

San Gabriel Valley Mosquito & Vector Control District
1145 North Azusa Canyon Road, West Covina, CA 91790
October 12, 2018

**The Legislative Committee
will meet after the Board adjourns**

Agenda

- 1. Call to Order and Silent Roll Call**
(Board President)
- 2. Opportunity for Public Comment on Non-Agenda Items**
Individual Public Comments may be limited to a 3-minute or less time limit. During Public Comments, the public may address the Committee on any issue within the District's jurisdiction which is not on the agenda. The public may comment on any item on the Agenda at the time that item is before the Committee for consideration. There will be no dialog between the Committee and the Commenter. Any clarifying questions from the Board must go through the Board President.
- 3. Select Committee Chairperson.**
(Board President)
- 4. Review Resolution No. 2002-05 Revisions ***
(Action Required)
- 5. Legislation for Review**
 - A. League of Cities Legislative Resolution No. 2: Repeal of Preemption in California Food and Agriculture Code Section 1150.1***
 - B. Measure W: Safe, Clean Water – Prop 218 Ballot Measure***
 - C. Los Angeles County State Legislative Agenda 2018-2019***
- 5. Adjournment**

Legislative Committee

**Sandra Armenta
Cruz Baca
Corey Calaycay
Margaret Finlay
Rachel Janbek**

**Becky Shevlin
Mike Spence
Cynthia Sternquist
Mary Su**

CERTIFICATE OF POSTING

“This agenda shall be made available upon request in alternative formats to persons with a disability as required by the American with Disabilities Act of 1990 (42 U.S.C. §12132) and the Ralph M. Brown Act (California Government Code §54954.2). Persons requesting a disability related modification or accommodation in order to participate in the meeting should contact the San Gabriel Valley Mosquito and Vector Control District at (626-814-9466) during regular business hours, at least twenty-four hours prior to the time of the meeting.”

“Materials related to an item on the Agenda submitted after distribution of the agenda packet are available for public inspection in the San Gabriel Valley Mosquito & Vector Control District Office located at 1145 North Azusa Canyon Road, West Covina, CA 91790 during normal business hours.”



Esther Elliott
Clerk of the Board, San Gabriel Valley MVCD
Board of Trustees

September 13, 2002

**A RESOLUTION OF THE SAN GABRIEL VALLEY MOSQUITO AND VECTOR
CONTROL DISTRICT BOARD APPROVING A LEGISLATIVE POLICY**

RESOLUTION NO. 2002-05

Background

It is the mission of the Board of Directors of the San Gabriel Valley Mosquito and Vector Control District to preserve the public health and welfare through its legislative priorities listed below.

General Policy

1. Support, defend and expand as needed, the definitions, issues, authority, and public health responsibilities and activities as described by State Health and Safety Codes (DSC 220-2360).
2. Preserve all revenue sources of the District and enthusiastically resist any efforts to redefine, reduce or otherwise restrict that income to the detriment of District public health responsibilities.
3. Respect and defend the use of integrated pest management, including the safe use of approved pesticides for continuing public health protection.
4. Resist any effort to reduce the efficiency and practicality of the District's operational practices.
5. Oppose any attempt by other governmental entities to impose additional public health responsibilities on the District without fiscal compensation equal to the cost of such function(s).
6. Promote and sponsor cooperation among governmental entities to the improvement of the public welfare.
7. Retain organizational identity, integrity and control of the District's resources in any mutual aid arrangement.
8. Support the MVCAC, CSDA and the AMCA when their legislative efforts compliment or coincide with this District's policy as reflected therein.
9. Endorse, promote and defend the authority of the Board of Trustees to conduct the business of the San Gabriel Valley Mosquito & Vector Control District.

Procedures

1. COMPOSITION

The Legislative Committee shall be comprised of 9 (nine) members of the Board of Trustees. The members of the Committee and the Chair shall be appointed by the President in January of each year. The President's appointments shall be included on the February agenda for Board ratification.

11. MEETINGS

Meetings of the Legislative Committee shall be scheduled on an as needed basis and shall be called by the Committee Chair. All Committee meetings shall be conducted pursuant to State Government Code § 54950 through 54962 (Ralph M. Brown Act).

111. DUTIES

Duties of the Legislative Committee shall include the following:

- A. Monitor, review, create, and research legislation pertaining to or potentially affecting the responsibilities or the organization of the District.
- B. Recommend to the Board of Trustees positions to be taken on pending bills and the degree of District resources to be allocated to insure the District's position is effectively communicated
- C. Meet to review relevant legislation which may impact mosquito and vector control, public health, and special districts. Specific legislative topics include, but are not limited to:

Animals of Public Health Importance	Public Health
Benefit Assessments	Safety Regulations
Endangered Species	Special Districts
Environmental Protection	Waste Water Use
Government Regulations	Water Regulation
Legislative Mandates	Waterfowl Management
Pesticides	Wetlands
Prevailing Wage	Workplace Regulations

- D. Establish priority levels and positions. The priority levels and positions are as follows:

Priority Levels

Level 1

The bill has significant effect on the District and position letters are regularly sent to appropriate legislators as the bill moves through the legislative process.

Level 2	The bill affects the District and position letters are sent to legislators selectively through the legislative process.
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Level 3	The bill affects the District in a manner to establish a position and position letters are sent to the author and other interested parties.
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Positions

Support	The District is in favor of the bill becoming law.
---------	--

Support if Amended	The District is in favor of the bill becoming law only if amendments are made as recommended by the Committee.
--------------------	--

Oppose	The District is not in favor of the bill becoming law.
--------	--

Oppose unless Amended	The District is not in favor of the bill becoming law; however, opposition to the bill will be removed if the bill is amended as recommended by the Committee.
-----------------------	--

Neutral	The District does not have a position on the bill because it has no or minimal affect on the operations of our District.
---------	--

Watch	The District does not have a position on the bill based on the current language; however, the Committee anticipates that the bill will be amended and the amendments may affect the District.
-------	---

- E. Periodically submit a list of bills which affect the District to the Board of Trustees at a regular Board meeting held in May of each year. The list will include the bill number, position, priority level, and brief description of the bill.

- F. Update the Board of Trustees during a regular meeting, as to the status of bills, when the position or priority level of a bill has changed, and if the bill has become law.

- G. Communicate to county, state and federal legislators the District's position with regard to proposed legislation. Such communication may be corresponded, telephonic, or personal contact, as the situation requires with special consideration to the effect of the latter as an effective means of establishing the District's position.

- H. Participate in state wide legislative efforts conducted by the Mosquito and Vector Control Association of California, the California Chamber of Commerce, SGVCOG, County of Los Angeles, the California Special Districts Association, and similar organizations.

