

CALIFORNIA STATE ASSOCIATION OF COUNTIES
EXECUTIVE COMMITTEE
Thursday, April 23, 2009
10:00am - 1:30pm
CSAC Conference Center, Sacramento

A G E N D A

Presiding: Gary Wyatt, President

- | | | |
|---------|---|---------|
| 10:00am | PROCEDURAL ITEMS | |
| 1. | Roll Call | Page 1 |
| 2. | Approval of Minutes of January 29 & March 9, 2009 | Page 2 |
| | | |
| 10:10am | ACTION ITEMS | |
| 3. | Consideration of Proposed CSAC Budget for FY 2009-10
▪ <i>Supervisor Joni Gray, CSAC Treasurer</i>
▪ <i>Paul McIntosh, CSAC Executive Director</i> | Page 11 |
| 4. | Consideration of Proposed Litigation Coordination
Program Budget for FY 2009-10
▪ <i>Jennifer Henning, County Counsel's Assoc. Executive Director</i> | Page 15 |
| 5. | Approval of Formation of Coastal Counties Regional Association
▪ <i>Paul McIntosh</i> | Page 21 |
| | | |
| 11:15am | INFORMATION ITEMS | |
| 6. | National Association of Counties (NACo) Report
▪ <i>Supervisor Valerie Brown, NACo President-Elect</i> | Page 23 |
| 7. | CSAC Finance Corporation Report
▪ <i>Supervisor Joni Gray, Finance Corp. Board Member</i> | Page 24 |
| 8. | Legislative/State Budget Report
▪ <i>Jim Wiltshire, CSAC staff</i> | |
| 9. | May 19 Special Election Update
▪ <i>Jean Hurst & Kelly Brooks, CSAC staff</i> | Page 25 |
| 10. | CSAC Corporate Associates Update
▪ <i>Lindsay Pangburn, CSAC staff</i> | Page 43 |
| 11. | CSAC Litigation Coordination Program Update
▪ <i>Jennifer Henning</i> | Page 44 |
| 12. | Other Items | |
| | | |
| 12:30pm | LUNCH | |
| | | |
| 1:30pm | ADJOURN | |

CALIFORNIA STATE ASSOCIATION OF COUNTIES
EXECUTIVE COMMITTEE
2009

President:	Gary Wyatt, Imperial
1 st Vice President:	Tony Oliveira, Kings
2 nd Vice President:	John Tavaglione, Riverside
Immed. Past President:	Richard Gordon, San Mateo

Urban Section

Greg Cox, San Diego
Roger Dickinson, Sacramento
Federal Glover, Contra Costa
Don Knabe, Los Angeles
Liz Kniss, Santa Clara
Kathy Long, Ventura
Paul Biane, San Bernardino (alternate)

Suburban Section

Susan Adams, Marin
Phil Cox, Tulare
Mike Nelson, Merced
Mike McGowan, Yolo (alternate)

Rural Section

Merita Callaway, Calaveras
Robert Williams, Tehama
Susan Cash, Inyo (alternate)

Ex-Officio Members

Valerie Brown, Sonoma, NACo President-Elect
Brian Dahle, Lassen, NACo WIR President
Joni Gray, CSAC Treasurer, Santa Barbara County

Advisors

Susan Muranishi, CAOAC President and Alameda County Administrator
Steven Woodside, Sonoma County Counsel

CALIFORNIA STATE ASSOCIATION OF COUNTIES
EXECUTIVE COMMITTEE

January 29, 2009
CSAC Conference Center, Sacramento

MINUTES

Presiding: Gary Wyatt, President

1. INTRODUCTION OF NEW EXECUTIVE COMMITTEE MEMBERS & STAFF

President Wyatt welcomed new Executive Committee members for 2009 which were: Supervisors Phil Cox, Merita Callaway, Susan Cash and Robert Williams. He also introduced Executive Committee Advisors Susan Muranishi, CAOAC President and Silvano Marchesi, Contra Costa County Counsel. Mr. Marchesi attended in place of Orange County Counsel Benjamin De Mayo who recently retired. Mr. De Mayo's permanent replacement for 2009 will be Sonoma County Counsel Steven Woodside.

Paul McIntosh noted that the briefing materials contained biographies for the CSAC lobbyists as well as a complete staff roster.

2. ROLL CALL

Gary Wyatt, President
Tony Oliveira, 1st Vice President
John Tavaglione, 2nd Vice President
Richard Gordon, Immed. Past Pres.
Greg Cox, San Diego
Roger Dickinson, Sacramento
Federal Glover, Contra Costa
Liz Kniss, Santa Clara
Kathy Long, Ventura
Paul Biane, San Bernardino (alternate)
Phil Cox, Tulare
Mike Nelson, Merced
Mike McGowan, Yolo (alternate)
Merita Callaway, Calaveras
Robert Williams, Tehama
Susan Cash, Inyo – via audio (alternate)

Ex Officio Members

Valerie Brown, Sonoma
Brian Dahle, Lassen
Joni Gray, CSAC Treasurer

Advisors

Susan Muranishi, CAOAC Pres.
Silvano Marchesi, Contra Costa
County Counsel

3. APPROVAL OF MINUTES

The minutes of October 9 – 10, 2008, were corrected to reflect that Supervisor Jeff Morris was actually a "first" term supervisor, not a "fourth" term supervisor as listed under item #5.

Motion and second to approve minutes as corrected. Motion carried unanimously.

4. REPORT ON GOVERNOR'S BUDGET FOR 2009-10

Staff distributed and outlined several documents related to the state budget, including talking points and letters to the Governor regarding proposed payment deferrals to counties, opposition to the proposed extension of redevelopment time limits, and the human services funding deficit.

A discussion ensued regarding what type of strategy should be undertaken to engage the public, the media, and Legislature in the current fiscal crisis facing California counties.

Motion and second to recommend that all 58 counties take the following three actions: 1) convene regional county forums with their legislative delegations to discuss the local impacts of a delayed state budget and deferrals of state payments to counties; 2) consider a position of not backfilling state programs with county general fund revenues if the state withholds payments to counties; and 3) support exploring the concept of a Constitutional Convention in the context of restructuring the state budget process and the state-local government relationship. Motion carried unanimously.

Staff was directed to gather and distribute details on the Constitutional Convention. Staff was also directed to work with the County Counsel's Cost Shift Committee to look at legal ramifications of potential county actions in response to budget cuts.

Mike Genest, Director of the State Department of Finance, outlined the current State Budget package being considered. It includes \$17 billion in program cuts, \$15 billion in tax increases and \$10 billion worth of bonds and borrowing from other state funds. The State Controller is planning to withhold \$3.7 billion worth of payments to counties, state vendors and contractors that would normally be paid in February. Mr. Genest indicated that when state funds become available, the first priority for repayment will be to schools, second priority is state salaries and third is debt service. He also stated that the package includes a \$1.8 billion, 7-month plan for deferrals of payments to counties. He pledged to work with CSAC on the deferral issue.

5. CSAC/League of Cities' Local Streets and Roads Needs Assessment

Pat DeChellis, Deputy Director of the Los Angeles County Department of Public Works, presented the results of a survey conducted in order to produce a 10-year needs assessment of the state's transportation system, that included the unfunded rehabilitation and operations needs for state highways, local streets and roads, the state's intercity rail programs, and urban, commuter and regional transit systems. All 58 counties and 478 cities were surveyed and data was collected on more than 93% of the state's local streets and roads. Mr. DeChellis indicated that an additional \$52 billion to \$61 billion of additional funding will be needed to improve the roadway condition to a level where roads will need preventative maintenance treatments that have the least impact to the public and are more environmentally friendly compared to rehabilitation and reconstruction. Proposition 1B only provided 20% of the funding needed to maintain local streets and roads. CSAC and the League of Cities will be developing a media strategy on this issue.

The Executive Committee accepted the report by consensus.

6. Appointment of CSAC Treasurer, NACo Board of Directors and WIR Representatives

The CSAC Officers recommended the following appointments:

CSAC Treasurer

Supervisor Joni Gray, Santa Barbara

NACo Board of Directors

Supervisor Frank Bigelow, Madera County (replacing Connie Conway)

Supervisor Keith Carson, Alameda County

Supervisor Greg Cox, San Diego County

NACo Western Interstate Region

Supervisor Brian Dahle, Lassen County

Supervisor David Finigan, Del Norte County (replacing Rose Comstock)

The Executive Committee approved the appointments on consent.

7. Appointment of CSAC Policy Committee Chairs and Vice Chairs for 2009

The CSAC officers recommended the following list of policy committee chairs and vice chairs for 2009:

ADMINISTRATION OF JUSTICE

Ronn Dominici, Madera, Chair

Federal Glover, Contra Costa, Vice Chair

AGRICULTURE AND NATURAL RESOURCES

Mike Nelson, Merced, Chair

John Vasquez, Solano, Vice Chair

GOVERNMENT FINANCE & OPERATIONS

Steve Worthley, Tulare, Chair

Bruce Gibson, San Luis Obispo, Vice Chair

HEALTH & HUMAN SERVICES

Liz Kniss, Santa Clara, Chair

Terry Woodrow, Alpine, Vice Chair

HOUSING, LAND USE AND TRANSPORTATION

Mike McGowan, Yolo, Chair

Paul Biane, San Bernardino, Vice Chair

The Executive Committee approved the appointments on consent.

8. State and Federal Legislative Priorities for 2009

Staff presented draft CSAC State and Federal Legislative Priorities for 2009 as contained in the briefing materials.

Motion and second to approve CSAC Legislative Priorities for 2009 as presented. Motion carried unanimously.

Staff was directed to correct references to President Obama. The current draft of federal priorities lists him as "President-Elect" instead of President.

9. Williamson Act Reform Legislative Proposal

The Legislature and Governor are considering elimination of subventions for the Williamson Act program. Enacted in 1965, the Williamson Act is a voluntary program that provides lower property taxes to agricultural landowners in exchange for contractual commitments with participating counties to keep their land in agricultural or open space uses for at least ten years.

Yolo County has requested CSAC's co-sponsorship of a Williamson Act Reform legislative proposal; as contained in the briefing materials. The CSAC Agriculture and Natural Resources (ANR) policy committee considered the proposal at its January 28 meeting and recommended inclusion of two additional points as follows:

1. *Suspension/termination of county responsibilities with regard to the Williamson Act. The ANR committee supports inclusion of language in a Williamson Act reform proposal that would suspend any new state requirements for counties to perform functions with respect to the Williamson Act for any year during which state Williamson Act subventions are reduced or suspended and to terminate all such requirements if state Williamson Act funding is terminated.*
2. *The ANR committee supports the inclusion of language to allow counties to terminate future Williamson Act contracts (contracts entered into after the bill is enacted) immediately if Williamson Act subventions are reduced or terminated. The language should mandate that such language be included in all future Williamson Act contracts so that all parties to the contract will be aware of and agree to the potential for automatic termination of the contract under certain circumstances.*

The policy committee recommended that CSAC "support in concept" Yolo County's legislative proposal as amended.

Motion and second to accept the policy committee recommendation to "support in concept" the Yolo County Williamson Act Reform legislative proposal as amended. Motion carried unanimously.

10. NACo Governance Task Force Recommendations

Supervisor Greg Cox, Chair of the NACo Governance Task Force, outlined the preliminary task force report and recommendations as contained in the briefing materials. The recommendations will be brought to the NACo Board of Directors in March for consideration. Executive Committee members were urged to contact Supervisor Cox with any suggested changes to the preliminary report.

The task force was appointed by NACo President Don Stapley to focus on three major areas: leadership selection, leadership authority and organizational issues. It is comprised of 27 members from 21 states.

11. Request to Fund Institute for Local Government Climate Change Program
The Institute for Local Government (ILG) has developed the California Climate Change Action Network (CCAN) Best Practices Framework which offers ten policy areas that counties may choose from to reduce greenhouse gas emissions. The ten policy areas are: land use, transportation, energy conservation and efficiency, waste reduction and recycling, water conservation and efficiency, procurement, storing and offsetting carbon emissions, green building, renewable and low carbon fuels, and community engagement. The CCAN Best Practices Framework also includes a recognition program for local governments.

ILG has requested that CSAC support its CCAN Best Practices Framework and recognition program in the amount of \$100,000.

The Executive Committee approved the allocation of \$100,000 to ILG's Climate Change Network program on consent.

12. State Budget/Legislative Report
Staff reported that the Public Policy Institute of California (PPIC) is conducting a survey regarding the state budget. CSAC is helping to fund the study.

CSAC will be conducting an educational forum for new legislators in conjunction with the Urban Counties Caucus (UCC) and the Regional Council of Rural Counties (RCRC) on February 18 and 19.

