



**Chair**  
Supervisor James Ramos  
**Executive Director**  
Jolena L. Voorhis

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## **UCC Board of Director's Meeting Summary January 29, 2017**

Alameda: Emma Ishii  
Contra Costa:  
Fresno: Supervisor Nathan Magsig, Jeanie Figueroa  
Los Angeles:  
Orange: Peter DeMarco  
Riverside: Supervisor Chuck Washington, Brian Nestande, Douglas Ordonez  
Sacramento: Supervisor Susan Peters, Natasha Drane, Steve Cruz, Anna Alvarado, Joe Cruz  
San Bernardino: Supervisor James Ramos, Josh Candelaria  
San Diego: Supervisor Bill Horn, Geoff Patnoe  
San Francisco: Karen Lange  
San Joaquin: Supervisor Bob Elliott, Karen Lange  
San Mateo: Supervisor Carole Groom, Connie Juarez-Diroll, Steve Cruz, Anna Alvarado, Joe Cruz  
Santa Clara: Supervisor Ken Yeager, Michael Rattigan  
Ventura: Supervisor Kelly Long, Sue Hughes  
UCC: Jolena Voorhis, Grace Childs-Ferguson

### **I. Call to Order**

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

### **II. Roll Call of Counties**

There were 8 Supervisors 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 January 29, 2018 UCC Board Meeting – APPROVED**

The January 29<sup>th</sup> minutes were approved and below is the vote count:

<b>Member</b>	<b>County</b>	<b>Yes</b>	<b>No</b>	<b>Absent</b>	<b>Not Voting</b>
Supervisor Ramos,	San Bernardino	X			

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Chair					
Supervisor Groom Vice-Chair	San Mateo	X			
Supervisor Carson	Alameda			X	
Supervisor Glover	Contra Costa			X	
Supervisor Mendes (Alternate)	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			
<b>Vote Total</b>		<b>8</b>		<b>6</b>	

## V. Items for Consideration

### IHSS MOE Methodology:

#### 1) Other Emerging or Continuing Legislative Issues a) Legislative Update

Staff provided the UCC Summary of the Governor's Proposed Budget. Some of the major issues that are in this budget for the urban counties are as follows:

- Additional funding to the Rainy Day Fund to prepare for recession.
- \$27.5 million in additional funding for IHSS county administration.
- \$117.3 million for Incompetent to Stand Trial changes and investments. This includes \$2.5 million from the Mental Health Services Act to help counties develop innovative plans to address the IST population.
- Implementation and funding for transportation projects through SB 1.
- Policy changes to prohibit the use of 340b drugs in Medi-Cal which could negatively impact public hospitals.
- \$3 million in additional funding to HCD to implement the housing package adopted in 2017.
- \$134 million to counties for elections systems upgrades.

Staff reported on the Governor's State of the State noting he reviewed some major accomplishments including improvements to the economy, jobs, health care, climate change, water

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bond, and transportation. He also stated that he would fight any repeal of SB 1 that made it to the ballot.

The Governor released his Cap and Trade Expenditure Plan on January 26, 2018, after his State of the State. The Cap and Trade Expenditure Plan has \$25 million for TCC – local government program, much less than last year (\$140 million), \$20 million for organics/solid waste infrastructure and \$25 million for fire efforts.

### **UCC Draft Budget Priorities – ACTION ITEM – APPROVED with Amendment re: Child Support**

Staff provided a handout of the UCC Budget Priorities.

#### Cap and Trade

Support additional funding to the Transformational Climate Communities Program which provides funding to local governments for climate change and support changes to the distribution and allocation of those funds to ensure geographic distribution of the funds across the state.

#### Child Support

Request \$35 million in additional funding to the historically underfunded counties for child support which include 6 urban counties. The current formula is not based on caseload and the amounts per county were placed into statute by the District Attorneys in each county which has resulted in some urban counties being significantly underfunded. The Governor's Budget does not address this inequity and UCC will support efforts to provide additional funding without reducing the current allocations to other counties.

