

CSAC EXECUTIVE COMMITTEE

BRIEFING MATERIALS

Thursday, Jan. 16th, 2020

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



Meeting Location:

Capitol Event Center

1020 11th Street, 2nd Floor, Sacramento

(800) 867-2581 | Code: 7500508#

California State
Association of Counties



CALIFORNIA STATE ASSOCIATION OF COUNTIES
EXECUTIVE COMMITTEE
Thursday, January 16, 2020 | 10:00 am – 1:30 pm
Capitol Event Center | 1020 11th Street, 2nd Floor
(800) 867-2581 | Code: 7500508#

AGENDA

Presiding: Lisa Bartlett, President

WEDNESDAY, JANUARY 15

- 7:30 PM
1. Welcoming Remarks & Introductions
 - *Lisa Bartlett | President*
 2. Orientation
 - *Graham Knaus | Executive Director*

THURSDAY, JANUARY 16

10:00 AM **PROCEDURAL ITEMS**

1. Roll Call *Page 1*
2. Approval of Minutes from Nov. 21st, 2019, Nov. 22nd, 2019 & Dec. 2nd, 2019 *Page 2-13*

DISCUSSION ITEM

3. Executive Committee Round Table
 - *What's going on in your county?*
4. Discussion of Governor's January Budget Impact *Page 14*
 - *Graham Knaus | Executive Director* *Handout*
 - *Darby Kernan | Deputy Executive Director of Legislative Services*

ACTION ITEMS

5. Consideration of State & Federal Legislative Priorities for 2020 *Page 15-27*
 - *Graham Knaus | Executive Director*
 - *Darby Kernan | Deputy Executive Director, Legislative Services*
6. Approval of Updated 2019 – 2020 Board of Directors Nominations *Page 28-29*
7. Appointment of CSAC Treasurer, NACo Board & WIR Representatives *Page 30*
 - *Lisa Bartlett | President* *Handout*
8. Appointment of CSAC Policy Committee Chairs, Vice Chairs & Working Groups *Page 31*
 - *Lisa Bartlett | President* *Handout*
9. CSAC Finance Corporation Report & Appointment of Board Members *Page 32-43*
 - *Supervisor Leonard Moty | President, CSAC FC*
 - *Alan Fernandes | Executive Vice President, CSAC FC*
10. Approval of Amended CSAC Policies and Procedures Manual *Page 44-75*
 - *Manuel Rivas Jr. | Deputy Executive Director, Operations & Member Services*
11. Consideration of Support for HR 5038 - Farm Workforce Modernization Act *Page 76-77*
 - *Graham Knaus | Executive Director of Legislative Services*

12:00 PM **LUNCH**

12:30 PM **INFORMATION ITEMS**

12. Communications Update: Supporting 2020 Legislative Priorities

Page 78-79

- *Manuel Rivas | Deputy Executive Director, Operations & Member Services*
- *David Liebler | Director, Public Affairs & Member Services*

13. California Counties Foundation Update

Page 80-81

- *Chastity Benson | Foundation Operations Manager*

14. Informational Items without Presentation

- CSAC Litigation Coordination Program
- Conflict of Interest Statement
- 2020 Calendar of Events

Page 82-90

Page 91-92

Page 93

15. Public Comment

1:30 PM **ADJOURN**

**If requested, this agenda will be made available in appropriate alternative formats to persons with a disability. Please contact Korina Jones kjones@counties.org or (916) 327-7500 if you require modification or accommodation in order to participate in the meeting.*



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CALIFORNIA STATE ASSOCIATION OF COUNTIES
EXECUTIVE COMMITTEE
2020

PRESIDENT:	Lisa Bartlett,	Orange County
1 ST VICE PRESIDENT:	James Gore,	Sonoma County
2 ND VICE PRESIDENT:	Ed Valenzuela,	Siskiyou County
IMMEDIATE PAST PRESIDENT:	Virginia Bass,	Humboldt County

URBAN CAUCUS

Keith Carson, Alameda County
Greg Cox, San Diego County
Carole Groom, San Mateo County
Kelly Long, Ventura County
Mark Ridley-Thomas, Los Angeles
Chuck Washington, Riverside County
Bob Elliott, San Joaquin County (alternate)

SUBURBAN CAUCUS

Luis Alejo, Monterey County
Erin Hannigan, Solano County
Leonard Moty, Shasta County
Diane Dillon, Napa County (alternate)

RURAL CAUCUS

Craig Pedersen, Kings County
Terry Woodrow, Alpine County
Jeff Griffiths, Inyo County (alternate)

EX OFFICIO MEMBER

Ed Scofield, Nevada County, Treasurer

ADVISORS

Bruce Goldstein, County Counsels Association, Past President, Sonoma County
Carmel Angelo, Mendocino County CEO, California Association of County Executives, President

CALIFORNIA STATE ASSOCIATION OF COUNTIES
EXECUTIVE COMMITTEE
November 21, 2019
via conference call (800) 867-2581 code: 7500508#

M I N U T E S

1. Roll Call

OFFICERS

Virginia Bass, *President*
Lisa Bartlett, *1st Vice President*
James Gore, *2nd Vice President*
Leticia Perez, *Immediate Past President*

ADVISORS

Bruce Goldstein, *Past President – County
Counsels Association, Sonoma County*
Birgitta Corsello, *California Association of
County Executives President, Solano County*

SUPERVISORS

Keith Carson, *Alameda County*
Mark Ridley-Thomas, *Los Angeles County*
Chuck Washington, *Riverside County*
Carole Groom, *San Mateo County*
Bob Elliott, *San Joaquin County*
Kelly Long, *Ventura County*
Luis Alejo, *Monterey County*
Leonard Moty, *Shasta County*
Ed Scofield, *Nevada County*
Erin Hannigan, *Solano County*
Terry Woodrow, *Alpine County*
Craig Pedersen, *Kings County*
Ed Valenzuela, *Siskiyou County*

CSAC EXECUTIVE TEAM

Graham Knaus, *Executive Director*
Darby Kernan, *Deputy Executive Director,
Legislative Services*
Manuel Rivas, Jr., *Deputy Executive Director,
Operations & Member Services*

2. Approval of Minutes from October 3, 2019

At the request of Supervisor Bob Elliott, the minutes were revised to remove his name because he did not attend the October 3, 2019 meeting. Motion and second to approve the October 3, 2019 meeting minutes

3. Board Representative Nominations

The CSAC Constitution indicates that each county board shall nominate one or more directors to serve on the CSAC Board of Directors to serve a one-year term, commencing with the Annual Conference. Staff presented a list of nominees received from counties for the representatives and alternates (attached).

Motion and second to approve the nominated members to the 2019-2020 CSAC Board of Directors; motion carried unanimously.

The Executive Committee affirms the nominations for the following year's Board of Directors. It was noted that some counties have not yet nominated their representatives. Additional nominees will be brought forward at the first meeting in January.

4. FY 2018-19 CSAC Consolidated Audit

The CSAC Constitution indicates that the Association shall, within 20 days after the close of each fiscal year, secure a financial audit and report by an independent accountant. The FY 2018-19 CSAC Consolidated Audit was completed by an external auditor, Moss Adams, and the report presented to the Executive Committee on November 21, 2019.

Motion and second to approve the FY 2018-19 CSAC Consolidated Audit; motion carried unanimously.

5. California Statewide Communities Development Authority (CSCDA) Appointment

The Chair of the Commission, Larry Combs is retiring at the end of 2019 resulting in a Board vacancy for CSAC to make an appointment. CSAC and the Finance Corporation recommend consideration to appoint Mr. Brian Stiger, Chief Legislative Advocate, County of Los Angeles, to fill a vacancy on the CSCDA Board.

Motion and second to approve the CSCDA Appointment; motion carried unanimously.

6. Mental Health Services Act (MHSA) / Homelessness Package

The Mental Health Services Act (MHSA), or Proposition 63 of 2004, has provided critical resources and support to improve the mental health infrastructure in California. MHSA's rigid funding formulas prevent counties from using these funds to address emerging challenges, including the homelessness epidemic. Counties are seeking additional flexibility, accountability, and transparency for MHSA funding to better respond to these issues.

CSAC Staff presented the draft Mental Health Services Act (MHSA) Modernization to the Executive Committee on November 21, 2019. Brandon Castillo, from Bicker, Castillo & Fairbanks, CSAC's public affairs partner, presented the results of their recent polling on homelessness to the Executive Committee.

After a robust discussion, the Executive Committee approved a motion to continue the action item to a future meeting of the Executive Committee.



November 21, 2019

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TO: CSAC Executive Committee
FROM: Graham Knaus | CSAC Executive Director
 Manuel Rivas, Jr. | CSAC Deputy Executive Director, Operations & Member Services
 Darby Kernan | CSAC Deputy Executive Director, Legislative Services

RE: Installment of CSAC 2019 – 2020 Board of Directors

Background: The CSAC Constitution indicates that each county board shall nominate one or more directors to serve on the CSAC Board of Directors to serve a one-year term commencing with the Annual Meeting. The CSAC Executive Committee appoints one director for each member county from the nominations received.

For counties that do not submit nominations prior to the Annual Meeting, the appointed supervisor from the preceding year will continue to serve until such county board nominates, and the Executive Committee appoints, a supervisor to serve in the CSAC Board.

2019 - 2020 CSAC BOARD OF DIRECTORS + ALTERNATES				
COUNTY	CAUCUS	DIRECTOR	ALTERNATE(S)	CHANGE FROM 2019
Alameda	U	Keith Carson	Scott Haggerty	No
Alpine	R	Terry Woodrow	Ron Hames	No
Amador	R			
Butte	S	Debra Lucero	Tami Ritter	No
Calaveras	R	Merita Callaway	Benjamin Stopper	No
Colusa	R	Denise J. Carter	Kent S. Boes	No
Contra Costa	U	John Gioia	Karen Mitchoff	No
Del Norte	R	Chris Howard	Gerry Hemmingsen	No
El Dorado	R			
Fresno	U	Buddy Mendes	Nathan Magsig	No
Glenn	R			
Humboldt	R	Estelle Fennell	Rex Bohn	No
Imperial	S			
Inyo	R	Jeff Griffiths	Mark Tillemans	No
Kern	S	Zack Scrivner	Leticia Perez	No
Kings	R	Craig Pedersen	Doug Verboon	No
Lake	R			
Lassen	R	Chris Gallagher	David Teeter	No
Los Angeles	U	Mark Ridley-Thomas	Kathryn Barger	No
Madera	R			
Marin	S	Damon Connolly	Dennis Rodoni	No

Mariposa	R	Miles Menetrey	Rosemarie Smallcombe, Merlin Jones, Marshall Long, Kevin Cann	No
Mendocino	R			
Merced	S	Lee Lor	Scott Silveira	No
Modoc	R	Patricia Cullins	Elizabeth Cavasso	No
Mono	R	John Peters	Jennifer Halferty	No
Monterey	S			
Napa	S			
Nevada	R	Ed Scofield	Heidi Hall	No
Orange	U	Lisa Bartlett	Andrew Do	No
Placer	S	Bonnie Gore		No
Plumas	R	Lori Simpson	Jeff Engel	No
Riverside	U			
Sacramento	U			
San Benito	R			
San Bernardino	U			
San Diego	U	Greg Cox	Kristin Gaspar	No
San Francisco	U			
San Joaquin	U	Bob Elliott	Chuck Winn	No
San Luis Obispo	S			
San Mateo	U	Carole Groom		No
Santa Barbara	S			
Santa Clara	U	Susan Ellenberg	Cindy Chavez	No
Santa Cruz	S	Bruce McPherson	John Leopold	No
Shasta	S	Leonard Moty	Joe Chimenti	No
Sierra	R			
Siskiyou	R	Ed Valenzuela	Brandon Criss	No
Solano	S	Erin Hannigan	Monica Brown	No
Sonoma	S			
Stanislaus	S	Vito Chiesa	Kristin Olsen	No
Sutter	R			
Tehama	R	Robert Williams	Dennis Garton	No
Trinity	R	Judy Morris	Keith Groves	No
Tulare	S	Amy Shuklian	Kuylar Crocker	No
Tuolumne	R	Karl Rodefer	Daniel Anaiah Kirk	No
Ventura	U	Kelly Long	John Zaragoza	No
Yolo	S	Jim Provenza	Oscal Villegas	No
Yuba	R			

CALIFORNIA STATE ASSOCIATION OF COUNTIES
EXECUTIVE COMMITTEE
November 22, 2019
via conference call (800) 867-2581 code: 7500508#

M I N U T E S

1. Roll Call

OFFICERS

Virginia Bass, *President*
Lisa Bartlett, *1st Vice President*
Leticia Perez, *Immediate Past President*

SUPERVISORS

Keith Carson, *Alameda County*
Chuck Washington, *Riverside County*
Bob Elliott, *San Joaquin County*
Kelly Long, *Ventura County*
Luis Alejo, *Monterey County*
Leonard Moty, *Shasta County*
Ed Scofield, *Nevada County*
Terry Woodrow, *Alpine County*
Craig Pedersen, *Kings County*
Ed Valenzuela, *Siskiyou County*

ADVISORS

Bruce Goldstein, *Past President – County
Counsels Association, Sonoma County*
Birgitta Corsello, *California Association of
County Executives President, Solano County*

CSAC EXECUTIVE TEAM

Graham Knaus, *Executive Director*
Darby Kernan, *Deputy Executive Director,
Legislative Services*
Manuel Rivas, Jr., *Deputy Executive Director,
Operations & Member Services*

2. Mental Health Services Act (MHSA) / Homelessness Package

The Mental Health Services Act (MHSA), or Proposition 63 of 2004, has provided critical resources and support to improve the mental health infrastructure in California. MHSA's rigid funding formulas prevent counties from using these funds to address emerging challenges, including the homelessness epidemic. Counties are seeking additional flexibility, accountability, and transparency for MHSA funding to better respond to these issues. CSAC staff presented the draft Mental Health Services Act (MHSA) Modernization to the Executive Committee on November 21, 2019 (attached).

Brandon Castillo, from Bicker, Castillo & Fairbanks, CSAC's public affairs partner, participated for a second time to address questions from Executive Committee. Mr. Castillo explained and answered various questions from the Executive Committee regarding the polling.

Motion and second to approve the draft MHSA Proposal. Motion carried unanimously to support recommendation will move to the Board of Directors for consideration of the MHSA / Homelessness Package.



December 5, 2019

Approved 12/5/19

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To: CSAC Board of Directors

From: Graham Knaus, Executive Director
Darby Kernan, Deputy Executive Director of Legislative Affairs

Re: **Proposal to Revise the Mental Health Services Act during the 2020 Legislative Session**

Recommendation. The Executive Committee recommends that the Board of Directors adopt the Mental Health Services Act (MHSA) Flexibility Proposal and direct staff to pursue during the 2020 legislative session.

Background. The Mental Health Services Act, or Proposition 63 of 2004, has provided critical resources and support to improve the mental health infrastructure in California. The MHSA was enacted by voters to provide funding to improve California's public mental health system. Since its passage, California's county-administered specialty mental health plans have used the funding to implement and expand a range of community-based programs and services.

Since 2004, county behavioral health services have worked to adapt to new and pressing challenges, including homelessness, the opioid and methamphetamine epidemics, and the rising rate of death by suicide among youth. However the MHSA's rigid funding formulas prevent counties from using these funds to address emerging challenges, including the homelessness epidemic. Counties are seeking additional flexibility, accountability, and transparency for MHSA funding to better respond to these issues. While behavioral health services alone can't solve these crises, counties stand ready to leverage our expertise and programs to help move the needle and ensure critical services for all.

Policy Considerations. CSAC's core policy priorities in initiating changes to the MHSA are as follows:

- **Flexibility** – Create flexibility with MHSA funding to better target individuals experiencing homelessness and involved in the criminal justice system. Remove silos and other restrictions that create barriers and prevent counties from effectively spending MHSA funding on the needs of their communities.
- **Accountability** – Changes to MHSA must come with clear, measureable outcomes that counties can implement at the local level. Counties must have a key role in developing outcome measures and data reporting requirements to the state. The state must appropriately exercise its oversight and assistance role by working with counties to provide technical assistance and ensure good outcomes. The state must utilize information already reported by counties to

provide transparent and clear information to the taxpayers, the Legislature, and counties on local and collective MHSA efforts.

- **Funding Protections** – Efforts to modernize the MHSA must protect the funding at the county level. MHSA funding has become an integral part of the county mental health system, and is often the only revenue that allows counties to serve all ages and all conditions. Further, MHSA funding is critical to maintaining the county Medi-Cal specialty mental health system, especially at a time when the state is negotiating federal waivers and payment reforms and other changes are afoot. Stability for this funding source is critical for each county mental health system. Counties should have flexibility and local control to work with other local governments and community service providers to expend funds to address unique local challenges.

In furtherance of these core policy priorities, the eight key components of the CSAC Proposal are as follows:

1. Reach additional populations that are currently excluded from the MHSA by expanding MHSA uses to include diagnosis and treatment of substance use disorders (SUD). We believe this will allow counties the flexibility to target homelessness and criminal justice populations, and evidence shows that people often struggle with both a mental illness and substance use disorder.
2. Eliminate the current restrictive fiscal apportionment requirements of the MHSA, which require that 80% of MHSA funds must be used for Community Services and Supports and up to 20% for Prevention and Early Intervention, with 5% of overall funding earmarked for Innovation.
3. Remove original MHSA language regarding using MHSA funding to supplant other spending on programs and services. This structure currently limits counties' ability to invest MHSA funds in programs that have proven to be effective, or ones that are now in high demand.
4. Reinvent the Innovation portion to achieve the original intent of these funds within the MHSA: to grow and expand innovative programs statewide.
5. Reconstruct the Mental Health Services Oversight and Accountability Commission (OAC) into a technical assistance and innovation hub for counties. Also help the OAC develop expertise in implementing MHSA funds and convening counties to share best practices.

6. Move oversight of MHSA funding and implementation from the Department of Health Care Services (DHCS) and OAC to the California Health and Human Services Agency (CHHS).
7. Update and refine county data and outcome reporting to include information on critical populations and services.
8. Require the state to collate, analyze, and share the data reported by counties to improve transparency and help measure progress. This will also ensure that the state can provide constructive guidance and information to all stakeholders and show how MHSA funds are being spent locally and collectively as a state.

Action Requested. The Executive Committee recommends the Board adopt the Mental Health Services Act Flexibility Proposal and direct staff to pursue during the 2020 legislative session.

Staff Contacts.

Graham Knaus, (916) 327-7500 Ext. 545 or gknaus@counties.org
Darby Kernan, (916) 327-7500 Ext. 509 or dkernan@counties.org

CALIFORNIA STATE ASSOCIATION OF COUNTIES
EXECUTIVE COMMITTEE

Wednesday, December 4, 2019

Hilton Union Square, San Francisco | 333 O'Farrell St. | Tower 3, Union Square Room 19/20
Conference call (800) 867-2581 code: 7500508#

MINUTES

1. Roll Call

OFFICERS

Virginia Bass, *President*
Lisa Bartlett, *1st Vice President*
James Gore, *2nd Vice President*
Leticia Perez, *Immediate Past President*

ADVISORS

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Birgitta Corsello, *California Association of
County Executives President, Solano County*

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Ed Valenzuela, *Siskiyou County*

CSAC EXECUTIVE TEAM

Graham Knaus, *Executive Director*
Darby Kernan, *Deputy Executive Director,
Legislative Services*
Manuel Rivas, Jr., *Deputy Executive Director,
Operations & Member Services*

2. Approval of Updated 2019-2020 Board of Directors Nominations

The CSAC Constitution indicates that each county board shall nominate one or more directors to serve on the CSAC Board of Directors to serve a one-year term, commencing with the Annual Conference. Staff presented a list of nominees received from counties for the representatives and alternates (attached).

Motion and second to approve the updated nominated members to the 2019-2020 CSAC Board of Directors; motion carried unanimously.

The Executive Committee affirms the nominations for the following year's Board of Directors. It was noted that some counties have not yet nominated their representatives. Additional nominees will be brought forward at the first meeting in January.

3. Mental Health Services Act (MHSA) / Homelessness Package

The Mental Health Services Act (MHSA), or Proposition 63 of 2004, has provided critical resources and support to improve the mental health infrastructure in California. MHSA's rigid funding formulas prevent counties from using these funds to address emerging challenges, including the homelessness epidemic. Counties are seeking additional flexibility, accountability, and transparency for MHSA funding to better respond to these issues.