Staff distributed a roster of members of the Regional Targets Advisory Committee, which is comprised of SB 375 stakeholders. The first task of the Committee will be to assist in implementation of SB 375, a measure to address Greenhouse Gas emissions from the transportation sector.

Prior to and following the passage of the Trial court Funding Act, some counties have opted to pay supplemental benefits to local judges. Staff reported that a taxpayer recently sued the County of Los Angeles over this issue, challenging the validity of the benefits. Last fall, a state appellate court overturned the trial court decision, which had initially found in favor of the county, and ruled that the provision of benefits by the county is unconstitutional. The Supreme Court has opted not to review the appellate court decision.

To address this matter, the Judicial Council and the California Judges Association have developed bill language that they are seeking to incorporate into the state budget package. Staff outlined the provisions of the proposed legislation which are: 1) obligate any county that was providing supplemental judicial benefits as of 7/1/08 to sustain the same level of benefits that were effective on that date for the tenure of the judge; 2) allow counties to terminate future obligations by giving the Administrative office of the Courts a 6-month termination notice; 3) establish a statewide benefits program (funded by the Judicial Council) to extend to judicial officers supplemental benefits of up to 20 to equalize compensation statewide; and 4) give immunity to entities that are providing judicial benefits.

Staff will be seeking further analysis of the proposal from the County Counsel Cost Shift Committee and send additional information to all counties when it becomes available.

13. CSAC Fiscal Reform Task Force Report

At its December 3, 2008 meeting, the CSAC Board of directors voted to create a CSAC Fiscal Reform Task Force. The purpose of the task force is to deliberate and formulate CSAC policy for moving forward with budget reform as it relates to California's counties. A list of current members was contained in the briefing materials. It is expected that the task force will begin meeting soon and a subgroup will also meet with representatives from the cities and schools as part of the CCS Partnership Fiscal Reform Task Force to ensure coordination of efforts.

Supervisors Greg Cox, Michael Kobseff and Susan Cash expressed interest in participating on the task force. In addition, Supervisor Cox nominated San Diego County Administrative Officer Walt Ekard to serve.

14. Federal Economic Stimulus Package Update

A summary of the Federal Economic Stimulus package was contained in the briefing materials. Staff outlined some of the provisions that affect California. CSAC has been working with regional transportation authorities to reach an agreement regarding distribution of transportation funds to local governments. So far, we have been unsuccessful in the negotiations. It is anticipated that the President will sign the proposed package.

15. CSAC Finance Corporation Report

California Communities will soon be offering a new solar panels financing program. This is in response to recent legislation allowing for the formation of county-wide assessment districts. CalTRUST, a public agency investment pool, currently has 63 active participants and current assets exceed \$530 million.

16. CSAC Corporate Associates Program

The Corporate Associates Steering Committee held their annual planning meeting earlier this month. Bob Fisher of Employee Relations, Inc., was selected as the 2009 President. The Steering Committee discussed creating a "tiered membership" program during these difficult economic times.

17. CSAC Litigation Coordination Program Update

A memorandum containing information on the CSAC Litigation Coordination program's most recent activities was contained in the briefing materials. As directed by the Executive Committee last October, regular updates will be provided at each Executive Committee meeting.

18. 2009 Meeting Schedule

The schedule of Executive Committee and Board of Directors meetings for 2009 was contained in the briefing materials. It was noted that the August 20 Executive Committee meeting will take place in Los Angeles County.

19. Other Items

The first CSAC Institute for Excellence in County Government continuing education program has been scheduled for February 19, in Sacramento. It is titled *The Art and Practice of Elected Leadership*. So far, 18 county officials have signed up for this session.

Susan Muranishi, President of the County Administrative Officers Association of California (CAOAC), announced that CAO liaisons were selected during a recent CAOAC meeting to serve on each CSAC policy committee and assist county supervisors as they make policy decisions.

Supervisor Tony Oliveira, CalPERS Board member, volunteered to visit any county to meet with supervisors who would like to know more about the "volatility index" and CalPERS county employer contributions.

Meeting adjourned.

CALIFORNIA STATE ASSOCIATION OF COUNTIES
EXECUTIVE COMMITTEE

SPECIAL MEETING

March 9, 2009
Marriott Wardman Park Hotel, Washington, DC

MINUTES

Presiding: Gary Wyatt, President

1. **ROLL CALL**

Gary Wyatt, President
Tony Oliveira, 1st Vice President
John Tavaglione, 2nd Vice President
Richard Gordon, Immed. Past President
Roger Dickinson, Sacramento
Liz Kniss, Santa Clara
Kathy Long, Ventura (via audio)
Paul Biane, San Bernardino, alternate
Susan Adams, Marin
Phil Cox, Tulare (via audio)
Mike Nelson, Merced (via audio)
Merita Callaway, Calaveras (via audio)

Ex Officio Members

Joni Gray, CSAC Treasurer (via audio)

2. **CONSIDERATION OF MEASURES ON MAY 19, 2009 SPECIAL
ELECTION BALLOT**

The 17-month budget agreement that the Governor recently signed into law includes a special election on May 19, 2009. The statewide ballot will include six measures that the Legislature passed as part of the negotiated budget agreement. They are as follows:

Proposition 1A – creates a new, larger rainy day fund and puts new limits on state spending growth.

Proposition 1B – alters repayment schedule for Proposition 98 funds arguably owed by the state to K-14 districts, totaling \$9.3 billion.

Proposition 1C – allows state to borrow money from the General Fund, securitized by future revenue from the California Lottery.

Proposition 1D – shifts between half and two-thirds of cigarette taxes

away from the First 5 Program and into the General Fund for a five year period.

Proposition 1E – amends the Mental Health Services Act (Proposition 63) to shift revenue funds from local programs to the benefit of the state General Fund.

Proposition 1F – forbids the California Citizens Compensation Commission from raising legislators' and state officers' salaries when the state is running a deficit.

The measures were previously considered by the CSAC Government Finance & Operations policy committee and the Health & Human Services policy committee. Both policy committees recommended a 'Neutral' position on all six measures.

Motion and second to take a 'Neutral' position on Propositions 1A, 1B, 1C, 1D and 1E, and take a 'Support' position on 1F.

Substitute Motion and second to take a 'Neutral position on Propositions 1A through 1E and direct staff to send a letter to the Governor explaining why CSAC can't support Proposition 1A. Motion carried unanimously.

Motion and second to take a 'Support' position on Proposition 1F. Motion failed (2 – 8).

Motion and second to take a 'Neutral' position on Proposition 1F. Motion carried unanimously.

3. OTHER ITEMS

Staff reported that part of the State Budget deal calls for receipt of \$10 billion in federal funds to avoid \$1.8 billion in higher taxes and \$948 million in further program reductions. If the federal money is not received, "trigger cuts" will go into effect, primarily to health and human services programs such as Medi-Cal, public hospitals, IHSS, CalWORKs and Supplemental Security Income (SSI/SSP). CSAC will continue to monitor this issue and report any developments.

Meeting adjourned.



April 9, 2009

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Sacramento
California
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916.327.7500
Facsimile
916.441.5507

To: Executive Committee
California State Association of Counties

From: Joni Gray, Treasurer, California State Association of Counties
Paul McIntosh, Executive Director

RE: **CSAC FY 2009-10 Budget**

As Treasurer of CSAC, it is my pleasure to present the proposed budget for the 2009-10 fiscal year. In conjunction with the Executive Director and Controller, the attached revenue and spending plan for the upcoming year is hereby submitted for your approval.

Considerable effort has been taken to change the format of the budget to clearly communicate the source of operating revenues and in what we are investing as an organization. Hopefully this approach is more straightforward and clearly depicts the costs associated with all of CSAC's programs.

The budget for the next fiscal year reflects a slight reduction over last year. Dues were scheduled to increase by 2.5% but, consistent with the recommendation of the Dues Task Force, no increase in dues for the year has been proposed. Other revenues are anticipated to grow slightly for a total increase of 0.6%. Expenses were trimmed by 2.4% over the current year and it is anticipated that all inflationary costs will be absorbed as well. This budget is reflective of the overall environment faced by California's counties today. In support of its members, CSAC recognizes the need to exercise frugality in its budgeting while, at the same time, continuing to support the programs necessary for our members.

Despite the flattening of revenue and reductions in expenses we are confident that the CSAC staff will maintain programs at their highest levels and will expertly represent our interests in Sacramento and Washington D.C. In addition, at my request, the Controller has committed to providing us a quarterly financial report so that we may monitor our financial position throughout the year.

As you review the attached material in preparation for the Executive Committee meeting, I hope that you will feel free to contact me or the CSAC staff if you have any questions or concerns.

Attachments

**FY 09-10
Proposed Budget**

	Budget FY 08-09	Projected FY 08-09	Budget FY 09-10
Revenues:			
Membership Dues	2,799,506	2,799,506	2,799,506
Finance Corp Contributions	3,500,000	3,500,000	3,596,339
Rental and Parking Income	966,788	1,040,017	1,012,101
Administrative Miscellaneous	504,100	514,612	499,600
CSAC Conferences	505,000	577,647	534,000
Outside Contracts	125,000	125,000	125,000
Corporate Associates	125,000	104,400	90,000
Magazine	143,500	135,639	138,000
CSAC Institute			55,000
Total Revenues	8,668,894	8,796,821	8,849,546
Expenditures:			
Salaries/Benefits	4,260,631	4,422,153	4,602,005
Staff Outreach	140,500	129,814	147,000
Leadership Outreach	80,000	100,711	100,000
NACo Meetings & Travel	50,000	100,829	100,000
Public Affairs/Communications	275,800	235,285	238,000
CSAC Conferences	616,034	748,171	771,599
Facilities	1,686,900	1,638,863	1,069,500
Operations	1,189,543	1,103,496	985,116
Outside Contracts	181,000	332,072	435,000
Corporate Associates	188,486	160,783	157,826
CSAC Institute		88,240	243,500
Total Expenditures	8,668,894	9,060,416	8,849,546
PROFIT/(LOSS)	(0)	(263,595)	0
Cash Reserves	901,097	587,502	587,502

ACCOUNT EXPLANATIONS -
BUDGET YEAR 09-10

09/10 Budget

ACCT#	EXPLANATION
INCOME:	
MEMBERSHIP DUES	ANNUAL DUES FROM COUNTIES. NO INCREASE SCHEDULED THIS YEAR.
FINANCE CORP CONTRIBUTIONS	CSAC FINANCE CORPORATION CONTRIBUTIONS TO CSAC. CSAC MAY BRING OVER ALL FINANCE CORP FUNDS IN EXCESS OF THE REQUIRED RESERVE OF 50% OF THEIR OPERATING EXPENSE.
RENTAL & PARKING INCOME	RENTAL INCOME FOR 1100 K STREET AND 1028 K STREET. ANTICIPATED 5% VACANCY RATE. ALSO INCLUDES 53 PARKING SPACES FOR STAFF AND TO RENT, AND RENTAL FEES FOR CSAC CONFERENCE CENTER.
ADMINISTRATIVE MISCELLANEOUS	1) ADMINISTRATION FEES COLLECTED FROM CSAC AFFILIATES FOR PAYROLL AND BENEFIT SERVICES. 2) 15% OF TOTAL DUES COLLECTED FOR SB90. 3) SALES FOR CSAC ROSTERS & LEGISLATIVE BULLETIN. 4) PRINTING AND COPYING REVENUE GENERATED FROM THE CSAC PRINT SHOP. 5) INTEREST INCOME FROM CHECKING ACCTS AND CALTRUSTS ACCOUNTS. REDUCTION IN PROJECTED AND BUDGET YR DUE TO A DECLINE IN INTEREST RATES. 6) CONTRACT FOR COMPUTER SERVICES WITH LA COUNTY. 7) SALE OF DATABASE MAILING LIST, LABELS, SOFT DRINK COMMISSIONS AND FEES FROM JOB ADVERTISING ON CSAC WEBSITE.
CSAC CONFERENCES	REGISTRATION FEES FOR CSAC ANNUAL CONFERENCE AND LEGISLATIVE CONFERENCE. CORPORATE SPONSORSHIPS FOR CONFERENCES AND EXHIBITOR REGISTRATIONS.
OUTSIDE CONTRACTS	CEAC CONTRACT.
CORPORATE ASSOCIATES	CORPORATE ASSOCIATES MEMBERSHIP DUES AND SPONSOR REVENUES FOR MISCELLANEOUS EVENTS.
MAGAZINE	REVENUE INCLUDES COSTS OF 5 COPIES TO EACH COUNTY PLUS MISCELLANEOUS AND ADVERTISING REVENUE.
CSAC INSTITUTE	REGISTRATION REVENUE.
EXPENSES:	
SALARIES/BENEFITS	1) SALARIES ASSUMES A 5.0% INCREASE IN JANUARY '10. 2) RETIREMENT CURRENTLY AVERAGING 34% OF SALARIES. 3) BENEFITS TO INCLUDE HEALTH, DENTAL, VISION, EAP, LIFE AND WORKERS COMP. 4) PAYROLL TAX 5) AUTO ALLOWANCE 6) ANNUAL EMPLOYEE WORKSHOP
STAFF OUTREACH	INCLUDES ALL IN AND OUT-OF-TOWN BUSINESS EXPENSES FOR LEGISLATIVE AND ADMINISTRATIVE STAFF, AWARDS, PLAQUES FOR MEMBERS AND OTHER MISC EXPENSES FOR EMPLOYEES.
LEADERSHIP OUTREACH	ALL BUSINESS EXPENSES FOR CSAC BOARD OF DIRECTORS, EXECUTIVE COMMITTEE AND OFFICERS.

