

CSAC BOARD OF DIRECTORS

BRIEFING MATERIALS

Thursday, September 1, 2016

10:00 a.m. 1:30 p.m.



Meeting Location:

Sutter Club, California Room
1220 9th Street, 2nd Floor
Sacramento



California State
Association of Counties



CALIFORNIA STATE ASSOCIATION OF COUNTIES
BOARD OF DIRECTORS
Thursday, September 1, 2016
10:00am to 1:30pm
Sutter Club, California Room, 1220 9th Street, 2nd Floor, Sacramento
Conference Line – (800) 867-2581 code: 7500508#

A G E N D A

Times for agenda items listed herein are approximate. Matters may be considered earlier than published time.

Presiding: Richard Forster, President

10:00am PROCEDURAL ITEMS

1. Pledge of Allegiance

2. Roll Call Page 1

3. Approval of Minutes of May 19, 2016 Page 3

10:15am SPECIAL PRESENTATIONS

4. Statewide Tree Mortality Status Report
 - *Chief Ken Pimlott, Cal-Fire*

5. CSAC Finance Corporation Report Page 7
 - *Supervisor Linda Seifert, CSAC Finance Corp. President*
 - *Alan Fernandes, CSAC Finance Corp. Executive Vice Pres.*

6. CSAC Corporate Partner Page 8
 - *Larry Tonelli, Election Systems & Software*
 - *Jim Manker, CSAC staff*

10:45am ACTION ITEMS

7. Consideration of November 2016 Ballot Initiatives Page 9
 - Proposition 53: Revenue Bonds, Statewide Voter Approval
 - Proposition 55: Tax Extension to Fund Education and Healthcare
 - Proposition 56: Cigarette Tax to Fund Healthcare, Tobacco Use Prevention, Research, and Law Enforcement
 - Proposition 57: Criminal Sentences. Juvenile Criminal Proceedings and Sentencing
 - Proposition 64: Marijuana Legalization
 - Proposition 65: Carry-Out Bags. Charges
 - Proposition 67: Referendum to Overturn Ban on Single-Use Plastic Bags

8. Affirmation of CSAC Annual Meeting Site Selection for 2018 Page 34
 - *Graham Knaus, CSAC staff*

12:00pm LUNCH

12:30pm INFORMATION ITEMS

- 9. County Administrative Officers Assoc. of CA (CAOAC) Report Page 38
 - *Pat Blacklock, CAOAC President*

- 10. Final State Budget and Legislative Update Page 39
 - *DeAnn Baker & CSAC Advocacy staff*

- 11. CSAC Operations and Member Services Update Page 53
 - *Graham Knaus, CSAC staff*

- 12. Information items without presentation Page 57
 - CSAC/League of Cities Joint Task Force on Homelessness
 - CSAC Litigation Coordination Program Report
 - Institute for Local Government (ILG) Report
 - CSAC Institute for Excellence in County Government Class Schedule
 - 2016 & 2017 Calendar of Events

1:30pm ADJOURN

Note: The next CSAC Board of Directors meeting is on December 1, in Palm Springs, Riverside County

CALIFORNIA STATE ASSOCIATION OF COUNTIES

Board of Directors

2016

<u>Section</u>	<u>County</u>	<u>Director</u>
U	Alameda County	Keith Carson
R	Alpine County	Terry Woodrow
R	Amador County	Louis Boitano
S	Butte County	Bill Connelly
R	Calaveras County	Michael Oliveira
R	Colusa County	Kim Dolbow Vann
U	Contra Costa County	John Gioia
R	Del Norte County	David Finigan
R	El Dorado County	Ron Mikulaco
U	Fresno County	Henry Perea
R	Glenn County	John Viegas
R	Humboldt County	Virginia Bass
S	Imperial County	Raymond Castillo
R	Inyo County	Jeff Griffiths
S	Kern County	Leticia Perez
R	Kings County	Doug Verboon
R	Lake County	Anthony Farrington
R	Lassen County	Jim Chapman
U	Los Angeles County	Don Knabe
R	Madera County	David Rogers
S	Marin County	Damon Connolly
R	Mariposa County	John Carrier
R	Mendocino County	Carre Brown
S	Merced County	Hubert "Hub" Walsh
R	Modoc County	Jim Wills
R	Mono County	Larry Johnston
S	Monterey County	Fernando Armenta
S	Napa County	Diane Dillon
R	Nevada County	Ed Scofield
U	Orange County	Lisa Bartlett
S	Placer County	Jim Holmes
R	Plumas County	Lori Simpson
U	Riverside County	John Benoit

U	Sacramento County	Susan Peters
R	San Benito County	Jaime De La Cruz
U	San Bernardino County	James Ramos
U	San Diego County	Greg Cox
U	San Francisco City & County	vacant
S	San Joaquin County	Bob Elliott
S	San Luis Obispo County	Bruce Gibson
U	San Mateo County	Carole Groom
S	Santa Barbara County	Doreen Farr
U	Santa Clara County	Ken Yeager
S	Santa Cruz County	Bruce McPherson
S	Shasta County	Leonard Moty
R	Sierra County	Lee Adams
R	Siskiyou County	Ed Valenzuela
S	Solano County	Linda Seifert
S	Sonoma County	Efren Carrillo
S	Stanislaus County	Vito Chiesa
R	Sutter County	Larry Munger
R	Tehama County	Robert Williams
R	Trinity County	Judy Morris
S	Tulare County	Steve Worthley
R	Tuolumne County	Sherri Brennan
U	Ventura County	Kathy Long
S	Yolo County	Jim Provenza
R	Yuba County	Roger Abe

President: Richard Forster, Amador
 First Vice President: Dave Roberts, San Diego
 Second Vice President: Leticia Perez, Kern
 Immed. Past President: Vito Chiesa, Stanislaus

SECTION: U=Urban S=Suburban R=Rural

CALIFORNIA STATE ASSOCIATION OF COUNTIES
 BOARD OF DIRECTORS
 May 19, 2016
 Hyatt Regency Hotel, Sacramento

MINUTES

Presiding: Richard Forster, President

1. ROLL CALL

Alameda	Keith Carson	Placer	Jim Holmes
Alpine	Terry Woodrow	Plumas	Lori Simpson
Amador	Richard Forster	Riverside	John Benoit
Butte	Bill Connelly	Sacramento	Susan Peters
Calaveras	Michael Oliveira	San Benito	Jaime De La Cruz
Colusa	absent	San Bernardino	absent
Contra Costa	absent	San Diego	Roberts/Cox
Del Norte	absent	San Francisco	vacant
El Dorado	Ron Mikulaco	San Joaquin	Bob Elliott
Fresno	Henry Perea	San Luis Obispo	Bruce Gibson
Glenn	absent	San Mateo	Carole Groom
Humboldt	Virginia Bass	Santa Barbara	Doreen Farr
Imperial	absent	Santa Clara	Ken Yeager
Inyo	absent	Santa Cruz	Bruce McPherson
Kern	Leticia Perez	Shasta	Leonard Moty
Kings	Craig Pederson	Sierra	absent
Lake	absent	Siskiyou	Ed Valenzuela
Lassen	Jim Chapman	Solano	Linda Seifert
Los Angeles	absent	Sonoma	Efren Carrillo
Madera	absent	Stanislaus	Vito Chiesa
Marin	Damon Connolly (audio)	Sutter	absent
Mariposa	John Carrier	Tehama	Robert Williams
Mendocino	Carre Brown	Trinity	Judy Morris
Merced	Hubert "Hub" Walsh	Tulare	Steve Worthley
Modoc	Jim Wills	Tuolumne	Sherri Brennan
Mono	Larry Johnston	Ventura	Kathy Long
Monterey	Fernando Armenta (audio)	Yolo	absent
Napa	Diane Dillon	Yuba	Roger Abe
Nevada	Ed Scofield	Advisors: Pat Blacklock and Charles McKee	
Orange	absent		

The presence of a quorum was noted.

2. APPROVAL OF MINUTES

The minutes of February 18, 2016 were approved as previously mailed.

3. GOVERNOR'S MAY REVISION OF THE 2016-17 STATE BUDGET

Michael Cohen, Director of the State Department of Finance, reported that the Governor released his May revision of the state budget last week and the revenue forecast is down by \$2 billion from the January estimates. He noted that minimum wage and the managed care extension are big issues in the May Revise. The Governor is continuing to advocate for increasing the size of the state's Rainy Day Fund, using current revenue on one-time items and to pay off debt, and avoiding new ongoing commitments.

4. CSAC REPORT ON GOVERNOR'S MAY REVISION

Staff reported that the Governor's May Revision includes additional funding to help areas most impacted by tree mortality. Specifically, \$11 million in General Fund monies would go to Cal Fire to assist with tree removal and disposal. The Assembly Budget Subcommittee redirected \$250 million that was slated for local jail construction and rehabilitation projects. Staff will continue to advocate for getting those funds back. The budget also includes \$177 million to 19 counties that chose the formula option under AB 85, Affordable Care Act implementation. It also increases funding for county implementation of AB 403, Group Home Reform. CSAC and other county stakeholders will continue to work with the Administration to ensure counties receive sufficient funding for capacity building and the implementation of the new practice requirements under AB 403. Details on these budget items as well as a complete May Revise analysis was sent to all counties last week. It is also available on the CSAC website.

5. CSAC FINANCE CORPORATION REPORT

Supervisor Linda Seifert, President of the CSAC Finance Corporation, reported that the Finance Corp. Board approved its annual budget at the recent Finance Corp. annual meeting in Riverside County. Given the projected increase in net revenue for the current fiscal year, the Finance Corp. Board approved up to an additional \$300,000 contribution to CSAC in the current year. A large part of the projected increase in net revenue is attributable to the success of the California Statewide Communities Development Authority (CSCDA). The Finance Corp. will be co-hosting a series of US Communities Supplier Summits aimed at bringing in county and city end-users to meet suppliers and learn more about the program. The first one will be held on May 24 in San Bernardino County.

6. CSAC CORPORATE PARTNER REMARKS

Steve Bennett from Dominion Voting Systems reported that there are currently 35 counties under contract with Dominion. They are working with counties to potentially implement an all-mail balloting system in the event that legislation passes in California. He noted that Colorado currently has all-mail balloting in place and has saved 40% in election costs.

7. CSAC OPERATIONS AND MEMBER SERVICES UPDATE

Staff reported that the CSAC Corporate Partnership Program is currently at 63 members. CSAC held a regional meeting in Shasta County of March 24 to discuss tree mortality. Sixteen counties attended. The next regional meeting will be in Amador County on June 16, and will focus on public safety issues. Staff noted that CSAC now operates on a strong fiscal foundation, due in large part to the sale of the Ransohoff building. Employee retirement cost sharing was also implemented as well as multiple efficiencies. CSAC's headquarters building has now been paid off, eliminating all debt. The Call for Entries for the 2016 CSAC Challenge Awards opened in April. The CSAC Institute continues to evolve to meet the education needs of counties. Classes are now being offered in Sacramento, San Diego, Merced and Contra Costa.

8. CSAC POLICY COMMITTEE REPORTS

Housing, Land Use & Transportation. Staff reported that the policy committee meeting held on May 19, was devoted entirely to housing policy discussion. The committee heard reports from the CA

Department of Housing and Community Development and updates on the numerous housing proposals currently in the Legislature. Staff distributed a memo outlining the various housing proposals.

Health & Human Services. Supervisor Ken Yeager, Chair of the Health & Human Services (HHS) policy committee, presented a report from the meeting held on May 19. The committee received updates on the HHS portion of the Governor's May Revise, jail medical costs, In Home Supportive Services (IHSS) issues, and a presentation by Sacramento County on "Strategies for Creating Permanency for Older Foster Youth." No action items were brought forward for Board consideration.

Government Finance & Administration. Supervisor Henry Perea, Chair of the Government Finance & Administration policy committee, presented a report from the meeting held on May 19. The committee considered a measure on the November ballot titled "No Blank Checks" Revenue Bond Approval. This measure requires statewide voter approval for the state to issue revenue bonds exceeding \$2b for any single project. The policy committee voted to oppose the measure. It will be brought before the Executive Committee in August and the Board of Directors in September.

Agriculture, Environment & Natural Resources. Supervisor Diane Dillon, Chair of the CSAC Agriculture, Environment & Natural Resources policy committee, presented a report from the meeting held on May 19. The committee received reports on medical marijuana, tree mortality, the Delta tunnels proposal, climate change and waste management. No action items were brought forward for Board consideration.

Administration of Justice. Supervisor Virginia Bass, Vice-Chair of the Administration of Justice policy committee, presented a report from the meeting held on May 18. The committee heard a presentation on San Bernardino County's response to the recent domestic terrorist attack. Alameda County Sheriff Ahern provided a presentation on a regional emergency preparedness exercise for first responders.

9. BROADBAND PLATFORM LANGUAGE

In the fall of 2015, CSAC began developing language to guide advocacy efforts following increased state and federal legislative actions related to broadband, or high speed internet. Staff presented draft CSAC Platform language as contained in the briefing materials. This language was previously reviewed and approved by the Executive Committee.

Motion and second to adopt Broadband policy and include in the CSAC Platform. Motion carried unanimously.

10. FORMATION OF JOINT TASK FORCE ON HOMELESSNESS

To foster collaboration on combatting homelessness, CSAC is proposing the formation of a joint task force on homeless issues with the League of California Cities (League). The task force would meet in person in Sacramento at least three times in 2016, and consist of an even number of city and county representatives. The League approved the formation of the task force in April and the desire of both CSAC and the League is to hold an initial meeting by late May/early June. Staff requested that the Board affirm the authority of the CSAC Officers to make appointments to the task force.

Motion and second to approve the formation of a Joint Task Force on Homelessness and affirm CSAC Officers' authority to appoint members. Motion carried unanimously.

11. PROPOSED CSAC BUDGET FOR FY 2016-17

Supervisor Judy Morris, CSAC Treasurer, outlined the draft CSAC Budget for FY 2016-17, as contained in the briefing materials. The budget was previously approved by the Executive Committee. She noted the following highlights: no dues increase; Finance Corp. contribution will be \$3.5 million; Corporate Associates revenue increased by 20%; and continuation of the CSAC Institute satellite programs. It was noted that CSAC has implemented an Operating Reserve Policy and a Procurement Policy to strengthen fiscal operations. In addition, CSAC will be paying off its building mortgage this year.

Motion and second to adopt the CSAC Budget for FY 2016-17. Motion carried unanimously.

12. PROPOSED AMENDMENTS TO CSAC CONSTITUTION

At its December 2015 meeting, the Board of Directors reached consensus in support of draft amendments to the CSAC Constitution, and directed staff to bring the proposal back for final approval. The draft language was contained in the briefing materials. The first proposed change seeks to clarify

that CSAC is a private nonprofit, not a legislative body. Directors would be nominated instead of appointed by counties, and then approved by the Executive Committee. The second amendment is a clarification dealing with CSAC's financial involvement in issue campaigns. CSAC previously adopted policy requiring a 2/3 vote requirement when considering financial participation in a campaign supporting or opposing a ballot measure, but that language was not incorporated into the Constitution.

Motion and second to approved proposed changes to the CSAC Constitution. Motion carried with one 'No' vote.

13. APPOINTMENT OF CSCDA COMMISSIONER

The California Statewide Communities Development Authority (CSCDA) is governed by a seven-member Commission, four appointed by CSAC and three appointed by the League of California Cities. There is currently one vacancy on the commission. It was recommended that Ron Holly, Chief Deputy Auditor-Controller of Monterey County, be appointed to fill that vacancy. Mr. Holly is currently an alternate commissioner. It was further recommended that Sacramento County Executive Nav Gill be appointed to serve as alternate commissioner.

Motion and second to appoint Ron Holly and Nav Gill to the CSCDA Commission. Motion carried unanimously.

14. INFORMATIONAL REPORTS

All Board members were encouraged to attend the NACo annual conference in Long Beach in July, to show support for Supervisor Greg Cox who is running for NACo 2nd VP. New CSAC staff was introduced: Cara Watson, meeting planner and Elizabeth Marsolais, legislative analyst. The briefing materials contained reports on the Litigation Coordination Program, the Institute for Local Government (ILG), and a copy of the IRS Form 990.

Meeting adjourned.



CALIFORNIA STATE ASSOCIATION OF COUNTIES
FINANCE CORPORATION

September 1, 2016

To: CSAC Board of Directors

From: Linda Seifert, President
Alan Fernandes, Executive Vice President

RE: CSAC Finance Corporation Update

As previously reported the Executive Committee in early August, the CSAC Finance Corporation Board was pleased to be able to provide the full \$300,000 extra contribution to CSAC that was anticipated as a result of fiscal projections in April. In fact, 2015-16 was a very successful year for the Finance Corporation programs.

A large part of the increase in net revenue for FY 2015-16 was attributable to the success of the California Statewide Communities Development Authority (CSCDA). Here is a brief summary of CSCDA's public benefit activities for the year ending June 30, 2016:

- Total Bonds Issued – **\$2,813,040,251 (Up 21%)**
- Nonprofit Healthcare Bonds Issued – **\$1,573,175,000 (Up 23%)**
- Affordable Housing Bonds Issued – **\$676,698,947 (Up 92%)**
- New Affordable Housing Bonds– **\$1,465,500,000 (Up 256%)**
- Infrastructure Bonds Issued – **\$86,130,000 (Up 70%)**
- Property Assessed Clean Energy (PACE) Bonds – **\$147,750,192 (Up 540%)**

Additionally, at its June meeting, the CSAC Finance Corporation Board approved financial goals for the organization to increase the annual contribution to CSAC over the next five years. Finally, our next Board meeting will take place in Santa Barbara County during the week of September 12th where we will meet with our counter parts at NACo and all of our business partners.

Election Systems & Software

As the world's largest elections-only company, Election Systems and Software, LLC has been providing election equipment, software, and services for nearly 35 years. ES&S serves 42 states and more than 2,400 of the 3,144 county-level governments across the United States.

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Qualified 2016 Ballot Measures

- 17 ballot measures are qualified for November
- CSAC will likely take positions on 8 ballot measures

Ballot Measures - Official CSAC Position				
Prop #	Qualified November Measure	Policy Committee	Current Status	Position
52	State Fees on Hospitals. Federal Medi-Cal Matching Funds. Language here	HHS	Position of Support	Support. The CSAC Board voted to support this measure at the December 2015 Board meeting.

Ballot Measures - Pending CSAC Position				
Prop #	Qualified November Measure	Policy Committee	Current Status	Recommended Position
53	Revenue Bonds. Statewide Voter Approval. [Cortopassi] Language here	GFA	Action item for September 1 Board of Directors	CSAC Executive Committee voted to oppose this measure at its August 4 meeting.
55	Tax Extension to Fund Education and Healthcare. Language here	HHS	Action item for September 1 Board of Directors	CSAC Executive Committee voted to support this measure at its August 4 meeting.
56	Cigarette Tax to Fund Healthcare, Tobacco Use Prevention, Research, and Law Enforcement. Language here	HHS	Action item for September 1 Board of Directors	CSAC Executive Committee voted to support this measure at its August 4 meeting.
57	Criminal Sentences. Juvenile Criminal Proceedings and Sentencing. Language here	AOJ	Action item for September 1 Board of Directors	CSAC Executive Committee voted to take " no position " at its August 4 meeting.
64	Marijuana Legalization. Language here	AENR and GFA	Action item for September 1 Board of Directors	CSAC Executive Committee voted to take " no position " at its August 4 meeting.
65	Carry-Out Bags. Charges. Language here	AENR	Action item for September 1 Board of Directors	CSAC Executive Committee voted to oppose this measure at its August 4 meeting.
67	Referendum to Overturn Ban on Single-Use Plastic Bags Language here	AENR	Action item for September 1 Board of Directors	CSAC Executive Committee voted to support this measure at its August 4 meeting.

Other Ballot Measures	
51	School Bonds. Funding for K-12 School and Community College Facilities.
54	Legislature. Legislation and Proceedings.
58	English Language Education [Chapter 753, Statutes of 2014]
59	Campaign Finance: Voter Instruction. [Chapter 20, Statutes of 2016]
60	Adult Films. Condoms. Health Requirements.
61	State Prescription Drug Purchases. Pricing Standards.
62	Death Penalty. [Bans death penalty.]
63	Firearms. Ammunition Sales.
66	Death Penalty. Procedures. [Changes appeals process.]



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September 1, 2016

To: Members, CSAC Board of Directors

From: DeAnn Baker, Deputy Executive Director of Legislative Affairs
Dorothy Holzem, Legislative Representative
Betsy Hammer, Legislative Analyst

**Re: 2016 Ballot Measure Proposition 53. Revenue Bonds.
Statewide Voter Approval – ACTION ITEM**

Recommendation: The CSAC Executive Committee recommends the Board of Directors adopt an “oppose” position on Proposition 53 due to concerns related to local control erosion. This includes requirements under Proposition 53 to seek voter approval statewide for revenue bonds funding regional or local projects where the state is involved with the project.

Background: In sum, Proposition 53 requires statewide voter approval for the state to issue revenue bonds exceeding \$2 billion dollars for any single project. The proponent’s intent is to bring greater accountability and transparency to state financed infrastructure projects through mandatory voter-approved action.

Unlike general obligation bonds, revenue bonds are not currently subject to voter approval requirements. They can be passed by a majority of the Legislature with an identified and designated revenue source that will be used to repay investors. The voter approved distinction is based on the fact that revenue bonds do not put the state General Fund at risk, unlike general obligation bonds. Recently, revenue bonds have been used to finance capital improvement projects for the University of California, California Department of Corrections and Rehabilitation, and the State Water Project. The California Earthquake Authority issues revenue bonds backed by insurance premiums to pay claims.