#### County Administration Funding

Support adequate funding for county administrative costs in the CalWorks, IHSS, and Medi-Cal programs in collaboration with our county partners to ensure counties have adequate funds to administer these programs.

Notes: This is a general budget priority to support additional funding for various county administrative funding.

#### Elections Funding

Support the Governor's proposal to provide \$134 million to counties for the purchasing of new election systems. This funding is to address the older systems that are at the end of their useful shelf life at the same time when counties are considering the implementation of SB 450 which enacts a vote center model in certain counties.

#### 340B Drug Reimbursement

Oppose efforts to eliminate the use of the 340B Drug Rebates in Medi-Cal which has been proposed in the Governor's Budget. County hospitals use savings from the 340B program to provide critical services and otherwise high-cost pharmaceuticals to low-income patients.

#### Lower Priority:

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Incompetent to Stand Trial Alternative. Support the Governor’s proposal to provide more funding to address the IST waiting list.

Staff provided an overview of all the proposed budget priorities. Most of the Board discussion was regarding the Child Support issue and provided an additional handout with more background on the child support program and the reasons there are 6 urban counties that are seriously underfunded. The budget priority notes a request for \$35 million. Staff is recommending that be removed and instead note additional funding in consultation with the child support directors. Additional research has shown that we may need to ask for \$42 million. Staff reiterated to the Board that this proposal is a request for additional funding to those under funded counties and NOT a reopening of the formula which would create winners and losers. Urban Counties: Fresno, Los Angeles, Riverside, Sacramento, San Bernardino, San Joaquin.

The board had a healthy discussion on this topic and here is what some of the counties had to say:

Representative from Orange County asked about the concern that the formula would be change and other counties would be impacted. Staff stated that the formula is not part of the priority.

Staff from San Joaquin county noted that the proposal’s intent it to get General Fund allocation to draw down the match. More Federal than State funding and asking for Budget Trailer Bill Language to clarify. And believes that more money invested in counties that don’t have resources will help all counties overall.

Supervisor Washington from Riverside County said that he understands that we don’t want to get into a formula challenge, but noted that his constituents and the other urban counties are suffering. Recommends that the formula discussion take place now.

Due to the questions regarding the formula, the Child Support item was removed as a budget priority but the Board directed staff to support the additional funding for the under funded counties until these questions are answered.

The Board voted and Approved the UCC Budget Priorities without Child Support and below is the vote count:

<b>Member</b>	<b>County</b>	<b>Yes</b>	<b>No</b>	<b>Absent</b>	<b>Not Voting</b>
Supervisor Ramos, Chair	San Bernardino	X			
Supervisor Groom Vice-Chair	San Mateo	X			
Supervisor Carson	Alameda			X	
Supervisor Glover	Contra Costa			X	
Supervisor Mendes (Alternate)	Fresno	X			
Supervisor Ridley- Thomas	Los Angeles			X	

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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			
<b>Vote Total</b>		<b>8</b>		<b>6</b>	

## 2) Federal Issues

Staff provided a memo on the recent change on federal marijuana enforcement.

On January 4, 2018, Attorney General Jeff Sessions issued a new memorandum regarding federal marijuana law enforcement.

Under the Obama Administration, the Department of Justice issued a few memorandums to U.S. Attorneys regarding the use of federal enforcement resources in states that had enacted laws legalizing cannabis in some form.

Specifically, there are two memos called the Ogden Memo (October 2009) and the Cole Memo (August 2013). These memos were issued due to the passage of recreational marijuana initiatives in Colorado and Washington and these memos outline the Obama policy which made enforcement of cannabis laws a low priority for federal authorities in states that have regulatory schemes in place. However, marijuana remains illegal under federal law.

In 2015, the California Legislature enacted the Medical Cannabis Regulation and Safety Act (MCRSA), to implement a regulatory structure for medical marijuana. In 2016, Californians voted for Proposition 64, the Adult Use of Marijuana Act (AUMA) which legalizes adult cannabis use.

