain a qualified workforce. Providers of publicly subsidized early childhood education providers are crucial to the state's social safety net, accounting for almost one-third of California's enrollment in early childhood programs, according to a 2019 UC Berkeley Labor Center Report.

AB 2967 would make these essential educators eligible to live in teacher housing projects by expanding the Teacher Housing Act of 2016 to include employees of nonprofits who operate early childhood, pre-kindergarten, or school-aged childcare on school district property with funding from the Department of Education, the Head Start program, or other public funding sources targeted to children of low and moderate-income families. The expansion is narrowly crafted to target this particular critical workforce, and school districts retain the right to prioritize school district employees over local public employees or other members of the public to occupy housing. It is up to each school district to decide whether or not to include a preference for this additional category.

AB 2967 empowers developers of teacher housing to address the housing needs of early childhood educators when they identify this as a need. UCC is pleased to support AB 2967. Please feel free to reach out with any questions or concerns.

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

Sincerely,

Jean Kinney Hurst
Legislative Advocate

cc: The Honorable Chris Ward, Chair, Assembly Housing and Community Development Committee
Members and Consultants, Assembly Housing and Community Development Committee
Connie Juarez-Diroll, Chief Legislative Officer, County of San Mateo

URBAN COUNTIES
OF CALIFORNIA

Supervisor Nora Vargas, Chair
San Diego County

Supervisor Rich Desmond, Vice-Chair
Sacramento County

April 2, 2024

The Honorable Freddie Rodriguez
Chair, Assembly Committee on Emergency Management
1021 O Street, Room 5140
Sacramento, CA 95814

RE: AB 2973 (Hart): Emergency Services
As Amended March 21, 2024 — CONCERNS
Set for Hearing April 8, 2024, in Assembly Emergency Management Committee

Dear Assemblymember Rodriguez:

On behalf of the Urban Counties of California (UCC), I am writing with respectful concerns to Assembly Bill 2973 (Hart).

The March 21st amendments make several consequential changes to the Emergency Medical Services (EMS) system. First, the bill would place the local emergency medical services agency (LEMSA) medical director and their staff directly under the supervision of the county board of supervisors outside of the existing emergency medical services (EMS) agency structure. Additionally, AB 2973 would require Boards of Supervisors to engage in a competitive process for selecting providers for exclusive operating areas (EOAs) and then exempts contracts with county, city or special district agencies from being exclusive operating areas, in effect exempting those contracts from a competitive process. Finally, the amendments require the Board of Supervisors to review and approve EMS plans.

AB 2973 raises significant concerns with how counties currently select providers for exclusive operating areas, how competitive processes for selecting providers should be structured, and what elements Boards of Supervisors are required to approve in the EMS plan. AB 2973 solely focuses on supervision of the EMS Agency and ambulance services but requires the Board to approve EMS Plans, staying silent on many other LEMSA core functions. It is unclear whether AB 2973 is intended to affect all LEMSA core functions, including disaster response or the designation of Specialty Care Centers. We have concerns that the regional and multi-jurisdictional work being done in urban counties could be undermined by the bill.

AB 2973 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. The measure will result in more litigation and fragmentation of the EMS system.

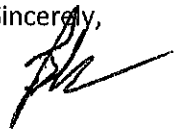
AB 2973 will have significant consequences on the delivery of emergency medical services. Urban counties strongly urge that further conversation about exclusive operating areas and how competitive processes for selecting providers should be structured occur before the bill proceeds. While AB 2973 may be

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

workable in smaller counties, urban counties typically rely on a mix of public and private sector ambulance providers for EMS services. What is the policy rationale for exempting some EMS providers from competitive selection processes and how do urban counties communicate that to the public?

For the reasons outlined above, UCC has significant concerns with AB 2973. Please do not hesitate to contact me for additional information at 916-441-6222 or bgiroux@lhgkgr.com.

Sincerely,



Bob Giroux
Legislative Advocate

cc: The Honorable Gregg Hart, Member, California State Assembly
Members and Consultants, Assembly Committee on Emergency Management

March 25, 2024

The Honorable Jesse Gabriel
Chair, Assembly Budget Committee
1021 O Street, Room 8230
Sacramento, CA 95814

The Honorable Scott Wiener
Chair, Senate Budget & Fiscal Review Committee
1021 O Street, Room 502
Sacramento, CA 95814

Re: CalWORKs Budget Cuts

Dear Chair Gabriel and Chair Wiener:

The Urban Counties of California (UCC) and the Rural County Representatives of California (RCRC) write to oppose the cuts to the CalWORKs program proposed in the Governor's Budget, which totals over $400 million. In addition to the prospective cuts that would begin in Fiscal Year (FY) 2024-25, the Governor's Budget proposes to retroactively cut current-year funding and permanently eliminate all funding for specific CalWORKs services. These cuts unfairly and disproportionately place the burden of resolving a statewide budget deficit on very low-income families, jeopardizing counties' ability to administer the CalWORKs program and undermining the significant work done to align the program with the state's core values.

UCC and RCRC oppose the following CalWORKs reductions:

CalWORKs Family Stabilization (FS) Program: The CalWORKs FS Program was established in FY 2013-14 in response to the reality that some families require more intensive case management and services due to crises or barriers hindering their ability to meaningfully participate in welfare-to-work activities. The FS Program assists these families by offering a range of services, including, but not limited to, domestic violence services, behavioral health, education supports, and housing supports to CalWORKs families in crisis.

The FS Program stands apart from most other CalWORKs services, as its services extend beyond the adults to the children in the family, recognizing that families may be facing immediate crises due to challenges experienced by the children. Aligned with the CalWORKs 2.0 effort towards a supportive, person-centered, and collaborative relationship between program participants and county staff, and a two-generation approach, the program utilizes strategies and tools to enhance engagement through intentional service selection and family-centered case management. The Governor's Budget proposes a retroactive cut of all funding in the current

fiscal year, totaling $55 million, and complete elimination of the program in FY 2024-25 and annually ongoing. FS program provides participants access to critical supports and assistance during times of crisis linked to mental health, violence, substance use, economic crisis, and other stressors to find a pathway to stability. These additional services and interventions make a substantial difference in the lives of participants.

CalWORKs Expanded Subsidized Employment (ESE) Program: Operating in 56 out of 58 counties, the ESE Program offers CalWORKs participants subsidized employment placement, providing crucial training, skills, and experiences essential for securing and maintaining permanent employment. Through this initiative, counties have cultivated relationships with local public, private, and non-profit employers, committed to fostering an inclusive and diverse workforce and to professional development. The program has successfully transitioned CalWORKs participants from subsidized to unsubsidized employment, showcasing increased earnings for clients leaving the program while aiding small businesses with wages.
The Governor's Budget proposes a retroactive cut of all funding to the ESE Program in the current year, totaling $134.1 million, and proposes to eliminate the program in FY 2024-25 and annually ongoing. Elimination of the program would create a void in the continuum of services, as ESE plays a pivotal role for CalWORKs participants in need of additional training and skills within a supportive work environment. Participation waned during the height of the COVID-19 pandemic but rebounded beginning in 2022. Ultimately, the elimination of the program would limit participants' opportunities to progress toward higher wages and acquire the skills necessary to retain employment.

CalWORKs Single Allocation: The CalWORKs Single Allocation is comprised mostly of two major components: 1) the Eligibility component, which provides counties funding to process CalWORKs applications, redetermine eligibility, and maintain cases; and 2) the Employment Services component, which provides counties funding to provide services and supports to clients in Welfare-to-Work activities, case management, and job-related supports.

The Governor's Budget proposes a net total of $218 million in ongoing cuts to the Single Allocation, including a $46 million beginning in the current year and an additional $172 million beginning in FY 2024-25. Of the total, cuts to the Eligibility component are $130 million, a 25 percent year-over-year reduction, while caseload is projected to continue to increase. The remaining $87 million is from the Employment Services component, over a 7.5 percent year-over-year reduction. In addition, the Governor's Budget does not provide an additional $47 million to the Employment Services component, to provide the fourth year of funding to increase the hours of intensive case management.

Although most of the proposed cut is to the Eligibility component, counties are required by state and federal mandates to perform eligibility activities within a specified amount of time. Therefore, counties will have to shift funding from Employment Services, which is already proposed to be reduced, to fund mandated Eligibility work. This significant reduction to services funding, will affect counties' ability to not only re-engage existing CalWORKs parents, but also

counties' ability to meet the CalWORKs 2.0 framework and CalOAR metrics, and will impede the state's participation in the WPR alternative federal pilot program should the state be chosen.

For years, the Administration, the Legislature, and counties have collectively worked to shift the CalWORKs program from compliance driven and siloed to one that not only meet the immediate financial needs of a family but that also improves the lives of families. Counties believe these proposed cuts stop the positive movement we have collectively made. We look forward to continued collaboration to ensure the well-being of California's most vulnerable families and urge the Legislature to reject these significant cuts.

For the reasons outlined above, UCC and RCRC oppose the CalWORKs reductions. Please do not hesitate to reach out with any questions.

Sincerely,

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

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

cc: Members and Consultants, Senate Budget & Fiscal Review Subcommittee No. 3
Members and Consultants, Assembly Budget Subcommittee No. 2

March 25, 2024

The Honorable Jesse Gabriel
Chair, Assembly Budget Committee
1021 O Street, Room 8230
Sacramento, CA 95814

The Honorable Scott Wiener
Chair, Senate Budget & Fiscal Review Committee
1021 O Street, Room 502
Sacramento, CA 95814

Re: Child Welfare Services Budget Cuts

Dear Chair Gabriel and Chair Wiener:

The Urban Counties of California (UCC) and Rural County Representatives of California (RCRC) write to oppose the Governor's Budget proposals that would cut $62.5 million General Fund (GF) in program funding impacting vulnerable foster children, youth and families served by the child welfare system. These cuts would eliminate vital services proven to stabilize youth and families and will result in increased costs in other systems including housing, criminal justice, health, and behavioral health.

Specifically, UCC and RCRC oppose the elimination of the following programs and services:

Family Urgent Response System (FURS): FURS was created by and for current and former foster youth and their caregivers to provide immediate, 24/7, individualized, trauma-informed support via a statewide hotline that provides a warm hand-off to a local mobile response team comprised of at least two trained individuals (mental health clinicians, peer supports, social workers, etc.).

FURS responds within one to three hours to any situation arising in the home that causes stress or concern to either the child/youth or caregiver. This low-entry threshold reflects the fact that children impacted by trauma may have behaviors that, if left unaddressed, can quickly escalate. A call to FURS also does not require further levels of screening, assessment or referral—which are typical processes required of other systems and that take time and can act as a deterrent to seeking assistance. Since its creation in 2019, FURS has responded to 5,000 calls from youth and caregivers a year, connecting them to ongoing mental health services, leading to a reduced likelihood of foster children and youth's needs escalating to the point of requiring residential treatment or having a psychiatric emergency. FURS offers an alternative to contacts with law enforcement when behaviors escalate in the home, so that youth are not criminalized due to unmet mental health needs. FURS is one of the few concrete supports provided to caregivers in the foster care system, supporting county recruitment and retention of family-based caregivers, particularly kinship caregivers, which aligns with federal and state requirements and goals of increasing kinship care.

The Governor's Budget proposal to eliminate the FURS program in 2024-25 and annually ongoing will lead to placement instability, delays to permanency, and a loss of family-based caregivers, and will likely result in an increased need for congregate care or other intensive and more costly behavioral health

interventions. Ultimately, this will harm the foster children and youth whom the foster care system is required to protect.

Housing for Foster Youth in Supervised Independent Living Placements (SILP): The Governor's Budget proposes to cut $18.8 million GF and halt implementation of the SILP payment housing supplement in FY 2024-25, thereby eliminating the program that would have provided housing supplements to more than 3,000 foster youths in SILPs based on the cost of rent in their county starting in 2025.