The \$2 billion dollar threshold would be adjusted annually to reflect inflation, as determine by the Consumer Price Index. Voter approval must be achieved at a “statewide election” which could be interpreted to mean the vote could be held during a primary, general or even special election.

Attorney General’s Summary: Requires statewide voter approval before any revenue bonds can be issued or sold by the state for projects that are financed, owned, operated, or managed by the state or any joint agency created by or including the state, if the bond amount exceeds \$2 billion. Prohibits dividing projects into multiple separate projects to avoid statewide voter approval requirement.

Fiscal Impact: The Legislative Analyst’s Office offers that the fiscal effect on state and local governments is unknown and would vary by project. It would depend on (1) the outcome of projects brought before voters, (2) the extent to which the state relied on alternative approaches to the projects or alternative financing methods for affected projects, and (3) whether those methods have higher or lower costs than revenue bonds. The State Treasurer’s Office concurs that fiscal impacts are hard to determine due to undefined terms in the measure’s language and unknown outcomes from voter approved or rejected bond proposals.

Staff Comments:

Impact on Projects Statewide, State and Local: Proposition 53’s definition of impacted projects is limited to the state only, or when the state is a party to the project. It defines the state as expressly not including counties, amongst other local government entities. However, there are two likely scenarios where this measure could impact counties. First, if counties enter into a JPA with the state, or are part of a state-created JPA, then those projects would be subject to the revenue bond voter approval requirements. The Bay Area Toll Authority and the Orange County Transportation Corridor Agencies are two current JPA’s with a state and local partnership. JPAs formed by legislative special acts would also be subject to Proposition 53 requirements and restrictions.

Local Control Threat. The second possible impact to counties is less explicit but speaks directly to the issue of local control. Revenue bonds are repaid by “users” of a project who benefit. For example toll roads, toll bridges, parking fees are paid by users and not taxpayers statewide. Requiring statewide voter approval on local or regional projects ultimately paid for by users within a local region is not consistent with local control policies.

Definitions Unclear. Other concerns that may or may not impact counties include the lack of definition for terms including “revenue bond” and “project”. The measure also offers that multiple projects are considered to be the same single project if they: 1) are physically or geographically proximate to each other or 2) cannot complete its purpose or function without the completion of another allegedly separate project. This could expand the number of projects potentially subject to the voter-approval requirements and make the \$2 billion dollar trigger threshold much easier to meet or exceed.

Support/Opposition (as of August 18, 2016):

The following are listed in support of Proposition 53, amongst others:

- Howard Jarvis Taxpayers Association
- Various local taxpayer associations
- Various local chambers of commerce
- Various local and state elected officials

The following are listed in opposition to Proposition 53, amongst others:

- League of California Cities
- Rural County Representatives of California
- Self-Help Counties Coalition
- California State Sheriffs' Association
- California Association of Councils of Governments
- Association of California Water Agencies
- California Hospital Association
- California Chamber of Commerce
- Various local, state and federal elected officials
- Various regional transportation, trade, union, business, healthcare and tax payer associations

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September 1, 2016

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To: Members, CSAC Board of Directors

From: DeAnn Baker, Deputy Executive Director of Legislative Affairs
Farrah McDaid Ting, CSAC Legislative Representative
Elizabeth Marsolais, CSAC Legislative Analyst

RE: **Proposition 55. Tax Extension to Fund Education and Healthcare.
Initiative Constitutional Amendment – ACTION ITEM**

Recommendation. The CSAC Executive Committee recommends a SUPPORT position on Proposition 55 to the CSAC Board of Directors.

Background. The Tax Extension to Fund Education and Healthcare (Proposition 55) is commonly referred to as the “Proposition 30 tax extension.”

Proposition 55 extends the personal income tax on high-income earners from 2018 to 2030. Proposition 55 would affect roughly the 1.5% of taxpayers with the highest incomes. Please note that Proposition 55 does not impact 2011 Realignment revenue, as county funding for realigned programs and services is constitutionally guaranteed under Proposition 30, regardless of whether any of the original tax increases are extended or expire.

Proposition 55 would provide ongoing revenue for K-12 schools and community colleges. Further, it creates a new state budget formula for supplemental Medi-Cal spending, some of which could be allocated to county public hospitals. Under Proposition 55, the Director of Finance would be required to determine whether General Fund revenues exceed constitutionally required spending on education and costs of government services that were in place as of January 1, 2016. The lesser of 50% of the resultant amount or \$2 billion would be allocated for state Medi-Cal services. Any remaining funds would be placed in the state’s General Fund.

Attorney General’s Summary. Extends by twelve years the temporary personal income tax increases enacted in 2012 on earnings over \$250,000 (for single filers; over \$500,000 for joint filers; over \$340,000 for heads of household). Allocates these tax revenues 89% to K-12 schools and 11% to California Community Colleges. Allocates up to \$2 billion per year in certain years for healthcare programs. Bars use of education revenues for administrative costs, but provides local school governing boards discretion to decide, in open meetings and subject to annual audit, how revenues are to be spent.

Fiscal Impact. The Legislative Analyst’s Office suggests that Proposition 55 will result in increased income tax revenues between \$4 billion and \$9 billion each year, depending on the state of the economy and stock market. Roughly half of the revenue raised by Proposition 55 will go towards increased funding for schools and community colleges. Proposition 55 will result in between \$0 and \$2 billion each year in increased

Medi-Cal funding, depending upon decisions and estimates from the Director of Finance.

Staff Comments. Proposition 55 does not affect 2011 Realignment revenues, and counties are supportive of additional supplemental funding for state Medi-Cal and health care costs.

Ballot Measure Review Process. The CSAC Health and Human Services Policy Committee considered Proposition 55 at their July 18 meeting. Only a “Yes on 55” speaker was available at the time, as the opposition was still in the organizing stages.

The Health and Human Services Policy Committee unanimously voted to recommend a SUPPORT position to the Executive Committee.

The Executive Committee considered Proposition 55 at their August 4 meeting. At that time, the Executive Committee heard from both a “Yes on 55” and a “No on 55” speaker.

The Executive Committee voted to recommend a SUPPORT position to the Board of Directors.

Adoption of a position on a ballot proposition, support or oppose, by the Board of Directors will require at least fifty percent plus one of the member counties. In the case of a call for weighted voting, at least fifty percent plus one of the member counties must be present. There will only be one vote per county on ballot propositions. Members may participate and vote by phone.

Invited Speakers

Yes on 55: Anne McLeod, Senior Vice President for Health Policy and Innovation, California Hospital Association

No on 55: David Wolfe, Legislative Director, Howard Jarvis Taxpayers Association

Each speaker will have 5 minutes to speak and may respond directly to questions as needed.

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September 1, 2016

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To: Members, CSAC Board of Directors

From: DeAnn Baker, Deputy Executive Director of Legislative Affairs
Farrah McDaid Ting, CSAC Legislative Representative
Elizabeth Marsolais, CSAC Legislative Analyst

RE: **Proposition 56. Cigarette Tax to Fund Healthcare, Tobacco Use Prevention, Research and Law Enforcement – ACTION ITEM**

Recommendation. The CSAC Executive Committee recommends a SUPPORT position on Proposition 56 to the CSAC Board of Directors.

Background. The Cigarette Tax to Fund Healthcare, Tobacco Use Prevention, Research and Law Enforcement (Proposition 56) would raise the state excise taxes on cigarettes by \$2, from 87 cents per pack to \$2.87 per pack. Taxes on other tobacco products, including cigars, would also increase by \$2, from \$1.37 to \$3.37. Proposition 56 would also extend the state excise taxes to electronic cigarettes for the first time. The revenues raised from these increased taxes would be predominantly used for additional spending on Medi-Cal and to backfill any losses to state and local First 5 Commissions.

Attorney General's Summary. Increases cigarette tax by \$2.00 per pack, with equivalent increase on other tobacco products and electronic cigarettes containing nicotine. Allocates revenues primarily to increase funding for existing healthcare programs; also for tobacco use prevention/control programs, tobacco-related disease research and law enforcement, University of California physician training, dental disease prevention programs, and administration. Excludes these revenues from Proposition 98 funding requirements. If tax causes decreased tobacco consumption, transfers tax revenues to offset decreases to existing tobacco-funded programs and sales tax revenues. Requires biennial audit.

Fiscal Impact. The Legislative Analyst's Office suggests that the new excise taxes would increase state revenue by over \$1 billion in fiscal year 2017-18, with likely lower annual amounts in future years. Over \$1 billion in increased funding in 2017-18 would mostly be used for state health programs, and the net long-term impact on state and local governments' health care costs is currently unknown.

Staff Comments. CSAC has long-supported efforts to increase taxes on tobacco products to both discourage tobacco use and raise funds for health needs and prevention efforts. Proposition 56 would provide revenue for state Medi-Cal activities, of which counties are supportive, and preserves critical funding for state and local First 5 (Proposition 10) activities to improve the lives of Californians aged 0 to 5.

Ballot Measure Review Process. The CSAC Health and Human Services Policy Committee considered Proposition 56 at their July 18 meeting. Only a "Yes on 56" speaker was available at the time, as the opposition was still in the organizing stages.

The Health and Human Services Policy Committee unanimously voted to recommend a SUPPORT position to the Executive Committee.

The Executive Committee considered Proposition 56 at their August 4 meeting. At that time, the Executive Committee heard from both a “Yes on 56” and a “No on 56” speaker.

The Executive Committee voted to recommend a SUPPORT position to the Board of Directors.

Adoption of a position on a ballot proposition, support or oppose, by the Board of Directors will require at least fifty percent plus one of the member counties. In the case of a call for weighted voting, at least fifty percent plus one of the member counties must be present. There will only be one vote per county on ballot propositions. Members may participate and vote by phone.

Invited Speakers

Yes on 55: Anthony Wright, Executive Director, Health Access California

No on 55: David Wolfe, Legislative Director, Howard Jarvis Taxpayers Association

Each speaker will have 5 minutes to speak and may respond directly to questions as needed.

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September 1, 2016

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To: Members, CSAC Board of Directors

From: DeAnn Baker, Deputy Executive Director of Legislative Affairs
Darby Kernan, CSAC Legislative Representative
Stanicia Boatner, CSAC Legislative Analyst

Re: Proposition 57. The Public Safety and Rehabilitation Act of 2016 – ACTION ITEM

Recommendation: The CSAC Executive Committee recommends a “No Position” on Proposition 57 to the CSAC Board of Directors.

Background: Proposition 57 amends the California Constitution to give parole consideration to individuals sent to prison for a non-violent felony once they have completed the full term of their primary offense. The Initiative defines primary offense as the longest term imposed excluding any additional terms that are added to an offender’s sentence such as enhancements, consecutive sentences, or alternative sentences. In addition, Proposition 57 amends the California Constitution to specify that the California Department of Corrections and Rehabilitation (CDCR) have the authority to award credits to inmates for good behavior and approved rehabilitative and educational achievements. Both of these provisions require the Secretary of CDCR to certify that they protect and enhance public safety. Proposition 57’s intent is to give offenders an incentive to participate in rehabilitative programs in prison and earn an opportunity to go before the Board of Parole Hearings (BPH).

Proposition 57 also makes statutory amendments to the 2000 initiative, Proposition 21, that increased a variety of criminal penalties committed by youth and resulted in an increase of youth offenders into the adult criminal justice system. Proposition 57 eliminates the ability for a district attorney to direct file to adult court on juvenile cases. Juveniles alleged to have committed a felony can be tried in adult court only if the court, after a hearing determines the minor should be tried in adult court. All presumptions are removed and the court must weigh the factors and decide whether the youth should be charged as an adult or juvenile. Proposition 57 limits the ability to charge minors 14 and 15 years-of-age in adult court for certain serious/violent offenses.

Attorney General’s Summary: Proposition 57 allows parole consideration for persons convicted of nonviolent felonies upon completion of full prison term for primary offense, as defined. The Initiative authorizes CDCR to award sentence credits for rehabilitation, good behavior, or educational achievements. Requires the Department to adopt regulations to implement new parole and sentence credit provisions and certify they enhance public safety. Provides juvenile court judges shall make determination, upon

prosecutor motion, whether juveniles age 14 and older should be prosecuted and sentenced as adults.

Fiscal Impact: The Legislative Analyst's Office (LAO) suggests that there could be savings to the state depending on how specific provisions in Proposition 57 are implemented and costs to county governments. For state savings it would depend on the extent to which BPH grants parole and CDCR awards additional credits. To the extent that credits expedite the release of inmates who would be supervised by probation on Post-Release Community Supervision (PRCS), this would temporarily increase county costs to supervise these individuals in the community following their release. The LAO estimates that these costs could range from minor to the tens of millions of dollars annually for a period of years.

The changes to the process for juveniles will increase county costs primarily because counties are responsible for paying a portion of the costs of housing juvenile offenders in the state Division of Juvenile Justice (DJJ). There are additional costs for probation departments which are responsible for supervising these youthful offenders upon their release from DJJ.

Staff Comments: California has undergone major criminal justice reforms in the last few years resulting in counties taking on more responsibility for felony offenders in county jails and on supervision by probation departments. There is a concern that additional reforms will impact the bandwidth of local criminal justice systems. With that said, California's prison system is under a federal court-ordered population cap and without additional reforms there is a very real possibility that California could exceed the population cap and a court appointed compliance officer will be required to release inmates. Both processes have an impact on county governments, however, Proposition 57 at least ensures that offenders are disciplinary free, have completed rehabilitative and educational programs, and are no longer considered a risk to public safety. There are no criteria for the compliance officer in determining releases.

Currently, under the federal court order, CDCR is currently implementing credit and parole reforms that include credit earning increases for non-violent, non-sex registrant second strike offenders and minimum custody inmates; parole consideration by BPH for non-violent second-strike offenders who have served 50% of their sentence; parole consideration by BPH for certain inmates with indeterminate sentences granted parole with future parole dates; medical parole; and parole consideration for elderly inmates over 60 years of age.

Proposition 57 formalizes what CDCR is already doing to meet the Federal Court requirements. This is needed in order to meet the federal court requirements of a "durable solution" and to eventually have the state take back its prison system.

Ballot Measure Review Process: The CSAC Administration of Justice Policy Committee considered Proposition 57 at their July 28 meeting.

The Administration of Justice Policy Committee unanimously voted to recommend NO POSITON to the Executive Committee.

The Executive Committee considered Proposition 57 at their August 4 meeting. The Executive Committee voted to recommend NO POSITION to the Board of Directors.

The Chief Probation Officers of California support Proposition 57 and the California State Sheriffs Association has not taken a position on Proposition 57. The California District Attorneys Association opposes Proposition 57.

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To: CSAC Board of Directors
From: DeAnn Baker, Deputy Executive Director of Legislative Affairs
Cara Martinson, CSAC Legislative Representative

RE: Proposition 64: Adult Use of Marijuana Act (AUMA)

Recommendation. The CSAC Executive Committee recommends NO POSITION on Proposition 64 to the CSAC Board of Directors.

Summary. Proposition 64, the Adult Use of Marijuana Act (AUMA), would allow adults age 21 and older to possess, transport, purchase, consume and share up to one ounce of marijuana and eight grams of non-medical marijuana. AUMA has six major components, including: adult use of non-medical marijuana; adult use of medical marijuana; and regulation of non-medical marijuana; taxation; local control provisions and criminal penalties. The following memo outlines in greater detail these provisions and their impact on local government-.

Background. *Legalization Efforts.* California is one of the latest states to enter into the recreational marijuana legalization debate. Voters in Alaska, Colorado, Oregon, Washington and the District of Columbia have legalized small amounts of marijuana for adult recreational use. Colorado and Washington measures passed in 2012, and Alaska, Oregon and District of Columbia in the fall of 2014. No state legislature, to date, has legalized recreational marijuana separate from a voter initiative.

In November 2016, California, Maine, Massachusetts and Nevada will have adult-use measures on the ballot. However, this is not the first time that marijuana legalization for non-medical use has come before the voters in California. Proposition 19, the Regulate, Control & Tax Cannabis Act was an initiative on the November 2, 2010 statewide ballot. It was defeated, with 53.5% of California voters voting "No" and 46.5% voting "Yes." Much like AUMA, if passed the ballot measure would have legalized various marijuana-related activities, allowed local governments to regulate these activities, permitted local governments to impose and collect marijuana-related fees and taxes, and authorized various criminal and civil penalties.

Medical Marijuana. California has been at the forefront of medicinal marijuana access, the first state to legalize medical marijuana nearly 20 years ago. Voters passed Proposition 215, the Compassionate Use Act, in 1996. The measure amended state law to allow persons to grow or possess marijuana for medical use when recommended by a physician. Proposition 215 also allowed caregivers to grow and possess marijuana for a person for whom marijuana is recommended. In 2003, the Legislature passed Senate Bill 420 (Chapter 875 of 2003) which established the Medical Marijuana Program Act (MMPA). The MMPA, among other things, requires the California Department of Public Health to establish and maintain a program for the voluntary registration of qualified marijuana patients and their primary caregivers

through a statewide identification card system. In addition, it authorized the formation of medical marijuana cooperatives—non-profit organizations that cultivate and distribute marijuana for medical uses to their members through dispensaries. While these initial efforts developed a very basic framework for medical marijuana, they lacked any formal statewide regulatory structure and enforcement mechanisms.

Since that time, many counties exercised their police powers and passed their own ordinances relative to medical marijuana land use policies, cultivation, and business licensing and regulation. The six north state counties, including Sonoma, Humboldt, Mendocino, Lake, Trinity and Del Norte developed their own specific north state policy to call for certain uniform state regulation while at the same time allowing local governments the flexibility to address individual community needs. Other counties, such as Los Angeles, have been at the forefront of non-medical marijuana regulation. The Los Angeles County Board of Supervisors voted recently to propose a local ballot measure this fall that seeks to take a potentially significant new source of government revenues, from marijuana sales, and use it to address its homeless population. The county proposal calls for a 10% levy on the gross receipts of businesses that produce or distribute marijuana and related products. It would apply to medical marijuana operations as well as the non-marijuana industry if California voters decide to legalize it in November.

In 2015, the Legislature enacted a package of bills establishing a new regulatory framework for medical marijuana cultivation and use in California. Three separate bills comprise the Medical Marijuana Regulation and Safety Act (MMRSA) – AB 243 (Wood), AB 266 (Bonta), and SB 643. Each deals with different aspects of regulation. Combined, MMRSA implements a new structure for licensing and enforcement of medical marijuana cultivation, product manufacturing, testing, transportation, storage, and distribution.

More specifically, the MMRSA does the following:

- Authorizes state and local governments to collect specified fees and taxes, as well as issue penalties for violations. Allows state departments to establish licensing fees to cover regulatory costs.
- Requires the state to set standards for labeling, testing, and packaging medical marijuana products and to develop an information technology (IT) system to track such products throughout the supply chain.
- Institutes system for regulating, monitoring, and reducing environmental impacts of marijuana cultivation.
- Phases out medical marijuana cooperatives within a few years and replaces them with state-licensed businesses.
- Creates the Bureau of Medical Cannabis Regulation (BMCR) within the Department of Consumer Affairs. Also tasks five other departments with various responsibilities relative to regulation.
- Assigns various responsibilities to both state and local governments.

The bills develop a much more comprehensive approach to medical marijuana in California. However, it is anticipated that the regulations will not developed until January 1, 2018.

Federal Law. While any marijuana cultivation or use is illegal under federal law, current federal policy is not to prosecute marijuana users and businesses that act in compliance with state marijuana laws so long as federal priorities are upheld (including not distributing to minors or transporting across state lines).

Fiscal Impact. According to the Legislative Analyst’s Office, the measure could raise state and local tax revenues of over \$1 billion annually. In addition, the measure could potentially save state and local governments \$100 million annually, due to reduced costs in enforcing certain marijuana-related offenses, including reduced legal and incarceration costs.

Ballot Measure Summary. Executive Summary. Proposition 64, the AUMA, would allow adults 21 and older to possess, transport, purchase, consume and share up to one ounce, or 28.5 grams of marijuana, 8 grams of "concentrated cannabis" or edibles, and up to six living cannabis plants of non-medical marijuana for recreational use. AUMA includes regulatory, local control, taxation and revenue provisions as well as criminal penalties. AUMA would allow local governments to regulate non-medical marijuana businesses through zoning and other laws, including requiring businesses to obtain local permits or licenses in addition to state licenses. The measure aligns with recently chaptered medical marijuana legislation and allows local governments to establish their own taxes on medical and non-medical marijuana. Other provisions relate to rights of employers, driving under the influence, and marijuana business locations.

The following are notable provisions of Adult Use:

- Allows adults age 21 and older to possess, transport, purchase, consume and share up to an ounce of nonmedical marijuana and eight grams of nonmedical marijuana concentrates.
- Adults can also grow up to six plants at their household for non-medical use, but plants must be out of public view and secure from children.
- Local governments may ban outdoor home cultivation.
- Using marijuana in public remains illegal.
- Driving while impaired by marijuana remains illegal.

Medical Marijuana. Numerous key details of AUMA’s regulatory system are modeled after the medical legislation, MMRSA. It should be noted that AUMA is drafted to incorporate non-medical marijuana into the framework established for medical marijuana regulation, renaming the Bureau of Medical Cannabis Regulation as the Bureau of Marijuana Control, while leaving the roles of the agencies unchanged. Generally speaking and with a few exceptions, medical marijuana will be controlled and regulated according to MMRSA, and AUMA will regulate its nonmedical counterpart.