Brandon Castillo, from Bicker, Castillo & Fairbanks, CSAC's public affairs partner, presented the results of their recent polling on homelessness to the Executive Committee, which he previously presented on Thursday, Nov. 21st, 2019. Mr. Castillo responded to questions from the Executive Committee and agreed to have further discussions with any members who were interested.



December 4, 2019

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TO: CSAC Executive Committee
FROM: Graham Knaus | CSAC Executive Director
 Manuel Rivas, Jr. | CSAC Deputy Executive Director, Operations & Member Services
 Darby Kernan | CSAC Deputy Executive Director, Legislative Services

RE: Installment of CSAC 2019 – 2020 Board of Directors - UPDATED

Background: The CSAC Constitution indicates that each county board shall nominate one or more directors to serve on the CSAC Board of Directors to serve a one-year term commencing with the Annual Meeting. The CSAC Executive Committee appoints one director for each member county from the nominations received.

For counties that did not submit nominations prior to the Annual Meeting, the appointed supervisor from the preceding year will continue to serve until such county board nominates, and the Executive Committee appoints, a supervisor to serve in the CSAC Board.

2019 - 2020 CSAC BOARD OF DIRECTORS + ALTERNATES				
COUNTY	CAUCUS	DIRECTOR	ALTERNATE(S)	CHANGE FROM 2019
Alameda	U	Keith Carson	Scott Haggerty	No
Alpine	R	Terry Woodrow	Ron Hames	No
Amador	R	Richard Forster	Jeff Brown	New Alternate
Butte	S	Debra Lucero	Tami Ritter	No
Calaveras	R	Merita Callaway	Benjamin Stopper	No
Colusa	R	Denise J. Carter	Kent S. Boes	No
Contra Costa	U	John Gioia	Karen Mitchoff	No
Del Norte	R	Chris Howard	Gerry Hemmingsen	No
El Dorado	R			
Fresno	U	Buddy Mendes	Nathan Magsig	No
Glenn	R			
Humboldt	R	Estelle Fennell	Rex Bohn	No
Imperial*	S	Raymond Castillo	Luis A. Plancarte	No
Inyo	R	Jeff Griffiths	Mark Tillemans	No
Kern	S	Zack Scrivner	Leticia Perez	No
Kings	R	Craig Pedersen	Doug Verboon	No
Lake	R	Bruno Sabatier	Tina Scott	New Nominees
Lassen	R	Chris Gallagher	David Teeter	No
Los Angeles	U	Mark Ridley-Thomas	Kathryn Barger	No
Madera	R			
Marin	S	Damon Connolly	Dennis Rodoni	No

Mariposa	R	Miles Menetrey	Rosemarie Smallcombe, Merlin Jones, Marshall Long, Kevin Cann	No
Mendocino	R	Carre Brown	John Haschak	New Alternate
Merced	S	Lee Lor	Scott Silveira	No
Modoc	R	Patricia Cullins	Elizabeth Cavasso	No
Mono	R	John Peters	Jennifer Halferty	No
Monterey	S			
Napa	S	Diane Dillon	Ryan Gregory	New Nominees
Nevada	R	Ed Scofield	Heidi Hall	No
Orange	U	Lisa Bartlett	Andrew Do	No
Placer	S	Bonnie Gore		No
Plumas	R	Lori Simpson	Jeff Engel	No
Riverside	U	Chuck Washington	V. Manuel Perez	No
Sacramento	U	Susan Peters	Phil Serna	No
San Benito	R			
San Bernardino	U			
San Diego	U	Greg Cox	Kristin Gaspar	No
San Francisco	U			
San Joaquin	U	Bob Elliott	Chuck Winn	No
San Luis Obispo	S			
San Mateo	U	Carole Groom		No
Santa Barbara	S			
Santa Clara	U	Susan Ellenberg	Cindy Chavez	No
Santa Cruz	S	Bruce McPherson	John Leopold	No
Shasta	S	Leonard Moty	Joe Chimenti	No
Sierra	R			
Siskiyou	R	Ed Valenzuela	Brandon Criss	No
Solano	S	Erin Hannigan	Monica Brown	No
Sonoma	S			
Stanislaus	S	Vito Chiesa	Kristin Olsen	No
Sutter	R			
Tehama	R	Robert Williams	Dennis Garton	No
Trinity	R	Judy Morris	Keith Groves	No
Tulare	S	Amy Shuklian	Kuylar Crocker	No
Tuolumne	R	Karl Rodefer	Daniel Anaiah Kirk	No
Ventura	U	Kelly Long	John Zaragoza	No
Yolo	S	Jim Provenza	Oscal Villegas	No
Yuba	R			

*On Nov. 19th, Imperial Board approved Supervisor Ryan Kelly to vote during CSAC Annual Conference.

Discussion of Governor's January Budget Impact

See Separate Handout



Draft Policy Priorities for 2020

California State Association of Counties

County policy concerns are most often centered on resources to carry out state and local service responsibilities, the authority to carry out those responsibilities in local communities, and partnership with the state to improve existing programs.

Those concerns pose particular challenges as they relate to policy issues that CSAC is prioritizing in 2020: defending the Mental Health Services Act, wildfires and disaster preparedness, housing and homelessness, In-Home Support Services, the 2020 U.S. Census, juvenile justice reforms, and local governance and land use authority preservation.

BEHAVIORAL HEALTH/HOMELESSNESS/HOUSING

California Advancing and Innovating Medi-Cal (CalAIM)

The “California Advancing and Innovating Medi-Cal” proposal, or CalAIM, is a broad and ambitious package put forth by the state to simplify and streamline the Medi-Cal program through federal waivers, state law changes, and regulations. CalAIM has significant implications – both fiscal and policy – for many county health and human services functions, including behavioral health services, social services eligibility, county public hospitals, and cross-sector initiatives for foster youth and those who are homeless or incarcerated. The financial impact for counties is unknown because the CalAIM proposal contains both opportunities for funding and changes that could increase costs. CSAC is working to ensure the Newsom Administration is aware of the county fiscal perspective through input by CSAC, county administrative offices, and a variety of county health and human services departments.

Behavioral Health Issues

County behavioral health services and funding will continue to dominate health and homelessness policy conversations in 2020. CSAC will be proactive in working to gain additional flexibility within the Mental Health Services Act (MHSA, created by Proposition 63 of 2004) and protect county allocations and funding. CSAC will also focus on cross-sector collaboration and efforts to build robust and responsive services with schools, the criminal justice system, and other stakeholders.

Homelessness and Poverty Issues

Homelessness remains a top Association priority in 2020 and county health and human services programs remain a critical focus, including general relief/general assistance, federal welfare programs such as CalWORKs and CalFresh, conservatorships and changes to the Lanterman-Petris-Short Act, data sharing between county departments, child support changes, extended foster care, safe parking and other shelter programs, and behavioral health. CSAC will also advocate for flexibility in the use of existing homelessness funding so counties can address local needs without unnecessary restrictions.

Affordable Housing

The affordability and availability of housing is at crisis levels in almost every part of the state. The housing issue is not only a crisis in its own right, it’s also a main driver of California’s homelessness emergency. CSAC will advocate for funding for affordable housing, including new state funding for construction of homes affordable to households at all income levels. CSAC will continue to focus on

implementation of recent housing legislation, including allocation of recently approved bonds, as well as full implementation of new homelessness programs, such as No Place Like Home.

In-Home Supportive Services (IHSS)

CSAC will continue to prioritize the fiscal sustainability of the IHSS program. In 2019, CSAC supported the Governor's IHSS proposal which led to the enactment of a lowered County IHSS Maintenance of Effort (MOE). In 2020, CSAC will work closely with the Administration and counties to continue implementing the new MOE and to engage on the IHSS collective bargaining provisions.

CLIMATE & RESILIENCY

The Legislature will continue to focus on a variety of topics related to improving our statewide resiliency to disasters and adapting to the impacts of climate change, including measures that help fund resiliency work at the local level. CSAC will continue to advocate for flexible funding at the local level to help prepare, respond, and recover from disasters.

Public Safety Power Shutoffs (PSPS)

The State's investor-owned electric utilities are more frequently utilizing de-energization policies and shutting off electric power, referred to as Public Safety Power Shut-offs (PSPS), to protect against wildfire ignition and to enhance public safety as permitted under California law. These PSPS events have a significant impact on our communities and our local economies, often times leaving large segments of the population without power for days at a time. CSAC will continue to engage the IOUs and stakeholder groups to work towards better coordination during PSPS events and ensure for adequate resources and communication to sensitive populations.

Utility Liability

The discussion of utility liability continues to re-emerge as PG&E faces additional liability year after year for igniting wildfires in California. The utility has openly lobbied in bankruptcy court for changes to inverse condemnation law, and despite constitutional protections of our legal standing, this will continue to be an issue as the IOU emerges from bankruptcy. CSAC will stand firm with our coalition partners to continue to protect the rights of victims and local governments, while holding utilities accountable for their actions.

CRIMINAL JUSTICE

Fine and Fees

The Legislature will continue its efforts to eliminate fines and fees within the criminal justice system which counties use to support a wide array of criminal justice programs. As numerous and diverse programs and reforms have been enacted by the State, many of which are tied to an associated fee or fine as a funding source, counties rely on the current funding structure now in place. CSAC will continue to work with our county partners to ensure that the counties have the funding necessary to support local programs.

Trial Court Security

Trial court security was realigned to the counties as part of 2011 Criminal Justice Realignment. In some counties the amount of funding that was provided has not kept up with increased personnel and security costs. Trial court security has been a CSAC priority for a number of years. CSAC will remain engaged on this issue with our state sheriffs association and work with the Administration, Legislature, and stakeholders to approve the appropriate ongoing funding levels for new court security costs.

Juvenile Justice

Juvenile justice in California has undergone a variety of reforms in the past decade. These reforms have led to a lower population and an increase in the number of vacant beds in juvenile facilities. CSAC will work with stakeholders to look at long term solutions for utilization of these vacant beds and work to ensure that there is funding for these alternatives.

GOVERNANCE

Local Governance and Land Use Authority

From county governance and contracting, to housing development, fire safety and the siting of county facilities, the state has increasingly been interested in revisiting the power of communities to make their own decisions. CSAC will advocate for the appropriate balance between statewide concerns and local authority. For county governance decisions, such as the makeup of the Board of Supervisors and other county offices, the full authority should remain at the community level. For other decisions, such as fire safety and housing development, the state's reasonable interests must be appropriately balanced with local circumstances.

Protect County Realignment Funding

Through a series of realignments over the past forty years, the state has shifted program responsibility for a number of health, human service, and public safety programs to counties, along with revenue sources designed to generally pay for the cost of those services. CSAC will work with county affiliates to protect revenues that pay for realigned county programs and spend considerable time educating policy-makers about the fiscal state of counties and the effects of further revenue erosion.

Elections, Redistricting, and Special Elections

In the last two years, the state has provided much needed funding for election equipment, using some of that funding to incentivize counties to move to the vote center model. CSAC will continue to advocate for additional state funding to help counties prepare for the 2020 elections, prevent threats from outside actors, reimburse counties for recent special elections, and ensure all voters have the opportunity to have their vote counted.

Public Records Act

The California Public Records Act is an important tool to ensure that the state and local government decision-making processes are transparent to the people they serve. However, over the decades since its enactment it has become a tangle of rules that invite abuse and inflate the costs of compliance. Counties will work with transparency advocates, local agencies, and others to change the system in a way that retains the law's features without exposing government entities to unnecessary liability, frivolous litigation, or burdensome workloads.



Major Policy Issues for 2020

California State Association of Counties

Each year, CSAC's Board of Directors sets the Association's state and federal advocacy priorities. These priorities, adopted with the input of policy committees, the CSAC Officers, the Executive Committee, and our affiliates, will guide CSAC's advocacy efforts in 2020 both in Sacramento and Washington DC.

Counties are involved and directly impacted by the major statewide issues that will come up in 2020, from how to best tackle the growing homelessness crisis to resiliency and emergency preparedness throughout our state. A key focus will be to continue to looking for opportunities to partner with the Governor and Legislature on these and other complex issues facing California. CSAC advocates on countless bills and budget items each year, but the following 2020 state and federal priorities and major issues are expected to be the most significant issues in 2020.

Principles

Funding. County service responsibilities continue to grow, some imposed by state and federal programs and others to deal with local aspects of statewide problems. While the state's fiscal health is strong, many counties' general funds are still struggling. The state should help fund the public services that are carried out by counties to achieve statewide goals.

Authority. The benefit of local governance is the ability to shape services so that they fit the needs, resources, and other circumstances of California's diverse communities. Counties are uniquely suited to provide services to every Californian in a way that fits their community. The state should give counties more flexibility to take full advantage of their position as local providers of statewide programs, and at the same time allow counties full authority over their own local programs and governance.

Partnership. To an extent seen in few other states, counties in California are the level of government that provides federal and state programs to residents. County expertise with these programs and services is a resource for state policy makers as they consider whether and how to change those programs.

Major Policy Issues by Area

Agriculture, Environment, and Natural Resources

- Utility Liability
- Public Safety Power Shutoff Policy
- Climate and Resiliency
- Water Resources and Regulatory Issues
- Resource Recovery and Waste Management
- Cannabis

Health and Human Services

- California Advancing and Innovating Medi-Cal (CalAIM)
- Behavioral Health Issues
- Homelessness and Poverty Issues
- In-Home Supportive Services
- Child Welfare/Foster Care Implementation and Funding

Government Finance and Administration

- Promote County Interests in Tax Reform Efforts
- Resist Further Expansion of Workers' Compensation Presumptions
- Secure Funding for Elections, Redistricting, and Recent Special Elections
- Protect County Realignment Funding

Administration of Justice

- Criminal Justice Fines and Fees
- Trial Court Security
- Bail Reform
- Juvenile Justice

Housing, Land Use, and Transportation

- Protect County Land Use Authority While Promoting Housing Affordability

- Protect Development Impact Fee Authority and Support Process Improvements
- Protect State Transportation Funding and Streamline Project Delivery
- Preparing for the Future of Transportation
- Land Use, Housing, and Transportation Linkages
- County Priorities in Renegotiated Gaming Compacts

Agriculture, Environment, and Natural Resources

Utility Liability. The discussion of utility liability continues to re-emerge as PG&E faces additional liability year after year for igniting wildfires in California. The Utility has openly lobbied in bankruptcy court for changes to inverse condemnation, and despite constitutional protections of our legal standing, this will continue to be an issue as the IOU emerges from bankruptcy. CSAC will stand firm with our coalition partners to continue to protect the rights of victims and local governments, while holding utilities accountable for their actions.

Public Safety Power Shutoff Policy. The State's investor-owned electric utilities are more frequently utilizing de-energization policies and shutting off electric power, referred to as Public Safety Power Shut-offs (PSPS), to protect against wildfire ignition and to enhance public safety as permitted under California law. These PSPS events have a significant impact on our communities and our local economies, often times leaving large segments of the population without power for days at a time. CSAC has engaged outside counsel to represent all counties in front of the CPUC and the PSPS rule-making to ensure that county interests are adequately represented. CSAC will continue to engage the IOUs and stakeholder groups to work towards better coordination during PSPS events and ensure for adequate resources and communication to vulnerable populations. In addition, CSAC is in the process of documenting cost impacts of PSPS events and will continue to advocate for adequate resources to assist local communities.

Climate and Resiliency. The Legislature will continue to focus on a variety of topics related to improving our statewide resiliency to disasters and adapting to the impacts of climate change, including measures that help fund resiliency work at the local level. It is expected that a bond measure will continue to move through the legislative process next year, building on the work done in 2019. CSAC will continue to engage in these discussions and work to explore additional opportunities for funding of pre-hazard mitigation and resiliency funding. Finally, CSAC will continue to focus on other funding opportunities within the state's cap and trade program for greenhouse gas (GHG) emissions

reduction and adaptation work to help prepare counties to guard against and prepare for our changing climate, including funding for natural and working lands, sea-level rise, organic waste diversion and other important topics.

The issue of homeowners insurance in fire prone areas will continue to be a topic of conversation in the Legislature and at the regulatory agencies. The Department of Insurance recently made announcements about changes to the FAIR Plan, the insurance plan of last resort. CSAC will work with our local government partners, the Department of Insurance and other stakeholders to help create affordable options for homeowners.

Water Resources and Regulatory Issues. CSAC will continue to engage on a variety of important legislative and regulatory topics related to water resources, including the implementation of the state's wetland policy, ongoing implementation of the Sustainable Groundwater Management Act (SGMA) and ongoing discussions about water quality, storm water funding and conservation issues.

Resource Recovery and Waste Management. It is anticipated that the plastics bills, SB 54 (Allen) and AB 1080 (Gonzalez), will continue to move through the legislative process next year. CSAC will continue to advocate in support of these measures to help reduce plastic waste and increase domestic markets for recyclable materials. In addition, funding for waste and recycling infrastructure will continue to be a topic of interest for local governments. CSAC will advocate to include funding for organic waste diversion infrastructure as a necessary component of any bond measure. Finally, as SB 1383 regulations become final, CSAC will work with counties to ensure they have the information and tools necessary to successfully implement this new law.

Cannabis. Local control and the ability to ban commercial cannabis operations have continually come under assault by segments of the cannabis industry and within portions the Legislature. CSAC will continue to support local control for cannabis regulation and work with counties to help ensure for the successful implementation of their cannabis programs. In addition, CSAC will continue to

pressure the Administration to gain access to data in the state's track and trace system, as required by Proposition 64. Finally, CSAC will continue to

support the efforts of the California Cannabis Authority, the county joint powers authority designed to aid local cannabis regulation.

Health and Human Services

California Advancing and Innovating Medi-Cal (CalAIM). Dubbed "California Advancing and Innovating Medi-Cal," or CalAIM, this ambitious package consists of state and federal proposals to simplify and streamline the Medi-Cal program. CalAIM has significant implications for many county health and human services functions, including behavioral health services, social services eligibility, county public hospitals, and cross-sector initiatives for foster youth and those who are homeless or incarcerated. Counties must focus on the federal, state, and local finance implications, as well as the impacts on county operations, successful programs, and the people and families we serve.

Behavioral Health Issues. County behavioral health services and funding will continue to dominate health and homelessness policy conversations in 2020. CSAC will work to gain additional flexibility within the Mental Health Services Act (MHSA, or Proposition 63 of 2004) and protect county fiscal stability and successful services through the state's CalAIM Medi-Cal proposal. CSAC will also focus on cross-sector collaboration and efforts to build robust and responsive services with schools, the criminal justice system, and other stakeholders.

Homelessness and Poverty Issues. Homelessness remains a top Association priority in 2020 and county health and human services programs remain a critical focus, including general relief/general assistance, federal welfare programs such as CalWORKs and CalFresh, conservatorships and changes to the Lanterman-Petris-Short Act, data sharing between county departments, child support

changes, extended foster care, safe parking and other shelter programs, and behavioral health. Funding, flexibility, and facilitation of homeless solutions will be sought at all levels to help counties combat homelessness.

In-Home Supportive Services. CSAC will continue to prioritize the fiscal sustainability of the IHSS program. In 2019, CSAC supported the Governor's IHSS proposal which led to the enactment of a lowered County IHSS Maintenance of Effort (MOE). In 2020, CSAC will work closely with the Administration and counties to continue implementing the new MOE and to engage on the IHSS collective bargaining provisions, including the required reports to the Legislature. In addition, the state is moving forward with the development of a Master Plan for Aging by October 2020 as required by the Governor's Executive Order. CSAC will remain engaged on the overall Master Plan for Aging and specifically any IHSS-related elements.

Child Welfare/Foster Care Funding and Implementation. CSAC will continue to partner with counties and county affiliates on implementing and securing adequate funding for efforts to improve outcomes for foster youth. AB 12 (Chapter 559, Statutes of 2010) extended foster care to youth up to age 21 and has shown significant positive results. The Continuum of Care Reform (CCR) is working to reduce the use of group homes and increase the availability of trauma-informed services. Counties are fully engaged on expanding these services and achieving the goals of extended foster care and CCR.

Government Finance and Administration

Promote County Interests in Tax Reform Efforts. As more interested parties call for tax reform, CSAC will promote county interests in those discussions. A measure to increase taxes on most commercial and industrial property has already qualified for the

November 2020 ballot, other ballot measures are gathering signatures, the Governor has called for reforms to reduce state revenue volatility, and the Legislature has introduced multiple measures that would affect everything from local vote thresholds to

the allocation of sales tax revenues. In the coming year, CSAC will protect existing county revenues from being reduced; advocate that any new revenues be directed to counties as appropriate; and ensure that any new duties imposed on counties are adequately funded.