On January 4, 2018, Attorney General Session issued a memorandum that eliminated the Obama policy of making marijuana offenses a low priority and instructed federal prosecutors to treat marijuana-related activities in the same manner as other federal crimes.

Since some urban counties are in the process of considering adopting regulations at the local level in light of the issuance of state licenses that began in 2018, some have questioned whether this would put those efforts at risk.

Some key take-aways from the new guidance are as follows:

- Only affects adult-use or recreational marijuana and does not affect medicinal cannabis which is protected by the Rohrabacher-Blumenaur Amendment under the federal budget process.
- The memo does not explicitly direct federal prosecutors to make cannabis enforcement a priority, leaving it up to each US Attorney to decide.

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- Since the California Attorney General has since stated they will continue to implement and defend both MCRSA and Proposition 64, and because there is limited federal resources, it is unlikely this new guidance will have a significant impact on California.

### 3) Other Emerging or Continuing Legislative Issues

#### a) ACA 5 and SB 1 Repeal Initiatives – ACTION ITEMS

Staff provided a memo on ACA 5 (now titled Proposition 29) and SB 1 Repeal Initiatives.

#### UCC By-Laws and Process

Under the UCC By-Laws, the Board does not take a position on a ballot initiative unless it has qualified for the ballot. While ACA 5 has qualified for the June 2018 ballot, the effort to repeal SB 1 is still in the process of getting signatures.

However, UCC has been asked to take a position as soon as possible by the Fix Our Roads Coalition. Therefore, under the By-Laws, in order to take a position on the SB 1 Repeal there would need to be a 50% plus 1 vote of the Board to amend the by-laws and take a position.

#### SB 1 Background

In April 2017, after a couple of years of lobbying to get a transportation funding package passed, the Legislature passed and the Governor signed SB 1 (Beall), and the companion measure (ACA 5).

Over the next decade, SB 1 will provide approximately \$5 billion annually in revenues for local streets and roads, state highways and public transportation through the imposition of new and increased fuel and diesel taxes and improvement fees. From these revenue sources, approximately \$1.5 billion per year in new funding will be allocated by formula for county roads and city streets. UCC was in support of SB 1 and worked with our city and county partners to get it passed in the Legislature.

#### ACA 5 Provisions

This measure provides constitutional protections to the revenue streams that do not currently have constitutional protections. Under the California Constitution, the gas tax is already protected. Specifically, this measure would do the following:

- Require diesel fuel sales tax revenues to be deposited into the Public Transportation Account (PTA) and prohibit the Legislature from diverting or appropriating those funds for purposes other than transportation planning and mass transportation.
- Require revenues derived from a proposed Transportation Improvement Fee to be used solely for transportation purposes, prohibit those revenues from being used to pay for previously authorized transportation bond debt service, and prohibit the Legislature from borrowing or using those revenues for unauthorized purposes.

This measure was passed by the Legislature and has already qualified for the June 2018 Ballot.

#### SB 1 Repeal Provisions

Shortly after the passage of SB 1 there were indications that the opponents of SB 1 were going

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to seek a repeal of the measure. While the first measure authored by Assembly Member Travis Allen has failed to get the number of signatures, there is another effort called the Give the Voters a Voice which does have significant funding and backing by the opponents.

Specifically, the proposed initiative entitled the "Give Voters a Voice" would provide that the Legislature cannot impose, increase or extend any tax on gas or diesel fuel unless that proposed tax is submitted to the electorate and approved by a majority vote. This would also provide that any increase in the rate of such taxes imposed after January 1, 2017 shall cease to be imposed unless and until approved by the electorate as required by this section, which would effectively repeal the passage of SB 1.

The repeal of SB 1 would have significant negative impacts on counties since it would not only reduce the Gas Tax back to the earlier levels, it would also require any transportation tax passed by the Legislature to require a 2/3 vote and to be placed before the voters for approval. This high standard is not required for other taxes.

Staff noted that CSAC has voted to oppose the SB 1 Repeal, the Governor has stated that he would oppose any repeal of SB 1 and fight it.

