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January 9, 2024

Marin County Board of Supervisors
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Re: County of Marin 2024 Legislative Platform

Dear Supervisors:

RECOMMENDATION: Approve, with any Board modifications, the proposed 2024 Legislative Platform, including Federal and State Platforms and General Policy Guidelines.

BACKGROUND: Each year the Office of the County Executive leads the development of a Legislative Platform for the coming calendar year. The Legislative Platform provides the direction of the Marin County Board of Supervisors on Federal, State, and other intergovernmental legislative matters. The purpose of having an annual Platform adopted by the Board is: (1) to provide an overview of the Board's federal and state policy priorities and (2) to provide County Staff with the authority to act quickly on time-sensitive matters that arise throughout the year – so long as actions are in alignment with the adopted Platform. The Legislative Platform is also used to guide recommendations on Board positions for statewide ballot propositions.

The Platform includes three main sections, however, it is important to note that most policy issues overlap categories:

- I. Federal Legislative Platform
- II. State Legislative Platform
- III. General Policy Guidelines

During the past year, the adopted Legislative Platform was used to send support/oppose letters on pending legislation on behalf of your Board, as well as grant support letters. All information on the County's Legislative Program is posted on the [Office of the County Executive's website](#).

Legislative Platform Development

The annual process of updating the County's Legislative Platform begins in the fall, when the Office of the County Executive reviews the current year document and makes updates to reflect new, emergent or revised stances based on recent state/federal policy changes, local priorities, or other societal changes.

All County Departments then review the draft updated document – including sharing with their Boards and Commissions. These edits and suggestions are then incorporated into a draft to present to the Board of Supervisors for individual review and feedback. The Office of the County Executive holds annual fall meetings with each Supervisor and the County's State Lobbyists (Shaw Yoder Antwih Schmelzer &

Lange) to review the Supervisor’s priorities, and ensure the County’s Legislative Platform reflects their policies. A final draft of the Legislative Platform document that incorporates this Supervisor feedback is then shared with the County’s agency partners: the Transportation Authority of Marin (TAM), Marin Transit District, Sonoma-Marín Area Rail Transit (SMART), Marin Clean Emergency (MCE).

This proposed 2024 Legislative Platform therefore reflects input from all stakeholders involved in the process. As always, your Board retains the opportunity to amend the plan at any time.

2023 State Legislative Recap & 2024 Outlook

After a historic \$100 billion State Budget surplus in 2022-2023 – this year’s 2023-2024 State Budget was marked by a sharp descent into deficit. The final 2023-2024 State Budget had to patch a \$30 billion deficit; the result of slower economic growth than expected from a downturned stock market and lower income taxes (especially of the state’s highest earners), inflation and high-interest rates.

Legislators and the Governor resolved the budget problem by using one-time reserves, reducing and delaying planned spending, fund shifts, and internal borrowing and extending the Managed Care Organization (MCO) tax.

However, despite the challenging Budget year, Marin still secured several earmarks through Assemblymember Damon Connolly for high-priority one-time needs (two of which were County requests):

- **\$530,000** to the County for West Marin Emergency Medical Services Equipment
- **\$1,000,000** to the County for Golden Gate Village Playground Upgrades
- **\$1,000,000** to the Marin Community College District for the Science Field Station

On the policy side, the 2022-2023 Legislative session proved to be an impactful one for County Behavioral Health. Notable Legislation passed was Senate Bill 326 (Eggman) and Assembly Bill 531 (Irwin), which together comprise Proposition 1 on the March 2024 ballot. The Proposition would both revamp the 2004 Mental Health Services Act and how counties use funding from it – and also advance a \$6.38 billion bond to build 10,000 new behavioral health housing and treatment beds across the state. Additionally, Senate Bill 43 (Eggman) expands the definition of “gravely disabled” and therefore the eligibility for conservatorship under the Lanterman-Petris-Short (LPS) Act. On December 19, 2023 your Board approved the recommendation of the Health and Human Services Department to delay implementation of SB 43 in Marin to no later than January 2026. To date, 56 of California’s 58 counties have chosen to delay.

