



Chair
Supervisor James Ramos
Executive Director
Jolena L. Voorhis

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UCC Board of Director's Meeting Summary November 28, 2017

Alameda: Supervisor Keith Carson, Susan Muranishi, Ludmyrna Lopez, Teresa Cooke, Terrell Hegler, Gianna Setoudeh

Contra Costa: Supervisor Federal Glover, Supervisor Karen Mitchoff, Supervisor John Gioia, David Twa, Lara DeLaney, Cathy Christian, Jim Gross

Fresno: Supervisor Buddy Mendes, Supervisor Nathan Magsig, Supervisor Andrew Borgeas, Jeanie Figueroa, Debbie Paolinelli

Los Angeles: Manuel Rivas, Olivia Rodriguez, Donna Seitz, Martha Guerrero

Orange: Supervisor Lisa Bartlett, Amy Jenkins, Peter DeMarco, Steve Thronson, Steve Wallauch, Nicole Wordelman

Riverside: Supervisor Chuck Washington, Jaime Hurado, Jim Gross, Elizabeth Espinosa, Jean Hurst, Kelly Brooks-Lindsey

Sacramento: Supervisor Susan Peters, Supervisor Phil Serna, Natasha Drane, Steve Cruz, Anna Alvarado, Elisia DeBord

San Bernardino: Supervisor James Ramos, Josh Candelaria, Steve Wallauch, Nicole Wordelman

San Diego: Supervisor Bill Horn, Thomas Ledford, Geoff Patnoe, Helen Robbins-Meyer, Denise Becerra, Cathy Christian, Ben Palmer, Jonathan Clay, Erin Gilbert

San Francisco:

San Joaquin: Supervisor Bob Elliott, Monica Nino, Katie Patterson

San Mateo: Supervisor Carole Groom, Connie Juarez-Diroll, John Beiers, Devon Anderson, Steve Cruz, Anna Alvarado, Madison Dwelley

Santa Clara: Supervisor Ken Yeager, Jim Weston, Michael Rattigan

Ventura: Supervisor Kelly Long, Sue Hughes, Michael Powers, Dedra Creadick, Rosa Gonzalez, Steve Wallauch, Nicole Wordelman

UCC: Jolena Voorhis, Grace Childs-Ferguson

SPONSORS: Barclays, CitiGroup, HdL Companies, Kaiser Permanente, LexisNexis Risk Solutions, LexisNexis Vitalchek

I. Call to Order

UCC Chair, Supervisor Ramos convened the meeting and called the members to order.

II. Roll Call of Counties

Board of Directors: **Chair:** Supervisor James Ramos, San Bernardino County **Vice Chair:** Supervisor Carole Groom, San Mateo County **Treasurer:** Emily Harrison, Finance Director, Santa Clara County **Members:** Supervisor Keith Carson, Alameda County; Supervisor Federal Glover, Contra Costa County; Supervisor Ernest Mendes, Fresno County; Supervisor Mark Ridley-Thomas, Los Angeles County; Supervisor Lisa Bartlett, Orange County; Supervisor Chuck Washington, Riverside County; Supervisor Susan Peters, Sacramento County; Supervisor Bill Horn, San Diego County; Vacant, San Francisco County; Supervisor Bob Elliott, San Joaquin; Supervisor Ken Yeager, Santa Clara County; Supervisor Kelly Long, Ventura County

There were 17 Supervisors present and 13 counties represented at this meeting.

III. Approval of Minutes from the September 6, 2017 UCC Board Meeting – APPROVED

The September 6, 2017 minutes were approved and below is the vote count:

Member	County	Yes	No	Absent	Not Voting
Supervisor Ramos, Chair	San Bernardino	X			
Supervisor Groom Vice-Chair	San Mateo	X			
Supervisor Carson	Alameda	X			
Supervisor Glover	Contra Costa	X			
Supervisor Mendes	Fresno	X			
Supervisor Ridley- Thomas	Los Angeles			X	
Supervisor Bartlett	Orange	X			
Supervisor Washington	Riverside	X			
Supervisor Peters	Sacramento	X			
Supervisor Horn	San Diego	X			
Vacant	San Francisco			X	
Supervisor Elliott	San Joaquin	X			
Supervisor Yeager	Santa Clara	X			
Supervisor Long	Ventura	X			
Vote Total		12		2	