- I. The District Manager or designee shall serve as an ex officio, non-voting member of the Committee.
- J. All actions taken by the Legislative Committee must be approved by the Board of Trustees during a public meeting before becoming effective unless specifically authorized by the President.
- K. When the need to convey the District's legislative position is immediate, particularly at the state legislative level, the President, Legislative Committee Chair, or the District Manager may communicate that information so long as it consistent with Board policy or where such policy has not been specifically addressed by the Board would be in their judgment beneficial to the District. When one of these District Officers take such action, said individual shall notify the Board at its next General Meeting.

APPROVED AND ADOPTED this 13th day of September, 2002, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Richard Barakat, President of the Board of Trustees

ATTEST:

Henry Morgan, Secretary of the Board of Trustees

September 13, 2002

A RESOLUTION OF THE SAN GABRIEL VALLEY MOSQUITO AND VECTOR CONTROL DISTRICT BOARD APPROVING A LEGISLATIVE POLICY

RESOLUTION NO. 2002-05

Background

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4. Resist any effort to reduce the efficiency and practicality of the District's operational practices.
5. Oppose any attempt by other governmental entities to impose additional public health responsibilities on the District without fiscal compensation equal to the cost of such function(s).
6. Promote and sponsor cooperation among governmental entities to the improvement of the public welfare.
7. Retain organizational identity, integrity and control of the District's resources in any mutual aid arrangement.
8. Support the MVCAC, CSDA and the AMCA when their legislative efforts compliment or coincide with this District's policy as reflected therein.
9. Endorse, promote and defend the authority of the Board of Trustees to conduct the business of the San Gabriel Valley Mosquito & Vector Control District.

Procedures

1. COMPOSITION

The Legislative Committee shall be comprised of ~~at least five (5) but not more than seven (7)~~ 9 (nine) members of the Board of Trustees. The members of the Committee and the Chair shall be appointed by the President in January of each year. The President's appointments shall be included on the February agenda for Board ratification.

11. MEETINGS

Meetings of the Legislative Committee shall be scheduled on an as needed basis and shall be called by the Committee Chair. All Committee meetings shall be conducted pursuant to State Government Code § 54950 through 54962 (Ralph M. Brown Act).

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- B. Recommend to the Board of Trustees positions to be taken on pending bills and the degree of District resources to be allocated to insure the District's position is effectively communicated
- C. Meet ~~to in April of each year to conduct an annual~~ to review of relevant legislation which may impact mosquito and vector control, public health, and special districts. Specific legislative topics include, but are not limited to:

Animals of Public Health Importance	Public Health
Benefit Assessments	Safety Regulations
Endangered Species	Special Districts
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Level 3	The bill affects the District in a manner to establish a position and position letters are sent to the author and other interested parties.
Positions	
Support	The District is in favor of the bill becoming law.
Support if Amended	The District is in favor of the bill becoming law only if amendments are made as recommended by the Committee.
Oppose	The District is not in favor of the bill becoming law.
Oppose unless Amended	The District is not in favor of the bill becoming law; however, opposition to the bill will be removed if the bill is amended as recommended by the Committee.
Neutral	The District does not have a position on the bill because it has no or minimal affect on the operations of our District.
Watch	The District does not have a position on the bill based on the current language; however, the Committee anticipates that the bill will be amended and the amendments may affect the District.

- E. Periodically ~~Submit the~~ list of bills which affect the District to the Board of Trustees at ~~a~~ the regular Board meeting held in May of each year. The list will include the bill number, position, priority level, and brief description of the bill.
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- G. Communicate to county, state and federal legislators the District’s position with regard to proposed legislation. Such communication may be corresponded, telephonic, or personal contact, as the situation requires with special consideration to the effect of the latter as an effective means of establishing the District’s position.
- H. Participate in state wide legislative efforts conducted by the Mosquito and Vector Control Association of California, the California Chamber of Commerce, SGVCOG, County of Los Angeles, the California Special Districts Association, and similar organizations.

I. The District Manager or designee shall serve as an ex officio, non-voting member of the Committee.

~~J. Recognizing the increased responsibilities of LAFCO based on the Knox-Cortese-Hertzberg Law, the Trustees and District Manager shall place increased emphasis on the impact of that organization's decisions.~~

~~K.~~J. All actions taken by the Legislative Committee must be approved by the Board of Trustees during a public meeting before becoming effective unless specifically authorized by the President.

~~L.~~K. When the need to convey the District's legislative position is immediate, particularly at the state legislative level, the President, Legislative ~~Subcommittee~~ Committee Chair, or the District Manager may communicate that information so long as it consistent with Board policy or where such policy has not been specifically addressed by the Board would be in their judgment beneficial to the District. When one of these District Officers take such action, said individual shall notify the Board at its next General Meeting.

APPROVED AND ADOPTED this 13th day of September, 2002, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Richard Barakat, President of the Board of Trustees

ATTEST:

Henry Morgan, Secretary of the Board of Trustees

Background Information on Resolution

Source: City of Malibu

Background:

A. Anticoagulant rodenticides are unnecessarily destructive and dangerous

Anticoagulant rodenticides contain lethal agents that disrupt the normal blood clotting or coagulation process causing dosed rodents to die from uncontrolled bleeding or hemorrhaging. Deaths typically occur between four days and two weeks after rodents begin to feed on the bait. Animals commonly targeted by anticoagulant rodenticides include rats, mice, gophers and squirrels. Non-target predator wildlife victims, which are exposed to an 80-90% risk of poisoning, include owls, hawks, bobcats, bears, foxes, coyotes, and mountain lions. The endangered species at risk of poisoning include fishers, spotted owls, and San Joaquin foxes. The use of anticoagulant rodenticides not only harms rodents, but it commonly harms pets, such as dogs, cats, and bunnies, and other wildlife that mistakenly eat the bait through primary poisoning or that unknowingly consume animals that have ingested the anticoagulant rodenticide through secondary poisoning. Children also suffer poisoning by mistakenly ingesting anticoagulant rodenticides.

California recognizes the grave harm that can be caused by anticoagulant rodenticides and has partially restricted access to second-generation anticoagulant rodenticides by the public:

Because of documented hazards to wildlife, pets and children, the California Department of Pesticide Regulation has restricted public access to some of these materials in California. As of July 1, 2014, rodenticide products containing the active ingredients brodifacoum, bromadiolone, difethialone and difenacoum are only to be used by licensed applicators (professional exterminators).¹

California has also prohibited the use of these ingredients in any “wildlife habitat area,” which is defined as “any state park, state wildlife refuge, or state conservancy.”²

The United State Environmental Protection Agency³ and the California Department of Pesticide Regulation⁴ have both documented in detail the damage to wildlife from second-generation anticoagulant rodenticides in support of the 2014 consumer ban on the purchase and use of the products. While first-generation anticoagulant rodenticides are less toxic, they are far more abundant due to their continued availability to all members of public.⁴ The California Department of Fish & Wildlife was tasked with collecting data on poisoning incidents to ascertain the effectiveness of the restrictions on second-generation anticoagulant rodenticides. After almost four years of collecting data, there was no evidence supporting a reduction in the number of poisonings.

