

December 8, 2020

Matthew H. Hymel
COUNTY ADMINISTRATOR

Daniel Eilerman
ASSISTANT COUNTY
ADMINISTRATOR

Angela Nicholson
ASSISTANT COUNTY
ADMINISTRATOR

Marin County Civic Center
3501 Civic Center Drive
Suite 325
San Rafael, CA 94903
415 473 6358 T
415 473 4104 F
CRS Dial 711
www.marincounty.org/cao

Honorable Board of Supervisors
Marin County Civic Center
San Rafael, CA 94903

Re: 2021 LEGISLATIVE PLAN AND GUIDELINES

Dear Supervisors:

RECOMMENDATION: Approve, with any Board modifications, the proposed:

- 2021 Federal Legislative Plan,
- 2021 State Legislative Plan, and
- 2021 Legislative Policy Guidelines contained in Attachment A

OVERVIEW

We bring to your Board the proposed Legislative Plan for 2021. As always, your Board retains the opportunity to amend the plan at any time during the coming year to reflect emerging priorities.

We expect our County priorities at the federal level will remain largely similar to those of last year. While a Biden-Harris Administration will clearly bring more alignment with your Board's policies and objectives, a smaller Democratic House majority, combined with a likely continued narrow Republican Senate majority, will still leave much uncertainty ahead. Current projections indicate 50 Republicans in the U.S. Senate with 46 Democrats and 2 Independents (Bernie Sanders of Vermont and Angus King of Maine) who caucus with the Democrats.

Two Georgia U.S. Senate races face January 5, 2021 runoff elections since both candidates failed to achieve 50 percent majorities, the results of which will delay certainty regarding control of the Senate potentially through the President's inauguration on January 20. Democrat Jon Ossoff tries to unseat Republican Sen. David Perdue, and Democrat Raphael Warnock faces off against Republican Sen. Kelly Loeffler. Democrats would need to win both Georgia runoffs to achieve a 50/50 balance of power in the Senate, with Vice-President-Elect Harris then breaking any ties.

Key overall Board priorities headed into 2021 include the following:

- **Health Care and the COVID-19 public health pandemic response** to protect and extend the Affordable Health Care Act and, in the face of fiscal stimulus uncertainty after December 31, to support efforts for a coordinated federal strategy to mitigate COVID-19's spread and impacts, particularly among the most vulnerable populations, including a coordinated vaccination strategy;
- **Emergency and disaster preparedness** – as climate change continues to accelerate, work to enhance wildfire and flood protection and prevention efforts; support efforts to hold PG&E accountable to mitigate future PSPS risk; and continue efforts to require telecommunications providers to

enhance resilience of their networks and cell tower sites to ensure emergency communication, alert and warning;

- **Mitigate climate change and enhance resilience** – support efforts to ensure the Army Corps of Engineers is more responsive to Sea Level Rise; support clean/renewable energy alternatives; and oppose efforts to weaken the collection of scientific data relating to climate change; and
- **Preserve or enhance affordable housing opportunities**, including state funding for conversion of commercial and housing stock, and identifying one-time and ongoing funding to end homelessness - exacerbated by the COVID-19 pandemic – including wrap-around services to allow the most vulnerable to stay housed successfully.

