

LA Chapter Federal & State Update

January 13, 2021
Virtual Meeting



AMERICAN COUNCIL OF ENGINEERING COMPANIES

California

House Results

- GOP – 211*
- Dem – 222
- Reps net gain likely 12
- GOP reclaimed 4 seats in CA lost in '18

U.S. Senate

- GOP – 50
- Dem- 50
- VP-elect Kamala Harris will have a job in the Senate
- Learn Joe Manchin's name
- Alex Padilla will become CA's junior U.S. Senator next week

Biden Cabinet

- Theme, careerists, Obama alums
- CA influence, AG Becerra to HHS

Biden's First 100 Days

- Stimulus is Job one
- Vaccines to Vaccinations
- Foreign Relationships

State Legislature

- Senate: 31 Dems, 9 Reps
- Assembly: 60 Dems, 19 Reps & 1 Independent
- Biden's win creates musical chairs in Sacramento
- New committee chairs
- Recall effort

November Ballot Props

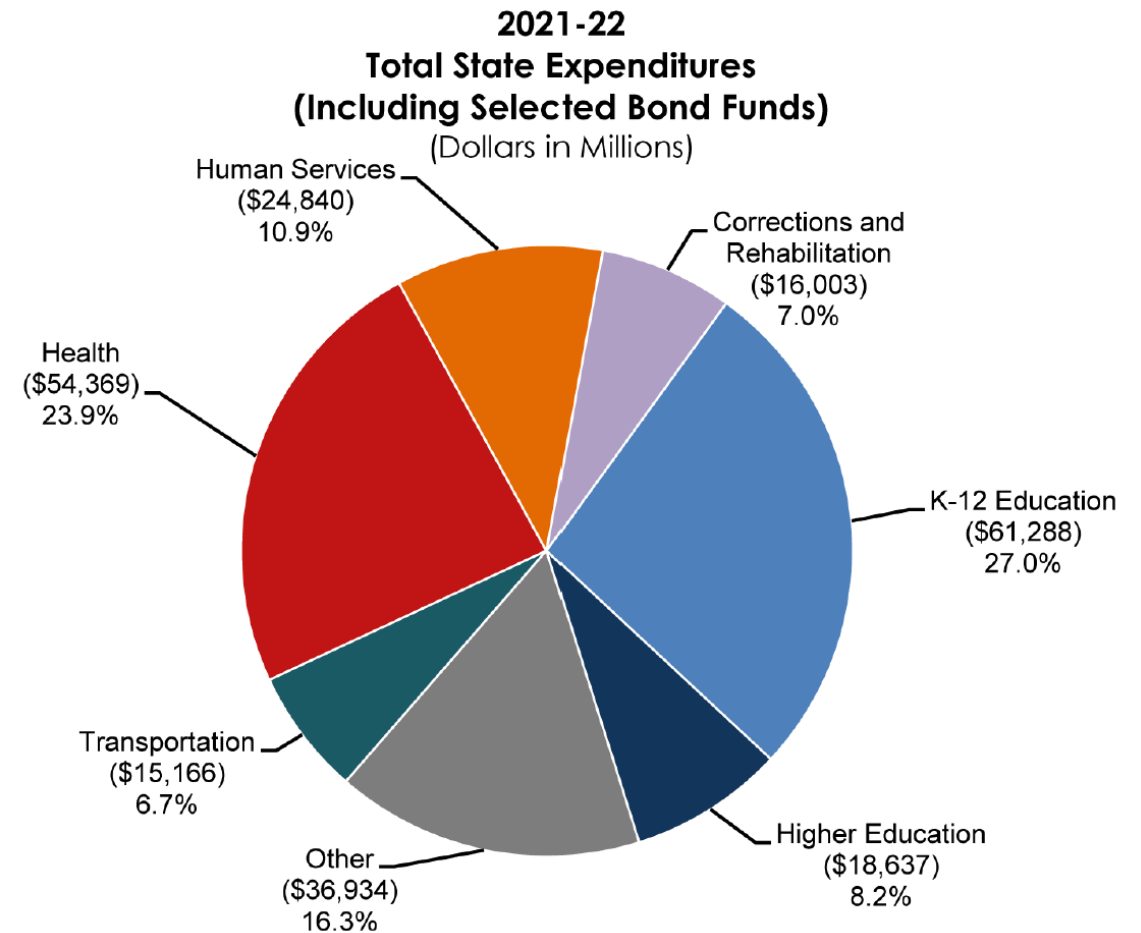
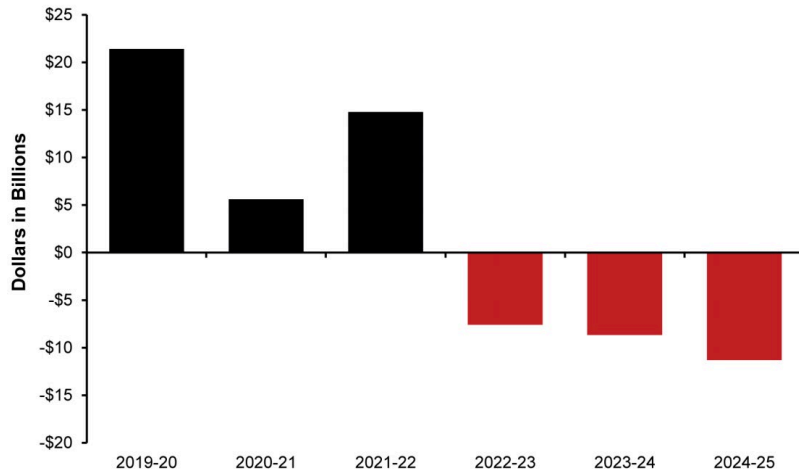
- Approved
 - 14 – Stem cell research
 - 17 – Lets parolees vote
 - 19 – Portable property tax break
 - 22 – Uber/Lyft
 - 24 – California's data privacy law

