
MEMORANDUM

To: East Contra Costa Fire Protection District
From: Townsend Public Affairs
Date: March 6, 2019
Subject: Monthly Update – February 2019

State Political Update

In February, the Legislature was busy preparing for the February 22 bill introduction deadline. Approximately 2,576 bills and resolutions were introduced before the deadline, including 1,799 Assembly Bills and 777 Senate bills. By comparison, there were 2,177 bills introduced before the deadline in 2018. Several hundred of these bills are spot bills that currently contain non-substantive language and will likely be amended over the next several weeks. The Legislature must allow introduced bills to sit for 30 days before it can be heard in a policy or fiscal committee.

Major legislative and policy themes this year include affordable housing, homelessness, utility and water management, and fire prevention.

Below is a list of key upcoming deadlines in the Legislature:

- **April 11** – Spring Recess Begins
- **April 26** – Last day for policy committees to hear and report fiscal bills to fiscal committees
- **May 3** – Last day for policy committees to hear and report non-fiscal bills to the floor

One major topic that was widely discussed in the Capitol in February was affordable housing. The Governor continued to distance himself from his predecessor this month by confronting cities who are not complying with their Regional Housing Needs Assessment (RHNA). On February 12, the Administration released a list of 47 noncompliant cities including 15 in Los Angeles County and six in Orange, Riverside and San Bernardino Counties. Efforts to increase affordable housing is going to be a key discussion in the Capitol this year and one that TPA will closely monitor as the ramifications could be detrimental to the District.

State of the State Address

On February 12, Governor Newsom delivered his first State of the State Address before a joint session of the Legislature. Unlike the last several State of the State Addresses, Governor Newsom used the speech as an opportunity to announce numerous policy positions and new initiatives that his office would be embarking on this year.

Governor Newsom announced that he is redeploying the National Guard troops that are currently deployed at the California/Mexico border, as previously directed by the Brown

Administration. Governor Newsom will utilize some of the Guard to prepare for the upcoming fire season by joining CalFire for wildfire prevention and suppression efforts.

Governor Newsom, in the wake of the PG&E bankruptcy, has created a strike team of financial experts and bankruptcy lawyers that will be developing a comprehensive strategy to be presented in 60 days. The strike team will primarily focus on protection for ratepayers, fairness for employees, and justice for fire victims.

On February 13, 2019 Gavin Newsom signed his first two bills as Governor focusing on clean drinking water and fire recovery efforts.

[Assembly Bill 72 \(Committee on Budget\)](#) – Governor Newsom signed this bill to amend the 2018-19 Budget Act to provide additional resources for emergency preparedness and disaster relief. The bill includes the following:

- (1) Appropriates \$30 Million for a statewide disaster preparedness campaign through California Volunteers within the Office of Planning and Research and \$20 Million for local grants through Cal OES.
- (2) Loans \$10 Million to the State Emergency Telephone Number Account (SETNA) to enable commencement of the upgrading of the network as part of the Next Gen 911 System.
- (3) Appropriates \$31.3 Million from the General Fund to backfill property tax losses incurred as a result of wildfires in Butte, Lake, Los Angeles, Orange, Riverside, Shasta and Siskiyou counties.

[Assembly Bill 73 \(Committee on Budget\)](#) – The Governor also signed into law this bill containing various provisions on emergency response necessary to carry out the 2018-19 Budget. The bill:

- (1) Recreates the Disaster Response Emergency Operations Account (DREOA) allowing the Director of Finance to transfer funds from the State Special Fund for Economic Uncertainties Reserve to DREOA for expenses related to a disaster declared by the Governor.
- (2) Clarifies the definition of disaster response operations as those that are immediate and necessary to deal with ongoing or emerging crisis.

