



Chair
Supervisor Carole Groom
Executive Director
Jolena L. Voorhis

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UCC Board of Director's Meeting Summary April 23, 2017

Alameda: Amy Shrago (Alternate)
Contra Costa: Supervisor Federal Glover
Fresno: Supervisor Buddy Mendes
Los Angeles: Supervisor Kathryn Barger (Alternate)
Orange: Supervisor Lisa Bartlett, Peter DeMarco
Riverside:
Sacramento: Supervisor Susan Peters, Steve Cruz
San Bernardino: Josh Candelaria (Alternate)
San Diego: Geoff Patnoe (Alternate)
San Francisco:
San Joaquin: Supervisor Bob Elliott, Katie Patterson
San Mateo: Supervisor Carole Groom, Connie Juarez-Diroll, Steve Cruz
Santa Clara: Supervisor Ken Yeager, Michael Rattigan
Ventura:
UCC: Jolena Voorhis, Grace Childs-Ferguson

I. Call to Order

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

II. Roll Call of Counties

There were 7 Supervisors 4 Alternates present and 12 counties represented at this meeting.

III. Installation of New Officers

Supervisor James Ramos turned the chairmanship over to Supervisor Carole Groom of San Mateo County for 2018. Supervisor Ramos of San Bernardino County was installed as the Vice-Chair.

IV. Approval of Minutes from the April 23, 2018 UCC Board Meeting – APPROVED

The April 23rd minutes were approved and below is the vote count:

| Member | County | Yes | No | Absent | Not Voting |
|----------------------------|----------------|------------|-----------|---------------|-------------------|
| Supervisor Groom, Chair | San Mateo | X | | | |
| Supervisor Ramos | San Bernardino | X | | | |

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| | | | | | |
|--------------------------------------|---------------|-----------|--|----------|--|
| (Alternate) Vice-Chair | | | | | |
| Supervisor Carson (Alternate) | Alameda | X | | | |
| Supervisor Glover | Contra Costa | X | | | |
| Supervisor Mendes (Alternate) | Fresno | X | | | |
| Supervisor Ridley-Thomas (Alternate) | Los Angeles | X | | | |
| Supervisor Bartlett | Orange | X | | | |
| Supervisor Washington | Riverside | | | X | |
| Supervisor Peters | Sacramento | X | | | |
| Supervisor Horn (Alternate) | San Diego | X | | | |
| Vacant | San Francisco | | | X | |
| Supervisor Elliott | San Joaquin | X | | | |
| Supervisor Yeager | Santa Clara | X | | | |
| Supervisor Long | Ventura | | | X | |
| Vote Total | | 11 | | 3 | |

V. Items for Consideration

1) State Budget

A handout was provided of the UCC Memo on Budget Issues which provides an update on some of the key issues we are working on in the State Budget.

Child Support

UCC has been in support of the request for \$42.8 million in state General Fund to address the counties that are underfunded which includes 6 urban counties.

To date, there has been one hearing on the issue by the Senate Budget Subcommittee #3 on April 12, 2018. At this hearing Senators Pan and Stone agreed with the concern regarding the underfunded counties but also asked that a discussion about the overall methodology for all counties begin to be discussed. The Child Support Directors Association agreed to lead the discussion and the State Department agreed to participate.

It should be noted that the discussion regarding changing the formula for all 58 counties was a longer-term discussion but the Senate wanted discussions to begin immediately.

On April 16, 2018, a meeting was held, which all 58 counties, the state, and UCC also attended. This is the first of several meetings in the next two weeks to try to provide some preliminary information to the state.

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Staff will provide an update regarding the stakeholder meetings at the Board meeting.

Update : There have been two stakeholder meetings held to date. While a change in the methodology for all 58 is being discussed, the discussions are being held by the Child Support Directors Association. The reason for the discussion on the entire methodology is because they want to ensure they are asking for enough state General Fund and will not be asking for more next year after the details on the methodology are worked out. UCC is closely monitoring the discussions. The intention is to have consensus to present to the budget committee by May 7th on the budget request. The formula discussion will be ongoing over the summer.

SB 2 Homelessness Funding Trailer Bill

The Administration released a Budget Trailer Bill outlining the allocations for the homelessness funding provided under SB 2 (Atkins). In the first year of the \$75 fee on transactions, the funding is provided for planning and homelessness. Under the Trailer Bill, the homelessness funding is provided to counties based on the Point In Time count from 2017 and a couple of counties get separate allocations.