¹ <https://www.wildlife.ca.gov/living-with-wildlife/rodenticides>.

² Cal. Food and Agric. Code § 12978.7.

³ <https://www.epa.gov/rodenticides/restrictions-rodenticide-products>

⁴ https://www.cdpr.ca.gov/docs/registration/reevaluation/chemicals/brodifacoum_final_assess.pdf

Recent studies by the University of California, Los Angeles and the National Park Service on bobcats have shown that first-generation anticoagulant rodenticide poisoning levels similar to the second-generation anticoagulant rodenticides poisoning levels.⁵ A comprehensive study of 111 mountain lions in 37 California counties found first-generation anticoagulant rodenticides in the liver tissue of 81 mountain lions (73% of those studied) across 33 of the 37 counties, and second-generation anticoagulant rodenticides in 102 mountain lions (92% of those studied) across 35 of the 37 counties.⁶ First-generation anticoagulant rodenticides were identified as contributing to the poisoning of Griffith Park mountain lion, P-22, (who was rescued), and the deaths of Newbury Park mountain lion, P-34, and Verdugo Hills mountain lion, P-41.

This data demonstrates the inadequacy of current legislative measures to ameliorate the documented problem caused by both second-generation and first-generation anticoagulant rodenticides.

B. State law preempts general law cities from regulating the use of pesticides, including anticoagulant rodenticides

A general law city may not enact local laws that conflict with general state law.⁷ Local legislation that conflicts with state law is void.⁸ A local law conflicts with state law if it (1) duplicates, (2) contradicts, or (3) enters a field that has been fully occupied by state law, whether expressly or by implication. A local law falling into any of these categories is “preempted” and is unenforceable.

State law expressly bars local governments from regulating or prohibiting pesticide use. This bar is codified in the California Food and Agricultural Code § 11501.1(a):

This division and Division 7 . . . are of statewide concern and occupy the whole field of regulation regarding the registration, sale, transportation, or use of pesticides to the exclusion of all local regulation. Except as otherwise specifically provided in this code, no ordinance or regulation of local government, including, but not limited to, an action by a local governmental agency or department, a county board of supervisors, or a city council, or a local regulation adopted by the use of an initiative measure, may prohibit or in any way attempt to regulate any matter relating to the registration, transportation, or use of pesticides, and any of these ordinances, laws or regulations are void and of no force or effect.

State law also authorizes the state to take action against any local entity that promulgates an ordinance or regulation that violates § 11501.1(a).⁹ The statute was specifically adopted to overrule a 30 year old court decision in *People v. County of Mendocino*,¹⁰ which had held that a

⁵ L. E. K. Serieys, et al, “Anticoagulant rodenticides in urban bobcats: exposure, risk factors and potential effects based on a 16-year study,” *Ecotoxicology* (2015) 24:844–862.

⁶ J. Rudd, et al, “Prevalence of First-Generation and Second-Generation Rodenticide Exposure in California Mountain Lions,” Proceeding of the 28th Vertebrate Pest Conference, February 2018.

⁷ Cal. Const. art. XI § 7.

⁸ *City of Riverside v. Inland Empire Patients Health and Wellness Center, Inc.* (2013) 56 Cal. 4th 729, 743.

⁹ Cal. Food and Agric. Code § 11501.1, subd. (b).

¹⁰ *People ex rel. Deukmejian v. County of Mendocino* (1984) 36 Cal. 3d 476.

local regulation prohibiting aerial application of phenoxy herbicides was not then preempted by state or federal law.¹¹

The use of pesticides is broadly regulated by state law. In the language of preemption law, the state “occupies the field,” leaving no room for additional local law on the subject. Accordingly, a city’s ban on the use of anticoagulant rodenticides would be unenforceable.

C. California should repeal the preemption in Cal. Food and Agric. Code § 11501.1 to provide cities with the authority to decide how to regulate pesticides within their own jurisdictions based on local concerns

The state of California should provide cities with the authority to regulate the use of pesticides in their own jurisdictions based on their own individual local needs.

Recognizing that cities’ power to “make and enforce within its limits all local, police, sanitary, and other ordinances and regulations” is presently preempted by the general laws of the state, cities throughout California request that the state provide cities with the authority to decide how to deal with rodents based on their land use.

Depending on such land use, cities may decide to allow the use of nonpoisonous control methods, non-anticoagulant rodenticides, or anticoagulant rodenticides, if necessary. Nonpoisonous methods to control rodent pests, include sealing entrances to buildings, sanitizing property, removing rodent habitats, such as ivy or wood piles, setting traps, and erecting raptor poles or owl boxes. For example, a recent landmark study by Ventura County established that installing raptor poles for hawks and owls was more effective than anticoagulant rodenticides in reducing the damage to water control levees caused by ground squirrel burrows. Burrows decreased by 66% with the change.¹²

The ultimate goal is to allow cities to address their local concerns with the input of community members at open and public meetings. Presently, cities are unable to adequately address local concerns; they are limited to encouraging or discouraging behavior.

D. Conclusion

The negative effects from the use of anticoagulant rodenticides across California has garnered the interest of cities and community members to remedy the problem. By presenting this resolution to the League of California Cities, the City of Malibu hopes to organize support and gain interest at the state level to repeal the preemption in Cal. Food and Agric. Code § 11501.1 to provide cities with the authority to regulate pesticides based on individual, local concerns.

¹¹ *IT Corp. v. Solano County Bd. Of Supervisors* (1991) 1 Cal. 4th 81, fn. 9; *Turner v. Chevron USA Inc.*, 2006 WL 1314013, fn. 14 (unpublished).

¹² <http://vcportal.ventura.org/BOS/District2/RaptorPilotStudy.pdf>

League of California Cities Staff Analysis on Resolution No. 2

Staff: Erin Evans-Fudem
Committee: Environmental Quality

Summary:

This resolution seeks to have the state and the League study the negative impacts of anticoagulant rodenticides and address the inability of cities to regulate the use of rodenticides and pesticides.

Specifically related to anticoagulant rodenticides, the resolution would encourage the state to fund research into the negative impacts and a potential restriction or ban; direct the League to consider creating a task force to study and report on the unintended negative consequences; encourage cities and property owners to eliminate use; and encourage cities to join advocacy efforts. In addition, the resolution would direct the League to endorse repeal of a statute that preempts local regulation of pesticides.