Wildfire and Emergency Response and Preparedness

The Senate Budget and Fiscal Review Committee held an informational hearing on Wildfire and Emergency Response Preparedness. The hearing called on experts from the Legislative Analyst's Office, Office of Emergency Services (CalOES), Department of Resources Recycling and Recovery (CalRecycle), and the Department of Forestry and Fire Protection (CalFire) to address questions and concerns about the state of emergency response in California. Below is a series of notes and observations made from this hearing:

CalOES

CalOES operates as a liaison between the State and the Federal Emergency Management Administration (FEMA). In 2017 and 2018, the President declared an Emergency for wildfires in California, thus beginning a process by which Congress directs funds to the State through FEMA. Typically, the payout for a cost of an emergency is a 75-25 split – however the State requested a 90-10 split in 2017 and was awarded that exemption. However, for the 2018 fires, the Trump Administration has signaled an unwillingness to grant that exemption.

CalOES used their testimony to recommend upgrades to the entire state-wide emergency IP-based Next Gen system that will enable real-time transmission of emergency-related voice, text, data, photos and video between the public and public safety agencies.

Furthermore, in an effort to encourage the creation of Hazard Mitigation Plans, CalOES will increase outreach to stakeholders for the Hazard Mitigation Grant Program to ensure that they realize the resources available to them.

CalFire

CalFire played the most active role in fighting last year's fires as the State's primary resource management and wildland fire protection service. CalFire operates 234 fire stations and contracts with agencies in six counties. The Governor's January Budget proposes \$2.6 billion for CalFire in 2019-2020.

CalFire considers the effects of climate change in its short- and long-term outlooks. Calfire went on to state that the added cost of fighting wildfires and prevention efforts will increase significantly over the next decade as a result of climate change. CalFire is preparing to alleviate some of the problems posed by increasing fuel management programs throughout the State.

Another area of concern for CalFire is the Wildland Urban Interface (WUI). The WUI is the area where houses and wildland vegetation intermingle and where wildfire problems are most pronounced. When people build houses in the WUI it poses two problems related to wildfires. First, there will be more wildfires due to accidental human ignitions. Second, wildfires that do occur in the wild will pose a greater risk to lives and homes. CalFire recommends the State study WUI communities so that local governments can use the data to guide future planning efforts.

CalFire understands the need to invest in the State's firefighting infrastructure, therefore CalFire is in the process of acquiring \$109 million worth of firefighting helicopters. The agency is also working with the U.S. Department of Defense on a program to convert C-130 military aircraft for the purpose of aerial firefighting efforts. The agency is also requesting 13 year-around fire engines that can be deployed for fire prevention missions as well as firefighting missions.

Federal Legislative Update

The federal government avoided another shutdown after Congress reached a bipartisan deal to fund agencies through the end of September. As he signed the funding bill, President Trump signed a proclamation to declare a national emergency at the southern border and to redirect federal funding towards the construction of a border wall. While this emergency declaration will face an array of legislative and legal challenges, Congress has been able to move forward with setting its agenda for the 116th Congress from addressing homelessness to promoting infrastructure funding to reauthorizing the Land and Water Conservation Fund. TPA remains engaged with your congressional leaders to ensure they have the support they need in Washington, DC to promote your priorities.

State of the Union Address

On February 5, President Trump delivered his second State of the Union address. In it, he called on a divided Congress to find opportunities to work together and enact bipartisan legislation. A few highlights of the speech are below:

- President Trump emphasized accomplishments during his first two years in office, including:
 - the elimination of regulations;
 - the passage of the Farm Bill;
 - criminal justice reform;
 - a package to address the nation's opioid crisis;
 - increased American oil and gas production; and
 - tax cuts and doubling the child tax credit.

- The President stated there is a crisis at our southern border and restated his request for funding to construct a border wall.
 - While the President said that legal immigrants make our country strong, he made no reference to the Deferred Action for Childhood Arrivals (DACA) program, which is currently in legal limbo. In last year's State of the Union address, he called for a comprehensive immigration passage that would include a path to citizenship for Dreamers.

- President Trump said that passing an infrastructure bill was a necessity, but in contrast to his description of infrastructure reform in last year's State of the Union address, offered no policy details.

- President Trump says his "next major priority" should be to lower the cost of health care and prescription drugs and to protect patients with pre-existing conditions.

- While bipartisan reactions during the speech were not frequent, both Republicans and Democrats reacted favorably to President Trump mentioning criminal justice reform, growing female employment, and the record number of women serving in Congress, as well as his call to pass comprehensive infrastructure reform and lower healthcare costs while protecting preexisting conditions.