**Staff Recommendation:**

1. To amend the UCC By-Laws to allow the Board to take a position on the SB 1 Repeal effort before it qualifies.
2. To approve a support position on ACA 5 and an oppose position on the repeal of SB 1.

The Board voted and Approved amending the UCC By-Laws to allow the Board to take a position on the SB 1 Repeal effort before it qualifies.

<b>Member</b>	<b>County</b>	<b>Yes</b>	<b>No</b>	<b>Absent</b>	<b>Not Voting</b>
Supervisor Ramos, Chair	San Bernardino	X			
Supervisor Groom Vice-Chair	San Mateo	X			
Supervisor Carson	Alameda			X	
Supervisor Glover	Contra Costa			X	
Supervisor Mendes (Alternate)	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			
<b>Vote Total</b>		<b>8</b>		<b>6</b>	

The Board voted and Approved a support position on ACA 5 and below is the vote count:

<b>Member</b>	<b>County</b>	<b>Yes</b>	<b>No</b>	<b>Absent</b>	<b>Not Voting</b>
Supervisor Ramos, Chair	San Bernardino	X			
Supervisor Groom Vice-Chair	San Mateo	X			
Supervisor Carson	Alameda			X	
Supervisor Glover	Contra Costa			X	
Supervisor Mendes (Alternate)	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			
<b>Vote Total</b>		<b>8</b>		<b>6</b>	

The Board voted and Approved an Oppose position on the repeal of SB 1.

<b>Member</b>	<b>County</b>	<b>Yes</b>	<b>No</b>	<b>Absent</b>	<b>Not Voting</b>
Supervisor Ramos, Chair	San Bernardino	X			
Supervisor Groom Vice-Chair	San Mateo	X			
Supervisor Carson	Alameda			X	
Supervisor Glover	Contra Costa			X	
Supervisor Mendes (Alternate)	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			
<b>Vote Total</b>		<b>7</b>		<b>6</b>	<b>1</b>

## b) Legislative Update

The Legislature began the 2018 Legislative Session on January 3, 2018. The session started out very fast with 80 new introduced bills and 80 bills from the first year of the Legislative Session being amended.

Below is a brief summary of the bills that were resurrected and need to be passed out of the house of origin by the end of January and the newly introduced bills which have much longer to be heard under the deadlines.

### *2-Year Bills Still Active*

#### AB 626 (Garcia, E) - California Retail Food Code: microenterprise home kitchen operations

This bill would expand California's cottage food laws currently allowing the sale of non-potentially hazardous foods, such as baked goods, jams and vinegars from home, to include potentially hazardous foods, such as meats, poultry and fish.

Status: Pending on the Assembly Floor.

UCC Position: Oppose.

#### AB 1250 (Jones-Sawyer) – Counties: contracts for personal services

This bill would require specific standards for the use of personal services contracts by counties and restrict the ability of counties to contract out for services.

Status: Pending in the Senate Rules Committee.

UCC Position: Oppose.

#### SCA 12 (Mendoza) – Counties: governing body: county executive

This measure would require a county that is found at a decennial United States census, to have a population of more than 5,000,000, require the governing body consisting of a sufficient number of members so as to ensure that each member represents a district containing a population equivalent to no more than 2 districts in the United States House of Representatives. This measure would also require that the County Administrative Officer be elected and not appointed.

Status: Pending in the Assembly for assignment.

UCC Position: Oppose.

### *Newly Introduced Bills*

Many of the newly introduced bills are spot bills. Below is a list of some of the bills with content that may be of interest to the urban counties.

#### AB 1759 (McCarty) – General plans: housing element

This bill would require HCD on or before June 30 2022, to review each production report submitted by a city and county and determine if that jurisdiction has met the applicable minimum production

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goal for that reporting period. If the local government has not met the goal, the Controller would be directed to withhold transportation funds.

Status: Introduced on 1/4/18.

#### AB 1804 (Berman) – CEQA: Infill Exemption

This bill would expand the existing categorical infill exemption to include residential or mixed-use housing projects in unincorporated areas of a county that meet the existing conditions that qualify for the exemption.

