

CALIFORNIA STATE ASSOCIATION OF COUNTIES
BOARD OF DIRECTORS
June 2, 2011
CSAC Conference Center, Sacramento

MINUTES

Presiding: John Tavaglione, President

1. ROLL CALL

Alameda	Keith Carson	Plumas	Terry Swofford
Alpine	Terry Woodrow	Riverside	John Tavaglione
Amador	Louis Boitano	Sacramento	Susan Peters
Butte	Maureen Kirk	San Benito	Margie Barrios
Calaveras	Merita Callaway	San Bernardino	absent
Colusa	Kim Dolbow Vann	San Diego	Greg Cox
Contra Costa	Federal Glover	San Francisco	Eric Mar
Del Norte	Finigan/Sullivan	San Joaquin	Larry Ruhstaller
El Dorado	Norma Santiago	San Luis Obispo	Bruce Gibson
Fresno	Henry Perea	San Mateo	absent
Glenn	John Viegas	Santa Barbara	Steve Lavagnino
Humboldt	Mark Lovelace	Santa Clara	Liz Kniss
Imperial	Gary Wyatt	Santa Cruz	Mark Stone
Inyo	Susan Cash	Shasta	absent
Kern	absent	Sierra	Lee Adams
Kings	absent	Siskiyou	Jim Cook
Lake	absent	Solano	Mike Reagan
Lassen	Jim Chapman	Sonoma	Efren Carrillo
Los Angeles	absent	Stanislaus	Vito Chiesa
Madera	Frank Bigelow	Sutter	Larry Munger
Marin	Susan Adams	Tehama	Robert Williams
Mariposa	Lyle Turpin	Trinity	Judy Pflueger
Mendocino	Carre Brown	Tulare	Steve Worthley
Merced	Hubert "Hub" Walsh	Tuolumne	absent
Modoc	Jeff Bullock	Ventura	Lathy Long
Mono	Duane "Hap" Hazard	Yolo	McGowan/Rexroad
Monterey	absent	Yuba	Roger Abe
Napa	Mark Luce	Advisor:	Marshall Rudolph, Mono Co. Counsel
Nevada	Ed Scofield		
Orange	John Moorlach		
Placer	Jim Holmes		

The presence of a quorum was noted.

2. APPROVAL OF MINUTES

The minutes of March 24, 2011 were approved as previously mailed.

3. GOVERNOR'S MAY REVISION OF THE 2011-12 STATE BUDGET

Michael Cohen, Chief Deputy Director, Department of Finance, presented a report on the Governor's May Revise. He noted that revenues are up \$6.6 billion over previous estimates, but a \$9.6 billion hole in the budget remains. He further indicated that the Governor is no longer planning to do away with enterprise zones, but rather reform them. He is, however, continuing to seek elimination of redevelopment agencies.

The May Revise includes an increase in business tax credits and the addition of a manufacturing sales tax credit. It also includes a pay down of \$35 billion in debt obligations. Negotiations for tax extensions and a special election are still underway. Republicans are still looking for pension reform, spending limit, and regulatory reform before agreeing to budget proposal. Cohen stated that there is a sense of urgency by the Legislature to pass the budget by the June 15 deadline due to the passage of Proposition 25 which mandates that legislators will not continue to receive a salary if budget is not passed on time.

A question was raised as to the status of AB 109 implementation. This is legislation that shifts low-level offenders from state prisons to county jails. Cohen indicated that counties would receive reimbursement from vehicle license fee and sales tax funds. The Governor still plans to make good on his promise that AB 109 will not be implemented until it is fully funded by the state.

Staff noted that CSAC is requesting the Legislature to extend taxes from the date the state budget is passed through the date that a special election is scheduled. Taxes would be collected and placed in a realignment account and then repaid when the constitutional amendment passes. The CSAC Realignment Working Group has been developing a framework as to how funds would be allocated to counties. Timeline is very short and bill is scheduled to be heard next week.

4. PROPOSED CSAC BUDGET FOR FY 2011-12

Supervisor Kathy Long, CSAC Treasurer, presented the draft CSAC Budget for FY 2011-12 as contained in the briefing materials. She noted that the proposed budget does not contain an increase in dues for the third consecutive year. The Executive Committee previously considered the proposed budget and recommended adoption by the Board of Directors.