The Administration's proposed permanent foster care rate structure will not address the inequities of housing costs across counties or the inadequacy of the SILP payment to cover foster youths' housing costs, which continue to increase each year. It is critical that non-minor dependents are stably housed to support their participation in the activities required of them by the Extended Foster Care program. One in five current foster youth in California have at least one episode of homelessness between the ages of 18 and 21. Both the State and counties have a shared responsibility for the care and well-being of foster youth, including the provision of the basic necessity of housing to successfully facilitate the transition to adulthood.

Housing Navigation and Maintenance Program (HNMP): The Governor's Budget also proposes to eliminate the HNMP ($13.7 million GF cut) in FY 2024-25 and annually ongoing. The HNMP is administered through the Department of Housing and Community Development with funding allocated to county child welfare agencies to provide housing navigation services to young adults, including current and former foster youth, ages 18 through 24. Assistance includes finding and securing housing, case management, emergency supports, housing loss prevention, and coordination and linkage to resources and services. The HNMP also allows child welfare agencies, working with their local Continuums of Care housing partners, to leverage federal housing vouchers through the Family Unification Program (FUP) and Foster Youth to Independence (FYI) vouchers. If HNMP is eliminated, it would result in the loss of $22 million in federal FUP/FYI housing supports for former foster youth, impacting 1,300 former foster youth who would be immediately at risk of homelessness.

Deferral of $80 million for the Bringing Families Home Program
The Governor's Budget proposes to delay the availability of $80 million GF, most of the one-time funding provided in FY 2022-23 for the Bringing Families Home (BFH) Program, would make these funds available in FY 2025-26, rather than FY 2024-25. Established in 2016 as a pilot program and expanded in 2019, the BFH Program is administered by county child welfare and tribal agencies to reduce the number of families in the child welfare system experiencing, or at risk of homelessness. The BFH Program promotes supportive housing and rapid re-housing for families reunifying with their children and helps to prevent foster care entry by supporting the parents of children who are at risk of abuse and neglect. BFH is an important resource for black and Native American children and families who are disproportionately represented in the child welfare system.

Counties currently have through June 30, 2025, to expend the funds from FY 2022-23. By delaying the availability of a portion of the FY 2022-23 funding, the proposal has the potential to jeopardize some counties' ability to maintain current levels of services to vulnerable children and families. Most of the families utilizing the BFH program are not eligible for other housing assistance programs, and without the program would likely end up unhoused and potentially separated from their children.

The State and counties have a shared responsibility in the care and future of children and youth in the foster care system. We urge the Legislature to protect this critical safety net program, and to reject efforts to reduce or eliminate programs and services that provide upstream supports that have lifelong, profound impacts on vulnerable children, youth, and families.

For the reasons outlined above, UCC and RCRC oppose the child welfare services reductions. Please do not hesitate to reach out with any questions.

Sincerely,

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

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

cc: Members and Consultants, Senate Budget & Fiscal Review Subcommittee No. 3
Members and Consultants, Assembly Budget Subcommittee No. 2

UCC Letters

April 3, 2024

The Honorable Sharon Quirk-Silva, Chair
Assembly Budget Subcommittee No. 5
1021 O Street, Suite 4210
Sacramento, CA 95814

Re: **Educational Revenue Augmentation Fund: New Entitlements for Charter Schools – OPPOSE**

Dear Assembly Member Quirk-Silva:

On behalf of the Urban Counties of California (UCC), the Rural County Representatives of California (RCRC), the California State Association of Counties (CSAC), the California Special Districts Association (CSDA), the League of California Cities (CalCities), as well as the Counties of Marin and Santa Clara, we write in opposition to the Administration's proposal to "clarify" that charter schools are eligible for Educational Revenue Augmentation Funds (ERAF). While we still have not yet seen the Administration's draft trailer bill language to execute the proposal, which limits our ability to accurately assess the fiscal impact on affected local agencies that will result, we are confident in our "oppose" position. The Administration's conceptual proposal not only directly conflicts with constitutional protections approved by voters in 2004, but will result in dramatic losses of local general purpose revenues that will affect critical local programs and services for the foreseeable future. The assertion that charter schools are entitled to ERAF and that this proposal is a "clarification" of existing law also directly conflicts with a recent appellate court decision.[1]

As you are aware, in the early 1990's, the state – facing a fiscal crisis – required local governments (counties, cities, and special districts) to shift a portion of their local property tax revenues to ERAF. These funds are subsequently transferred to county offices of education, school districts, and community colleges to offset state minimum funding obligations under Proposition 98. Once school funding levels are met, any funds remaining

[1] *California School Boards Assoc. v. Cohen* (2023) 2023 WL 4853693 ("*CSBA*").

in the ERAF – termed "excess ERAF" – are returned to the county, cities, and special districts in the same proportion from which they were initially shifted.

The rules governing the calculation of excess ERAF, which are performed by county auditor-controllers, are enshrined in the Education Code and Revenue & Taxation Code, and subject to regular audits by the State Controller. Since 1994, when the first county experienced excess ERAF, county auditor-controllers in the affected counties have worked diligently in a transparent and collaborative manner to effectuate a complex set of calculations to ensure that property taxes are accurately allocated.

In 2004, after a lengthy negotiation between the Administration, Legislature, and local governments, Proposition 1A was considered and overwhelmingly approved by voters. Proposition 1A amended the state Constitution to bar the Legislature from "reducing for any fiscal year the percentage of the total amount of ad valorem property tax revenues in a county that is allocated among all of the local agencies in that county below the percentage of the total amount of those revenues that would be allocated among those agencies for the same fiscal year under the statutes in effect on November 3, 2004."

When the dispute over ERAF and charter schools arose in 2021, the Legislature directed the State Controller's Office to issue guidance to county auditor-controllers in affected counties; in that guidance, the Controller **did not** include charter schools in the allocation methodology. The California School Boards Association sued on the basis that the guidance violated the ERAF statutes, as well as the constitutional minimum funding guarantee. The trial and appellate courts rejected these arguments, finding that the Association failed to establish that the statute includes charter schools in the allocation of ERAF and that such an exclusion lowers the constitutional minimum funding guarantee.

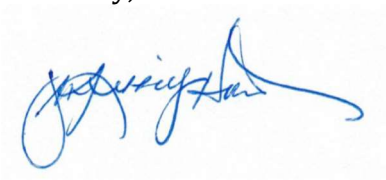
The Administration's proposal to "clarify" that charter schools should receive funds from ERAF would clearly violate the constitutional provisions contained in Proposition 1A, as it would reduce the total percentage of property tax revenues allocated to counties, cities, and special districts below what the laws in effect on November 3, 2004 would have provided. The Third District Court of Appeal recently determined in the *CSBA* case that existing provisions in the Education and Revenue and Taxation Codes statutes **do not** give charter schools ERAF, as reflected in the guidance from the State Controller's Office.

In addition to the constitutional conflict presented by the Administration's proposal, we must point out that the fiscal and programmatic impacts of the proposal on local agencies and the communities they collectively serve would be significant. (Again, without the ability to review draft trailer bill language it is difficult to assess with precision the anticipated revenue losses that would result. However, we do know that those revenue losses would be permanent and growing.) While we appreciate the state's difficult fiscal situation, please know that local agencies are also experiencing their own fiscal challenges; many are experiencing difficult budget deficits that will require painful reductions. When contemplating the additional impact of the Administration's proposal, the final result will

be dramatic cuts to important public programs and safety net services precisely when they are most in need.

We respectfully urge that your subcommittee reject the proposed trailer bill language when it becomes publicly available. Please reach out if you have questions about our position.

Sincerely,



Jean Kinney Hurst
Legislative Advocate
Urban Counties of California

Sarah Dukett
Policy Advocate
Rural County Representatives of California

Eric Lawyer
Legislative Advocate
California State Association of Counties

Ben Triffo
Legislative Advocate
League of California Cities

Marcus Detwiler
Legislative Representative
California Special Districts Association

Dennis Rodoni
President
Marin County Board of Supervisors

Joelle Gallagher
Chair
Napa County Board of Supervisors

David Campos
Deputy County Executive Officer
County of Santa Clara

cc: Members and Consultants, Assembly Budget Subcommittee No. 5
Jason Sisney, Office of Assembly Speaker Rivas
Katie Kolitsos, Office of Assembly Speaker Rivas
Teresa Calvert, Program Budget Manager, Department of Finance
Chris Ferguson, Program Budget Manager, Department of Finance

March 22, 2024

The Honorable Deanne Criswell
Administrator
Federal Emergency Management Agency
500 C Street Southwest
Washington, D.C. 20472

Mr. Robert J. Fenton, Jr.
Regional Administrator
Federal Emergency Management Agency
Region IX
U.S. Department of Homeland Security
1111 Broadway, Suite 1100
Oakland, California 94607-4052

Dear Administrators Criswell and Fenton,

As a coalition of local government stakeholders, we write to raise serious concerns regarding the Federal Emergency Management Agency's (FEMA's) proposed 20-day cutoff for reimbursement for emergency Non-Congregate Sheltering during the COVID-19 pandemic.

At the start of the pandemic in March 2020, unhoused people in our communities faced an unacceptable risk of exposure and infection in potentially unsafe encampments and congregate shelters. This risk was particularly acute for those over age 65 and for those with underlying medical conditions that made them more susceptible to the negative health effects of COVID-19. It was imperative that immediate action be taken to ensure the most vulnerable members of our community could isolate indoors in the event of infection and to eliminate a major potential source of community spread. At that time, it was unknown when the public health dangers associated with COVID-19 would begin to subside.

Accordingly, the State of California created and implemented Project Roomkey to provide non-congregate shelter options, such as hotels and motels, for high-risk people experiencing homelessness to protect human life and minimize strain on the state's health care system capacity. Local governments across California relocated thousands of unhoused residents into hotels to protect them from COVID-19, with over 62,000 individuals served during the pandemic. From the outset, the understanding was that FEMA would reimburse local governments for the significant costs associated with Project Roomkey.

There was no indication that local governments would not be reimbursed until three years later, when FEMA Region 9 sent a letter to the California Office of Emergency Services on October 16, 2023, stating that during the June 11, 2021 to May 11, 2023 timeframe, it was only reimbursing for the costs of stays of 20 days or less. This retroactive policy decision comes long after local governments across our State had already expended significant local resources under Project Roomkey with the full expectation for reimbursement. Unless FEMA reverses this retroactive decision, local governments stand to lose more than $300 million for expenditures which they reasonably believed would be reimbursed.

Local governments undertook this successful but costly public health program due to the commitment by FEMA to reimburse cities, counties, and the State of California for the millions of dollars spent on leases, food, and service providers to run these hotels and motels. The flexibility on the length of stay was a vital part of the program in many jurisdictions, both for public health and, in some cases, to allow people to transition into other housing or shelter. While not a perfect solution for every person, it was a critical program that prevented the mass outbreak of serious illness and death through some of our state's most vulnerable communities.

In order for local governments to do their part in future disaster situations, it is imperative that California cities and counties are able to recover pandemic response costs without sacrificing essential services and their continued investment in housing and community resources.

We are grateful for FEMA's continued support of these vital efforts, and we respectfully urge you to reconsider any action that would limit the expected reimbursement to local governments for the administration of Project Roomkey.

Thank you for your attention to this critical matter.