Resist Further Expansion of Workers’

Compensation Presumptions. Recent legislative interest in expanding injuries or conditions for which a connection with employment is presumed, but not proven, threatens the equilibrium of the workers’ compensation system. By granting additional, costly benefits to workers for injuries that, in some cases, may not be job-related, these legislative efforts shift the burden of proof onto the employer and impact the financial solvency of the system. To function correctly, the workers’ compensation system relies on the contributions of employers and employees to roughly equal the amount paid out for injuries suffered on the job. To protect county employers, CSAC will oppose efforts to create new presumptions and to expand existing presumptions to new employee classes without data-driven evidence that the existing system is unjust; and educate policy-makers about how the workers’ compensation system works and how it already covers employee injuries and conditions that are job-related.

Secure Funding for Elections, Redistricting, and Recent Special Elections. In the last two years, the state has provided funding for election equipment,

which was badly needed in many counties and which the state used to incentivize counties moving to the vote center model. However, the state has not participated in the cost of election processes since ending reimbursement for election-related mandated programs and for special elections to legislative vacancies, both about ten years ago. The state still owes counties over \$50 million for providing those mandated programs, but continues to pass new mandates, including a bill last year increasing redistricting requirements. CSAC will request reimbursement for all recent special elections to fill legislative vacancies; advocate that the state pay its share of election costs; and pursue funding for newly enacted mandates.

Protect County Realignment Funding. Through a series of realignments over the past forty years, the state has shifted program responsibility for a number of health, human services, and public safety programs to counties, along with revenue sources designed to generally pay for the cost of those services. However, threats to that funding frequently arise, most recently in the form of sales tax breaks. CSAC was able to secure partial reimbursement for those losses, and continues to pursue the rest of the foregone revenue, but more proposals will no doubt crop up over the course of the legislative session. CSAC will protect revenues that pay for realigned county programs; and educate policy-makers about the fiscal state of counties and the effects of further revenue erosion.

Administration of Justice

Criminal Justice Fines and Fees. For decades, the Legislature has funded a wide array of criminal justice programs using fine and fee revenue. As numerous and diverse programs and reforms have been enacted by the State, many of which are tied to an associated fee or fine as a funding source, counties rely on the current funding structure now in place. Funding is critical to ensuring counties can continue to carry out a number of these programs. However, as fines and fees continue to increase, a number of offenders fail to meet these obligations. CSAC will continue to work with our county partners to ensure that counties have the funding necessary to support local programs.

Trial Court Security. Trial court security was realigned to the counties as part of 2011 Criminal Justice Realignment. In some counties the amount of funding that was provided to the counties has not kept up with increased personnel and security costs. Trial court security has been a CSAC priority for a number of years. CSAC staff has worked closely with the California State Sheriffs Association (CSSA) to make Trial court security more functional. CSAC and CSSA have had a number of meetings with the Administration, Judicial Council, budget and legislative staff. CSAC and CSSA will remain engaged on this issue and work with the Administration, Legislature and stakeholders to

approve the appropriate ongoing funding levels for new court security costs.

Bail Reform. The California Money Bail Reform Act was signed into law in August 2018. This new law changes the current money bail system to a risk-based system. It would have become effective October 1, 2019, but there is a referendum pending and it delays implementation until after the 2020 election. CSAC will work closely with the Administration, Judicial Council and the Chief Probation Officers (CPOC) to help ensure that counties have the funding necessary for planning,

should the law become effective and a county chooses to contract with Judicial Council to handle the pre-trial assessments and supervision.

Juvenile Justice. Juvenile justice in California has undergone a variety of reforms in the past decade. These reforms have led to a lower population and an increase in the number of vacant beds in juvenile facilities. CSAC will work with stakeholders to look at long term solutions for utilization of these vacant beds and work to ensure that there is funding for these alternatives.

Housing, Land Use, and Transportation

Protect Local Land Use Authority while Promoting Housing Affordability. Housing policy was a major focus in the Legislature in 2019 and is anticipated to continue in 2020. This includes a renewed focus on passing major “zoning reform” legislation.

CSAC offered amendments to address our opposition or concerns with major bills in 2019 that sought to overhaul local land use planning—the two key vehicles in this area, SB 50 (Wiener) and AB 1279 (Bloom) both stalled and became two-year bills. CSAC will continue to advocate for these priority amendments in 2020. At a high level, the proposed amendments seek to make the bills consistent with CSAC’s policy of promoting locally-driven planning to implement broad state goals to provide housing affordable at all income levels.

Finally, CSAC will continue to look for opportunities to provide counties with tools to help expedite housing production. Efforts will include support financing tools and opportunities to streamline environmental review for affordable homes and shelters.

Protect Development Impact Fee Authority and Support Process Improvements. Several measures affecting local government authority to impose fees to offset the infrastructure costs of new residential development were considered by the Legislature in 2019. CSAC requested that major changes be removed or delayed until stakeholders can have a conversation about comprehensive reforms to the

Mitigation Fee Act and related statutes and practices, including consideration of the report commissioned by the Department of Housing and Community Development (HCD).

HCD’s residential impact fee report includes recommendations focused on fee transparency, fee structure, fee design, and alternative funding options to improve local financing for infrastructure. CSAC has already identified elements of potential reforms that counties can support. In 2020, we will continue to work with the Legislature to support those reforms and oppose changes that impede local governments’ ability to mitigate the impacts of new development on county infrastructure and services.

Protect State Transportation Funding and Streamline Project Delivery. In 2019, CSAC strongly opposed efforts to link SB 1 transportation funding to housing production. In 2020, CSAC will continue to focus on protecting transportation funding allocated to counties, while also streamlining project delivery and providing tools to maximize the value of county transportation investments.

Specifically, CSAC will work with Caltrans to implement CSAC-sponsored SB 137 (Dodd), which will streamline environmental review and expedite county bridge and safety projects through authorizing additional exchanges of federal and state transportation funds. In addition, we will work with the Administration and Caltrans to implement the federal-state environmental reciprocity program that CSAC successfully advocated for in prior federal

transportation reauthorization bills. Finally, CSAC will work with the Legislature and Administration to provide ongoing funding for technical assistance and training to allow local government agencies to use best practices in pavement engineering. These techniques can increase the useful life of improvements, as well as reduce both costs and greenhouse gas emissions.

Preparing for the Future of Transportation.

Electric vehicle deployment continues to be a key part of the state's climate change efforts. The implications of autonomous and other transportation related technology are far reaching and can be both beneficial and potentially disruptive to mobility, the economy and overall quality of life. As the fleet transitions away from gas-powered vehicles, there will also be significant impacts to transportation funding.

CSAC will convene a working group to develop a set of principles regarding the role of counties in the oversight and regulation of automated and connected vehicles in 2020. In addition, the automobile industry has expressed an interest in working with CSAC and local governments to facilitate the deployment of electric vehicle charging infrastructure. CSAC will work with advocates to determine if there is a mutually agreeable approach to expediting permitting of this infrastructure. Finally, CSAC will continue to monitor and engage in discussions about a long-term, sustainable replacement revenue stream to the gas tax.

Land Use, Housing and Transportation Linkages.

In 2019, CSAC continued to monitor and defend against efforts to erode local control over land use decisions in a variety of contexts. The Administration has announced plans to convene a working group to align transportation investments with housing and climate change goals, consistent with the Governor's recent Executive Order. Finally, the 2019-20 budget included a directive for a similar workgroup effort to overhaul the Regional Housing Needs Assessment process.

In 2020, it will continue to be important to get out in front of some of these conversations with proactive, positive information about the land use decisions counties are making that help meet our climate goals and are consistent with sustainable communities strategies and other local climate action plans. Moreover, CSAC and counties must have a place at the table with the aforementioned working groups seeking to make major changes to statewide housing, land use, and transportation policy.

County Priorities in Renegotiated Gaming

Compacts. The first new gaming compact negotiated entirely by Governor Newsom's Administration was signed by the Governor and the relevant Tribal Chairperson and successfully passed by the Legislature in 2019. Earlier in 2019, CSAC reached out to the new Administration to reiterate county policy priorities for tribal-state gaming compacts. These priorities, most notably the requirement for an enforceable mitigation agreement for the off-reservation impacts of the gaming facility on the affected local government, were included in the first Newsom Administration compact. While this new agreement may indicate a continuation of the general policy direction of the Brown Administration, there are still a significant number of tribes with expiring compacts from 1999 that will need to be renegotiated over the next year.

The Special Distribution Fund (SDF), which was the sole statewide mechanism for mitigation of local government gaming impacts under the 1999 compacts has not had sufficient funding for SDF grants to local governments since FY 2014-15. While SDF grants have been insufficient to mitigate all local impacts since the program's inception, CSAC will continue to look for opportunities to fund the SDF or another mechanism to fund mitigation from pre-existing impacts, especially for counties where local casino mitigation agreements are not in place.

CSAC 2020 Federal Advocacy Priorities

On the heels of the longest government shutdown in history and House impeachment of President Trump, 2020 promises to offer much of the same in the way of political theatrics and partisan fireworks. Although Democratic congressional leaders and the White House were able to broker several notable deals in 2019 – including a two-year budget accord and a new North American trade agreement (USMCA) – there may be precious few opportunities for cooperation in 2020, particularly as election-year maneuvering kicks into high gear.

Despite the potential for political gridlock, CSAC will be working closely with the California congressional delegation and key federal departments and agencies to advance and protect the federal policy interests of California's counties.

California County Spending Priorities. With a new budgetary agreement in place that jettisons the strict sequester-level spending caps for fiscal year 2021, Congress will enter the new year without the burden of being forced to cut billions of dollars in defense and non-defense discretionary spending. As the FY21 appropriations cycle begins in earnest, CSAC will be working to protect the myriad of federal spending programs that are of vital interest to California's counties.

Homelessness. CSAC will continue to aggressively pursue increased federal funding for key housing and homeless assistance grant programs. Likewise, the association will continue to promote pending legislative initiatives (i.e., HR 1856/HR 1978/S 923) designed to combat homelessness, including those that would authorize funds for comprehensive services and case management for individuals and families experiencing homelessness.

Federal Healthcare Policy. CSAC will continue to support efforts to maintain and support the *Affordable Care Act* (ACA), including funding the expanded Medicaid program and insurance subsidies for individuals and families with incomes above Medicaid eligibility thresholds.

Additionally, CSAC will continue to support bipartisan efforts to eliminate the ACA excise tax, which is slated to go into effect in 2022. A number of California counties offer health insurance plans and related programs that will be subjected to the tax on high-cost plans.

Changes to Entitlement Programs. CSAC will maintain efforts to protect California county interests as part of the reauthorization of the Temporary Assistance for Needy Families (TANF)

program, including working to restore state and county flexibility to tailor work and family stabilization activities to families' individual needs. CSAC also will support maintaining the focus on work activities under TANF, while recognizing that "work first" does not mean "work only."

Additionally, CSAC will oppose legislation and pending USDA regulations that would have the effect of cutting Supplemental Nutrition Assistance Program (SNAP) funding and/or reducing eligibility levels and benefits.

Child Welfare Financing Reform. CSAC will support increased federal funding for services and income support needed by parents seeking to reunify with children who are in foster care. CSAC also will continue to support increased financial support for programs that assist foster youth in the transition to self-sufficiency, including post-emanicipation assistance, such as secondary education, job training, and access to health care.

In addition, CSAC will work to protect and retain the entitlement nature of the Title IV-E Foster Care and Adoption Assistance programs while seeking the elimination of outdated rules that base a child's eligibility for funds on parental income and circumstances. The association also supports federal funding to address the service needs of youth who are victims of commercial sexual exploitation.

Finally, CSAC will continue its work with Congress and the administration to provide maximum flexibility in meeting provisions of the *Family First Prevention Services Act* (FFPSA), including pursuing a broad array of prevention services and administrative actions to better align the FFPSA's congregate care provisions with the state's Continuum of Care

reforms. Those improvements include, but are not limited to, funding authorized in the pending bipartisan *Family First Transition Act* (HR 4980/S 2777) to assist counties as they implement the FFPSA and continued financial support for child welfare waiver counties.

Transportation and Infrastructure. Efforts to advance a wide-ranging infrastructure package once again fell short during the first session of the 116th Congress. Nevertheless, congressional leaders and Trump administration officials are still signaling their hope that a broad public works measure can advance in 2020. CSAC will continue to urge members of the California congressional delegation to prioritize the significant infrastructure investment needs at the local level while looking for opportunities to enhance and streamline the transportation project delivery process.

On a related matter, the nation's highway and transit authorization law – the *Fixing America's Surface Transportation Act (FAST Act)* – is set to expire in the fall of 2020. CSAC will continue to emphasize the importance of the local transportation system within the context of federal transportation policy and will continue to advocate for new revenues for programs of importance to counties, such as safety and bridge projects.

Federal Disaster Assistance. California will continue to be confronted with the threat of devastating wildfires, which have been occurring with more frequency and becoming more severe. The past few years have been particularly devastating as the state experienced its largest, most destructive, and deadliest wildfires in recorded history. CSAC will continue to advocate for federal assistance and pre-disaster mitigation funding to help counties prepare for and recover from the aftermath of these fires.

Additionally, CSAC will continue to champion legislation (HR 3193) that would provide states and local transportation agencies with up to six years to utilize Federal Highway Administration Emergency Relief (ER) program funding to repair or reconstruct federal-aid routes that have been damaged as a result of a disaster.

Public Lands. CSAC will continue to advocate for a long-term reauthorization of mandatory entitlement funding for the Payments-in-lieu-of-Taxes (PILT) program, as well as the Secure Rural Schools (SRS) program. Absent long-term renewals of these critical funding sources, CSAC will continue to support short-term programmatic extensions.

In addition, CSAC will continue to advocate for responsible reforms to federal land management. Such reform efforts should promote healthy forests, protect endangered species habitat, safeguard downstream water quality, improve California's water supply, and reduce the risk of wildfires.

Finally, CSAC will urge the federal government to provide funding to help California establish healthy and resilient forests that can withstand and adapt to wildfire, drought, and a changing climate.

Justice Funding. CSAC will continue to serve as a lead advocate in efforts to protect and enhance the State Criminal Alien Assistance (SCAAP) program, which is a key source of federal funding for a significant number of California's counties. The association also will continue to advocate for a long-term reauthorization of SCAAP and will continue to seek several reimbursement-criteria changes to the program.

CSAC also will advocate for other key justice programs, including the Byrne Memorial Justice Assistance Grant (JAG) program, the *Victims of Crime Act (VOCA)* and the *Violence Against Women Act (VAWA)*.

Indian Affairs / Fee-to-Trust Reform. CSAC will continue to oppose legislation (HR 375) that would overturn the U.S. Supreme Court's *Carcieri v. Salazar* decision in the absence of provisions that would provide for a comprehensive overhaul of the U.S. Department of the Interior's fee-to-trust process.

Remote Sales Tax. In the wake of the Supreme Court's 2018 ruling in *South Dakota v. Wayfair*, states can now require online retailers to collect and remit sales taxes, regardless of whether they have a "physical presence" in that particular state. Following the *Wayfair* decision, a number of states, including California, are moving to capitalize on this

lost tax revenue. Such widespread state-level action could serve as the impetus for Congress to consider legislation – similar to the *Marketplace Fairness Act* – that would create a national framework for tax collection. CSAC will support efforts aimed at further strengthening state and local taxing authority and will oppose legislation that seeks to overturn the *Wayfair* decision.

State and Local Tax Deduction. The 2017 *Tax Cuts and Jobs Act* (PL 115-97) allows taxpayers to deduct property taxes and income or sales taxes, but only up to a combined cap of \$10,000. Prior to the Act, federal taxpayers could deduct the entirety of their state and local property taxes, as well as their state income taxes or sales tax. CSAC supports legislation that would fully restore the SALT deduction and opposes any effort to further reduce or eliminate this tax benefit.

Tax Exempt Bonds. The *Tax Cuts and Jobs Act* fully preserved the tax exempt status of municipal bonds and Private Activity Bonds (PABs), though eliminated the exemption for advance refunding bonds, which counties use to refinance outstanding bonds to take advantage of better terms and rates. CSAC will continue to support the municipal bond and PAB tax exemption, as well as legislation that would restore the exemption for advance refunding bonds.

Environmental Regulatory Reform. With the Trump administration taking a series of actions to dismantle Obama-era environmental regulations – such as the Clean Power Plan and the Waters of the United States (WOTUS) rule – CSAC will continue to monitor executive and administrative actions that would impact California’s counties.

Executive Action on Immigration-related Policy. CSAC will continue to closely monitor the potential impact of legislative and regulatory actions that would have the effect of cutting off certain federal funds to California’s counties, including new standards announced by the U.S. Department of Justice that would preclude the state’s counties from being eligible for SCAAP payments beginning with the fiscal year 2020 application cycle. It should be noted that the Trump administration’s executive and administrative actions aimed at withholding federal funds from so-called “sanctuary jurisdictions” remain the subject of a number of lawsuits across the country. Accordingly, CSAC will continue to closely monitor the outcome of these judicial proceedings.

Preemption of Local Authority. CSAC will continue to support legislative efforts (i.e., HR 530 & S 2012) that would overturn the Federal Communications Commission’s (FCC) recent Order that limits the ability of local governments to regulate the deployment of 5G wireless infrastructure.

Cannabis. While 33 states and the District of Columbia have legalized the use of cannabis for medicinal or recreational purposes, it is still classified as a Schedule I narcotic under the *Controlled Substances Act*. As a result, the use, possession, and sale of cannabis remains a federal crime, which has created significant issues for states that have legalized cannabis use. In an effort to address the conflict between federal and state law, CSAC supports legislation that would allow states to determine their own cannabis policies. CSAC also supports legislation that would ensure greater access to banking for cannabis-related businesses (HR 1595), as well as proper medical research on the effects of cannabis use.



January 16, 2020

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TO: CSAC Executive Committee
FROM: Graham Knaus | CSAC Executive Director
Manuel Rivas, Jr. | CSAC Deputy Executive Director, Operations & Member Services

RE: **Installment of CSAC 2019 – 2020 Board of Directors - UPDATED**

Background: The CSAC Constitution indicates that each county board shall nominate one or more directors to serve on the CSAC Board of Directors to serve a one-year term commencing with the Annual Meeting. The CSAC Executive Committee appoints one director for each member county from the nominations received.

For counties that did not submit nominations prior to the Annual Meeting, the appointed supervisor from the preceding year will continue to serve until such county board nominates, and the Executive Committee appoints, a supervisor to serve in the CSAC Board.

On December 4, 2019, the Executive Committee approved the installation of the 2019-2020 CSAC Board of Directors. We have received additional nominations that require the Executive Committee approval. Those nominations are annotated below.