ACCOUNT EXPLANATIONS -
BUDGET YEAR 09-10

ACCT#	EXPLANATION
NACO MEETINGS & TRAVEL	ALL COSTS ASSOCIATED FOR ALL LEGISLATIVE, ADMINISTRATIVE STAFF AND BOARD MEMBERS TO ATTEND NACO SUPPORTED EVENTS.
PUBLIC AFFAIRS/COMMUNICATIONS	1) ALL COSTS ASSOCIATED WITH PRODUCING & DISTRIBUTING THE MAGAZINE. 2) ROSTER 3) CHALLENGE AWARDS 4) LEGISLATIVE BULLETIN 5) WEB SITE 6) WRITTEN, AUDIO AND VIDEO COMMUNICATIONS
CSAC CONFERENCES	ALL COSTS ASSOCIATED WITH LEGISLATIVE AND ANNUAL CONFERENCE. ALSO INCLUDES MEETING PLANNER'S SALARY AND BENEFITS.
FACILITIES	ALL COSTS ASSOCIATED WITH THE MAINTENANCE OF 1100 K STREET AND 1029 K STREET. COSTS INCLUDE REPAIRS, UTILITIES, PHONES, INSURANCE, JANITORIAL, DEBT SERVICE AND PROPERTY TAXES.
OPERATIONS	ALL COSTS ASSOCIATED WITH OPERATIONS SUCH AS 1) CELL PHONES 2) MEMBERSHIP FEES 3) OFFICE SUPPLIES 4) POSTAGE/DELIVERY 5) R&M AND PURCHASES OF COMPUTERS AND EQUIPMENT 6) CPA'S AND LEGAL CONSULTING 7) PROFESSIONAL SERVICES SUCH AS WATERMAN CONTRACT 8) COPIERS AND BUSINESS EQUIPMENT 9) CSAC'S RENT
OUTSIDE CONTRACTS	CEAC EXPENDITURES AND CONTRIBUTIONS TO CCSP AND ILG.
CORPORATE ASSOCIATES	ALL COSTS ASSOCIATED WITH RUNNING CORPORATE ASSOCIATES PROGRAM INCLUDING SALARY AND BENEFITS FOR PROGRAM MANAGER.
CSAC INSTITUTE	ALL COSTS ASSOCIATED WITH RUNNING AND IMPLEMENTING THE CSAC INSTITUTE.



County Counsels' Association of California

BOARD OF DIRECTORS

Officers

President

*Silvano B. Marchesi
Contra Costa County*

First Vice-President

*Marshall Rudolph
Mono County*

Second Vice-President

*Patrick K. Faulkner
Marin County*

Secretary-Treasurer

*Ruth E. Stringer
San Bernardino County*

Immediate Past President

*Benjamin P. de Mayo
Orange County*

Historian (Nonvoting)

*Steven M. Woodside
Sonoma County*

Directors

2007-2009 (North)

*Richard E. Winnie
Alameda County*

2007-2009 (South)

Vacant

2008-2010 (North)

*Jeanine B. Nadel
Mendocino County*

2008-2010 (South)

*Michael Rood
Imperial County*

EXECUTIVE DIRECTOR

Jennifer B. Henning

MEMORANDUM

To: Gary Wyatt, President, and
Members of the CSAC Executive Committee

From: Jennifer Henning, Litigation Coordinator

Date: April 23, 2009

Re: 2009-2010 Litigation Coordination Program Budget

Recommended Action:

Recommend adoption of the 2009-2010 Litigation Coordination Program Budget to the CSAC Board of Directors.

Reason for Recommendation:

Last year, we made some adjustments to the Litigation Coordination Program budget to allow for a balanced budget with minimal increases in fees. The changes included a transfer of funds from County Counsels' Association reserves into the Litigation Program and shifting a portion of Association staff funding from the Litigation budget to the Association budget.

Since your Board considered last year's budget, one of the four staff members of the County Counsels' Association has retired. Rather than fill the position and request additional fees to keep up with our expenses, our Association has decided to leave the position vacant. The vacancy permits us to present you with a budget with no fee increases or reserve transfers, and a projected surplus of \$10,993.¹

¹ The County Counsels' Association's Board of Directors will consider this budget for final approval on April 15, 2009. At the time these materials are being prepared, final approval has not yet occurred. Though not anticipated, any changes recommended by the County Counsels will be provided to you at the Executive Committee meeting.

Background:

The Litigation Coordination Program is an important service provided by CSAC to its members. The Program allows counties to save litigation costs by coordinating in multi-county cases, and by sharing information and resources. The Program also files *amicus curiae*, or “friend of the court,” briefs on CSAC’s behalf in State and federal appellate cases in order to advance the interests of all counties in the courts.

The Litigation Coordination Program is funded through a fee administered and collected directly by CSAC.² The fees are held in a separate fund and used to pay for costs of the program, including 80% of Litigation Coordinator’s salary, a portion of the County Counsels’ Association’s office space, and other expenses.

Over time, the Litigation Program fee has not kept pace with the Program’s expenses. As shown in the attachments, since 2000 the Program’s payroll-related expenses have increased 38.2% and its non-payroll expenses have increased 36.8%. During the same period, the dues have increased by only 10%. At last year’s staffing levels, the Program would have required an 8% fee increase in order to maintain services.

In February, however, the Association’s MCLE Coordinator retired. After considering several options, the Association has decided to leave the position temporarily vacant, resulting in a 25% staff decrease. The workload of the MCLE Coordinator is being absorbed through greater electronic efficiencies and by existing staff. Because of the administrative nature of the vacant position, no decrease in litigation services is anticipated. In fact, the salary savings will allow the Litigation Program to hire a law clerk to assist the Litigation Coordinator, an expense the Program has not been able to afford for the last two fiscal years.

As a result of the vacant position, the following changes are proposed from last year’s budget:

- No dues increase is proposed.
- No reserves transfer is required.

² The County Counsels’ Association agreement with CSAC provides: “The Association shall submit a litigation program budget to the CSAC Board of Directors on or before April 1 of each year for the fiscal year commencing July 1 through June 30. The CSAC Board of Directors shall annually adopt a program budget and assess fees from its member counties consistent with the budget. Invoices shall be sent to the counties each year in time to allow inclusion of the fee in the counties’ budget process.”

- The salary and benefits for the Association's administrative assistant, which are currently paid 50% from Litigation Program and 50% from the County Counsels' Association budget, are proposed to be paid 100% by the County Counsels' Association.
- The vacancy leaves sufficient funds to include \$2,500 for a law clerk. (An additional \$2,500 is proposed in the County Counsels' Association Budget for this cost as well.)
- The budget will result in a projected surplus of \$10,993.

Conclusion

In these tough budget times, the Litigation Coordination Program is a valuable cost savings tool for counties. At the same time, the Program understands the need to manage its expenses and keep costs down for the counties we serve. The proposed budget is responsible, taking advantage of new efficiencies and saving money by leaving a position vacant. This savings means no dues increase for our members and a balanced budget.

I remain dedicated to this Program and to providing the highest quality legal representation to CSAC in the courts. I appreciate your support of the Litigation Coordination Program and ask that you recommend approval of the proposed Fiscal Year 2009-2010 Litigation budget to the CSAC Board of Directors.

Attachments:

Proposed 2009-2010 Litigation Budget
Litigation Revenue/Expense History
Budget Comparisons (2007-08 to 2009-10)

CSAC/County Counsels' Association
LITIGATION COORDINATION PROGRAM
FISCAL YEAR 2009-2010 BUDGET

Approved by Litigation Overview Committee on January 15, 2009
 Adopted by County Counsels' Association Board of Directors on _____, 2009
 Approved by CSAC Executive Committee on _____, 2009
 Adopted by CSAC Board of Directors on _____, 2009

INCOME:

Membership Dues279,511.00
 TOTAL INCOME.....279,511.00

EXPENSES:

Salaries\$147,896.00
 Retirement.....45,024.00
 Employee Group Insurance.....29,039.00
 Payroll Tax.....2,999.00
 CSAC Administrative Fees.....5,624.00
 Law Clerk2,500.00
 Staff Expense and Travel900.00
 Communications1,200.00
 On-Line Expense2,100.00
 Publications.....700.00
 Membership Fees425.00
 Office Supplies600.00
 Postage/Delivery1,036.00
 Printing - Commercial150.00
 Printing - In House.....1,500.00
 Leases - Property.....26,825.00
 TOTAL EXPENSES.....268,518.00

Projected Revenue Over Expenses10,993.00

LITIGATION COORDINATION PROGRAM
FISCAL YEAR 2009-2010 BUDGET

Litigation Revenue/Expense History

	FY00-01	FY01-02	FY 02-03	FY 03-04	FY 04-05	FY 05-06	FY 06-07	FY 07-08	Diff 00-01 vs 07-08	% Incr 00-01 vs 07-08
MEMBERSHIP DUES	233,529	233,529	233,529	233,112	233,529	233,529	256,883	256,883		
OTHER INCOME						15,000				
TOTAL INCOME	233,529	233,529	233,529	233,112	233,529	248,529	256,883	256,883	23,354	10.0%
SALARIES	141,835	146,795	158,145	142,534	142,149	155,313	163,612	171,646		
RETIREMENT	28,624	30,600	32,732	34,544	40,680	49,101	55,554	62,193		
EMPLOYEE GROUP INSURANCE	21,184	22,239	24,855	14,182	21,573	20,364	22,116	32,417		
VACATION ACCRUAL		17,013	(8,659)	(455)	4,261	(1,489)	2,590	545		
PAYROLL TAX	2,065	2,176	2,286	2,030	2,051	2,239	2,446	2,335		
TOTAL PAYROLL RELATED	194,708	218,822	208,359	192,834	210,713	225,528	246,319	269,136	74,428	38.2%
STAFF EXPENSE AND TRAVEL	233	459	153		960	888	1,225	569		
COMMUNICATIONS	2,549	1,822	1,753	1,944	828	753	733	1,028		
ON-LINE EXPENSE	1,452	1,645	1,323	1,051	408	1,330	1,392	1,351		
PUBLICATIONS	950	1,132	1,142	1,013	1,108	619	588	1,417		
MEMBERSHIP FEES		390	390		390	395				
SUPPLIES	637	354	390	136	141	173	317	430		
POSTAGE/DELIVERY	1,345	1,467	1,046	423	514	408	500	259		
PRINTING - COMMERCIAL	449			46	1,286		134			
PRINTING - IN HOUSE	1,054	2,005	763	387	757	300	751	549		
REPAIR & MAINTENANCE - EQUIPMENT										
PROF & SPEC SERVICES	756			6,673	1,589					
LEASES - PROPERTY	12,588	12,245	13,946	14,674	15,630	17,637	17,823	24,343		
ADMINISTRATIVE FEES	4,781	5,433	5,397	4,832	5,000	5,479	6,093	6,623		
OTHER MEETINGS	(63)									
EQUIPMENT PURCHASED		2,500								
TOTAL OTHER EXPENSES	26,731	29,453	26,303	31,178	28,611	27,981	29,557	36,568		36.8%
TOTAL EXPENSES	221,439	248,275	235,662	224,012	239,325	253,509	275,876	305,704	84,285	38.1%
NET INCOME (LOSS)	12,090	(14,746)	(2,133)	9,100	(5,796)	(4,980)	(18,993)	(48,821)		

LITIGATION COORDINATION PROGRAM
Budget Comparison (2008-2010)
Prepared for Fiscal Year 2009-2010 Budget

	2007-08 Actual	2008-09 Budget	2008-09 Projected	2009-10 Budget
INCOME:				
Membership Dues	256,567.00	279,511.00	279,511.00	279,511.00
Misc. Income	316.00	10,000.00	10,000.00*	0.00
TOTAL INCOME:	256,883.00	289,511.00	289,511.00	279,511.00
EXPENSES:				
Salaries	171,645.90	156,858.00	164,715.00	147,896.00
Retirement	62,193.25	60,147.00	49,074.00	45,024.00
Employee Group Insurance	32,417.22	32,616.00	32,108.00	29,039.00
Staff Travel/ Training	568.73	500.00	700.00	900.00
Law Clerk				2,500.00
Communications	1,027.53	1,300.00	953.00	1,200.00
On-Line Expenses	1,351.20	1,514.00	1,743.00	2,100.00
Publications	1,417.20	400.00	485.00	700.00
Membership Fees	0.00	400.00	400.00	425.00
Office Supplies	430.47	800.00	536.00	600.00
Postage/Delivery	358.60	400.00	963.00	1,036.00
Printing- Commercial	0.00	200.00	100.00	150.00
Printing – In-House	548.66	1,000.00	1,259.00	1,500.00
Leases – Property	24,342.64	24,039.00	25,072.00	26,825.00
Payroll Tax	2,334.64	2,937.00	3,133.00	2,999.00
Admin Fees	6,622.75	6,200.00	6,196.00	5,624.00
TOTAL EXPENSES	305,804.04	289,511.00	287,437.00	268,518.00
Excess of Revenues Over/(Under) Expenditures	(48,921.04)	0.00	2,074.00	10,993.00

* Transferred from County Counsels' Association reserves



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April 8, 2009

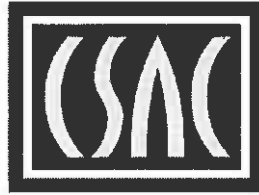
TO: CSAC Executive Committee
FROM: Paul McIntosh, Executive Director
SUBJECT: Formation of Coastal Counties Regional Association

A group of coastal county supervisors from throughout California have been meeting over the past year or so to discuss shared interests and issues related to the coast. Supervisors Rich Gordon and Salud Carbajal are co-chairs of this group. Currently, they are working with a number of coastal cities to develop a joint workshop with the California Coastal Commission.