The following are notable provisions of medical marijuana within AUMA:

- Mandates that all patients obtain medical marijuana based on doctor's recommendations that meet the standards of the recently signed MMRSA legislation.
- Counties are required to develop compliant protocols by January 1, 2018.
- Caps fees for voluntary ID cards at \$100. MediCal beneficiaries receive a 50% fee reduction and the fee is waived entirely for medically indigent adults who participate in the California Medical Services Program. This is different from current law, which does not cap fees. Counties currently charge fees that range from \$104-224. However, if non-medical marijuana is legalized, it is unclear how many patients will continue to apply for ID cards.
- Exempts patients with ID cards from the state sales tax when purchasing marijuana.
- Requires counties to identify patients using unique identifiers instead of names, and subjects any databases to the privacy protections of the Confidentiality of Medical Information Act (state equivalent of federal HIPPA). Neither the state nor any county health department may disclose, or be ordered by a state court to disclose, patient information sooner than 10 days after providing the patient with notice of the request to disclose their information unless the patient consents.
- In all other respects, maintains existing privileges for medical marijuana patients.

Regulation of non-medical marijuana. AUMA maintains consistency with recently passed medical legislation, MMRSA, including the designation of the same regulatory agencies to serve as lead regulators. AUMA appoints the Department of Consumer Affairs (DCA) to serve as the lead regulatory agency for all marijuana, both nonmedical and medical.

The following are notable regulatory provisions of AUMA:

- Designates the Department of Public Health (DPH) to oversee testing and manufacturing for all marijuana, while the Department of Food & Agriculture (DFA) will oversee cultivation, again mirroring the medical legislation.
- Establishes a number of license types, with small, medium and large-scale licenses for cultivation.
- Delays issuance of large cultivation licenses, which permit a licensee to cultivate 22,000 square feet or greater, for the first five years that AUMA is in effect, allowing smaller growers to establish themselves in the market.
- Beginning in 2023, large cultivation licenses may be issued at the discretion of state regulators. If issued, however, large-scale cultivators will be subject to similar restrictions on vertical integration as contained in the medical marijuana legislation, meaning large-scale cultivators cannot also be distributors of marijuana.

- Requires DCA, DPH, and DFA to follow criteria established in AUMA when determining whether to issue a non-medical marijuana business license. Explicitly empowers state regulators to deny a license or license renewal to prevent “creation or maintenance of unlawful monopoly power”. Also prohibits licensees from engaging in anti-competitive behavior and provides that violators will be liable for monetary penalties. Businesses will need to apply for each license separately. However, holders of a micro-business license, who are limited to producing non-medical marijuana on 10,000 square feet, may engage in all business activities, including sale and distribution. Holders of a large cultivation license will not be permitted to hold a distribution license.
- Prohibits the retail sale of marijuana by businesses that sell alcohol or tobacco.
- Permits licensed businesses, subject to local approval, to sell non-medical marijuana for the purposes of on-site consumption by adults. Those businesses may not sell or permit the consumption of alcohol and tobacco.
- Provides existing medical marijuana businesses will get priority for the new licenses to establish product market.
- Requires the Bureau to establish appellations of origin for marijuana grown or cultivated in a particular California county.
- Permits licensed retailers to deliver non-medical marijuana to adult customers, except where a local jurisdiction chooses to ban that activity.

Revenue and Taxation. As with MMRSA, AUMA provides broad and explicit taxing authority to counties in addition to establishing statewide taxes on non-medical marijuana.

The following are notable taxation and revenue provisions of AUMA:

- Allows local government to establish their own taxes on medical and non-medical marijuana consistent with existing state law. Explicit authority is granted to counties to levy a tax on cultivating, manufacturing, producing, processing, preparing, storing, providing, donating, selling or distributing marijuana, pursuant to existing voter-approval requirements
- On the state level, a 15% excise tax on all retail sales of marijuana, both non-medical and medical. However, medical marijuana purchased by patients with ID cards will be exempted from regular sales taxes. Also imposes a tax on licensed marijuana growers, based on the weight of the plants grown. The rates are \$9.25 per ounce of marijuana flowers and \$2.75 per ounce of marijuana leaves.
- The majority of funds are disbursed into the following subaccounts: The Youth Education, Prevention, Early Intervention and Treatment Account, the State and Local Government Law Enforcement Account, and the Environmental Restoration and Protection Account.

The exact percentage allocations into each account and the purposes of the account are as follows:

- 60% of funds are disbursed to the Youth Education, Prevention, Early Intervention and Treatment Account, which establishes public health and education programs focused on minors that provide treatment and counseling, educate against and prevent substance abuse.
- 20% of funds are disbursed to the State and Local Government Law Enforcement Account, which is used to train local law enforcement to administer the new laws, with a focus on DUIs, grants to local governments and organizations that educate the public on traffic safety, and major grants to local governments for enforcement of laws related to regulation of adult use of marijuana.
- 20% of funds are disbursed to the Environmental Restoration and Protection Account, which is used for environmental cleanup, remediated and restoration of public lands damaged by cultivation, as well as environmental enforcement against illegal water diversion, illegal cultivation, distribution and use of marijuana on public lands.

Local Control Provisions. AUMA includes multiple local control provisions, respecting local government police powers to ban commercial marijuana activity within their respective jurisdiction by ordinance. However, no local jurisdiction may ban the consumption of marijuana within its jurisdiction, or the allowance of up to six plants for personal use. As mentioned above, AUMA also provides broad taxing authority for local governments. However, local government fee authority is not explicit in the Act and is derived from statutes related to local fee recovery authority.

The following are notable local control provisions of AUMA:

- Aligns with medical legislation, MMRSA, to provide local control over non-medical marijuana businesses within their jurisdiction (MMRSA allows for local regulation over medical activity), including the authority to ban commercial marijuana activity by ordinance.
- Allows local government to regulate non-medical marijuana businesses through zoning and other local laws, including requiring that the businesses obtain local permits or licenses in addition to state licenses.
- Allows local government to enact and enforce reasonable restrictions on home cultivation of marijuana and allows a local government to ban outdoor home cultivation.
- Empowers local government to enforce state regulations in their jurisdictions when authorized by the relevant state agency. Enforcement would be done by local authorities, but pursuant to state standards and protocols.
- Allows local government to establish their own taxes on medical and non-medical marijuana consistent with existing state law. Explicit authority to do so is granted to counties, as previously mentioned.

Criminal Penalties. AUMA eliminates or substantially reduces certain criminal penalties for marijuana offenses, beyond what is explicitly made legal by the AUMA. Certain

crimes, such as selling marijuana to minors (under 18- year old) and manufacturing marijuana with a volatile substance without a license, will remain felonies.

The following are notable criminal penalty provisions of AUMA:

- Allows prosecutors to continue charging the most serious marijuana-related offenses as felonies, including providing marijuana to a minor, cultivating marijuana illegally on public lands and transporting marijuana across state lines for unlawful sale.
- Some offenses committed by adults, such as possessing more marijuana for personal use than AUMA permits, are converted to misdemeanors. These penalties become wobblers that may be charged as felonies based on aggravating circumstances, such a repeat offense...
- Allows those previously convicted of a marijuana-related crime, which under AUMA would no longer be crimes or have a reduced penalty, to petition the court for penalty reduction or record expungement.

The full text of the initiative can be found [here](#).

Existing Policy. CSAC does not have any specific policy dealing with the legalization of marijuana. However, CSAC has policy relative to medical marijuana and its environmental impacts. The following is CSAC’s Medical Marijuana Policy, adopted by the Board of Directors in 2014:

“CSAC believes that the constitutional police powers of counties, to protect the health, safety, and general welfare of the public, authorize counties to take actions to address what an elected Board of Supervisors legislatively determines to be the negative secondary effects of medical marijuana dispensaries and cultivation. The proliferation of such dispensaries and cultivation has created a variety of problems in many areas of the State. Counties must be able to enact prohibitions or regulations in the face of threats to the public health, safety and general welfare. Such decisions represent legislative judgments made by locally elected legislative bodies about the wisdom and need for local control over a particularly vexing and unusual land use. Under well settled constitutional separation of powers principles, deference must be afforded to the legislative judgments made by locally elected officials, who are in the best position to evaluate local conditions, community needs, and the public welfare. Accordingly, CSAC believes that any legislation to develop a statewide program for the regulation of medical marijuana dispensaries and cultivation must allow individual local governments the discretion to either adopt that program in full, to modify the program as they see fit, or to opt out of the program completely.

In addition, the cultivation of marijuana is often accompanied by land use and operational activities such as clearing of land, grading, road-building, water withdrawals from streams and application of herbicides, pesticides and fertilizers. These activities are routinely regulated and enforced by Federal, State and local agencies when they are associated with industries such as timber, ranching or farming, so as to reduce their

potential impacts on the environment. CSAC believes responsible agencies should be given clear guidance and adequate resources to regulate and enforce existing environmental laws when they are associated with the cultivation of marijuana. CSAC also supports a requirement that state agencies coordinate with local governments to ensure uniform application in enforcement efforts.”

Staff Comments. As noted above in the revenue and taxation section as well as the local control section of this analysis, there are numerous provisions within AUMA dealing specifically with local regulation, enforcement and taxation. The legalization of non-medical marijuana will undoubtedly have a significant impact on local government. However, AUMA was written with these issues in mind and many, if not the majority, of CSAC’s comments and suggestions were incorporated into the ballot measure that will go before the voters in November. It is clear that the development of a regulatory framework to control the legal use and production of marijuana would consume a tremendous amount of time and resources. It is also clear that the proliferation of medical marijuana is having a deleterious impact on our environment and some ways, communities. Clearly, there would also be social impacts associated with the legalization of marijuana for non-medical use, though what they would be can and will be the subject of considerable debate.

Ballot Measure Review Process. The Agriculture, Environment and Natural Resources Policy Committee and the Government, Finance and Administration Policy Committee considered Proposition 64 at their July 26 meeting. The Committees voted to recommend a OPPOSE position to the Executive Committee.

The Executive Committee considered Proposition 64 at their August 4 meeting. The Executive Committee heard from both a “Yes on 64” and a “No on 64” speaker.

The Executive Committee voted to recommend NO POSITION to the Board of Directors.

Support/ Opposition. *Support.* The major funder for AUMA is Napster founder and former Facebook president Sean Parker, and the measure is endorsed by Lt. Gov. Gavin Newsom, who convened a Blue Ribbon panel on marijuana legalization last year. It also has the support of the California Medical Association, California Democratic Party, California NAACP, ACLU of California, California Cannabis Industry Association, Drug Policy Alliance, MPP, Students for Sensible Drug Policy, and national NORML, among others.

Opposition. The opposition campaign for this initiative is led by Californians for Responsible Drug Policies. Organizations officially in opposition to the measure include the California Hospital Association, Small Growers Association, California Correctional Supervisor’s Association and the California Police Chiefs Association.

Staff Contact. Cara Martinson, CSAC Legislative Representative, can be reached at 916-327-7500, ext. 504, or cmartinson@counties.org.



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To: CSAC Board of Directors
From: DeAnn Baker, Deputy Executive Director of Legislative Affairs
Cara Martinson, Legislative Representative

RE: Proposition 65: Carry Out Bags: Charges

Summary. This measure would redirect money collected by grocery and other retail stores through the sale of carryout bags, whenever any state law bans free distribution of a particular kind of carryout bag and mandates the sale of any other kind of carryout bag. Proposition 65 would require stores to deposit bag sale proceeds into a special fund administered by the Wildlife Conservation Board (WCB) to support specified categories of environmental projects.

Recommendation. The CSAC Executive Committee recommends an OPPOSE position on Proposition 67 to the CSAC Board of Directors.

Background. Although plastic represents a relatively small fraction of the overall waste stream in California, plastic waste is the predominate form of marine debris. Plastics are estimated to comprise 60% to 80% of all marine debris and 90% of all floating debris. According to the California Coastal Commission, the primary source of marine debris is urban runoff, of which lightweight plastic bags and plastic film are particularly susceptible. According to the Department of Resources, Recycling and Recovery (Cal Recycle), a large amount of this plastic is accumulating in waterways and landscapes around the world, including the Pacific Ocean's Gyre (also known as the Great Pacific Garbage Patch).

In addition, cities and counties are responsible for reducing storm water pollution to the Maximum Extent Practicable (MEP) and eliminate discharge through a National Pollutant Discharge Elimination System (NPDES). Part of this includes removing trash, including plastic from our storm drains and gutters. Storm water permits are costly, and because of Proposition 218, local governments are unable to raise their fees without a vote of the people.

In November 2010, California voters passed Proposition 26 (Prop 26). Prop 26 redefines regulatory fees as taxes. This means that new regulatory fees must now be treated like taxes and must be approved by a legislative supermajority (at the state level) and a voter supermajority for local measures. In response to Prop 26, local governments have begun to restructure their bag ordinances by having the proceeds from the charge on paper or reusable bags go to the retailer instead of the government. To date, over 140 jurisdictions have enacted plastic bag bans in their communities. Proposition 65 was placed on the ballot through the initiative process and there is pending case law as to whether or not this triggers the Prop 26 supermajority vote. As such, this measure could cause significant confusion and ambiguity as to the outcome of the plastic bag referendum, Proposition 67.

Ballot Measure Summary. Proposition 65 would redirect the fees collected by grocery and other retail stores through the sale of carryout bags. SB 270 (Padilla, 2014) established requirements for reusable bags and prohibited stores from distributing reusable bags and recycled paper bags for less than \$0.10 per bag. The fee associated with the statewide ban is allowed to be retained by stores that charge the fee to comply with the law. As you recall, Proposition 67 (see Proposition 67 Memo) is also on the November ballot as a referendum on SB 270. Proposition 65 directs fees collected from bag sales to be used for environmental purposes and also provides for the Wildlife Conservation Board (WCB) to develop regulations implementing the law. All funds deposited in the Environmental Protection and Enhancement Fund shall be continuously appropriated to the WCB. WCB shall use the funds to support environmental protection and enhancement grants.

Projects and programs eligible for grant funds are as follows:

- Drought mitigation projects including, but not limited to, drought-stressed forest remediation and projects that expand or restore wetlands, fish or waterfowl habitat.
- Recycling.
- Clean drinking water supplies.
- State, regional, and local parks.
- Beach cleanup.
- Litter removal.
- Wildlife habitat restoration.

In addition, the measure would require the California State Auditor to conduct and post on its Internet website a biennial independent financial audit of the programs receiving grant funds. Proposition 65 also allows local governments to require funds generated or collected by their locally adopted bag ban ordinance to be deposited in the Environmental Protection and Enhancement Fund. The measure prohibits WCB from using more than 2% of the funds for administrative costs, and prohibits grant recipients from using more than 5% of the funds received for administrative costs. Finally, Proposition 65 states that if Proposition 67 (Plastic Bag Ban Referendum) gets more “yes” votes than Proposition 65, revenue is kept by the retailers. However, if Proposition 65 get more “yes” votes, the revenue goes to the state for environmental purposes.

Fiscal Impacts. According to the Legislative Analyst’s Office, there is potential state revenue of several tens of millions of dollars annually under certain circumstances, with the monies used to support certain environmental programs.

Staff Comments. The measure directs WCB to develop specific regulations to implement environmental protection and enhancement grants. However, it is unclear how much of the funds collected would be directed towards programs that directly benefit local governments. The possible consequences of the measure depend on the outcome of both Proposition 65 and 67 and by what margins. It is unclear the specific

motivation for this measure and it will undoubtedly cause confusion for consumers, stores and local governments.

Support. The official proponent of the initiative is Doyle Johnson. However, according to a press release from the American Progressive Bag Alliance (APBA), they submitted approximately 600,000 signatures to county registrars for signature verification.

Opposition. Staff has been unable to determine any formal opposition to the initiative.

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To: CSAC Board of Directors
From: DeAnn Baker, Deputy Executive Director of Legislative Affairs
Cara Martinson, Legislative Representative

Re: Proposition 67: Plastic Bag Ban Referendum

Recommendation. The CSAC Executive Committee recommends a SUPPORT position on Proposition 67 to the CSAC Board of Directors.

Summary: A majority of “no” votes on the referendum would repeal SB 270 (Chapter 850, Statutes of 2014), which prohibited certain stores from distributing lightweight, single-use plastic bags. SB 270 established requirements for reusable bags and prohibited stores from distributing reusable bags and recycled paper bags for less than \$0.10 per bag.

Background. Pollution. Although plastic represents a relatively small fraction of the overall waste stream in California, plastic waste is the predominate form of marine debris. Plastics are estimated to comprise 60% to 80% of all marine debris and 90% of all floating debris. According to the California Coastal Commission, the primary source of marine debris is urban runoff, of which lightweight plastic bags and plastic film are particularly susceptible. According to the Department of Resources, Recycling and Recovery (Cal Recycle), a large amount of this plastic is accumulating in waterways and landscapes around the world, including the Pacific Ocean’s Gyre (also known as the Great Pacific Garbage Patch). In addition, cities and counties are responsible for reducing storm water pollution to the Maximum Extent Practicable (MEP) and eliminate discharge through a National Pollutant Discharge Elimination System (NPDES). Part of this includes removing trash, including plastic from our storm drains and gutters. Storm water permits are costly and because of Proposition 218, local governments are unable to raise their fees without a vote of the people.

Legislative Efforts. SB 270, by Senators Padilla, de León and Lara, was adopted by the Legislature and signed by the Governor in 2014. This bill established a statewide ban on the distribution of single-use plastic grocery bags at most stores. It was passed after several years of efforts, including numerous other legislative attempts and was ultimately supported by environmental groups, grocers, retailers, various local governments and labor. CSAC did not ultimately take a position on SB 270 due to amendments that directed the fee placed on reusable bags to remain with retail establishments rather than dedicated to environmental programs. CSAC did support previous bag ban bills, including AB 2829 (Davis, 2008), AB 68 (Brownley, 2009), AB 87 (Davis, 2009) & AB 158 (Levine, 2013-14). These previous legislative attempts to ban plastic bags would have dedicated proceeds from the sale of reusable bags for environmental mitigation purposes. SB 270 does preempt local governments from passing an ordinance that differs from the statewide ban, while grandfathering in existing ordinances passed prior to September 2014. There currently are over 140 local city and county ordinances banning single-use carry out bags in California.

Proposition 26. In November 2010, California voters passed Proposition 26 (Prop 26). Prop 26 redefines regulatory fees as taxes. This means that new regulatory fees must now be treated like taxes and must be approved by a legislative supermajority (at the state level) and a voter supermajority for local measures. In response to Prop 26, local governments have begun to restructure their local bag ordinances by having the proceeds from the charge on paper or reusable bags go to the retailer instead of the government.

Initiative Summary. A "yes" vote on Proposition 67 is a vote in favor of upholding or ratifying the contested legislation banning plastic bags. A majority of "no" votes on the referendum would repeal SB 270. SB 270 established requirements for reusable bags and prohibited stores from distributing reusable bags and recycled paper bags for less than \$0.10 per bag.

Specifically, SB 270 does the following:

- Prohibits stores from making single-use carryout bags available at the point of sale on the following timeline: On and after January 1, 2015, at either a grocery store or retailer with at least 10,000 square feet of retail space and a pharmacy.
- On and after July 1, 2016, at a convenience food store and food mart.
- Authorizes a store to make available a reusable grocery bag or recycled paper bag at the point of sale.
- Requires that these bags may not be sold to a consumer for less than \$0.10.
- Requires that all monies collected by stores pursuant to this bill be retained at the store and be used for costs associated with complying with this bill; actual costs of providing recycled paper bags and reusable grocery bags; and costs associated with a store's educational materials or educational campaign encouraging the use of reusable bags.
- Requires a store to provide a reusable bag or recycled paper bag at no charge to any customer using California Special Supplemental Food Program for Women, Infants and Children benefits, CalFresh benefits (federally known as Supplemental Nutrition Assistance Program [SNAP] benefits), California Food Assistance Program benefits, or cash aid benefits.
- Authorizes a city, county, city and county, or the state to impose civil liability of \$1,000 for the first violation of the proposed law, \$2,000 for the second violation, and \$5,000 for each subsequent violation. Collected penalties must be paid to whichever agency brought the action.
- Grandfathers in all local ordinances adopted before September 1, 2014, relating to reusable grocery bags, single-use carryout bags, or recycled paper bags.
- Preempts local ordinances adopted on or after September 1, 2014, relating to reusable grocery bags, single-use carryout bags, or recycled paper bags.
- Appropriated \$2 million from the Recycled Market Development Revolving Loan Subaccount for loans for the creation and retention of jobs and economic activity in the state for the manufacture and recycling of plastic reusable grocery bags that use recycled content. Required recipients of a loan to retain and retrain existing employees for the manufacturing of reusable grocery bags that meet the requirements of this bill.

Fiscal Impacts. According to the Legislative Analyst’s Office, this measure would have relatively small fiscal effects on state and local governments. Specifically, the measure would result in a minor increase of less than a million dollars annually in state costs for CalRecycle to ensure that bag manufacturers meet the new reusable plastic bags requirements. These costs would be offset fees charged to makers of these bags. The measure could also result in other fiscal effects—such as minor savings to local governments from reduced litter cleanup and waste management costs.

Staff Comments. Plastic bag pollution poses several direct impacts on local government. As previously mentioned, there are currently over 140 jurisdictions that have taken action at the local level to ban plastic bags in their communities. SB 270 does grandfather in local ordinances prior to September 2014. While CSAC supported previous attempts to ban plastic bags, we do not have specific policy related to the direction of the fee on reusable bags.

Ballot Measure Review Process. The CSAC Agriculture, Environment and Natural Resources Policy Committee considered Proposition 67 at their July 26 meeting. The Committee voted to recommend NO POSITION to the Executive Committee. The Executive Committee considered Proposition 67 at their August 4 meeting. The Executive Committee voted to recommend a SUPPORT position to the Board of Directors.