Additionally, 2022-2023 passed new consequential housing bills, including SB 423 (Weiner) which extends SB 35 (Weiner, 2017), a bill that streamlines approvals for housing development with affordable units based on Area Median Income. The Legislative session ahead is likely to offer new opportunities to address some of Marin’s unique and urgent needs, such as housing for workers on agricultural lands and in the Coastal Zone.

Looking to 2024, we know the State Budget will be facing an even more serious crunch, with the Legislative Analyst's Office projecting a \$68 billion deficit for 2024-2025. Some of this is a result of new laws: Senate Bill 525 (2023) set a minimum wage for healthcare workers beginning in June 2024, and is estimated to cost the state \$4 billion in its first year alone. Some was also the result of delayed Internal Revenue Service (IRS) deadlines associated with last year's storm events – which delayed certainty regarding tax collections.

The State's poor fiscal outlook means that bond proposals are taking on a critical importance. Last year's legislative session saw the introduction of almost a dozen bonds, from climate resiliency to natural resources to affordable housing. However, the only bond on the March 2024 ballot is the Behavioral Health residential bond under Proposition 1. We anticipate returning to your Board in early February with an analysis and staff recommendations regarding statewide measures on the March 2024 ballot. Legislators have until summer 2024 to finish negotiating which other bonds will make the November 2024 ballots: only a select number will be, as the state has a limit on the new debt it can take out.

The November 2024 ballot will also include Assembly Constitutional Amendment (ACA) 1, which would lower the voter-approval threshold for all public infrastructure and affordable housing bonds from the current two-thirds to 55%.

2023 Federal Legislative Recap & 2024 Outlook

The 2023 Federal legislative landscape was a challenging and dynamic one for California, marked by significant leadership upheaval. The 118th Congress made history in its election and ousting of Speaker Kevin McCarthy of California – and passed just 27 bills into law. By comparison, the last 10 Congresses averaged passing 391 bills into law each session. The passing of the late Senator Dianne Feinstein this fall also meant that California's second Senate seat is now being held on a 14-month interim basis by Senator Laphonza Butler – with the permanent replacement to be decided in by voters 2024.

However, Marin was still able to advance a number of important federal interests. Though still not officially funded, Congressman Huffman included \$2 million for North Bay Dairy Community Transition Assistance and \$2.75 million for the Pt. Reyes Senior Housing development project (formerly Coast Guard Base) in his [2024 Community Project Requests](#). Additionally, partner agencies in Marin secured major regional federal funding for transportation projects including \$32 million to SMART in Federal Railroad Administration, Consolidated Rail Infrastructure and Safety Improvement funds for the extension to Healdsburg and Cloverdale.

Looking forward, 2024 will be a critical year to advance both funding and policy interests at the federal level, since it will be the final year of the Biden Administration's initial term before the election. These interests include those generally consistent with your Board's priorities: housing vouchers, Medi-Cal waivers, expanded social services, assistance advancing affordable housing projects

and FEMA approval for flood control projects. Federal priorities could change substantially pending the November presidential election. We are also monitoring Congressional negotiations in early 2024 on funding the federal government since the current Continuing Resolutions expire on January 19 and February 2.

2024 Legislative Platform

The section below highlights some of the high-priority initiatives within the proposed 2024 Legislative Platform, edited here for brevity. The full document is attached.

General Guidelines

- **Race Equity, Diversity, Inclusion and Belonging.** Support efforts to ensure an equity approach toward policy, legislation, and administration of public programs that is anti-racist and acknowledges community members affected by systemic racism built into government systems.
- **Honoring Indigenous Peoples.** Support policies that honor the sovereignty of our local tribes, including ensuring access to cultural sites and initiatives that promote education about the history of Indigenous peoples in Marin County for all residents and visitors.
- **County Revenue Sources and Local Authority.** Oppose attempts to restrict county revenue sources or authority, including efforts to change excess educational revenue augmentation fund (ERAF) formulas shifting local property tax funding for state benefit.
- **Local Businesses.** Support the needs of Marin’s local businesses, of which nearly 70% have 9 or less employees. Target support is needed for businesses in underserved neighborhoods, and businesses that employ/serve communities of color.
- **Preserving Local Agriculture.** Support land use policies and state legislation that preserves Marin’s centuries-old tradition of sustainable agriculture and ranching. Explore updates to the Williamson Act (designed to preserve agriculture in communities) to meet present-day needs of historical, small-scale farms; such as allowances for agritourism, more housing and use of lands for open space preservation. Substandard housing on agricultural lands and in the Coastal Zone also needs to be addressed.

