



Meeting Minutes - Draft

CONTRA COSTA COUNTY Legislation Committee

Supervisor Diane Burgis, Chair
Supervisor Ken Carlson, Vice Chair

<https://cccounty-us.zoom.us/j/82970370770>
Call In: 1-888 278 0254, Access code: 219464

Monday, March 25, 2024

1:00 PM 2255 Contra Costa Blvd., Suite 202, Pleasant Hill | 3361 Walnut Boulevard, Suite 140, Brentwood, CA 94513

1. Introductions

Chair Burgis convened the meeting at 1:01 p.m. from her office, noting that she would need to leave at 2:00 p.m. for another meeting. Vice Chair Carlson joined the meeting from his office. No members of the public joined the meeting at either office.

Also in attendance were:

*Lara DeLaney, staff to committee
Colleen Awad, District IV Senior District Representative
Peter Myers, District III staff
Luz Raygoza, EHSD staff
Emlyn Struthers, Deputy County Administrator
Monica Nino, County Administrator
Timothy Ewell, Chief Assistant County Administrator
Esa Ehmen-Krause, Chief Probation Officer
Dan Mierzwa, Treasurer-Tax Collector
Ronda Boler, Treasurer-Tax Collector staff
Jody London, CCC Sustainability Coordinator
Kendra Carr, ORESJ Co-Director
Carolyn Wysinger, Mayor Pro Tem El Cerrito
Patricia Perez, EHSD Division Manager
Geoff Neill, Nielsen Merksamer
Paul Schlesinger, Thorn Run Partners*

Present: Diane Burgis and Ken Carlson

2. Public comment on any item under the jurisdiction of the Committee and not on this agenda (speakers may be limited to two (2) minutes).

No public comment was received.

3. RECEIVE and APPROVE the Meeting Minutes for the February 26, 2024 meeting of the Legislation Committee, with any necessary corrections. [24-0909](#)

Attachments: [Meeting Minutes Draft 02.26.24](#)

The Minutes for the February 26, 2024 meeting were approved as presented.

This Item was approved.

4. RECEIVE report on legislative proposals to repeal a requirement for fixed fees on utility bills and PROVIDE direction, as needed. [24-0910](#)

Attachments: [Attachment A: Local Elected Officials to Letter Repeal the Utility](#)
[Attachment B: SF Chronicle article](#)
[Attachment C: CA Energy Markets article](#)
[Attachment D: AB 1999](#)

The County's Sustainability Coordinator, Jody London, provided the Committee with additional background on the fixed fee for electricity proposed by the California Public Utilities Commission (CPUC), in response to AB 205 (2022). Vice Chair Carlson questioned the rationale for the proposed fee in light of the distribution fee already charged by the utilities. AB 205 directs the CPUC to create at least three residential retail income-graduated fixed charges for all investor-owned utilities by July 1, 2024, on the assumption that a fixed charge would allow volumetric rates to drop and, theoretically, distribute the cost of supporting the electric system more fairly (California Energy Markets No. 1739).

Chair Burgis inquired about PG&E's efforts to enroll lower-income residents in the discount programs, CARE and FERA, and whether the County's weatherization and Low Income Home Energy Assistance Programs were assisting with the enrollment into these discount programs. (After the meeting, staff in the Department of Conservation & Development reported that they do actively encourage, but cannot mandate, enrollment.) Ms. London reported that there is always room to do more with these programs although income verification is a challenge, as incomes can frequently vary from month-to-month.

Vice Chair Carlson indicated he would recommend to the Board a position of "Support" on AB 1999 (Irwin) that would repeal provisions of AB 205 and, instead, permit the CPUC to authorize fixed charges that do not exceed \$5 per residential customer account for customers enrolled in CARE and \$10 per month for customers not enrolled in CARE, adjustable by the Consumer Price Index (CPI) for the prior calendar year. Chair Burgis noted that more enrollment in the CARE (and FERA) programs needs to occur but supported Vice Chair Carlson's motion. Public comment was received from Carolyn Wysinger, Mayor Pro tem of El Cerrito, who expressed appreciation to Vice Chair Carlson for bringing her into the conversation.