Sincerely,

Jacqueline Wong-Hernandez, Chief Policy Officer
California State Association of California

Josh Gauger, UCC Legislative Advocate
Urban Counties of California

Tracy Rhine, Senior Policy Advocate
Rural County Representatives of California

Eileen Cubanski, Interim Executive Director
County Welfare Directors Association

Joe Saenz, Deputy Director of Policy
County Health Executives Association of California

Kismet Baldwin-Santana MD, MPH, Co-Chair
Association of Bay Area Health Officials

March 20, 2024

The Honorable Corey Jackson
Chair, Assembly Budget Subcommittee No. 2
1021 O Street, Room
Sacramento, CA 95814

The Honorable Caroline Menjivar
Chair, Senate Budget Subcommittee No. 3
1021 O Street, Room
Sacramento, CA 95814

Re: In-Home Supportive Services Investment Proposal

Dear Chair Jackson and Chair Menjivar:

The Urban Counties of California (UCC) and the Rural County Representatives of California (RCRC) write to urge the Legislature to invest in In-Home Supportive Services administration. Specifically, UCC and RCRC support the County Welfare Directors Association request of $51 million General Fund on a one-time basis to county human services agencies as "bridge" funding and trailer bill language requiring the California Department of Social Services to work with CWDA and counties during the 2024-25 fiscal year to update the existing IHSS administration budget methodology to take effect in the 2025-26 fiscal year.

Background

In Home Supportive Services (IHSS) is a county-administered program that ensures eligible elder adults, blind, and/or disabled individuals remain in their homes and receive consumer-directed assistance with activities of daily living to avoid costly institutionalization. As of November 2023, over 746,000 older adults and persons with disabilities were authorized to receive in-home care from 597,720 trusted IHSS caregivers in California.

There is an increasing demand for IHSS as California's population ages. Adults ages 65 and older are projected to reach 25 percent of the state's population by 2030. The recent expansions of the Medi-Cal program to include undocumented adults will enable even more older Californians to access home-based care to live safely in their homes and communities, but also will create further demand for IHSS services. IHSS supports the goals of California's Master Plan for Aging to meet the needs of an increasingly diverse and aging population.

Unfortunately, IHSS staff caseloads in most counties are unacceptably high and continue to grow. High caseloads impede timely access to IHSS for those who are eligible for services and causes strain for their unpaid caregivers.

County IHSS staffing relies on a combination of state funding and federal Medicaid matching funding to meet federal and state program mandates. Funds are administered through the California Department of Social Services based on a flawed methodology that fails to take into account all persons that IHSS serves and understates the cost of staffing. This has led to counties persistently not being fully funded to meet the increasing population and demands in the program.

As a result of inadequate funding for IHSS staff, many counties are under a Quality Improvement Action Plan for not meeting federal and state mandates for timeliness of intakes and reassessments. The inadequate administrative funding from the state requires counties to be painfully creative with net county costs in order to hire staff to serve our clients.

Additionally, delayed reassessments of some of the most vulnerable IHSS consumers who are served under the Community First Choice Option (CFCO) can lead to withholding of enhanced federal funding to the State.

UCC and RCRC support a $51 million General Fund on a one-time basis to county human services agencies as "bridge" funding and trailer bill language requiring CDSS to work with CWDA and counties during the 2024-25 fiscal year to update the existing IHSS administration budget methodology to take effect in the 2025-26 fiscal year.

For the reasons outlined above, UCC and RCRC support the IHSS administrative funding proposal. Please do not hesitate to reach out with any questions.

Sincerely,

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

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

cc: Members and Staff of the Senate Budget & Fiscal Review Subcommittee No. 3
Members and Staff of the Assembly Budget Subcommittee No. 2

April 3, 2023

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

RE: SB 551 (Portantino): Mental Health Services Act: Prevention and Early Intervention
As Introduced – OPPOSE
Set for Hearing April 12, 2023

Dear Governor Newsom:

On behalf of the Urban Counties of California (UCC), Rural County Representatives of California (RCRC), and the California State Association of Counties (CSAC), we are writing in respectful opposition to Senate Bill 551 (Portantino). SB 551 would divert 20% of the prevention and early intervention funds from the Mental Health Services Fund to provide direct services on school campuses.

Counties do not take issue with the policy of establishing and improving the provision of behavioral health services to students in school settings. However, counties oppose efforts to redirect Mental Health Services Act (MHSA) funding to other services. MHSA funds have been diverted in the past in very limited circumstances – first to address a massive state budget deficit and then again to establish housing (No Place Like Home Program), which was critically needed to ensure individuals with behavioral conditions and who are homeless have housing options.

SB 551 comes as the Newsom Administration has recently announced plans to modernize and reform the MHSA. While details are still being developed, it appears that the entire funding stream is being reevaluated to provide more services – and housing – to adults and older adults who are experiencing homelessness. It is unclear how MHSA reforms will impact prevention and early intervention funds, as well as funding aimed at serving children and youth. It is premature for SB 551 to direct a portion of MHSA funds when we do not fully understand the details and assumptions about the larger conversation about MHSA reforms.

It is also worrisome that SB 551 would divert MHSA funding just as the Community Assistance, Recovery and Empowerment (CARE) Act priority is on the precipice of implementation. Counties partnered with the Newsom Administration and Legislature to ensure the CARE Act is

as successful as possible – spending months in thoughtful discussion about the CARE Act framework and funding and ensuring several counties volunteered for the first cohort of implementation. The CARE Act identifies MHSA as a revenue source to pay for new and expanded services to CARE Court participants. Counties don't believe the CARE Act can be successful if MHSA revenues that are being relied on to serve participants are diverted for other purposes.

For the reasons outlined above, UCC, RCRC, and CSAC respectfully oppose SB 551. Should you have any questions regarding our position, please do not hesitate to have your staff contact our organizations.

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 Anthony Portantino, Member, California State Senate
Members and Consultants, Senate Health Commitee

URBAN COUNTIES
OF CALIFORNIA

April 4, 2023

The Honorable Tom Umberg
Chair, Senate Judiciary Committee
1021 O Street, Suite 3240
Sacramento, CA 95814

RE: SB 642 (Cortese) – Enforcement of Hazardous Waste Violations
As introduced 2/16/2023 – SUPPORT
Set for hearing on 4/11/2023 – Senate Judiciary Committee

Dear Senator Umberg:

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. The 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 chronically non-compliant violators. Several urban counties have developed specialized

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

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
Legislative Advocate

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

March 27, 2024

The Honorable Scott Wiener
Member, California State Senate
1021 O Street, Room 8620
Sacramento, CA 95814

RE: **SB 937 (Wiener) Development projects: permits and other entitlements: fees and charges.**
Notice of OPPOSE UNLESS AMENDED *(As of January 17, 2024)*

Dear Senator Wiener,

On behalf of The League of California Cities (Cal Cities), the Urban Counties of California (UCC), and the California State Association of Counties (CSAC) regretfully must **oppose unless amended** your measure **SB 937** which would prohibit local agencies from collecting the payment of fees for the construction of public improvements or facilities until the development receives its certificate of occupancy.

Local governments and planners appreciate the need to provide builders with some level of certainty regarding the fees and other conditions applicable to their proposed development before they make substantial investments in pursuing the development. However, that certainty often comes with social costs. The roads, fire stations, water and sewer facilities, and other necessary assets that will serve future residents of the development - or to mitigate the development's environmental impacts - are not without cost. And these do not become less expensive as time goes on. "Freezing" development fees and related conditions for an extended period ultimately mean that the local government cannot recover the ever-increasing costs of those facilities - which in turn means that construction of those facilities may be delayed, or never fully occur. These consequences must be balanced against the builders' certainty interests, to avoid creating unmitigated impacts or future underserved communities.

There are often years, or even decades, between the initial application for approval of the very first land use entitlement relating to a project and when a developer applies for issuance of building permits for a project. During this period, the costs of infrastructure and public services inevitably rise. This bill would prevent local governments from recovering those costs, thereby resulting in inadequate public facilities.

SB 937 counter-intuitively *discourages* speedy approval of housing developments. If the "freeze" commences with the very first development entitlement, conscientious local governments, who desire to fully fund and provide adequate public facilities and services, will be encouraged to defer that approval until the developer can provide positive assurances that the project will be completed without delay. Further, the inability to ensure that the applicable fees will *produce* sufficient funding to construct the necessary facilities within a reasonable timeframe may make it more difficult to rely on those fee mechanisms as mitigation for environmental impacts under CEQA - thereby encouraging legal challenges and consequent delays.

Additionally, SB 937 prohibits local agencies from posting a performance bond or a letter of credit from a federally insured, recognized depository institution to guarantee payment of any fees or charges with the proposed development project. This is concerning as local governments need to be able to guarantee that the collection of fees is allowed through a legally binding agreement. That means if a city starts construction on public improvement projects before final inspection, it will be much more difficult to enforce the developer's obligation to pay these fees and as a result, cause local governments to subsidize costly infrastructure upgrades necessary to promote public health and safety for residents within the community.

To improve the bill, the author should clarify in the language that a certificate of occupancy or another similar measure determines the time when local governments can collect permit fees as not all jurisdictions issue certificates of occupancy. Additionally, the author should remove the language prohibiting the local government's authority to require a bond or letter of credit if a housing development project does not pay fees until the final building inspection. We are very concerned by the inclusion of Quimby Act park land dedications within the Mitigation Fee Act, as well as the language that includes utility-related connection fees and capacity charges within Section 66077 of the bill, and urge the author to remove these provisions from the bill. Finally, while we understand the economic forces that have led to the delay of numerous housing projects, we are concerned by continued legislative efforts to extend expiring land use entitlements and urge the author to take a measured approach to this issue in SB 937, including by perhaps limiting applicability to 100% affordable housing projects.

For these reasons, we have taken an "oppose unless amended position" on SB 937. If you have any questions, do not hesitate to contact Brady Guertin of Cal Cities at bguertin@calcities.org, Chris Lee of UCC at clee@politicogroup.com, or Mark Neuburger of CSAC at mneuburger@counties.org.

Sincerely,

Brady Guertin
Legislative Affairs, Lobbyist
League of California Cities

Christopher Lee
Legislative Advocate, UCC

Mark Neuburger
Legislative Advocate
California State Association of Counties

CC: The Honorable Maria Elena Durazo, Chair, Senate Local Government Committee
Members, Senate Local Government Committee
Jonathan Peterson, Consultant, Senate Local Government Committee
Ryan Eisberg, Minority Consultant

April 19, 2024

The Honorable Steven Glazer
Chair, Senate Revenue and Taxation Committee
State Capitol, Room 407
Sacramento, CA 95814

Re: SB 964 (Seyarto) – Property tax: tax-defaulted property sales.
Based on amendments not yet in print, shared by author on April 4, 2024 – OPPOSE
Set to be heard in the Senate Revenue and Taxation Committee April 24, 2024

Dear Senator Glazer,

On behalf of the California State Association of Counties (CSAC), the Rural County Representatives of California (RCRC), and the Urban Counties of California (UCC), we write to share our regretful opposition to Senate Bill 964 by Senator Seyarto. This measure would substantially revise the longstanding process for certain sales of tax-defaulted properties by county governments.

Under current law, residences with unpaid property taxes are prohibited from being sold by a county tax collector[1] until at least a period of five years has elapsed since the initial delinquency—or three years for residences subject to a nuisance abatement lien. Prior to selling the property at auction, the county must issue notices to the owners of the defaulted property and inform the individual of the intent to sell the property. Until the completion of a sale of a property, the owner of the tax-delinquent property can redeem the status of the property by paying any unpaid taxes, assessments, penalties, and fees. During a period of delinquency, tax collectors are required to conduct regular direct outreach to the property owner, notice the sale in a newspaper or public location, and a county board of supervisors must provide approval before a tax-defaulted property sale may occur.

Tax-defaulted properties must be sold to the highest bidder at or above the minimum bid price—determined by the amount of unpaid taxes, penalties and assessments, in addition to some administrative fees. Upon completion of the sale, the former owner of a property is entitled to claim any excess proceeds resulting from the sale up to one year after the date of the sale. If the property owner does not claim their excess proceeds, the balance may be transferred to the county general fund after being used to reimburse the costs of the sale. This may only occur if a minimum of six years has elapsed since the initial default on a property tax payment – or four years for residences with nuisance abatement leans – during which time county tax collectors conduct regular direct outreach to the property owner.