There are 17 counties that share a piece of the Pacific shoreline. A list is attached. We would like to propose that these counties be officially recognized as a regional association within CSAC. The proposal would also include staff support and designated meeting space during the two statewide CSAC conferences each year.

The language relating to regional associations in the CSAC Constitution simply states the following: *"Regional associations of member counties may be formed within this Association. The Board of Directors and the Executive Committee shall give due consideration to resolutions transmitted to them by regional associations."*

I look forward to discussing this further during your meeting on April 23.



CSAC Coastal Counties Regional Association

Member Counties

Alameda
Contra Costa
Del Norte
Humboldt
Los Angeles
Marin
Mendocino
Monterey
Orange
San Diego
San Francisco
San Luis Obispo
San Mateo
Santa Barbara
Santa Clara
Sonoma
Ventura

Preliminary Program

Schedule Subject to Change.

All events will take place at Gaylord Opryland Resort and Convention Center unless otherwise noted.

Friday, July 24

7:30 a.m. – 5:00 p.m.
Registration
Ryman Hall C2

8:00 a.m. – 5:00 p.m.
Steering Committee, Subcommittee and Affiliate Meetings
All delegates are welcome to attend any NACo Steering or Sub-Committee Meeting.

8:30 a.m. – 5:00 p.m.
PRE-CONFERENCE SEMINAR:
NACo Technology Summit
Pre-registration and an additional fee are required.

Saturday, July 25

7:30 a.m. – 5:00 p.m.
Registration
Ryman Hall C1

8:00 a.m. – 5:00 p.m.
Steering Committee, Subcommittee and Affiliate Meetings
All delegates are welcome to attend any NACo Steering or Sub-Committee Meeting.

9:00 a.m. – 1:00 p.m.
PRE-CONFERENCE SEMINAR:
Advanced Leadership Training (ALT)
"In Command of Your Own Press: Getting the Most from the Internet"
Co-sponsored with the National Association of County Information Officers
Pre-Registration and an additional fee are required.

4:00 p.m. – 5:00 p.m.
Exhibit Hall Reception
(By invitation only)
Ryman Hall C2

Sunday, July 26

8:00 a.m. – 4:00 p.m.
Registration
Ryman Hall C2

9:00 a.m. – 11:00 a.m.
Opening General Session
Delta Ballroom

11:00 a.m. – 3:00 p.m.
Exhibit Hall Open
Ryman Hall C2

11:00 a.m. – 12:00 Noon
Exhibit Hall Lunch
Ryman Hall C2

12:00 Noon – 12:45 p.m.
Learning Theater
Room: TBA

1:00 p.m. – 4:00 p.m.
Concurrent Educational Sessions

1:30 p.m. – 2:15 p.m.
Learning Theater
Room: TBA

Open Evening

Monday, July 27

8:30 a.m. – 4:00 p.m.
Registration
Ryman Hall C2

9:00 a.m. – 12:00 Noon
Concurrent Educational Sessions

10:00 a.m. – 2:00 p.m.
Exhibit Hall Open
Ryman Hall C2

11:00 a.m. – 11:45 a.m.
Learning Theater
Room: TBA

12:30 p.m. – 1:15 p.m.
Learning Theater
Room: TBA

2:15 p.m. – 4:00 p.m.
General Session
Delta Ballroom

7:00 p.m. – 9:30 p.m.
Conference-Wide Event
Opry House

Tuesday, July 28

8:30 a.m. – 3:00 p.m.
Registration
Ryman Hall C2

8:30 a.m. – 9:45 a.m.
Repeat of "Hot Topic" Educational Sessions

10:00 a.m. – 12:00 Noon
Election of Officers and Business Meeting
Delta Ballroom

12:00 Noon – 2:00 p.m.
Exhibit Hall Open
Ryman Hall C2

12:30 p.m. – 1:30 p.m.
Exhibit Hall Lunch
Ryman Hall C2

2:15 p.m. – 4:00 p.m.
Closing General Session
Delta Ballroom

7:30 p.m. – 9:30 p.m.
Inaugural Reception
Delta Ballroom



Conference Wide Event Monday July 27, 2009

Let the sounds of Music City carry you away to an unforgettable evening at the Opry House...

Exiting Opryland from the Delta Portico, a parade and Country Trio will lead guests to the Opry House. Country Music Stars will be on the parade path welcoming you to an evening of Music City entertainment!

The sounds of a Country/Rock Band and the smells of delicious Tennessee food will fill the air as you approach. You don't know how to dance "country"? Line Dance instructors will be on hand to assist with accurate steps!

Favorite Tennessee recipes will be prepared for everyone to enjoy, to include Southern Style Potato Salad with Sour Cream and Bacon; Tennessee Tacos (pulled pork BBQ with grilled flatbread, all the fixin's plus sour cream dill sauce) and the infamous GOO GOO Cluster made into ice cream! The GOO in Goo Goo stands for Grand Ole Opry – it's their official candy!

The Opry Museum will have its doors open for everyone to get a taste of the history of Country Music and the Grand Ole Opry radio show. A variety of specialty entertainers will be on the plaza, to include living statues, palm readers and caricature artists.

Inside of the Opry House tours will be offered to provide an opportunity to view the backstage areas, such as the Green Room, dressing rooms and Studio A. The Grand Ole Opry Shop will also be open for your shopping pleasure. The evening will end on a "high note" with an exclusive Grand Ole Opry performance!

Come taste the savory sounds that await you in Music City...



CALIFORNIA STATE ASSOCIATION OF COUNTIES
FINANCE CORPORATION

April 23, 2009

To: CSAC Executive Committee
From: Tom Sweet, Executive Director, CSAC Finance Corporation
RE: Finance Corporation Program Update
INFORMATION ITEM

The following are highlights of the numerous programs that the CSAC Finance Corporation offers to your counties:

CalTRUST

- CalTRUST currently has 65 active participants and current assets exceed \$636 million. This represents an increase of over \$75 million so far this year.

California Communities

- The TRANs program currently has 35 public agencies enrolled. This includes 11 counties, 22 cities, and 2 special districts.
- US Bank has agreed to extend a Letter of Credit to the 2009 California Communities TRANs program.
- Paul McIntosh has taken the lead in asking the federal government to consider lending additional credit support to the TRANs by guaranteeing the Letter of Credit through the Troubled Asset Relief Program (TARP).

U.S. Communities

- A contract for heavy duty rental equipment contract has been awarded to Hertz.

General Information

- Nationwide Retirement Solutions has responded to RFPs from Fresno and Santa Clara Counties. In April, San Diego County will complete their transfer of assets which will mean an increase in revenues to the CSAC Finance Corporation.
- We continue to meet with individual counties and their department heads to present our programs and benefits. Please let us know if you would like a meeting set with your county's department heads.

If you have any questions regarding these programs or any other CSAC Finance Corporation programs please do not hesitate to contact us via phone, 916.327.7500 x556, or via email, tsweet@counties.org; Laura Labanieh at 916.327.7500 x536 or llabanieh@counties.org; Laura Li at 916-327-7500 x560 or lli@counties.org.



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916.441.5507

April 8, 2009

To: CSAC Executive Committee

From: Paul McIntosh, CSAC Executive Director

Re: Update on May 19 Statewide Ballot Measures

This memorandum is informational and – along with the attached background material – is intended to provide an update on the statewide ballot propositions slated for the May 19th special election.

Please recall the six measures placed on the May ballot include:

- **Proposition 1A.** Creates a new, larger rainy day fund and puts new limits on state spending growth.
- **Proposition 1B.** Alters repayment schedule for Proposition 98 funds arguably owed by the state to K-14 districts, totaling \$9.3 billion.
- **Proposition 1C.** Allows state to borrow money for the General Fund, securitized by future revenue from the California Lottery.
- **Proposition 1D.** For five years, shifts between half and two-thirds of cigarette taxes away from the First 5 Program (Proposition 10) and into the General Fund.
- **Proposition 1E.** Amends the Mental Health Services Act (Proposition 63) to shift revenue funds from local programs to the benefit of the state General Fund.
- **Proposition 1F.** Forbids the California Citizens Compensation Commission from raising legislators' and state officers' salaries when the state is running a deficit.

The coalition of supporters of Proposition 1A-1F, California Budget Reform Now, has raised approximately \$6 million to date to finance print, radio and television advertisements. The Governor and Legislative leaders remain actively involved in the campaign.

There does not appear to be a clearly organized coalition opposing the package. The California Nurses Association and the American Federation of State, County and Municipal Employees (AFSCME) have come out in opposition to the package. There is now a functioning website – www.votenoona.com. Other organizations are opposing individual measures – such as Proposition 1E. It is not clear how much and who is raising funds in opposition.

The Public Policy Institute of California released its latest statewide survey on March 25. The poll found that only one of the six propositions on the May special election ballot has the approval of a majority of likely voters.

Fewer than one in five likely voters are very closely following the special election at this point. Still, when likely voters are read the ballot titles and labels, five of the six measures that were crafted to help fill a massive budget deficit fall short of the majority support needed to pass (39 percent for 1A, 44 percent for 1B, 37 percent for 1C, 48 percent for 1D, 47 percent for 1E). The only big winner is 1F, which is favored by 81 percent of the electorate, reflecting the extent of voter frustration.

Attached please find the following:

- Most recent polling information
- List of supporters and opponents for each measure

PUBLIC POLICY INSTITUTE

PRESS RELEASE

Special Election Ballot Propositions Face Tough Road

None Musters Majority Support Except Measure Limiting Legislative Pay Hikes — State Leaders Get Record Low Ratings, but Support Grows for Those in Washington

SAN FRANCISCO, California, March 25, 2009—California's likely voters are divided on five of six propositions related to the state's budget crisis that will appear on the May special election ballot, according to a survey released today by the Public Policy Institute of California (PPIC) with funding from The James Irvine Foundation. Levels of support for Propositions 1A through 1E vary widely, but none has the approval of a majority of likely voters. However, in a signal of the mood of the electorate this year, an overwhelming 81 percent favor Proposition 1F, which would limit salary increases for state elected officials when the state faces a budget deficit.

Eight weeks before the special election—called as part of the 2009–2010 budget agreement between the governor and legislature—those Californians most likely to go to the polls are feeling grim about the state of their state: The vast majority (77%) say it is headed in the wrong direction and see its fiscal situation as a big problem (85%). They give record low ratings to the legislature (11%) and to their own legislators (29%). Their approval rating for Governor Arnold Schwarzenegger (33%) has dropped to a new low among likely voters. For the first time, a majority of Republican likely voters (54%) disapprove of the job performance of the Republican governor.

The results are striking when compared to rising approval ratings for Congress and California's senators and to a strongly positive view of President Obama—despite a challenging economic climate.

"Californians are clear that the budget situation is serious, but most disapprove of the leadership in Sacramento—the people who are providing the solutions," says Mark Baldassare, PPIC president, CEO, and survey director. "These leaders have their work cut out for them if they want to persuade voters that the ballot measures are necessary to address the problem."