Recommend a position of "Support" on AB 1999.

5. RECEIVE a report on federal matters of interest to the County and provide direction and/or input, as needed. [24-0911](#)

Attachments: [Attachment A](#)

The County's federal lobbyist, Paul Schlesinger of Thorn Run Partners, provided an update to the staff report in the packet, noting that the President had signed the final FY 2024 \$1.2 trillion six-bill appropriations package on Saturday, March 23, thereby preventing a partial government shutdown. With this action, the final outcome of the County's FY 2024 "Community Project Funding" (formerly known as "earmarks") requests were known: \$1,431,222 for the Concord Shelter and Service Center Roofing Project; \$1,000,000 for the San Pablo Avenue Complete Street/Bay Trail Gap Closure Project; \$963,000 for Underserved and Unserved Survivors from Unsolved Shootings; \$150,000 for the Knightsen Wetland Restoration project. He also noted that Congress would be out of session for the next two weeks for their District Work period. No public comment was received.

This Item was received.

6. RECEIVE a report from Chief Assistant County Administrator Tim Ewell on the status of the County's federal FEMA (Federal Emergency Management Agency) COVID-19 claims for Public Assistance. [24-0912](#)

Attachments: [Attachment A: Contra Costa FEMA Projects Overview 3-21-24 w Timeline Metrics](#)
[Attachment B: Senators NCS letter to the President](#)
[Attachment C: Congress letter to FEMA Director Criswell Project Roomkey Reimbursements 3.11.24](#)
[Attachment D: Joint Local Government Letter to FEMA](#)

Chief Assistant County Administrator Tim Ewell provided an oral update to the Committee, noting the advocacy efforts that had been undertaken at the federal, state, and local agency levels to advocate for full reimbursement of the County's COVID-19 Public Assistance FEMA claims related to Non-Congregate Shelter (NCS) costs. He also covered the tracking spreadsheet (Attachment A) that provides the status of the claims. Chair Burgis inquired about tracking the waiting time; Mr. Ewell pointed to a column with the months of review time for the project claims. He noted that the NCS projects were taking longer than the rest, likely due to FEMA's need to address the policy issues at hand. Vice Chair Carlson inquired about the \$15.8 million project for COVID testing that had been obligated but not paid. He indicated it would be good to have the payment received by the County before the Board takes action on the final ARPA allocations. He inquired about the pass-through timing on the funds. Mr. Ewell indicated a notice of payment had been received on Thursday from CalOES, but the funds had not yet arrived. Chair Burgis expressed optimism about a good result from the advocacy efforts undertaken to ensure full reimbursement of eligible costs. No public comment was received.

This Item was received.

7. RECEIVE a report on the FY 24-25 State Budget and the 2024 Bills of Interest to the County and provide direction to staff and the County's state advocates, as needed. [24-0913](#)

Attachments: [Attachment A](#)
 [Attachment B-- UCC Bills of Interest](#)

The County's state lobbyist, Geoff Neill from Neilsen Merksamer, provided an oral update to the staff report in the packet. He reported that while the State's revenues in February were improved, the Senate was taking action to address the projected budget deficit through "Early Actions" that were intended to reduce the deficit by approximately half, though the details were not yet in print. Vice Chair Carlson requested information on County programs that were at-risk due to proposed budget cuts.

Mr. Neill also noted that Spring Break had begun for the Legislature on March 21 and would end April 1. He discussed the passage of Prop. 1 on the March ballot and the progress on gender equity in the Legislature. Because Chair Burgis had to leave the meeting (this item was heard last on the agenda), Vice Chair Carlson inquired about specific bills of interest including AB 2710 related to active shooter incidents.

This Item was received.

