



**MEMORANDUM**  
OFFICE OF THE  
**COUNTY EXECUTIVE OFFICE**  
COUNTY OF PLACER

**TO:** Honorable Board of Supervisors  
**FROM:** Allison Carlos, Principal Management Analyst  
Joel Joyce, Management Analyst  
**DATE:** May 20, 2014  
**SUBJECT:** 2014 State Legislative Advocacy Update

---

**ACTIONS REQUESTED:**

1. Receive a state legislative advocacy update
2. Consider approval of two position letters for AB 2126 (Bonta) regarding employee relations and AB 1893 (Stone) regarding solid waste; and a letter of principles regarding water bond bill language.

**BACKGROUND**

**2014 State Legislative Report Update**

In December 2013, your Board approved the 2014 Legislative Platform guiding staff advocacy efforts during the year. County staff from various departments advocate for our 2014 priorities and monitor numerous bills; often initiating action for your Board's consideration. To date, through these efforts, the County has taken positions on bills covering a variety of topics including health and human services, veterans' services, housing, transportation, natural resources, employee relations, agriculture and water. Today staff is providing a brief legislative update as bills move out of committee and the Governor's May Revision to the 2014-15 Proposed State Budget is released (May Revision). Further, staff requests approval of advocacy correspondence regarding water bond language, employee relations, and miscellaneous solid waste bills.

**I. May 2014 State Budget Update**

On May 13, Governor Brown released the May Revision. State revenues are forecasted to increase by \$2.4 billion; however, expenditures are expected to increase by the same amount due to higher costs for pensions, Medi-Cal, and the recent \$600 million drought package signed into law earlier this year. The revised budget includes an additional \$100 million in discretionary dollars to repay a portion of existing mandate reimbursement claims that have been owed to local governments since 2004, a total of \$900 million.

Funding for AB 109 Public Safety Realignment remains identical to the levels within the Governor's Budget released in January 2014 at \$934 million with an additional \$160 million set aside for growth that will materialize in October 2015. The current formula for distributing funds to counties in FY 2014-15 sunsets at the end of June 2014. While a range of formulas are under consideration, including elements for measuring workload and performance, at this time the Department of Finance has not specified a method.

Earlier this month, the Governor and the Legislature worked out a deal to put a constitutional amendment for a stronger Rainy Day Fund on the November 2014 ballot. Should the amendment be approved by the voters, according to the Governor's projections, the Rainy Day Fund (largely funded with 1.5% of annual General Fund tax and capital gains revenues) would

result in over \$3 billion in savings and \$3 billion in additional debt payments in its first three years.

## **II. 2014 Water Bond and other water legislation**

The 2014 water bond also known as The Safe, Clean and Reliable Drinking Water Supply Act of 2014 is composed of four policy bills and an \$11.14 billion bond. On July 5, 2012, the Legislature approved a bill to take the measure off the 2012 ballot and place it on the 2014 ballot. At this time, the bond is an \$11.14 billion general obligation bond proposal that would provide funding for California's aging water infrastructure and for projects and programs to address the ecosystem and water supply issues in California.

Currently, the Legislature has 11 other proposals regarding how to re-write the water bond. The 11 proposals provide bond funding in the range of \$5.8 billion to \$9.45 billion and include various amounts of funding for drought relief, regional water projects, water storage and protection of the State's drinking water, rivers, coasts, and environmentally sensitive watersheds. A proposal would need to be approved by the Legislature within approximately one month if they desire to replace the current bond on the ballot. To date, the Governor has not articulated his preferences regarding a bond, and it uncertain if the Legislature will pass any of the proposed bills. It is well known, however, that the Administration does support the two massive tunnels through Sacramento and San Joaquin Counties to convey water to users south of the Delta through the Bay Delta Conservation Plan (BDCP). As your Board and the Placer County Water Agency has previously discussed, this proposal complicates the future of the region's water supply.