Background:

The City of Malibu is sponsoring this resolution out of concern about the effect of a certain type of rodent control (anticoagulant rodenticides) has on other wildlife. According to the City, anticoagulant rodenticides disrupt the blood clotting process and therefore cause rodents to die from bleeding or hemorrhaging. This rodenticide is commonly used on rats, mice, gophers, and squirrels. Predator animals that eat rodents can be exposed to anticoagulant rodenticides if they consume animals that have eaten the bait. These animals include owls, hawks, bobcats, bears, foxes, coyotes, and mountain lions. Furthermore, pets can also be exposed to anticoagulant rodenticides if they eat the bait or consume animals that have eaten the bait.

Some cities have passed “ceremonial resolutions” locally. For example, the City of Malibu has two ordinances in place to discontinue use of rodenticides and traps in city-owned parks, roads, and facilities, as well as encourage businesses and property owners not to use anticoagulant rodenticides on their property.

Fiscal Impact:

Costs to cities would include using alternative methods of rodent control and studying the efficacy. Since the resolution encourages, but does not mandate action by cities, city costs would be taken on voluntarily.

Fiscal impact to the League would include costs associated with the task force, scientific research, and educating League staff and members. For the task force, the League may incur costs associated with staffing, convening, and educating a task force to study anticoagulant rodenticides, as well as the cost of writing a report. This could include a need for outside experts with knowledge of pesticides and their ecological impacts. League resources would also be utilized to support proposals to repeal the statute preempting local regulation of pesticides; however, this cost may be absorbed with existing staff resources.

Comments:

Pesticides are regulated by federal and state governments. The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) reserves for the federal government authority over pesticide labeling. States can adopt stricter labeling requirements and can effectively ban sale and use of pesticides that do not meet state health or safety standards.¹ For 51 years, California has reserved regulation of pesticides for the state only, preempting local regulation.² This preemption has been ratified and confirmed in subsequent court decisions and legislation. However, County Agricultural Commissioners work to enforce the state laws. Local governments may regulate or restrict pesticide use in their own operations, including use in municipal buildings or parks.^{3,4}

Broad direction. This resolution would direct the League to take a position allowing broad local discretion over pesticide regulation in general. Because the regulation of anticoagulant rodenticides is largely based in science, additional or outside expertise may be needed to ensure full understanding of the science behind rodent control methods. The resolution itself is not limited to allowing local governments to regulate anticoagulant rodenticides, which this resolution otherwise targets.

Rodent control methods. There are numerous methods of controlling rodents, including lethal traps, live traps, and poison baits. There are two generations of rodenticide poisons because after rodents became resistant to the first generation, the second was developed. The U.S. Environmental Protection Agency (U.S. EPA) provides the following information below related to the science and use of anticoagulant rodenticides:

Most of the rodenticides used today are anticoagulant compounds that interfere with blood clotting and cause death from excessive bleeding. Deaths typically occur between four days and two weeks after rodents begin to feed on the bait.

First-generation anticoagulants include the anticoagulants that were developed as rodenticides before 1970. These compounds are much more toxic when feeding occurs on several successive days rather than on one day only. Chlorpophacinone, diphacinone and warfarin are first-generation anticoagulants that are registered to control rats and mice in the United States.

Second-generation anticoagulants were developed beginning in the 1970s to control rodents that are resistant to first-generation anticoagulants. Second-generation anticoagulants also are more likely than first-generation anticoagulants to be able to kill after a single night's feeding. These compounds kill over a similar course of time but tend to remain in animal tissues longer than do first-generation ones. These properties mean that second-generation products pose greater risks to nontarget species that might feed on bait only once or that might feed upon animals that have eaten the bait. Due to these

¹ California Department of Pesticide Regulation (CDPR), *A Guide to Pesticide Regulation in California: 2017 Update*, pg. 9, <https://www.cdpr.ca.gov/docs/pressrls/dprguide/dprguide.pdf>.

² California Food and Agriculture Code § 11501.1 (1967).

³ CDPR, *A Guide to Pesticide Regulation in California: 2017 Update*, pg. 9, <https://www.cdpr.ca.gov/docs/pressrls/dprguide/dprguide.pdf>.

⁴ County Agricultural Commissioners work with CDPR to enforce state laws. CDPR, *A Guide to Pesticide Regulation in California: 2017 Update*, pg. 13, <https://www.cdpr.ca.gov/docs/pressrls/dprguide/dprguide.pdf>.



MARK PESTRELLA, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE

REFER TO FILE: **SWP-0**

July 17, 2018

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

REVISED

**PUBLIC HEARING
WATER RESOURCES CORE SERVICE AREA
PROPOSED SAFE, CLEAN WATER PROGRAM FUNDING MEASURE
(ALL SUPERVISORIAL DISTRICTS)
(3 VOTES)**

SUBJECT

Public Works is seeking Board approval to adopt the Safe, Clean Water Program resolution to place a parcel tax measure and Safe, Clean Water Program ordinance on the November 6, 2018, election ballot for approval by the voters.

IT IS RECOMMENDED THAT THE BOARD:

1. Open the public hearing regarding the proposed Safe, Clean Water Program funding measure, hear and consider all comments made by stakeholders and other members of the public, and close the public hearing.

AFTER THE PUBLIC HEARING, IT IS RECOMMENDED THAT THE BOARD:

1. Find the proposed actions are not a project under the California Environmental Quality Act for the reasons stated in this letter and the record of the Safe, Clean Water Program.

2. Adopt a resolution calling for and giving notice of an election on a measure to impose a special tax upon parcels located within the Los Angeles County Flood Control District, to fund projects and programs to increase stormwater capture and reduce stormwater and urban runoff pollution, to be held on November 6, 2018, and consolidating the special election with other elections to be held on November 6, 2018.
3. Instruct the Chief Executive Officer, Department of Public Works, Treasurer-Tax Collector, County Counsel, and Registrar Recorder/County Clerk to take all necessary actions to place the special tax on the ballot for the November 6, 2018, election.
4. Instruct County Counsel to prepare an ordinance establishing criteria and procedures to implement the Safe, Clean Water Program that has provisions substantially similar to those contained in the Program Elements document, if the special tax measure is approved.
5. Instruct the Chief Executive Officer to amend the existing delegated authority agreement with Conservation and Natural Resources Group, LLC to provide additional services for stakeholder engagement, development of public education outreach materials, and assistance with development of the Program Elements for the Safe, Clean Water Program; with an increase to the existing contract by an amount not to exceed \$2,000,000, using Los Angeles County Flood Control District funds for a total contract sum not to exceed \$11,203,606.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Funding Measure

On May 30, 2017, the Board authorized the Chief Engineer of the Los Angeles County Flood Control District to develop an expenditure plan that would determine an appropriate parcel tax to implement stormwater projects and programs. On October 9, 2017, Assembly Bill (AB) 1180 (Holden) was signed in to law, which amended the Los Angeles County Flood Control Act and authorized the District to levy a tax to pay the costs and expenses of carrying out projects and programs to increase stormwater capture and reduce stormwater and urban runoff pollution in the District subject to voter approval. The purpose of the recommended actions is to carry out the Board's direction in accordance with the May 30, 2017 motion.