Counties often conduct tax-defaulted property sales through two different methods: a Chapter 7 sale through public auction or sealed bid, or a Chapter 8 sale by agreement, in which a nonprofit organization seeking to rehabilitate substandard properties for low-income housing may object to a Chapter 7 sale and seek a direct sale by agreement with the entity.

[1] In some counties, this role is conducted by the county auditor-controller. However, for the sake of simplicity, this letter refers to county tax collectors, as they represent the majority of county officers responsible for the task.

SB 964 would impose unnecessary restrictions on how Chapter 8 tax-defaulted property sales may occur, limiting a tool used to build local affordable housing. The bill ignores the expertise of the local tax collector, who may determine that a Chapter 8 sale is more pragmatic, cost effective, and beneficial for their community. Instead, SB 964 would needlessly involves the Board of Equalization in the Chapter 8 sale process, imposing new requirements on a state agency that lacks the existing resources to conduct residential property valuations at the local level. To compound the problem, counties are provided no recourse to appeal valuations that do not comport with local realities.

The bill would require the Board of Equalization to complete property valuations within 45 days, a timeframe it is unlikely to consistently accommodate. While all parties involved would prefer expedition in conducting valuations, imposing such a rapid timeframe on a state agency unaccustomed to this work is likely to lead to rushed work, inviting errors in valuations, especially for distressed properties that are naturally complicated to value.

Counties are in the best position to determine the values of their local properties and conduct sales of tax-defaulted properties in a way that serves the needs of their communities. This bill ignores the input of vast and experienced local expertise in favor of a state agency lacking any direct experience in conducting local residential valuations. The bill undermines a tool used to improve affordable housing stock and values of neighborhoods statewide.

It is for these reasons that CSAC, RCRC, and UCC must regretfully oppose SB 964 and request your NO vote. Should you have any questions regarding our position, please do not hesitate to contact us at the email addresses below.

Sincerely,

Eric Lawyer
Legislative Advocate
California State Association of Counties
elawyer@counties.org

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

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

cc: The Honorable Kelly Seyarto, California State Senate
Members and Consultant, Senate Revenue and Taxation Committee

Karen Lange, Legislative Advocate, California Association of Treasurers and Tax Collectors
Phonxay Keokham, President, California Association of County Treasurers and Tax Collectors

March 26, 2024

The Honorable Kelly Seyarto
Member, California State Senate
1021 O Street, Room 7120
Sacramento, CA 95814

RE: SB 1034 (Seyarto): California Public Records Act: state of emergency
As Introduced February 6, 2024, – SUPPORT

Dear Senator Seyarto,

The California State Association of Counties (CSAC), Urban Counties of California (UCC), the Rural County Representatives of California (RCRC), the California Special Districts Association (CSDA), Association of California Healthcare Districts (ACHD), Public Risk Innovations, Solutions, and Management (PRISM), the California Association of Joint Powers Authorities (CAJPA), the City Clerks Association of California (CCAC), and the California Association of Recreation and Parks Districts (CARPD) are pleased to support your measure, which would amend the definition of "unusual circumstances," in the California Public Records Act (PRA) to include the need to respond to a PRA request during a state of emergency.

The California Public Records Act serves as a vital tool for the public to hold their governments and elected leaders accountable. California's public agencies take their responsibilities under the PRA seriously, devoting substantial resources to responding thoroughly and promptly to public records requests.

Public agencies at all levels of government have reported a significant increase in the quantity and breadth of PRA requests. A variety of public agencies reported a 73% increase in the volume of PRA requests over the past five years. A vast majority of those agencies reported receiving PRA requests that required an inordinate amount of staff time, with more than 90% reporting PRA requests that diverted local resources away from local programs and services.

These requests can be costly and time-consuming for local agencies, as they can require significant staff time to discover, review, and redact records, often requiring the specific subject matter experts on an issue to dedicate substantial time outside of their core responsibilities to ensure the agency fully responds to a PRA request. Counties have reported single PRA requests seeking decades of 911 call transcripts or decades of correspondence from local officials. One small, rural county reported a single requestor who has submitted hundreds of PRA requests over the past few years, including a single request that required the county to review over 621,000 records. The county estimates that responding to a portion of the requests would cost the county

over $1.8 million and require a minimum of 34 employees working around the clock for a year to honor the request.

Furthermore, due to the modernization of how public sector work is conducted, there has been a significant increase in disclosable records (e.g., emails, text messages, inter-office direct chat messaging platforms, etc.) created by routine government work. In response, there has been a proportionate increase in the complexity and sophistication of the work necessary to respond to PRA requests due to the staff time spent searching for records and redacting material that is exempt or prohibited from disclosure (e.g., confidential attorney-client correspondence, social security numbers, criminal history, trade secrets, medical records, etc.).

The heightened use of the PRA – and the subsequent heightened impacts to governments – has occurred over the same period that saw local governments lose revenue sources that absorbed some of the cost pressures of PRA requests.

In 2014, California voters approved Proposition 42, which, among other provisions, amended the California constitution to discontinue the requirement that the State reimburse local governments for the cost to comply with PRA laws or any subsequent PRA laws enacted by the Legislature. Prior to Proposition 42, costs for local governments to comply with the PRA were a reimbursable state mandate for which local governments could file annual claims with the State Controller's Office.

In 2020, the California Supreme Court ruled that local agencies cannot charge for staff time and technical costs necessary to review, redact, and release public records in response to PRA requests, allowing fees to be used only for limited circumstances – including, for example, $0.10 per page for physical copies, the cost of physical hardware used to transmit records, or the cost of data extraction. Agencies are not allowed to seek reimbursement for the significant costs that can be incurred for the time spent by legal counsel in reviewing and explaining the legality of a claim, exemptions, or redactions applicable to the request – or the staff time spent redacting private information from voluminous records requests.

SB 1034 will provide some narrow, limited relief to counties when they receive PRA requests during an emergency. While there are other reforms to the PRA that could both improve public access to records and reduce impacts to local agencies, CSAC applauds any effort to reform the PRA, including this narrow, but beneficial improvement.

For these reasons, CSAC, ACHD, UCC, RCRC, CSDA, PRISM, CAJPA, CCAC, and CARPD support SB 1034. Should you have any questions or concerns regarding our position, please do not hesitate to contact us at the below email addresses.

Sincerely,

Eric Lawyer
Legislative Advocate
California State Association of Counties
elawyer@counties.org

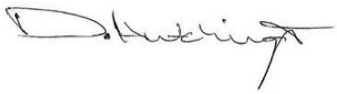
Sarah Bridge
Vice President
Association of California Healthcare Districts
sarah@deveauburrgroup.com

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

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

Jen Hamelin
Chief Claims Officer – Workers' Compensation
Public Risk Innovations, Solutions, and Management
jhamelin@prismrisk.gov

Faith Lane Borges
Legislative Advocate
California Association of Joint Powers Authorities
fborges@actumllc.com



Dane Hutchings
Legislative Representative
City Clerks Association of California
dhutchings@publicpolicygroup.com

Alyssa Silhi
Director of Government Affairs
California Association of Recreation and Park Districts
asilhi@publicpolicygroup.com

Marcus Detwiler
Legislative Representative
California Special Districts Association
marcusd@csda.net

April 15, 2024

The Honorable Caroline Menjivar
Member of the Senate
1021 O Street, Suite 6720
Sacramento CA 95814

RE: SB 1057 (Menjivar) – Juvenile Justice Coordinating Council
As amended 3/19/2024 – OPPOSE
Set for hearing 4/23/2024 – Senate Public Safety Committee

Dear Senator Menjivar:

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 SB 1057.

Like several bills that have been put before the Legislature in recent years – including AB 1007 (Jones-Sawyer, 2020), SB 493 (Bradford, 2021) and AB 702 (Jackson, 2023) – SB 1057, as recently amended, proposes to make considerable changes to local Juvenile Justice Coordinating Councils (JJCC), as well as the process for the JJCC's deployment of Juvenile Justice Crime Prevention Act (JJCPA) funds. These funds were realigned to counties in 2011 and serve as the bedrock of virtually all counties' juvenile justice systems. Notably, with the passage of SB 823 in 2020, counties now bear full responsibility for the entire juvenile justice system at the local level.

More specifically, SB 1057 extensively recasts the composition of the JJCC by (1) requiring that the body be comprised of at least half community representatives and the remainder from governmental entities and (2) inappropriately removing the chief probation officer as the chair of the JJCC and instead specifying that the JJCC with its newly formulated composition shall elect two co-chairs, at least one of whom must be a community representative. Second, this measure confers authority to the Board of State and Community Corrections (BSCC) or other state entity with oversight over administration of these funds to determine remedial action or to withhold JJCPA funding if a county fails to establish a JJCC. Third, it establishes a new request for proposal (RFP) process for JJCPA funds under which a local agency other than a law enforcement related agency – with a stated preference for behavioral health-related local agencies – must administer the RFP.

First, to be clear, counties welcome the participation of community members and value partner organizations in supporting the therapeutic needs of justice-involved youth in our community.

However, to reinforce our position on the aforementioned previous iterations of this measure, it continues to be wholly inappropriate for community organizations to assume responsibility of core functions for which counties – probation departments, specifically – are prescribed by law to provide and are held fully accountable for the outcomes.

Second, as we also have noted in our advocacy during past legislative deliberations, under no circumstances is it appropriate to withhold or in any way disrupt the flow of JJCPA funds or any other resources that accompany services and responsibilities realigned to counties in 2011. As was outlined in a 2019 state audit report, the JJCPA was enacted statutorily in 2000 and funded for over a decade through the state General Fund. However, the JJCPA – along with a variety of other local assistance services and programs – was moved under the 2011 Public Safety Realignment fiscal structure to ensure it would remain a stable, foundational funding source to support local innovation and a continuum of community service options for youth. Provisions in Proposition 30 (2012) dedicate a specified level of Vehicle License Fee (VLF) funding to the JJCPA along with other local programs and constitutionally protects those investments. This latter feature requires careful thinking and understanding about the constitutional implications of withholding, delaying, repurposing, or redirecting to any degree JJCPA funds.

Counties continue to be concerned about potential remedial action and/or withholding of JJCPA funds, coupled with the proposed JJCC composition requirements, as the bill does not account for the real and challenging circumstances. This concern is exacerbated in rural jurisdictions, where a county may be unable to seat a full JJCC – not for lack of trying, but merely for lack of available or willing volunteers. Thus, the amendment to Government Code section 30061(a)(4) would impede the flow of realigned funds for circumstances that are often outside of county control, and again, appears to ignore the constitutional protections that surround this funding stream. Moreover, increasing the required number of community representatives serving on the JJCC from one "at-large community representative" and "representatives from nonprofit community-based organizations" to "at least 50 percent community representatives" as proposed in Welfare and Institutions Code section 749.22(c)(1), deepens existing challenges with establishing a JJCC.

Third, SB 1057 contemplates establishing a new and unspecified RFP process for deploying JJCPA resources. Taken together with the proposed changes to the JJCC composition, it is our expectation that, in its application, the new RFP process would result in the redirection of JJCPA funds away from county probation departments, as was the intent and goal of the previously referenced bills that failed passage due to the same policy impacts. In short, mandating a community representative as co-chair and explicitly removing law enforcement-related agencies from overseeing the RFP process for funding inappropriately strips the authority county government has over a county government function.