A question was raised as to why the Communications line item was dramatically reduced this year. This reduction was due to the elimination of the CSAC magazine and the editor position.

It was noted that, in response to direction by the Executive Committee, a thorough discussion regarding employee salaries and benefits will take place at the Executive Committee retreat in October.

Motion and second to adopt the proposed CSAC Budget for FY 2011-12 as presented. Motion carried unanimously.

McIntosh distributed a sample of the new CSAC dues invoice and explained that the new invoice will reflect the value of enterprise programs in keeping dues low.

5. PROPOSED LITIGATION COORDINATION PROGRAM BUDGET FOR FY 2011-12

Jennifer Henning, CSAC Litigation Coordinator, presented the proposed CSAC Litigation Coordination Program budget for FY 2011-12 as contained in the briefing materials. She noted that the budget includes a 5% increase to cover increases in rent, employee benefits costs and other costs associated with operating the program. The

CSAC Executive Committee previously considered the proposed budget and recommended adoption by the Board of Directors.

Motion and second to adopt the draft CSAC Litigation Coordination Program budget for FY 2011-12. Motion carried unanimously.

6. CSAC POLICY COMMITTEE REPORTS

Administration of Justice. Federal Glover, Chair of the CSAC Administration of Justice policy committee, presented the committee report. The meeting, held on June 2, included a very informative report on re-entry councils presented by Alameda and Contra Costa counties. Three action items were brought forward for consideration by the Board of Directors.

The policy committee voted to support AB 622 (Dickinson), a measure relating to civil grand juries which seeks to introduce greater transparency and openness to grand jury proceedings, and recommended that the Board of Directors take a SUPPORT position on this bill.

Motion and second to support AB 622. Motion carried.

The Council of State Governments selected California as one of seven states funded to examine the response of the criminal justice system to offenders with mental health issues. Accordingly, former Chief Justice Ronald George established the Task Force for Criminal Justice Collaboration on Mental Health Issues in 2007. Supervisor Susan Adams served as CSAC's representative on the task force which completed its work in late 2010. The final report was presented to the policy committee for consideration. They voted to formally receive and accept the report and recommended that the Board of Directors do the same.

Motion and second to support policy committee recommendation to formally receive and accept the final report of the Task Force for Criminal Justice Collaboration on Mental Health Issues. Motion carried unanimously.

The committee recommended that CSAC support AB 1053 (Gordon), a measure that would increase fees for four programs related to vital records, juvenile public defender registration, and laboratory analyses for various drug and driving offenses.

Agriculture & Natural Resources. Supervisor Richard Forster, Chair of the CSAC Agriculture & Natural Resources policy committee, presented the committee report. The committee received reports from the State Department of Fish and Game, USDA and the California Conference of Environmental Health Directors. The policy committee brought forward one action item for consideration by the Board of Directors.

AB 1178 (Ma), is a measure that would prohibit a city or county from restricting or limiting in any way the importation of solid waste based on place of origin. The author has acknowledged that the intent is to exempt publically-owned landfills from the bill, making it only applicable to privately-owned facilities, and that clarifying amendments are forthcoming. CSAC is currently working on amendments to the bill that would clarify the public exemption. The staff and policy committee recommendation to the Board of Directors was to "Oppose Unless Amended" and authorize staff to remove opposition if the author accepts clarifying amendments. It was noted that the League of California Cities and Regional Council of Rural Counties took this same position.

Motion and second to approve policy committee recommendation to take an "Oppose Unless Amended" position on AB 1178 and authorize staff to remove opposition of the author accepts clarifying amendments. Motion carried.

Staff announced that the U.S. Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers will host a special briefing on their recently released draft guidance report regarding "Waters of the U.S." determinations. The call is scheduled for Friday, June 3, 3:00pm to 4:00pm EDT. All Board members are invited to participate.