Due to the variety and quantity of proposed bills staff recommends your Board consider adopting a principle's letter that would outline provisions that the County could support in lieu of taking a position on any particular bond language. The proposed principles address water supply, infrastructure, and groundwater management interests, but requests equitable funding for Placer County conservancies, which benefit water quantity and quality through preservation and land management. A letter is enclosed with this report for your consideration that supports:

- Expanding surface water storage
- Improving groundwater management
- Providing funding for regional water infrastructure
- Providing equitable funding for Placer County conservancies with equal distribution of dollars to Sierra Nevada Conservancy and Tahoe Conservancy.

Separately, but pertaining to water legislation, Placer County has provided advocacy support for AB 2463 (Dickinson), as amended. This bill requires the Department of Water Resources to partner with the Regional Water Authority, water suppliers in El Dorado, Placer, and Sacramento counties, and other interested parties to develop a plan to improve reliability of water supplies for the Sacramento region while also generating statewide benefits. The bill would require the plan to address certain matters, and would require the department to submit the plan to the Legislature on or before January 1, 2017.

## **III. Employee Relations**

### **AB 2126 (Bonta) - Meyers-Milas-Brown Act: mediation**

Over the course of the past few years, employee relations bills have emerged that Placer County has taken a position on; most often, bills regarding the Meyers-Milas-Brown Act

(MMBA). The MMBA permits each agency to enact its own reasonable rules and regulations for governing employee relations. Staff has reviewed AB 2126 (Bonta) and recommends an opposition letter be provided to the Governor as the bill runs contrary to the central premise of the MMBA as it replaces mutually agreed upon mediation with required mediation if either negotiating party requests it after failing to reach an agreement during the meet and confer process. By allowing either the employer or employee to solely request mediation after failing to reach agreement and providing that fact finding can be requested from any dispute over any matter within the scope of representation where there is an obligation to meet and confer, AB 2126 undermines the constructive bargaining process.

Staff suggests this will result in un-necessary time delays for the conclusion of negotiations, add another cost to already financially challenged local government agencies and unfairly places additional constraints on the collective bargaining process for local governments by changing terms of the (MMBA).

#### **IV. Health and Human Services**

Placer County sponsored and continues to be very engaged in AB 2547 (Gaines) - Placer County Integrated Health and Human Services Pilot Program. This bill extends, indefinitely, provisions relating to the Placer County Health and Human Services Pilot Program (Program).

AB 2547 will allow the County of Placer to continue to operate its integrated Program beyond the current sunset date. This program has demonstrated success in implementing a family-centered and needs-based model (System of Care) of services to children and families since 1995. This effort has demonstrated how efficiency, streamlining and fully integrated programming can be achieved to serve families with needs in child welfare, mental health, probation and education. Central to the approach is facilitating the client's ability to focus on obtaining care and services over navigating through multiple county bureaucracies. The "Placer Model" focuses on strengthening families and meeting their needs in the most responsive manner possible by blending child welfare, mental health, probation, and county office of education services and staff into one physically and functionally integrated division.

#### **V. Other Legislation**

##### **SB 743**

SB 743 was signed into law in 2013 with the purpose of streamlining the City of Sacramento's ability to build a Sports and Entertainment Center in downtown Sacramento. The primary elements of the law relate to environmental quality, transit-oriented infill projects, and judicial-review streamlining for environmental leadership development projects.

The Governor's office of Planning and Research (OPR) has interpreted the law to apply broadly within jurisdictions, not just infill development, and will interfere with use of traffic Level of Service (LOS) in California Environmental Quality Act (CEQA) documents. Placer County is working with Sacramento Area Council of Governments, the City of Roseville, League of California Cities (LCC) and California State Association of Counties (CSAC) on reorienting the regulatory approach in implementing this law. The County is focusing on maintaining the option of LOS use and local control for "infill" and "transit priority areas". State agencies, including OPR, are focused on reducing greenhouse gas emissions and for the use of vehicle miles traveled (VMT) criterion.