Housing and Homelessness

- **Housing Production.** Support efforts to permit and encourage counties to collaborate with their cities for the production and preservation of housing units and create a streamlined process for low, and very low-income housing. Support more state funding for the infrastructure costs associated with new housing development; including recycled water, schools, new roads, utilities (including onsite septic improvements in rural areas) and expanded multimodal transportation.
- **Affirmatively Furthering Fair Housing.** Support streamlined approval of new housing units, while maintaining community input and involvement, especially in areas historically underrepresented in public processes. Ensure that laws designed to streamline construction of housing with low- and moderate-income units result in geographically equitable distribution of new development, and do not disproportionately impact underserved, lower-resourced neighborhoods.

Support efforts to improve the definition of “affordable” housing by using the Median Income of the census tract of the development or other more localized indices, rather than the countywide Area Median Income (AMI).

- **Homelessness.** Support a comprehensive strategy to address homelessness including creating a comprehensive system that recognizes the role of all levels of government and community partners working together with clear responsibilities and accountability and long-term and funding for housing with wraparound services needed to keep people housed. Support funding for programs that target homelessness prevention by providing the subsidies required to keep individuals and families housed, such as through Shallow Rental Subsidy programs.

Health and Human Services

- **Mental Health Services Act Reform.** Monitor updates related to Mental Health Services Act reform (SB 326) and the proposed \$6.38B general obligation bond to build new treatment beds and housing units (AB 531). Support efforts aligned with statewide associations to allow counties to allocate their allotted funds to maintain the most locally critical behavioral health services, especially those targeted at underserved populations.
- **Child Welfare and Foster Children and Families.** Support strengthened collaboration with County services and enhanced services to meet the needs of foster children and their families/caregivers. Support enhanced transition supports for children once they “age out” of the system including housing (to ensure they can stay in Marin), and for pursuing higher education.
- **Preschool and Child Care.** Support enhanced state funding for preschool, day care, childcare slots and facilities; increased childcare reimbursement rates and provider wages; and training and retention of childcare workers – including new sustainable, long-term sources as Prop. 10 tobacco tax revenues tied to early childhood development decline. Support flexibility in childcare operations to ensure it can meet the needs of all communities: lower-income residents need not only culturally responsive centers, but also operations during irregular hours.
- **Older Adults.** Support efforts to protect and expand funding, services, supports and protections for Marin’s increasing older adult population. This includes vulnerable frail elders, dependent adults, and those experiencing access and functional needs to keep them safely in their homes and communities and to strengthen outcomes of the social determinants of health.
- **Public Guardian and Conservatorship.** Support enhanced funding for evaluations by Behavioral Health; Public Guardian investigations; Public Defenders representing candidates for Conservatorship; and funding for anticipated increased conservatorship placements under SB 43, SB 1338 (CARE Act), SB 317 and other relevant state legislation.
- **Opioid Safety.** Support policies and strategies to address opioid misuse, including preventative programs, education and treatment – with a focus on the urgent need to combat the fentanyl crisis.
- **Caregiver Programs.** Support the protection and improvement of the In-Home Supportive Services (IHSS) program, including efforts to provide increasing, sustainable wages to providers. To do this sustainably the state must increase the wage cap by which it will fully participate in its share of program costs. Support efforts to address the urgent need for caregivers for individuals of all ages living with disabilities that fall into the “eligibility gap”,

where income levels are too high to qualify for Medi-Cal services but too low to afford quality community or home-based care.