Today, JJCPA funds are – in many instances – dedicated to staffing and personnel costs that are the backbone of our juvenile probation departments. These expenditures have been and continue to be wholly eligible and lawful under the JJCPA. While counties are not opposed to

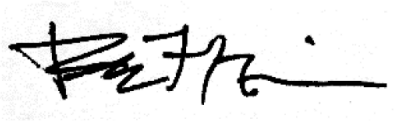
evaluating ways in which to improve JJCPA reporting and the structure of local coordinating councils (as was done through AB 1998 – Chapter 880, Statutes of 2016), we must oppose any legislation that would undercut a stable, constitutionally protected funding structure at a time when all counties are working diligently to support the entirety of the juvenile justice system. The goal of this measure would contradict the spirit – if not letter – of 2011 Realignment legislation, as well as provisions of Proposition 30.

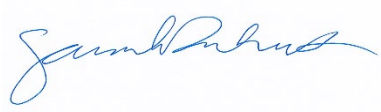
On the surface, changes to the composition of the JJCC (and for that matter, any other juvenile justice committee or subcommittee), the frequency of meetings, and required components of multiagency juvenile justice plans may seem reasonable. However, from the county perspective, they are reflective of the eventual objective to minimize local authority over mandated county responsibilities and redirect funding. It is also indicative of a latent intent to create endless litigation if dollars are not allocated away from probation departments to other non-law enforcement entities and community-based organizations. These changes not only run counter to the vital governance principle that responsibility must be accompanied by the authority to implement, but unfortunately also result in diminished and delayed programming and service delivery to young people under county care.

UCC, RCRC, and CSAC are united in our view that community-based organizations provide valuable programs and services to justice-involved populations in many parts of the state. However, the process for allocating funds to these organizations should remain a local decision with robust community engagement, as is provided under current law, given that local governments are accountable for the outcomes associated with the treatment and supervision of justice-involved youth. Ultimately, a more productive approach would be to engage in a collaborative discussion on separate, new investments in programs to complement and expand the existing work of county probation departments that share the goals of diverting individuals from the justice system where possible and facilitating positive community reentry.

For these reasons, CSAC, UCC, and RCRC must therefore respectfully, but firmly oppose this measure. Please feel free to contact Ryan Morimune at CSAC (rmorimune@counties.org), Elizabeth Espinosa at UCC (ehe@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

Elizabeth Espinosa
Legislative Representative
UCC

Sarah Dukett
Policy Advocate
RCRC

cc: Members and Counsel, Senate Public Safety Committee

March 26, 2024

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

RE: SB 1107 (DURAZO) AS INTRODUCED FEBRAURY 13, 2024 – OPPOSE

Dear Senator Alvardo-Gil:

On behalf of the County Welfare Directors Association of California (CWDA), Urban Counties of California (UCC), and the Rural County Representatives of California (RCRC), we respectfully oppose SB 1107 by Senator Durazo. This bill requires county human services agencies to implement a program by which homeless individuals could receive government-related mail at a physical location to be designated by the agency. The program would be optional for participants, but counties would be required to provide participants information about the program including hours of operation.

Providing a mail service for homeless individuals presents significant and costly operational challenges. County human services agencies would be required to sort and process large volumes of mail, ensuring privacy, maintaining security, and managing forwarded or returned mail. This is no small undertaking, and would require funding for additional dedicated county staff, additional space for mail collection and sorting, as well as the mailboxes themselves, and adequate security, especially for the large urban counties that have tens of thousands of homeless individuals. The proposed program would also increase liability claims for lost, misplaced, or delayed mail resulting in additional costs to counties.

While some county human services agencies offer limited mail services to for clients of the county programs to receive communication for the programs in which the client participates, this bill requires county human services agencies to provide mail services for all government mail to all homeless individuals in the county, regardless of whether the individual is a current client. Given the serious fiscal challenges that exist at all levels of government, county human services agencies do not have the financial, staffing, or structural capacity to undertake these significant new mandates.

For these reasons, CWDA, UCC and RCRC respectfully oppose SB 1107.

Sincerely,

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

Eileen Cubanski
Executive Director
CWDA
ecubanski@cwda.org
916-443-1749

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

cc:
The Honorable Elena Durazo
Honorable Senators and Consultants, Senate Human Services Committee
Joe Parra, Republican Consultant
Angela Pontes, Office of Governor Gavin Newsom
Robert Smith, Department of Social Services
Justin Garrett, California State Association of Counties
County Caucus

March 27, 2024

The Honorable Anthony Portantino
California State Senate
1021 O Street, Suite 7630
Sacramento, CA 95814

RE: Senate Bill 1116 (Portantino) Unemployment Insurance: Trade Disputes: Eligibility for Benefits. – OPPOSE (As Introduced February 13, 2024)

Dear Senator Portantino,

The undersigned organizations respectfully oppose your Senate Bill 1116, which would provide employees who remain on strike for more than two weeks with Unemployment Insurance (UI) benefits, thus requiring employers (via UI) to fund ongoing labor disputes. Local government and school revenues are incredibly restrictive and funding sources are limited; as cost pressures continue to increase for local governments and schools, it is critical that we have a fiscally solvent UI system in order for local agencies to continue to provide services to the public and provide competitive benefits to our active and retired employees.

Under existing law, UI payments are intended to assist employees who, through no fault of their own, are forced to leave their employment. Participating local agencies fund these payments via an Unemployment Insurance Reserve Account (UI Account) with the Employment Development Department (EDD). SB 1116 makes a significant change to this approach by providing unemployment to workers who are currently employed, and not seeking other employment, but have chosen as a labor negotiating tactic to go on strike. In the event of a strike that lasts over two weeks, SB 1116 would allow all striking workers to claim UI benefits for up to 26 weeks. In this situation, a local government agency would experience simultaneous claims that would significantly increase UI costs. These costs would impact public employers, such as cities, counties, special districts, and joint powers authorities. It would also impact K-12 schools, as school districts directly pay a portion of employee wages to the State fund through the School Employee Fund, coordinated through their County Office of Education.

In addition to its considerable costs to employers, SB 1116 will likely further harm the already insolvent UI fund and threaten benefits to unemployed Californians in future recessions. California's UI Fund was exhausted during the COVID-19 pandemic, and is projected to have an outstanding balance of $20.8 billion at the end of 2024, owed to the Federal government.[1] This is nearly double the amount of funds that California borrowed the last time California's UI funds were exhausted during the 2008 recession. Beginning in 2008, California accumulated more than $10 billion in debt which was not repaid until 2018 – a decade later. This UI deficit had significant fiscal effects on employers and the general fund. California's UI insolvency resulted in significant federal tax increases ranging from the hundreds of millions to over $2 billion per year between 2012-2018. With California's UI Fund becoming insolvent less than two years after repaying federal UI from the Great Recession, California cannot afford to further leverage and strain an already burdened system.

This measure follows an identical measure, SB 799 (Portantino, 2023), which was vetoed by Governor Gavin Newsom. The Governor's veto message stated in part: "[T]he state is responsible for the interest payments on the federal UI loan and to date has paid $362.7 million in interest with another $302 million due this month. Now is not the time to increase costs or incur this sizable debt." The State Department of Finance has also stated that a prior unsuccessful predecessor to this bill, Assembly Bill 1066 (Gonzalez, Lorena, 2019), would have resulted in, "… Increased cost pressures on the UI Fund, exacerbating the condition of the Fund and hindering the ability to build a reserve to respond to variations in the economy." With the State already grappling with a multi-billion dollar budget deficit that will negatively impact local agencies, it would be counter-productive to simultaneously increase cost pressures on the State's UI fund.

It is also important to note that this measure will further erode good faith negotiations at the bargaining table for local government and schools employers. Local governments and schools work hard to engage in good faith bargaining. If SB 1116 were to become law, we anticipate longer lengths of impasse, higher costs associated with protracted Public Employee Relations Board (PERB) proceedings and a decline in quality of public services. These impacts could be amplified by a pending measure concerning sympathy strikes (Assembly Bill 2404 (Lee)) and a recently-enacted measure allowing for collective bargaining for temporary employees (Assembly Bill 1484 (Zbur, 2023)).

For these reasons, we must respectfully oppose your SB 1116. Please feel free to contact us if you have any questions.

Sincerely,

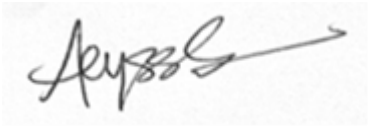
Aaron Avery
Director of State Legislative Affairs
California Special Districts Association
aarona@csda.net

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

[1] https://edd.ca.gov/siteassets/files/unemployment/pdf/edduiforecastjan24.pdf

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

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



Alyssa Silhi
California Association of Recreation and Parks Districts
asilhi@publicpolicygroup.com

Faith Borges
Legislative Representative
California Association of Joint Powers Authorities
fborges@caladvocates.com

Sarah Bridge
Association of California Healthcare Districts
sarah@deveauburrgroup.com

Dorothy Johnson
Legislative Advocate
Association of California School Administrators
djohnson@acsa.org

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

Jason Schmelzer
Public Risk Innovation, Solutions, and Management (PRISM)
jason@SYASLpartners.com

cc: The Honorable María Elena Durazo

March 27, 2024

The Honorable Lola Smallwood-Cuevas
Chair, Senate Committee on Labor,
Public Employment and Retirement
1021 O Street, Suite 6740
Sacramento, CA 95814

RE: Senate Bill 1116 (Portantino) Unemployment Insurance: Trade Disputes: Eligibility for Benefits. – OPPOSE (As Introduced February 13, 2024)

Dear Senator Smallwood-Cuevas,

The undersigned organizations respectfully oppose Senate Bill 1116, which would provide employees who remain on strike for more than two weeks with Unemployment Insurance (UI) benefits, thus requiring employers (via UI) to fund ongoing labor disputes. Local government and school revenues are incredibly restrictive and funding sources are limited; as cost pressures continue to increase for local governments and schools, it is critical that we have a fiscally solvent UI system in order for local agencies to continue to provide services to the public and provide competitive benefits to our active and retired employees.

Under existing law, UI payments are intended to assist employees who, through no fault of their own, are forced to leave their employment. Participating local agencies fund these payments via an Unemployment Insurance Reserve Account (UI Account) with the Employment Development Department (EDD). SB 1116 makes a significant change to this approach by providing unemployment to workers who are currently employed, and not seeking other employment, but have chosen as a labor negotiating tactic to go on strike. In the event of a strike that lasts over two weeks, SB 1116 would allow all striking workers to claim UI benefits for up to 26 weeks. In this situation, a local government agency would experience simultaneous claims that would significantly increase UI costs. These costs would impact public employers, such as cities, counties, special districts, and joint powers authorities. It would also impact K-12 schools, as school districts directly pay a portion of employee wages to the State fund through the School Employee Fund, coordinated through their County Office of Education.

In addition to its considerable costs to employers, SB 1116 will likely further harm the already insolvent UI fund and threaten benefits to unemployed Californians in future recessions. California's UI Fund was exhausted during the COVID-19 pandemic, and is projected to have an outstanding balance of $20.8 billion at the end of 2024, owed to the Federal government.[1] This is nearly double the amount of funds that California borrowed the last time California's UI funds were exhausted during the 2008 recession. Beginning in 2008, California accumulated more than $10 billion in debt which was not repaid until 2018 – a decade later. This UI deficit had significant fiscal effects on employers and the general fund. California's UI insolvency resulted in significant federal tax increases ranging from the hundreds of millions to over $2 billion per year between 2012-2018. With California's UI Fund becoming insolvent less than two years after repaying federal UI from the Great Recession, California cannot afford to further leverage and strain an already burdened system.