IV. Items for Consideration

IHSS MOE Methodology:

1) Other Emerging or Continuing Legislative Issues

a) Legislative Update

AB 1250 – ACTION ITEM -- APPROVED

Staff reported AB 1250 was one of the major bills UCC worked on in 2017, along with a large coalition of counties and non-profits. While the bill was held in the Senate, it is still technically alive because it is a two-year bill. However, due to the negative publicity regarding the bill it is unclear whether AB 1250 will move or whether another vehicle will be introduced.

During the UCC Key Staff meeting, there were a few recommendations regarding the strategy on AB 1250 as follows:

1. Ask CSAC and/or UCC to convene regular meetings of the AB 1250 Steering Committee (every two weeks was mentioned) to share intel and work on strategy.

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2. Direct urban county staff and county lobbyists to reach out locally to their non-profits and other partners to continue opposition to any bill.
3. Have a conversation at the UCC Legislative Committee meetings to share intel about what everyone is hearing locally.
4. Have it agendized at the next UCC Board Meeting to get feedback from Board members to see if they are being lobbied or approached to change their position or any other intel at the local level.

Staff Recommendation:

Regarding these suggestions, CSAC has convened the AB 1250 Steering Committee and has developed a workplan. However, staff would recommend Board approval to continue to make this bill a priority and to adopt the above recommendations.

AB 1250 (Jones-Sawyer) Background

This bill would have restricted counties ability to contract out for services by requiring additional requirements including; that before we enter into a contract or renew or extend an existing contract with a "firm" for personal services, unless it makes specific findings including demonstrating the contract will result in cost savings, the contract does not cause displacement of county employees, the contract does not cause vacant positions to remain unfilled, or the potential for future economic risk to the county from rate increases is minimal.

There are several exemptions in the bill for various industries, but this bill will make contracting out for services that are critical to counties next to impossible, including hospitals, homeless outreach, foster care and adoptions, behavioral health services, and timely emergency response. This could also significantly impact our ability to implement No Place Like Home, since many counties are contracting for technical assistance to comply with all of the requirements.

The board voted and approved the AB 1250 recommendation and below is the vote count:

Member	County	Yes	No	Absent	Not Voting
Supervisor Ramos, Chair	San Bernardino	X			
Supervisor Groom Vice-Chair	San Mateo	X			
Supervisor Carson	Alameda	X			
Supervisor Glover	Contra Costa	X			
Supervisor Mendes	Fresno	X			
Supervisor Ridley- Thomas	Los Angeles			X	
Supervisor Bartlett	Orange	X			
Supervisor Washington	Riverside	X			
Supervisor Peters	Sacramento	X			
Supervisor Horn	San Diego	X			
Vacant	San Francisco			X	
Supervisor Elliott	San Joaquin	X			
Supervisor Yeager	Santa Clara	X			

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Supervisor Long	Ventura	X			
Vote Total		12		2	

SB 649 (Hueso) – Wireless Facilities – Vetoed – ACTION ITEM – APPROVED

Staff reported that this bill would have required cities and counties to lease to the wireless industry all the vertical infrastructure (street lights, poles, and similar structure), at a cost of \$250 per pole per year. In addition, the permits for this activity would be ministerial in nature with limited ability for the public and the county to conduct design review. In addition, this bill states that if a local government wants to use that vertical infrastructure they must pass a Board resolution with substantial findings to obtain access to their own property. It would also prohibit a local government from requiring an in-kind or public benefit on the permit.

UCC was part of a large coalition in opposition including the League of California Cities, RCRC, CSAC, Planners, and numerous individual cities and counties, and labor groups including the Teamsters.

After some intense lobbying during the last week of session we were able to get numerous no votes or members not voting on the bill. The Governor vetoed SB 649 and in his veto message he stated that there needs to be a more balanced approach, which opens the door for legislation in 2018 by the sponsors.