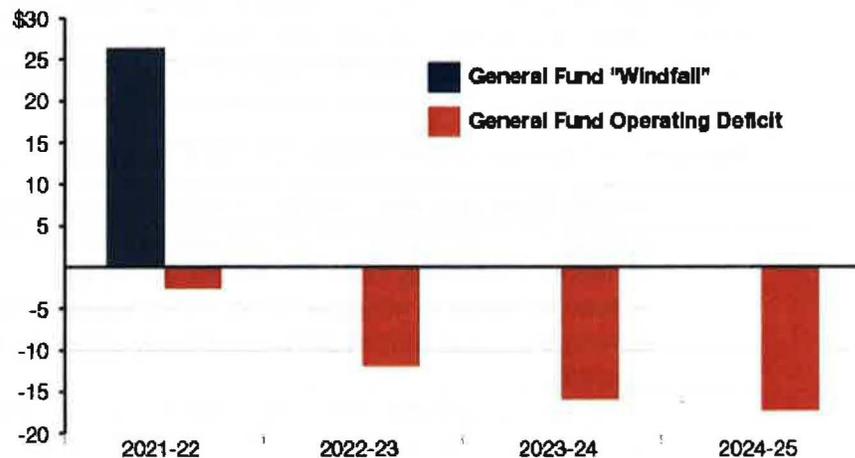
Based on input from staff, our federal and state lobbyists, partners like the Transportation Authority of Marin (TAM), Marin Transit District, Sonoma-Marín Area Rail Transit (SMART) and your Board, this legislative plan gives staff the opportunity to react quickly to legislative issues consistent with your Board’s priorities and policy guidelines.

2021 STATE PLATFORM

In its November 18 [FY 2021-22 California Fiscal Outlook](#), the California Legislative Analyst’s Office (LAO) projects an estimated \$26 billion budget “windfall” in strictly one-time gains largely because the state took \$54 billion in FY 2020-21 budget actions to address the pandemic that ultimately proved too aggressive. These actions included use of reserve funds, shifted costs, reduced spending, and increased revenues. While the negative economic consequences of the pandemic were severe, they have not been as catastrophic as the budget had anticipated. The LAO notes, however, that the recovery has been very uneven. Many low-income Californians remain out of work, while most high-income workers have been spared.

Per the graphic below, while the state is anticipated to enjoy this significant one-time budget windfall, the LAO also forecasts a growing operating deficit absent corrective action going forward:

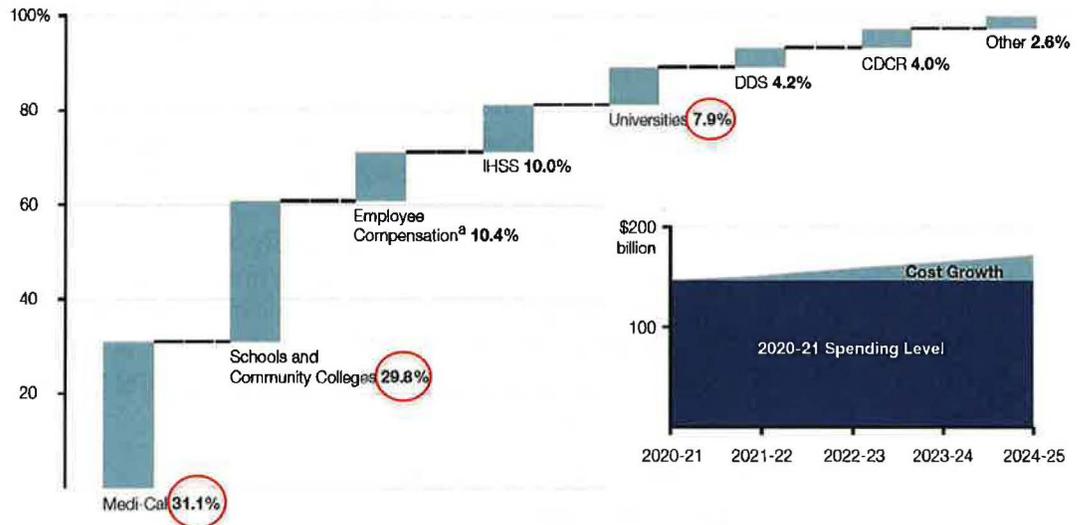
**Under Main Forecast,
Operating Deficits Grow Over Multiyear Period**
(In Billions)



LAO

The growing operating deficit is due to projected slow general fund revenue growth of less than 1 percent per year while expenditures will grow at an average 4.4 percent per year. Per the graphic below, nearly 70 percent of projected cost growth is due to Medi-Cal (31 percent) and Education including universities and community colleges (38 percent):

Major Drivers of Cost Growth From 2020-21 to 2024-25



^a Excludes CDCR employees.