We will be watching carefully for additional policy specifics in the coming weeks and will keep you updated on new developments.

Many of the bills that have been introduced are referred to as SPOT bills and serve as a placeholder for something more substantive. In the coming weeks we will provide a more in-depth analysis and complete bill tracking report after mulling through the hundreds of new bill that have been introduced and will be amended.

ACA 1 (Aguiar-Curry) The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit that would authorize a city, county, or city and county to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure or affordable housing, if the proposition proposing that tax is approved by 55% of the voters of the city, county, or city and county, as applicable, and the proposition includes specified accountability requirements

AB 510 (Cooley) Sponsored by CSDA, this bill modernizes existing law to catch up with the technology of today and allows flexibility for public agencies to adapt to future technological advances, allowing agencies to diligently manage their financial and equipment resources by setting their own records retention policies based on the needs and the use of their cameras, radios, and telephones.

Assembly Bill 740 (Burke) is an intent bill to establish the Wildfire Victim Restitution Fund to ensure victims are compensated in a timely manner.

Assembly Bill 747 (Levine) would require a safety element of the Planning and Zoning Law to address evacuation routes to include their capacity under a range of emergency scenarios.

Assembly Bill 868 (Bigelow) would provide that consideration of public safety impacts in wildfire mitigation plans for electrical corporations include deenergizing impacts on water and waste water.

Assembly Bill 905 (Chen) would require the Department of Transportation to update the use of k-rails, weed mats or other fire proofing devices in fire prone areas.

Assembly Bill 911 (Rodriguez) is an intent bill to establish a 911 emergency system that would enable elder adults and persons with disabilities to provide vital health and safety information to enable fire responders to better assist them during an emergency.

Assembly Bill 921 (Arambula) is an EMT spot bill.

Assembly Bill 932 (Low) would permit workers' compensation benefits to a firefighter engaged in fire-suppression or rescue operations outside of the state.

Assembly Bill 1049 (Grayson) would provide a tax exemption for equipment purchased for use by an on-call volunteer fire department.

Assembly Bill 1116 (Grayson) is an intent bill to establish a peer support program for firefighters.

Assembly Bill 1168 (Mullin) would require each public safety answering point to deploy a text to 911 service no later than January 1, 2021.

Assembly Bill 1211 (Reyes) is an intent bill to provide a pathway for convicted criminals who have demonstrated rehabilitation to work as firefighters.

Assembly Bill 1231 (Boerner-Horvath) would require response time requirements for ground

emergency medical transportation to be consistent with performance standards set by the International Academies of Emergency Dispatch.

Assembly Bill 1299 (Flora) is an OES spot bill.

Assembly Bill 1368 (E. Garcia) is an intent bill to enact legislation that would extend death benefits to firefighters employed by tribal fire departments who are killed in the line of duty.

Assembly Bill 1375 (Bigelow) would increase the state share for disaster allocations to local agencies for the removal of dead and dying trees from no more than 75% to not more than 90%.

Assembly Bill 1388 (Flora) is a spot bill pertaining to fire protection districts.

Assembly Bill 1280 (Grayson) would create a Firefighter Peer Support and Crisis Referral Services Pilot Program.

Senate Bill 4 (McGuire) has been amended to provide for a streamlined approval approach to infill affordable housing and contains provisions disallowing impact fees for such projects.

Senate Bill 290 (Dodd) would authorize the Governor to purchase insurance or other related alternative risk transfer policies for the State to help mitigate against costs incurred in response to a natural disaster.

Senate Bill 542 (Stern) would define injury within the workers' compensation system for fire fighters and police to include post-traumatic stress or mental health disorder.

Senate Bill 548 (Hill) would require the PUC to establish a schedule of inspections by utility companies of their transmission lines.

Senate Bill 670 (McGuire) would require telecommunications providers to provide increased outage notices to the OES and would direct the OES to notify applicable local government offices.

Senate Bill 761 (Jones) is a CAL FIRE emergency notice reporting to the Legislature measure.