Placer County, SACOG, and other stakeholders are recommending that a side-by-side LOS and VMT analysis be conducted over 6-12 months to compare the two methods for determining if VMT is viable and reasonable for inclusion in the CEQA process. After collaborating with stakeholders, SACOG senior staff provided a letter to OPR on May 9, 2014 expressing concerns for the current unintended consequences of implementation of the law and proposing a framework for implementation, including SACOG conducting the analysis referenced above.

**SB 1410 (Wolk/Nielsen) - Wildlife management areas: payments (PILT)**

SB 1410 seeks to provide \$19 million from the General Fund to the Department of Fish and Wildlife (DFW) to make payments to counties for past due obligations related to Payment in Lieu of Taxes (PILT) for wildlife management areas, and \$2 million for ongoing annual payments going forward. Staff did not recommend the County take a position as we are not one of the 36 counties that is owed money as Placer County does not have wildlife management areas that receive federal funding. The County did advocate for PILT on the federal level because of our large amounts of federally owned land, otherwise.

**Extended Producer Responsibility (EPR) Legislation**

The County's Legislative Platform provides for advocacy in support of legislation designed to promote the integration of environmental costs associated with goods throughout their life cycles into the market price of the products rather than local jurisdictions who manage waste.

This legislative session, your Board has supported AB 2284 (Williams) which would require a producer of batteries to develop a stewardship plan, and SB 1014 (Jackson) would establish programs for collection and proper disposal of home-generated pharmaceutical wastes. Today staff is recommending one additional support letter for AB 1893 (Stone). This bill would require that a sharps waste container be sold with the purchase of sharps in the State of California. It also requires that sharps consumers receive information about the proper and legal disposal of sharps, including information about disposal locations. In addition, this bill would not pre-empt locally-enacted ordinances that establish collection systems for home-generated sharps waste.

**SUMMARY**

In conclusion, staff is recommending approval of the three advocacy letters for: (1) water bond principles, (2) AB 2126 (Bonta), and (3) AB 1893 (Stone). Staff continues to coordinate with other jurisdictions on regional issues including economic development, water and CEQA reform. Additionally, staff continues to monitor on-going legislation that will have a potential impact on Placer County programs, initiatives, finances and/or operations.

**FISCAL IMPACT**

There is not net impact to the General Fund by this requested action. The potential for cost reductions and/or increased revenue to the County may occur if these advocacy efforts are successful.

**Attachments**

- Placer County Water Bond Principles Letter
- AB 2126 (Bonta) – Myers-Milas-Brown Act: mediation Oppose Letter
- AB 1893 (Stone) – Sharps waste. Support Letter

# County of Placer Board of Supervisors

175 FULWEILER AVENUE  
AUBURN, CALIFORNIA 95603  
530/889-4010 • FAX: 530/889-4009  
PLACER CO. TOLL FREE # 800-488-4308

JACK DURAN  
District 1

ROBERT M. WEYGANDT  
District 2

JIM HOLMES  
District 3

KIRK UHLER  
District 4

JENNIFER MONTGOMERY  
District 5



May 20, 2014

The Honorable Edmund G. Brown Jr.  
Governor of California  
State Capitol Building  
Sacramento, California 95814

**RE: 2014 Water Bond Legislation**

Dear Governor Brown:

The Placer County Board of Supervisors appreciates the continued discussion in the Legislature regarding 2014 water bond legislation. Placer County remains committed to the following principles on this topic.

A water bond must:

1. Expand water storage capacity and improve groundwater management.
2. Provide funding for regional water infrastructure that will diversify water supply and enhance reliability.
3. Not advance controversial projects such as the twin tunnels that would create long-term water scarcity issues for northern California communities as currently proposed in the Bay Delta Conservation Plan (BDCP).
4. Provide equitable funding for Placer County conservancies with equal distribution of dollars to the Sierra Nevada Conservancy and the Tahoe Conservancy.