November Ballot Props

- Defeated
 - 15 – Split roll property taxes
 - 16 – Restores affirmative action
 - 18 – Lets 17 year olds vote
 - 20 – Increases penalties for certain property crimes
 - 21 – Rent control
 - 23 – Dialysis centers
 - 25 – Abolishes cash bail**

State Budget

- Total of \$227B
 - \$22B surplus in FY 21/22
- State Stimulus



State Budget

- Five-Year \$5.2B Infrastructure Plan:
 - \$1.6B* for state office building construction
 - \$2.1B* for courts construction
 - \$715.8M* for state fire fighting facilities construction
 - \$300M General Fund for deferred maintenance to state-owned facilities
 - \$500M General Fund for infill infrastructure grants
- Also:
 - \$2.9B from Feds for transit & state highways (anticipated)
 - \$1.5B* for ZEV infrastructure

Legislative Session 2021-22

- Expect to see bills on:
 - COVID relief
 - Wildfire prevention
 - Environmental protection / climate change
 - Affordable housing
 - Police reform
 - (Targeted) CEQA reform
- Other hot topics for A&E:
 - Tax on Services
 - High-Speed Rail
 - Alquist Act (hospital seismic safety) end-run

Govt Code 1090



An Overview of Section 1090 and FPPC Advice

October 2020

I. Preliminary Matters

Government Code section 1090¹ prohibits an officer or employee from entering into or participating in making contracts in which they have a financial interest:

(a) Members of the Legislature, state, county, district, judicial district, and city officers or employees shall not be financially interested in any contract made by them in their official capacity, or by any body or board of which they are members. Nor shall state, county, district, judicial district, and city officers or employees be purchasers at any sale or vendors at any purchase made by them in their official capacity.¹

Govt Code 1090



A Quick Guide to Section 1090

October 2020

What is “Section 1090”?

Government Code Section 1090 provides, in part, that “[m]embers of the Legislature, state, county, district, judicial district, and city officers or employees shall not be financially interested in any contract made by them in their official capacity, or by any body or board of which they are members.”¹

What is the purpose of Section 1090?