This measure follows an identical measure, SB 799 (Portantino, 2023), which was vetoed by Governor Gavin Newsom. The Governor's veto message stated in part: "[T]he state is responsible for the interest payments on the federal UI loan and to date has paid $362.7 million in interest with another $302 million due this month. Now is not the time to increase costs or incur this sizable debt." The State Department of Finance has also stated that a prior unsuccessful predecessor to this bill, Assembly Bill 1066 (Gonzalez, Lorena, 2019), would have resulted in, "… Increased cost pressures on the UI Fund, exacerbating the condition of the Fund and hindering the ability to build a reserve to respond to variations in the economy." With the State already grappling with a multi-billion dollar budget deficit that will negatively impact local agencies, it would be counter-productive to simultaneously increase cost pressures on the State's UI fund.

It is also important to note that this measure will further erode good faith negotiations at the bargaining table for local government and schools employers. Local governments and schools work hard to engage in good faith bargaining. If SB 1116 were to become law, we anticipate longer lengths of impasse, higher costs associated with protracted Public Employee Relations Board (PERB) proceedings and a decline in quality of public services. These impacts could be amplified by a pending measure concerning sympathy strikes (Assembly Bill 2404 (Lee)) and a recently-enacted measure allowing for collective bargaining for temporary employees (Assembly Bill 1484 (Zbur, 2023)).

For these reasons, we must respectfully oppose SB 1116. Please feel free to contact us if you have any questions.

Sincerely,

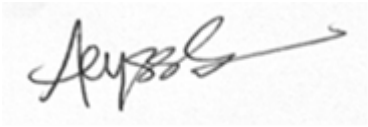
Aaron Avery
Director of State Legislative Affairs
California Special Districts Association
aarona@csda.net

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

[1] https://edd.ca.gov/siteassets/files/unemployment/pdf/edduiforecastjan24.pdf

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

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



Alyssa Silhi
California Association of Recreation and Parks Districts
asilhi@publicpolicygroup.com

Faith Borges
Legislative Representative
California Association of Joint Powers Authorities
fborges@caladvocates.com

Sarah Bridge
Association of California Healthcare Districts
sarah@deveauburrgroup.com

Dorothy Johnson
Legislative Advocate
Association of California School Administrators
djohnson@acsa.org

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

Jason Schmelzer
Public Risk Innovation, Solutions, and Management (PRISM)
jason@SYASLpartners.com

cc: The Honorable Anthony Portantino
Committee Members, Senate Committee on Labor, Public Employment and Retirement
Alma Perez, Consultant, Senate Committee on Labor, Public Employment and Retirement
Scott Seekatz, Policy Consultant, Senate Republican Caucus
Cory Botts, Policy Consultant, Senate Republican Caucus

URBAN COUNTIES
OF CALIFORNIA

March 25, 2024

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

RE: SB 1245 (Ochoa-Bogh): In-Home Supportive Services: Licensed Health Care Professional Certification.
As Introduced February 15, 2024 – Support
Set for Hearing April 1, 2024 in Senate Human Services Committee

Dear Senator Alvarado-Gil:

On behalf of the Urban Counties of California (UCC), I write in support of Senate Bill 1245 by Senator Ochoa Bogh, which streamlines the process for In-Home Supportive Services (IHSS) clients to receive paramedical services.

Older adults aged 65 and older are projected to reach 25 percent of the population, or 8.6 million Californians, by 2030. IHSS is an important tool in meeting the goals of the Master Plan for Aging to enable this growing population to age with dignity and independence, as well as assisting adults with disabilities. Currently, nearly 600,000 IHSS providers deliver services to over 750,000 recipients in the state. This includes paramedical services, which are tasks necessary to help maintain the client's health. Types of paramedical services include administration of medications, wound care, or injections, among others.

While the California Department of Social Services (CDSS) allows any licensed healthcare professional to sign off on the initial SOC 873 form required for a client to obtain IHSS, the department only allows limited types of healthcare professionals to sign the additional SOC 321 form required to authorize paramedical services. Specifically, only physicians, surgeons, podiatrists, and dentists are authorized to sign this additional form.

The current requirements for authorizations of both the health care certification and paramedical forms can prevent timely delivery of services essential for the client's health. Counties cannot allow paramedical services without the second form, which can lead to significant delay for a client to obtain paramedical services from their IHSS provider. This delay can be exacerbated by overwhelmed healthcare systems.

SB 1245 allows the same licensed health care professionals who currently sign the IHSS health care certification form to also sign the paramedical form. This bill would also allow nurses and nurse practitioners working in the direction of the licensed health care practitioner to complete the forms. Aligning which licensed health care professionals may sign the paramedical and health care certification forms will reduce administrative barriers. By broadening the types of health care providers who are authorized to sign these forms, IHSS clients can have both forms signed at the same time by the same provider, thereby reducing delays, improving health outcomes, and better fulfilling the goals of the IHSS program.

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

Urban counties recognize the need to improve the process for IHSS clients who need paramedical services. For these reasons, UCC supports SB 1245. 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 Rosilicie Ochoa Bogh, Member, California State Senate
Members and Consultants, Senate Human Services Committee
Joe Parra, Consultant, Senate Republican Caucus
County Welfare Directors Association (CWDA)

URBAN COUNTIES
OF CALIFORNIA

March 20, 2024

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

RE: SB 1322 (Wahab) – Foster Youth Education Support
As Introduced – SUPPORT
Set for Hearing April 1, 2024 in Senate Human Services Committee

Dear Senator Alvarado-Gil:

On behalf of the Urban Counties of California (UCC), I write in support of SB 1322 by Senator Wahab. This bill will expand access to needed funding to support current and former foster youth to successfully achieve post-secondary education and training.

Each year, about 4,000 young adults under age 26 are awarded Chafee Education and Training Vouchers, funded partially by the federal government and partially by the State of California. The average award depends on the amount of funds available and the number of successful applicants, but typically ranges from around $3,000 to around $4,000. These vouchers are administered by the California Student Aid Commission (CSAC).

Current state rules allow applications for Chafee vouchers only from those who left foster care at the age of 16 or older. However, a 2018 federal law changed eligibility rules to allow those who have left foster care at ages 14 or 15 to also receive these vouchers. California has not yet changed its rules to keep pace with the expanded eligibility at the federal level, meaning that former foster youth who happened to exit the system at ages 14 or 15 cannot access these vouchers.

While there are many services, supports and scholarships available for former foster youth, gaps remain even when they apply for and receive everything they can. The Chafee vouchers represent a relatively flexible source of funding that can be used to fill these remaining gaps, so it is important to ensure that all eligible young people have access to them. SB 1322 would amend state law to provide eligibility to former foster youth who left care at ages 14 or 15, matching the flexibility available in federal law. This would be subject to the availability of funds specific for this purpose, in order not to freeze out those who may be eligible under current rules.

Education and training are steppingstones to adulthood and self-sufficiency, and too many former foster youth continue to struggle to achieve these goals through no fault of their own.

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

For these reasons, UCC supports SB 1322. 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 Aisha Wahab, Member, California State Senate
Members and Consultants, Senate Human Services Committee
Joe Parra, Consultant, Senate Republican Caucus

April 9, 2024

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

RE: SB 1396 (Alvarado-Gil): CalWORKs Home Visiting Program
As Amended APRIL 8, 2024 — SUPPORT
Set for Hearing April 15, 2024 in Senate Human Services Committee

Dear Senator Alvardo-Gil:

On behalf of the Urban Counties of California (UCC) and the Rural County Representatives of California (RCRC), we write in support of your SB 1396, related to Home Visiting Programs (HVPs). This bill would extend the timeframe in which children may be enrolled and the period in which CalWORKs families are eligible to participate in HVPs.

Home Visiting Programs match trained professionals with expecting and new parents to help them with critical early development for their children. This includes offering resources, mentoring, cultural community building, and other supports that utilize parent's strengths and build skills. Research shows that participation in an HVP has immense benefits to children under 2 years old and their families, such as better maternal and infant health, reduced emergency room visits, and increased safety practices. Long term, for children who participate to age 5, research shows improved language and cognitive development, improved math and reading scores, reduced absenteeism, and decreased school suspensions. For every dollar invested in HVPs, communities receive a benefit of up to five dollars in savings in child welfare, K-12 education, and community safety.

There are two Home Visiting Programs funded by the state: the California Home Visiting Program (CHVP) managed by the Department of Public Health and the CalWORKs Home Visiting program (HVP) managed by the Department of Social Services. The CHVP under CDPH follows models that allow families to remain in the program until the child turns five years old. Under existing law, however, the CalWORKs HVP can only be offered to pregnant individuals and families with a child under 24 months of age. Those families may receive CalWORKs HVP services for 24 months or until the first enrolled child's second birthday, whichever is later. There are presently 41 counties administering CalWORKs HVP in Fiscal Year (FY) 2023-24.

Children and families participating in CalWORKs HVP miss out on the critical developmental benefits that result from continued participation. Families that would otherwise like to remain

involved in the CalWORKS HVP are forced out of the program due to the statutory time limit. Although it is possible they may transition to another HVP funded by CDPH or another community-based organization, that is only possible if there is funding and space available in those programs. Furthermore, research shows interruption to participation in a home visiting program leads to families dropping out.

SB 1396 will extend the enrollment timeframe from a child under 24 months of age to a child under 36 months of age. This bill also removes the 24-month statutory limit on participation in HVPs for children in CalWORKs families and instead allows those children to continue to participate through the duration of the applicable HVP model. Finally, SB 1396 allows children whose participation would otherwise be terminated because the family no longer meets CalWORKs income, eligibility, or need criteria to continue through the duration of the program or for up to an additional 12 months, whichever is longer.

This bill will help to maximize the health and developmental benefits of this highly effective program for families in need across the state. For these reasons, UCC and RCRC support SB 1296. Please do not hesitate to reach out with any questions.

Sincerely,

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

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

cc: Members and Consultants, Senate Human Services Committee
Joe Parra, Consultant Senate Republican Caucus

April 19, 2024

The Honorable Anna Caballero
Chair, Senate Appropriations Committee
State Capitol, Room 412
Sacramento, CA 95814

RE: SB 1397 (Eggman): Behavioral health services coverage.
As amended on April 15, 2024 – SUPPORT
Set for Hearing on April 22, 2024 – Senate Appropriations Committee

Dear Senator Caballero:

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) 1397 by Senator Susan Eggman. This measure establishes a mechanism for county behavioral health agencies to recoup reimbursement from commercial plans for privately insured clients referred to services through Full Service Partnerships (FSPs).

FSPs provide comprehensive, intensive, community-based services and case management to those facing severe mental health conditions and play a critical role in preventing long-term institutionalization. All counties offer FSP services, which are unique for their low staff to client ratio, 24/7 availability, and "whatever it takes" approach tailored to the individual needs of a client. FSPs have been proven to help prevent costly hospitalizations, criminal justice involvement, and homelessness among clients.

Although the primary focus of county behavioral health agencies is to serve Medi-Cal beneficiaries, they often serve the commercially insured who are unable to access certain specialty behavioral services through their commercial insurance, including crisis intervention services, first episode psychosis, FSPs, or other critical behavioral health services. Although counties fund services to individuals with commercial plans to the extent resources are available, they must prioritize their Medi-Cal plan responsibilities.

SB 1397 will create a reimbursement mechanism for county behavioral health agencies to recover the costs of providing lifesaving behavioral health services to commercially insured clients through FSPs. 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,

Jolie Onodera
Senior Legislative Advocate
CSAC
jonodera@counties.org

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

Sarah Dukett
Policy Advocate
RCRC
sdukett@rcrcnet.org

cc: The Honorable Susan Talamantes Eggman, Senator
Honorable Members, Senate Appropriations Committee
Agnes Lee, Consultant, Senate Appropriations Committee
Joe Parra, Consultant, Senate Republican Caucus
Anna Billy, Office of Senator Susan Talamantes Eggman

April 3, 2024

The Honorable Richard Roth
Chair, Senate Health Committee
1021 O Street, Room 3310
Sacramento, CA 95814

RE: SB 1397 (Eggman): Behavioral health services coverage.
As amended on March 20, 2024 – SUPPORT
Set for Hearing on April 10, 2024 – Senate Health Committee

Dear Senator Roth:

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) 1397 by Senator Susan Eggman. This measure establishes a mechanism for county behavioral health agencies to recoup reimbursement from commercial plans for privately insured clients referred to services through Full Service Partnerships (FSPs).