IHSS = In Home Supportive Services; DDS = Department of Developmental Services; and CDCR = California Department of Corrections and Rehabilitation.

LAO

The LAO is recommending that the Legislature use one half of the projected windfall (\$13 billion) to replenish state reserves to help maintain services as demands on the state's safety net programs increase. It is recommending the other \$13 billion go toward development of a robust COVID-19 response that was not feasible when the state faced a \$54 billion budget problem this past spring. This could include one-time expenses focused on mitigating the adverse economic and health consequences of the public health emergency. The LAO also recommends beginning a multiyear effort to address the ongoing deficit now.

We'll report to your Board in mid-January after the Governor releases the Proposed Budget for FY 2021-22. The Administration may propose new ongoing reductions next fiscal year to start addressing projected deficits. We expect any new spending allocated to local governments is likely to be one-time only.

State Highlights

At the state level, we anticipate significant local focus in the following areas:

- **COVID-19 public health pandemic response** – including efforts to become better prepared for pandemic emergencies with improved personal protective equipment (PPE), hospital bed capacity, ventilators and other equipment, and implementation of a safe COVID-19 vaccine distribution regime;
- **Continued efforts to hold PG&E accountable** to harden its grid infrastructure, improve its redundancy and segmentation, and improve effective vegetation management to mitigate future PSPS events and wildfire risk;

- **Telecommunications redundancy** – with particular focus on efforts to require providers to enhance resiliency and reliability with at least three days' emergency backup power to cell tower sites, and alternative communications solutions in areas with poor baseline cell service and lack of emergency communication alternatives;
- **Homelessness** – in addition to continued one-time investments, such as potential additional state Homekey funding opportunities for transitional housing, we'll advocated for sustainable funding for wrap-around services to allow the most vulnerable to stay housed - with particular focus on rural and immigrant community needs as well as housing for the approximately 100 anchor-outs on Richardson's Bay;
- **Eviction/forebearance protections** – support protections for tenants to shield them from evictions due to COVID-19 related back rent, while also extending anti-foreclosure protections to small landlords; and
- **Preserving and expanding affordable housing** – including efforts to incentivize and fund affordable housing opportunities at the local level, particularly for conversion of commercial/housing stock and affordable housing preservation efforts, and opposition to the linkage of transportation or other state funding to affordable housing production, or restricting local discretion; and

2021 FEDERAL PLATFORM

Federal Highlights

With continued fiscal challenges at the federal level, including a ban on earmarks since 2011, federal funding for local projects remains constrained. The draft plan continues to indicate our top fiscal priorities in case opportunities should arise:

- **Preserving and improving safety net services**, including preservation of the Affordable Care Act, Medicaid and Medicare programs; a coordinated federal strategy to mitigate the spread of COVID-19; and opposing immigration policy that would eliminate a pathway to equal citizenship, violate immigrants' legal rights, break up families, or establish onerous new 'public charge' rules;
- **Mitigating the effects of climate change and enhancing resilience**, including focus on efforts to ensure the Army Corps of Engineers is more responsive to Sea Level Rise, and opposing efforts to prevent or weaken the collection of scientific data relating to climate change;
- **Support investments in the nation's infrastructure**, including elements of a "Green New Deal," a set of policy directions to respond to the climate crisis and its intersection with other issues, including the economy, with a focus on removal and replacement of carbon-based fuels with non-carbon-based fuels, workforce development in climate adaptation and response, and green infrastructure; and
- **Supporting disaster preparedness**, including fire prevention and suppression, wildfire protection on federal lands, and funding for vegetation management and tree mortality; and

With your Board's approval, including any amendments, we will work with our state and federal delegations to ensure they are aware of your Board's priorities and concerns going into 2021. While our plan includes initiatives that may not be achievable in the short-term, as opportunities arise the plan provides policy direction to guide our legislative program in a manner consistent with your Board's long-term vision for the County.

Please feel free to contact us should you have any questions or concerns.

Submitted by:



Daniel Eilerman
Assistant County Administrator

Reviewed by:



Matthew Hymel
County Administrator