Staff Recommendation:

Due to the fact that the sponsors of SB 649 may pursue legislation either this year or next year and because there is also federal legislation on the horizon, UCC staff recommends the following action items for 2018:

- Authority to Co-Sponsor legislation, if needed, with our local government partners which would provide fast track approach for certain types of small cell facilities, no cap on fees, and provisions to protect local control.
- Oppose federal legislation which would undo the work we have done on SB 649 and oppose any similar legislation at the state level.
- Continue to work with our coalition which includes local government, labor and work to expand the coalition.

The board voted and approved the SB 649 recommendation and below is the vote count:

Member	County	Yes	No	Absent	Not Voting
Supervisor Ramos, Chair	San Bernardino	X			
Supervisor Groom Vice-Chair	San Mateo	X			
Supervisor Carson	Alameda	X			
Supervisor Glover	Contra Costa	X			
Supervisor Mendes	Fresno	X			
Supervisor Ridley- Thomas	Los Angeles			X	
Supervisor Bartlett	Orange	X			
Supervisor	Riverside	X			

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Washington					
Supervisor Peters	Sacramento	X			
Supervisor Horn	San Diego	X			
Vacant	San Francisco			X	
Supervisor Elliott	San Joaquin	X			
Supervisor Yeager	Santa Clara	X			
Supervisor Long	Ventura	X			
Vote Total		12		2	

Federal Legislation Proposed

There are currently two proposals being discussed at the federal level: a discussion draft and S 1988.

Discussion Draft

The discussion draft which has not yet been officially introduced would make changes similar to SB 649. Specifically, this proposal would do the following:

- Grants both the telecommunications industry and the cable industry with exclusive or preferential use to a pole, right-of-way, or other property owned or managed by the State or local government.
- Imposes a de facto moratorium on the acceptance or processing of permits or other permissions to deploy wireless service facilities.
- Provides the telecommunications industry with the same access to facilities and infrastructure as cable industry under the franchise agreements provisions in federal law.
- Reduces the number of days under which a local government must approve a permit for wireless facilities to 60 days for colocation and 90 days for new towers otherwise it is deemed approved. Current law is 90 days for colocation in California.
- Limits the amount of compensation a local government may charge for access to the infrastructure to actual and direct costs.

This measure will be referred to the Senate Commerce Committee which does not have representatives from the California delegation.

S 1988

On October 19, 2017, S 1988 was introduced, also known as the Streamlining Permitting to Enable Efficient Deployment of Broadband Infrastructure Act of 2017 (SPEED Act). This measure would make changes to the wireless facilities permitting by local governments. Specifically, this measure would do the following:

- Prohibits the FCC and any state or local government from any review as a condition of permitting the placement and installation of a small wireless facility if it is located in the public right-of-way, is not higher than any existing structure in the public right of way or is a replacement for an existing small wireless facility. This measure also limits the size of equipment to not more than 50 feet tall or 10 feet higher than any existing structure within the right of way, whichever is higher.
- Exempts all of the facilities from NEPA review.

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- No cap on fees.

This measure has been referred to the Committee on Environment and Public Works but no hearing has yet been scheduled. California is represented on this Committee by Senator Kamala Harris.

b) Cannabis Regulations and Legislative Clean-Up – ACTION ITEM - APPROVED

Staff reported that due to the Budget Trailer Bill that was signed in August, the previous regulations on medical marijuana were rescinded and instead all three regulatory agencies are working on emergency regulations to provide one regulatory structure for both medical and adult use of cannabis consistent with both the MCRSA and Proposition 64.

The emergency regulations are expected sometime in late November and since they are emergency regulations there will be limited time to make comments – usually 3 – 5 business days.

Staff reported that the emergency regulations were released on November 16, 2017. Some of the key issues included the following:

- 10-day notification to local governments for temporary licenses and 60 day for permanent licenses.
- Provides that deliveries can only be made by employees of a retailer and made to a physical address.
- Allows for free cannabis goods to be allowed in a licensed medical retailer.