The Honorable Board of Supervisors
July 17, 2018
Page 3

The proposed Safe, Clean Water Program (Program) funding measure affects parcels within the District (see map Enclosure A). The parcel tax revenue would be allocated for regional multi-benefit projects, municipal projects, and District programs and administration costs, as described in AB 1180. The calculation of the tax for each parcel is based on each parcel's impermeable area, which has been determined by a Countywide survey using aerial imagery combined with other survey technology. This survey can differentiate between various types of surfaces such as concrete, grass, bare soil, shrubs, and trees among others.

After closing the public hearing, the Board must determine whether or not to adopt the resolution (Enclosure B) calling and giving notice of an election, on November 6, 2018, regarding a measure to impose a special tax upon parcels located within the District. The ballot question to be presented to the voters is stated in the resolution. The resolution also includes a proposed ordinance for voter approval that specifies the tax formula, expenditure plan, exemptions from the parcel tax including parcels owned by qualifying low income seniors and parcels subject to exemptions from the ad valorem property tax (including qualifying non-profit organizations and others), and other Program details.

If the parcel tax is approved, the total projected gross revenues from the tax would be approximately \$300 million per year for the Los Angeles Region, subject to reductions as provided for in the credit program described in the Program Elements document, and exemptions for parcels owned by qualifying low income seniors. Ten percent (approximately \$30 million gross) would be distributed to the District for implementation and administration of projects, programs, and activities to increase stormwater capture and reduce stormwater and urban runoff pollution (Eligible Activities), and for costs incurred in connection with the levy and collection of the tax and distribution of the funds. Forty percent (approximately \$120 million gross) would be allocated to municipalities within the District, including the unincorporated area of the County, in proportion to the tax collected in each jurisdiction, to carry out Eligible Activities. Fifty percent (approximately \$150 million gross) would be allocated to the nine watershed areas to fund regional watershed-based Eligible Activities proportional to the funds generated in each watershed area. Each watershed area will have a Watershed Area Steering Committee who will allocate funding to regional projects within their area.

See Enclosures C and D for a list of the estimated revenue and distribution among watershed areas and municipalities.

If approved by the voters, the tax will be reflected on the annual property tax bills for each parcel, beginning in 2019. Also, further details and other provisions regarding the criteria and procedures for implementing the Program would be established in a subsequent

ordinance, substantially similar to the provisions contained in the Program Elements document (Enclosure E).

Public Education and Outreach

On May 30, 2017, the Board authorized the District to amend the existing agreement with Conservation and Natural Resources Group, LLC (CNRG) to continue to provide extensive water education and outreach program services, which included development of communication and media materials for the Safe, Clean Water Program. CNRG possesses key experience and a unique expertise in the areas of integrated water management and the development of water-related funding measures. If the Board adopts the proposed resolution to place the special parcel tax on the November 6, 2018 ballot, it will be necessary to continue the public education and outreach efforts already in place.

Implementation of Strategic Plan Goals

The County Strategic Plan directs the provisions of Strategy II.3, Make Environmental Sustainability our Daily Reality and Objective II.3.1, Improve Water Quality, Reduce Water Consumption, and Increase Water Supplies; Objective II.3.2, Foster a Cleaner, More Efficient, and More Resilient Energy System; and Objective II.3.3, Address the Serious Threat of Global Climate Change. This action will strengthen the County's capacity to improve water quality and increase water supplies, effectively prepare for emergent environmental and natural hazards, and address the threat of climate change.

FISCAL IMPACT/FINANCING

Public Hearing

There will be no impact to the County General Fund.

Funding to amend the existing agreement for CNRG, LLC for a not-to-exceed amount of \$2,000,000 is included in the Flood Fund Fiscal Year 2018-19 Budget.

Safe, Clean Water Program Tax

If the parcel tax of 2.5 cents per square foot of impermeable surface is approved, the total projected gross revenues from the tax would be approximately \$300 million per year for the Los Angeles Region, subject to reductions as provided for in the credit program described in the Program Elements document and exemptions for parcels owned by qualifying low income seniors. The funds collected would be managed by the Flood Control District.

The Honorable Board of Supervisors
July 17, 2018
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The Los Angeles County Flood Control Act as amended by AB 1180 requires that revenues be distributed as follows: 10 percent, (approximately \$30 million gross) would be distributed to the District for Eligible Activities, and for costs incurred in connection with the levy and collection of the tax and distribution of the funds.

Forty percent (approximately \$120 million gross) would be allocated to municipalities within the District, including the unincorporated area of the County, in proportion to the tax collected in each jurisdiction, to carry out Eligible Activities.

Fifty percent (approximately \$150 million gross) would be allocated to the nine watershed areas to fund regional watershed-based Eligible Activities proportional to the funds generated in each watershed area. Each watershed area will have a Watershed Area Steering Committee that will develop annual funding plans for regional projects within their area.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The District was established by the State of California legislature in 1915 for purposes of controlling and conserving flood waters and providing flood protection. On September 30, 2010, the Governor approved AB 2554 (Brownley), sponsored by the Board, which amended the Los Angeles County Flood Control Act to authorize the District to impose a fee or charge to pay the costs of carrying out projects and providing services to improve water quality and reduce stormwater and urban runoff pollution in the District. Pursuant to AB 2554, the District's authority to impose the fee is subject to applicable provisions of Proposition 218, including the requirement for a noticed protest hearing and an election. This was explored in 2012, yet was not pursued.

On October 9, 2017, the Governor approved AB 1180, sponsored by the Board, which further amended the Los Angeles County Flood Control Act, similarly to AB 2554, but authorized the District to levy a tax in addition to a fee to pay the costs of carrying out projects and programs to increase stormwater capture, and reduce stormwater and urban runoff pollution in the District.

AB 1180 provides the authority for the proposed parcel tax, which requires two-thirds passage by the voters in accordance with Articles XIII A and XIII C (Proposition 218) of the California Constitution.

In addition to calling an election on the parcel tax measure, the enclosed resolution also includes a proposed ordinance specifying the tax methodology, expenditure plan, exemptions from the parcel tax, and other Program details.

The enclosed Program Elements document sets forth criteria and guidance for the implementation of the proposed parcel tax. The Program Elements include key components of the Program such as definitions, the roles and responsibilities for all participants, eligible expenditures, reporting and auditing requirements, and procedures for both lapsing and misused funds.

If the Board adopts the resolution, the ordinance will become effective only if the parcel tax measure is approved by the voters.

Subsequently, the Chief Engineer will work with County Counsel to prepare additional ordinances substantially similar to the Program Elements document for the Board's consideration.