When read the full text of the ballot measures, likely voters express these preferences:

- **Proposition 1A:** About four in 10 support the measure (39% yes, 46% no, 15% undecided) to change the budget process by increasing the state "rainy day" fund. Less than half say the measure would be very (7%) or somewhat (38%) effective in helping California avoid future state budget deficits.
- **Proposition 1B:** They are divided (44% yes, 41% no, 15% undecided) on the initiative that would require future supplemental payments to local school districts and community colleges to address recent budget cuts. There is a sharp partisan split on this measure, with Democrats far more likely to favor it (59%) and Republicans far more likely to be opposed (60%). Independent voters are more likely to vote for it (46% yes, 38% no). There are regional

differences, with just over half of likely voters in the San Francisco Bay Area (52%) supporting the measure and about four in 10 doing so in other areas (41% Los Angeles; 40% in Orange, Riverside, San Bernardino, and San Diego Counties; 39% Central Valley).

- **Proposition 1C:** Half oppose (37% yes, 50% no, 11% undecided) the measure to modernize the lottery and allow for \$5 billion in borrowing from future lottery profits to help balance next year's state budget. Less than half support the initiative across party lines (45% Democrats, 37% independents, 29% Republicans) and regions (42% Los Angeles; 40% Bay Area; 33% Central Valley; 32% Orange, Riverside, San Bernardino, and San Diego Counties).
- **Proposition 1D:** Nearly half support (48% yes, 36% no, 16% undecided) the proposition to temporarily transfer funds from early childhood education to help balance the state budget. Likely voters are split along partisan lines, with nearly twice as many Democrats as Republicans in favor (60% Democrats, 48% independents, 34% Republicans). Regionally, support is highest (52%) in the Bay Area (48% Orange, Riverside, San Bernardino, and San Diego Counties; 47% Central Valley; 45% Los Angeles).
- **Proposition 1E:** Nearly half favor (47% yes, 37% no, 16% undecided) the measure to transfer money from mental health services to the general fund to help balance the state budget. Democrats (54%) and independents (46%) are more likely than Republicans (39%) to vote yes. Regionally, support for the measure is highest (51%) in Los Angeles (49% Central Valley; 45% San Francisco Bay Area, and Orange, Riverside, San Bernardino, and San Diego Counties).
- **Proposition 1F:** An overwhelming majority (81% yes, 13% no, 6% undecided) support the initiative that would block pay increases to state elected officials in years of budget deficit. Across partisan, regional, and racial/ethnic lines, large majorities back the measure. Asked how effective the proposition would be in averting future budget deficits, two in three say it would be very (28%) or somewhat (39%) effective.

All of the ballot measures have majority support among one group of California's likely voters: Latinos (52% Prop. 1A, 60% Prop. 1B, 58% Prop. 1C, 70% Prop. 1D, 66% Prop. 1E, 68% Prop. 1F).

Fewer Following Election News, But Voters Show Little Sign of Ballot Fatigue

Voters are less likely to be following news of the election now (55%) than they were seven weeks before the last special election in November 2005 (69%), or in the weeks before the November 2008 presidential election (91%).

But this relative lack of attention does not signal apathy: Most likely voters say they are very happy (19%) or somewhat happy (40%) about going to the polls in May—the 14th statewide election this decade.

A number of reforms have been proposed to address the state's governing challenges, from a constitutional convention to deal with structural issues to changes in the primary election system. Likely voters support some of these ideas. A majority (59%) say that it would be a good idea to change the state's primary elections so that the two top vote-getters—regardless of party—advance to the general election, and about one in three (31%) say it's a bad idea. This change in the state's primaries is not on the special election ballot but will be on a future one, thanks to the budget agreement approved in February.

On the issue of constitutional reform, a majority of likely voters (64%) say that minor (40%) or major (24%) changes are needed in the state constitution.

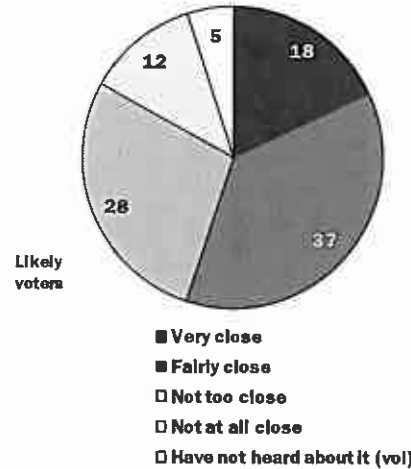
However, support has slipped 10 points since January for one reform: easing the requirement that two-thirds of the legislature must approve a budget. California is only one of three states that require this supermajority approval, and the legislature's inability to pass a budget on time has prompted calls to lower the threshold to 55 percent. In January, for the first time, a majority of likely voters (53%) said lowering the threshold was a good idea. Today, 43 percent of likely voters think it is a good idea, and 49 percent think it is a bad one.

MAY 19 SPECIAL ELECTION

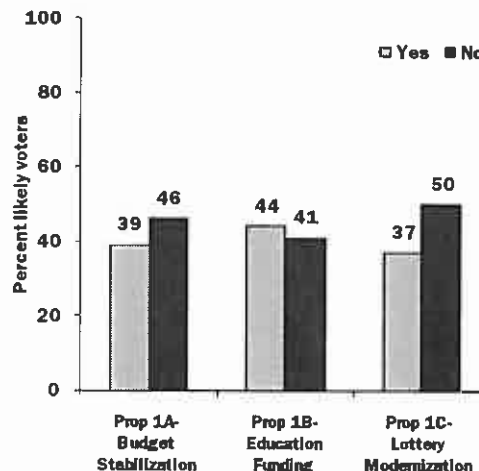
KEY FINDINGS

- Fewer than one in five likely voters are very closely following the special election news. Most say they are happy about going to the polls to vote in May. (page 8)
- About four in 10 likely voters support Proposition 1A, which attempts to stabilize the budget (39% yes, 46% no); 45 percent say that 1A would be very or somewhat effective in helping California avoid future state budget deficits. (page 9)
- Likely voters are divided on Proposition 1B, which establishes an education funding payment plan (44% yes, 41% no); 47 percent say the outcome on 1B is very important. (page 10)
- Half of likely voters oppose Proposition 1C, which would modernize the state lottery and allow for borrowing from future lottery profits (37% yes, 50% no); three in 10 say the outcome on 1C is very important. (page 11)
- Almost half of likely voters support Proposition 1D, which temporarily provides flexibility in children’s services funding while helping balance the state budget (48% yes, 36% no); four in 10 say the outcome on 1D is very important. (page 12)
- Almost half of likely voters also support Proposition 1E, a measure that would temporarily reallocate mental health funding (47% yes, 37% no); three in 10 say the outcome on 1E is very important. (page 13)
- Support is overwhelming for Proposition 1F, which limits salary increases for elected officials in deficit years (81% yes, 13% no); two in three believe that 1F would be very or somewhat effective in helping to avoid future state deficits. (page 14)

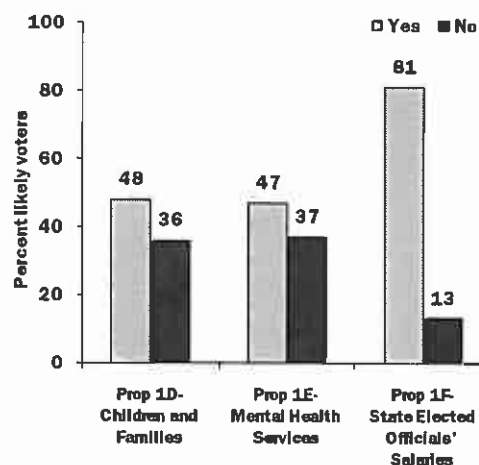
Attention to News About Special Election



Preferences for Propositions 1A–1C



Preferences for Propositions 1D–1F



ATTITUDES TOWARD THE SPECIAL ELECTION

In February, the governor and legislature agreed on a budget package. The deal included calling a special election on May 19. There will be six propositions on the ballot (Propositions 1A–1F), which are meant to respond to the approximately \$40 billion budget shortfall and ongoing budget problems. Ballot measures that directly affect the 2009–10 budget include Propositions 1C, 1D, and 1E.

The special election is just eight weeks away, but relatively few voters (18%) are closely following news about it. Thirty-seven percent say they are following news fairly closely, four in 10 say they are not paying close attention, and 5 percent volunteer they have not heard of the special election. In contrast, seven weeks before the November 2005 special election likely voters were more likely to say they were paying at least fairly close attention to election news (69% 2005, 55% today). This past October, nine in 10 likely voters reported paying at least fairly close attention to the news before the November general election (54% very closely, 37% fairly closely).

The May 19 election will be the 14th statewide election this decade. How do voters feel about heading to the polls this time? Most likely voters report that they are very (19%) or somewhat happy (40%) about voting, while 36 percent are unhappy. Democrats (63%) are more likely to report some happiness, followed by Republicans (57%) and independents (55%). Among those who approve of Governor Schwarzenegger’s performance, 66 percent report they are at least somewhat happy, while among those who disapprove, 55 percent feel similarly.

“Overall, how do you feel about having to vote on Propositions 1A through 1F in the May 19th statewide special election?”

<i>Likely voters only</i>	All Likely Voters	Party			Approval of Governor	
		Dem	Rep	Ind	Approve	Disapprove
Very happy	19%	20%	19%	21%	20%	20%
Somewhat happy	40	43	38	34	46	35
Somewhat unhappy	21	21	21	24	19	21
Very unhappy	15	13	17	12	10	18
Don't know	5	3	5	9	5	6

When likely voters are informed that the special election is part of the recent budget plan, most say it makes no difference (46%) in the way they view the propositions. Across parties, pluralities of voters say it makes no difference, although Democrats (31%) are more likely than others to say they feel more favorably and Republicans (27%) are more likely than others to say they feel less favorably. Those who disapprove of the governor are more likely than those who approve to say they feel less favorably about the measures.

“Propositions 1A through 1F are part of the budget plan that the governor and legislature recently passed to deal with the state budget situation—does knowing that they are part of the budget plan make you feel more favorably or less favorably about the six propositions, or does it not make a difference either way?”

<i>Likely voters only</i>	All Likely Voters	Party			Approval of Governor	
		Dem	Rep	Ind	Approve	Disapprove
More favorably	25%	31%	19%	20%	28%	22%
Less favorably	24	22	27	20	13	32
No difference	46	42	47	55	54	41
Don't know	5	5	7	5	5	5

PROPOSITION 1A: “RAINY DAY” FUND

When read the ballot label and title, about four in 10 likely voters support Proposition 1A (39% yes, 46% no), an initiative that would change the budget process and could limit future deficits and spending by increasing the size of the state “rainy day” fund. Fifteen percent of likely voters are undecided. Democratic likely voters (49%) are nearly twice as likely as Republican likely voters (26%) to support this measure. Independent likely voters are divided (42% yes, 40% no).

There are also regional differences in support for 1A. Likely voters in the San Francisco Bay Area (46%) and Los Angeles (42%) are more supportive than those in the Other Southern California region (34%) and the Central Valley (33%). Half of Latino likely voters (52%) would vote yes, while fewer whites (35%) would do so. Support for Proposition 1A increases somewhat as education and income levels rise, although fewer than half across all education and income groups would vote yes if the election were held today.

“Proposition 1A is called the “Rainy Day” Budget Stabilization Fund Act. If the election were held today, would you vote yes or no on Proposition 1A?”*

<i>Likely voters only</i>		Yes	No	Don't know
All Likely Voters		39%	46%	15%
Party	Democrat	49	38	13
	Republican	26	58	16
	Independent	42	40	18
Region	Central Valley	33	51	16
	San Francisco Bay Area	46	40	14
	Los Angeles	42	41	17
	Other Southern California	34	49	17
Race/Ethnicity	Latinos	52	36	12
	Whites	35	47	18

*For complete text of Proposition 1A, see p. 29, question 15.

Fewer than half of likely voters say that Proposition 1A would be very (7%) or somewhat effective (38%) in helping California avoid future state budget deficits. Democratic (54%) and independent (44%) likely voters are much more inclined than Republican likely voters (32%) to say this measure would be effective. Likely voters planning to vote yes are much more likely than those planning to vote no to say Proposition 1A would be effective (87% to 16%). Fewer than half across regions think it would be very or somewhat effective. Latinos (62%) are more likely than whites (41%) to think so.

“If Proposition 1A passes, how effective do you think it will be in helping California avoid future state budget deficits?”