We appreciate your commitment to improving California's water supply and restoring and sustaining our natural environment. The Placer County Board of Supervisors will evaluate all bond proposals using these principles. Future investment in California's water infrastructure should consider how all counties statewide contribute to the overall quality of our economy, environment and sustainability. Placer County is committed to working with your Administration to address the State's need for long-term water sustainability and crafting a viable plan for California's water future.

If you have any questions regarding this letter, please contact Allison Carlos at (530) 889-4027.

Sincerely,

COUNTY OF PLACER

Jack Duran, Chairman (District 1)  
Placer County Board of Supervisors

E-mail: [bos@placer.ca.gov](mailto:bos@placer.ca.gov) — Web: [www.placer.ca.gov/bos](http://www.placer.ca.gov/bos)

34a

The Honorable Edmund G. Brown Jr.  
Governor of California  
**RE: 2014 Water Bond Legislation**  
May 20, 2014  
Page 1 of 2

cc: Senator Ted Gaines  
Senator Jim Nielsen  
Assembly Member Brian Dahle  
Assembly Member Dan Logue  
Assembly Member Frank Bigelow  
Assembly Member Beth B. Gaines  
Peterson Consulting Inc.  
California State Association of Counties (CSAC)  
Rural County Representatives of California (RCRC)

# County of Placer Board of Supervisors

175 FULWEILER AVENUE  
AUBURN, CALIFORNIA 95603  
530/889-4010 • FAX: 530/889-4009  
PLACER CO. TOLL FREE # 800-488-4308

JACK DURAN  
District 1

ROBERT M. WEYGANDT  
District 2

JIM HOLMES  
District 3

KIRK UHLER  
District 4

JENNIFER MONTGOMERY  
District 5



May 20, 2014

The Honorable Mike Gatto, Chair  
Assembly Appropriations Committee  
State Capitol, Room 2114  
Sacramento, California 95814

**RE: AB 2126 (Bonta) – Meyers-Milias-Brown Act as amended on March 26, 2014 – OPPOSE**

Dear Assemblyman Gatto:

The Placer County Board of Supervisors wishes to express opposition to AB 2126 which places additional constraints on the collective bargaining process for local governments by changing terms of the Meyers-Milias-Brown Act (MMBA), the collective bargaining law that has governed local public agencies since 1968. The MMBA permits each agency to enact its own reasonable rules and regulations for governing employee relations. AB 2126 runs contrary to the central premise of the MMBA when it replaces mutually agreed upon mediation with required mediation if either negotiating party requests it after failing to reach an agreement during the meet and confer process. Placer County is also opposed to broadening the application of the fact-finding process to any dispute over any matter that has an obligation to meet and confer, in lieu of the current application to successor memorandum of understanding agreements.

The Meyers-Milias-Brown Act requires public agencies and employee organizations to meet and confer in good faith regarding wages, hours, and other terms and conditions of employment. Impasse procedures are provided for in mutually-agreed upon rules that guide collective bargaining between our agency and our employee representatives. These procedures are implemented after the agency has consulted in good faith with employee organizations; a collaboration that is designed to foster a positive and mutually beneficial relationship. AB 2126 undermines the constructive bargaining process between the parties when it eliminates the requirement for the parties to mutually agree to mediation. When both parties agree to mediation it is usually because they believe the process can productively resolve a dispute; requiring an unwilling party to go through mediation would be counterproductive and would un-necessarily delay the conclusion of labor negotiations.

This proposed bill will take issues that are non-economic in nature, and that won't benefit from fact-finding, out of the current labor relations process resulting in significant delays to the conclusion of the bargaining process and will not be conducive to good employee relations.

Placer County staff believes that expansion of fact-finding applications and mandatory mediation requirements could add an additional 100 days or more each to the bargaining timeline, a process that can take six months or longer. Further, it is unlikely that there are enough mediators in the state where they could be appointed within five days of request as suggested by the bill, which would result in a backlog of agencies waiting for a mediator and additional costs to PERB if they have to hire private mediators at higher rates.