UCC testified in Senate Subcommittee #4 that we support the homelessness funding being provided to counties but that the allocations are different from other programs like No Place Like Home and requested more information on the methodology.

At the last budget hearing, HCD provided a new methodology for the use of the funds by using the Emergency Shelter Grant program and the Continuums of Care as the recipient of the funds. No language has been provided regarding this proposal.

Both houses have held this issue open.

Cap and Trade

The Governor's Budget provides \$25 million to the Transformative Climate Communities program, which provides funding to local governments for projects that reduce GHG. In last year's budget this program was provided \$140 million. UCC and our local government partners have requested \$100 million.

In addition to the request for the TCC program, we are also working with several partners to increase the funding to organic waste infrastructure. Due to the requirements under SB 1383, cities and counties will need additional infrastructure to meet the recycling goals set by the state.

Both houses have held this issue open.

340b Pharmacy Issue

In the Governor's Budget, there is a proposal to eliminate the 340b Drug rebate program in Fee-For Service and managed care. UCC, along with a large coalition of hospitals and county affiliates, is opposed to this proposal due to the negative impact this would have on our public hospitals and services.

This was heard in Senate Budget and the request from the Chair was for the Administration to try and come up with a compromise instead of an outright elimination of the 340b program. The Assembly is hearing this issue on April 30th.

2) Other Emerging or Continuing Legislative Issues

a) Conservatorship Bills – ACTION ITEMS

Guest Speaker – Supervisor Kathryn Barger, LA County

At the last Board meeting two bills were discussed that have been introduced on conservatorship related to the homeless. Staff provided a memo on the conservatorship bills.

AB 1971 – Los Angeles County Sponsored Bill

This bill would expand the definition of gravely disabled under the LPS act to include medical treatment. Recent amendments to the bill also define medical treatment as follows: means the administration or application of remedies for a mental health condition as identified by a licensed mental health professional or a physical health condition, as identified by a licensed medical professional.

The Los Angeles Board of Supervisors requested this change to the gravely disabled definition in order to help those homeless individuals that are mentally ill and have a medical issue that needs immediate treatment. Under the LPS Act, medical treatment is not one of the issues that can trigger a conservatorship.

Los Angeles County believes this is just a clarification and would allow them to help more individuals and get the individual into treatment.

SB 1045 – San Francisco County Sponsored bill

This bill was amended on April 9, 2018, and would establish a procedure for the appointment of a conservator, in a county that elects to participate in the program, for a person who is chronically homeless and incapable of caring for their own health and well-being due to acute and severe mental illness or a severe substance abuse disorder, as evidenced by high-frequency emergency department use, high-frequency jail detention due to behavior resulting from the person's severe mental illness or substance abuse disorder, or frequent placement under a 72-hour involuntary hold because the person is a danger to others, or to himself or herself, or is gravely disabled, for the purpose of providing appropriate placement.

San Francisco is also trying to reach those homeless individuals with mental illness and it is the intent of the county to make this program permissive.

Background on Conservatorship/LPS Act

Under the Lanterman-Petris-Short (LPS) act, a person with specified mental health disorders may be involuntarily committed or submitted for treatment if the person is a danger to themselves or others

or is gravely disabled. Those allowed to conserve an individual include a peace officer, member of a crisis team, certain county personnel, emergency room personnel, and the courts.

The LPS Act sets up the guidelines for involuntarily committing individuals. Existing law also establishes different types of conservatorships including a Probate Conservatorship and an LPS Conservatorship.

The funding of the conservatorship program and the public conservator and public guardian is 100% funded by county general fund. Each county is organized differently and funded differently.

Because both of these bills are requiring an expansion of the program, this bill could require more funding from the counties since both have a statewide impact.

Discussion of UCC Position on SB 1045

Since this bill has been amended to make it permissive, the UCC Board has the following options:

- Take a neutral position on the bill.
- Take a support position on the bill.