<i>Likely voters only</i>	All Likely Voters	Party			Vote on Proposition 1A	
		Dem	Rep	Ind	Yes	No
Very effective	7%	9%	4%	7%	15%	2%
Somewhat effective	38	45	28	37	72	14
Not too effective	20	19	21	21	6	32
Not at all effective	24	15	34	22	3	48
Don't know	11	12	13	13	4	4

PROPOSITION 1B: EDUCATION FINANCE

When read the ballot label and title, likely voters are currently divided on Proposition 1B (44% yes, 41% no), which requires future supplemental payments to school districts and community colleges to address recent budget cuts. Fifteen percent are undecided. Although likely voters overall are divided on this issue, there is a deep partisan divide. Six in 10 Democrats (59%) would vote yes and six in 10 Republicans (60%) would vote no. Independent likely voters are more inclined to vote yes (46% yes, 38% no).

Across regions, a little more than half of likely voters in the San Francisco Bay Area (52%) voice support, and about four in 10 likely voters in other regions agree. Six in 10 Latino likely voters (60%) support Proposition 1B, while whites are divided (40% yes, 43% no). Among likely voters, public school parents (51%) are much more inclined than others (41%) to support this measure. Support for 1B declines sharply with increasing age (64% for 18–34; 46% for 35–54; 35% for 55 and older).

“Proposition 1B is called the Education Funding Payment Plan Act. If the election were held today, would you vote yes or no on Proposition 1B?”*

Likely voters only		Yes	No	Don't know
All Likely Voters		44%	41%	15%
Party	Democrat	59	27	14
	Republican	25	60	15
	Independent	46	38	16
Region	Central Valley	39	42	19
	San Francisco Bay Area	52	35	13
	Los Angeles	41	43	16
	Other Southern California	40	45	15
Race/Ethnicity	Latinos	60	31	9
	Whites	40	43	17

*For complete text of Proposition 1B, see p. 29, question 17.

How do likely voters view the outcome of the vote on Proposition 1B? Eight in 10 say it is very (47%) or somewhat important (33%), while far fewer view it as not too (9%) or not at all important (5%). Democratic likely voters (53%) are more likely than independents (44%) or Republicans (41%) to view the outcome as very important. About half of likely voters in the San Francisco Bay Area (51%), the Other Southern California region (49%), and Los Angeles (48%) view the outcome as very important, compared to 41 percent of Central Valley likely voters. Latinos (65%) are more likely than whites (42%) to view the outcome as very important. Likely voters who say they would vote yes (57%) are more likely than those who would vote no (41%) to view the outcome as very important.

“How important to you is the outcome of the vote on Proposition 1B?”

Likely voters only	All Likely Voters	Party			Vote on Proposition 1B	
		Dem	Rep	Ind	Yes	No
Very important	47%	53%	41%	44%	57%	41%
Somewhat important	33	30	37	33	36	33
Not too important	9	8	9	9	4	14
Not at all important	5	2	7	6	2	9
Don't know	6	7	6	8	1	3

PROPOSITION 1C: CALIFORNIA STATE LOTTERY

When read the ballot label and title, half of likely voters are opposed to Proposition 1C (37% yes, 50% no), an initiative that would modernize the lottery and allow for \$5 billion of borrowing from future lottery profits to help balance next year’s state budget. Across political groups fewer than half support the measure, but Democrats (45%) are more likely than independents (37%) and far more likely than Republicans (29%) to say they would vote yes.

Likely voters in all regions are more likely to vote no than yes, although support is higher in Los Angeles (42%) and the San Francisco Bay Area (40%). Among likely voters, public school parents are divided (44% yes, 47% no), while others (51%) are more likely to vote no. Support decreases somewhat as age, education, and income rise. Latinos (58%) are currently the only demographic group in which support is over 50 percent, while about half of whites (52%), men (51%), and women (50%) say they would vote no.

**“Proposition 1C is called the Lottery Modernization Act.
If the election were held today, would you vote yes or no on Proposition 1C?”***

<i>Likely voters only</i>		Yes	No	Don't know
All Likely Voters		37%	50%	11%
Party	Democrat	45	41	12
	Republican	29	59	12
	Independent	37	54	9
Region	Central Valley	33	58	9
	San Francisco Bay Area	40	46	14
	Los Angeles	42	46	12
	Other Southern California	32	54	14
Race/Ethnicity	Latinos	58	36	6
	Whites	33	52	15

*For complete text of Proposition 1C, see p. 29, question 19.

About seven in 10 likely voters view the outcome of the vote on Proposition 1C as very (31%) or somewhat important (41%). Fewer than 35 percent across parties and regions say the outcome is very important. Latinos (42%) are more likely than whites (28%) to say this. Likely voters who indicate they will vote yes on the proposition (36%) are more likely than no voters (31%) to say the outcome of Proposition 1C is very important.

“How Important to you is the outcome of the vote on Proposition 1C?”

<i>Likely voters only</i>	All Likely Voters	Party			Vote on Proposition 1C	
		Dem	Rep	Ind	Yes	No
Very Important	31%	34%	30%	29%	36%	31%
Somewhat Important	41	40	43	39	49	38
Not too Important	15	14	12	21	12	18
Not at all Important	6	6	6	5	1	10
Don't know	7	6	9	6	2	3

PROPOSITION 1D: CHILDREN'S SERVICES

When read the ballot label and title, nearly half of likely voters would vote yes on Proposition 1D (48% yes, 36% no), an initiative that would temporarily provide greater flexibility in funding to preserve health and human services for young children, while helping to balance the state budget during this economic downturn. However, there is a wide partisan divide among the state's likely voters. Six in 10 Democrats (60%) voice support for this initiative, compared to nearly half of independents (48%) and only one in three Republicans (34%).

Across regions, support is highest in the San Francisco Bay Area (52%), followed by the Other Southern California region (48%), the Central Valley (47%), and Los Angeles (45%). Latino likely voters (70%) are far more inclined than whites (44%) to say they would vote yes on Proposition 1D. Support for Proposition 1D is much greater among parents of children age 18 or younger (56%) than others (43%) and support decreases as age, education, and income rise.

"Proposition 1D is called the Children's Services Funding Act. If the election were held today, would you vote yes or no on Proposition 1D?"*

Likely voters only		Yes	No	Don't know
All Likely Voters		48%	36%	16%
Party	Democrat	60	28	12
	Republican	34	46	20
	Independent	48	36	16
Region	Central Valley	47	40	13
	San Francisco Bay Area	52	32	16
	Los Angeles	45	39	16
	Other Southern California	48	37	15
Race/Ethnicity	Latinos	70	24	6
	Whites	44	38	18

*For complete text of Proposition 1D, see p.30, question 21.

Eight in 10 likely voters view the outcome of Proposition 1D as very (40%) or somewhat important (39%). Strong majorities across parties view the outcome as important, but Democrats (47%) are much more likely than independents (37%) and Republicans (34%) to say the outcome is very important. About four in 10 Californians across regions call it very important. Latinos (58%) are far more likely than whites (35%) to view the outcome as very important, while parents of children age 18 or younger (41% very important) and others (40% very important) hold similar views. Half of likely voters who would vote yes (50%) view the outcome as very important, compared to 38 percent of no voters.

"How important to you is the outcome of the vote on Proposition 1D?"

Likely voters only	All Likely Voters	Party			Vote on Proposition 1D	
		Dem	Rep	Ind	Yes	No
Very important	40%	47%	34%	37%	50%	38%
Somewhat important	39	38	42	38	42	42
Not too important	9	7	10	11	6	11
Not at all important	4	2	5	7	1	8
Don't know	8	6	9	7	1	1

PROPOSITION 1E: MENTAL HEALTH SERVICES

When read the ballot label and title, nearly half of likely voters say they would vote yes on Proposition 1E (47% yes, 37% no), an initiative that would help balance the state budget by amending the Mental Health Services Act (Proposition 63 of 2004) to transfer funds from mental health services to the general fund. Democrats (54%) and independents (46%) are more likely than Republicans (39%) to say they would vote yes on Proposition 1E.

About half of likely voters in Los Angeles (51%) and the Central Valley (49%) support Proposition 1E, compared to 45 percent in the San Francisco Bay Area and the Other Southern California region. Two in three Latino likely voters (66%) would vote yes on Proposition 1E, compared to fewer than half of whites (42%). Support decreases as education and income levels rise.

“Proposition 1E is called the Mental Health Funding Temporary Reallocation Act. If the election were held today, would you vote yes or no on Proposition 1E?”*

Likely voters only		Yes	No	Don't know
All Likely Voters		47%	37%	16%
Party	Democrat	54	32	14
	Republican	39	43	18
	Independent	46	39	15
Region	Central Valley	49	33	18
	San Francisco Bay Area	45	37	18
	Los Angeles	51	33	16
	Other Southern California	45	43	12
Race/Ethnicity	Latinos	66	26	8
	Whites	42	40	18

*For complete text of Proposition 1E, see p.30, question 23.

Three in four likely voters say the outcome of Proposition 1E is very (30%) or somewhat important (44%), while 18 percent say it is not too (14%) or not at all important (4%). Democrats (37%) are much more likely than independents (27%) and Republicans (21%) to say the outcome is very important. Likely voters in Los Angeles (36%) are the most likely to say it is very important, while those in the Other Southern California region (22%) are the least likely. Latinos (48%) are nearly twice as likely as whites (26%) to view the outcome as very important. Likely voters who would vote yes (87%) are more likely than no voters (71%) to place importance on the outcome of Proposition 1E.

“How important to you is the outcome of the vote on Proposition 1E?”

Likely voters only	All Likely Voters	Party			Vote on Proposition 1E	
		Dem	Rep	Ind	Yes	No
Very Important	30%	37%	21%	27%	34%	30%
Somewhat Important	44	43	49	40	53	41
Not too Important	14	9	16	21	9	21
Not at all Important	4	3	6	5	2	8
Don't know	8	8	8	7	2	

PROPOSITION 1F: ELECTED OFFICIALS' SALARY INCREASES

Proposition 1F is the only ballot measure that currently has majority support: When read the ballot label and title, likely voters overwhelmingly support this measure (81% yes, 13% no), which would prevent pay increases for state elected officials during budget deficit years. Independents (89%) are the most likely to say they would vote yes, followed by Republicans (83%) and Democrats (78%). Across regions, support for Proposition 1F is overwhelming: About eight in 10 say they would vote yes.

Across demographic groups, strong majorities say they would vote yes on Proposition 1F. However, whites (84%) are far more likely than Latinos (68%) to say they would vote yes. At least seven in 10 would vote yes on Proposition 1F across all age and income groups and among homeowners and renters. Men and women (81% each) equally support this measure. Of those who say the state budget situation is a big problem, 83 percent say they would vote yes on Proposition 1F.

“Proposition 1F is called the Elected Officials’ Salaries, Prevents Pay Increases During Budget Deficit Years Act. If the election were held today, would you vote yes or no on Proposition 1F?”*

Likely voters only		Yes	No	Don't know
All Likely Voters		81%	13%	6%
Party	Democrat	78	17	5
	Republican	83	12	5
	Independent	89	7	4
Region	Central Valley	82	14	4
	San Francisco Bay Area	81	13	6
	Los Angeles	80	16	4
	Other Southern California	81	12	7
Race/Ethnicity	Latinos	68	28	4
	Whites	84	11	5

*For complete text of Proposition 1F, see p. 30, question 25.

When asked how effective Proposition 1F would be in helping California avoid future state budget deficits, two in three likely voters say it would be very (28%) or somewhat effective (39%). Solid majorities across regional, political, and demographic groups say if Proposition 1F passes it will be at least somewhat effective in helping avoid future state budget deficits. Among those voters planning to vote yes on Proposition 1F, 74 percent think the measure will be at least somewhat effective.

“If Proposition 1F passes, how effective do you think it will be in helping California avoid future state budget deficits?”

Likely voters only	All Likely Voters	Party			Yes Voters on Proposition 1F*
		Dem	Rep	Ind	
Very effective	28%	28%	30%	25%	31%
Somewhat effective	39	39	36	46	43
Not too effective	18	18	18	16	18
Not at all effective	11	11	12	10	7
Don't know	4	4	4	3	1

*Sample size for No voters on Proposition 1F is not large enough for separate analysis.