2019 - 2020 CSAC BOARD OF DIRECTORS + ALTERNATES				
COUNTY	CAUCUS	DIRECTOR	ALTERNATE(S)	CHANGE FROM 2019
Alameda	U	Keith Carson	Scott Haggerty	No
Alpine	R	Terry Woodrow	Ron Hames	No
Amador	R	Richard Forster	Jeff Brown	New Alternate
Butte	S	Debra Lucero	Tami Ritter	No
Calaveras	R	Merita Callaway	Benjamin Stopper	No
Colusa	R	Denise J. Carter	Kent S. Boes	No
Contra Costa	U	John Gioia	Karen Mitchoff	No
Del Norte	R	Chris Howard	Gerry Hemmingsen	No
El Dorado	R	John Hidahl	Sue Novasel	Yes
Fresno	U	Buddy Mendes	Nathan Magsig	No
Glenn	R			
Humboldt	R	Estelle Fennell	Rex Bohn	No
Imperial	S	Raymond Castillo	Luis A. Plancarte	No
Inyo	R	Jeff Griffiths	Mark Tillemans	No
Kern	S	Zack Scrivner	Leticia Perez	No
Kings	R	Craig Pedersen	Doug Verboon	No
Lake	R	Bruno Sabatier	Tina Scott	New Nominees
Lassen	R	Chris Gallagher	David Teeter	No

Los Angeles	U	Mark Ridley-Thomas	Kathryn Barger	No
Madera	R			
Marin	S	Damon Connolly	Dennis Rodoni	No
Mariposa	R	Miles Menetrey	Rosemarie Smallcombe, Merlin Jones, Marshall Long, Kevin Cann	No
Mendocino	R	Carre Brown	John Haschak	New Alternate
Merced	S	Lee Lor	Scott Silveira	No
Modoc	R	Patricia Cullins	Elizabeth Cavasso	No
Mono	R	John Peters	Jennifer Halferty	No
Monterey	S			
Napa	S	Diane Dillon	Ryan Gregory	New Nominees
Nevada	R	Ed Scofield	Heidi Hall	No
Orange	U	Lisa Bartlett	Andrew Do	No
Placer	S	Bonnie Gore		No
Plumas	R	Lori Simpson	Jeff Engel	No
Riverside	U	Chuck Washington	V. Manuel Perez	No
Sacramento	U	Susan Peters	Phil Serna	No
San Benito	R			
San Bernardino	U			
San Diego	U	Greg Cox	Kristin Gaspar	No
San Francisco	U			
San Joaquin	U	Bob Elliott	Chuck Winn	No
San Luis Obispo	S			
San Mateo	U	Carole Groom		No
Santa Barbara	S			
Santa Clara	U	Susan Ellenberg	Cindy Chavez	No
Santa Cruz	S	Bruce McPherson	John Leopold	No
Shasta	S	Leonard Moty	Joe Chimenti	No
Sierra	R			
Siskiyou	R	Ed Valenzuela	Brandon Criss	No
Solano	S	Erin Hannigan	Monica Brown	No
Sonoma	S			
Stanislaus	S	Vito Chiesa	Kristin Olsen	No
Sutter	R			
Tehama	R	Robert Williams	Dennis Garton	No
Trinity	R	Judy Morris	Keith Groves	No
Tulare	S	Amy Shuklian	Kuylar Crocker	No
Tuolumne	R	Karl Rodefer	Daniel Anaiah Kirk	No
Ventura	U	Kelly Long	John Zaragoza	No
Yolo	S	Jim Provenza	Oscal Villegas	No
Yuba	R	Gary Bradford	Doug Lofton	Yes

Appointment of CSAC Treasurer, NACo Board &
WIR Representatives

See Separate Handout

Appointment of CSAC Policy Committee Chairs,
Vice Chairs & Working Groups

See Separate Handout



January 16, 2020

To: CSAC Executive Committee

From: Leonard Moty, President
Alan Fernandes, Chief Executive Officer

RE: **CSAC Finance Corporation – Action Item**

CSAC Finance Corporation Board of Directors

The CSAC Finance Corporation (CSAC FC) Board of Directors is comprised of 11 directors designed to represent a multi-disciplinary cross section of California county government and business. To achieve this cross disciplinary approach, the Bylaws of CSAC FC require board members represent certain segments of county government. The CSAC Executive Committee appoints members to this board to ensure the close connection between the business services provided to California Counties and their constituents and CSAC. The core priorities of CSAC FC (attached) are focused on the state association and its members. Fulfilling its mission and priorities depends on the close connection with CSAC and the stability of the organization and its partnerships.

Each January Executive Committee Meeting, CSAC FC provides a recommendation to the Executive Committee for board appointments. This year there are three board seats that have expired as of December. The CSAC FC gave notice of these board vacancies and collected applications from interested individuals and are recommending the appointment of the following individuals:

- Supervisor Greg Cox, San Diego County (Urban County Supervisor)
- Jim Erb. Kings County (Auditor-Controller, Treasurer Tax Collector)
- William G. Rutland (Public Member)

Recommendation:

On December 4, 2019, CSAC officers approved a recommendation to the Executive Committee to appoint the above referenced applicants to the CSAC Finance Corporation Board of Directors.

CSAC Finance Corporation Financial Position

Over the past 4 years the CSAC Finance Corporation has increased its contribution to CSAC by more than 30% and has in the process has become a larger percentage of CSAC's annual budget.

The financial position of the CSAC Finance Corporation remains strong and as a result, at its September meeting the CSAC Finance Corporation Board revised budget and approved an upward adjustment in the current year.

New Program Update

The CSAC FC program Easy Smart Pay, is a payment-processing portal designed to modernize and simplify the taxpayer experience. Specifically, the payment platform allows taxpayers in partner counties to customize payments in timing and source. At the September CSAC Finance Corporation Board meeting, the CSAC Finance Corporation Board voted to expand the partnership to welcome NACo into the partnership as an investor partner. We anticipate formalizing this partnership with NACo by the end of January. Currently, this program is offered in only two counties in California with plans to expand to many others next year and eventually nationally with the assistance of NACo.

Corporate Associates Program

The Corporate Associates Program remains robust, as we just concluded 2019 with a successful showing at the CSAC Annual Expo and Conference. There are 70 partners across the three levels (attached partner roster). Later this month we will recognize our Platinum Partners at our annual Premier Forum Event in San Diego County along with the Executive Committee.

For more information on CSAC Finance Corporation please visit our website at: (www.csacfc.org) call us at (916) 650-8137 or email Alan Fernandes (alan@csacfc.org), or Jim Manker (jim@csacfc.org)

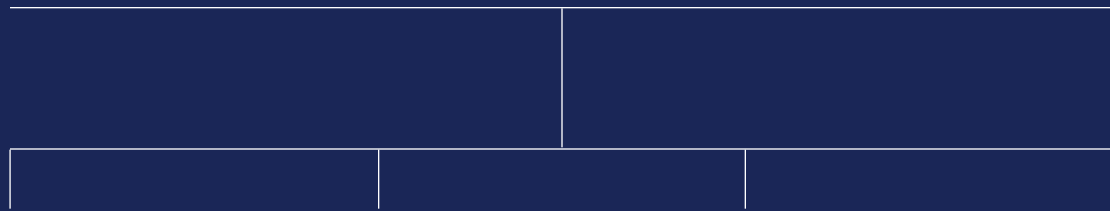


Mission Statement:

To provide a broad array of finance, investment, insurance and purchasing services to benefit California counties and related public agencies.

Commitment & Priorities

“Dedicated to the Business of Improving Public Services for Counties and Their Constituents”



Create and Manage Innovative Public Services and Products



Provide Financial Support to CSAC



Collaborate With Complementary National & State Organizations



Maintain Strong Relationships With our Service Providers

1100 K Street, Suite 101 * Sacramento, CA 95814 www.csacfc.org



Supervisor Leonard Moty, President
leonard@csacfc.org or 916.650.8137

Alan Fernandes, Chief Executive Officer
alan@csacfc.org or 916.650.8175

The CSAC Finance Corporation offers value-added products and services to California's counties, their employees and retirees as well as other forms of local government. Our programs are designed to assist county governments in reducing costs, improving services, and increasing efficiency. Our offerings provide the best overall local government pricing and the revenue generated by the CSAC Finance Corporation supports CSAC's advocacy efforts on behalf of California's counties.

Program Summary



Financing

CSCDA

Alan Fernandes

www.cscda.org

The California Statewide Communities Development Authority (CSCDA) was created in 1988, under California's Joint Exercise of Powers Act, to provide California's local governments with an effective tool for the timely financing of community-based public benefit projects. Currently, more than 500 cities, counties and special districts have become Program Participants to CSCDA – which serves as their conduit issuer and provides access to an efficient mechanism to finance locally-approved projects. CSCDA helps local governments build community infrastructure, provide affordable housing, create jobs, make access available to quality healthcare and education, and more.

Deferred Compensation

Nationwide

Alan Fernandes

www.nrsforu.com

The Nationwide Retirement Solutions program is the largest deferred compensation program in the country for county employees. In California, over 65,000 county employees save for their retirement using this flexible, cost-effective employee benefit program. This program is the only one with a national oversight committee consisting of elected and appointed county officials who are plan participants. Additionally, an advisory committee comprised of California county officials provides additional feedback and oversight for this supplemental retirement program. Currently 32 counties in California have chosen Nationwide to help their employees save for retirement.



Investing

CalTRUST

Laura Labanieh

www.caltrust.org

The Investment Trust of California (CalTRUST) is a JPA established by public agencies in California for the purpose of pooling and investing local agency funds - operating reserves as well as bond proceeds. CalTRUST offers the option of five accounts to provide participating agencies with a convenient method of pooling funds – a liquidity fund, a government fund, a short-term, and a medium-term, and a new ESG compliant money market fund. Each account seeks to attain as high a level of current income as is consistent with the preservation of principle. This program is a great option to diversify investments!



Discounted Prescription Drugs

Coast2CoastRx

Jim Manker

www.coast2coastrx.com

The Coast2Coast Discount Prescription Card is available at no-cost to the county or taxpayers and will save county residents up to 75% on brand name and generic prescription drugs. The Coast2Coast program is already being used by over 35 counties in California. Not only does it offer savings to users, your county will receive \$1.25 from Coast2Coast for every prescription filled by a cardholder.



Cyber Security and Technology

Synoptek

Alan Fernandes

www.synoptek.com

The CSAC FC and Synoptek have partnered to offer a human firewall training program and fraud assessment. The human firewall program is a training program whereby a comprehensive approach is initiated that integrates baseline testing, using mock attacks, engaging interactive web-based training, and continuous assessment through simulated phishing attacks to build a more resilient and secure organization. Synoptek offers a wide range of security technology offerings to aid your county in remaining vigilant and secure.



Property Tax Payment Portal



Easy Smart Pay

Alan Fernandes

www.easysmartpay.net

East Smart Pay is a product of Smart Easy Pay, a corporation formed by the CSAC Finance Corporation to help residents throughout California streamline their property tax payments. Through the Easy Smart Pay platform residents can pay their property taxes in installments via ACH or credit card with preferred processing fees. This program is currently being piloted in San Luis Obispo County.

Revenue Collection



CalTRECS

Jim Manker

www.csacfc.org

The CSAC FC has joined with NACo FSC to develop the California Tax Recovery and Compliance System (CalTRECS) program to help counties collect outstanding debts in a timely, cost-effective manner. The debt offset service allows counties and other local government to compile and submit their delinquencies for offset against pending state personal income tax refunds and lottery winnings.

Cannabis Compliance



CCA

Alan Fernandes

www.cca.ca.gov

The California Cannabis Authority is a Joint Powers Authority established by county governments to develop and manage a statewide data platform. The platform will assist local governments that are regulating commercial cannabis activity by consolidating data from different channels into one resource to help local governments ensure maximum regulatory and tax compliance. In addition, the platform can help to facilitate financial services to the cannabis industry by linking willing financial institutions with interested businesses, and by providing critical data to ensure that all transactions and deposits are from legal transactions.



Information & Referral Services

211 California

Alan Fernandes

www.211california.org

The CSAC FC manages 211 California which is a network of the 211 systems throughout California. These critical agencies serve county residents by providing trusted connectivity to community, health, and social services. During times of disaster and recovery, 211 organizations are vital to assist residents find critical services and information.

CSAC Finance Corporation Board of Directors

Leonard Moty, Shasta County – *President*

Graham Knaus, CSAC – *Vice President*

Jim Erb, Kings County – *Treasurer*

Ryan Alsop, Kern County

Vernon Billy, Public Member

Greg Cox, San Diego County

Richard Forster, Amador County

Elba Gonzalez-Mares, Public Member

Susan Muranishi, Alameda County

Billy Rutland, Public Member

David Twa, Contra Costa County

CSAC Finance Corporation

1100 K Street, Suite 101 * Sacramento, CA 95814

www.csacfc.org



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1. Alliant Insurance Services, Inc.

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1301 Dove St. Suite 200
Newport Beach, CA 92660
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narshi@alliant.com
www.alliant.com

2. Anthem Blue Cross

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Sacramento, CA 95814
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Michael.prosio@anthem.com
www.anthem.com

3. AON

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(630) 723-4568
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4. Baron & Budd

John Fiske, Shareholder
11440 W. Bernardo Court
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5. Blue Shield

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1215 K St. Suite 2010
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6. California Statewide Communities Development Authority

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7. CalTRUST

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1100 K Street, Suite 101
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www.caltrust.biz

8. CGI

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Sacramento, CA 95814
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9. Coast2Coast Rx

Marty Dettelbach, Chief Marketing Officer
5229 Newstead Manor Lane
Raleigh, NC 27606
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marty@c2crx.com
www.coast2coastrx.com

10. CSAC Excess Insurance Authority

Rick Brush, Chief Member Services Officer
75 Iron Point Circle, Suite 200
Folsom, California 95630
(916) 850-7378
rbrush@CSAC-EIA.org
www.csac-eia.org

11. Deckard Technologies, Inc.

Neil Senturia, CEO
2223 Avenida de la Playa, Suite 206
La Jolla, CA 92037
(858) 754-3201
neil@deckardtech.com
www.deckardtech.com

12. DLR Group

Dan Sandall, Business Development
1050 20th Street, Suite 250
Sacramento, CA 95811
(310) 804-7997
dsandall@dlrgroup.com
www.dlrgroup.com

13. Dominion Voting Systems

Steve Bennett, Regional Sales Manager
26561 Amhurst Court
Loma Linda, CA 92354
(909) 362-1715
steven.bennett@dominionvoting.com
www.dominionvoting.com

14. Election Systems & Software

Bryan Hoffman, VP of Corporate Sales
11208 John Galt Blvd.
Omaha, NE 68137
(315) 559-1653
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www.essvote.com

15. Enterprise Fleet Management

Lisa Holmes, State of CA Contract Manager
199 N. Sunrise Ave.
Roseville, CA 95747
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16. Hanson Bridgett LLP

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Samantha Wolff, Partner
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pmello@hansonbridgett.com
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17. Healthnet

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www.healthnet.com

18. Kaiser Permanente

Kirk Kleinschmidt, Director, Government Relations
1950 Franklin St, 3rd Floor
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(510) 987-1247
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www.kp.org

19. Nationwide

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4962 Robert J Mathews Parkway, Suite 100
El Dorado Hills, CA 95762
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www.nrsforu.com

20. NextEra Energy

Kerry Hattevik
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829 Arlington Blvd.
El Cerrito, CA 94530
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www.nexteraenergy.com

21. Optum

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22. Pacific Gas & Electric Company

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23. Perspecta

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24. Phrma

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25. Synoptek

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26. UnitedHealthcare

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27. Vanir Construction Management, Inc.

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28. Wellpath

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29. Western States Petroleum Association

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30. Witt O'Brien's

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1. AT&T

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2. HdL Companies

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3. Kosmont Companies

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1601 N. Sepulveda Blvd., #382,
Manhattan Beach, CA 90266
(213) 507-9000
lkosmont@kosmont.com
www.kosmont.com

4. KPMG

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www.kpmg.com

5. Paragon Government Relations

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220 Eye Street, NE, Suite 240
Washington, DC 20002
(202) 898-1444
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6. Recology

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PARTNERSHIP PROGRAM

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SILVER Partners

1. BIO

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2. CCHI

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3. CGL Companies

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4. Comcast

Beth Hester, Vice President External Affairs
3055 Comcast Circle
Livermore, CA 94551
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www.business.comcast.com

5. Dewberry

Alan Korth, RA, LEED AP, Associate Principal
300 North Lake Avenue 12th Floor
Pasadena, CA 91101
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www.dewberry.com

6. Energy Efficient Equity (E3)

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7676 Hazard Center Drive, 5th Floor Suite 33A
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www.energyefficientequity.com

7. ENGIE Services U.S.

Ashu Jain, Senior Manager
23 Nevada
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www.engieservices.com

8. GEO Group

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7000 Franklin Blvd, Suite 1230
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9. Hospital Council of Northern & Central California

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10. IBM

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11. Kofile

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Patty Melton, Account Manager
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12. LECET Southwest

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13. Liebert Cassidy Whitmore

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14. Managed Care Systems, LLC

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www.managedcaresystems.com

15. MuniServices

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16. Northrop Grumman Aerospace Systems

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17. PARS

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18. Precision Engineering

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19. Raymond James

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20. RBC Capital Markets, LLC

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21. Republic Services

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22. SAP Concur

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www.concur.com

23. SAIC

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24. Samba Safety

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25. Scotts Miracle Grow

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26. Sierra Pacific Industries

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27. Sierra West Group, INC.

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mewallers@sierrawestgroup.com
www.sierrawestgroup.com

28. SiteLogIQ

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1512 Silica Avenue,
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29. Telecare Corporation

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1080 Marina Village Parkway, Suite 100
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30. Thomson Reuters

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510 E. Milham Ave.
Portage, MI 49002
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31. WINFertility

Thomas Carey, VP Business Development
1 American Lane
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www.winfertility.com

32. Xerox Corporation

Michelle Yoshino, General Manager
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michelle.yoshino@xerox.com
www.consulting.xerox.com

33. Ygrene Energy Fund

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www.ygrenetworks.com

CSAC POLICIES AND PROCEDURES MANUAL

Updated December 2019



California State
Association of Counties



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I. ABOUT CSAC

A. LEADING THE CALIFORNIA COUNTY ENTERPRISE

In 1991, the County Supervisors Association of California (CSAC) reorganized to better represent all the interests of California Counties.

The significance of the change was reflected in the change to the organization's new name: THE CALIFORNIA STATE ASSOCIATION OF COUNTIES. While the CSAC acronym remained, the new name encompassed all of the county family.

The reorganization reflected changes in the make-up of California, whose citizenry more and more turned to leaders and administrators of local government for answers and solutions to their problems.

This CSAC policy and procedures manual provides information on the governing structure and decision making process for CSAC, the statewide association representing all of California's 58 counties.

B. NAME

The name of the organization is the CALIFORNIA STATE ASSOCIATION OF COUNTIES (CSAC).

C. CSAC VISION, MISSION & VALUES

1. Vision

CSAC serves as the effective advocate and unified voice of California's 58 counties.

2. Mission

To serve California counties by: developing and equipping county leaders to better serve their communities; effectively advocating and partnering with state and federal governments for appropriate policies, laws, and funding; and communicating the value of the critical work being accomplished by county government.

3. Values

CSAC shall adhere to the highest professional standards of conduct relying on its character, integrity, ability, and strength. To this end, CSAC subscribes equally to the following values and principles:

- a. **County Focused** – We will be county-focused and our policies will be member-driven.
- b. **Integrity** – We will be consistently honest and fair.
- c. **Teamwork** – We recognize that we can accomplish more working together, so we will support each other and strive to work as a team.

d. **Adaptability** – We are committed to proactively and effectively adapting to new situations and environments.

e. **Respect** – We genuinely value those who are different from ourselves and will respect a diversity of viewpoints, backgrounds, cultures, and lifestyles.

f. **Continuous Improvement** – We are committed to personal development and we will all take deliberate steps to improve every day.

g. **Accountability** – We will hold one another accountable and work tirelessly to accomplish our goals and fulfill our mission while upholding the values we share.

II. MEMBERSHIP

A. MEMBERSHIP CATEGORIES

CSAC membership includes all leaders at the local county government level, both elected and administrative. There are two categories of CSAC membership:

- Regular Members
- Affiliate Members

B. REGULAR MEMBERS

Regular members of CSAC comprise the leadership at the local county government level throughout California. To be eligible for regular membership, an individual must be an elected county supervisor or elected mayor of a California county.

Membership for new members must be initiated by a county board of supervisors, by county payment of annual dues.

C. AFFILIATE MEMBERS

(Amended by the CSAC Board of Directors on September 5, 2013)

Affiliate members represent a host of elected and appointed county administrative leaders who, through independent associations or organizations, represent the needs of various county service-delivery personnel. Affiliate members play a significant role in statewide policy development and implementation, often through their own associations, and through their membership on appropriate CSAC policy committees.

All members are encouraged to carry the CSAC logo on their letterhead, and to provide advice to the CSAC Board of Directors through their active participation on the policy committees.

When advocating on a statewide level, affiliate members should be careful to support the policy decisions and legislative positions taken by

the CSAC Board of Directors. In particular, affiliate members must not publicly advocate a position contrary to an established position of the CSAC Executive Committee or Board of Directors. Should an affiliate member knowingly take a public position that contradicts the elected supervisors' position on a matter of statewide importance, the Executive Director shall have the authority to temporarily suspend that affiliate member's status as an affiliate and may notify the Legislature and Administration as necessary to clarify that the association is not affiliated with CSAC and does not speak for the elected supervisors. Subsequently, the former affiliate member may seek to be readmitted as an affiliate member in good standing by applying to the Executive Committee and making an explanation of the circumstances.

Affiliate members are generally recognized through action by the CSAC Executive Committee or Board of Directors. Prospective affiliate members must submit a written request for affiliate status to the CSAC Executive Director. CSAC may request additional supporting materials, including but not limited to organization membership rosters, bylaws and policy platforms. This policy should not be interpreted to require that affiliate members obtain approval from CSAC staff or the CSAC Board of Directors of positions they take on administrative, legislative, regulatory and budget issues as long as those positions are not in conflict with the positions established by the Board of Directors.

D. CAUCUSES

Three caucuses have been designated: Urban, Suburban and Rural. Caucus membership is determined as set forth in Article 5 of the CSAC Constitution. Each caucus will elect a caucus chair. Each caucus shall meet to organize their particular caucus. To the extent desired, each caucus can assess themselves to hire staff, fund projects and establish a presence within the administration of CSAC. One CSAC staff member will be assigned as a coordinator for each caucus. Each caucus may develop and adopt its own policy positions. However, their policies will not become CSAC policy unless adopted by the CSAC Board of Directors. Votes taken in the caucuses will be by a one-county, one-vote rule of those present and voting.