ENVIRONMENTAL DOCUMENTATION

The proposed actions are not a project pursuant to the California Environmental Quality Act (CEQA) because they are activities that are excluded from the definition of a project by Section 15378 (b) of the State CEQA Guidelines. The proposed actions would create a government funding mechanism that does not involve any commitment to a specific project, which may result in a potentially significant physical impact on the environment.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

There will be no negative impacts on current services. The projected new revenue would provide a tremendous benefit to the County's ability to implement necessary stormwater capture and pollution reduction projects and programs.

If the proposed parcel tax is approved, the County may require realignment of County unincorporated area resources, Public Works' resources, and/or District resources, as well as possible additional staff, all of which would be funded from the projected new revenue to the County and to the District from the tax.

The Honorable Board of Supervisors
July 17, 2018
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CONCLUSION

Please return an original of the resolution and a copy of this letter to the Department of Public Works, Stormwater Planning Division.

Respectfully submitted,



MARK PESTRELLA
Director of Public Works

MR:ARG:ba

Enclosures

c: Chief Executive Office (Chia-Ann Yen)
County Counsel (Mark Yanai)
Executive Office
All Department Heads



County of Los Angeles
CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
(213) 974-1101
<http://ceo.lacounty.gov>

SACHI A. HAMAI
Chief Executive Officer

Board of Supervisors
HILDA L. SOLIS
First District

MARK RIDLEY-THOMAS
Second District

SHEILA KUEHL
Third District

JANICE HAHN
Fourth District

KATHRYN BARGER
Fifth District

December 21, 2017

To: Supervisor Sheila Kuehl, Chair
Supervisor Mark Ridley-Thomas
Supervisor Hilda L. Solis
Supervisor Janice Hahn
Supervisor Kathryn Barger

From: Sachi A. Hamai
Chief Executive Officer

STATE LEGISLATIVE AGENDA FOR THE SECOND YEAR OF THE 2017-18 SESSION

On December 19, 2017, the Board voted to adopt recommended legislative priorities for 2018 and policy changes to the County's State Legislative Agenda for the second year of the 2017-18 Legislative Session with the following actions:

Legislative Policies. The Board unanimously adopted the following additional policies for inclusion in the State Legislative Agenda:

- Recommendation by Supervisors Kuehl and Solis to add the following policies to the 2017-2018 State Legislative Agenda:
 - Support legislation that fosters community choice energy program development and operations; and oppose legislation that reduces local control or that adds burdensome regulations, unreasonable costs, or creates delays to community choice energy programs and their customers; and
 - Support legislation that would allow for and/or expedite the direct reuse of potable recycled water.
- Recommendation by Supervisors Hahn and Barger to direct the CEO's Legislative Office to add the following items to the State Legislative Agenda:
 - Support and/or pursue legislation that would increase funding for:
 - a) mosquito-borne disease and vaccination research; and b) mosquito and vector control services, which include but, are not limited to: source reduction, surveillance and monitoring, education and outreach, biological control and chemical control;

- Support and/or pursue legislation that would allow for mosquito and vector control considerations in environmental evaluation and ongoing management and maintenance of storm water and other infrastructure projects; and
- Support and/or pursue legislation that would grant state certified mosquito control personnel more authority to expeditiously access properties that are mosquito infested so intervention efforts can be initiated.
- Recommendation by Supervisor Hahn to approve the inclusion of the following policies into Section 10.9 Military and Veteran Affairs, in the County's 2017-2018 State Legislative Agenda that promotes up to a 15 percent preference to Local Small Business Enterprises, Disabled Veteran Business Enterprises, and Social Enterprises, consistent with the County's Small Business, Disabled Veteran-Owned Business and Social Enterprise Utilization Plan, and instruct the County's Sacramento representatives to advocate for the policies as follows:
 - Support legislation which enhances contracting opportunities for Disabled Veteran Business Enterprises and Social Enterprises by providing the ability for these businesses to receive bid preferences on low-bid construction contracts.
 - Support legislation which increases the amount of the preference allowed on low-bid construction contracts in an amount consistent with the County's Small Business, Disabled Veteran Owned Business, and Social Enterprise Utilization Plan.
- Recommendation by Supervisor Hahn to add the following to the State Legislative Agenda:
 - Support legislation that will enhance the County's ability to reunite families with loved ones who have tendencies to wander, such as individuals with Alzheimer's, dementia, and autism.

For your reference, attached are copies of the approved Board letter (Attachment I), the complete State Legislative Agenda for 2018 (Attachment II), inclusive of all the policy revisions adopted by the Board on December 19, 2017, and copies of the motions adopted by the Board on the State Legislative Agenda (Attachment III).

If you have any questions or would like additional information, please contact me, or your staff may contact Olyvia Rodriguez of my staff at (213) 893-2164.

SAH:JJ:MR
OR:PC:IGEA:lm

Attachments

c: All Department Heads
All County Commissions



SACHI A. HAMAI
Chief Executive Officer

County of Los Angeles
CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
(213) 974-1101
<http://ceo.lacounty.gov>

"To Enrich Lives Through Effective And Caring Service"

**AS AMENDED AND ADOPTED BY THE
BOARD OF SUPERVISORS ON
DECEMBER 19, 2017**

Board of Supervisors
HILDA L. SOLIS
First District
MARK RIDLEY-THOMAS
Second District
SHEILA KUEHL
Third District
JANICE HAHN
Fourth District
KATHRYN BARGER
Fifth District

December 19, 2017

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**STATE LEGISLATIVE AGENDA FOR THE SECOND YEAR
OF THE 2017-18 SESSION
(ALL SUPERVISORIAL DISTRICTS AFFECTED)
(3 VOTES)**

SUBJECT

The following recommendations represent updated policies and proposals for the second year of the 2017-18 Legislative Session, which were developed in coordination with Board Offices, County departments, and County Counsel. This package, together with other positions previously adopted by the Board, represent guiding principles for the County's advocacy efforts in Sacramento.

IT IS RECOMMENDED THAT THE BOARD:

1. Approve the attached additions, deletions, and changes to existing Board-adopted policies and positions for inclusion in the 2017-18 State Legislative Agenda (Attachment).
2. Instruct the Chief Executive Officer and affected departments to work with the County's Legislative delegation, other counties and local governments, and stakeholders to pursue these policies, positions, and priorities in the State Legislature and with the Administration and its agencies.
3. Direct the Chief Executive Officer and the County's Sacramento Legislative Representatives to advocate on the Board's behalf and to prepare and transmit the County's legislative priorities in letters to the Legislature and the Governor.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The recommended changes seek to minimize the adverse impact of State actions on the County, achieve greater flexibility over the use of State funds, protect revenue sources for County-provided services, secure State financial assistance whenever possible, and promote the growth of the State and local economy.