FSPs provide comprehensive, intensive, community-based services and case management to those facing severe mental health conditions and play a critical role in preventing long-term institutionalization. All counties offer FSP services, which are unique for their low staff to client ratio, 24/7 availability, and "whatever it takes" approach tailored to the individual needs of a client. FSPs have been proven to help prevent costly hospitalizations, criminal justice involvement, and homelessness among clients.

Although the primary focus of county behavioral health agencies is to serve Medi-Cal beneficiaries, they often serve the commercially insured who are unable to access certain specialty behavioral services through their commercial insurance, including crisis intervention services, first episode psychosis, FSPs, or other critical behavioral health services. Although counties fund services to individuals with commercial plans to the extent resources are available, they must prioritize their Medi-Cal plan responsibilities.

SB 1397 will create a reimbursement mechanism for county behavioral health agencies to recover the costs of providing lifesaving behavioral health services to commercially insured clients through FSPs. 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,

Jolie Onodera
Senior Legislative Advocate
CSAC
jonodera@counties.org

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

Sarah Dukett
Policy Advocate
RCRC
sdukett@rcrcnet.org

cc: The Honorable Susan Talamantes Eggman, Senator
Honorable Members, Senate Health Committee
Teri Boughton, Principal Consultant, Senate Health Committee
Joe Parra, Consultant, Senate Republican Caucus
Anna Billy, Office of Senator Susan Talamantes Eggman

UCC Letters

March 22, 2024

Director Gustavo Velasquez
California Department of Housing and Community Development
2020 West El Camino Avenue, Suite 500
Sacramento, CA 95833

[Submitted via email: SLAguidelines@hcd.ca.gov]

RE: Local Government Coalition Comment Letter on Proposed Updated Surplus Land Act Guidelines

Dear Director Velasquez:

The organizations and entities listed herein respectfully submit this letter as public comment in response to the California Department of Housing and Community Development's (HCD) request for public comment on its Draft Updated Surplus Land Act (SLA) Guidelines issued February 23, 2024 (Draft Updated Guidelines).

Regrettably, HCD's Draft Updated Guidelines subvert necessary, carefully negotiated legal provisions secured through the legislative process, and conflict with plain statutory language of the SLA and its clear legislative intent. These draft guidelines threaten local governments' ability to appropriately and efficiently engage in statutorily authorized transactions involving agency property for the benefit of the communities we serve.

Four major areas of the most significant concern include the following:

1. **The Draft Updated Guidelines Misapply the SLA to Agency's Use Land and Improperly Purport to Apply the SLA to Exempt Surplus Land.**

As defined in statute, "agency's use" is a category of land which is neither surplus land nor exempt surplus land, for which the SLA preserves certain local agency prerogatives. AB 480 and SB 747 did not make material changes to the SLA's agency's use provisions, and the legislative process for each bill evinces clear legislative intent not to do so. The Draft Updated Guidelines would delete an existing definition of agency's use land in Section 102(d), which is consistent with the language negotiated by local government stakeholders to resolve concerns related to adding a definition of "agency's use" to AB 1486. This problem is exacerbated by the proposed Section 102(cc), which would change the definition of "Surplus Land" by incorporating a reference to the inaccurate Agency's Use definition proposed in new Section 104, therefore causing an inconsistency between the Surplus Land definition in the Draft Updated Guidelines and statute.

Additional comments on the Agency's Use revisions in the Draft Updated Guidelines include:

- Section 104 provides a new, altered definition of Agency's Use. As discussed above, Agency's Use should be returned to Section 102(d). Further, the proposed altered definition of Agency's Use in Section 104 does not track the carefully-negotiated statutory definition at Gov. Code Section 54221(c), and should be revised to accurately track the statutory language.

- Section 104(a)(4) applies to special districts' agency's use provisions. The proposed changes are inconsistent with the structure of statute and should be revised to track and be consistent with Gov. Code Section 54221(c)(2)(B). The statute plainly states that the authority to make an "agency's use" determination solely belongs to a respective local agency, when a local agency's governing body takes action in a public meeting declaring that the use of the site will do one of the following: (i) directly further the express purpose of agency work or operations, or (ii) be expressly authorized by a statute governing the local agency, provided the district complies with Section 54233.5. The Draft Updated Guidelines fail to clearly state that the determination for "agency's use" consistent with 54221(c)(2)(B) is made by the local agency. This contradicts the express language of the statute wherein the only requirement is that a local agency's governing body makes a finding in a public (i.e., transparent) meeting that the use of the site is authorized pursuant to the statute. This creates risks for disputes and litigation long after a special district makes appropriate public findings.

- Section 104(c) purports to require a local agency to provide supporting documentation to HCD prior to disposition of agency use land. This new mandate has no statutory support, and directly contradicts the SLA.

- Section 104(a)(2) provides that "Only land intended and, in fact, used in its entirety by a local agency for agency's use will qualify as agency's use…" and contains

provisions for land that is both agency's use and non-agency's use. This section has no statutory basis.

- Section 200(a), pertaining to the surplus land determination process, retains the following text: "Land must be declared either 'surplus land' or 'exempt surplus land', as supported by written findings, before a local agency may take any action to dispose of it consistent with an agency's policies or procedures." This text fails to contextualize the disposal of agency's use land, and continues to fail to distinguish agency's use land as not being the same as exempt surplus land.

- Section 103(c)(11), pertaining to an exempt surplus land category for special district agency's use, states the exemption as "Real property that is used by a district for agency's use expressly authorized in Government Code section 54221." However, the Current Guidelines reference 54221**(c)**, which applies only to special districts. Although this proposed change does not appear as a change in the redline of the Draft Updated Guidelines, it is a material change. The Draft Updated Guidelines should deliberately reference section 54221(c), as the Current Guidelines do, to specifically highlight the provisions enumerated there related to special districts, and thus the nexus to this particular category of exempt surplus land, rather than a generic reference to the broader, complex SLA statute. .

Moreover, the Draft Updated Guidelines continue to fail to include any reference whatsoever to the plain language of Government Code Section 54222.3, which conflicts with many of the proposed guidelines' changes related to exempt surplus land, and plainly states that: **"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."** Unless a code section specifically references applicability to exempt surplus land, the presumption is that all the provisions of this article do not apply to "exempt surplus land" (i.e., upon determination by an agency that a parcel is "exempt surplus land"). For an example of where a single particular type of "exempt surplus land" is expressly referenced as subject to the SLA (pursuant to a process to comply with HCD approval), see Government Code Section 54221(f)(1)(P)(iv). The Draft Updated Guidelines unjustifiably place HCD in the middle of exempt surplus land determinations notwithstanding the statutory limitations in the SLA.

Additional comments regarding the Exempt Surplus Land revisions in the Draft Updated Guidelines include:

- Section 103(e) provides that "Any determination by a local agency that its surplus lands are exempt from the SLA must be supported by written findings and documentation, which shall be provided to HCD pursuant to section 400(e) of these Guidelines." This requirement is mostly a restatement of the Current Guidelines, as modified, but is not supported by statute and should be struck. Only limited exemptions have a documentation requirement. Notification to HCD is not required by statute. During the legislative process, a proposed notification requirement to HCD was struck from both AB 480 and SB 747, demonstrating clear legislative intent inconsistent with the Draft Updated Guidelines.

- Section 400(e), requiring notifications to HCD in connection with exempt surplus land determinations, is not supported by statute. An HCD notification requirement related to exempt surplus land disposals was struck from the enacted versions of both AB 480 and SB 747, demonstrating clear legislative intent inconsistent with the Draft Updated Guidelines.

- Section 500, pertaining to the HCD approvals process, purports to give HCD a role in approving exempt surplus land determinations by local agencies. This has no basis in statute.

2. The Draft Updated Guidelines Misapply SLA Penalty Provisions while Making Changes in Conflict with Statute.

AB 747 and AB 480 amended the SLA penalty provisions found in Government Code Section 54230.5 to provide a fair process for assessing and calculating penalties for specified violations of the SLA, while explicitly providing that such penalties shall not apply to violations that do not impact the availability and priority of, or the construction of, housing affordable to lower income households or the ultimate disposition of the land in compliance with the article, such as clerical errors. The Draft Updated Guidelines are inconsistent with and undermine these important statutory changes.

Additional comments on the penalty revisions in the Draft Updated Guidelines include:

- Section 501(b)(1)(A) includes the following language which is not in statute and undermines the recently enacted statutory limitations placed on Section 54230.5: "However, in no case are local agencies immune from penalties for failing to issue an NOA for surplus land, to notice the required housing and local public agency entities, to provide at least 90 days of good faith negotiations, or to provide a draft and final recorded affordability covenant to HCD. Any violations of the SLA that limit the opportunity of affordable housing entities to purchase non-exempt surplus land are not exempt from the penalties established in Government Code, section 54230.5." The "(e.g., the amount of affordable housing provided)" qualifier to the penalties exemption is similarly not in statute.

- Section 501(c) states: "A local agency that sells or leases surplus land without complying with Sections 200(a), 201, 202, 300, 400(a), and 400(b) of these Guidelines violates the SLA." This provision is not found in statute.

- Without limiting the comments regarding exempt surplus land discussed above, Section 501 should have language added that states: "A local agency shall not be liable for the penalty imposed by subdivision (a) if the Department of Housing and Community Development does not notify the agency that the agency is in violation of this article within 30 days of receiving the description." (see Section Gov. Code Section 54230.5(b)).

3. **The Draft Updated Guidelines Allow Third Parties to Issue Notices of Alleged Violations of the SLA Directly to Public Agencies with No Basis in Statute, Exposing Local Agencies to Unaccountable Interference with Operations.**

The Draft Updated Guidelines purport to grant third party entities (i.e., not HCD) the ability to issue notices of alleged violations of the SLA directly to local agencies. For example, Section 102(u) defines a "Notice of Alleged Violation" as a written communication sent to a local agency (with a copy to HCD) by a public or private entity (i.e., not HCD) alleging violations of the SLA.

Allowing third parties to directly allege a violation and trigger enforcement deadlines for local agencies without HCD review and determination of a violation is not supported by statute and could wreak havoc on local agency transactions and operations. This provision of the Draft Updated Guidelines is also inconsistent with Government Code Section 54230.5(a)(1) which imposes penalties for disposals of surplus land in violation of the SLA after receiving a notification from HCD.

4. **The Draft Updated Guidelines Subject Local Agencies to a Subjective and Open-Ended Definition of "Good Faith Negotiations."**

Government Code Section 54223 requires that "After the disposing agency has received a notice of interest from the entity desiring to purchase or lease the surplus land on terms that comply with this article, the disposing agency and the entity shall enter into good faith negotiations to determine a mutually satisfactory sales price and terms or lease terms. If the price or terms cannot be agreed upon after a good faith negotiation period of not less than 90 days, the local agency may dispose of the surplus land without further regard to this article.…" The Draft Updated Guidelines undermine the clear timelines established in statute by requiring in Section 202(a)(1)(C)(iv)(V) that a local agency not "arbitrarily end active negotiations after 90 days of good faith negotiations."

Section 202(a)(1)(C)(iv)(V) adds a subjective and open-ended requirement for a local agency to continue negotiating after 90 days even though 90 days of negotiations is all that is required by statute. This transforms what is a clear standard in statute into a subjective standard in the Draft Updated Guidelines, thereby interfering with local agencies' ability to efficiently conclude negotiations and transactions. This also exposes local agencies to litigation risk over whether the specific circumstances of a conclusion of negotiations after the 90 days required by statute was "arbitrary."