Time will be scheduled for caucuses to meet at the CSAC annual meeting and the spring legislative conference, and on an as-needed basis via conference call.

III. CSAC LEADERSHIP

A. LEADERSHIP STRUCTURE

CSAC is governed and managed by a leadership model that promotes participation in the organization by all of California's 58 counties. CSAC

leaders are found at a number of levels within the organization.

- Officers
- Executive Committee
- Board of Directors

In addition there are other leadership roles:

- Caucus Chairs
- Policy Committee Chairs
- Regional Association Leadership

B. CSAC OFFICERS AND OTHER OFFICIALS

CSAC Officers include the President, First Vice President, and Second Vice President elected by the general membership; and the immediate Past-President. Other officials include the Treasurer and the Secretary, who is the Executive Director of the Association.

C. EXECUTIVE COMMITTEE

The Executive Committee, which serves at the discretion of the Board, includes up to fifteen (15) members:

- The President
- The First Vice President
- The Second Vice President
- The Immediate Past President
- Six (6) Directors representing the Urban Caucus, including one from Los Angeles County
- Three (3) Directors representing the Suburban Caucus
- Two (2) Directors representing the Rural Caucus

Each caucus may elect one (1) alternate to the Executive Committee.

One representative of the California Association of County Executives and one representative of the County Counsels' Association of California shall serve as advisors to the Executive Committee.

Each year, a County Supervisor is nominated by the President from the Board of Directors to serve as Treasurer for the association. That appointment is ratified by the Executive Committee. The role of the Treasurer is intended to provide more involved Executive Committee oversight of the association budget and other financial reports.

D. BOARD OF DIRECTORS

The Board of Directors is composed of up to sixty-two (62) members: one designated supervisor member from each California member county, plus the President, Immediate Past President, First Vice President, and Second Vice President of CSAC.

Each county Board of Supervisors may designate additional county supervisors from their board as alternate CSAC board members for purposes of voting in the absence of the designated board member.

Caucus chairs, policy committee chairs and representatives from affiliate groups may serve as ex officio, non-voting associates of the Board of Directors. One representative each from the following entities may serve as advisors to the Board of Directors: California Association of County Executives (CACE), the County Counsels' Association of California, and CSAC Corporate Associates.

Except as provided in Paragraph V(E), a simple majority of members present and voting following the establishment of a quorum for board meetings is required to pass action items, except (1) A two-thirds affirmative vote of all board members is required to amend the CSAC Constitution; (2) Adoption of a position on a ballot proposition (oppose or support) requires the affirmative vote of at least fifty percent plus one of the member counties; and (3) CSAC's financial involvement in issue campaigns requires approval by a 2/3 vote of the membership of the Board.

E. CAUCUSES AND CAUCUS CHAIRS

Caucus Chairs, elected by the respective caucuses, represent the Urban, Suburban and Rural Caucuses of CSAC respectively.

Caucuses can develop and adopt their own policy positions, but the Board of Directors must approve caucus policy prior to it becoming CSAC policy. Individual county resolutions may flow through the caucuses to the appropriate policy committees for recommendation to the Executive Committee and Board of Directors.

F. POLICY COMMITTEE CHAIRS

Policy Committee Chairs are nominated by the President and confirmed by the Executive Committee, and are responsible for policy development in the following areas:

- Administration of Justice
- Agriculture, Environment and Natural Resources

- Government Finance and Administration
- Health and Human Services
- Housing, Land Use and Transportation

Policy chairs maintain an ex-officio, non-voting seat on the Board of Directors.

IV. ELECTIONS

A. RULES AND PROCEDURES FOR ELECTION OF OFFICERS AND EXECUTIVE COMMITTEE

B. NOMINATION PROCESS FOR CSAC OFFICERS

Positions for CSAC officers are to be filled by their respective caucuses.

Nominees must be supervisors from the appropriate caucus. More than one candidate may be nominated and nominations may be made from the floor at the General Assembly.

Officers first come in as second vice-president and move up through the ranks each year upon the vote of their caucus. Election of the Second Vice-President rotates through the various caucuses in the order of Rural, Urban, and Suburban. For future calculation purposes, under the established rotation of officers, officers selected for 2019-20 were as follows:

President:	Urban
First Vice President:	Suburban
Second Vice President:	Rural

C. NOMINATION PROCESS FOR EXECUTIVE COMMITTEE MEMBERS

Nominees must be members of the CSAC Board of Directors representing counties included within the caucus.

A caucus may nominate as many candidates for their Executive Committee positions as desired, but only the following number will be elected:

Urban Caucus:	6
Suburban Caucus:	3
Rural Caucus:	2

In addition, each caucus may nominate one alternate member. See appendix.

A caucus may nominate more than one candidate for a CSAC office and also nominate one or more of those candidates for a position on the

Executive Committee.

The election of the CSAC officers will take place prior to the election of elected to a CSAC office, and is also a candidate for the Executive Committee, the caucus chair need only withdraw that candidate's name at the meeting of the Board of Directors.

D. ELECTION OF OFFICERS

The election of officers will take place at the General Assembly during CSAC's Annual Conference.

The caucus chairs will present their nominations to the Presiding Officer who will then call for nominations from the floor. Any supervisor may nominate, but the nominee must come from the appropriate caucus.

A quorum of one-third of the Association membership must be present to elect. Presence for purposes of establishing a quorum for election of officers is based on registration at the Annual Conference.

Voting for uncontested offices may be by hand or by voice vote, or by secret ballot at the ruling of the President. Voting for contested offices must be by secret ballot. Election to office requires the majority vote of members present and voting. If no nominee receives a majority vote, the two nominees receiving the greatest number of votes shall participate in a runoff election.

E. ELECTION OF EXECUTIVE COMMITTEE MEMBERS

The Board of Directors will meet Thursday afternoon at CSAC's Annual Conference, immediately following the General Assembly, to elect the Executive Committee. Only elected Directors or alternates may sit on the Board at this meeting. The Board quorum requirement is forty percent of the members of the Board of Directors.

Voting: The President will place the nominees from each caucus before the Board for election. Election requires the majority vote of the Board members present. If a nominee fails to receive a majority vote on the first ballot, the two nominees receiving the greatest number of votes will participate in a runoff.

V. VOTING

A. GENERAL VOTING REQUIREMENTS

The Board of Directors is the final authority for any matter requiring a vote, except as provided in the Constitution relative to Executive Committee and general membership powers. In order to ensure as broad participation as possible, members may participate in all meetings by phone. Participation by phone counts toward constituting a quorum and for

meeting any voting threshold standards. Members may vote over the phone.

Matters requiring votes can take four forms:

- Consensus
- Voice votes
- Roll call votes
- Weighted votes

B. ALTERNATES

The Executive Committee allows three (3) alternates, one from each caucus. Alternates may participate in meetings in addition to all other members and may participate in consensus votes. They may only participate in roll call votes if they are replacing an absent member from their caucus.

For Board of Director meetings, each Board of Supervisors will notify CSAC of a voting alternate for their county who can only be another supervisor from that board. Alternates must be designated by a minute order or letter from the Chairman of the Board of Supervisors from the county. Board alternates may participate in meetings in addition to all other members and may participate in consensus votes. They may only participate in voice, roll call, or weighted votes if they are replacing the absent board of director member from their county. Officers do not have alternates.

C. CONSENSUS, VOICE, ROLL CALL VOTES

Task forces, policy committees, the Executive Committee, and the Board of Directors and caucuses may all employ consensus, voice, and roll call votes. (Each caucus has its own voting procedure for electing its Executive Committee representatives. See Appendix).

D. CAUCUSES

Each caucus may develop and adopt its own policy positions. However, their policies will not become CSAC policy unless adopted by the CSAC Board of Directors. Votes taken in the caucuses will be by a one-county, one-vote rule of those present and voting.

E. WEIGHTED VOTES

Notwithstanding Paragraph III(A), weighted votes can be requested by any Board member, with a required second from another Board

member.

Weighted voting can only be employed by the Board of Directors (not by the Executive Committee, Policy Committees, or taskforces).

Weighted vote will be a roll call vote. Weighted votes must be cast in whole by the voting county and may not be split. A simple majority of the weighted votes of members present and voting is required for passage of an action item except: (1) amendments to the CSAC Constitution require 2/3 of the weighted votes of all Board members; (2) CSAC's financial involvement in issue campaigns requires approval by a 2/3 of the weighted votes of the Board members; and (3) adoption of a position on a state ballot proposition by the Board requires both a majority of the weighted votes of members present and a minimum of fifty percent plus one of the member counties must cast votes (regardless of weight).

- Weighted votes are based on a CSAC dues structure formula with a ceiling and floor. Votes per county under the formula range from one (1) vote for the lowest dues bracket to fourteen (14) for the highest dues bracket. (See "Weighted Voting System Schedule of Votes Per County" in Appendix)

The Executive Committee may review the distribution of weighted votes among members and the dues brackets, and recommend changes to the Board of Directors, following the Decennial Census of the U.S. Census Bureau. (See "Weighted Voting System Schedule of Votes Per County in Appendix.)

VI. DEVELOPING CSAC POLICY AND POLICY COMMITTEES

A. OPERATING PROCEDURES FOR POLICY COMMITTEES

(Amended by the CSAC Board of Directors on September 5, 2013)

These guidelines define the role and operational procedures for all policy committees of the California State Association of Counties.

1. ROLE

Policy Committees provide a smaller, focused, and more frequent setting for discussion and potential recommendations on matters of importance to California counties. Policy Committees are charged with reviewing the County Platform that guides CSAC policy positioning on issues and legislation and recommending amendments; reviewing legislation and ballot propositions, as needed; and serving as a forum for discussing issues within the policy arena, often helping clarify CSAC positions on legislation in the interim between Executive Committee and/or Board of Director meetings. Any changes to the platform and to existing policy through

action of the Policy committee, however, must be forwarded to the Executive Committee and then to the Board of Directors for action at their next meeting(s).

2. COMPOSITION

There are five policy committees within the California State Association of Counties as currently established by the Executive Committee:

Administration of Justice

Agriculture, Environment and Natural

Resources Government Finance and

Administration

Health and Human Services

Housing, Land Use and Transportation

Each policy committee may have a number of subcommittees and/or task forces that are responsible for policy development and recommendations to the full committee. The number and type of subcommittees vary according to the specific needs of each policy committee.

3. NUMBER OF MEETINGS

Each policy committee meets at least two times per year at the CSAC Legislative Conference and at the Annual Meeting, but may meet more often, at the call of the chair, as circumstances and issues may dictate.

4. POLICY COMMITTEE CHAIR

Committee chairs and vice chairs are appointed annually by the CSAC President following the annual meeting in November and ratified by the Executive Committee. Although geographic distribution should play a role in the appointments, other factors such as policy area expertise, political expertise, leadership abilities, commitment to work, and ability to testify should be given weight in the selection. Committee chairs and/or vice chairs, accompanied by CSAC staff, make their reports and recommendations in person to the CSAC Executive Committee and the CSAC Board of Directors at their meetings held throughout the year.

5. POLICY COMMITTEE MEMBERSHIP

Since policy committees form the foundation for the CSAC policy development process, which guides CSAC staff action, active participation by supervisors is key to a strong and effective statewide association. Committee chairs and vice chairs are responsible for encouraging

supervisors to become members who are knowledgeable in the specific policy area and who will actively participate in policy development and lobbying. CSAC encourages each county to assign supervisors from their county to serve on each of the five policy committees. This is a practice that has proven effective at expanding participation in CSAC policy setting by those counties who use it.

Committee membership is open to all board of supervisors members. Supervisors may serve on more than one policy committee. New supervisors are encouraged to participate.

6. AFFILIATE GROUP REPRESENTATION

The role of affiliate groups is to advise and recommend. Each affiliate group shall have one voting representative on each appropriate policy committee and that representative shall speak for the interests of his/her group. Affiliate groups have a vote on policy committees, subcommittees and task forces as outlined in the Policy Committee Voting Procedure (below). Affiliate groups are also actively involved with CSAC staff in the technical aspects of policy development, interpretation and implementation.

7. CALIFORNIA ASSOCIATION OF COUNTY EXECUTIVES (CACE)

The CACE shall have one voting representative on each policy committee as outlined in the Policy Committee Voting Procedure (below).

8. CORPORATE PARTNERSHIP PROGRAM

The Corporate Partnership Program was created to foster a closer working relationship between business and local government. This program provides opportunities for private sector companies to join with public officials on topics of mutual interest. The Corporate Partners may have one non-voting liaison to each policy committee.

9. POLICY COMMITTEE VOTING PROCEDURE

Each member of a policy committee (supervisor, county administrator and affiliate group representative) shall have one vote on all policy committee actions. However, if a supervisor member of a policy committee requests a roll call vote on any action before the policy committee, only supervisor members of the policy committee shall vote on that action. Only one vote per county is allowed on a roll call vote.

10. CSAC LEGISLATIVE PLATFORM

Every two years, at the start of a new two-year legislative session, prior to the CSAC annual meeting, policy committees will review the Legislative Platform in their policy area and, if necessary, prepare a written report of suggested changes which is reviewed by the policy committee at the CSAC annual meeting or a special meeting. In addition, any board of supervisors member may submit through the policy committee suggested changes to the platform in writing, not later than two weeks prior to the CSAC annual meeting, so that they may be reviewed by a policy committee at the annual meeting.

The committee shall review all suggested changes to the platform at the annual meeting corresponding to the two-year State legislative session and make recommendations in writing to the CSAC Board of Directors at their first meeting of the next calendar year. The Board of Directors shall review the draft changes and submit any proposed changes to the policy committee for their review at their next meeting, usually at the CSAC legislative conference. The Board of Directors shall review the policy committee recommendations and adopt the revised Legislative Platform at their meeting during the legislative conference. The legislative platform is intended to guide CSAC legislative efforts during the term of a legislative session. However, the platform is a living document and may be amended by the Board of Directors by actions taken in response to immediate policy issues.

11. TASK FORCES

In the case of special issues, a policy committee chair may request the CSAC President to appoint task forces or special purpose committees to make recommendations on policy. In such cases, the President acting on recommendations from a particular policy chair may create such a committee with a timeframe for the sunset of the committee established at the time of task force creation.

B. CSAC POLICY DECISION PROCESS

The diverse interests and constituencies of CSAC's members require a formal process for the consideration of policies that will carry the support or opposition of the organization. Policy proposals may generate from several sources:

- 1) The CSAC President may appoint a task force, which may recommend a proposed policy to a policy committee;
- 2) A caucus, county, or regional association may recommend a proposed policy to a policy committee.
- 3) A member supervisor, or CSAC staff may recommend a proposed policy to

a policy committee.

Such recommendations for policy shall be considered resolutions. In the case of options (1) and (2) the policy committee shall consider the proposed policy and shall make a recommendation on the proposed policy to the Executive Committee, which may decide whether to forward a recommendation to the Board of Directors for final action. In the case of option (3) the policy committee is not required to take action or make a recommendation and may choose to not forward the item. If it does recommend a change in policy through support or opposition, however, it must be forwarded upward to take effect. If the proposed policy receives an affirmative vote of the Board of Directors, as defined in the constitution, it becomes CSAC policy.

An exception to the policy development procedure described above would exist where a policy committee convenes during the course of a meeting in which the Board of Directors also meets. Under those circumstances, the action of a policy committee may be referred directly to the Board of Directors for its consideration, without the recommendation of the Executive Committee.

C. STATE BALLOT PROPOSITION POLICY

CSAC Officers will assign qualified propositions to appropriate policy committees. Propositions will be so assigned when, in the assessment of the Officers, the propositions fall within existing policy in the CSAC Legislative Platform, or when the proposition poses a direct impact on county government.

Staff recommendations on propositions will be presented to the Officers and to policy committees based upon existing CSAC Legislative Platform principles, or in the absence of clear existing policy, based upon direct impact, if any, to county government.

Propositions should be reviewed by policy committees, and recommendations presented to the Executive Committee by the policy chair, or staff on behalf of the policy chair. Propositions placed on the Executive Committee agenda for debate and action should be limited to those which are recommended by the policy committee for "support" or "opposition." Propositions for which no action is recommended by a policy committee will be provided to the Executive Committee on an informational basis. No discussion will be required on these items. Policy committee recommendations shall be the first motion made. No substitute motion can be made until the committee recommendation has been voted upon.

Executive Committee members may participate in the discussion and voting by phone.

After voting, the Executive Committee forwards its recommendation to the Board of Directors for action.

Propositions for which no action is recommended by the Executive Committee will be provided to the Board of Directors on an informational basis. No discussion will be required on these items.

Any member of the Board of Directors can request consideration of a ballot proposition not otherwise slated for discussion. However, such request must first receive a favorable vote by the Board before discussion can proceed.

Proponents and opponents may be invited to speak at the Board of Directors meeting for a maximum of 5 minutes each.

Adoption of a position on a ballot proposition (support or oppose) will require at least fifty percent plus one of the member counties. In the case of a call for weighted voting, for purposes of a quorum and for 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.

In most circumstances, policy consideration will be given only to qualified propositions. In the event that a proposed ballot measure has a direct impact on county government and staff recommends early consideration of such a measure, the CSAC Officers may direct a policy committee to review and make a recommendation on the proposed measure. The policy committee recommendation will then be forwarded to the Executive Committee for discussion. The CSAC Board of Directors will then consider the recommendation of the Executive Committee. Understanding that circumstances under which such action may take place are unique and infrequent, the CSAC Officers will guide CSAC's activities on such measures and the Executive Committee and Board of Directors will receive regular updates on CSAC involvement. This procedure will permit CSAC to engage in a proactive role in development of initiatives and response to initiatives under consideration.

Every effort should be made for the Board of Directors to make the final decision on a ballot proposition. There may be rare circumstances where there is not enough time for a Board meeting before an election. In this case, the decision of the Executive Committee will serve as CSAC's position on the proposition.

D. FINANCIAL INVOLVEMENT IN ISSUE CAMPAIGNS

(Adopted by the CSAC Board of Directors on December 3, 2008)

Recognizing that there is an increasing trend toward resolving public policy issues at the ballot in California, CSAC is prepared to participate financially in

campaigns for or against those measures that have a direct impact on counties' authority, function, or fiscal health. Staff recommendation for such participation will be presented to CSAC officers, who may then direct staff to bring the issue to the Executive Committee. The Executive Committee will evaluate the issue and make a recommendation for action to the Board of Directors based on existing CSAC Legislative Platform principles, or in the absence of clear existing policy, based upon direct impact, if any, to county government. Staff may also recommend options for financial participation in a campaign, such as the formation of a political action committee (PAC) for purposes of fundraising for such activities or other means of financial participation.

If the Board of Directors, with a 2/3 vote of the membership approving, approves financial participation for purposes of financially supporting or opposing a given issue, staff will establish a financial participation plan for approval. CSAC will abide by all state laws governing political reporting and use of funds and will rely upon legal counsel opinion and analysis to ensure that funds are identified and segregated in accordance with such laws and regulations. At no time will public funds be utilized in any manner in support of an issue campaign. CSAC shall segregate and account for public and private funds accordingly, ensuring that at no time will public funds be utilized for campaign-related activities, including overhead and other administrative costs. If the formation of a PAC is approved, the PAC will function to support CSAC activities related to the specific issue and may be discontinued upon resolution of the issue by a majority vote of the Board of Directors.

VII. ADMINISTRATIVE POLICIES & PROCEDURES

A. DUES STRUCTURE POLICY

(Adopted by the CSAC Board of Directors on November 21, 2002)

Effective FY 2002-2003, CSAC adjusted dues upward according to the following general principles and formula.

1. GENERAL PRINCIPLES

Population is the most equitable statistic to use in developing a dues formula, since all county general purpose revenue allocations are primarily based on population.

Dues are calculated based on county population data from the most recent U.S. Census.

Dues calculations will take into consideration population adjustments in both the overall county and within the unincorporated areas.

1. Any new formula will need to be phased in if significant changes to present dues occur.
2. A dues cap will continue to be utilized so no county carries the majority of the dues burden.
3. There may be a need for an annual adjustment to the dues schedule (separate from this dues equity adjustment necessitated by the Census population a growth) that takes into account potential increases in operations.

2. FORMULA

- a. Dues are calculated based on averaging the increase/decrease in overall county population during the 1990s with the increase/decrease in a county's unincorporated population during that same period.
- b. In adjusting dues based on Census data, no county will have its dues increased by more than 14% -- the amount of California's population growth in the 1990s.
- c. No county will pay more than 12% of the overall dues collected by the association.
- d. The dues structure will be phased in over a five-year period to minimize impact to county budgets.