The Honorable Mike Gatto, Chair  
Assembly Appropriations Committee

RE: AB 2126 (Bonta) – Meyers-Milias-Brown Act as amended on March 26, 2014 – OPPOSE

May 20, 2014

Page 1 of 2

Placer County does not believe lengthy, drawn-out negotiation periods, and employees working with an expired contract, would promote communication or good employer and employee relations between the County and our employees as intended by the MMBA. We respectfully request withdrawal of AB 2126 as it would increase the cost and time of conducting labor negotiations while at the same time decreasing the fairness of such negotiations and would lead to deteriorating employee relations.

Sincerely,

COUNTY OF PLACER

Jack Duran, Chairman (District 1)  
Placer County Board of Supervisors

cc: Senator Ted Gaines  
Senator Jim Nielsen  
Assembly Member Brian Dahle  
Assembly Member Dan Logue  
Assembly Member Frank Bigelow  
Assembly Member Beth B. Gaines  
Peterson Consulting Inc.  
California State Association of Counties (CSAC)  
Rural County Representatives of California (RCRC)

34d

# County of Placer Board of Supervisors

175 FULWEILER AVENUE  
AUBURN, CALIFORNIA 95603  
530/889-4010 • FAX: 530/889-4009  
PLACER CO. TOLL FREE # 800-488-4308

JACK DURAN  
District 1

ROBERT M. WEYGANDT  
District 2

JIM HOLMES  
District 3

KIRK UHLER  
District 4

JENNIFER MONTGOMERY  
District 5



May 20, 2014

The Honorable Mike Gatto, Chair  
Assembly Appropriations Committee  
State Capitol, Room 2114  
Sacramento, California 95814

**RE: SUPPORT FOR AB 1893 (Stone)**

Dear Assemblyman Gatto:

On behalf of the Placer County Board of Supervisors, I urge your support of Assembly Bill (AB) 1893 (Stone) which would require all sharps sold to the general public in California to be sold with an approved sharps disposal container. That container would be required to provide information to the customer on where they can safely dispose of the product.

Sharps in the waste stream pose a significant danger to the County's contractors and workers. The County provides garbage collection services through contracts with two private hauling companies. Garbage collected is delivered to one of two materials recovery facilities (MRFs) in the County. Although County employees and contractors are appropriately trained to deal with sharps, they are still at risk of being struck every day.

In 2008, California banned home-generated sharps from the trash. At the time of the ban, the State envisioned medical facilities and pharmacies would begin to accept sharps; however few locations in the state have done so and proposed laws aimed to require their involvement have been soundly defeated. Because the ban did not provide funding or a plan for safe and convenient collection, it failed to reduce the number of sharps in the waste stream.

As a result, Placer County finances sharps collection programs, using public ratepayer funds, to safely manage these items. The County MRFs reported that only 65 percent of sharps were received at the public drop off facility, which means that the remainder of sharps recovered at this facility were illegally disposed in the trash and pulled from the waste stream. This is a strong and clear indication that additional efforts are needed to protect solid waste workers from the dangers of sharps in the waste stream.

We believe it is appropriate and in the public's best interest (including solid waste workers) for producers to share in the responsibility of properly managing this problematic waste. For these reasons, the County requests your support for AB 1893. If you have any questions, please contact Kevin Bell at (916) 886-4915.

Sincerely,

COUNTY OF PLACER

Jack Duran, Chairman (District 1)  
Placer County Board of Supervisors

The Honorable Mike Gatto, Chair  
Assembly Appropriations Committee  
RE: SUPPORT FOR AB 1893 (Stone)  
May 20, 2014  
Page 1 of 2

cc: Senator Ted Gaines  
Senator Jim Nielsen  
Assembly Member Brian Dahle  
Assembly Member Dan Logue  
Assembly Member Frank Bigelow  
Assembly Member Beth B. Gaines  
Assembly Member Mark Stone  
Peterson Consulting Inc.  
California State Association of Counties (CSAC)  
Rural County Representatives of California (RCRC)