Support. The following organizations are the main proponents of upholding the ban on plastic bags:

California League of Conservation Voters (CLCV)
Californians Against Waste (CAW)
Environment California
Heal the Bay
Natural Resources Defense Council (NRDC)
Sierra Club California
Surfrider Foundation

Opposition. The American Progressive Bag Alliance, an opponent of the measure, is leading the campaign to repeal SB 270. Other organizations in opposition include the Howard Jarvis Taxpayers Association and the California Manufacturer's and Technology Association.

Staff Contact. Please contact Cara Martinson, CSAC Legislative Representative at 916-327-7500, ext. 504, or cmartinson@counties.org for questions or additional information.



September 1, 2016

1100 K Street
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916.441.5507

To: CSAC Officers
CSAC Board of Directors

From: Graham Knaus, Deputy Executive Director of Operations and Member Services
David Liebler, Director of Public Affairs & Member Services
Cara Watson, Meeting Planner and Event Coordinator

RE: 2018 Annual Meeting Site Selection

Recommendation.

Affirm 2018 Annual Meeting location in San Diego County at the Marriott Marquis San Diego Marina as unanimously recommended by the Executive Committee.

Background.

The policy for CSAC Annual Meeting site selection requires the following:

- The CSAC Annual Meeting will alternate between Northern and Southern California. Whenever feasible, CSAC will utilize as many counties as possible over a period of time to celebrate our members' diversity and uniqueness.
- Nearby hotel facility or facilities must have approximately 500 sleeping rooms available for up to four nights.
- The conference facility must be within short walking distance of hotels.
- The conference facility must be able to house the vast majority of CSAC and affiliate meetings (eg. 50,000 sf of meeting space). Overflow meeting space must be available at a close-by facility.
- The conference facility must have the ability to house an Exhibit Hall of approximately 120 booth spaces.
- Meeting facility costs (including conference space, meals and hotels) must fit within CSAC budget requirements in order to ensure that registration fees are kept reasonable.

The 2018 site selection process included requests for proposals from numerous venues in Southern California. Proposals from venues in the following counties met the parameters set out above: Los Angeles, San Bernardino and San Diego.

Details of the proposals:

County	Location	Conference Facility	Sleeping Rooms	Room Rate	Comment
Los Angeles	Pasadena	Pasadena Convention Center	Sheraton Pasadena	\$214	Long distance between convention center and hotels
			Hilton Pasadena	\$199	
			Westin Pasadena	\$189	
			Dusit D2	\$180	
San Bernardino	Ontario	Ontario Convention Center	Doubletree Ontario Airport	\$164	
			Radisson	\$124	
			Sheraton	\$154	
San Diego	San Diego	Marriott Marquis San Diego Marina	Marriott Marquis San Diego Marina	\$239	All meetings and sleeping rooms at same location
San Diego	San Diego	Hilton San Diego Bayfront Hotel	Hilton San Diego Bayfront Hotel	\$259	All meetings and sleeping rooms at same location

The Pasadena Convention Center, in Los Angeles County, was the site of the 2002 Annual Meeting. The Pasadena location is complicated by the number of hotel properties needed to accommodate participants. This challenge is compounded by the distance of some of these properties from the convention center.

San Bernardino County hosted the Annual Meeting in 2000, held at the Ontario Convention Center. All hotel properties utilized are close to the Ontario Convention Center but would result in meeting participants housed at various hotel properties.

The Annual Meeting was last held in San Diego County in 2008. Both the Marriott Marquis San Diego Marina and the Hilton San Diego Bayfront Hotels have substantial meeting space and sleeping rooms to accommodate the Annual Meeting program independently. They are both bayside properties situated either side of the San Diego Convention Center.

Due to its exceptional location, the ability to accommodate all meeting and sleeping room needs, and its lower room rate than the Hilton San Diego Bayfront Hotel (a very similar property) it is recommended that the Marriott Marquis San Diego Marina be considered as the 2018 Annual Meeting location.

As demand for convention center and hotel space increases staff will begin to research locations for subsequent Annual Meetings. Staff anticipates presenting recommendations for the 2019 and 2020 Annual Meeting locations in the near future.

Attachments: Annual Meeting Location History

Staff Contacts:

Graham Knaus, Deputy Executive Director of Operations and Member Services:

gknaus@counties.org, (916) 327-7500 Ext. 545

David Liebler, Director of Public Affairs & Member Services: dliebler@counties.org,
(916) 327-7500 Ext. 530

Cara Watson, Meeting Planner and Event Coordinator: cwatson@counties.org, (916)
327-7500 Ext. 512

Southern California Annual Meeting Location History

Year	Region	County	City	Venue
2016	South	Riverside	Palm Springs	Convention Center & Renaissance
2014	South	Orange County	Anaheim	Disneyland Hotel
2012	South	Los Angeles	Long Beach	Convention Center & Hyatt Regency
2010	South	Riverside	Riverside	Convention Center & Marriott
2008	South	San Diego	San Diego	Grand Hyatt
2006	South	Orange County	Anaheim	Disneyland Hotel
2004	South	San Diego	San Diego	San Diego Concourse, Westin & US Grant
2002	South	Los Angeles	Pasadena	Pasadena Center & Hilton
2000	South	San Bernardino	Ontario	Convention Center, Marriott & Doubletree



Distinguished Service Award

We would like to announce the second annual County Administrator/County Executive (CAO/CEO) Distinguished Service Award. This award is to be given to an individual CAO/CEO who has shown exemplary work and has set an example for cities, counties and the state. This award shall be given to those CAO/CEOs who have made a difference for the professional administration of County Government.

CRITERIA: The following are the criteria that shall be used in selecting the CAO/CEO Distinguished Service Award. Demonstrated activities and abilities in one or more of the following criteria:

1. Being a role model for others in city/county government as well as in the profession of local government management.
2. Demonstrating respected leadership in the city, county, region, and/or statewide. He or she has used the highest ethical standards while conducting county affairs.
3. Serving as a mentor to the home county and other CAOs and to young people entering the profession of local government management.
4. Implemented innovative programs that exemplify one or all of the traits of leadership, improved public programs, ethics, career services, intergovernmental relations, inc.
5. The activities, programs, undertaking have long term positive results for the community.

We would request that you review these criteria and see if there is a CAO/CEO that you have worked with that meets these standard. Should you know such a CAO/CEO you or your staff would submit a nomination paper.

NOMINATION PAPER:

1. Shall be no longer than 3 pages,
2. For each of the aforementioned criteria, please give an example (s) of each. If you do not have any examples for a specific criteria please say, NOT APPLICABLE.
3. Please cover each of the above criteria.
4. Please submit 8 copies of the Nomination Paper to Terry Schutten, address and email listed below.
5. **SUBMIT NOMINATION PAPERS BY FRIDAY, OCTOBER 7, 2016.**

The individual candidates will be reviewed by an independent panel consisting of persons knowledgeable in county government activities and programs. The panel will review the candidates and make a selection based on the material submitted and knowledge of the individual candidates.

It needs to be stated that it is not necessary for a Distinguished Service Award to be given on an annual basis but only on the outstanding work completed by a CAO/CEO.

Please submit nomination papers of the candidate's qualifications by Friday, October 7, 2016 to:

Terry Schutten, Executive Director
County Administrative Officers Association of California (CAOAC)
1100 K Street, Suite 101
Sacramento, CA 95814
Email: tschutten@counties.org



September 1, 2016

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Sacramento
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Telephone
916.327.7500

Facsimile
916.441.5507

To: Members, CSAC Board of Directors

From: Kiana Valentine, CSAC Legislative Representative
Chris Lee, CSAC Legislative Analyst

Re: SBx1 1 (Beall) and ABx1 26 (Frazier) Transportation Funding and Reform Legislative Proposal

Background. On August 17, Assembly Member Jim Frazier and Senator Jim Beall released draft legislative language for a combined transportation funding and reform proposal. As of the time of this writing, CSAC understands that the package will be amended in SBx1 1 (Beall) and a new special session Assembly vehicle – ABx1 26. The bill would include over \$2.5 billion in new funding for local streets and roads purposes, to be shared equally between cities and counties, as well as accountability measures and streamlining to enhance transportation project delivery.

Policy Considerations. CSAC has made the passage of a transportation reform and funding package that will produce a sufficient amount of new revenue to address the \$78 billion ten-year unmet funding needs of the local street and road system a priority for the 2015-16 session. In June 2015, the Governor called an extraordinary session on transportation and infrastructure development that can remain open until the end of the two-year legislative session on November 30, 2016. While CSAC has supported a variety of transportation funding and reform bills proposed in the regular session and the special session, a comprehensive deal that could garner the required two-thirds vote of the Legislature has remained elusive.

Senator Beall and Assembly Member Frazier’s proposal would result in an estimated increase of over \$2.5 billion in funding for county roads and city streets on an annual basis. Specifically, the proposal would provide:

- \$1.9 billion from a 17-cent gas tax increase, a \$38 increase on vehicle registration fees, and a new \$165 registration fee on zero emission vehicles;
- \$440 million, at full implementation, from the return of weight fees to transportation projects (these funds currently are used to backfill funds allocated for transportation bond debt service and would be returned to transportation projects in increments of \$200 million per year over five years);
- \$495 million from resetting the price-based excise tax to its initial 17.3-cent level under the 2010 gas tax swap; and

- \$44 million from returned non-highway/OHV related price-based excise tax revenues to transportation projects.

In addition, local streets and roads would receive one-time revenues of \$351.5 million in transportation loan repayments.

The \$2.5 billion estimate for new revenues provided by the authors' offices on August 17 are generally consistent with analysis from CSAC staff, which quantified about \$2.3 billion in new, on-going revenue at full implementation of the package, and \$500 million due to restoration of the price-based tax rate. In total, counties would receive 50% of over \$2.5 billion in new annual revenue upon full implementation of the Beall/Frazier package.

Aside from the revenue provisions, the bill includes familiar accountability measures, including a maintenance of effort requirement and project reporting to the California Transportation Commission. In terms of local project streamlining, the bill would expand an existing CEQA exemption available to small cities and counties for maintenance, rehabilitation and safety projects in the existing right-of-way to all local jurisdictions in the state, and create a transportation advanced mitigation program.

Finally, the bill maintains a similar list of eligible project types from prior legislative proposals this year, including road maintenance and rehabilitation, safety projects, railroad grade separations, and complete street components—including active transportation, pedestrian and bike safety projects, transit facilities, and drainage and stormwater capture projects—in conjunction with any other allowable project. Funding from the bill could also be used as matching funds for other state or federal funding programs.

Action Requested. No action is requested at this time. CSAC staff will provide an update on any action taken on the transportation reform and funding package during the last week of session after the writing of this memorandum.

Staff Contacts.

Kiana Valentine can be reached at (916) 327-7500 Ext. 566 or kvalentine@counties.org.

Chris Lee can be reached at (916) 327-7500 Ext. 521 or clee@counties.org.

Attachments.

- 1) City and County Funding Estimates
- 2) One Page Transportation Proposal Summary from Authors' Offices

Local Streets & Roads Funding

SBx1 1 (Beall) and ABx1 26 (Frazier) – 24Aug2016 versions

Estimated 18 August 2016

\$2.5 Billion*

COUNTY	\$	Total
ALAMEDA COUNTY		40,220,387
ALAMEDA	2,968,921	
ALBANY	719,200	
BERKELEY	4,601,482	
DUBLIN	2,163,371	
EMERYVILLE	409,477	
FREMONT	8,776,481	
HAYWARD	5,922,849	
LIVERMORE	3,331,213	
NEWARK	1,712,443	
OAKLAND	15,906,571	
PIEDMONT	430,513	
PLEASANTON	2,899,655	
SAN LEANDRO	3,426,164	
UNION CITY	2,818,069	
ALPINE COUNTY		776,904
AMADOR COUNTY		3,552,805
AMADOR	7,167	
IONE	306,740	
JACKSON	180,178	
PLYMOUTH	38,933	
SUTTER CREEK	96,888	
BUTTE COUNTY		12,760,676
BIGGS	67,639	
CHICO	3,472,380	
GRIDLEY	262,654	
OROVILLE	627,464	
PARADISE	1,016,332	
CALAVERAS COUNTY		5,419,651
ANGELS CAMP	148,605	
COLUSA COUNTY		4,253,630
COLUSA	239,836	
WILLIAMS	205,939	
CONTRA COSTA COUNTY		30,961,304
ANTIOCH	4,195,415	
BRENTWOOD	2,188,513	
CLAYTON	437,292	
CONCORD	4,883,855	
DANVILLE	1,692,569	
EL CERRITO	940,906	
HERCULES	959,772	
LAFAYETTE	974,454	
MARTINEZ	1,448,239	
MORAGA	637,885	
OAKLEY	1,502,668	
ORINDA	721,020	
PINOLE	733,959	
PITTSBURG	2,619,878	
PLEASANT HILL	1,323,420	
RICHMOND	4,158,535	
SAN PABLO	1,151,727	
SAN RAMON	3,043,417	
WALNUT CREEK	2,590,436	

Local Streets & Roads Funding

SBx1 1 (Beall) and ABx1 26 (Frazier) – 24Aug2016 versions

Estimated 18 August 2016

\$2.5 Billion*

DEL NORTE COUNTY		2,215,771
CRESCENT CITY	296,086	
EL DORADO COUNTY		11,430,310
PLACERVILLE	413,467	
SOUTH LAKE TAHOE	842,120	
FRESNO COUNTY		38,749,656
CLOVIS	4,042,045	
COALINGA	640,326	
FIREBAUGH	301,355	
FOWLER	230,771	
FRESNO	20,150,720	
HURON	264,087	
KERMAN	554,518	
KINGSBURG	453,679	
MENDOTA	434,309	
ORANGE COVE	362,525	
PARLIER	584,773	
REEDLEY	987,393	
SANGER	973,447	
SAN JOAQUIN	156,546	
SELMA	926,340	
GLENN COUNTY		5,171,063
ORLAND	302,711	
WILLOWS	240,418	
HUMBOLDT COUNTY		10,115,055
ARCATA	693,360	
BLUE LAKE	48,812	
EUREKA	1,053,367	
FERNDALE	53,112	
FORTUNA	466,114	
RIO DELL	130,630	
TRINIDAD	14,217	
IMPERIAL COUNTY		17,431,756
BRAWLEY	1,017,804	
CALEXICO	1,589,600	
CALIPATRIA	298,488	
EL CENTRO	1,737,352	
HOLTVILLE	241,967	
IMPERIAL	675,850	
WESTMORLAND	90,379	
INYO COUNTY		6,227,876
BISHOP	150,348	
KERN COUNTY		36,737,781
ARVIN	779,168	
BAKERSFIELD	14,314,453	
CALIFORNIA CITY	547,002	
DELANO	2,054,784	
MARICOPA	45,287	
MCFARLAND	543,787	
RIDGECREST	1,100,939	
SHAFTER	696,150	
TAFT	366,321	
TEHACHAPI	558,392	
WASCO	1,012,264	

Local Streets & Roads Funding

SBx1 1 (Beall) and ABx1 26 (Frazier) – 24Aug2016 versions

Estimated 18 August 2016

\$2.5 Billion*

COUNTY	Total
KINGS COUNTY	7,667,712
AVENAL	600,657
CORCORAN	961,244
HANFORD	2,161,821
LEMOORE	981,079
LAKE COUNTY	5,425,104
CLEARLAKE	590,778
LAKEPORT	184,129
LASSEN COUNTY	5,278,382
SUSANVILLE	695,259
LOS ANGELES COUNTY	234,530,684
AGOURA HILLS	804,504
ALHAMBRA	3,313,974
ARCADIA	2,237,635
ARTESIA	652,722
AVALON	148,760
AZUSA	1,914,702
BALDWIN PARK	2,984,765
BELL	1,399,853
BELLFLOWER	3,025,790
BELL GARDENS	1,660,958
BEVERLY HILLS	1,349,414
BRADBURY	42,110
BURBANK	4,109,645
CALABASAS	937,962
CARSON	3,608,511
CERRITOS	1,935,737
CLAREMONT	1,405,548
COMMERCE	505,938
COMPTON	3,816,077
COVINA	1,893,434
CUDAHY	940,209
CULVER CITY	1,540,788
DIAMOND BAR	2,195,292
DOWNEY	4,412,434
DUARTE	846,033
EL MONTE	4,485,031
EL SEGUNDO	658,572
GARDENA	2,340,411
GLENDALE	7,716,219
GLENDORA	1,993,653
HAWAIIAN GARDENS	563,467
HAWTHORNE	3,395,792
HERMOSA BEACH	765,958
HIDDEN HILLS	73,644
HUNTINGTON PARK	2,297,720
INDUSTRY	17,045
INGLEWOOD	4,351,729
IRWINDALE	57,063
LA CANADA FLINTRIDGE	797,725
LA HABRA HEIGHTS	210,704
LAKELAND	3,161,185

Local Streets & Roads Funding

SBx1 1 (Beall) and ABx1 26 (Frazier) – 24Aug2016 versions

Estimated 18 August 2016

\$2.5 Billion*

LA MIRADA	1,918,421
LANCASTER	6,228,698
LA PUENTE	1,576,312
LA VERNE	1,280,032
LAWNDALE	1,294,017
LOMITA	803,187
LONG BEACH	18,315,241
LOS ANGELES	153,293,210
LYNWOOD	2,765,267
MALIBU	501,096
MANHATTAN BEACH	1,385,442
MAYWOOD	1,080,213
MONROVIA	1,449,091
MONTEBELLO	2,483,359
MONTEREY PARK	2,404,292
NORWALK	4,151,561
PALMDALE	6,082,456
PALOS VERDES ESTATES	531,894
PARAMOUNT	2,142,374
PASADENA	5,482,032
PICO RIVERA	2,486,381
POMONA	5,904,642
RANCHO PALOS VERDES	1,648,910
REDONDO BEACH	2,637,969
ROLLING HILLS ⁽²⁾	
ROLLING HILLS ESTATES	318,555
ROSEMEAD	2,131,333
SAN DIMAS	1,344,766
SAN FERNANDO	951,366
SAN GABRIEL	1,569,610
SAN MARINO	519,652
SANTA CLARITA	8,260,471
SANTA FE SPRINGS	682,862
SANTA MONICA	3,613,740
SIERRA MADRE	431,287
SIGNAL HILL	448,798
SOUTH EL MONTE	807,371
SOUTH GATE	3,740,186
SOUTH PASADENA	1,013,969
TEMPLE CITY	1,405,277
TORRANCE	5,749,994
VERNON	4,765
WALNUT	1,172,142
WEST COVINA	4,199,405
WEST HOLLYWOOD	1,387,844
WESTLAKE VILLAGE	326,303
WHITTIER	3,368,325

Local Streets & Roads Funding

SBx1 1 (Beall) and ABx1 26 (Frazier) – 24Aug2016 versions

Estimated 18 August 2016

\$2.5 Billion*

MADERA COUNTY		11,107,138
CHOWCHILLA	725,204	
MADERA	2,477,820	
MARIN COUNTY		8,891,597
BELVEDERE	82,167	
CORTE MADERA	367,677	
FAIRFAX	295,738	
LARKSPUR	478,317	
MILL VALLEY	559,360	
NOVATO	2,075,471	
ROSS	96,578	
SAN ANSELMO	490,830	
SAN RAFAEL	2,293,923	
SAUSALITO	282,799	
TIBURON	356,404	
MARIPOSA COUNTY		3,490,983
MENDOCINO COUNTY		8,112,312
FORT BRAGG	284,464	
POINT ARENA	17,433	
UKIAH	622,738	
WILLITS	189,901	
MERCED COUNTY		14,616,911
ATWATER	1,124,338	
DOS PALOS	194,589	
GUSTINE	217,639	
LIVINGSTON	532,088	
LOS BANOS	1,438,980	
MERCED	3,165,873	
MODOC COUNTY		5,105,808
ALTURAS	109,517	
MONO COUNTY		3,772,124
MAMMOTH LAKES	325,800	
MONTEREY COUNTY		16,538,615
CARMEL-BY-THE-SEA	145,157	
DEL REY OAKS	64,308	
GONZALES	323,746	
GREENFIELD	653,536	
KING CITY	519,768	
MARINA	873,654	
MONTEREY	1,091,022	
PACIFIC GROVE	596,124	
SALINAS	5,993,782	
SAND CITY	14,024	
SEASIDE	1,304,438	
SOLEDAD	997,078	
NAPA COUNTY		6,228,927
AMERICAN CANYON	780,563	
CALISTOGA	203,809	
NAPA	3,059,300	
SAINT HELENA	234,955	
YOUNTVILLE	116,877	