*****JOLENA*** A motion was made to take a Neutral Position on SB 1045 and Approved unanimously. Below is the vote count:**

| Member | County | Yes | No | Absent | Not Voting |
|--|----------------|------------|-----------|---------------|-------------------|
| Supervisor Groom, Chair | San Mateo | X | | | |
| Supervisor Ramos (Alternate) Vice- Chair | San Bernardino | X | | | |
| Supervisor Carson (Alternate) | Alameda | X | | | |
| Supervisor Glover | Contra Costa | X | | | |
| Supervisor Mendes (Alternate) | Fresno | X | | | |
| Supervisor Ridley- Thomas (Alternate) | Los Angeles | X | | | |
| Supervisor Bartlett | Orange | X | | | |
| Supervisor Washington | Riverside | | | X | |
| Supervisor Peters | Sacramento | X | | | |
| Supervisor Horn (Alternate) | San Diego | X | | | |
| Vacant | San Francisco | | | X | |
| Supervisor Elliott | San Joaquin | X | | | |
| Supervisor Yeager | Santa Clara | X | | | |
| Supervisor Long | Ventura | | | X | |
| Vote Total | | 11 | | 3 | |

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Discussion of UCC Position on AB 1971:

Previous legislation that has tried to expand the definition of gravely disabled has been opposed by UCC and other county associations including CSAC. Because these two bills are sponsored by urban counties, and because these are trying to address the homeless issue, the UCC Board may want to consider the following recommendations:

- Direct staff to continue to work with both Los Angeles County to make 1971 permissive or to limit the fiscal impact of these bills and have a more detailed discussion at the May 16, 2018 in-person UCC Board Meeting.
- Take a position of Concerns and request specific amendments to reduce the fiscal impact on other urban counties.

Since our last board meeting, UCC staff attended a meeting with Los Angeles County staff including staff from Supervisor Barger's office and their deputy county counsel. However, the bill still applies statewide and at this time there is not an intention to amend the bill before the next committee.

Update: Staff gave a brief overview of the latest on AB 1971 sponsored by LA County and then Supervisor Barger made some comments on the bill.

AB 1971 passed the Assembly Health Committee on a 15-0 vote. There was some opposition from the ACLU and Western Center due to the civil rights issue. The bill is now pending in the Assembly Appropriations Committee.

****JOLENA*** Supervisor Barger said that she understood the fiscal concerns that were being raised, however, this bill does not carry fiscal implications. She stated that the mentally ill are dying on the streets due to a lack of medical care and that the emergency rooms are a revolving door that only drain county funds and continue the cycle. She said that this bill would not mandate counties to seek out the mentally ill, but that their public guardians would have the discretion of conservatorship. Public guardians are being burdened with costs hence why they are looking at using MHSA funds. San Joaquin county asked if there was specific language in the bill that makes this voluntary? Supervisor Barger said that under 5150 this does not change the language or put language in to make it a mandate. San Diego county commented that they see this as a mandate and are uncomfortable with the bill in its current form. Orange county said that counties need to have as many tools in tool chest and should have something consistent throughout the state. Los Angeles county commented (John) that this bill targets a specific group of people and are looking to move this group off of the streets and provide them care and transferring them to a "step down bed". Noted that if we don't do something, they are going to die. Sacramento county asked where these folks would be put, and the response was they are looking into putting them into transitional beds, ISD and others, and looking at using MHSA and blended funding through resources such as the homelessness tax. The first step however is the conservatorship piece. Orange county noted that homelessness cost is high in their county \$300-400,000 a year in and out of ER's and jails. By getting them**

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off of the streets and into a system of care they are able to get them stabilized bringing costs down to 50,000. They have a whole person care pilot which they get alerted to the need of the person and care.

San Mateo county encouraged the board to look at their ER situations and homelessness in their counties.

A motion was made to continue to work with Los Angeles County on the bill and to take it up at our in-person board meeting on May 16, 2018.

b) No Place Like Home Bill – SB 1206 Action Item – APPROVED

No Place Like Home Background

In 2016, the Legislature passed the No Place Like Home Program (AB 1618 and AB 1628), which provided for the creation and implementation of the program which provides \$2 billion in bond funding through the Mental Health Services Act to fund permanent and supportive housing to the homeless.

UCC was actively involved in the negotiation on AB 1618 and while we did not have an official position on the bill, due to differing opinions among the urban counties, we worked in conjunction with CSAC, RCRC, and CBHDA to provide comments on the guidelines to HCD throughout 2017. We also created a technical working group to continue to provide feedback on the guidelines.