8. CONSIDER recommending a position of "Oppose" on AB 2882 (McCarty) California Community Corrections Performance, a bill that would add a representative of a community-based organization with experience in successfully providing behavioral health treatment services to persons who have been convicted of a criminal offense, and a representative of a Medi-Cal managed care plan that provides the Enhanced Care Management benefit, to the membership of the Community Corrections Partnership and other related provisions, as recommended by the Chief Probation Officer. [24-0914](#)

Attachments: [Attachment A-- AB 2882 Bill Text as introduced](#)

Chief Probation Officer Ehmen-Krause addressed the Committee about her concerns with AB 2882 and the recommendation to oppose it. The concerns centered around the report requirement with more expansive data components, which the Board would have to verify, and the unfunded mandate imposed by the bill. She also addressed the bill's proposed membership changes, which would impact quorum and voting requirements. The Committee members supported the bill going forward to the Board with the "Oppose" recommendation. There were no public comments.

Recommend a position of "Oppose" to the Board.

9. CONSIDER recommending a position of "Oppose Unless Amended" on SB 964 (Seyarto) Property Tax: Tax-Defaulted Property Sales, a bill that would require those excess proceeds from sales of tax-defaulted property to be transferred to the Controller for deposit in the Defaulted Tax Sale Subaccount, as recommended by the County Treasurer-Tax Collector. [24-0915](#)

Attachments: [Attachment A--SB 964 as amended](#)
 [Attachment B-- SB 964 \(Seyarto\) CACTTC Oppose Unless Amend Letter 2.15.24](#)

County Treasurer-Tax Collector Dan Mierzwa provided comments to the Committee about his concerns with SB 964 which led to his recommendation to "Oppose Unless

Amended." He also noted the similar positions of the California Association of County Treasurers and Tax Collectors, as well as the County Auditors' association. The Committee concurred with the recommendation. There were no public comments.

Recommend a position of "Oppose Unless Amended" to the Board.

10. CONSIDER recommending a position of "Oppose" on AB 2561 [24-0916](#)
(McKinnor) Local Public Employees: Vacant Positions, a bill that requires each public agency with bargaining unit vacancy rates exceeding a specified percent for more than a specified number of days to meet and confer with a representative of the recognized employee organization to implement a plan to fill all vacant positions, as recommended by the County Administrator.

Attachments: [Attachment A: AB 2561 \(McKinnor\) bill text](#)

County Administrator Monica Nino addressed the Committee and shared her concerns with AB 2561, leading to the recommendation to oppose the bill. She discussed the labor shortage and its impact on vacancies throughout the organization. Vice Chair Carlson indicated that the County is working hard to fill vacancies. State lobbyist Geoff Neill noted the experience of other local government agencies, where vacancy rates can be well over 30%. The Committee concurred with the recommendation. There were no public comments.

Recommend a position of "Oppose" to the Board.

11. CONSIDER finding consistent with the adopted 2023-24 State Legislative Platform or recommend to the Board a position of "Support" on SB 1013 [24-0917](#)
(Bradford) Taxation: Property Tax Assistance for Descendants of Enslaved Persons, a bill that establishes the Property Tax Assistance for Descendants of Enslaved Persons Program for purposes of making, upon appropriation by the Legislature, grants available to persons who currently live in a formerly redlined neighborhood in the state and are descendants of a person enslaved in the United States, as recommended by the County Treasurer-Tax Collector.

Attachments: [Attachment A: SB 1013 \(Bradford\) as amended](#)

The Committee received a recap of the report in the packet, highlighting the policy in the adopted 2023-24 State Legislative Platform that could be the basis of a consistency finding for SB 1013. The Committee members concurred that the bill was consistent. There were no public comments.

Find the bill consistent with the adopted Platform.

12. The next meeting is currently scheduled for Tuesday, April 16, 2023 at 10:00 a.m.
13. Adjourn

Vice Chair Carlson adjourned the meeting at 2:07 p.m.