Local Streets & Roads Funding

SBx1 1 (Beall) and ABx1 26 (Frazier) – 24Aug2016 versions

Estimated 18 August 2016

\$2.5 Billion*

NEVADA COUNTY	6,359,191
GRASS VALLEY	500,709
NEVADA CITY	123,734
TRUCKEE	628,007
ORANGE COUNTY	80,107,763
ALISO VIEJO	1,944,880
ANAHEIM	13,614,353
BREA	1,678,507
BUENA PARK	3,206,355
COSTA MESA	4,395,194
CYPRESS	1,905,366
DANA POINT	1,325,202
FOUNTAIN VALLEY	2,208,967
FULLERTON	5,463,902
GARDEN GROVE	6,770,664
HUNTINGTON BEACH	7,685,498
IRVINE	9,699,761
LAGUNA BEACH	904,762
LAGUNA HILLS	1,200,693
LAGUNA NIGUEL	2,511,717
LAGUNA WOODS	645,091
LA HABRA	2,404,912
LAKE FOREST	3,101,875
LA PALMA	618,477
LOS ALAMITOS	456,313
MISSION VIEJO	3,744,254
NEWPORT BEACH	3,379,986
ORANGE	5,427,177
PLACENTIA	2,030,998
RANCHO SANTA MARGARITA	1,903,080
SAN CLEMENTE	2,533,527
SAN JUAN CAPISTRANO	1,403,262
SANTA ANA	12,987,973
SEAL BEACH	956,247
STANTON	1,519,326
TUSTIN	3,083,706
VILLA PARK	230,888
WESTMINSTER	3,568,144
YORBA LINDA	2,623,403
PLACER COUNTY	16,495,221
AUBURN	535,303
COLFAX	77,247
LINCOLN	1,775,704
LOOMIS	256,572
ROCKLIN	2,334,135
ROSEVILLE	4,973,460

Local Streets & Roads Funding

SBx1 1 (Beall) and ABx1 26 (Frazier) – 24Aug2016 versions

Estimated 18 August 2016

\$2.5 Billion*

PLUMAS COUNTY		4,191,052
PORTOLA	81,508	
RIVERSIDE COUNTY		63,587,232
BANNING	1,181,207	
BEAUMONT	1,645,694	
BLYTHE	806,441	
CALIMESA	323,591	
CANYON LAKE	422,300	
CATHEDRAL CITY	2,049,438	
COACHELLA	1,701,324	
CORONA	6,209,445	
DESERT HOT SPRINGS	1,089,898	
EASTVALE	2,348,894	
HEMET	3,186,443	
INDIAN WELLS	201,213	
INDIO	3,261,908	
JURUPA VALLEY	4,213,855	
LAKE ELSINORE	2,263,396	
LA QUINTA	1,537,727	
MENIFEE	3,307,776	
MORENO VALLEY	7,773,863	
MURRIETA	4,155,939	
NORCO	1,048,408	
PALM DESERT	1,977,770	
PALM SPRINGS	1,805,689	
PERRIS	2,824,422	
RANCHO MIRAGE	693,012	
RIVERSIDE	12,292,327	
SAN JACINTO	1,777,951	
TEMECULA	4,219,511	
WILDOMAR	1,322,878	
SACRAMENTO COUNTY		47,660,815
CITRUS HEIGHTS	3,298,556	
ELK GROVE	6,310,632	
FOLSOM	2,901,940	
GALT	953,264	
ISLETON	31,766	
RANCHO CORDOVA	2,677,367	
SACRAMENTO	18,599,047	
SAN BENITO COUNTY		3,568,097
HOLLISTER	1,445,179	
SAN JUAN BAUTISTA	74,767	

Local Streets & Roads Funding

SBx1 1 (Beall) and ABx1 26 (Frazier) – 24Aug2016 versions

Estimated 18 August 2016

\$2.5 Billion*

SAN BERNARDINO COUNTY	61,854,708
ADELANTO	1,281,659
APPLE VALLEY	2,765,848
BARSTOW	906,776
BIG BEAR LAKE	200,090
CHINO	3,272,135
CHINO HILLS	3,006,033
COLTON	2,068,072
FONTANA	7,914,953
GRAND TERRACE	478,511
HESPERIA	3,570,895
HIGHLAND	2,104,797
LOMA LINDA	920,103
MONTCLAIR	1,489,845
NEEDLES	191,373
ONTARIO	6,538,343
RANCHO CUCAMONGA	6,743,159
REDLANDS	2,727,186
RIALTO	3,954,997
SAN BERNARDINO	8,287,666
TWENTYNINE PALMS	1,001,262
UPLAND	2,935,953
VICTORVILLE	4,693,993
YUCAIPA	2,050,949
YUCCA VALLEY	827,283
SAN DIEGO COUNTY	89,641,007
CARLSBAD	4,286,646
CHULA VISTA	9,994,375
CORONADO	910,263
DEL MAR	164,178
EL CAJON	3,929,894
ENCINITAS	2,383,179
ESCONDIDO	5,706,102
IMPERIAL BEACH	1,036,709
LA MESA	2,278,389
LEMON GROVE	1,014,937
NATIONAL CITY	2,317,670
OCEANSIDE	6,650,882
POWAY	1,899,826
SAN DIEGO	52,998,053
SAN MARCOS	3,518,596
SANTEE	2,161,860
SOLANA BEACH	507,643
VISTA	3,734,995
SAN FRANCISCO COUNTY	18,450,020
SAN FRANCISCO	32,758,232
SAN JOAQUIN COUNTY	25,586,066
ESCALON	287,176
LATHROP	788,466
LODI	2,468,445
MANTECA	2,858,474
RIPON	578,071
STOCKTON	11,893,000
TRACY	3,304,328

Local Streets & Roads Funding

SBx1 1 (Beall) and ABx1 26 (Frazier) – 24Aug2016 versions

Estimated 18 August 2016

\$2.5 Billion*

SAN LUIS OBISPO COUNTY	14,925,826
ARROYO GRANDE	675,153
ATASCADERO	1,129,994
EL PASO DE ROBLES	1,182,408
GROVER BEACH	509,657
MORRO BAY	398,397
PISMO BEACH	298,721
SAN LUIS OBISPO	1,774,348
SAN MATEO COUNTY	21,914,231
ATHERTON	268,659
BELMONT	1,036,205
BRISBANE	175,916
BURLINGAME	1,157,925
COLMA	69,421
DALY CITY	4,099,031
EAST PALO ALTO	1,128,754
FOSTER CITY	1,254,774
HALF MOON BAY	466,850
HILLSBOROUGH	442,406
MENLO PARK	1,288,981
MILLBRAE	887,058
PACIFICA	1,493,448
PORTOLA VALLEY	175,374
REDWOOD CITY	3,170,366
SAN BRUNO	1,720,384
SAN CARLOS	1,140,841
SAN MATEO	3,929,313
SOUTH SAN FRANCISCO	2,564,286
WOODSIDE	214,578
SANTA BARBARA COUNTY	15,247,208
BUELLTON	191,025
CARPINTERIA	524,805
GOLETA	1,191,822
GUADALUPE	279,118
LOMPOC	1,684,356
SANTA BARBARA	3,528,707
SANTA MARIA	3,954,803
SOLVANG	212,641
SANTA CLARA COUNTY	48,921,359
CAMPBELL	1,621,521
CUPERTINO	2,314,920
GILROY	2,053,196
LOS ALTOS	1,163,581
LOS ALTOS HILLS	323,126
LOS GATOS	1,181,750
MILPITAS	2,812,723
MONTE SERENO	133,690
MORGAN HILL	1,618,499
MOUNTAIN VIEW	3,018,352
PALO ALTO	2,592,915
SAN JOSE	39,377,928
SANTA CLARA	4,686,438
SARATOGA	1,193,139
SUNNYVALE	5,734,537

Local Streets & Roads Funding

SBx1 1 (Beall) and ABx1 26 (Frazier) – 24Aug2016 versions

Estimated 18 August 2016

\$2.5 Billion*

SANTA CRUZ COUNTY		10,066,504
CAPITOLA	389,410	
SANTA CRUZ	2,471,156	
SCOTTS VALLEY	462,085	
WATSONVILLE	2,017,826	
SHASTA COUNTY		11,791,620
ANDERSON	397,816	
REDDING	3,529,559	
SHASTA LAKE	393,749	
SIERRA COUNTY		2,034,705
LOYALTON	29,791	
SISKIYOU COUNTY		8,390,907
DORRIS	36,376	
DUNSMUIR	63,920	
ETNA	28,706	
FORT JONES	32,502	
MONTAGUE	55,901	
MOUNT SHASTA	131,482	
TULELAKE	39,243	
WEED	114,940	
YREKA	304,067	
SOLANO COUNTY		14,013,222
BENICIA	1,072,659	
DIXON	742,172	
FAIRFIELD	4,334,606	
RIO VISTA	317,393	
SUISUN CITY	1,119,108	
VACAVILLE	3,668,712	
VALLEJO	4,636,464	
SONOMA COUNTY		21,183,891
CLOVERDALE	337,344	
COTATI	284,581	
HEALDSBURG	452,749	
PETALUMA	2,306,552	
ROHNERT PARK	1,591,304	
SANTA ROSA	6,704,691	
SEBASTOPOL	290,818	
SONOMA	423,539	
WINDSOR	1,058,945	
STANISLAUS COUNTY		20,649,744
CERES	1,820,332	
HUGHSON	279,777	
MODESTO	8,103,769	
NEWMAN	416,566	
OAKDALE	843,476	
PATTERSON	817,172	
RIVERBANK	909,798	
TURLOCK	2,752,173	
WATERFORD	336,492	

Local Streets & Roads Funding

SBx1 1 (Beall) and ABx1 26 (Frazier) – 24Aug2016 versions

Estimated 18 August 2016

\$2.5 Billion*

SUTTER COUNTY		6,387,984
LIVE OAK	331,068	
YUBA CITY	2,570,872	
TEHAMA COUNTY		7,325,094
CORNING	296,861	
RED BLUFF	552,426	
TEHAMA	16,271	
TRINITY COUNTY		3,907,250
TULARE COUNTY		25,161,209
DINUBA	928,432	
EXETER	409,554	
FARMERSVILLE	422,571	
LINDSAY	491,140	
PORTERVILLE	2,163,681	
TULARE	2,415,914	
VISALIA	5,065,311	
WOODLAKE	298,372	
TUOLUMNE COUNTY		5,102,129
SONORA	189,940	
VENTURA COUNTY		24,624,959
CAMARILLO	2,601,515	
FILLMORE	598,177	
MOORPARK	1,384,048	
OJAI	294,885	
OXNARD	7,986,079	
PORT HUENEME	882,022	
SAN BUENAVENTURA	4,235,704	
SANTA PAULA	1,183,725	
SIMI VALLEY	4,899,893	
THOUSAND OAKS	5,010,921	
YOLO COUNTY		8,962,470
DAVIS	2,586,135	
WEST SACRAMENTO	1,986,254	
WINTERS	269,395	
WOODLAND	2,228,492	
YUBA COUNTY		5,097,595
MARYSVILLE	467,664	
WHEATLAND	133,884	
Total	\$ 1,250,000,000	\$ 1,250,000,000

Frazier – Beall Transportation Funding Package

- A \$7.4 billion annual funding package to repair and maintain our state and local roads, improve our trade corridors, and support public transit and active transportation.
- A \$706 million repayment of outstanding transportation loans for state and local roads.
- Eliminates the BOE “true up” that causes funding uncertainty and is responsible for drastic cuts to regional transportation projects.
- Indexes transportation taxes and fees to the California CPI to keep pace with inflation.
- Reforms and accountability for state and local governments to protect taxpayers.
- Streamlines transportation project delivery to help complete projects quicker and cheaper.
- Protects transportation revenue from being diverted for non-transportation purposes.*
- Helps local governments raise revenue at home to meet the needs of their communities.*

New Annual Funding

- **State** -- \$2.9 billion annually for maintenance and rehabilitation of the state highway system.
- **Locals** -- \$2.5 billion annually for maintenance and rehabilitation of local streets and roads.
- **Regions** -- \$534 million annually to help restore the cuts to the State Transportation Improvement Program (STIP).
- **Transit** -- \$516 million annually for transit capital projects and operations.
- **Freight** -- \$900 million annually for goods movement.
- **Active Transportation** -- \$80 million annually, with up to \$150 million possible through Caltrans efficiencies, for bicycle and pedestrian projects.
- Constitutional Amendment to help locals raise funding at home by lowering the voter threshold for transportation tax measures to 55 percent.*

Reforms and Accountability

- Restores the independence of the California Transportation Commission (CTC).
- Creates the Office of Transportation Inspector General to oversee all state spending on transportation.
- Increases CTC oversight and approval of the State Highway Operations and Protection (SHOPP) program.
- Requires local governments to report streets and roads projects to the CTC and continue their own funding commitments to the local system.

Streamlining Project Delivery

- Permanently extends existing CEQA exemption for improvements in the existing roadway.
- Permanently extends existing federal NEPA delegation for Caltrans.
- Creates an Advance Mitigation program for transportation projects to help plan ahead for needed environmental mitigation.

New Annual Funding Sources

- Gasoline Excise Tax -- \$2.5 billion (17 cents per gallon increase)
- End the BOE “true up” -- \$1.1 billion
- Diesel Excise Tax -- \$900 million (30 cents per gallon increase)
- Vehicle Registration Fee -- \$1.3 billion (\$38 per year increase)
- Zero Emission Vehicle Registration Fee -- \$16 million (\$165 per year starting in 2nd year)
- Truck Weight Fees -- \$1 billion (Return to transportation over five years)
- Diesel Sales Tax -- \$216 million (3.5% increase)
- Cap and Trade -- \$300 million (from unallocated C&T funds)
- Miscellaneous transportation revenues -- \$149 million

Keeping Promises and Protecting Revenues

- One-time repayment of outstanding loans from transportation programs over two years. (\$706 million)
- Return of truck weight fees to transportation projects over five years. (\$1 billion)
- Constitutional amendment to ensure new funding cannot be diverted for non-transportation uses.

**These provisions will be in companion bills.*



September 1, 2016

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95814

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916.327.7500

Facsimile
916.441.5507

To: CSAC Officers
CSAC Board of Directors

From: Graham Knaus, Deputy Executive Director of Operations and Member Services
David Liebler, Director of Public Affairs & Member Services
Jim Manker, Director of Corporate Relations
Kelli Oropeza, Chief of Financial Operations

Re: CSAC Operations and Member Services Update

This memorandum highlights key activities and initiatives occurring within CSAC operations and member services.

California Counties Foundation/CSAC Institute

The California Counties Foundation (Foundation), the 501 (c)(3) non-profit foundation of CSAC, has been restructured to include the CSAC Institute and better serve counties. The Foundation Board and CSAC Institute Governing Council held a joint meeting July 15 and adopted new bylaws that do the following:

- Broaden the purpose and responsibilities of the Foundation to include the CSAC Institute, Realignment Training Program including the Results First partnership with PEW Charitable Trusts, Inc., manage charitable contributions, grants, and fundraising to improve information resources and education opportunities for county elected and appointed officials.
- Increase the composition of the Foundation Board from 6 to 15 members replacing the CSAC Institute Governing Council and the existing Foundation Board to include:
 - CSAC Elected Officer
 - CSAC Treasurer
 - CSAC Executive Director
 - 3 County Supervisors
 - 3 County Administrators
 - CAOAC Executive Director
 - Human Resources Director
 - County Counsel
 - CSAC Finance Corporation Executive Vice President
 - CSAC Corporate Partner
 - CSAC Institute Faculty Member
- Maintain the operations of the Institute under the strong leadership of Dean Bill Chiat.

These changes strengthen the structure of the Foundation, move the Institute from the CSAC General Fund to the non-profit Foundation, and position the Foundation for new opportunities for partnerships, grant-seeking, and services to members. As

a result of the change, the Foundation will also be included in our annual external audit.

In other actions, the Institute fees have been adjusted for the first time in four years to keep pace with facility and other operating costs. New fees will go into effect July 1, 2017, and include \$149 per class for individual classes and \$129 per class for those that purchase a credential package, a \$20 per class increase. The Institute currently offers classes at the main campus in Sacramento, and satellites located in Merced County, Contra Costa County, and Riverside County. Many thanks to the leadership in San Diego County for paving the way for satellites over the past two years!

Member Services and Communications

CSAC Challenge Awards to be Decided Soon

Our panel of 14 judges meets Friday, Sept. 2, to decide the Challenge and Merit Award recipients for 2016. This year saw a record number of entries (279) and counties entering (41). As in previous years, awards will be presented in four population categories. Counties being honored for their award-winning programs will be notified in Mid-September. CSAC will then begin setting up presentations at Boards of Supervisors meetings, as well as start working on videos and blogs spotlighting these best practices.

Annual Meeting Registration Launched

CSAC has opened registration for our 122nd Annual Meeting, slated for Nov. 29 through Dec. 2 in Palm Springs, Riverside County. We have a strong lineup of workshops and speakers set for the conference. Attendees who register before Oct. 14 will save \$50.00 off regular advance rates. The theme for the Annual Meeting is "The Power of Connection," spotlighting the leading role California Counties play in connecting with our residents and communities, as well as state and federal government.

Working Closely with CSAC Legislative Unit

CSAC communications continues to work closely with our Legislative Unit to enhance our advocacy positions. For example, guest Op-eds written on behalf of CSAC Executive Director Matt Cate and other local government partners were printed in the Sacramento Bee and East Bay Times, focusing on transportation and a potentially onerous piece of legislation (AB 2935) that would have impacts on county finances and operations.

Communications Unit Wins National Communications Awards

CSAC's Communication Unit was recently honored with six national awards by the National Association of County Information Officers (NACIO), an affiliate of NACo. CSAC won four awards for writing and two awards for video work. Superior awards were presented to David Liebler, Director of Public Affairs & Member Services for a blog posting he wrote on the Stanislaus County Employee Mentor Program, and to Michael Sweet, Video and Technical Services Specialist, for a video he produced on Sacramento County Probation's Break Away Bike Program. Sweet and Liebler

also won awards for the video and blog they produced on the devastating Rocky Fire in Lake County. Communication Coordinator Gregg Fishman received two Meritorious Awards, one for a piece he co-wrote with then CSAC President, Vito Chiesa about how counties can work together to mitigate effects of the drought and another piece that offered an inside look at CSAC's activities on the last day of the 2015 legislative session.

“The County Voice” Grows in Volume

Submittals to CSAC's blog, “The County Voice,” have increased over the past two months, widening the scope of issues and authors. Over the past two months blog articles have been written by State Controller Betty Yee, CalFire Chief Ken Pimlott, CSAC 2nd Vice President Leticia Perez and new NACo 2nd Vice President Greg Cox, among others.

Corporate Partnership Program

The Corporate Partnership Program (Program) has now fully implemented its transition from operating on a calendar year basis to operating on a fiscal year basis. 2016-17 begins with 56 partners, including 24 Premier, 6 Executive, and 26 Associate. Since the last report, the Program has brought on Novartis (Premier), PhRMA (Executive), GreenbergTraurig (Associate), and SAIC (Associate).

Year-end highlights

The Program provided an estimated \$330,000 in net revenue supporting CSAC advocacy, operations, and member services – a \$300,000 increase since 2013-14! That includes \$30,000 in net revenue for the CSAC Annual Meeting Exhibit Hall and the new “mini-expo” at the CSAC Legislative Conference where 15 companies participated.

Regional Meetings

These one day regional events are designed to bring together members and leaders from counties, our CSAC Executive and Advocacy Team members and our Premier and Executive level partners. The meetings are designed around a policy issue of interest in each region; panels and round table discussions help foster the sharing of information and creative solutions critical to excellent county governance.

CSAC President Richard Forster hosted the motherlode and surrounding counties regional meeting on June 16, which included over 40 participants representing 15 counties, 8 partners and other special guests. The meeting focused on history and changes in the criminal justice system, national evidence-based approaches to criminal justice for adults and juveniles, and discussion of the Governor's proposed public safety initiative to be considered on the November ballot. Highlights included presentations by California Department of Corrections and Rehabilitation Secretary Scott Kernan as well as the Governor's Special Advisor on Realignment Diane Cummins.

The final regional meeting of the year, focusing on southern California and surrounding counties, will be hosted September 22 by Orange County. The meeting will focus on the state of the global and local economy as well as the

complexities around homelessness. This will include a big picture and local perspective on the economy, where it is headed, and potential opportunities and challenges impacting county budgets and communities. The economic discussion will set a foundation for a discussion on homelessness from a state perspective, near-term resources to assist counties, and current local efforts.

Other Efforts

The Program continues to work closely with the CSAC Finance Corporation to leverage and strengthen the marketing strategy and elevate understanding of the available Finance Corporation revenue programs as well as CSAC corporate partners. As the relationship between CSAC and the CSAC Finance Corporation grows, it may further open strategic opportunities to leverage the networks and revenue growth opportunities to benefit counties.

Planning is well underway for the Annual Conference Exhibit Hall – 45 exhibitor booths have already been taken. The “Rat Pack” theme will create a fun space to connect with colleagues and exhibitors and will complement the Palm Springs, Riverside County location and its retro roots with Frank Sinatra, Sammy Davis Jr., and Dean Martin.

CSAC Corporate Program twitter page, please follow us!

www.twitter.com/CsacCorp

Fiscal Operations

The 2015-16 fiscal year continued to strengthen the fiscal operations of the association, highlighted by the payoff of the CSAC building loan, leaving CSAC debt free while also maintaining reserves above the 6-month target required in the Operating Reserve Policy. This is a reflection of the leadership of the CSAC Officers, Executive Committee, Treasurer Judy Morris, the Board, and the commitment of staff to align association expenses with anticipated revenues.

Staff is currently in the process of completing 2015-16 fiscal year end with our new external auditors. Under the direction of CSAC Treasurer Judy Morris and the Procurement Policy, Moss Adams, Inc., a highly reputable firm in Sacramento, was selected as the new external auditor following a competitive RFP process for the first time in many years. The change in auditors provides fresh perspective on the association’s fiscal strength and accounting procedures and, for the first, time, will also include the California Counties Foundation.

The final audit findings will be presented to the Executive Committee at their October 5-7 meeting and the Board of Directors in early December.

Staff Contacts: Please contact Graham Knaus (gknaus@counties.org or (916) 327-7500 x545), David Liebler (dliebler@counties.org or (916) 327-7500 x530), Jim Manker (jmanker@counties.org or (916) 327-7500 x528), or Kelli Oropeza (koropeza@counties.org or (916) 327-7500 x544) for additional information.