B. APPOINTMENTS TO THE CSAC FINANCE COPORATION

1. As of September 19, 2014, the CSAC Executive Committee is tasked with appointing members of the CSAC Finance Corporation Board of Directors. The CSAC Finance Corporation Board of Directors is comprised of three county supervisors (each representing an urban, suburban, and rural county), two county administrative officers, one treasurer-tax collector or chief financial officer, one auditor-controller or chief financial officer, one city, special district, COG or retired county employee, two public members, and the CSAC Executive Director. Members of the Board of Directors (with the exception of the CSAC Executive Director) serve staggered 3-year terms. The Executive Committee may select any qualified candidate, but in exercising its discretion should consider and give strong preference to candidates who demonstrate the following: (1) excellent character, leadership skills and commitment to work on behalf of California's counties; (2) experience as a Finance Corporation Board member, including history of active participation, contribution to the success of the Finance Corporation programs and a desire to continue to serve; (3) the benefits associated California's diversity, including geographic area, county population, professional and personal experience; and (4) the potential to advance and grow the Finance Corporation in the future through creativity, innovation and thought-leadership .
2. The CSAC Officers shall conduct interviews of candidates and make a

recommendation to the Executive Committee.

3. The CSAC Executive Committee shall make appointments annually by a majority vote. The CSAC Executive Committee will accept nominations from its members or from the CSAC Finance Corporation Board. The Executive Committee may either reappoint an existing Finance Corporation Board member to serve an additional term, or appoint a new individual to serve. The CSAC Finance Corporation will notify the CSAC Executive Committee if a seat becomes vacant before its term is completed. Any such vacancy in the CSAC Finance Corporation Board of Directors shall be filled by a majority vote of the CSAC Executive Committee and the director selected to fill such vacancy shall hold office for the balance of the unexpired term of the vacant seat, and until his or her successor has been appointed.

C. ANNUAL MEETING SITE SELECTION POLICY

The “Annual Meeting” is the marquee event for the California State Association of Counties. The location of this meeting, in terms of both geography and venue, is critical to the overall success of the meeting.

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.

Eligible counties and locations must meet specific criteria, including:

1. CSAC Meeting Purposes and Objectives

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.

2. CSAC Budget Requirements

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.

3. CSAC Member Preferences

Locations should be chosen based on the preference of a county to host the conference.

It is strongly desired that the “host county” play an active role in the

planning, implementation and ultimate success of the Annual Meeting.

4. Process

To allow for adequate planning, CSAC will book its annual meetings four (4) years in advance. Each year, a new recommendation will come before the Executive Committee and Board for consideration.

CSAC Staff will research potential counties and venues for annual meetings. An analysis and recommendations on sites will be brought to the Executive Committee and Board of Directors for review and final decision.

D. CSAC STAFF CONTRIBUTION POLICY

(Adopted by the CSAC Board of Directors on September 5, 2013)

CSAC staff has the right to voluntarily contribute their time or money to any political campaign. However, in order to avoid the appearance that such contributions are compulsory, county supervisors shall not directly solicit contributions from CSAC staff for all elections. Mass mailing or e-mail solicitations are not considered direct solicitations.

E. CSAC FINANCIAL POLICIES

1. CSAC shall implement financial policies to strengthen the fiscal stability of the association through the establishment of operative and capital reserves and to ensure the strongest return on association resources through the establishment of a procurement policy, investment policy, and other policies as needed.
2. Operating Reserve and Capital Improvement Program reserves serve to strengthen the fiscal stability of the association, provide resources to fund unanticipated expenses or priorities, as well as plan for appropriate management of its capital assets.
3. The Investment Policy guides the management of financial accounts, particularly with respect to the appropriate investment of operating and reserve funds to best protect and grow association revenues.
4. The Procurement Policy provides for the most cost effective service delivery model through the competitive procurement of goods and services.
5. In any fiscal year ending with a fund balance, funds shall be allocated in the following priority order:
 - a. Funds required to meet the required 6-month operating reserve.
 - b. Up to \$250k of additional fund balance shall be allocated to the Capital Improvement Program.
 - c. Additional contributions to the operating reserve and/or capital improvement program.
 - d. Other association priorities as determined by the Executive Director, in consultation with the Treasurer.

F. CSAC OPERATING RESERVE POLICY

1. The purpose of this Policy is to establish an operating reserve for the California State Association of Counties (CSAC) to ensure long-term fiscal stability of the association.
2. CSAC shall maintain an operating reserve of six months of the annual operating budget, less expenditures for the Litigation Program and other restricted expenditures.
 - a. The six-month operating reserve shall be met or exceeded unless there is a significant change in revenues or expenditures or an identified association priority on the use of funds as determined by the Executive Director, in consultation with the Treasurer of CSAC.
 - b. To address significant changes to revenues or expenditures, or to meet association priorities, the Executive Director may utilize reserve funds, in consultation with the Treasurer of CSAC.
 - c. To the extent the operating reserve falls below the six-month target, funds should be replenished to meet the target within three years.
3. The operating reserve policy shall be reviewed periodically to ensure it continues to meet association priorities.

G. CSAC CAPITAL IMPROVEMENT PROGRAM

1. The Capital Improvement Program shall be established for CSAC to plan for and manage the association's capital assets.
2. CSAC shall establish a Capital Improvement Program as a sub-account of Association Reserves.
 - a. The capital improvement program shall receive up to \$250k in available fund balance each year. The contribution shall be met or exceeded unless there is a significant change in revenues or expenditures or an identified association priority on the use of funds as determined by the Executive Director, in consultation with the Treasurer.
 - b. To plan for or address significant capital improvement needs, the Executive Director may utilize reserve funds, in consultation with the Treasurer.
 - c. Capital Improvement funds shall be used for the following purposes:
 - i. Large anticipated capital projects required to extend the life of the association's assets such as to replace the roof or the boiler.
 - ii. Unanticipated capital projects exceeding \$5,000 not otherwise funded by the budget.
 - iii. Other association priorities as determined by the Executive Director, in consultation with the Treasurer.
3. The capital improvement program reserve policy shall be reviewed periodically to ensure it continues to meet association priorities.

H. INVESTMENT POLICY

It is the policy of the California State Association of Counties that

investments may be made in any instruments or securities that are considered eligible investments for California counties.

Investments outside the bank of record for the California State Association of Counties require prior approval from the Corporation's Treasurer.

I. PROCUREMENT POLICY

CSAC shall procure goods and services in a manner that most effectively allows for the management of the costs of the goods and services required to meet the association's needs. Goods and services exceeding \$50,000 annually shall be competitively bid every three years with proposals solicited from at least three firms whenever practical.

Proposals will be evaluated based on a combination of factors that result in the best value to the association, including but not limited to:

- a. Understanding of the work required by the association.
- b. Quality and responsiveness of the proposal.
- c. Demonstrated competence and professional qualifications necessary for satisfactory performance of the work required by the association.
- d. Recent experience in successfully performing similar services.
- e. References, background, and related experience of the specific individuals to be assigned to the work.
- f. Proposed compensation.

To ensure stability and continuity of the association, competitive bidding may be waived for specialized goods and services only to the extent the time, cost, or particular service market would make it impractical or would disrupt the priorities of the association. Multi-year contracts exceeding three years are permissible to the extent that doing so results in a substantial cost or service benefit to the association.

J. TRAVEL AND EXPENSE POLICY FOR CSAC OFFICERS AND NACO REPRESENTATIVES

The CSAC Officers, National Association of Counties (NACo) Board of Directors and Western Interstate Region (WIR) Board of Director representatives shall receive full reimbursement for travel, registration and meals in the course of all CSAC and NACo business.

Overall expenditures are to be kept to a moderate level. It is understood that CSAC's association business will at times include the purchase of alcoholic beverages. CSAC volunteer leaders shall use good judgment and

keep these purchases at reasonable levels.

K. ANNUAL MEETING EXPENSE POLICY FOR CSAC OFFICERS

CSAC Officers receive complimentary conference registration to the Annual Meeting and to any other CSAC meeting they attend. They also receive one complimentary Annual Banquet ticket, if needed, for a guest to accompany him/her to the banquet.

CSAC Officers receive a complimentary one-bedroom suite for the duration of the meeting (Monday or Tuesday through Friday). The suite will have complimentary wine/beer/soft drinks. If any additional items are needed, CSAC's Conference Coordinator is authorized to approve all requests. The suite is billed to the CSAC Master Account. Any personal charges such as room service, phone calls, laundry, etc. are not reimbursable by CSAC and are the responsibility of the Officer.

Transportation charges incurred are reimbursed by CSAC.

L. PAST PRESIDENTS' COUNCIL

All former CSAC presidents are eligible to participate in the CSAC Past Presidents' Council, which is chaired by the Immediate Past President. The Council meets twice yearly, in conjunction with CSAC's legislative and annual conferences. Past presidents receive complimentary registration to both conferences.

Past presidents are a valuable leadership resource and may assist with various CSAC activities such as advocacy, identifying and recruiting other supervisors to serve on CSAC committees, and Challenge Award judging. In addition, the Council annually selects an individual who has made a significant contribution to the state or his or her community to be recognized with a Lifetime Achievement Award. This award is presented during CSAC's annual conference.

M. CIRCLE OF SERVICE AWARD POLICY

1. DEFINITION OF AWARD

The Circle of Service Award is presented to provide recognition to county officials, employees and other CSAC members whose service to the county family, CSAC membership and CSAC goals is substantially above and beyond the norm. Examples include policy committee chairs, task force members, affiliate presidents, special legislative advocacy efforts, Corporate Associate members, and department officials whose service to CSAC or another county, not their own, sets them apart.

2. AWARD RECIPIENT SELECTION

Recommendations are made annually to the CSAC Executive Committee, which then determines who should receive the CSAC Circle of Service Award. There is no specific number of awards presented annually.

3. PRESENTATION OF AWARD

Circle of Service recipients are recognized and presented with their awards either at a Board of Supervisors meeting in the recipient county, during the CSAC Annual Meeting, or at a CSAC Board of Directors meeting.

N. DISTINGUISHED SERVICE AWARD POLICY

1. DEFINITION OF AWARD

The Distinguished Service Award is presented to the person or persons who have made the greatest contribution to the improvement of government in California, particularly as it related to county government.

Examples include constitutional officers, legislators, senior administration staff, and county officials. .

2. AWARD RECIPIENT SELECTION

Recommendations are made annually to the CSAC Executive Committee, which then determines who should receive the CSAC Distinguished Service Award. There is no specific number of awards presented annually.

3. PRESENTATION OF AWARD

Distinguished Service recipients are recognized and presented with their awards during the CSAC Annual Meeting.

O. CODE OF CONDUCT POLICY

1. EXPECTATIONS OF CSAC LEADERSHIP

To achieve CSAC's values and principles, which are set forth in Paragraph I(C)(3) of this policy, CSAC members engaged in CSAC activities are expected to treat staff and each other with mutual respect, maintain an organization that is free from unlawful discrimination and harassment, be civil and fair, and ensure their public conduct is consistent with CSAC values and principles.

Harassment and discrimination are against the law, and CSAC strongly disapproves and will not tolerate unlawful harassment or discrimination by its leadership. Conduct that may violate this policy includes verbal, physical, and visual contact that creates an intimidating, offensive or hostile environment at CSAC meetings, conferences or other events.

The Board of Directors may discipline a CSAC member engaged in CSAC activities who commits a violation determined to be serious misconduct pursuant to this Code of Conduct Policy.

P. CONFLICT OF INTEREST POLICY

1. Purpose

The CSAC is a California nonprofit mutual benefit corporation. Members of the Board of Directors (“Board Members”) of CSAC are subject to certain legal obligations in the performance of the duties of their position. For this reason, CSAC is establishing this Conflict of Interest Policy for its Board Members.

CSAC Board Members are required to exercise good faith in all transactions involving their duties, and they are subject to certain obligations not to use their position, or knowledge gained through their position, for their personal benefit. In their dealings with CSAC, Board Members should be mindful of potential conflict of interests.

2. Standard of Care

In determining potential conflicts of interest, the following standard of care shall be applicable:

A. Board Members shall perform their duties in good faith, in a manner they believe to be in the best interest of CSAC, with such care, including reasonable inquiry, as an ordinary prudent person in a like position would use under the circumstances.

B. Board Members are required in their capacity as members of a Board of Supervisors to receive training on ethics and conflicts of interest that satisfies the requirements of AB 1234. Board Members shall perform their duties in a manner consistent with the principles addressed in this training.

C. Board Members are entitled to rely on the information, opinions, reports or statements (including financial statements and other financial data) prepared or presented by officers or employees of CSAC, independent accountants, and other experts who provide professional services to CSAC, provided that Board Members believe such individuals are reliable and competent, and that the matters on which they present are within their professional or expert competence. Board Members may also rely on the information, opinions, reports or statements of any committee of the Board of Directors with respect to matters within that committee’s designated authority if Board Members believe the committee merits their confidence. Board Members are entitled to rely on the information, opinions, reports or statements of any person, firm, or

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committee if, after reasonable inquiry when the need therefore is indicated by the circumstances, they have no knowledge that would cause such reliance to be unwarranted.

3. Conflicts and Disclosure

A. Board Members are necessarily involved in the affairs of other institutions and organizations. Effective boards and organizations will include individuals who have relationships and affiliations that may raise questions about perceived conflicts of interest. Although many such potential conflicts are and will be deemed inconsequential, every Board Member has the responsibility to ensure the entire Board of Directors is made aware of situations that involve personal, familial, or business relationships that could create a real or perceived conflict of interest. Every Board Member is also a member of a Board of Supervisors for a County in the State of California, and their counties pay dues to support CSAC. Decisions by Board Members related to setting dues for CSAC membership is deemed not to be a conflict of interest. Board Members are required annually to be familiar with the terms of this policy, and to acknowledge by his or her signature that he or she is acting in accordance with the letter and spirit of this policy.

B. Board Members are required to make a full disclosure to the Board of Directors of all material facts regarding any possible conflict of interest, to describe the transaction, and to disclose the details of their interest. CSAC shall, as appropriate, seek the opinion of legal counsel and such other authorities as may be required, before entering into any such transaction. Before approving a transaction in which a Board Member may have a conflict of interest, the Board of Directors will attempt, in good faith and after reasonable investigation under the circumstances, to determine that:

- (1) CSAC is entering into the transaction for its own benefit;
- (2) The transaction is fair and reasonable as to CSAC at the time CSAC entered into the transaction;
- (3) The Board of Directors has knowledge of the material facts concerning the transaction and the director's or officer's interest in the transaction; and
- (4) CSAC cannot obtain a more advantageous

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arrangement with reasonable effort under the circumstances.

The Board of Directors must then approve the transaction by a vote of a majority of the Board of Directors then in office, without counting the vote of any director who may have a conflict of interest due to the transaction under consideration.

APPENDIX

CSAC RURAL CAUCUS POLICY FOR SELECTING EXECUTIVE COMMITTEE MEMBERS AND NOMINATING OFFICERS

The CSAC Executive Committee shall include four rural members, including one officer and one alternate. Authority for the conduct of the caucus rests with each caucus. The following policy was adopted by the Rural Caucus.

1. ~~No supervisor shall serve more than two consecutive one-year terms on the Executive Committee~~A supervisor nominated by the Rural Caucus to a member of the Executive Committee is nominated for a term of two years, except the alternate, who is nominated for a term of one year. This two-year limitation is not applicable to officers. The terms will be staggered.
2. The position is rotated through the sub-sections. A sub-section whose representative is a CSAC president, vice president, or 2nd vice president officer~~shall~~ have no other members on the Executive Committee, except for the alternate, who may be from any sub-section. However, when a CSAC officer is nominated from the same sub-group as a member who has only served one year, that member may serve a second year.
3. Elections to nominate CSAC officers and elect Executive Committee members shall be by secret ballot. When there is no opposition, a voice vote shall replace the secret ballot.
4. The option to vote by phone shall be available to any representative who has registered for the CSAC event at which the Caucus meeting is being held. Any phone votes shall be witnessed by at least two staff members.
5. After the ballots are counted by CSAC staff, the Caucus chair shall certify the totals and announce the result. The chair shall make the ballots available for examination upon request.
6. Rural counties are divided into three sub-sections:

<u>Group A</u>	<u>Group B</u>	<u>Group C</u>
Del Norte	Glenn	Alpine

Humboldt	Lassen	Amador
Inyo	Modoc	Calaveras
Kings	Plumas	Colusa
Lake	Sierra	El Dorado
Madera	Siskiyou	Nevada
Mariposa	Tehama	Sutter
Mendocino	Trinity	Tuolumne
Mono		Yuba
San Benito		

SUBURBAN CAUCUS POLICY FOR EXECUTIVE COMMITTEE MEMBER SELECTION

The CSAC Executive Committee is comprised of three regular members, one alternate, and one or two officers (depending on the officer rotation) from the suburban caucus. Authority for the conduct of the caucus rests with each caucus. The Suburban Caucus adopted a policy in March of 2006 that attempts to provide representation from areas throughout the state while allowing adequate flexibility to accommodate individuals particularly well-qualified to serve regardless of geographic considerations.

Member counties are divided into three groups, and one member is selected from each group. The officer and alternative members may be selected from any suburban county.

MEMBERSHIP (18)

Butte	Monterey	Shasta
Napa	Solano	Placer
Sonoma	Imperial	Stanislaus
Kern	San Luis Obispo	Tulare
Marin	Santa Barbara	Yolo
Merced	Santa Cruz	

GROUPING OF COUNTIES

<u>Group 1</u>	<u>Group 2</u>	<u>Group 3</u>
Butte	Merced	Imperial
Marin	Santa Cruz	Kern
Placer	Solano	Monterey

Napa	Stanislaus	San Luis Obispo
Shasta	Yolo	Santa Barbara
Sonoma		Tulare

METHOD OF SELECTION

Executive Committee nominees shall consist of one member from each group. The officer and alternate shall be selected from any suburban county in the state.

TERM OF OFFICE

A member may serve three consecutive years. This three-year limitation is not applicable to persons serving in an officer capacity. The terms will be staggered by group. Alternates are elected each year.

Note: If a seated member is no longer able to serve on the Committee, a replacement from that group would be elected to serve for the remainder of that group's term.

URBAN CAUCUS POLICY FOR SELECTION OF EXECUTIVE COMMITTEE MEMBERS

The Executive Committee is comprised of six regular members, one alternate, and one or two officers (depending on the officer rotation) from the urban caucus. In past years there has been an informal rotation among the urban counties, whereby a county is on for two years and off one year. Los Angeles County maintains a permanent seat on the Executive Committee.

The following rule was adopted in 1993 by unanimous vote of the Urban Caucus: "The primary criterion for recommendation to the Executive Committee shall be the willingness to participate and attend the meetings of the Committee. The rotation schedule shall be used as a secondary method for selection if more counties are interested in appointment than seats available.

Adopted by CSAC Board of Directors April 18, 1991 and amended November 30, 2000, November 29, 2001, and September 5, 2013.