A survey went out to all 58 counties from the Bureau of Cannabis Control (BCC) asking each county about their local ordinances and for a point of contact. It is really important that each county provide a point of contact for the state verification of local licenses so that the state knows who to contact in your county. The statute states that it will be the county clerk unless a different point of contact is provided. BCC has given us until December 1st to provide the POC otherwise they will put in the county clerk as the point person.

State Verification of Local Licenses

In the June Budget Trailer Bill (SB 94), counties were successful in providing a framework for the state verification of local licenses. However, in August, the Legislature and the Governor passed a clean-up measure (AB 133) which unfortunately did not allow for verification with local jurisdictions for temporary licenses.

Due to this issue, UCC participated in a couple of meetings with the Governor's Office and regulatory agency staff to try and find a compromise that still maintains the ability for local verification. While it is our understanding that the emergency regulations will not speak to a specific process for verification, Bureau Director Lori Ajax has assured counties that we will be contacted on every license. In order to provide a smooth transition, the Bureau sent out a survey to all 58 counties and all cities asking for a point of contact and the status of any local ordinance.

UCC encourages all urban counties to provide the point of contact information to the Bureau so that beginning January 1, 2018, any license presented to the regulatory agencies will be verified as legitimate by the affected county.

City/County Contracting Issues

In 2015, when the MCRSA was being enacted, counties worked with our city partners to come up with language to address cities contracting with counties for various functions related to medical marijuana including environmental health, public health, agricultural commissioners and other functions traditionally performed by counties. However, the final language adopted under the MCRSA was slightly different than we proposed but still required that any services provided by the county within city limits would not have any cost, liability or expense to the county.

In 2017, SB 94 made a slight change to this code section which unfortunately has again raised questions as to whether cities can contract with counties for various services and if those would have the same force and effect as the previous language. By changing some of the language to apply to just "this division" it raised questions from county counsels as to whether the language could apply under other code section that govern other county functions.

After SB 94 was adopted the county and city associations have tried to get this resolved through the clean-up trailer bill but have been unsuccessful to date. Therefore, the League of California Cities, RCRC, UCC and CSAC are considering pursuing legislation to make this clarification.

Staff Recommendation:

Authority to co-sponsor legislation with the League, RCRC, and CSAC to clarify that cities may contract with counties to provide various services related to cannabis regulatory functions.

The board voted and approved the recommendation to co-sponsor legislation on cannabis regulations and below is the vote count:

Member	County	Yes	No	Absent	Not Voting
Supervisor Ramos, Chair	San Bernardino	X			
Supervisor Groom Vice-Chair	San Mateo	X			
Supervisor Carson	Alameda	X			
Supervisor Glover	Contra Costa	X			
Supervisor Mendes	Fresno	X			
Supervisor Ridley- Thomas	Los Angeles			X	
Supervisor Bartlett	Orange	X			
Supervisor Washington	Riverside	X			
Supervisor Peters	Sacramento	X			
Supervisor Horn	San Diego	X			
Vacant	San Francisco			X	
Supervisor Elliott	San Joaquin	X			

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Supervisor Yeager	Santa Clara	X			
Supervisor Long	Ventura	X			
Vote Total		12		2	

2) UCC Legislative Priorities and Policies 2018
a) UCC Draft Priorities – ACTION ITEM -- APPROVED

Staff provided a handout with the tracked changes version of the Priorities as well as a clean version of the Priorities for 2018. These priorities were developed with key county staff in October and represent our best thinking as to the major issues that urban counties will be facing in 2018.

Some of the major changes include:

- Homelessness – Minor wording changes to reflect the latest on No Place Like Home and other efforts to address homelessness.
- Affordable Housing – Additional wording to address implementation issues with the Housing Package adopted by the Legislature this year.
- Transportation Funding – Minor changes. Kept the priority due to the possibility of a initiative challenge.
- Health Care Financing – Removed language related to the Coordinated Care Initiative, Medicaid rules which were dealt with last year. Added language to support preserving current levels of Medicaid funding, support some reform of the ACA, and support that DSH funding be maintained.
- IHSS MOE (New Priority).
- State Budget Issues – No Changes.
- Cannabis Regulations – Made changes to reflect the merging of medical and adult under the regulations, policy statements regarding state verification of local licenses and city and county contracting as discussed previously.
- Public Safety – Added language about Bail Reform legislation.