September 1, 2016

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Telephone
916.327.7500

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916.441.5507

To: CSAC Board of Directors

From: Darby Kernan, CSAC Legislative Representative
Kiana Valentine, CSAC Legislative Representative

Re: *Joint CSAC-League Homelessness Task Force*

Recommendation: No action is requested at this time.

Background. In May, the CSAC Board of Directors approved the formation of a joint Task Force on Homelessness (Task Force) with the League of California Cities. Because the issue of homelessness often crosses over city and county lines, collaboration between jurisdictions is critical to identifying and delivering solutions that reflect the unique needs of each community.

The main goal of the Task Force is to answer the question: What do local governments need to prevent, assist, and reduce the number of homeless individuals and families in our communities? The Task Force will meet to learn about best practices underway in counties and cities today, present workshops to a larger audience at our respective conferences, create webpages to provide counties and cities with resources, data and information on homelessness issues, and engage in joint advocacy/lobbying efforts as needed.

The Task Force plans to meet at least once a quarter over the next year. The kick-off meeting is scheduled for Friday, September 23rd in Sacramento, CA. In preparation for the first meeting, CSAC will be sending a survey to all 58 counties to establish a baseline understanding of the homeless population and its demographics, the existing programs and services counties provide today, and policy or other changes that would help counties better serve their homeless population.

For your information, attached is a list of the county and city appointees to the Task Force.

Action Requested. No action is requested at this time.

Staff Contact. Please contact Darby Kernan (dkernan@counties.org) (916) 327-7500 x537) or Kiana Valentine (kvalentine@counties.org) or (916) 327-7500 x566) for additional information.

CSAC-LCC TASK FORCE ON HOMELESSNESS

July, 2016

League of California Cities (LCC) Participants:

Joe Buscaino

Council Member, Los Angeles

Eric Guerra

Council Member, Sacramento

Curtis Hunt

Council Member, Vacaville

Erik Caldwell

Director of Economic Development, San Diego

Mark Wheatley

Council Member, Arcata

Chris McKenzie

Executive Director,
League of California Cities
cmckenzie@cacities.org
Ph: 916-658-8275

Jacky Morales-Ferrand

Director of Housing, San Jose

Jim Holgersson

City Manager, Modesto

Yibin Shen

Deputy City Attorney, Santa Monica

Richard Garbarino

Council Member, South San Francisco

Stephany Aguilar

Council Member, Scotts Valley

Kendra Harris

Legislative Representative,
League of California Cities
kharris@cacities.org
Ph: 916-658-8250

California State Association of Counties (CSAC) Participants:

Kathy Miller

County Supervisor, San Joaquin

Hub Walsh

County Supervisor, Merced County

Phil Ansell

Director, Homeless Initiative
Los Angeles County

Jeff Brown

Health & Human Services Director
Placer County

Cindy Cavanaugh

Director of Homelessness Initiatives
Sacramento County

Oscar Villegas

County Supervisor, Yolo County

Damon Connolly

County Supervisor, Marin County

Greg Devereaux

Chief Executive Officer
San Bernardino County

Elizabeth Pianca

Lead Deputy County Counsel
Santa Clara County

Robert Bendorf

County Administrator
Yuba County

Matt Cate
Executive Director
California State Association of Counties
mcate@counties.org
Ph: 916-327-7500

Darby Kernan
Legislative Representative
California State Association of Counties
dkernan@counties.org
Ph: 916-327-7500

Joint LCC and CSAC Participant:

Sam Dodge
Director of Housing Opportunity, Partnerships
and Engagement, San Francisco



County Counsels' Association of California

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*Rita L. Neal
San Luis Obispo County
2015-2017*

EXECUTIVE DIRECTOR

Jennifer B. Henning

MEMORANDUM

To: Supervisor Richard Forster, President, and
Members of the CSAC Board of Directors

From: Jennifer Henning, Litigation Coordinator

Date: September 1, 2016

Re: Litigation Coordination Program Update

This memorandum will provide you with information on the Litigation Coordination Program's new case activities since your last Board meeting. Briefs filed on CSAC's behalf are available at: <http://www.counties.org/csac-litigation-coordination-program>.

City and County of San Francisco v. Daugherty

Pending in the First District Court of Appeal (filed Aug. 4, 2015)(A145863)

This case involves an investigation conducted by the United States Attorney's Office into alleged corruption within San Francisco's police department. Investigators, along with San Francisco police officers assigned to assist the federal investigators, discovered racist text messages between the officers. Those messages were not shared outside of those involved in the investigation based on strict confidentiality rules, which included walling off the officers assigned to the federal investigation from the rest of the department. At the conclusion of the criminal trial, the US Attorney released the text messages to the police department, which promptly initiated disciplinary proceedings against the officers responsible for the texts. The officers challenged the discipline arguing it was time barred. The trial court agreed, concluding that the one year limitations period under the Police Officer Bill of Rights (POBOR) began to run when the texts were initially discovered in the federal investigation – despite the wall in place between the investigators and the rest of the department – and not when they were turned over to the department. The city has appealed, and CSAC will file a brief in support.

City and County of San Francisco v. Superior Court (Hoepfer)

Petition for Writ of Mandate Denied (2d Dist. Aug. 1, 2016)(A148549), *petition for review pending* (filed Aug.12, 2016)(S236551)

Plaintiff was a Deputy City Attorney in San Francisco assigned to investigate allegations of wrongdoing in the city. She prepared a report summarizing her investigation and performed other related work. Thereafter, the City Attorney concluded that the practice related to handling the claims needed to

September 1, 2016

be changed, but that no employees had engaged in wrongdoing, a conclusion with which she disagreed. A year later, she was terminated for unrelated reasons, and she sued the city arguing she was retaliated against for her whistleblowing activities. The city sought summary judgment on the grounds that the report and other information that would be needed to prove plaintiff's claims were protected by the attorney-client privilege, and would need to be disclosed to the jury in order for her to prevail. The trial court denied the motion, holding plaintiff's work and reports did not implicate the attorney-client privilege because she was merely acting in a reporter/investigator role and not as an attorney for the city. The Second District summarily denied the city's writ petition. The city is seeking Supreme Court review, and CSAC will file a letter in support.

County of Kern v. T.C.E.F., Inc.

246 Cal.App.4th 301 (5th Dist. Apr. 5, 2016)(F070813), *petition for review denied* (June 29, 2016)(S234542)

In 2009, the county adopted an ordinance that allowed marijuana dispensaries in commercially zoned areas. In 2011, the county adopted a new ordinance banning dispensaries. The county received a protest under Elections Code section 9144. In response, the county placed a measure on the ballot (Measure G) that would: (1) allow dispensaries in industrial zones subject, and (2) repealed the section of the county code where both the 2009 and 2011 ordinances were placed. Measure G was adopted by the voters, but was struck down on CEQA grounds. This current case, an abatement action brought by the county against a dispensary in the commercial zone, thus poses an interesting question: Which dispensary law governs? The Court of Appeal concluded that under Elections Code section 9145, "a board of supervisors must (1) revoke the protested ordinance in all its parts and (2) not take additional action that has the practical effect of implementing the essential feature of the protested ordinance." However, in this case, when the county repealed both the 2011 ban and the 2009 ordinance allowing dispensaries in commercial zones, it had the effect of prohibiting dispensaries, which was essentially the same as the dispensary ban protested by voters. As a remedy, the court therefore reinstated the 2009 ordinance, and concluded that defendant was actually operating lawfully in the commercial zone under the 2009 ordinance. CSAC supported Kern County's petition for California Supreme Court review, but review was denied.

County of Tulare v. PERB (SEIU)

Unpublished Opinion of the Fifth Appellate District, 2016 Cal.App.Unpub.LEXIS 5170 (5th Dist. July 11, 2016)(F071240), *request for publication denied* (Aug. 4, 2016)

Tulare County had an MOU with SEIU that froze merit increases during the term of the MOU, and stated that employees "will be placed" in the appropriate pay range after expiration of the MOU. Prior to the MOU's expiration, the parties began negotiations on a new MOU. The county proposed continuing the merit increase freeze, but SEIU refused. After reaching impasse, the county imposed the freeze, and SEIU filed an unfair practice charge with PERB. The ALJ ruled in the county's favor, finding that because the parties had reached a bona fide impasse, the county could impose its last, best and final offer (LBFO). The PERB reversed the ALJ, concluding that the language in the MOU about employees' pay ranges after expiration of the MOU survived the contract and limited the county's right to impose contrary terms at impasse. The PERB acknowledged that

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generally public employees have no vested right in wages or benefits beyond the terms of the contract. But the PERB concluded that the language in this agreement created a right that survived the contract's term. In an unpublished opinion, the Fifth District affirmed on the language of the MOU, but struck PERB's language on vested rights, calling that part of the opinion "broadly overstated" and "in error." CSAC supported Tulare County with a brief in the Court of Appeal, the legal analysis of which was largely adopted by the court on the vested rights issue. CSAC also requested publication of the vested rights discussion, but that request was denied.

Flores v. City of San Gabriel

--- F.3d ---, 2016 U.S.App.LEXIS 10018 (9th Cir. June 2, 2016)(14-56421,14-56514), *petition for rehearing pending* (June 27, 2016)

The Ninth Circuit has issued a first-of-its-kind opinion under the Fair Labor Standards Act (FLSA). The case addresses flexible benefits plan under which a public employer offers a designated monetary amount to each employee for the purchase of medical, vision, and dental benefits. In the case, the City of San Gabriel allowed employees, if they provided proof of alternate medical coverage, to forgo medical benefits and receive the unused portion of the designated monetary amount as a cash payment (e.g., cash in lieu). The city treated the cash in lieu payments as benefits, not compensation, and thus excluded the payments from employees' regular rate of pay for overtime purposes. The Ninth Circuit held that cash payments made to employees in lieu of health benefits must be included in the hourly "regular rate" used to compensate employees for overtime hours worked. The court also found that the city's exclusion of the cash in lieu payments in calculating overtime was "willful" under the FLSA, entitling plaintiffs to three years of back overtime pay (rather than the standard two-year period). The city is seeking rehearing, and CSAC has filed a brief in support.

Garmon v. County of Los Angeles

--- F.3d ---, 2016 U.S.App.LEXIS 12381 (9th Cir. July 5, 2016)(12-55109), *petition for rehearing denied* (Aug. 22, 2016)

Plaintiff was an alibi witness in her son's murder trial. She had to have surgery for a brain tumor prior to the trial, and gave her consent to have the hospital release her records related to her brain tumor to the prosecutor. The prosecutor, however, indicated in a declaration to a subpoena that Garmon was the victim in the murder case, and obtained her full medical file, not just records related to the tumor. Information from the records was used at trial to undermine Garmon's credibility. Her son was ultimately convicted, and she brought this Section 1983 action against the county, and the DA and prosecuting DA. The Ninth Circuit concluded that the prosecutor was entitled to absolute immunity for issuing the subpoena, but not for the accompanying declaration. The court also found that plaintiff failed to state a claim against the county. Finally, and most relevant to CSAC's interest, the court reversed the district court's dismissal based on Government Code section 821.6 [no liability for injury caused by instituting or prosecuting a proceeding, even if done maliciously and without probable cause]. The court concluded that section 821.6 applies only to malicious prosecution claims, and not to claims like the one in this case (collateral damage to a third party witness for a negligent act during an investigation or prosecution).

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CSAC filed a brief supporting LA County's petition for rehearing, but the petition was denied.

In re RW Meridian LLC

Memorandum Decision of the United States Bankruptcy Court, Southern Dist. of Calif. (July 5, 2016)(16-00629-MM7)

This is a bankruptcy matter that raises a question of when the tax collector can sell a property at auction to recover back taxes. When property taxes are significantly in arrears, the county tax collector can set the property for sale at auction following specific procedures in the code. The process includes a final right of redemption, which is the last day for the property owner to pay the taxes owed in order to stop the sale. Here, the right of redemption date ended and the internet auction started the next day. Two days later, the property owner filed for bankruptcy, and a day later the auction closed and the property awarded to the highest bidder. The question is whether the property is protected by the bankruptcy action when the right of redemption has passed, and the auction sale has commenced but not closed. The bankruptcy court ruled in favor of the property owner, and Imperial County plans an appeal. CSAC will file a brief in support.

Leider v. Lewis

Previously published at: 243 Cal.App.4th 1078 (2d Dist. Jan. 14, 2016)(B244414), *petition for review granted* (Apr. 27, 2016)(S232622)

Plaintiff filed this taxpayer standing action under Code of Civil Procedure section 526a to enjoin the city's construction of a new elephant exhibit, arguing that the city exhibit would violate Penal Code section 596.5, which prohibits abusive behavior toward elephants. The trial court granted summary judgment in favor of the city, but the Court of Appeal reversed and remanded finding that Penal Code section 569.5 could serve as the basis of a 526a claim. On remand, and after a trial, the court denied the requested relief, but issued three separate injunctions with specific details on how to manage the elephants. The Second District affirmed in a 2-1 decision. The court rejected the city's argument that under Civil Code section 3369, the court cannot use equitable powers to enforce the Penal Code. The court found instead that section 3369 does not apply to CCP 526a claims. The dissent disagreed, concluding that section 3369 is a bar to plaintiff's claims. The Supreme Court has granted review, and, as relevant to counties, will consider whether Civil Code section 3369 bars taxpayer actions brought under the authority of CCP 526a seeking to enjoin violations of Penal Code provisions concerning animal abuse? CSAC will file a brief in support of the City of Los Angeles.

Paradise Irrigation Dist. v. Commission on State Mandates

Pending in the Third Appellate District (filed Apr. 25, 2016)(C081929)

Several irrigation and water districts filed test claims before the Commission on State Mandates seeking reimbursement for mandates related to the Water Conservation Act and its implementing regulations. The Commission denied the claim. The Sacramento Superior Court affirmed for two reasons. First, the court determined that those claimants that do not collect or expend property taxes are not eligible to claim reimbursement. Second, the court concluded that because the claimant agencies have fee authority, Government Code section 17556 precludes finding costs to be mandated by the State. The

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court acknowledged that the ability to impose fees to implement the Water Conservation Act is subject to the majority protest process of Proposition 218. “However, the mere specter of a majority protest should not, by itself, negate a local agency’s fee authority. While it is possible that a majority of the owners will protest a proposed fee, it is also possible that they will not.” Thus, the court concluded that “in the absence of a showing that Petitioners have ‘tried and failed’ to impose or increase the necessary fees, the Commission properly concluded that Petitioners have sufficient fee authority to cover the costs of any mandated programs.” The districts have appealed. CSAC will file a brief in support.

Protecting Our Water & Environmental Resources v. Stanislaus County

Pending in the Fifth District Court of Appeal (filed May 2, 2016)(F073634)

Stanislaus County has a well permitting ordinance, enacted in 1973, that adopted the State Department of Water Resources standards for the construction, repair, reconstruction or abandonment of wells. Following the State’s adoption of the Sustainable Groundwater Management Act, the county adopted a groundwater ordinance that requires non-exempt applicants for well-construction permits to demonstrate that proposed wells will not cause or substantially contribute to the unsustainable extraction of groundwater. Plaintiff filed this action alleging that the issuance of permits for wells under the ordinances is discretionary and therefore requires CEQA review. The County contends that such permits are ministerial— if the well meets the standards in the adopted ordinances, the permit is issued. The trial court agreed with the County. Plaintiff has appealed. CSAC will file a brief in support of Stanislaus County.

People for Proper Planning v. City of Palm Springs

Previously published at: 247 Cal.App.4th 640 (4th Dist. Div. 2 Apr. 22, 2016)(E062725), *ordered published* (May 20, 2016), *request for depublication granted* (Aug. 17, 2016)(S234996)

Plaintiff challenged a General Plan (GP) amendment that was added by the city to clarify that the GP does not mandate minimum residential densities. The city argued, and the trial court agreed. On appeal, the court did not view the amendment as a mere clarification, but found that it had the substantive effect of eliminating existing density minimums. The court therefore held that the GP amendment was not eligible for a categorical exemption from CEQA. The court further held that even if the exemption did apply, plaintiff adequately proved an exception to the exemption, because the amendment would create an “across-the-board change in land use regulation that affects every residential area identified by the General Plan.” In so ruling, the court found that the proper baseline was not the existing conditions on the ground (which remain unchanged given the city’s interpretation that the GP did not mandate minimum densities), but rather the GP itself. CSAC’s request for publication was granted.

Rubenstein v. Doe No. 1

Previously published at: 245 Cal.App.4th 1037 (4th Dist. Div. 1 Mar. 22, 2016)(D066722), *petition for review granted* (June 16, 2016)(S234269)

In 2007, the California Supreme Court concluded that a provision added to the Code of Civil Procedure that extended the statutory period to file sexual abuse claims (a

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“delayed discovery” statute adopted in the wake of the priest abuse scandals) did not impact the timeframe for filing a claim with a public agency under the Government Claims Act. (*Shirk v. Vista Unified School District*.) So in 2008, the Legislature adopted a bill to address that opinion. The bill amended the Government Claims Act to include an exemption to the claim filing requirement for delayed discovery sexual abuse claims, but specifically states that it applies only prospectively (i.e., to incidents occurring after January 1, 2009). Fast forward to the present case. Here, sexual abuse occurred in 1993 (obviously well before January 1, 2009) and a claim was filed with the public entity in 2012 under the delayed discovery theory. The Court of Appeal, with nearly no analysis of the issue, allowed the case against the public entity to move forward. CSAC supported Supreme Court review, which was granted. CSAC will also file a brief on the merits in the California Supreme Court.

Teixeira v. County of Alameda

822 F.3d 1047 (9th Cir. May 16, 2016)(13-17132), *petition for rehearing pending* (filed July 21, 2016)

This case is a challenge to a denial of a conditional use permit, which would have violated the county’s requirement that such businesses be more than 500 feet away from schools and other sensitive sites. Plaintiff brought this action in federal court alleging due process and Second Amendment violations. The trial court ruled in favor of the county. On appeal, the Ninth Circuit therefore phrased the issue presented as “whether the right to keep and to bear arms, as recognized by the Second Amendment, necessarily includes the right of law-abiding Americans to purchase and to sell firearms. In other words, we must determine whether the Second Amendment places any limits on regulating the commercial sale of firearms.” The court found that the Second Amendment includes the ability to purchase firearms, and therefore reviewed the county’s ordinance under heightened scrutiny. Under that higher standard, the court concluded that the county did not meet its burden of showing that the infringement of rights was justified by governmental need. Justice Silverman dissented, finding no Second Amendment issues because gun retailers exist in the county and those with a Second Amendment interest in obtaining a gun are able to do so: “When you clear away all the smoke, what we’re dealing with here is a mundane zoning dispute dressed up as a Second Amendment challenge.” Alameda County is seeking rehearing en banc, and CSAC has filed a brief in support focusing on counties’ traditional land use powers.



INSTITUTE FOR LOCAL GOVERNMENTSM

Promoting Good Government at the Local Level

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Update on Activities

September 2016

The Institute for Local Government (ILG) is the research and education affiliate of the California State Association of Counties, League of California Cities and the California Special Districts Association. ILG promotes good government at the local level with practical, impartial and easy-to-use resources for California communities. Our resources on ethics and transparency, local government basics, public engagement, sustainable communities and collaboration and partnerships are available at www.ca-ilg.org.

Highlights

- ILG is updating three of its most popular resources: “Understanding the Basics of Public Service Ethics Laws,” “Key Ethics Law Principles for Public Servants” and “Basics of Municipal Revenue (see details below).
- ILG is working with CSAC to provide upcoming conference sessions and trainings (see details below).
- ILG launches Governments Engaging Youth Program.
- ILG has a number of new articles on summer meal programs, sustainability and more (more information below).

Understanding the Basics of Municipal Revenues and Ethics Resource Updates

In 2013, ILG updated the resource “Understanding the Basics of County and City Revenues.” Local governments provide essential services including public safety (police, fire and emergency services), parks and recreation, roads, flood protection, sewers, water, refuse disposal, recycling and other utilities. This resource explains how counties, cities and special districts pay for such services and facilities through a variety of revenues.

At the March 18th meeting, the Board engaged in a conversation to assist ILG’s efforts to revise the revenue resource guide, including the addition of special districts. ILG will be working with fiscal consultant Michael Coleman to update and revise this resource. We aim to have the update completed by October 2016.

In addition, ILG is in the process of updating two of our flagship Ethics Program resources – Understanding the Basics of Public Service Ethics Laws and Key Ethics Law Principles for Public Servants. We have engaged our law firm to do an initial update of the resources. In addition to ensuring that the information is current, we will also be updating the formatting so they fit with our current branding. We also hope to have these resources updated in advance of the CSAC Annual Conference.

Governments Engaging Youth

In 2016, the Institute received a planning grant from the Stuart Foundation that helped ILG engage in a survey and preliminary work on its Governments Engaging Youth (GEY) Program. The work resulted in a plan for growing the GEY program through development of a toolkit, building awareness and developing additional sites in California. The Institute then applied for and was awarded a grant from the State’s Workforce Investment Board. ILG was successful in that request and received Accelerator 3.0 funding to develop a toolkit of materials and resources, increase awareness and convene critical partners involved in youth-civic education and work-based learning. To find out more about ILG’s Governments Engaging Youth work visit: www.ca-ilg.org/GovernmentsEngagingYouth.