The final guidelines on NPLH were released in July 2017. However, because NPLH is using MHSA funds under Proposition 63, the use of those funds needs to be validated by the court. This has resulted in significant delay in NPLH and only technical assistance funds have been provided to counties. The first court date is set for July 23, 2018, but HCD has indicated that this process could take another year.

NPLH – Funding Allocations

Under NPLH there are three funding allocation:

- Competitive Program (\$1.8 billion). This program uses county tiers so that urban counties compete against urban counties, and rural counties against rural counties.
- Non-Competitive Program (\$200 million). This will allow HCD to distribute two hundred million from the fund on an over-the-counter basis to finance the construction, rehabilitation, or preservation of permanent and supportive housing for individuals in the target population.
- Alternative Process (\$1.8 billion) Provides for an alternative process for allocating funds as grants directly to counties with at least five percent of the state's homeless population. Under the guidelines released there are four counties with this level of homeless: Los Angeles, San Diego, San Francisco, and Santa Clara.

SB 1206 (DeLeon) – No Place Like Home

This bill would provide that the No Place Like Home Act be placed before the voters on the November ballot for approval of the use of MHSA funds.

SB 1206 would enact the No Place Like Home Act of 2018 and provide for submission of that act to the voters at the November 6, 2018, statewide general election. The bill would specify that the service contracts between the authority and the department may be single-year or multi-year

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contracts and provide for payments to the department from amounts on deposit in the Supportive Housing Program Subaccount. The bill would declare that the voters ratify as being consistent with and in furtherance of the MHSA.

By placing the NPLH program before the voters for approval, this bill will allow the NPLH program to begin faster and therefore help to address the homelessness and affordable housing issue in a timelier manner.

UCC attended a meeting with the author’s staff along with our county partners and were assured that the bill would not be amended to make any changes in the allocation or affect the guidelines which have been finalized.

Staff Recommendation:

Since this bill would fast-track the implementation of the NPLH program which would help counties to address the homeless issue, staff recommends a support position on SB 1206.

A motion was made to Support SB 1206 and approved unanimously. Below is the vote count:

| Member | County | Yes | No | Absent | Not Voting |
|--|----------------|------------|-----------|---------------|-------------------|
| Supervisor Groom, Chair | San Mateo | X | | | |
| Supervisor Ramos (Alternate) Vice- Chair | San Bernardino | X | | | |
| Supervisor Carson (Alternate) | Alameda | X | | | |
| Supervisor Glover | Contra Costa | X | | | |
| Supervisor Mendes (Alternate) | Fresno | X | | | |
| Supervisor Ridley- Thomas (Alternate) | Los Angeles | X | | | |
| Supervisor Bartlett | Orange | X | | | |
| Supervisor Washington | Riverside | | | X | |
| Supervisor Peters | Sacramento | X | | | |
| Supervisor Horn (Alternate) | San Diego | X | | | |
| Vacant | San Francisco | | | X | |
| Supervisor Elliott | San Joaquin | X | | | |
| Supervisor Yeager | Santa Clara | X | | | |
| Supervisor Long | Ventura | | | X | |
| Vote Total | | 11 | | 3 | |

c) Legislative Update

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Staff provided a list of bills we have positions on, which has gotten extensive due to the many bills being heard this month.

Just a few to mention:

AB 2717 (Lackey) – Cannabis

UCC is a co-sponsor of this bill which would clarify the issue related to cities contracting with counties for enforcement which is unclear due to the Trailer bill from last year. Passed the Asm B&P Committee last week; no opposition.

SB 1302 (Lara) – Cannabis

Would change the way deliveries are allowed which goes back on the agreement counties made under MACRSA. Opposed.

Housing

Staff reported there are numerous bills in this area, and have concerns with a couple that would remove counties ability to charge fees on projects which would remove local control.

Informational Items - Workplan

No comments were made.

VI. Proposals for Next Month's Meeting Agenda

- 1) State Budget
- 2) AB 1971
- 3) Homelessness
- 4) Legislative Update
- 5) Cannabis Implementation
- 6) Restructuring Committee Update

VII. Public Comment

There was no public comment.

VIII. The next meeting will be held in-person, in conjunction with the CSAC Conference on **Wednesday, May 16, 2017**. Since this is an in-person meeting, there will be no conference call line available.