Dues Bracket	County	No. of Votes
1	Los Angeles	14
2	Orange	13
2	San Diego	13
3	Santa Clara	12
3	Alameda	12
3	Sacramento	12
3	San Bernardino	12
3	San Francisco	12
4	Riverside	11
4	Kern	11
4	Contra Costa	11
4	San Mateo	11
5	Ventura	10
5	Fresno	10
6	San Joaquin	9
6	Sonoma	9
6	Santa Barbara	9
7	Monterey	8
7	San Luis Obispo	8
7	Marin	8
7	Tulare	8
7	Stanislaus	8
7	Solano	8
8	Santa Cruz	7
8	Placer	7
8	Merced	7
9	El Dorado	6
9	Shasta	6
9	Napa	6

Dues Bracket	County	No. of Votes
9	Butte	6
9	Kings	6
9	Humboldt	6
9	Yolo	6
9	Mendocino	6
9	Imperial	6
10	Nevada	5
10	Madera	5
10	Lake	5
11	Tuolumne	4
10	Sutter	5
11	Siskiyou	4
11	Yuba	4
11	Tehama	4
11	Amador	4
12	Inyo	3
11	Calaveras	4
11	Plumas	4
12	Glenn	3
12	Mono	3
12	San Benito	3
11	Mariposa	4
12	Colusa	3
13	Lassen	2
13	Del Norte	2
13	Trinity	2
14	Modoc	1
14	Sierra	1
14	Alpine	1

WEIGHTED VOTING SYSTEM SCHEDULE OF VOTES PER COUNTY



California State Association of Counties (CSAC) Organizational Structure

January 2020

BOARD OF DIRECTORS

Executive Committee

Policy Committees

Executive Director
Graham Knaus

Executive Assistant
Korina Jones

**Deputy Executive Director
of Legislative Affairs**
Darby Kernan

**Deputy Executive
Director of Operations
and Member Services**
Manuel Rivas, Jr.

**Federal Affairs
Manager**
Cara Martinson

**CEAC Program
Director**
Chris Lee

**CEAC Program
Manager**
Merrin Gerety

Legislative Unit

Stanicia Boatner
Nick Cronenwett
Roshena Duree
Marina Espinoza
Justin Garrett
Joshua Gauger
Chris Lee
Cara Martinson
Farrah McDaid Ting
Geoffrey Neill
Ada Waelder

**Director of Public
Affairs and
Member Services**
David Liebler

Finance
Kelsey Nolan
Tina Armstrong
Miguel Olvera

**California Counties
Foundation**
Chastity Benson
Elizabeth Baskins
Olviya Vataman

CSAC Institute
Bill Chiat, Dean

CSAC Hub
Diana Medina

**Communications
and Public Affairs**
Kim Burlison
Sara Floor
Michael Sweet

Event Planning
Porsché Green
Shannon Coughlin

Facilities
Kevin Hypse

IT Services
Synoptek

**Administrative
Services**
Francisco Beltran
Lisa Currie
Karen Schmelzer
Patnu Vang
Amanda Yang

MEMORANDUM



DATE: January 16th, 2020

TO: CSAC Executive Committee

FROM: Joe Krahn | President, Paragon Government Relations
 Darby Kernan | Deputy Executive Director of Legislative Affairs, CSAC
 Cara Martinson | Federal Affairs Manager, CSAC

SUBJECT: **Consideration of CSAC Support for the *Farm Workforce Modernization Act (HR 5038)***

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Action Requested. Support Position Recommended. The *Farm Workforce Modernization Act (HR 5038)* represents a significant congressional reform effort designed to stabilize employment in the nation’s agricultural sector by expanding work opportunities for foreign-born individuals. CSAC policy covers some but not all provisions of this bi-partisan bill. Therefore, the CSAC Officers are requesting a support position on this bill as a stand-alone measure.

Background. The bill was discussed at the December meeting of the CSAC Board of Directors, and staff was directed by the Board to review CSAC policy and work with the Officers to recommend a position. While CSAC typically relies on its policy platform to take positions on bills, circumstances arise where the CSAC Executive Committee and/or Board of Directors will take action to recommend positions on bills that are not covered by the platform.

Summary. HR 5038 is a bipartisan measure that was developed over the course of several months with significant input from agricultural stakeholders and other interested parties. Over 300 agricultural groups are on record supporting the legislation, including numerous national organizations and a number of CA-based groups, such as the California Farm Bureau Federation. Sponsored by Representative Zoe Lofgren (D-CA), the bill would establish a merit-based visa program for the nation’s agricultural sector, as well as modify the H-2A temporary worker program, among other reforms.

HR 5038 cleared the House in December 2019 on a 260-165 vote and was supported by the vast majority of the California congressional delegation. On the Democratic side of the equation, every member of the state’s delegation voted for the bill, with the exception of Representatives Nanette Barragán and Ted Lieu, who did not cast votes.

With regard to CA Republican members, Representatives Nunes, LaMalfa, and Cook voted in favor of HR 5038. Minority Leader McCarthy, along with Representatives McClintock and Calvert, voted against the bill (GOP Rep. Duncan Hunter did not vote).

It should be noted that Representatives McCarthy and McClintock expressing opposition to the bill on the basis that they believe the effort amounts to amnesty for individuals who are in the United States illegally. Incidentally, their Republican colleague, Representative LaMalfa, countered those claims during House floor debate on the bill, pointing out that the legislation establishes benchmarks that certified agricultural workers must achieve before seeking permanent residency.

Key Provisions

Certified Agricultural Worker Status

HR 5038 would establish a first-of-its-kind, merit-based visa program for the nation's agricultural sector. Pursuant to the bill, the Department of Homeland Security (DHS) would be authorized to grant temporary "certified agricultural worker" (CAW) status to undocumented individuals who, in turn, would be eligible to earn permanent legal status for themselves and their dependent family members through continued agricultural employment. An individual's CAW status would be valid for five and a half years and could be extended by DHS.

H-2A Visa Reforms

The legislation would make reforms to the H-2A agricultural guest worker visa program, including allowing a limited number of program participants to engage in year-round work (current law caps program participation at 10 months). Furthermore, under the bill, dairy farms would be able to hire H-2A temporary workers for the first time.

E-Verify

HR 5038 would require DHS to establish a nationwide system for employers to verify an individual's identity and employment authorization (known as E-Verify). Employers hiring individuals for agricultural employment would be required to use the new system.

Housing

The bill would permanently authorize the U.S. Department of Agriculture's (USDA) Housing Preservation and Revitalization Program, which provides financing assistance for rural rental housing and off-farm labor housing projects. The legislation also would authorize USDA to provide other types of assistance to qualified individuals, including funding for insuring loans and grants for new farmworker housing.

Next Steps. Although a companion bill to HR 5038 has not been introduced in the Senate, House sponsors are working with key members of the upper chamber, including Senators Dianne Feinstein and Kamala Harris, to develop such a proposal. It should be noted that the prospects for the bill in the GOP-controlled Senate remain uncertain. Even if the legislation is approved by the Senate, it is unclear whether President Trump would sign the measure into law.



January 16, 2020

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TO: CSAC Executive Committee

FROM: Manuel Rivas, Jr. | Deputy Executive Director of Operations and Member Services
David Liebler | Director of Public Affairs and Member ServicesSUBJECT: **Communications and Member Services Update**

As we enter a new year with new challenges, the primary focus of the Communications and Member Services Team will be to continue to complement CSAC's core advocacy priorities, promote and advance the important role counties play in the lives of every California, and provide our members with valuable training, meeting and networking opportunities.

Enhancing Our Core Priorities - The Communications Team works in conjunction with our legislative unit and county staff; through regular team and one-on-one meetings, communications strategies are developed and implemented to help support our legislative priorities. The communication strategies used depend on the particular priority issue and targeted audiences. These include utilizing earned media, paid media and social media. In 2019, CSAC addressed more than 100 media inquiries that focused on legislative issues. Communications and legislative staff worked closely on calls to ensure the proper information and messaging was conveyed. CSAC also provided communications support on wide ranging priority issues, from disaster preparedness and public safety powershutoffs to homelessness and mental health.

CSAC also launched its "Driven to Serve" campaign in late 2019, spotlighting county services that make a difference in the lives of those who need assistance. Programs in Placer and San Bernardino Counties were promoted last year, with a Yolo County program assisting at-risk youth being featured this month. The campaign's goal is to help educate legislators and staff on the importance and value of California County programs/services. To date, the paid advertising campaign has resulted in more than 2 million impressions and 200,000 video views.

Utilizing Effective Communications Tools - In an era in which people's lives are seemingly busier and attention spans shorter, CSAC has been adapting its communications tools to take advantage of the latest effective platforms. Behind are the days of lengthy press releases and printed materials; CSAC primarily uses social media to communicate with its numerous audiences across the state. Our views and followers on Twitter, Facebook, Instagram, LinkedIn and YouTube continue to significantly grow. CSAC's effectiveness utilizing social media to support the Association's advocacy efforts was highlighted in the 2019 Digital Influencer Report, which spotlights the most influential social media work geared toward the Capitol audience.

Some figures of interest:

- CSAC's Twitter has had more than 3.3 million impressions in 2019.
- CSAC's Website has received nearly 900,000 visitors in 2019.
- CSAC's videos were viewed more than 57,000 times in the past year.
- CSAC's tweets during the recent Annual Meeting were viewed more than 60,000 times.

The communications team will continue to enhance the use of these platforms to assist the Association's legislative priorities, spotlight key county services, keep counties informed, and promote CSAC meetings and events.

The Communications Team is also looking to kick-start our webinar program in 2020, providing another educational venue for our members, as well as look for ways to produce more infographics to assist in our advocacy efforts.

Promoting County Best Practices - CSAC's Annual Challenge Awards program received the second highest number of entries in the program's history in 2019. CSAC uses the awards program as a platform to promote county best practices through video, articles and with local media. 16 innovative programs featuring rural, suburban and urban county programs were recognized this year. The CSAC communications team this month began rolling out the next series of videos and accompanying blogs spotlighting these award-winning programs. Videos/blogs will be released every two weeks well into the summer. We are also exploring a new electronic platform to streamline entry and judging process, and we hope to have that in place for the 2020 awards, which will open in April with the Call for Entries.

Major Conferences & Regional Meetings - More than 2,000 CSAC members attended our major conferences, regional meetings and workshops during 2019, not including the thousands of members who participated in Institute courses through the California Counties Foundation. CSAC has significantly expanded the number and scope of our meetings, partnering with other local government associations as well as the state. We expect this to continue in 2020; three regional meetings will be conducted and one-day workshops will be planned on an as-needed basis. Additionally, CSAC is also co-hosting the 2020 NACo WIR Conference set for May 13-15 in Yosemite; staff is currently busy working with NACo, Mariposa county staff and RCRC to develop a robust agenda.



January 16, 2020

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TO: CSAC Executive Committee

FROM: Manuel Rivas, Jr. | Deputy Executive Director of Operations and Member Services
Chastity Benson | California Counties Foundation Operations ManagerSUBJECT: **California Counties Foundation Update**

The California Counties Foundation (Foundation) is the non-profit foundation of CSAC that houses the CSAC Institute, the CSAC Support Hub for Criminal Justice Programming, and manages charitable contributions and grants to improve educational opportunities for county supervisors, county administrative officers, and senior staff. This memorandum highlights key activities and programs occurring within the Foundation.

CSAC Institute

Winter-Spring CSAC Institute Course Schedule – The 2020 Winter-Spring session has begun. Classes will be offered in Sacramento, Santa Cruz, San Diego, Mendocino/Lake and Tulare counties. The semester features 44 courses, including our first offering of *“Introduction to Forecasting: Data Trends and How They Fit”* facilitated by Irena Asmundson, Chief Economist at the California Department of Finance on January 23, 2020 in Sacramento.

The Institute is piloting two Pop-Up Campuses this semester. Later this month Solano County will host the first two-day Pop-Up Campus featuring *“Leading with Emotional Intelligence”* and *“Storytelling and Other Practices in the Art of Persuasion.”* In June, Mariposa County will host the Pop-Up Campus with *“Polish Your Writing”* and *“Leading Consciously.”* The Institute full course guide can be found at www.csacinstitute.org.

Faculty Development Workshop – This intensive workshop has been created for County practitioners interested in enhancing their instructional practices and serving on the faculty of CSAC Institute. The workshop consists of three days of concentrated instruction and practice in Sacramento on February 5-6 and March 6, 2020. CSAC and California Counties Foundation are underwriting the costs for the workshop instruction, materials and lunch each day. The workshop is limited to 25 people and registration is by invitation only. If you or someone you know may be interested, please contact Chastity Benson at cbenson@counties.org.

“So You Want to Be the County Executive” Seminar – The popular career development seminar “So You Want to Be the County CEO” will be held April 1-3, 2020 at the Lake Tahoe Resort. This seminar is targeted and designed for senior county executives aspiring to or recently appointed as the CAO/CEO. Participants will examine leadership practices, political acumen, recruitment process and making the transition to becoming a County Executive. CSAC Institute Dean Bill Chiat, San Joaquin County Administrator Monica Nino, Fresno County Administrator Jean Rousseau and Executive Recruiter Pamela Derby will facilitate this distinct professional development opportunity. The seminar is limited

to 45 participants and advanced registration is required. For application and registration, please visit www.csacinstitute.org.

CSAC Support Hub for Criminal Justice Programming

2019 Annual Summit Recap – On September 25-26, 2019, 85 leaders from 20 California counties gathered in Ventura County to share best practices and increase the coalition of champions in the evidence based movement in criminal justice. The CSAC Support Hub Summit included panels and workshops focused on providing counties with an overview of the building blocks for effective program design and implementation, as well as how to harness the power of data analysis to inform their practices. Program experts and county practitioners shared expertise in using logic models and process maps; enhancing contracting practices; and, utilizing data analysis to answer key criminal justice questions. On day one, staff from Kern, Santa Clara, and Solano County shared their experience with inventorying their adult criminal justice programs. Panelists shared lessons learned and plans to continue using their program inventories as a planning and capacity building tool.

Day two focused on helping counties harness the power of data analysis to inform their practices. Participants learned about the analytic questions facing criminal justice agencies, tools that can help address these questions, strategies to inform practice, and ways data analysis can be woven throughout their work. The final panel discussion featured probation chiefs from three counties– Chief Wendy Still, Alameda County; Chief Francisco Giraldo, Santa Cruz County, and Chief Tanja Heitman, Santa Barbara County– that shared their reflections and experiences in how they use data in their leadership practices. The Summit concluded with county teams gathering in small groups to reflect on the information shared during the summit and brainstorm capacity needs and engaged in strategic planning related to program design, implementation and data analysis. The CSAC Support Hub will continue to engage these counties by providing resources and technical assistance for a host of activities.

On the Horizon for 2020: New partnerships with counties and continued support for existing partner counties including:

- Tulare County to Engage in Results First Approach. On October 29, 2019, the CSAC Support Hub team met with criminal justice stakeholders from Probation, Sheriff, Courts, Behavioral Health, and the CAO’s office to discuss Tulare County becoming the 11th county to implement the Results First Approach and other components of the Hub’s new strategic framework for data-driven and evidence-based practice. The team will next conduct a presentation to Tulare County’s CCP who will formally sign off on the project. Work is then scheduled to kick off in January of 2020.
- Partnerships to kick off with Stanislaus, Contra Costa, and Los Angeles counties. In January 2020 the team will also meet with three new counties to kick off work on how the support Hub's Strategic framework for Data Driven and Evidence based practice can support their county criminal justice goals.



County Counsels' Association of California

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MEMORANDUM

To: Supervisor Lisa Bartlett, President, and
Members of the CSAC Executive Committee

From: Jennifer Henning, Litigation Coordinator

Date: January 16, 2020

Re: Litigation Coordination Program Update

This memorandum will provide you with information on the Litigation Coordination Program's new case activity since your August 1, 2019 Executive Committee meeting. Recent CSAC court filings are available on CSAC's website at: <http://www.csac.counties.org/csac-litigation-coordination-program>.

The following jurisdictions are receiving amicus support in the new cases described in this report:

COUNTIES	CITIES	OTHER AGENCIES
Butte	Davis	Montebello USD
Monterey	Los Angeles (2 cases)	San Luis Obispo LAFCO
Napa	Oakland	
Plumas	San Diego	
San Bernardino		
San Diego		
San Francisco (2 cases)		
Santa Clara		
Sonoma (2 cases)		
Yuba		

AIDS Healthcare Foundation v. City of Los Angeles

Unpublished Opinion of the Second Appellate District, 2019
Cal.App.Unpub.LEXIS 5799 (2d Dist. Aug. 29, 2019)(B292816), *request for publication denied* (Sept. 19, 2019)

Status: Case Closed

Plaintiff challenged the City's approval of a development project, arguing, in relevant part, that the City's administrative review process violated plaintiff's right to procedural due process. In this unpublished opinion, the Court of Appeal not only upheld the City's substantive actions on the project, but also concluded that the City's process did not violate procedural due process. The court concluded: (1) ex parte discussions between Commissioners and developers did

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not violate due process; (2) it is not a violation of due process to allow City staff to speak after or in response to public comments, nor does it violate due process to allow City staff to have more time to comment than a public speaker—equal time is not required; (3) there is no due process right to be heard twice on a matter before the City; and (4) due process does not require that members of the governing body state on the record that they read and “understood” the full administrative record. The court ends the opinion by stating: “At bottom, [plaintiff] urges us to transmogrify the administrative proceedings for approving projects and zoning changes into proceedings with all the trappings of a criminal trial. Doing so would grind such proceedings to a halt. Due process does not demand this result.” CSAC requested publication of the opinion but review was denied.

Ballinger v. City of Oakland

Pending in the Ninth Circuit Court of Appeals (filed Aug. 7, 2019)(19-16550)

Status: Amicus Brief Due March 9, 2020

The City of Oakland has a tenant relocation ordinance, which extends relocation payments to tenants displaced by certain no-fault evictions, including owner move-in evictions, and establishes a uniform schedule of relocation payments. Plaintiff home owners decided to temporarily rent their home, and two years later gave notice to the tenants to vacate so plaintiffs could move back in. Plaintiff paid the relocation payment, but also filed this lawsuit alleging that the ordinance violates the Takings Clause of the Fifth Amendment, the Fourth Amendment, the Due Process Clause of the Fourteenth Amendment, and the Contracts Clause of Article I, Section 10 of the U.S. Constitution. The district court upheld the ordinance against the constitutional challenges, but the home owners have appealed. CSAC will file a brief in support of the City of Oakland.

Carroll v. City and County of San Francisco

41 Cal.App.5th 805 (1st Dist. Oct. 31, 2019)(A155208), *petition for review pending* (filed Dec. 10, 2019)(S259558)

Status: Petition for Review Pending

San Francisco has a charter provision that credits city employees who become disabled with additional years of service so they can receive a retirement benefit similar to what they would have earned had they worked for a full career. The benefit adds additional years of credit (up to a maximum benefit of 1/3 of salary) so that benefits are calculated as though the employee worked until age 60. Plaintiff retired 17 years ago, but alleges that she only recently became aware of the calculation rules. She challenged the charter provision under FEHA as unlawful age discrimination because, for example, an employee like her who retired at age 58 after 15 years of service receives two “bonus years” (to get to age 60), resulting in approximately 17 years of service and about 25% of her final average salary. But an employee who retired due to disability at age 33 after 15 years of service would receive 27 years of imputed service (to get to age 60), resulting in a total of 42 years of service and the maximum allowable benefit of 1/3 of final average salary. The Court of Appeal reversed a trial court order dismissing the case on statute of limitations grounds. The court also rejected the city’s claim of immunity under Government Code section 818.2 (“A public entity is not liable for an injury caused by adopting or failing to adopt an enactment or by failing to enforce any law.”). San Francisco is seeking Supreme Court review, and CSAC has filed a letter in support of review.

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Chevron USA v. County of Monterey

Pending in the Ninth Circuit Court of Appeals (filed Aug. 10, 2018)(18-15499)

Status: Fully Brief; Case Pending

The voters of Monterey County enacted an anti-fracking initiative measure (“Measure Z”) in November 2016. Plaintiffs (oil companies and mineral rights holders) challenged Measure Z on state and federal preemption, takings, and other grounds. Protect Monterey County, as an official sponsor of Measure Z, intervened in defense of the measure. (Monterey County settled and is not involved in the appeal.) The trial court struck down the initiative, finding that California’s state oil and gas legal and regulatory scheme “fully occupies the area of the manner of oil and gas production” and therefore preempts the initiative’s effort to ban underground wastewater injection and prohibit drilling any new wells. Similarly, the court concluded that the Measure conflicted with both state and federal law governing underground injection. The Safe Water Drinking Act directed the Environmental Protection Agency “to oversee underground injection throughout the United States” and granted the State of California the primary enforcement responsibility. The Measure “directly conflicts” with the state’s mandate. CSAC filed an amicus brief in the appeal.

City and County of San Francisco v. US Citizenship and Immigration Service

Pending in the Ninth Circuit Court of Appeals (filed Oct. 30, 2019)(19-17213)

Status: Amicus Brief Due January 23, 2020

This case is a challenge by San Francisco and Santa Clara County, among others, to the Trump Administration’s change to the “public charge” rule. Since the 1800’s, federal law has prohibited the admission to the United States of “any person unable to take care of himself or herself without becoming a public charge.” Of course, the definition of “public charge” establishes the parameters of this restriction. In August 2019, the Trump Administration redefined the term “public charge” to require a consideration of not only cash benefits, but also certain non-cash benefits. The old rules would define someone as a public charge if they received cash assistance from SSI, TANF, or federal, state, or local general cash assistance programs. The new rules add additional benefits to that list: SNAP assistance, Section 8 housing assistance, Section 8 project-based rental assistance, Medicaid (with certain exceptions), and Section 9 public housing. The trial court issued a preliminary injunction to put the rule on hold while litigation proceeded on the merits. However, on December 5, 2019, the Ninth Circuit stayed the preliminary injunction. Nevertheless, the appeal on the merit is moving ahead, and CSAC will be filing a brief based on CSAC’s existing policy platform and the opposition letter submitted while the regulations were open for public comments.