Government Finance & Operations. Supervisor Bruce Gibson, Chair of the CSAC Government Finance & Operations policy committee, presented the committee report. The committee received reports on pension reform, legislation related to City of Bell, and a presentation from the Legislative Analyst's Office regarding the state budget. No action items were brought forward for consideration.

Health & Human Services. Supervisor Liz Kniss, Chair of the CSAC Health & Human Services policy committee, presented the committee report. Will Lightbourne, the new California Department of Social Services Director, addressed the committee regarding his key priorities for the state. He formerly worked for Santa Clara County and Supervisor Kniss indicated the county was very sad to see him go. The committee also received an update on the Affordable Care Act from Anthony Wright of Health Access. Dr. Sandra Goodwin of the California Institute for Mental Health presented a detailed overview of the state and federal mental health parity laws. She indicated that, starting in 2014, all health insurance – both public and private – must cover mental health and substance use disorder services. Research presented by Dr. Goodwin demonstrated that timely behavioral health services will reduce overall health care costs. Supervisor Kniss reported on a meeting she recently attended in Washington, DC that included President Obama, Vice President Biden and several cabinet members. NACo organized the meeting so that counties could express concerns and get information from major federal agencies regarding developing or current policies affecting local government. The five-hour meeting was divided into three sessions: 1) *Breaking the Cycle of Jail and Poverty*, 2) *Infrastructure and Sustainable Communities*, and 3) *Health Reform Implementation and Medicaid*.

Housing, Land Use & Transportation. Supervisor Efen Carillo, Chair of the CSAC Housing, Land Use & Transportation policy committee, presented the committee report. The committee received a report from Sonoma County Counsel Bruce Goldstein regarding Tribal-State Gaming Compacts under the Brown Administration and engaged in an in-depth discussion on the issue. The committee also discussed several pieces of legislation including AB 720 (Hall), a measure relating to county road commissions' authority regarding uniform construction cost accounting provisions; and AB 1220 (Alejo), which would expand the statute of limitations to sue a city or county challenging the adoption of a housing element or a number of related ordinances, from one year to five years. Board members were urged to express opposition to both bills.

7. CSAC COUNTY EMPLOYEE HEALTH INSURANCE POOL

Paul McIntosh provided a status report on his proposal for CSAC to establish a health insurance benefits pool which would operate under CSAC's umbrella. The corporation would offer employee benefits packages that would include health, dental and vision care. CSAC would either hire a director and appropriate staff from a \$500,000 loan from CSAC reserves or engage in a contractual arrangement with a third-party administrator. The Board of Directors approved moving forward with continued exploration of this proposal at its last meeting.

An RFP was sent to interested parties this week for a consultant to study the feasibility of establishing the pool. Once the results of the feasibility analysis are received, this item will be brought back to the Board of Directors for further action.

8. LEGISLATIVE REPORT

Staff announced that the weekly CSAC Realignment Working Group conference calls are continuing.

AB 506 (Wieckowski), which would impose a mandatory mediation requirement for local agencies prior to seeking bankruptcy protection in federal court, passed out of the Assembly this morning and is now headed for the Senate. Board members were urged to express opposition.

Staff reported on several bills in the employee relations area currently being considered by the Legislature that CSAC is opposed to. AB 646 (Atkins) would authorize an employee organization, if a mediator is unable to effect settlement of a contract impasse within 15 days of his or her appointment, to request that the matter be submitted to a fact-finding panel. It would prohibit a public agency from implementing its last, best and final offer until at least ten days after the fact finders' written findings of fact and recommended terms of settlement have been submitted to the parties and the agency has held a public hearing regarding the impasse. AB 455 (Campos) would allow labor union to appoint members to a county merit commission. AB 195 (Hernandez) would codify regulations of the Public Employees Retirement Board. SB 931 (Vargas) would limit the use of outside counsel in labor relations.

9. OTHER ITEMS

The briefing materials contained reports on the Institute for Local Government, CSAC Finance Corporation, CSAC Corporate Associates, and the CSAC Litigation Coordination Program.

President Tavaglione announced that Tom Sweet, Executive Director of the CSAC Finance Corporation, is retiring at the end of the month. Nancy Parrish, who currently works for the NACo Finance Services Corporation, will replace him.

Meeting adjourned.