CALIFORNIA FISCAL OUTLOOK

On June 27, 2017, Governor Brown signed the FY 2017-18 State Budget Act, which provides \$125.1 billion in State General Fund expenditures, and includes \$2.4 billion in total reserves with a \$8.5 billion Rainy Day Fund balance by June 2018. In his signing message, the Governor noted that the budget continues to bolster the State's Rainy Day Fund and pay down accumulated debt. The Governor indicated this investment would help counter the potential fiscal impact of any Federal policy changes on California and the end of the current economic expansion.

The final budget package included a number of County-supported proposals favorable to the programs and residents we serve, including: 1) restoration of the Diversion Program Infrastructure Grants, which will provide \$67.5 million in one-time funding for mental health and substance use disorder diversion programs; 2) restoration of the Housing and Disability Advocacy Program, to provide \$45.0 million to assist homeless individuals to apply for State and Federal disability benefits; 3) an increase of \$22.0 million for Dependency Court Counsel to reduce child dependency court caseloads; and 4) \$15.5 million to establish the Child Care Bridge Program for foster children.

Most significantly, the enacted budget included the Governor's May Revision proposal to mitigate the impact of the elimination of the In-Home Supportive Services (IHSS) Maintenance of Effort (MOE) to counties. As initially proposed, the elimination of the IHSS MOE would have resulted in estimated County costs of \$220.0 million in FY 2017-18, increasing to over \$550.0 million by FY 2020-21. The final budget agreement established a new IHSS MOE base which results in significantly reduced County costs of \$9.6 million in FY 2017-18 and \$31.3 million in FY 2018-19. As described in greater detail under Legislative Priorities, the County will continue to work with the Administration and key stakeholders to address long-term funding for the IHSS Program in 2018.

On November 15, 2017, the Legislative Analyst's Office (LAO) released its fiscal assessment for California, which projects a positive outlook for the FY 2018-19 State Budget. Assuming no new budget commitments are made, the LAO forecasts that the State will end FY 2018-19 with \$19.3 billion in total reserves, including \$7.5 billion in discretionary reserves.

The Legislative Analyst's Office notes that significant progress has been made towards building up reserves to prepare for the next recession. The LAO reports that if the economy experiences a moderate recession, the State has enough reserves to cover its deficits until FY 2021-22, without cutting spending or raising taxes. However, the LAO cautions that these estimates assume the State will not make any changes to its current policies and programs. The LAO's outlook also assumes no new changes in Federal policy, noting that Federal changes to health care, tax reform, immigration, trade, or other policies could impact State funds.

The Honorable Board of Supervisors
12/19/2017
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COUNTY LEGISLATIVE PRIORITIES

As described below, unless otherwise instructed by the Board, the County's initial advocacy efforts in 2018 will be primarily concentrated on preserving local control, preserving the Affordable Care Act, sustaining funding for the In-Home Supportive Services program, improving and enhancing the State's enforcement of hazardous waste laws and protections, reducing and preventing homelessness, and advocating for funding for justice programs, including diversion programs.

Preservation of Local Control. In 2017, a number of measures, specifically targeted to Los Angeles County, were introduced; which would: 1) usurp the statutory authority granted to the Board of Supervisors; 2) undermine the will of the County voters regarding self-governance; and 3) significantly alter the County's governance structure. These measures include: County-opposed SCA 12 (Mendoza), which would place a measure on the November 2018 statewide ballot seeking approval to voters to amend the California Constitution to require Los Angeles County to expand the Board of Supervisors from five to at least seven members, and to have an elected county executive (Senator Mendoza has indicated his intent to amend the bill to remove the elected CEO provision); County-opposed SB 268 (Mendoza), which would diminish the Board's authority on the Los Angeles Metropolitan Transportation Authority (MTA) governing board by revising its composition; County-opposed AB 1250 (Jones-Sawyer), which would substantially restrict the County's contracting authority and limit the circumstances under which counties would be authorized to outsource personal services; and County-opposed SB 792 (Wilk), which would require the County to establish the Measure B Oversight Commission to review the allocation of voter-approved Measure B trauma funds and provide annual reports on the allocation of these funds to the Legislature.

The County partnered with numerous stakeholders, including the California State Association of Counties and Urban Counties of California, among others, to stop SCA 12, SB 268, AB 1250, and SB 792 in 2017. Advocacy efforts included conducting one-on-one meetings with key members of the Legislature, engaging County and community partners, and developing fact sheets, talking points and other educational materials outlining the impact of these measures on the County and its residents. SCA 12, SB 268, and SB 792 passed the Senate and will be considered by the Assembly in 2018. AB 1250 passed the Assembly and will be considered by the Senate in 2018. The County will build upon our advocacy efforts of 2017 and will continue to strongly oppose these and any other measures that would: 1) abridge or eliminate the Board of Supervisors' powers and duties; 2) usurp the statutory authority granted to the Board of Supervisors; 3) undermine the will of the County voters regarding self-governance; 4) violate the "home rule" provisions on the California Constitution which gives charter counties the exclusive power to determine compensation and working conditions for persons involved in internal County operations; or 5) alter the County's governance structure.

Preservation of the Affordable Care Act (ACA). The Affordable Care Act of 2010 greatly expanded health care coverage to millions of residents throughout the State. Starting in January 2014, the ACA created new health exchanges through which health insurance may be purchased with Federal subsidies for low-income families and individuals, expanded Medicaid coverage for non-disabled persons below 65 years of age with incomes under 133 percent of the Federal Poverty Level (FPL), including childless adults previously ineligible for Medicaid. The ACA also gave states the option to expand Medicaid eligibility to persons with incomes between 133 percent and 200 percent of the FPL at an enhanced Federal match rate. California was one of the first states that opted to expand Medicaid. As a result, approximately 13.6 million Californians currently receive Medi-Cal benefits, including an estimated 3.9 million recipients who are newly eligible under the Medi-Cal expansion, 1.2 million of whom reside in Los Angeles County.

Despite numerous failed attempts, the Republican-led Congress is expected to continue to push for the repeal or replacement of the ACA, in whole or in part. Proposals under consideration include ending Medicaid as an open-ended entitlement, turning this program into a per-capita cap system, or a block grant. This would result in the loss of billions of dollars in Federal funding to the State, unravel the safety net which provides essential health care coverage for millions of families, adults and children in California, and shift the cost of indigent health care back to the County. Therefore, the County will continue to work closely with the Administration, the Legislature, and stakeholders to advocate at the Federal level to protect critical Medicaid funding and for the preservation of the ACA, and/or to support alternatives which would minimize the number of uninsured and maximize Federal funding with which to serve County residents.

In-Home Supportive Services (IHSS) Maintenance of Effort (MOE). In January 2017, Governor Brown announced findings by the Department of Finance that triggered the elimination of the IHSS MOE effective July 1, 2017, and the shift of \$623.0 million in State General Fund costs to counties. Based on our analysis, this action would have resulted in estimated County costs of \$220.0 million in FY 2017-18, increasing to over \$550.0 million by FY 2020-21.