City of Pismo Beach v. Pacific Harbor Homes

Pending in the Second Appellate District (filed Apr. 17, 2019)(B296968)

Status: Amicus Brief Due January 29, 2020

This case involves indemnity agreements in which an applicant (in this case, this City of Pismo Beach seeking annexation on behalf of a developer) is required to indemnify a LAFCo, including covering attorneys’ fees. A similar indemnification agreement existed between the City and the developer. Ultimately, LAFCo denied the annexation, and the developer lost a subsequent lawsuit against LAFCo, with the City as an interested party in

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the litigation. The City then filed this lawsuit against the developer seeking payment for attorneys' fees under the indemnification agreement, and LAFCo cross-claimed against the City and the developer also seeking attorneys' fees under the indemnity provisions. The trial court declined to enforce the indemnity provisions, concluding that the indemnity agreements between the parties in this case were not enforceable because they did not meet basic contract elements and they violate public policy. The LAFCo has appealed, and CSAC will file a brief in support.

County of Butte v. Department of Water Resources

Previously published at: 39 Cal.App.5th 708 (3d Dist. Sept. 5, 2019)(C071785), *petition for review granted* (Dec. 11, 2019)(S258574)

Status: Pending in California Supreme Court

The California Department of Water Resources developed an EIR in connection with its application to extend its federal license under the Federal Power Act to operate the Oroville Dam. Butte and Plumas Counties brought this CEQA action. Though neither party raised it at the trial court or initial appellate briefing, when the CEQA challenge was pending in the Third Appellate District, the court requested supplemental briefing on whether the Federal Power Act preempted the counties' state court CEQA challenge. The appellate court thereafter determined that it did not have jurisdiction to consider the CEQA claims because CEQA was preempted by the Federal Power Act, so only the Federal Energy Regulatory Commission (FERC) can provide relief. After the Counties sought Supreme Court review (which CSAC supported), the Court directed the Court of Appeal to reconsider the case. However, the Court of Appeal reached the same conclusion on reconsideration, concluding that the Federal Power Act leaves "no sphere of regulatory freedom in which state environmental laws may operate as self-governance." The counties second request for review, which CSAC again supported, was granted.

Daly v. Bd of Supervisors of San Bernardino County

Pending in the Fourth Appellate District, Division Two (filed Sept. 25, 2019)(E073730)

Status: Pending in the Court of Appeal; Briefing Schedule TBD

This case involves San Bernardino County's recent appointment for a vacant seat on the Board of Supervisors. The County's charter allows the Board to make the appointment. The Board accepted applications for the position, but after receiving a large number of applications, the Board – not in open session – amended the process for reviewing applications and making the appointment in order to be able to make the appointment within the time allowed under charter. The County subsequently cured the potential Brown Act violation by rescinding the process amendment, subsequently amending the process in open session, and then reviewing the applicants and ultimately appointing Supervisor Dawn Rowe. Plaintiff filed this action to unseat the appointed Supervisor based on alleged Brown Act violations. The trial court granted the writ of mandate to plaintiff, rejecting County's arguments that: (1) Plaintiff must seek leave from the Attorney General to proceed quo warranto (the remedy in California for resolving disputes over title to public office); and (2) the remedy for a Brown Act violation is to rescind and then adopt the action in open session, which is exactly what the County did. The County has appealed, and CSAC will file a brief in support.

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Fistes v. Montebello Unified School District

38 Cal.App.5th 677 (2d Dist. July 16, 2019)(B283662), *request for publication granted* (Aug. 13, 2019), *petition for review denied* (Nov. 13, 2019)(S258098)

Status: Case Closed

Plaintiff is a corporation whose bid for a school district painting contract was rejected. Plaintiff corporation is not located within the school district, has no offices within the district, and has paid no taxes within the district. Nevertheless, plaintiff asserted Code of Civil Procedure section 526a taxpayer standing on the basis that it paid corporate income taxes to the State, and those taxes directly or indirectly fund the school district's activities. The Court of Appeal agreed this was sufficient for taxpayer standing, rejecting defendants' argument that the taxes had to be used to fund the specific project or activity being challenged (here, a painting project), and not just funding to the agency generally. The court also concluded that even though individuals must live, work, etc., in the jurisdiction for 526a standing, no similar requirement applies to corporations. CSAC supported the school district's petition for review, but the petition was denied.

Highway 68 Coalition v. County of Monterey

14 Cal.App.5th 883 (6th Dist. July 31, 2017)(H042891), *ordered published* (Aug. 24, 2017), *petition for review denied* (Nov. 15, 2017)(S244682)

Status: Case Closed

After preparing an EIR, the County's Board of Supervisors approved one of the alternative projects as the environmentally superior option for a residential subdivision. Two community organizations challenged the County's approval, alleging CEQA violations. The trial court rejected all of appellants' claims and dismissed their petition. In an unpublished opinion, the Sixth District affirmed, holding the project description was adequate under CEQA because the basic characteristics of the project remained accurate and stable throughout the EIR process. The alternatives in the recirculated EIR provided sufficient analysis to allow for informed decision making regarding the new primary access point proposed. The Court of Appeal also found the project's estimated increase in water use over the existing demand from the supplying wells did not constitute an impact on water that could be seen as cumulatively considerable. Mitigation under CEQA is not defined as an elimination of adverse environmental effects but instead is determined by measures that can reasonably be expected to reduce adverse impacts. CSAC's publication request was granted.

Howard Jarvis Taxpayers Assoc. v. County of Yuba

Pending in the Third Appellate District (filed Sept. 18, 2019)(C090473)

Status: Case Pending; Briefing Schedule TBD

In 2018, the Yuba County Board of Supervisors approved a 1% sales tax to fund general services in unincorporated Yuba County. The County submitted the proposed general tax to voters in the November 2018 general election, and it was adopted by 53% of the electorate. HJTA brought this challenge alleging that the tax was actually a special tax subject to a 2/3 vote requirement. HJTA argued that because the ordinance and ballot materials for the tax stated that the revenue was to be used entirely for public safety

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services, was entitled the “Yuba County Public Safety/Essential Services Protection Measure, and indicated the taxes would be accounted and paid for out of a public safety trust account. Critically, however, these statements were only the County’s plan for the tax revenue, but there was nothing in the tax measure itself that restricted use of the revenue for any particularly purpose. In fact, the “no” argument prominently argued that the measure was a general tax and voters could have no assurance that funds would be devoted to public safety. Nevertheless, the trial court agreed with HJTA and declared the measure invalid for failing to secure the 2/3 vote required for special taxes. The County has appealed, and CSAC will file a brief in support.

In re Caden C. (San Francisco Human Services Agency v. C.C.)

34 Cal.App.5th 87 (1st Dist. April 9, 2019)(A153925), *petition for review granted* (July 24, 2019)(S255839)

Status: Amicus Brief Filed Nov. 29, 2019; Case Pending

The California Supreme Court will be considering what standard governs appellate review of the “beneficial parental relationship” exception to adoption. Where a minor in a dependency case would otherwise be eligible for adoption and termination of parental rights, state law provides the parent or minor to argue that the minor’s relationship with the parent is so beneficial to the minor that termination of parental rights is unwarranted. In this case, the mother had continually relapsed and failed to complete reunification plans over the course of minor’s entire life. But the juvenile court declined to terminate parental rights and place the minor for adoption, opting instead to allow the mother to continue with visitation and keep the minor in long term foster care. The Court of Appeal reversed: “The question is not, as the [juvenile] court's findings seem to imply, whether mother's parental bond trumped the bond Caden shared with his current caregiver. It is instead an inquiry into whether mother's bond with Caden was such a positive influence on his young life that an uncertain future is an acceptable price for maintaining it.” But the Supreme Court has granted review. CSAC filed a brief in support of San Francisco.

Loeb v. County of San Diego

--- Cal.App.5th ---, 2019 Cal.App.LEXIS 1260 (4th Dist. Div. 1 Nov. 19, 2019)(D074347), *request for publication granted* (Dec. 16, 2019)

Status: Case Closed

Plaintiff brought this lawsuit to recover for injuries she sustained tripping on a pathway in a County park leading from a BBQ area to restrooms. The case presents the question of whether a “dual purpose” trail – i.e., a trail that is used for recreational (hiking, etc.) and non-recreational (access to restrooms) purposes – qualifies for Gov. Code section 831.4 trail immunity. Plaintiff argued that it is the trail *design*, rather than its *use*, that determines whether the immunity applies. Here, since the pathway was designed for bathroom access, plaintiff argued that the fact it may incidentally have also been used for recreational purposes does not make it eligible for trail immunity. But the Court of Appeal, in an unpublished opinion, ruled in favor of the County, finding “if the trail has dual uses – that is, it is used for both nonrecreational and recreational purposes – then trail immunity applies so long as evidence shows it is sometimes used for a recreational purpose.” CSAC joined San Diego County is requesting publication of the opinion, and the request was granted.

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Maacama Watershed Alliance v. County of Sonoma

40 Cal.App.5th 1007 (1st Dist. Sept. 6, 2019)(A155606), *request for publication granted* (Oct. 7, 2019)

Status: Case Closed

This opinion raises a question that is also addressed in *Soda Canyon Group v. County of Napa* (another CSAC amicus case): whether evidence outside of the administrative record of an event that occurred after a project approval can require reconsideration of a project under CEQA. In this case, plaintiff challenged a winery project approved with a mitigated negative declaration, arguing that an EIR was required. The trial court denied plaintiff's writ petition. Plaintiff appealed and, as relevant to this amicus request, plaintiff requested that the Court of Appeal take judicial notice of a report about the October 2017 fires, which occurred weeks after the project was approved, and was presented to the Board of Supervisors many months after the project's approval. The Court of Appeal denied the request, finding that evidence of events that took place after the project's approval was not properly part of the administrative record. On the merits, the court also found that plaintiff had not raised a fair argument that the winery project significantly increased the risk of fire hazards, including wildfires. CSAC joined Sonoma County's publication request, which was granted.

Nehad v. Zimmerman

Pending in the Ninth Circuit Court of Appeals (filed Jan. 23, 2018)(18-55035), *petition for rehearing en banc denied* (Oct. 2, 2019)

Status: Amicus Brief Due March 2, 2020

A City of San Diego police officer responded to a midnight 911 call from a store clerk about a man threatening him with a knife. The officer found a man meeting the description, who was walking toward him with something shiny and silver. The suspect continued to walk forward, ignoring commands to drop his weapon, until the officer shot the suspect. It was later determined that the suspect was carrying a pen rather than a knife. In this subsequent lawsuit alleging violations of the Fourth and Fourteenth Amendments, the federal trial court ruled in favor of the officer. On appeal, the Ninth Circuit affirmed with respect to plaintiffs' Fourteenth Amendment claim, but reversed on all other claims. On the Fourth Amendment claims, the court found that a jury should be able to determine whether the officer reasonably mistook the pen; whether the suspect was reasonably considered dangerous even if he was armed; whether the officer had a role in escalating the situation; and whether the severity of the crime at issue warranted the response. The city will seek U.S. Supreme Court review, and CSAC will file a brief in support.

Old East Davis Neighborhood Assn v. City of Davis

Pending in the Third District Court of Appeal (filed Aug. 2, 2019)(C090117)

Status: Case Pending; Briefing Schedule TBD

This case involves the city's approval of a residential/retail project. The parcel is downtown, but also near an older residential neighborhood, and therefore designated as a "transition" parcel, which requires scaling back density and height from what is permitted in the downtown core. The city found the project was consistent with its general plan and met the transition requirements. Plaintiff challenged the approval, and the trial court ruled against the city. While the court acknowledged that it owed deference to the city's general

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plan consistency determination, it nevertheless found that the project did not comply with the city's transition requirements and "would overwhelm the existing residential neighborhood." The court concluded that the fundamental "transition" principle could not be frustrated in the interest of another general plan goal, such as increased densification, infill, or transit-oriented development. The city has appealed, and CSAC will file a brief in support.

Soda Canyon Group v. County of Napa

Writ Petition Summarily Denied (1st Dist. Oct. 3, 2019)(A158076)

Status: Case Closed

Napa County approved a winery project in August, 2017. Plaintiff filed a CEQA action challenging the approval, and following the Atlas Fire in October 2017, sought to have evidence added to the administrative record of the impact of the fire on the project. The trial court concluded that the Atlas Fire evidence – an event that did not occur until five months after the public hearing before the Board – was "truly new evidence of emergent facts" that should be included in the administrative record and considered by the County on remand. The court declined to apply *Western States Petroleum Assn. v. Superior Court* (1995) 9 Cal.4th 559 [courts generally may not consider evidence not contained in the administrative record when reviewing the substantiality of the evidence supporting a quasi-legislative administrative decision] to the case. The winery owners filed a writ petition in the Court of Appeal, and CSAC filed a brief in support, but the writ was denied.

Stopthemillenniumhollywood.com v. City of Los Angeles

39 Cal.App.5th 1 (2d Dist. July 31, 2019)(B282319), *request for publication granted* (Aug. 22, 2019), *request for depublication denied* (Nov. 26, 2019)(S258643)

Status: Case Closed

In this CEQA challenge to a mixed use development, the trial court found that the traffic assessment in the city's EIR for the project was inadequate because the city was required to follow the Caltrans preferred traffic study methodology. The trial court concluded that even though the city was the lead agency, Caltrans was a responsible agency for the project, and therefore the city was obligated to provide the information and analysis which Caltrans specified as a responsible agency should be performed." The Court of Appeal concluded that the project description used by the city failed to comply with CEQA, and the court. The court found the project description inadequate because it "fail[ed] to describe the siting, size, mass, or appearance of any building proposed. . . [this description did] not meet the requirement of a stable or finite proposed project." CSAC asked the Supreme Court to depublish the opinion, but the request was denied.

Williams v. County of Sonoma

Pending in the First Appellate District (filed Mar. 25, 2019)(A156819)

Status: Amicus Brief Due February 21, 2020

Plaintiff was riding her bicycle on a training ride in preparation for a long distance event. Plaintiff was described by her expert as an "avid recreational cyclist" who participated in multiple group events. Her speed is disputed, but she failed to see a large pot hole located in the middle of a well-traveled rural road, due to shadows. She was

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catapulted off her bicycle and sustained serious injuries. In her subsequent dangerous condition of public property lawsuit, a jury awarded plaintiff \$1.895 million, which was reduced by 30% comparative fault to about \$1.3 million. The county has appealed, primarily on the issue of assumption of risk, based on case law that compares noncompetitive, but “advanced amateur” recreational activities to competitive sports for purposes of assumption of risk. CSAC will file a brief in support of the county.

California State Association of Counties
Conflict of Interest Policy

Article I
Purpose

The California State Association of Counties (“CSAC”) is a California nonprofit mutual benefit corporation. Members of the Board of Directors (“Board Members”) of CSAC are subject to certain legal obligations in the performance of the duties of their position. For this reason, CSAC is establishing this Conflict of Interest Policy for its Board Members.

CSAC Board Members are required to exercise good faith in all transactions involving their duties, and they are subject to certain obligations not to use their position, or knowledge gained through their position, for their personal benefit. In their dealings with CSAC, Board Members should be mindful of potential conflict of interests.

Article II
Standard of Care

In determining potential conflicts of interest, the following standard of care shall be applicable:

- A. Board Members shall perform their duties in good faith, in a manner they believe to be in the best interest of CSAC, with such care, including reasonable inquiry, as an ordinary prudent person in a like position would use under the circumstances.
- B. Board Members are required in their capacity as members of a Board of Supervisors to receive training on ethics and conflicts of interest that satisfies the requirements of AB 1234. Board Members shall perform their duties in a manner consistent with the principles addressed in this training.
- C. Board Members are entitled to rely on the information, opinions, reports or statements (including financial statements and other financial data) prepared or presented by officers or employees of CSAC, independent accountants, and other experts who provide professional services to CSAC, provided that Board Members believe such individuals are reliable and competent, and that the matters on which they present are within their professional or expert competence. Board Members may also rely on the information, opinions, reports or statements of any committee of the Board of Directors with respect to matters within that committee’s designated authority if Board Members believe the committee merits their confidence. Board Members are entitled to rely on the information, opinions, reports or statements of any person, firm, or committee if, after reasonable inquiry when the need therefore is indicated by the circumstances, they have no knowledge that would cause such reliance to be unwarranted.

Article III
Conflicts and Disclosure

- A. Board Members are necessarily involved in the affairs of other institutions and organizations. Effective boards and organizations will include individuals who have relationships and affiliations that may raise questions about perceived conflicts of interest. Although many such potential conflicts are and will be deemed inconsequential, every Board Member has the responsibility to ensure the entire Board of Directors is made aware of situations that involve personal, familial, or business relationships that could create a real or perceived conflict of

interest. Every Board Member is also a member of a Board of Supervisors for a County in the State of California, and their counties pay dues to support CSAC. Decisions by Board Members related to setting dues for CSAC membership is deemed not to be a conflict of interest. Board Members are required annually to be familiar with the terms of this policy, and to acknowledge by his or her signature that he or she is acting in accordance with the letter and spirit of this policy.

B. Board Members are required to make a full disclosure to the Board of Directors of all material facts regarding any possible conflict of interest, to describe the transaction, and to disclose the details of their interest. CSAC shall, as appropriate, seek the opinion of legal counsel and such other authorities as may be required, before entering into any such transaction. Before approving a transaction in which a Board Member may have a conflict of interest, the Board of Directors will attempt, in good faith and after reasonable investigation under the circumstances, to determine that:

- (1) CSAC is entering into the transaction for its own benefit;
- (2) The transaction is fair and reasonable as to CSAC at the time CSAC entered into the transaction;
- (3) The Board of Directors has knowledge of the material facts concerning the transaction and the director's or officer's interest in the transaction; and
- (4) CSAC cannot obtain a more advantageous arrangement with reasonable effort under the circumstances.

The Board of Directors must then approve the transaction by a vote of a majority of the Board of Directors then in office, without counting the vote of any director who may have a conflict of interest due to the transaction under consideration.

CALIFORNIA STATE ASSOCIATION OF COUNTIES
CONFLICTS OF INTEREST DISCLOSURE STATEMENT

I hereby certify that I have carefully read and hereby acknowledge receipt of a copy of this Conflict of Interest policy. In signing this Disclosure Statement, I have considered not only the literal expression of the policy, but also what I believe to be the spirit of the policy as well. To the best of my knowledge, information and belief, I hereby certify that, except as stated in the exception below, neither I nor any of my relatives by blood or marriage has any direct or indirect interest that conflicts with the interests of CSAC.

The exceptions are as follows (if more space is required, please attached additional page[s]; if no exceptions, please leave space blank):

If any situation should arise in the future that, as discussed in the policy, may involve me or my relatives by blood or marriage in a conflict of interest, I will promptly disclose the circumstances to the Board of Directors of CSAC.

Name: _____ Signature: _____

County: _____ Date: _____

**California State Association of Counties
2020 Calendar of Events**

JANUARY

- 1 New Year's Day
- 16 CSAC Executive Committee Meeting | Sacramento
- 20 Martin Luther King, Jr. Day
- 29-31 CSAC Platinum Leadership Forum

FEBRUARY

- 13 CSAC Board of Directors Meeting | Sacramento
- 17 Presidents Day
- 29 – Mar 4 NACo Legislative Conference | Washington D.C.

MARCH

- TBA CSAC Regional Meeting | TBA

APRIL

- 16 CSAC Executive Committee Meeting | Sacramento

MAY

- 13 – 15 NACo WIR Conference | Mariposa County, CA
- 25 Memorial Day
- 27 – 28 CSAC Legislative Conference | Sacramento
- 28 CSAC Board of Directors Meeting | Sacramento

JUNE

- TBA CSAC Regional Meeting | TBA

JULY

- 3 Independence Day
- 17 – 20 NACo Annual Conference | Orange County, Orlando, Florida

AUGUST

- 6 CSAC Executive Committee Meeting | Sacramento

SEPTEMBER

- 3 CSAC Board of Directors Meeting | Sacramento
- 7 Labor Day
- TBA Regional Meeting | TBA

OCTOBER

- 7 – 9 Executive Committee Retreat | TBA
- 12 Columbus Day

NOVEMBER

- 11 Veterans Day
- 26 Thanksgiving Day

DECEMBER

- 1 – 4 CSAC 126th Annual Meeting | Los Angeles County
- 3 CSAC Board of Directors Meeting | Los Angeles
- 16 – 18 CSAC Officers Retreat | Napa County
- 25 Christmas Day

*A networking reception will be held the evening prior to each Board and Executive Committee meeting, other than during conferences.