Another new subjective good faith negotiations component includes: "Make a serious effort to meet at reasonable times and attempt to reach agreement." (Section 202(a)(1)(C)(iv)(I)) These terms are subjective and will further create opportunities for disputes, litigation, and delay.

Although the four categories of concerns identified above are of critical importance, attached please find an appendix containing additional and more comprehensive comments and concerns for your consideration.

For these reasons, we respectfully request HCD amend the SLA Draft Updated Guidelines to correct the aforementioned issues. Further, to our knowledge, the development of these Draft Updated Guidelines failed to include any meaningful or recent meetings/dialogue with any of the local government stakeholders that HCD is aware are deeply interested in the development and application of any guidelines. We request an opportunity to meet with you to discuss our most significant concerns.

Sincerely,

Aaron Avery
Director of State Legislative Affairs
California Special Districts Association

Mark Neuburger
Legislative Advocate
California State Association of Counties

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

Robert S. Grantham
General Manager
Rancho California Water District

Julia Bishop Hall
Legislative Relations Manager
Association of California Water Agencies

Sarah Bridge
Legislative Representative
Association of California Healthcare Districts

Danielle Blacet-Hyden
Deputy Executive Director
California Municipal Utilities Association

Jean Hurst
Legislative Advocate
Urban Counties of California

Tracy Rhine
Senior Policy Advocate
Rural County Representatives of California

Jessica Gauger
Director of Legislative Advocacy
& Public Affairs
California Association of Sanitation Agencies

APPENDIX

Page #	Citation	Text
Page 5	Section 101(b)(1)(C)	• As drafted, the updated guidelines purport to require proof of sending of NOAs to be provided to HCD. • This is not required by statute.
Page 6	Section 102	• The introduction paragraph to this section ends by stating: "For terms defined in statute, any changes to the statutory definition shall supersede the definition in these Guidelines." • The purpose and intent of this statement should be made clear. If statutory definitions supersede guidelines definitions, what is the purpose of guideline definitions which are not the same as, or in some cases inconsistent with, statute, as discussed below? • If the intention is only for prospective changes in statutory definitions to supersede Guidelines definitions, that is also improper. The statute controls, and the Guidelines cannot alter that foundational legal proposition.
Page 8	Section 102(g)	• As drafted, the updated guidelines provide a definition for "Description of Negotiations" with an affordable housing developer to be provided by a local agency to HCD prior to disposal of surplus land following a negotiation with an affordable housing sponsor. • The definition should explicitly exclude attorney client privileged and attorney work product documents and communications.
Starting at Page 8	Section 102(i)	• Updated guidelines add to definition of "disposition" by adding: "…land exchanged for monetary or nonmonetary consideration." • Now that there is a definition of "dispose" in statute, this definition is unnecessary. Please make a global

		change to delete references to disposition of surplus land and substitute "dispose" or "disposal" of surplus land. • Addition of "…land exchanged for monetary or nonmonetary consideration" to this definition or the dispose definition is not in statute. • Section 102(i) should copy the dispose definition from statute. • Proposed Section 102(i) includes sales in definition but does not exactly track statute; entire section should copy the statutory dispose definition verbatim. • Lease definition should track statute: "The entering of a lease for surplus land, which is for a term longer than 15 years, inclusive of any extension or renewal options included in the terms of the initial lease, entered into on or after January 1, 2024." • Proposed updated guideline inconsistent in the following ways: • Proposed update language at 102(i)(1)(B): "A lease with a term of 15 years or less that includes an option to extend or renew is a disposition if the sum of the term of the original lease and the extension or renewal is greater than 15 years." • Not supported by statute. • Proposed update language at 102(i)(1)(B): "A lease that is for a term of 15 years or less that includes an option to purchase is considered a disposition of surplus

		land at the time the option to purchase is exercised." • Purchase options not covered by statute; language should be struck. • Proposed update language at 102(i)(2)(A): "The entering of a lease for surplus land for a term of 15 years or less, inclusive of any extension or renewal options included in the terms of the initial lease." Should track statute "The entering of a lease for surplus land, which is for a term of 15 years or less, inclusive of any extension or renewal options included in the terms of the initial lease."
Page 11	Section 102(cc)	• Proposed updated guidelines add to definition of "surplus land." • All proposed additions should be reversed and this section should just track the definition in statute at Gov. Code Section 54221(b)(1). • Note that existing guideline definition contains a number of other slight inconsistencies with Gov. Gode Section 54221(b)(1) which should be reconciled by simply using the statutory definition of surplus land.
Pages 13 and 14	Section 103(b)(4) and (b)(5)(B) (related to legacy agreements)	• Both references to extensions due to litigation should state that the deadline begins to run again following the **final** conclusion of the

		litigation. This is consistent with statute and prior related guidelines.
Page 15	Section 103(c)(7)	• Removes language that specified exempt surplus land be declared exempt, and instead requires that it be disposed of. o Not consistent with statute.
Page 16	Section 103(c)(7)(A)(i)	• Typo – refers to (i) and should refer to (A)
Page 17	Section 103(c)(7)(C)(iv)	• Proposed update to guidelines purports to require concurrent residential and commercial unit construction for mixed use affordable housing exemption. Concurrent construction not required by Gov. Code Section 54221(f)(1)(H), only specified concurrent availability. First line of Section 103(c)(7)(C)(iv) should be struck.
Page 18	Section 103(c)(7)(E)	• Proposed update to guidelines again purports to require concurrent residential and commercial unit construction for mixed use affordable housing exemption. o Concurrent construction not required by statute.
Pages 18 and 19	Section 103(c)(8) (exemption for Land Subject to Valid Legal Restrictions)	• Enumerated list of valid legal restrictions in Section 103(c)(8)(A) uses language inconsistent with statutory enumerated list, leaving important language out. Resolve this by using statutory language at Gov. Code Section 54221(f)(1)(J).
Page 19	Section 103(c)(8)(B) (exemption for Land Subject to Valid Legal Restrictions)	• Section 103(c)(8)(B)(i) omits reference to "agreement" in Gov. Code Section 54221(f)(1)(J)(i)
Page 21	Section 103(c)(18) (exemption for Mixed-use developments by	• Section 103(c)(17)(A) refers to "land owned by transportation districts." Should say surplus land…

	Transportation Districts)	• Section 103(c)(17)(A)(iii) says "…before the agency is permitted to dispose of land for non-housing purposes…" Statute says before entering an agreement to dispose… (Gov. Code. Section 54221(f)(1)(S)(i)(IV))
Page 24	Section 103(f)	• Guideline should use language from statute. • Proposed guideline Section 103(g)(3) says: "Negotiating with a developer to determine if the lease provisions of Government Code section 54221(d)(2) can be met." o Guideline should simply track the statutory language at Gov. Code 54222(f)(4): "Negotiating with a developer to determine if the local agency can satisfy the disposal exemption requirements described in paragraph (2) of subdivision (d) of Section 54221."
Page 24	Section 104 (New Agency's Use)	• Agency's use should be returned to definition section as described above, and should track statutory language exactly. Guidelines are not consistent with agency's use definition in statute.
Page 24	Section 104(a)(2)	• "Only land intended and, in fact, used in its entirety by a local agency for agency's use will qualify as agency's use…" and provisions for land that is both agency's use and non agency's use. • No basis in statute.
Page 24	Section 104(a)(3)	• "Agency's use shall not include commercial or industrial uses or activities, including nongovernmental retail, entertainment, office development, **or any such development designed to support the work and operations of an agency project.**" • Bolded, underlined language not in statute.

Page 25	Section 103(b) (eminent domain / agency use)	• This should be struck. No basis in statute.
Page 25	Section 104(c) (Notice of Disposition of Agency's Use Land)	• This section purports to require a local agency to provide supporting documentation to HCD prior to disposition of Agency Use land. • Entire section is lacking in statutory support, or directly contradicts statute. Section should be struck in its entirety.
Page 26	Section 200 (Surplus Land Determination Process)	• Section 200(a): Retained text: "Land must be declared either 'surplus land' or 'exempt surplus land', as supported by written findings, before a local agency may take any action to dispose of it consistent with an agency's policies or procedures." • Continues to fail to account for agency's use land not being exempt surplus land.
Page 27	Section 202: Disposing of surplus land	• Updates change: "Prior to negotiating the disposal of surplus land, ~~After~~ the governing board of a local agency ~~has held~~ must hold (did not appear as a redline change) the required public meeting to declare property as surplus land…" • Does not appear to be consistent with Gov. Code Section 54222. •
Page 29	Section 202(a)(1)(D) (exclusions from definition of participating in negotiations)	• Should be revised to add new statutory carve outs from the definition.
Page 34	Section 202(b)(3) (disposition of contiguous land)	• This wasn't changed by AB 480 / SB 747 and should not be changed now.
Page 37	Section 400(b)(1) –	• This section contains another reference to draft copies of restrictions. • "proof of delivery" to housing sponsors not in statute.

Page 38	Section 400(e) (notifications to HCD in connection with exempt surplus land determinations)	• Entire section not supported by statute. Should be struck. • An HCD notification requirement related to exempt surplus land disposals was struck from the enacted versions of both AB 480 and SB 747.
Page 39	Section 500(c) and (d) – HCD approvals process.	• Not supported by statute, again improperly purports to apply SLA to exempt surplus land.
Page 39	Section 500(e)(2)(C)	• Requires notification to HCD if a local agency ceases a transaction after receiving an NOV. Not required by statute. Should be struck. • "If a local agency resumes the existing disposition of land at a later date, all the provisions of subdivision (e)(2)(A) and (B) of this Section apply." Again, not consistent with statute, each transaction different, should be struck.
Page 39	Section 500(e)(3) (Orange County / Cities in Orange County)	• Sections dealing with Orange County and cities in Orange County again use findings letter language; statute just talks about notifications of violation.
Page 41	Section 501(a) (penalties)	• Available remedies language purporting to confer remedies broader than what are in statute. Statute at Gov. Code Section 54230.5 is limited as follows: "Notwithstanding subdivision (c), this section shall not be construed to limit any other remedies authorized under law to enforce this article including public records act requests pursuant to Division 10 (commencing with Section 7920.000) of Title 1." • Section 501(a) also purports to apply to disposals or attempted disposals of "land." This is in contravention of Gov. Code Section

		54222.3 which makes the SLA inapplicable to disposals of exempt surplus land.
Page 42	Section 501(b)(1) (penalties)	• Guideline applies penalties after an NOV or findings letter. Findings letter component not in statute.
Page 42	Section 501(b)(2)(B)(i) (penalties)	• Guidelines provide if the penalty funds deposited into the local housing trust fund have not been expended within five years after deposit, the funds shall revert to the state and be deposited into the Building Homes and Jobs Trust Fund or the Housing Rehabilitation Low Fund for the sole purpose of financing newly constructed housing units located in the same jurisdiction as the surplus land. ○ Housing in the same jurisdiction of the surplus land not required by statute. May have unanticipated complications for special districts.
Page 43	Section 501(b)(6) (appeals)	• 30 day appeals period should be triggered by notice of assessment to local agency.
Page 43	Section 501(b)(7) (appeals)	• Restore procedural safeguards from prior guidelines.
Page 43	Section 501(c)	• A local agency that sells, leases, or transfers surplus land without complying with Sections 200(a), 201, 202, 300, 400(a), and 400(b) of these Guidelines violates the SLA. • Not supported by statute. Should be struck.
Pages 43 and 44	Section 502 (b) and (c) (Private Enforcement)	• Notices of alleged violation and other provisions tied to or referencing such notices have no basis in statute and should be struck.