The FY 2017-18 State Budget Act establishes a new IHSS MOE base with an annual county inflation factor which will be phased in and applied to the base, beginning at zero in FY 2017-18, increasing to five percent in FY 2018-19, and seven percent in FY 2019-20 and ongoing. After extensive budget deliberations with key stakeholders, including the County, the final budget also contains provisions to help mitigate the impact of the elimination of the IHSS MOE to counties, including: 1) \$1.08 billion in State General Fund contributions to counties over the next four years; and 2) the redirection of all 1991 Realignment Vehicle License Fee (VLF) growth from the Health, Mental Health, and County Medical Services Programs to the IHSS Program for three years, decreasing to 50 percent in years four and five.

Compared to initial estimates, the approved budget results in an estimated County cost increase of \$9.6 million in FY 2017-18 and \$31.3 million in FY 2018-19 resulting from the elimination of the IHSS MOE. However, absent any cost containment measures or major reforms, the cost of the IHSS Program will become unsustainable for all counties after FY 2019-20. Major factors which will drive up costs in the coming years include: 1) IHSS caseload growth; 2) increases in the minimum wage to \$15.00 per hour; 3) return of collective bargaining for IHSS provider wages to counties; 4) overtime costs; and 5) paid sick leave. The Administration has committed to working with counties to re-examine the 1991 Realignment funding structure and to develop recommendations to address IHSS costs as part of the development of the FY 2019-20 State Budget. Therefore, the County will continue to work with the Administration, California State Association of Counties, County Welfare Directors Association and other key stakeholders to develop a new allocation methodology which will sustain funding for the IHSS Program, mitigate cost shifts to counties, and stabilize 1991 Realignment revenues for county health and social services programs.

Environmental Protection, Oversight and Monitoring. There is a pressing need for increased regulation, oversight and monitoring of polluters by responsible State agencies, as well as strengthened enforcement against responsible parties. Incidents of environmental hazards in the County include lead contamination in the City of Vernon, chromium exposure in the City of Paramount, and the natural gas leak in Porter Ranch. Therefore, the County will support and advocate for proposals which increase the State's regulation of hazardous waste and improve its enforcement of hazardous waste laws, as well as proposals that require greater coordination between State and local agencies as it relates to preventing and responding to environmental hazards.

The Honorable Board of Supervisors
12/19/2017
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One of the most relevant examples of the State's failure to protect the public's health from toxic exposure is Exide Technologies, a lead-acid battery recycling facility in the City of Vernon which the State allowed to operate for decades under a temporary State permit, resulting in thousands of properties in the surrounding communities to be contaminated with lead. In 2016, Governor Brown enacted SB 93 (Chapter 9, Statutes of 2016), which appropriated \$176.6 million in one-time funding for the cleanup and investigation of properties contaminated by lead in the communities surrounding Exide. The funding is appropriated to the California Department of Toxic Substances Control, which is responsible for the Exide cleanup and lead testing; however, this funding will be insufficient to address all of the issues. Specific to Exide, the County will seek to secure ongoing funding sources for the affected communities, including, but not limited to: 1) thoroughly and methodically clean all contaminated areas surrounding the Exide facility, including, but not limited to, the inside of homes, parkways, schools, parks and other public areas; 2) conducting health assessments to detect and monitor lead poisoning in residents, especially children; and 3) providing health care and support services for those that have been lead poisoned.

Homeless Services. The County has made significant strides towards combating the homeless crisis in the region, including the passage of Measure H, which will generate an estimated \$355.0 million per year for comprehensive homelessness services. In addition, in 2017, the County successfully sponsored State legislative measures that will allow the County to: 1) form homeless multidisciplinary teams; 2) use Mental Health Services Act funds to provide housing assistance to homeless individuals who suffer with mental illness; and 3) directly administer the transaction and use tax ordinance to allocate Measure H sales tax revenue to the County's Homeless Initiative. To further advance our homelessness goals, the County will continue to advocate for State assistance and proposals that: 1) fund initiatives to reduce and prevent homelessness; 2) expand the availability of permanent supportive housing that provide coordinated services; and 3) allow counties to maximize and leverage Federal, State, and local funds to provide services for at-risk and homeless families and single persons.

Criminal Justice Programs. Over the past several years, the County has committed to significant efforts to improve the lives of those individuals involved in, or at risk of being involved in, the criminal justice system, including programs that aim to divert, rehabilitate, and/or reduce the recidivism of vulnerable juvenile and adult populations. The County is spearheading new, comprehensive diversion and supportive services in concert with the continued implementation of new statewide criminal justice responsibilities and mandates. The County will advocate for funding, policies, and programs to support the County's justice system, including to help expand the County's juvenile and adult diversion programs. In addition, the County will oppose State proposals to realign and/or mandate new criminal justice responsibilities to local governments, unless such proposals are vetted by counties and provide adequate State funding and program flexibility.

RECOMMENDED CHANGES TO THE COUNTY'S STATE LEGISLATIVE AGENDA

The recommended changes in the attachment represent requests from this office, departments and commissions, and Board offices to add or modify policy statements consistent with existing operational goals and plans. New policy statements represent emerging programs and issues for which we are seeking the Board's concurrence to guide future advocacy efforts in Sacramento. In addition, some policies are no longer applicable and, therefore, have been removed.

All other previously Board-adopted State Legislative Agenda policies and positions remain in effect and, as such, advocacy will continue on these matters. A revised comprehensive list of all State Legislative Agenda policy statements will be published subsequent to consideration and approval of

the changes included in this letter.

Implementation of Strategic Plan Goals

The proposed policies in the State Legislative Agenda are consistent with the County's Strategic Plan Goals of Operational Effectiveness and Fiscal Sustainability. Operational Effectiveness is achieved by providing timely advocacy on proposals that could significantly impact the County and support the delivery of efficient public services. Fiscal Sustainability results from efforts by the Chief Executive Office and County departments to sustain essential services through proactive and prudent fiscal policies.

FISCAL IMPACT/FINANCING

None.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

None.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

None.

CONCLUSION

The recommended additions, deletions, and changes to existing adopted policies are submitted for the Board's consideration as guiding principles for inclusion in the State Legislative Agenda for the second year of the 2017-18 Legislative Session. This office will ensure that all legislative positions pursued are communicated to the Board, and that Board offices are provided the opportunity for input on those positions prior to any initial advocacy.

The policies and proposals contained in this package are in addition to, and are not intended to replace or be exclusive of any position the Board may adopt at any time during the year. As in the past, the State Legislative Agenda will be updated to reflect subsequent Board actions and will be shared with all County departments subsequent to Board approval.