Section 1090 “codifies the long-standing common law rule that barred public officials from being personally financially interested in the contracts they formed in their official capacities.”²

Govt Code 1090

NIELSEN MERKSAMER

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**POLITICAL &
GOVERNMENT**

LAW
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**ATTORNEY WORK PRODUCT
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TO: Tyler Munzing VIA EMAIL
American Council of Engineering Companies-California

FROM: Michael A. Columbo
Sean P. Welch
John J. Moffat

DATE: November 16, 2020

RE: Practice Guide to the FPPC's New Section 1090 Guidance

This practice guide provides key information for ACEC member companies about new developments in the law of conflicts of interest that should be considered when contracting with public agencies for different phases of a multi-phase project.

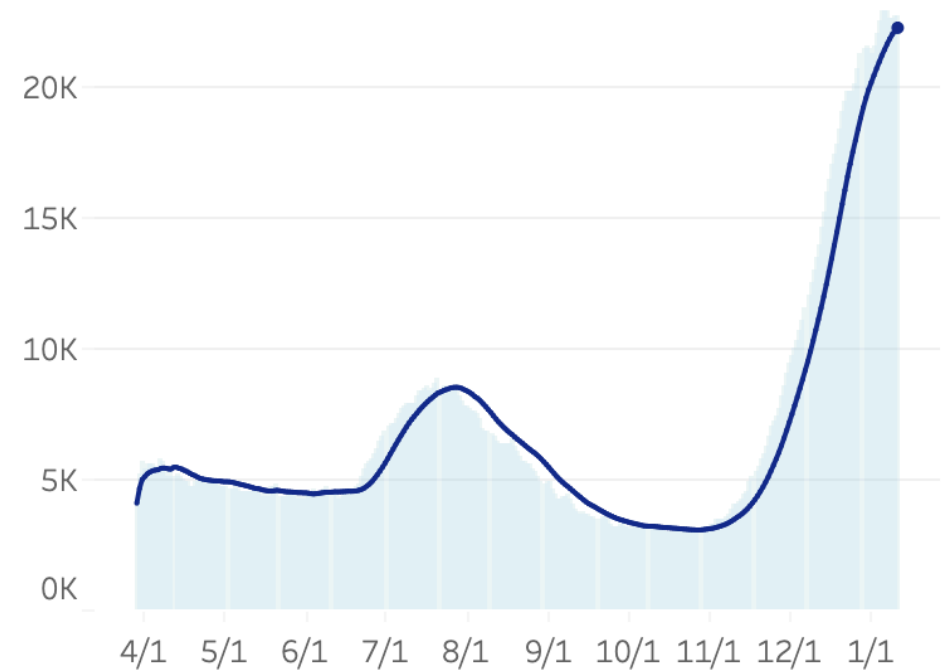
Govt Code 1090

- Client Response Survey: <https://bit.ly/3oTCC7U>
- For more specific information, please see the Legislative Briefs that have gone out to members by email recently (see Nov 17 & Oct 23).
- If you are currently not receiving our regular Legislative Briefs, please contact Jesse Herzer at jherzer@acec-ca.org to sign up.

Vaccine Rollout

- 2.75M confirmed cases in CA
- 30,500 deaths in CA
- ICU capacity:
 - Northern CA = 17.6%
 - Bay Area = 0.7%
 - Greater Sacramento = 9.4%
 - San Joaquin Valley = 0.0%
 - Southern California = 0.0%

22,665 COVID-19 hospitalized patients
+36 patients
0.2% increase from prior day



2022 is a Redistricting and Reapportionment Year

- California redistricts by independent Citizens Redistricting Commission:
 - 5 Democrats
 - 5 Republicans
 - 4 Unaffiliated

Redistricting Highlights

- Highlights:
 - CA likely will lose a Congressional seat (52)
 - Senate and Assembly seats reapportioned
 - Seats move inland

Questions?