Supporters of Propositions 1A-1F

Steering Committee

California Alliance for Jobs
California Business Roundtable
Cal Chamber
California State Sheriffs' Association
Small Business Action Committee

Public Safety

California Fire Chiefs Association (All)
California Police Chiefs Association (All)
California State Sheriffs' Association (All)
Peace Officers Research Association of California (PORAC) (All)
California District Attorneys Association (All)
California Peace Officers' Association (All)
Chief Probation Officers of California (All)
California Narcotics Officers' Association (All)
California Coalition of Law Enforcement Associations (All)
California Probation, Parole and Correctional Association (All)
California Asian Peace Officers Association (1A, 1B, 1C, 1F)
California State Chapter of the Fraternal Order of Police (1A 1C)
Association for Los Angeles Deputy Sheriffs (All)
Tulare Professional Firefighters Association (All)
Fresno Deputy Sheriffs' Association (All)
Los Angeles County Professional Peace Officers Association (1A, 1B, 1C, 1F)
Long Beach Police Officers Association (1A 1C)
Los Angeles County Sheriff Lee Baca (1A, 1B, 1C)
San Diego County Sheriff William Kolender (All)
San Diego County District Attorney Bonnie Dumanis (All)
San Bernardino County District Attorney Michael Ramos (All)

Taxpayers

California Taxpayers' Association (1A 1D 1E 1F)
Taxpayers Association of Central California (All)
Orange County Taxpayers Association (1A 1E 1F)

Seniors

California Senior Advocates League (All)

Education

California Teachers Association (All)
California State PTA (1B, 1C)
California Retired Teachers Association (1A, 1B, 1C, 1F)
Small School Districts' Association (1A, 1B, 1C, 1F)
Association of California School Administrators (1A, 1B, 1C, 1D, 1E)
California State University Board of Trustees (1A, 1B, 1C, 1D, 1E)
University of California Board of Regents (1A)
California Business for Education Excellence (1A, 1C)
California School Employees Association (1B, 1C)
Dr. Glen W. Thomas, California Secretary of Education (All)

Jordan Brandman, Trustee, Anaheim Union High School District (1A, 1B, 1C, 1E, 1F)
Kevin Gordon, President, School Innovations & Advocacy (All)

Agriculture

California Farm Bureau Federation (All)
California Grape and Tree Fruit League (All)

Local Government

League of California Cities (All)

Statewide Business Groups

California Chamber of Commerce (All)
California Business Roundtable (All)
California Manufacturers and Technology Association (1A, 1C, 1D, 1E, 1F)
Small Business Action Committee (1A, 1B, 1D, 1E, 1F)
California Black Chamber of Commerce (All)
California Hispanic Chambers of Commerce (All)
California Retailers Association (All)
Engineering & Utilities Contractors Association (All)
Building Owners and Managers Association of California (BOMA California) (All)
Silicon Valley Leadership Group (All)
Bay Area Council (All)
Valley Industry and Commerce Association (VICA) (1A, 1B, 1D, 1E, 1F)
North Bay Leadership Council (All)
Ventura County Economic Development Association (All)
North Orange County Legislative Alliance (1A 1B 1C)
Central City Association of Los Angeles (All)
San Jose Silicon Valley Chamber of Commerce (All)
San Diego Regional Chamber of Commerce (All)
Oakland Metropolitan Chamber of Commerce (All)
Sacramento Metro Chamber of Commerce (All)
Santa Rosa Chamber of Commerce (All)
Camarillo Chamber of Commerce (All)
Fresno Chamber of Commerce (1A, 1D, 1E, 1F)
Ventura Chamber of Commerce (1A, 1D, 1E, 1F)
Fullerton Chamber of Commerce (1A 1B 1C)
Montebello Chamber of Commerce (1A, 1B, 1C, 1E, 1F)
El Dorado Joint Chambers Commission (1A, 1B, 1C, 1D, 1E)
El Dorado County Chamber of Commerce (1A, 1B, 1C, 1D, 1E)
El Dorado Hills Chamber of Commerce (1A, 1B, 1C, 1D, 1E)
Shingle Springs/Cameron Park Chamber of Commerce (1A, 1B, 1C, 1D, 1E)
Central California Hispanic Chamber of Commerce (All)
Sacramento Hispanic Chamber of Commerce (All)

Ethnic

California State Conference of the NAACP (All)
California Latino Child Development Association (1D)

Labor

California Alliance for Jobs (Labor and Management Association All)
California State Council of Laborers (All)
California Conference of Carpenters (All)

Northern California Carpenters Regional Council (All)
Operating Engineers Local #3 (All)
State Building and Construction Trades Council of California (1A, 1C, 1D, 1E)
Health and Social Services Professional Employees, AFSCME 2620 (All)

Legal

Consumer Attorneys of California (All)
Civil Justice Association of California (All)

Health

California Hospital Association (All)
California Children's Hospital Association (All)
Association of Regional Center Agencies (1D)
Association of California Life and Health Insurance Companies (All)

Elected Officials

Governor Arnold Schwarzenegger (All)
Senator Darrell Steinberg, Senate President pro Tempore (All)
Assemblymember Karen Bass, Speaker of the California State Assembly (All)
Assemblymember Michael Villines, Assembly Republican Leader (All)
Senator Dave Cogdill (All)
Senator Elaine Alquist (All)
Senator Gil Cedillo (All)
Senator Mark Leno (All)
Senator Carol Liu (All)
Senator Fran Pavley (All)
Senator Gloria Romero (All)
Senator Pat Wiggins (All)
Senator Lois Wolk (All)
Senator Abel Maldonado (1F)
Bill Jones, Former Secretary of State (1A)
Steve Westly, Former State Controller (All)
Tom Campbell, Former Director, Dept. of Finance, Former U.S. Congressman, Former California State Senator (1A)
Fred Keeley, Treasurer, County of Santa Cruz and Former Speaker pro Tem, California State Assembly (All)
Charlene Zettel, Former California State Assemblymember (1A, 1C)
Sacramento Mayor Kevin Johnson (All)
San Jose Mayor Chuck Reed (All)
Riverside Mayor Ron Loveridge (All)
Modesto Mayor James Ridenour (All)
Supervisor Joni Gray, Santa Barbara County (All)
Supervisor Gary Wyatt, Imperial County (1A 1B 1C 1F)
Chet Reilly, Kingsbury City Council (All)

Newspapers

Sacramento Bee (1A 1C 1D 1E 1F)
Modesto Bee (1A 1C 1D 1E 1F)
Contra Costa Times (1A 1D 1E 1F)

Opposition to Proposition 1A-1F

Proposition 1A

Howard Jarvis Taxpayers Association
League of Women Voters
Health Access California
Congress of California Seniors
Consumer Federation of California
California Faculty Association
United Nurses Associations of California/Union of Health Care Professionals
California Nurses Association
People's Advocate Inc.
Older Women's League of California
Alliance of Contra Costa Taxpayers
Central Solano Citizen/Taxpayer Group
Fullerton Association of Concerned Taxpayers
Humboldt Taxpayer's League
Independent Taxpayer Oversight Committee of Napa County
Lafayette Taxpayers' Association
Marin United Taxpayers Association
Napa Valley Taxpayers Alliance
Pleasant Hill Taxpayers Association
Sacramento County Taxpayers League
San Diego Tax Fighters
Seaside Taxpayers Association
Silicon Valley Taxpayers Association
Solano County Taxpayers Association
Stop Taxing Us: Carlsbad
United Californians for Tax Reform
United Taxpayers of Imperial County
Waste Watchers Inc: Fremont

LEGISLATORS OPPOSED TO PROPOSITION 1A

ASSEMBLY MEMBERS

Joel Anderson
Connie Conway
Chuck DeVore
Mike Duvall
Jean Fuller
Ted Gaines
Martin Garrick
Curt Hagman
Diane Harkey
Kevin Jeffries
Steve Knight
Dan Logue
Jeff Miller
Brian Nestande
Jim Nielsen
Jim Silva
Cameron Smyth
Audra Strickland
Van Tran

STATE SENATORS

Sam Aanestad

John Benoit
Jeff Denham
Bob Dutton
Tom Harman
Dennis Hollingsworth
George Runner
Tony Strickland
Mimi Walters
Mark Wyland
BOARD OF EQUALIZATION MEMBERS OPPOSE 1A
Bill Leonard and Michelle Steele

Proposition 1B

California Nurses Association
American Federation of State, County and Municipal Employees

Proposition 1C

State Senator Bob Huff
California Federation of Teachers
American Federation of State, County and Municipal Employees

Proposition 1D

League of Women Voters of California
California Federation of Teachers
California Association for the Education of Young Children
California Child Development Corps
California Family Resource Association
California Nurses Association
California Pan-Ethnic Health Network
California WIC Association
Dental Health Foundation
Early Childhood Educators' Network
Having Our Say
Health Access California
National Association of Social Workers
Prevent Child Abuse California
First 5 Association of California
Alameda County Child Care Planning Council
Beverly Hills Democrats
Child Care Coordinating Council of San Mateo
El Cerrito Democratic Club
West Hollywood Democratic Club
Diringer and Associates
Early Development Services
Junior League of San Jose
Kidango, Inc.
Social Entrepreneurs, Inc.
South of Market Child Care, Inc.

Proposition 1E

League of Women Voters of California
California Federation of Teachers
California Nurses Association
Health Access California
California Psychiatric Association

California Psychological Association
California Society of Addiction Medicine
California Society for Clinical Social Work
California Council of Community Mental Health Agencies (CCCMHA)
NAMI California
Mental Health Association of Alameda County
Mental Health Association of the Central Valley
Mental Health Association of Orange County
No Health Without Mental Health (NHMH)
Consumer Advocacy Coalition (Santa Barbara)
Therapists for Peace and Justice (San Francisco Bay Area)
Waking the Village (Sacramento)
Children's Nurturing Project (Solano County)
American Federation of State, County and Municipal Employees (AFSCME)
Wellstone Democratic Renewal Club
Solano County Board of Supervisors
Mayor Marty Blum, City of Santa Barbara



CALIFORNIA
Counties

CORPORATE ASSOCIATES
PROGRAM

MEMORANDUM

April 8, 2009

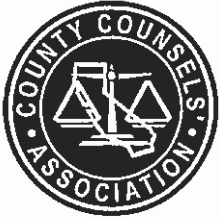
To: CSAC Executive Committee

From: Paul McIntosh, CSAC Executive Director
Lindsay Pangburn, CSAC Corporate Relations Manager

Re: **Corporate Associates Program Updates
INFORMATION ITEM**

- We are continuing to distribute regular communications to all Corporate Associates members, including a monthly e-newsletter.
- Membership and sponsorship solicitation efforts for 2009 remain underway, with current efforts geared towards the CSAC Annual Meeting and California/CSAC activities at the NACo Annual Meeting.
- To date, we have received 2009 membership commitments from almost 50 companies; most of these are renewing members, but we also have three new members so far this year.
- The Exhibit Hall at the 2009 Annual Meeting in Monterey County is more than 40 percent filled at this time.
- Upcoming Events:
 - Corporate Associates Business Meeting – May 27th, Sacramento
 - Corporate Associates Golf Tournament – May 29th, Sacramento

Should you have any questions about the Corporate Associates program, please feel free to contact Lindsay Pangburn, CSAC Corporate Relations Manager, at (916) 327-7500 ext. 528 or lpangburn@counties.org.



County Counsels' Association of California

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Jennifer B. Henning

MEMORANDUM

**To: Supervisor Gary Wyatt, President, and
Members of the CSAC Executive Committee**

From: Jennifer Henning, Litigation Coordinator

Date: April 23, 2009

Re: Litigation Coordination Program Update

At your Executive Committee's request, this memorandum will provide you with information on the Litigation Coordination Program's activities since your last meeting in January. If you have questions about any of these cases, please do not hesitate to contact me.

I. New Case Activity Since Last Executive Committee Meeting

Building Industry Association of Central California v. City of Patterson
171 Cal.App.4th 886 (5th Dist. Jan. 30, 2009)(F054785), *ordered published*
(Mar. 2, 2009), *request for depublication pending* (filed Mar. 27,
2009)(S171536)

A developer obtained a development agreement and tentative subdivision maps for the construction of two residential subdivisions. The affordable housing fee for development at the time was \$734 per house. About three years later, the city increased this fee to \$20,946 per house and sought to apply the increased fee to Developer's two residential projects. Developer sued, claiming that the increased fee violated its vested property rights and its contractual rights under the development agreement. The developer also argued the fee increase amounted to a special tax without voter approval. The trial court found that the increased in-lieu fee was permitted under the development agreement and the amount of the increase was reasonably justified. The Fifth District reversed, concluding that the fee increase was not reasonably justified under the development agreement. CSAC will file a letter in support of depublishing this opinion.

Mead v. City of Cotati

Pending in the Ninth Circuit Court of Appeals (filed Jan. 6, 2009)(09-15005)

Plaintiff sought to develop four duplexes on 0.9 acres. He challenged as unconstitutional takings two conditions imposed by the city: (1) the city's affordable housing requirement (on-site or off-site affordable housing or land, or a fee in-lieu); and (2) one acre of land dedicated for every tiger salamander breeding ground acre developed (per California Fish and Game interim mitigation guidelines). The trial court rejected the city's argument that because plaintiff had not appealed the conditions to the city council, he could not bring this action in district court. However, the court ultimately dismissed the action, concluding the case was not ripe because "a taking is not unconstitutional unless it is uncompensated, and [plaintiff] has not yet sought compensation." The court concluded this rule applies even though plaintiff was only seeking declaratory and injunctive relief. Plaintiff has appealed to the Ninth Circuit. CSAC will file a brief in support of the city.