Public Engagement Framework

ILG’s Public Engagement Program has begun work on the James Irvine Foundation funded Public Engagement Actionable Framework for Local Governments. This effort has four major objectives:

- Develop the foundational components of a Public Engagement Actionable Framework for Local Governments along with companion training curriculum.
- Develop a Public Engagement awards program, linked to ILG’s Public Engagement Actionable Framework to spotlight and honor outstanding efforts by local governments.
- Develop and/or revise internal evaluation systems per recommendations.
- Promote the importance of civic and public engagement at the local to legislative level through promotion of ILG’s Public Engagement Program resources and leadership in the California Consortium on Public Engagement.

CSAC Conference Sessions and Institute Courses

ILG will be facilitating an AB 1234 training at CSAC’s Annual Conference in November and will have a presence in the Expo. Additionally, ILG will be working with the CSAC Institute on a course for March 2017, “Supporting the Next Generation – Collaborative Approaches and Funding Opportunities.”

New Articles and Resources

- *ILG Offers Ethics Resources and AB 1234 Training* outlines ILG’s current ethics related resources and trainings (www.counties.org/county-voice/ilg-offers-ethics-resources-and-ab-1234-training).
- *Summer Food Programs Help Youth Stay on Track* discusses summer meal programs and outlines how counties can get more involved (www.counties.org/csac-bulletin-article/summer-food-programs-help-youth-stay-track).
- *Fresno Uses Mobile App to Reach and Engage the Community* highlights how the City of Fresno is using a new mobile app to engage their residents and improve service delivery (www.westerncity.com/Western-City/June-2016/Fresno-Uses-Mobile-App-to-Reach-and-Engage-the-Community/).
- *California Cities Shine in \$5 Million Energy Prize Challenge* features a number of Beacon cities and other cities in California and their innovative efforts to reduce energy consumption (www.ca-ilg.org/resource/california-cities-shine-5-million-energy-prize-challenge).
- *Summer Night Lights Program Keeps LA Parks Safe After Dark* highlights LA’s collaborative efforts to reduce violence in summer months (www.westerncity.com/Western-City/August-2016/Summer-Night-Lights-Program-Keeps-LA-Parks-Safe-After-Dark/).
- *Cities Collaborate to Help Give Kids a Running Start for School* features the innovative collaborative efforts of the cities of Ontario, Fremont and Pittsburg (www.westerncity.com/Western-City/August-2016/Cities-Collaborate-to-Help-Give-Kids-a-Running-Start-for-School/).
- *Attributes of Exceptional Boards* provides key characteristics of exceptional boards and best practice tips for boards (www.ca-ilg.org/resource/attributes-exceptional-boards).
- In July, ILG hosted a webinar “Form 700 and Recent Updates to FPPC Regulations” that drew more than 100 registrants including many county officials. The recording can be found here: www.ca-ilg.org/webinar/form-700-and-recent-updates-fppc-regulations.
- In August, ILG hosted a webinar “Promoting Personal and Organizational Ethics.” The recording can be found here: www.ca-ilg.org/webinar/promoting-personal-and-organizational-ethics.

Recent Workshops, Trainings and Events

- Sarah provided a training on public engagement basics to the Mendocino LAFCO.
- The statewide Summer Meal Kick-Off Event attracted more than 350 families and provided a free healthy lunch to 225 children and youth.
- ILG staff worked with local partners on additional summer meal kick-off events in Fresno, Porterville, Crockett, San Jose, Richmond and Concord.
- ILG facilitated a session at the League’s Mayor and Councilmembers Executive Forum on “Stretching Community Dollars through Local and Regional Leadership.” Yolo County Supervisor Oscar Villegas participated in the full day training.

- ILG facilitated a number of workshops at the SEEC Forum including: Climate and Energy 101 Session, Getting a Piece of the Pie: Cap & Trade Session, State of Local Climate Action Panel.
- ILG facilitated a session at the CSDA General Managers Summit in June, “Leading Sustainability Efforts in Your District and Getting Paid to Do It,” and had a presence at the Expo.

Board of Directors

The Board met on August 25th-26th for their annual retreat. Agenda topics included: Cal-ICMA’s Ethics Recognition Initiative, Trauma Informed Communities, an update on ILG’s Partner Program and goal setting for 2017.

The last 2016 ILG Board of Directors meeting will take place:

- Friday, November 18th (Sacramento)

Summer – Fall 2016 Course Guide

You must be the change you wish to see in the world. – Mahatma Gandhi

Professional development classes for county officials, executives and managers

Schedule at a Glance

DATE		LOCATION	PAGE
JULY			
7 (TH)	A Primer on County-Tribal Relationships	SAC	6
14 (TH)	20 Things to Know About Medi-Cal 2020	SAC	7
21 (TH)	Communicating and Presenting Complex Information	SAC	1
21 (TH)	Labor Relations and Negotiations in Local Government	MARTINEZ	4
28 (TH)	Intergenerational Leadership	SAC	3
29 (F)	The Maturity Factor + Emotional Intelligence	SAC	6
AUGUST			
4 (TH)	IT Risk and Portfolio Management	SAC	4
5 (F)	Polishing the Presentations: Advanced Practices	SAC	6
11 (TH)	Effective Use of Social Media and Electronic Communications	SAC	2
18 (TH)	County 101: Duties, Authorities, Responsibilities	MARTINEZ	2
25 (TH)	Preparing for the Single Audit	SAC	5
SEPTEMBER			
1 (TH)	Local Governance in California: All Those Local Agencies!	SAC	5
8 (TH)	<i>Emerging Issues</i> : Shared Economies	SAC	3
9 (F)	Art & Practice of Organizational Leadership	SAC	1
9 (F)	Thinking Strategically in Trying Times	RIVERSIDE	7
15 (TH)	Crafting and Implementing Effective Strategic Plans	MARTINEZ	1
16 (F)	Thinking Strategically in Trying Times	MERCED	7
22 (TH)	Strategy: Clarifying, Building, Implementing and Aligning	SAC	6
OCTOBER			
6 (TH)	IT Enterprise Governance	SAC	4
7 (F)	Engaging Employees for Success	RIVERSIDE	3
14 (F)	County Budgeting and Financial Planning	SAC	2
20 (TH)	Thinking Strategically in Trying Times	MARTINEZ	7
21 (F)	Engaging Employees for Success	SAC	1
21 (F)	Financing California Counties	MERCED	7
27 - 28	<i>Special Workshop</i> : Realignment 101 – 2-Day Workshop	SAC	6
NOVEMBER			
3 (TH)	Managing Conflict (even hostility) in Comfort	SAC	5
4 (F)	Leadership & Change: Practices to Move Organizations	RIVERSIDE	4
10 (TH)	Drama in the Boardroom: Acting Techniques	SAC	2
17 (TH)	<i>Emerging Issues</i> : Evidence-Based Practices	SAC	3
18 (F)	Leading with Emotional Intelligence	MERCED	4
28 - 29	New Supervisors Institute	PALM SPRINGS	5
DECEMBER			
2 (F)	Intergenerational Leadership	RIVERSIDE	3
8 (TH)	IT Budgeting and Service Economics	SAC	3
9 (F)	Leadership & Change: Practices to Move Organizations	SAC	4
15 - 16	<i>Special Workshop</i> : Leading with Emotional Intelligence	SAC	7
16 (F)	Effective Use of Social Media and Electronic Communications	MERCED	2

Nature and dimensions of leadership in effective organizations

The Art & Practice of Organizational Leadership

120

This interactive course designed for both experienced and new senior county managers explores the practical applications of leadership in creating a high performing county organization – especially in the difficult environments counties operate. Participants engage in discussions of key practices in formal and informal leadership, particularly in achieving sustainable change; employee engagement and team-building strategies; leadership when you're not in charge; and techniques for developing a vital workplace culture which supports organizational members.



Instructor: Dr. Frank Benest is former city manager of Palo Alto and a noted expert in organizational leadership and management.

Friday, September 9, 2016

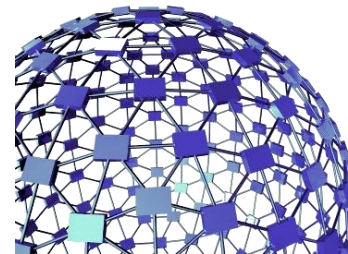
10:00 a.m.–3:30 p.m.

Sacramento ♦ \$129/person for counties ♦ 3 credits ♦ Managers/executives

Effective visual display of complex information

Communicating and Presenting Complex Issues and Data

389



Counties present complex and detailed information to decision-makers and the public, and may fall into the trap of overwhelming the audience with too much content or complexity. This course provides strategies and techniques for presenting data, complex issues and analytical information in a way an audience can

understand and apply. Participants explore balancing content with clarity, effective use of tools such as PowerPoint, and determining what evidence to present. Using their own examples, participants examine how to present statistical data, key elements of visual design, and creation of presentations which communicate multifaceted ideas in a clear manner.

Instructor: Dr. Mary Kirilin is associate professor of Public Policy and Administration at CSU-Sacramento.

Thursday, July 21, 2016

10:00 a.m.–3:30 p.m.

Sacramento ♦ \$129/person for counties ♦ 3 credits ♦ Managers/Executives

Exactly what are California counties responsible to do?

County 101: Duties, Authorities and Responsibilities of Counties 157

Counties have very broad authorities and responsibilities. Federal and state laws along with county-adopted policies and ordinances frame how each of the 58 counties implement those duties. With such broad responsibilities it is difficult for county officials and staff to be aware of all the duties and mandates across all departments. This class examines each county responsibility area and, at a policy level, highlights what is mandated, required and/or discretionary, and the roles and authority counties have for that service. It would also look at the history of counties in California.

Instructor: Bill Chiat is CSAC Institute Dean and former executive director of the California Association of Local Agency Formation Commissions and CEO of Napa County.

Thursday, August 18, 2016 10:00 a.m.–3:30 p.m.
Martinez • \$129/person for counties • 3 credits • Staff/Elected Officials

Overview of county budgeting and financial management

County Budgeting and Financial Planning 116



Counties have complex systems for budgeting and financial management. Budgets are the annual planning documents for county operations. This course provides a comprehensive overview of the ins and outs of county budgeting and the budget process. Discussion includes a review of the County Budget Act,

a year in the county budget cycle, key elements of a budget, and integration of strategic plans into the annual budget. Participants will also examine county revenue sources, sales and property tax allocation, General Fund and special funds, creating and integrating department-recommended budget components, and public involvement in the budget process. The class will also explore key elements in longer-term county financial planning and management. Class is a must for everyone involved in the budget process.

Instructors: Patrick Blacklock is County Administrator of Yolo County, and Robert Bendorf is County Administrator of Yuba County.

Friday, October 14, 2016 10:00 a.m.–3:30 p.m.
Sacramento • \$129/person for counties • 3 credits • Managers/Executives

Make strategic planning mean something

Crafting and Implementing Effective Strategic Plans 123

Most counties and county departments create strategic plans. Sometimes they provide clear guidance to decision makers and staff; sometimes they don't. This course examines how to make the plan a living document ... and have it mean something to those affected. Participants examine: 1) how to craft a strategic plan with the Board of Supervisors or other governing board; 2) engagement of the community and staff in the process; 3) tips to prepare an actionable plan; 4) communication of the plan; and 5) putting a plan into action. Best practices and case examples are used to explore integration of the plan into the operations and decision-making of the organization. Discussion highlights tips for structuring an effective strategic workshop, including selection of a facilitator, participants and preparation.

Instructor: Angela Antenore, M.Ed. is an experienced strategic facilitator, agency board member and university instructor.

Thursday, September 15, 2016 10:00 a.m.–3:30 p.m.
Martinez • \$129/person for counties • 3 credits • Staff/Elected Officials

"All the world's a stage" – including California counties

Drama in the Board Room: Acting techniques to improve your county performance 350

Leadership and acting have a lot in common. Both crafts require practitioners to be aware of and manage their emotions and those of people around them. They evoke different emotions — leaders generally don't try to get people to cry and actors generally don't get people to work through difficult workplace changes — but their crafts overlap nonetheless. In this lively, interactive class, participants learn and practice classic theatrical training concepts and techniques that they can apply to their work as county leaders. Learn how to add passion and meaning to your communication.



Instructors: Stacy Corless is a Mono County Supervisor and founding member of Sierra Classic Theatre in Mammoth Lakes; John Gioia is a Contra Costa Supervisor and Chair of CSAC Institute Governing Board.

Thursday, November 10, 2016 10:00 a.m.–3:30 p.m.
Sacramento • \$129/person for counties • 3 credits • Staff/Elected Officials

The 211 on Social Media 101 to Avoid a Communications 911

Effective Use of Social Media and Electronic Communications 353

Confused about social media, which platforms are right for your county, how to find time to manage it, what to post? In this high-energy, fast-moving workshop, former Sacramento County communicator-turned-social-media-specialist Kerry Shearer will help you understand what to focus on, how to implement it, and ways to quickly create compelling content using the latest photo, audio and video techniques! He'll give you updates on current popular social media sites and upcoming platforms to watch, while giving you concrete tips, tools, apps, and hands-on interaction in an engaging way that will help you become a social media Ninja (or at least have a lot more confidence!). Kerry's background as a public information officer, broadcaster, and social media guru means he can help even those who don't consider themselves to be social media- or tech-savvy to come away from the class with newly developed knowledge, skills and techniques to begin implementing immediately. This will be valuable whether you're a social media newbie or a seasoned practitioner.



Instructor: Kerry Shearer is former Sacramento County Public Information Officer and a consultant and teacher specializing in social media.

Thursday, August 11, 2016 10:00 a.m.–3:30 p.m.
Sacramento • \$129/person for counties • 3 credits • Staff/Elected Officials

Friday, December 16, 2016 10:00 a.m.–3:30 p.m.
Merced • \$129/person for counties • 3 credits • Staff/Elected Officials

EMERGING ISSUES

A series of courses exploring trends in long-term policy issues



These unique seminars provide county decision-makers an opportunity to explore emerging trends and issues with colleagues and experts in the field. Brief presentations examine facets of the issue and allow ample opportunity for discussions. The conversations look at interrelationships along with resources, capacity and authority available for counties to work toward solutions. Options are examined for counties to consider in working towards sustainable solutions in their communities.

Policy and governance in the emerging era of shared economies

Emerging Issues: Shared Economies 405

The shared economy is breaking the mold for the way goods and services are provided by private companies in our state. In doing so, it's challenging existing models for county business licenses, tax collection, land use designation, and other county ordinances seeking to protect public health and safety. This session will review how vehicle, residential units, office space, and other shared economy services are helping or hurting the bottom line. Case studies will be offered to illustrate how counties are tackling the problems and finding ways to make the shared economy work for their benefit in county service delivery.

Thursday, September 8, 2016 10:00 a.m.–3:30 p.m.
Sacramento ♦ \$129/person for counties ♦ 3 credits ♦ Staff/Elected Officials

Getting results from proven practices in criminal justice

Emerging Issues: Evidence-Based Results 404

California's paradigm shift with 2011 realignment in the criminal justice system has encouraged different agencies to communicate and work together to provide efficient and effective solutions to the criminal justice population. The shift not only brought more offenders, but it brought the need for counties to provide more services in and out of custody. How does a county know which programs to fund? How does a county determine if its investment was effective? This conversation will look at how counties can invest in programs that will produce the best outcomes for residents and the highest rate of return on the investments. It will help bridge the gap between research, data collection and county concerns.

Thursday, November 17, 2016 10:00 a.m.–3:30 p.m.
Sacramento ♦ \$129/person for counties ♦ 3 credits ♦ Staff/Elected Officials

Leadership can't be done alone

Engaging Employees for Success 126

In times of disruptive change and scarce resources, it is critical that employees from all levels of the organization are fully productive and engaged in adapting to change and addressing new challenges. This interactive workshop discusses the business case for employee engagement, the conditions fostering active engagement, and simple steps for supervisors, managers and co-workers to promote engagement.



Instructor: Dr. Frank Benest is former city manager of Palo Alto and a noted expert in organizational leadership and management.

Friday, October 7, 2016 10:00 a.m.–3:30 p.m.
Riverside ♦ \$129/person for counties ♦ 3 credits ♦ Managers/Executives

Friday, October 21, 2016 10:00 a.m.–3:30 p.m.
Sacramento ♦ \$129/person for counties ♦ 3 credits ♦ Managers/Executives

Today's county workforce has people in their 70's, in their teens and everywhere in between

Intergenerational Leadership

129

For the first time in history we find ourselves working with people from five distinct generations. In today's workplace we have to understand, communicate and interact with people from different eras, different values and habits, and fundamentally different ideas about life! This class focuses on understanding and practicing how to integrate deeper generational insights into practice. Participants do self-assessments of their eras and their own values. They profile their work environments to discern the complexity of the generational mix. Most importantly they learn a unique set of skills and processes to employ when encountering people whose values, habits and business practices may be at odds with their own. This workshop provides participants skills to blend generations to get the best from everyone.



Instructor: Larry Liberty, Ph.D. works with Fortune 500 companies and taught in international MBA programs across the globe. He is author of *The Maturity Factor – Solving the Mystery of Great Leadership*.

Thursday, July 28, 2016 10:00 a.m.–3:30 p.m.
Sacramento ♦ \$129/person for counties ♦ 3 credits ♦ Managers/Executives

Friday, December 2, 2016 10:00 a.m.–3:30 p.m.
Riverside ♦ \$129/person for counties ♦ 3 credits ♦ Managers/Executives



Information Technology Courses for IT Managers and Directors

CSAC Institute and the California County Information Services Directors Association have partnered together to offer a series of professional development courses for managers and executives in county technology. The courses are part of the requirements for the *California County Technology Executive Credential*. For more information on the IT Credential, please visit: www.ccisda.org.

Devise budgets that demonstrate IT's value to the organization

IT Budgeting and Service Economics 345

While IT's mission is to enable the delivery of government services, paradoxically IT is often viewed as a cost center rather than a value creator. Good IT leaders focus on reframing budget conversations

from the perspective of the value their departments create. Great IT leaders go a step further by instituting programs which share the cost of IT service delivery across the organization, and build processes that keep costs down so IT can remain competitive in the face of proliferating cloud service options. In this course, county IT leaders will explore the methods, tools, and templates required to devise budgets that demonstrate IT's value to the organization, establish a service-based costing model which ensures costs are understood and can be charged back to the organization.

Thursday, December 8, 2016 10:00 a.m.–3:30 p.m.
Sacramento ♦ \$129/person for counties ♦ 3 credits ♦ IT Managers/Executives

Leverage complex enterprise architecture practices to enable informed, optimized decision-making

IT Enterprise Governance 344

The various parts of county government are united by a simple, powerful goal: improving community welfare. However, aligning to a unified vision becomes an increasingly complicated management exercise as organizations grow and decision-making power decentralizes. The most unified organizations leverage complex enterprise architecture practices to act as systems which provide unprecedented levels of



organizational resource awareness, and enable informed, optimized decision-making. Getting to this point is a daunting undertaking and requires involvement of a wide variety of organizational stakeholders – and more often than not IT leaders do not know where to begin. With this course, county IT leaders will be guided through the variety of options for achieving enterprise architecture with the goal of identifying an approach that makes sense for their organization. Participants will also learn about universally accepted enterprise architecture principles, and how to institute a program that overcomes organizational resistance, and bridges the gap between organizational needs and IT capabilities.

Thursday, October 6, 2016 10:00 a.m.–3:30 p.m.
Sacramento ♦ \$129/person for counties ♦ 3 credits ♦ IT Managers/Executives

Strategies to protect organizational assets and processes

IT Risk and Portfolio Management 343

Issues such as privacy, fraud, security, and organizational accountability mean that every organization should already have some process in place to monitor and mitigate organizational risks. Because the organization tasks IT with protecting organizational assets and processes, risk management often falls on its broad shoulders as well. However, the value of risk management is not inherently understood by county leaders, and more often than not IT departments find they must convince the organization to take it up in a formal capacity. This challenge is exacerbated in cases where IT leaders lack a fundamental understanding of what matters most to the organization. In this course, IT leaders will learn the questions to ask of their peers to identify areas of critical importance to organizational risk management, the knowledge required to build a formal risk management process, best practices for mitigating risks identified.

Thursday, August 4, 2016 10:00 a.m.–3:30 p.m.
Sacramento ♦ \$129/person for counties ♦ 3 credits ♦ IT Managers/Executives

Employees are the county's largest budget item

Labor Relations and Negotiations in Local Government 153

The class examines the basics of labor relations in the county environment. Laws and regulations affecting public-sector employment and labor relations in California are examined along with techniques to build and maintain effective and productive relationships with employee groups. The class explores the various roles in labor relations and labor negotiations along with pitfalls to avoid in working with labor representatives. Techniques are examined for maintaining productive relationships with employee organizations during difficult times.

Instructors: Richard Whitmore and Richard Bolanos are partners with Liebert Cassidy Whitmore and work extensively with local governments on labor relations

Thursday, July 21, 2016 10:00 a.m.–3:30 p.m.
Martinez ♦ \$129/person for counties ♦ 3 credits ♦ Staff/Elected Officials

Create customer satisfaction in a county setting

Leading with Emotional Intelligence 128

What characteristics and practices distinguish great from good performers? What evidence based practices should be part of your daily routine to be a high performer? We will answer these questions from a 30 year data base and research of top performance as we dive into the four areas of Emotional Intelligence (EI): 1) Understanding Yourself, 2) Managing Yourself, 3) Understanding Others and 4) Managing Others. You will take an assessment to determine your EI strengths. Hands on tools to enhance your EI will be explored. Emotional Intelligence is a prime factor to one's success when compared to Intelligence Quotient (IQ) and technical expertise. Business simulations, practices sessions, videos and group discussions will help participants enjoy, engage and learn more.