The board voted and approved the UCC Priorities for 2018 and below is the vote count:

Member	County	Yes	No	Absent	Not Voting
Supervisor Ramos, Chair	San Bernardino	X			
Supervisor Groom Vice-Chair	San Mateo	X			
Supervisor Carson	Alameda	X			
Supervisor Glover	Contra Costa	X			
Supervisor Mendes	Fresno	X			
Supervisor Ridley- Thomas	Los Angeles			X	
Supervisor Bartlett	Orange	X			
Supervisor Washington	Riverside	X			

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Supervisor Peters	Sacramento	X			
Supervisor Horn	San Diego	X			
Vacant	San Francisco			X	
Supervisor Elliott	San Joaquin	X			
Supervisor Yeager	Santa Clara	X			
Supervisor Long	Ventura	X			
Vote Total		12		2	

b) UCC Draft Policies for 2018 – ACTION ITEM -- APPROVED

Staff provided a handout of the draft policies for 2018. The following changes were proposed:

- HHS: Oppose any efforts to repeal the ACA. Added language on the IHSS MOE consistent with our new priority.
- HLT: New Language on using the RHNA as a measurement tool in the production of housing, minor word changes to cannabis policy and transportation policy. New language to oppose efforts to eliminate or restrict local control related to solar projects.
- Justice: Changes to the policy on in-person visitation to reflect the policy changes made this year, New policy on bail reform consistent with the priority language.

Supervisor Mendes requested the addition of the CSAC water policies to the UCC policies as a starting point for discussions on water. Supervisor Groom noted that UCC has limited resources and wanted to ensure that staff had sufficient bandwidth.

The board voted and approved the UCC Draft Policies for 2018 with the addition of the CSAC water policy as an attachment and below is the vote count:

Member	County	Yes	No	Absent	Not Voting
Supervisor Ramos, Chair	San Bernardino	X			
Supervisor Groom Vice-Chair	San Mateo	X			
Supervisor Carson	Alameda	X			
Supervisor Glover	Contra Costa	X			
Supervisor Mendes	Fresno	X			
Supervisor Ridley- Thomas	Los Angeles			X	
Supervisor Bartlett	Orange	X			
Supervisor Washington	Riverside	X			
Supervisor Peters	Sacramento	X			
Supervisor Horn	San Diego	X			
Vacant	San Francisco			X	
Supervisor Elliott	San Joaquin	X			
Supervisor Yeager	Santa Clara	X			
Supervisor Long	Ventura	X			

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Vote Total		12		2	
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c) UCC Conflict of Interest Policy – ACTION -- APPROVED

Staff provided the Conflict of Interest Policy which we are required to adopt every year. No changes were made to the policy.

The board voted and approved the Conflict of Interest Policy and below is the vote count:

Member	County	Yes	No	Absent	Not Voting
Supervisor Ramos, Chair	San Bernardino	X			
Supervisor Groom Vice-Chair	San Mateo	X			
Supervisor Carson	Alameda	X			
Supervisor Glover	Contra Costa	X			
Supervisor Mendes	Fresno	X			
Supervisor Ridley- Thomas	Los Angeles			X	
Supervisor Bartlett	Orange	X			
Supervisor Washington	Riverside	X			
Supervisor Peters	Sacramento	X			
Supervisor Horn	San Diego	X			
Vacant	San Francisco			X	
Supervisor Elliott	San Joaquin	X			
Supervisor Yeager	Santa Clara	X			
Supervisor Long	Ventura	X			
Vote Total		12		2	

V. Proposals for Next Month’s Meeting Agenda

- 1) State Budget
- 2) Homelessness
- 3) Legislative Update
- 4) Cannabis Implementation

VI. Public Comment

There was no public comment.

VII. The next meeting will be held on **Monday, January 29, 2017, via conference call.**

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