Status: Introduced on 1/10/18.

UCC Position: Support.

#### AB 1886 (Carrillo) – Payment of Expenses

This bill would require the state to pay all expenses necessary to prepare for and conduct special election vacancies incurred after January 1, 2017.

Status: Introduced on 1/18/18.

UCC Position: Support.

#### SB 827 (Wiener) – Planning and Zoning: transit-rich housing bonus

This bill would authorize a transit-rich housing project to receive a transit-rich housing bonus. This bill would define a transit-rich housing project as a residential development project the parcels of which are all within ½ mile radius of a major transit stop or a ¼ mile radius of a high-quality transit corridor. The bonus would exempt the project from maximum controls on residential density or floor area ratio, minimum automobile parking requirements, and any design standard that restricts the applicant's ability to construct the maximum number of units consistent with any applicable building code.

Status: Introduced on 1/3/18.

UCC Position: Pending.

### **4) UCC Restructuring Committee Update**

Staff provided a Memo on the Restructuring Committee. Staff provided a quick summary of the Restructuring Subcommittee which was created in 2014.

The UCC Restructuring Subcommittee was created to look at different options for UCC to generate more resources. This included contracting out for a report by a law firm to explore the various options for UCC to consider.

The past recommendations from the Subcommittee that have been approved by the Board include the following:

- Expand the Corporate Sponsorship program to allow for the use of funds to be directed towards UCC administrative costs. Since the approval of this action, UCC has added two new corporate sponsors.
- Reach out to other urban counties to see if they are interested in joining UCC. Fresno and San Joaquin joined UCC in 2017.

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- Continue to explore the Unclaimed Property proposal by the CSAC Finance Corporation. We are still working to get a pilot county to start the process.
- Continue to explore the idea of creating a 501c3 to help raise additional revenues.

### *Creation of 501c3*

The UCC Restructuring Committee met on January 18, 2018, to discuss the next steps for consideration in the creation of a 501c3 which would be a separate organization from the current structure of UCC which is a 501c4.

After several months of research, the Executive Director made the following recommendations which were approved by the UCC Restructuring Committee:

1. Continue to pursue the creation of a 501c3 and meet with individual UCC County Board Members to discuss the expectations and deliverables of the new organization. After these meetings have occurred staff will provide a more detailed workplan for the new organization and pursue an application for 501c3 status with the IRS.
2. Approved the name of the new organization as the Urban County Foundation of California. Other names that were under consideration were the Urban Institute and the California Urban Foundation.
3. Approved the mission of the new organization to focus on four primary areas of policy to provide education to the urban counties and general public on issues of statewide concern:
  - Cannabis
  - Homelessness/Affordable Housing
  - General County Operations (Contracting Out)
  - Realignment Issues

However, these will be reassessed after the meetings with UCC Board Members.

4. Approved the staff recommendation that the new Board would consist of 2 existing UCC Board members to be designated by the Executive Director and 5 other members to be from either county staff or non-profit backgrounds.

The UCC Board voted and approved the recommendations and allowed the UCC Executive Director to continue to pursue the 501c3 creation with the input of the UCC Board members. Below is the vote count:

<b>Member</b>	<b>County</b>	<b>Yes</b>	<b>No</b>	<b>Absent</b>	<b>Not Voting</b>
Supervisor Ramos, Chair	San Bernardino				X
Supervisor Groom Vice-Chair	San Mateo	X			
Supervisor Carson	Alameda			X	
Supervisor Glover	Contra Costa			X	
Supervisor Mendes (Alternate)	Fresno	X			
Supervisor Ridley- Thomas	Los Angeles			X	

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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			
<b>Vote Total</b>		<b>7</b>		<b>6</b>	<b>1</b>

**V. Proposals for Next Month's Meeting Agenda**

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

**VI. Public Comment**

There was no public comment.

**VII.** The next meeting will be held on **Monday, March 26, 2017**, via conference call.