Instructor: Relly Nadler, Psy.D. is founder of True North Leadership, Inc., and author of *Leading with Emotional intelligence*.

Friday, April 22, 2016 10:00 a.m.–3:30 p.m.
Sacramento ♦ \$129/person for counties ♦ 3 credits ♦ Staff/Elected Officials

Why change efforts fail - and how to remove those barriers

Leadership & Change: Practices to Move Organizations 124

County officials and managers discuss the need for change in their organizations, yet struggle when change is difficult to accomplish within the depths of the organization. This course helps participants move past technical solutions to the practices for approaching adoptive challenges. Discussion highlights why some changes happen relatively quickly while others are stymied. Participants explore change from the perspective of those whom the change affects. Practical discussions focus on design of a change process; practices to diagnose, interpret and select interventions; barriers; and creating an environment in which people can expand their capacity to address adaptive change.

Instructor: Bill Chiat, Dean of CSAC Institute. For the last 35 years he has worked with hundreds of local agencies in crafting change.

Friday, November 4, 2016 10:00 a.m.–3:30 p.m.
Riverside ♦ \$129/person for counties ♦ 3 credits ♦ Staff/Elected Officials

Friday, December 9, 2016 10:00 a.m.–3:30 p.m.
Sacramento ♦ \$129/person for counties ♦ 3 credits ♦ Staff/Elected Officials

JPA-Special Districts-MPO-LAFCo-COG-Cities-CSA-MAC:
What do they all do?

Local Governance in California: All those agencies!

150



California has a complex system of providing services through local governments. This course provides an overview of local government structure and responsibilities in California. You'll learn the basics of all the local agencies and how they interrelate with county responsibilities. A brief history of California governance is followed by a review of the roles and responsibilities of the state, cities, counties, special districts and an alphabet soup of other local agencies.

Discussion highlights the authority and responsibilities of the county as it relates to other agencies through a county case study on the interrelationships of all these local agencies.

Instructor: Bill Chiat, CSAC Institute Dean, former executive director of the California Association of Local Agency Formation Commissions and experienced executive in county, district and city governments.

Thursday, September 1, 2016 10:00 a.m.–3:30 p.m.
Sacramento ♦ \$129/person for counties ♦ 3 credits ♦ Staff/Elected Officials

Facilitate conflict constructively

Manage Conflict (Even Hostility) in Comfort

360

Conflicts and disagreements are a fact of life. They can contribute to better outcomes or can lead to an escalating situation. Transform the most difficult circumstances into a satisfying experience for all involved. This course helps County elected officials and executives identify constructive approaches to positively managing conflict whether from the dais, in a meeting, or one-on-one. Participants analyze their own response to conflict and develop tools to quickly assess and respond to difficult situations and create practical, positive outcomes.



Instructor: Dr. Laree Kiely is president of the Kiely Group, organizational effectiveness consultants, and a professor at the USC Marshall School of Business.

Thursday, November 3, 2016 10:00 a.m.–3:30 p.m.
Sacramento ♦ \$129/person for counties ♦ 3 credits ♦ Staff/Elected Officials

*Premier learning experience for every newly elected supervisor –
Hit the ground running*

New Supervisors Institute

110

So you've just been elected as County Supervisor. Now what? This series of three sessions is designed to help you hit the ground running. The series examines the basics of county governorship. Hear tips and tricks from other supervisors on establishing your office, roles and responsibilities, ten top questions to ask of staff, legal obligations and much more. The first session of this in-depth

seminar is held just before the beginning of the CSAC Annual Meeting. The first seminar provides the unique opportunity to develop a network amongst new supervisors that will last through your career.

Instructors: Mike McGowan is former long-time Supervisor from Yolo County and former CSAC President; Bill Chiat is Dean of the CSAC Institute and experienced executive in local government service.

Monday-Tuesday, November 28-19, 2016 8:00 a.m.
Palm Springs ♦ 6 credits ♦ Newly Elected Supervisors

Be ready for this rigorous federal audit of federal grants and funds

Preparing for the Single Audit

385



Counties receiving federal grants or subgrant funds are frequently subjected to audits of those funds. The audit could be a Single Audit conducted under the provisions of OMB Circular A

133, a specific program audit or an audit conducted by a government agency. This course is designed to assist the recipients of federal grants to be prepared for any type of grant fund audit. It focuses on designing and implementing internal controls, complying with federal regulations, preparing adequate documentation, and correcting prior audit findings. Participants examine common audit finding areas and how to avoid them, and how to best prepare for the audit. *Eligible for 6 CPE credits for CPAs.*

Instructor: Sefton Boyars, CPA, CGFM, CFS from the California Certified Public Accountants (CalCPA) Education Foundation.

Thursday, August 25, 2016 9:30 a.m.–3:30 p.m.
Sacramento ♦ \$129/person for counties ♦ 3 credits ♦ Staff/Managers/Auditors

For experienced presenters wanting to up their presentations

Polish Your Presentation: Advanced Practices in Communication

125

This intensive course helps senior managers and elected officials better present their ideas with conviction, control, and poise — and without fear. The course covers specific skills and advanced techniques for delivering professional presentations that get results. Participants examine their presentation style, learn to use tools to organize their presentation and communicate their thoughts, and handle difficult situations. A straight-forward presentation model helps participants build their self-confidence and overcome the common mistakes which turn off audiences. Use of graphics and presentation tools are also examined. Through a lab, participants work on improving one of their own presentations.



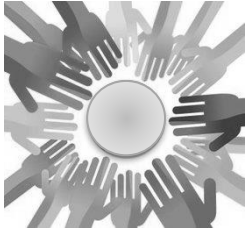
Instructor: Bill Chiat is Dean of the CSAC Institute and an accomplished presenter with city, county and state governments.

Friday, August 5, 2016 10:00 a.m.–3:30 p.m.
Sacramento ♦ \$129/person for counties ♦ 3 credits ♦ Managers/Executives

Build cooperative intergovernmental relationships which benefit all communities

A Primer on County-Tribal Relations

332



California is home to over 100 federally recognized Indian tribes and numerous other Native American tribes recognized by the State of California, all which reside in California's 58 counties. The United States and California's complex and varied history with Indian tribes provides a difficult to understand and sometimes challenging environment in which counties interface with these sovereign nations. This course

will provide a thorough review of important historical milestones in national tribal law and relationships and discuss how the existing federal and state statutory and regulatory framework is relevant to counties today. Further, the course will explore the ways in which counties interface with tribes outside of federal and state requirements and have been building cooperative intergovernmental relationships for the mutual benefit of tribes and counties.

Instructors: Professor Katherine Florey, UC Davis Law School and an expert on the history of Tribal Law plus experts on building effective intergovernmental relationships with recognized tribes in California.

Thursday, July 7, 2016

10:00 a.m.–3:30 p.m.

Sacramento • \$129/person for counties • 3 credits • Staff/Elected Officials

Discover your strategic intent – build your strategic agility

Strategy: Clarifying, Building, Implementing and Ensuring Alignment

388

A seminal article was published recently called "The Strategic Plan is Dead. Long Live Strategy." It's staggering when we realize how many public entities focus on the time-consuming and often wasteful activity

of creating a strategic plan when indeed they have NO strategy. In this world of

unpredictability, high velocity, rapid change, and citizens counting on us to do the right thing, we MUST start by creating and clarifying our strategy. In this session we cover how to construct a solid yet adaptable strategy for your organization, ensuring strategic thinking and alignment to strategy from everyone, understanding how all other organizational elements and processes fit within the context of "strategy," and determining how to take these concepts back to your environment to make a positive difference.

Instructor: Dr. Laree Kiely is president of the Kiely Group; organizational effectiveness consultants, and a professor at the USC Marshall School of Business.

Thursday, September 22, 2016

10:00 a.m.–3:30 p.m.

Sacramento • \$129/person for counties • 3 credits • Staff/Elected Officials



SPECIAL TWO-DAY INTENSIVE WORKSHOP

Context, structure and funding of realignment in California

Realignment 101: The Basics of 1991 and 2011 Realignments

307

EVERYTHING YOU NEED TO KNOW

new

This two-day course examines the history and rationale for establishing it in 1991, why programs were included, what was learned, and the expansion to realignment in 2011 – all updated with program and funding changes through 2016. Participants first examine the establishment and programs of the 1991 realignment. Discussion details health and human services and mental health programs. Participants explore individual programs, how they work, funding and current status. The course examines the 2011 realignment – including AB 109 – with an emphasis on public safety programs. Details on the realigned programs, changes to 1991 realignment services, implementation, funding and how counties are implementing the 2011 realignment are all discussed. The second day features a detailed examination of fiscal issues: structure and allocation of local funds; flow of funds in human services, public safety, health, behavioral health, and other programs; forecasting and tracking realignment, VLF and Prop 172 funds; fund growth; and other fiscal issues.

Instructors: Diane Cummins, special advisor to the Governor on state and local realignment; Andrew Pease, Finance Director, San Diego County Health and Human Services Agency; and Robert Manchia, San Mateo County Human Services Agency.

Thursday - Friday, October 27-28, 2016

10:00 a.m.–3:30 p.m.

Sacramento • \$258/person for counties • 6 credits • Staff/Elected Officials/Analysts

How your emotions impact behavior, relationships and results

The Maturity Factor + Emotional Intelligence: How to become emotionally agile for success

393

new

Behavioral sciences research is less than 50 years old. Yet in that short period we have uncovered many useful ideas and models for contemporary leadership practice. It now seems obvious to any manager or leader that emotional intelligence and psychological maturity are essential elements of success. This workshop reviews the core elements of both EQ and the Maturity Factor. It then explores best practices of effective managers and leaders in using their emotions for the greater good. Emotional agility and flexibility gives rise to opportunities to interact on complex problems and situations in new and unique ways. The class provides participants the information and best practices needed to become more masterful and flexible.



Instructor: Larry Liberty, Ph.D. works with Fortune 500 companies and taught in international MBA programs across the globe. He is author of The Maturity Factor – Solving the Mystery of Great Leadership.

Friday, July 29, 2016

10:00 a.m.–3:30 p.m.

Sacramento • \$129/person for counties • 3 credits • Staff/Elected Officials

Thinking Strategically in Trying Times 363



This intense seminar discusses the challenges of strategic agility with the critical, enduring problems counties face. The focus is on the art of possibilities. Participants examine separating probabilities (what's likely to happen) from possibilities (what could happen) and applying concepts of creative and strategic thinking to

find different paths to solutions. The conversation provides strategies to question assumptions; identify the environmental issues; distinguish strategies from tactics; use team resources, and structure learning from experience.

Instructor: Dr. Rich Callahan is associate professor of management at the University of San Francisco. He brings practical experience working with elected officials in leadership practices.

Friday, September 9, 2016 10:00 a.m.–3:30 p.m.
Riverside ♦ \$129/person for counties ♦ 3 credits ♦ Staff/Elected Officials

Friday, September 16, 2016 10:00 a.m.–3:30 p.m.
Merced ♦ \$129/person for counties ♦ 3 credits ♦ Staff/Elected Officials

Thursday, October 20, 2016 10:00 a.m.–3:30 p.m.
Martinez ♦ \$129/person for counties ♦ 3 credits ♦ Managers/Executives

Opportunities for Counties with the new Medicaid Waiver

Twenty Things to Know About Medi-Cal 2020 320



California's recently approved Section 1115 Medicaid Waiver will provide over \$6 billion in federal funds to California through 2020. This class will explore the policy and funding opportunities presented to counties by the Medi-Cal 2020 Waiver. Hear from the

expert faculty on the current issues and opportunities for counties associated with Waiver implementation.

Instructor: Kelly Brooks-Lindsey, is a partner with Hurst Brooks Espinosa LLP and a long-time advocate for counties in the areas of health and human services policy.

Thursday, July 14, 2016 10:00 a.m.–3:30 p.m.
Sacramento ♦ \$129/person for counties ♦ 3 credits ♦ Staff/Elected Officials

Earn your Institute Credential

Demonstrate your commitment to professional development



Learn how at www.csacinstitute.org

Financing California Counties: A History 151

Have you found yourself overwhelmed trying to understand the county revenue sources and funding streams? And how we ended up with this complex system? This course provides an in-depth examination of county revenue sources and how they have evolved. Exploring the context of county funding decisions by Legislative and the Administration over the last 40 years is critical in understanding the current state-county funding and revenue relationships. The class examines the history and consequences of major elements in county revenues including: Proposition 13, 172, 1A, Vehicle License Fees, Realignment, ERAF, property tax allocations, current year State budget and more.

Instructor: Diane Cummins is Special Advisor to the Governor on State and Local Realignment.

Friday, September 16, 2016 10:00 a.m.–3:30 p.m.
Merced ♦ \$129/person for counties ♦ 3 credits ♦ Staff/Elected Officials

SPECIAL TWO-DAY INTENSIVE WORKSHOP

Do you have the emotional agility to thrive in today's world?

Workshop on Leading with Emotional Intelligence 128

As the world has changed, so have the requirements for leaders to leverage a new set of operating principles: self awareness, self-management, motivation, collaboration, authenticity, empathy, adaptability, influence and resilience, in other words Emotional Intelligence. In this engaging 2 day workshop you will discover the power of emotional intelligence and how it impacts leadership effectiveness and performance. The workshop utilises the latest research and techniques from neuroscience, emotional Intelligence



and mindfulness to assist participants in building their leadership impact, optimise positive relationships, effectiveness, enhance decision-making, influence, and wellbeing; all primary success factors of a great leader. Participants will be introduced to the fundamentals of EQ, its importance in leadership, and how to apply EQ competencies and techniques to specific workplace situations. Participants will complete a EQ profile to gain insights into leadership behaviours and personal impact and will learn how EQ can be developed through practical tools and techniques: which will be integrated into an Action Plan to continue their personal growth beyond the workshop.

Instructor: Angela Giacomis is a leading trainer, speaker, coach and consultant in Emotional Intelligence, working with individuals and organisations to better understand and leverage EQ capabilities to optimise leadership impact and performance.

Thursday - Friday, December 15-16, 2016 10:00 a.m.–3:30 p.m.
Sacramento ♦ \$258/person for counties ♦ 6 credits ♦ Staff/Elected Officials

Course Schedule Index

Institute Courses by Topic

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ABOUT CSAC Institute

CSAC Institute for Excellence in County Government is a professional, practical continuing education program for county staff and officials. Its goal is to expand capacity and capability of county elected officials and senior staff to provide extraordinary services to their communities. The Institute is a program of the California State Association of Counties (CSAC) and established in 2008. Over 3,600 county staff and elected officials have taken courses. The Institute is supported by CSAC, the California Counties Foundation (a 501(c)(3) charity), grants from organizations and foundations, and course registration fees.

Course Locations

Sacramento – Courses are held in downtown Sacramento at the Sacramento Masonic Temple (1123 J Street).

Riverside – Courses are hosted by the County of Riverside and held at the County Administrations Center (4080 Lemon Street) in downtown Riverside.

Merced – Courses are hosted by the County of Merced and held at the Child Support Services training room (3368 North Highway 59) in Merced.

Martinez – Courses are hosted by the County of Contra Costa and held at the Department of Conservation and Development (30 Muir Road) in Martinez.

Course Registration and Fees

Registration – Course registration is done on-line. *Advance registration is required.* Because of limited class size we cannot accommodate registration at the door. To register for a class please visit www.csacinstitute.org. Please contact Institute Registrar with any registration questions or problems.

Fees – Course tuition includes instruction, materials, certificate and lunch (for 3-credit classes). All county staff and officials are eligible for the special county rate of \$43/credit. Staff from county-partnered CBOs, CSAC Partners and Primer Members, and CSAC Affiliate Members are also eligible for this special registration rate. On a space-available basis, courses are open for others to attend. Regular registration fee is \$117/credit.

Discounts – Reduced tuition is available to county staff and officials when registering for three or more classes at the same time or with the purchase of the Credential Package. Save at least 15% with these options.

The Institute is developing an additional package for counties to save on registration fees. Soon counties can purchase a bulk package of course registrations at a discount to distribute to staff. For more information please contact the Institute Dean.

Contact Us

Institute Dean - Bill Chiat bchiat@counties.org

Institute Training Program Coordinator – Jenai Wyatt jwyatt@counties.org

916/327-7500

www.csacinstitute.org Check the Institute website for updated information, course schedules and resource materials, including materials from many of the Institute’s most popular classes.



COST-EFFECTIVE SOLUTION FOR COUNTY ELECTED OFFICIALS AND SENIOR STAFF PROFESSIONAL DEVELOPMENT

Registration fees includes professional instruction, course materials, certificate and lunch

Course schedule and descriptions subject to change.

Visit www.csacinstitute.org for:

- * Up-to-date schedule and course information
- * Special class and workshop additions
- * Institute Credential Programs
- * Institute Fellows



2016 CSAC Board of Directors Calendar of Events

January

- 6 Urban Counties of California (UCC) Board Conference Call
- 13 CSAC Executive Committee Orientation Dinner, Sacramento
- 14 CSAC Executive Committee Meeting, Sacramento
- 20 Rural County Representatives of California (RCRC) Board Meeting & Installation of Officers Reception, Sacramento

February

- 3 Urban Counties of California (UCC) Board Conference Call
- 10-12 CSAC Premier Corporate Partner Forum, San Diego County
- 18 CSAC Board of Directors Meeting, Sacramento
10:00am – 1:30pm, Masonic Hall, 1123 J St, 3rd Floor, Sacramento
- 20-24 NACo Legislative Conference, Washington, D.C.

March

- 2 Urban Counties of California (UCC) Board Conference Call
- 16 Rural County Representatives of California (RCRC) Board Meeting, Sacramento
- 24 CSAC Regional Meeting, Shasta County

April

- 6 Urban Counties of California (UCC) Board Conference Call
- 7 CSAC Executive Committee Meeting, Los Angeles County
- 20-21 Rural County Representatives of California (RCRC) Board Meeting, Glenn County
- 27-29 CSAC Finance Corporation Board Meeting, Riverside County

May

- 18 Urban Counties of California (UCC) Board Meeting, Sacramento
- 18-19 CSAC Legislative Conference, Sacramento Convention Center/ Hyatt Regency
- 19 CSAC Board of Directors Meeting, Sacramento
12:30pm – 4:00pm, Hyatt Regency B-C, 1209 L Street, Sacramento
- 25-27 NACo Western Interstate Region Conference, Jackson Hole, Wyoming

June

- 16 CSAC Regional Meeting, Amador County
- 22 Rural County Representatives of California (RCRC) Board Meeting, Sacramento

July

- 6 Urban Counties of California (UCC) Board Conference Call
- 22-25 NACo Annual Meeting, Los Angeles County/Long Beach

August

- 3 Urban Counties of California (UCC) Board Conference Call
- 4 CSAC Executive Committee Meeting, Sacramento
10:00am – 1:30pm, Sutter Club, 1220 9th Street, Sacramento
- 17 Rural County Representatives of California (RCRC) Board Meeting, Sacramento

September

- 1 CSAC Board of Directors Meeting, Sacramento
10:00am – 1:30pm, Sutter Club, 1220 9th Street, Sacramento
- 7 Urban Counties of California (UCC) Board Conference Call
- 14-16 CSAC Finance Corporation Board Meeting, Santa Barbara County
- 28-30 Rural County Representatives of California (RCRC) Annual Meeting, Placer County

October

- 5 Urban Counties of California (UCC) Board Conference Call
- 5-7 CSAC Executive Committee Retreat, Ventura County
Ojai Valley Inn, 905 Country Club Road, Ojai

November - December

- 29-2 CSAC 122nd Annual Meeting, Palm Springs, Riverside County
- 30 Urban Counties of California (UCC) Board Meeting, Palm Springs, Riverside County

December

- 1 CSAC Board of Directors Meeting, Palm Springs, Riverside County
2:00pm – 4:00pm, Palm Springs Convention Center, 277 N Avenida Caballeros, Palm Springs
- 7 Rural County Representatives of California (RCRC) Board Meeting, Sacramento
- 14-16 CSAC Officers' Retreat, Napa County

As of 4/12/16

2017 CSAC Calendar of Events

January

- 2 New Year's Day
- 4 Urban Counties of California (UCC) Board Conference Call
- 12 CSAC Executive Committee, Sacramento
- 16 Martin Luther King Day

February - March

- 7-9 CSAC Premier Corporate Partner Forum, San Diego County
- 16 CSAC Board of Directors Meeting, Sacramento
- 20 Presidents' Day
- 25-1 NACo Legislative Conference, Washington, D.C.

April

- 6 CSAC Executive Committee Meeting, Sacramento
- 19-21 CSAC Finance Corporation Meeting, Monterey County

May

- 17-18 CSAC Legislative Conference, Sacramento
- 18 CSAC Board of Directors Meeting, Hyatt Regency Hotel, Sacramento
- 24-26 NACo WIR Conference, Deschutes County (Sunriver), Oregon
- 29 Memorial Day

July

- 4 Independence Day
- 21-24 NACo Annual Conference, Franklin County/Columbus, Ohio

August

- 3 CSAC Executive Committee Meeting, Sacramento

September

- 4 Labor Day
- 7 CSAC Board of Directors Meeting, Sacramento
- 13-15 CSAC Finance Corporation Meeting, Santa Barbara County

October

- 4-6 CSAC Executive Committee Retreat, Location TBD
- 9 Columbus Day

November

- 10 Veterans' Day
- 23 Thanksgiving Day

November - December

- 27-1 CSAC 123rd Annual Meeting, Sacramento
- 30 CSAC Board of Directors Meeting, Sacramento Convention Center
- 13-15 CSAC Officers' Retreat, Napa County
- 25 Christmas Day

As of 8/23/16