County of Santa Clara v. Superior Court (Naymark)

171 Cal.App.4th 119 (6th Dist. Feb. 17, 2009)(H031740), *petition for review pending* (filed Mar. 27, 2009)(S171566)

This case arose as a result of CalAware's 2007 audit of law enforcement agencies. The audit concluded that many agencies were not following the Public Records Act. Even though plaintiffs had never requested any public records, based on the results of the audit they brought a taxpayer action against the law enforcement agencies of six cities, Santa Clara County and the State (California Highway Patrol), seeking a declaration that the policies and practices of the defendants violated the PRA and were an illegal expenditure of public funds. The trial court found the taxpayer action was permitted, rejecting the public agencies' argument that Government Code sections 6258 and 6259 are the exclusive procedures for a member of the public to litigate the disclosure obligation of a public agency with regard to a particular record or records. The Sixth Appellate District affirmed, holding plaintiffs could bring this taxpayer action under Code of Civil Procedure section 526a without showing they actually made any Public Record Act requests. The public agencies plan to seek Supreme Court review, and CSAC will file a letter in support.

Priceline.com, Inc. v. City of Anaheim

Pending in the Fourth Appellate District, Division Three (filed Dec. 12, 2008)(G041338)

The city initiated administrative proceedings to collect unpaid Transient Occupancy Taxes from several online travel companies (OTC). The city entered into a contingency fee agreement with outside counsel to handle the tax collection proceeding. The OTCs argue the city may not employ contingent fee counsel in a

tax-collection proceeding. The trial court disagreed and the OTCs have appealed. CSAC will file a brief in support of the city.

II. Amicus Cases Decided Since Last Executive Committee Meeting

Bernardi v. County of Monterey

167 Cal.App.4th 1379 (6th Dist. Sept. 30, 2008)(H031648), *ordered published* (Oct. 29, 2008), *petition for depublication denied* (Feb. 18, 2009)(S169318)

Outcome: Negative

Monterey County appealed an award of approximately \$260,000 in attorney fees and costs to petitioners in a Public Records Act case. The PRA provides that the "court shall award court costs and reasonable attorney fees to the plaintiff should the plaintiff prevail in litigation" filed under the Act. (Gov. Code § 6259(d).) The award of attorney fees and costs in this case was not reduced by the hours the petitioner spent in fruitless pursuits that the court recognized were without basis in law and without merit. As such, the county argued the fees were excessive since they were not commensurate with petitioner's partial success in obtaining public records. The Sixth District upheld the fee award. It disagreed with the county that fee awards must be commensurate with the degree of success achieved in the litigation, finding that cases cited by the county were not specific to the Public Records Act. Applying the rule in the PRA setting would impede efforts to enforce the public's right to information. The trial court's evaluation of the hours and rate of the fees was reasonable, and the award was therefore affirmed. Monterey County sought depublication, which CSAC supported, but the request was denied.

Brown v. Ransweiler

171 Cal.App.4th 516 (4th Dist. Div. 1 Feb. 24, 2009)(D051983)

Outcome: Positive

A joint fugitive apprehension task force was staking out a suspect, planning to arrest him when he entered his vehicle, which was parked in a strip mall parking lot. Instead of complying with an officer's request to come out of his vehicle with his hands up, the suspect started his vehicle and headed down the sidewalk at a high speed. Two task force officers were positioned on the sidewalk, and began firing at the vehicle. A number of other officers fired as well, and a total of 38 rounds were fired. The felon was killed. Unfortunately, plaintiff was sitting in the waiting room of a dentist's office at the strip mall while this took place, and she was struck by one of the bullets. She sued the two officers from the sidewalk, among others, alleging negligence and assault and battery. The trial court granted summary judgment as to one of the officers, finding no questions of fact as to his liability, but denied summary judgment to the other officer. The officer appealed and the Fourth District reversed, concluding that under the undisputed facts presented on summary

judgment, the officer's shooting at the suspect was objectively reasonable as a matter of law, and that he therefore cannot be held liable for plaintiffs' injuries. CSAC filed a brief in support of the officer.

County of Sacramento v. State of California

Pending in Sacramento County Superior Court (filed Feb. 13, 2009)(34-2009-80000164-CU-WM-GDS)

Outcome: Neutral

Sacramento County sued the State Controller, State Treasurer, Director of Finance, and Director of the Department of Social Services alleging that the Controller's deferral of funds appropriated by the Legislature to the counties for federally and state-mandated public assistance programs is unlawful. The complaint alleged the Controller is mandated to make advance payments from state and federal funds to counties for the public assistance programs. It sought a writ of mandate ordering the Controller to release the funds, including administrative costs, and declaratory relief stating that the Controller does not have the authority to defer payments, that counties are not required to backfill the deferred payments, but if they do they are entitled to interest, and that counties can offset the deferred payments with money owed to the State. Thirty-one counties filed a complaint in intervention to join the lawsuit. The Western Center on Law and Poverty also filed an action, which was consolidated with Sacramento's lawsuit, making similar allegations against the State, but also alleging that counties have an obligation to backfill for any deferred payments. A hearing on the consolidated cases was held on March 10, and the court decided that the case was moot based on a declaration from the Controller's office that the deferral program had ended and wasn't likely to occur again. The counties obtained a stipulation from the State that the case would not be final until April 22 to ensure that counties have in fact received all deferred funds. This case was coordinated through the Litigation Coordination Program.

County of Santa Clara v. Superior Court (California First Amendment Coalition)
170 Cal.App.4th 1701 (6th Dist. Feb. 5, 2009)(H031658), *request for depublication pending* (filed Mar. 6, 2009)(S171023)

Outcome: Negative

This case of first impression involves a Public Records Act request for an electronic version of Santa Clara County's Geographic Information System (GIS) basemap, which is comprised of the Assessor parcel map, street centerlines and aerial photos. The county can layer additional information on top of the basemap as needed. The Department of Homeland Security designated the basemap as "Protected Critical Infrastructure Information." CFAC requested electronic copies of the basemap, which the county was willing to provide in hard copy or PDF, but not in the format CFAC requested. CFAC sued and the Superior Court ordered the

county to produce an electronic copy of the basemap at the direct cost of duplication.

The Sixth District denied the county's writ. The court found that while the Critical Infrastructure Information Act protects critical infrastructure information by limiting its public disclosure under the Freedom of Information Act, that protection only applies when the information has been provided to a State or local government, not where, as here, the information is provided by the county. The court also found that Government Code section 6255 did not weigh in favor of nondisclosure, and that the county's copyright assertions did not allow it to limit or condition disclosure. The court did not address: (1) whether the county could demand fees in excess of the direct costs of reproducing the electronic records requested by CFAC; or (2) whether Government Code section 6254.9 (exempting computer software – defined to include computer mapping systems – from the definition of public record) is a basis for nondisclosure. CSAC filed a brief in support of the county, and has filed a letter in support of depublication.

Morongo Band of Mission Indians v. State Water Resources Control Board
45 Cal.App.4th 731 (Feb. 9, 2009)(S155589)

Outcome: Positive

The California Supreme Court has found that a license holder's constitutional right to due process is not violated when an agency attorney prosecuting a matter before the State Water Resources Control Board simultaneously serves as an advisor to that board on an unrelated matter. The Court noted that when an administrative agency conducts adjudicative proceedings, due process requires a fair tribunal. The Court concluded, however, that the Morongo Band presented no evidence that the SWRCB is actually prejudiced against it. The Court declined to adopt a rule that due process is violated in these circumstances absent such evidence of bias. CSAC filed a brief in support of the SWRCB.

Spielbauer v. County of Santa Clara
45 Cal.4th 704 (Feb. 9, 2009)(S150402)

Outcome: Positive

Plaintiff was dismissed from his employment with the county for engaging in conduct unbecoming a county employee (making deceptive statements to a judge), and committing insubordination by refusing to answer questions about the incident on grounds that his answers might incriminate him. He sought a writ of mandate to set aside the county's decision, which the trial court denied. After the Sixth District reversed, the California Supreme Court reinstated the trial court decision. "United States Supreme Court decisions, followed for decades both in California and elsewhere, establish that a public employee may be compelled, by threat of job

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discipline, to answer questions about the employee's job performance, so long as the employee is not required, on pain of dismissal, to waive the constitutional protection against criminal use of those answers. Here, plaintiff was not ordered to choose between his constitutional rights and his job. On the contrary, he was truthfully told that, in fact, no criminal use could be made of any answers he gave under compulsion by the employer. In the context of a noncriminal public employment investigation, the employer was not further required to seek, obtain, and confer a formal guarantee of immunity before requiring its employee to answer questions related to that investigation." CSAC filed a brief in support of the county.

Calendar of Events

2009

January

- 21-23 CSAC Corporate Associates Steering Committee Meeting, Sonoma County
- 28 Regional Council of Rural Counties (RCRC) Board Meeting, Sacramento
- 29 CSAC Executive Committee Meeting, Sacramento

February

- 19 [CSAC Institute for Excellence in County Government](#), Sacramento
The Art & Practice of Elected Leadership
- 26-27 CSAC New Supervisors Institute, Session II, Sacramento

March

- 7-11 [National Association of Counties \(NACo\) Legislative Conference](#), Washington, D.C.
- 13 [CSAC Institute](#), Sacramento - Local Governance in California
- 18 RCRC Board Meeting, Sacramento
- 19 CSAC Board of Directors Meeting, Sacramento
- 25-27 [CEAC Spring Conference](#), Monterey County
- 26 [CSAC Institute](#), Sacramento - The Art & Practice of Institutional Leadership

April

- 9 [CSAC New Supervisors Institute, Session III](#), Sacramento
- 16 [CSAC Institute](#), Sacramento - Effective Electronic Communications & Media Relations
- 17 [CSAC Institute](#), Sacramento - Climate Change, AB 32 & SB 375
- 17 [CSAC Institute](#), Sacramento - Current Policy Issues: County Revenues & the State Financial Crisis
- 23 CSAC Executive Committee Meeting, Sacramento
- 30 [CSAC Institute](#), Sacramento - Getting Things Done: Working Effectively with Others

May

- 7 [CSAC Institute](#), Sacramento - Best Practices: Talent Development & Succession Planning
- 20-22 [NACo WIR Annual Conference](#), Pendleton, OR
- 27-28 [CSAC Legislative Conference](#), Sacramento
- 28 CSAC Board of Directors Meeting, Sacramento
- 28-29 [CSAC Institute](#), Sacramento - Financing California Counties

June

- 17-18 RCRC Board Meeting

July

- 23 [Women of NACo Annual Golf Tournament](#), Nashville, TN
- 24-28 [NACo Annual Conference](#), Nashville, TN

August

- 19 RCRC Board Meeting, Sacramento

20 CSAC Executive Committee Meeting, location TBD

September

10 CSAC Board of Directors Meeting, Sacramento

October

14-16 San Joaquin Valley Regional Association of California Counties Fall Conference, Stockton

8-9 CSAC Executive Committee Meeting, Orange County

21-24 National Council of County Association Executives (NCCAE) Annual Meeting, Santa Rosa, CA

28-30 California Association of Local Agency Formation Commissions Annual Conference, Yosemite

November

17-20 CSAC 115th Annual Meeting, Monterey County

19 CSAC Board of Directors Meeting, Monterey County

December

16 RCRC Board Meeting, Sacramento

2010

March

6-10 NACo Legislative Conference, Washington, D.C.

25 CSAC Board of Directors Meeting, Sacramento

April

22 CSAC Executive Committee Meeting, Sacramento

June

2-3 CSAC Legislative Conference, Sacramento

3 CSAC Board of Directors Meeting, Sacramento

July

16-20 NACo Annual Meeting, Washoe County (Reno), Nevada

August

19 CSAC Executive Committee Meeting, Sacramento

September

9 CSAC Board of Directors Meeting, Sacramento

November

15-19 CSAC 116th Annual Meeting, Riverside County

2011

March

5-9 NACo Legislative Conference, Washington, D.C.

July

15-19 NACo Annual Meeting, Multnomah County (Portland), Oregon

October

19-22 NACo National Council of County Association Executives Annual Fall Meeting

November

29-2 CSAC 117th Annual Meeting, San Francisco City & County

2012

March

3-7 NACo Legislative Conference, Washington, D.C.

July

13-17 NACo Annual Meeting, Allegheny County (Pittsburgh), Pennsylvania

October

17-20 NACo National Council of County Association Executives Annual Fall Meeting

2013

March

2-6 NACo Legislative Conference, Washington, D.C.

2014

March

1-5 NACo Legislative Conference, Washington, D.C.