Transportation and Infrastructure

- **State Route 37.** Support accelerated planning and construction of a State Route 37 elevated causeway “ultimate” project. The multimodal, multi-benefit sea level rise adaptation project would also include near-term measures to address congestion and flooding.
- **Richmond-San Rafael Bridge.** Monitor developments related to the bicycle and pedestrian Westbound I-580 multiuse path on the Richmond-San Rafael Bridge and partner with the Transportation Authority of Marin, Caltrans, MTC and the City of San Rafael regarding potential impacts on local roads should the third lane be opened to vehicle traffic.
- **Public Transit.** Support public transit and alternative transportation options, especially serving low-income residents with high transit needs such as students, older adults, and people living with disabilities. Support the wide needs of a transition to electric and zero-emission bus, rail and ferry fleets, including charging and maintenance facilities.
- **Local Road and Transportation Funding.** Support efforts to enhance local road funding. As the use of electric vehicles increases and gas tax revenues decrease, explore revenue options based on vehicle miles traveled or road user charges including to delivery companies. Seek enhanced funding that recognizes the impact of climate change-intensified storms: the 2022-2023 storms cause nine landslides along 6.5 miles of Bolinas Road.
- **Multimodal Transportation.** Support public transit, bicycle and pedestrian-oriented infrastructure, and transportation demand management (TDM) measures, including efforts to complete the North-South Greenway to create a continuous multiuse pathway network. Support regulations for electric bicycles and scooters such as appropriate age and speed limits and enhanced safety training.

Public Safety

- **Disaster Preparedness.** Support efforts to improve disaster preparedness including preparation for extreme heat events; wildfire events; winter storm and flooding events; earthquakes and other emergencies. Support programs that identify and assist vulnerable populations with emergency readiness, evacuation planning, and shelter access.
- **Homeowner Insurance.** Support sustainable, long-term state-level solutions to the homeowner wildfire insurance crisis in California: in 2023 several of the largest private insurers stopped renewing or issuing new policies in the state, and/or have sharply increased rates for existing homeowners. Support efforts to reward home-hardening and wildfire mitigations taken by homeowners to reduce their premiums. Support an equity-based approach to rate setting which takes homeowner income and property value into account.
- **Streamlining Emergency Work.** Support making permanent the authorizations by the Governor in response to the 2022-2023 storms which gave jurisdictions streamlined permitting approval to clear debris and perform emergency repairs to critical infrastructure.
- **Juvenile Justice.** Oppose efforts that set back progress in aligning responsibility for the juvenile justice continuum from the state to County governments and diminish local authority in determining the best care and rehabilitative treatment settings for justice-involved youth.

Climate Change and Energy

- **Sea Level Rise Adaptation, Mitigation and Resiliency.** Seek funding and work with partners to enhance protections and adaptations of low-lying areas to sea level rise, and managed retreat where alternative mitigations are not feasible. Support “cutting the green tape” efforts for environmentally beneficial projects.
- **Local Renewable Energy and Governance:** Support continued development of local renewable energy resources and supply like solar and wind. Support efforts to expand current energy capacity and resiliency, including energy storage and the use of microgrids. Support an equity-focus on the clean energy transition, particularly for low-income communities.

Natural Resources

- **Water Conservation and Drought Resilience.** Support efforts to reduce non-essential drinking water use and expand the availability of reclaimed water (e.g., “purple pipes”). Support efforts to enhance the resiliency of Marin’s drinking water infrastructure, and multi-jurisdictional efforts to expand storage and/or supply to West Marin.
- **Tomales Bay Water Quality Programs.** Seek assistance for projects designed to improve water quality in Tomales Bay, including a multi-jurisdictional approach to visitor facility management and water quality monitoring and enforcement.
- **Coastal Zone.** Explore amendments to the California Coastal Act to 1) allow agricultural operations adjacent to the shoreline to qualify for Categorical Exclusions; and 2) reconcile the Act with the new Housing Element.

Technology

- **Consumer Protection.** Explore equity-centered policies on fees imposed by service providers; such as prohibiting communication providers from continuing to charge customers rental fees on equipment such as routers or modems long after the consumer has paid the market value of the equipment.
- **Broadband.** Support efforts in alignment with the Digital Marin Strategic Plan to fund broadband infrastructure to provide affordable, accessible, reliable high-speed internet. Support efforts to require installation of open access broadband infrastructure during construction of multi-dwelling buildings.
- **Artificial Intelligence (A.I.).** Monitor developments and progress regarding A.I., including opportunities to leverage the technology to improve government service delivery and streamline operations and processes. Support regulations that protect against the risks of A.I. deployment such as discrimination, bias and cyberattacks.

With your Board’s approval of the 2024 Legislative Platform, including any amendments, we will work with our state and federal delegations and advocacy representatives to advance the priorities in the Platform in the coming year.

Submitted by:



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Reviewed by:



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