

CSAC EXECUTIVE COMMITTEE

BRIEFING MATERIALS

Thursday, August 8, 2024

10am - 1:30pm



Sutter Health Park - Legacy Club | 400 Ballpark Drive, West Sacramento

Zoom: <https://us02web.zoom.us/j/81451411102?pwd=7DdSTkm6zfxmLcsE6McaL8ScVdGevS.1>

Meeting ID: 814 5141 1102

Passcode: 318068

California State
Association of Counties



CALIFORNIA STATE ASSOCIATION OF COUNTIES
EXECUTIVE COMMITTEE MEETING
Thursday, August 8, 2024 | 10:00 am – 1:30 pm

Sutter Health Park – Legacy Club
400 Ballpark Drive, West Sacramento

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Conference Line: (669) 900-6833 | Meeting ID: 814 5141 1102 | Password: 318068

AGENDA

Presiding: Bruce Gibson, President

THURSDAY, AUGUST 8

PROCEDURAL ITEMS

1. Pledge of Allegiance *Page 1*
2. Roll Call *Page 2*
3. Approval of Minutes from March 28, 2024 – **ACTION ITEM** *Page 3-5*
4. Approval of Updated 2023-2024 Board of Directors Nominations – **ACTION ITEM** *Page 6-8*
 - *Graham Knaus | Chief Executive Officer*
5. Consideration of 2028 & 2029 Annual Meeting Site Selection – **ACTION ITEM** *Page 9-12*
 - *Chastity Benson | Chief Operating Officer*
 - *Deb Kurtti | Meeting Planner*

SPECIAL PRESENTATIONS

6. CEO's Report *Page 13*
 - *Graham Knaus | Chief Executive Officer*
7. Consideration of CSAC Building Renovation Project *Page 14*
 - Creation of California Counties Capitol Building & Museum 501(c)(3) – **ACTION ITEM**
 - Authorization to Retain Design & Construction Management Firms – **ACTION ITEM**
 - *Supervisor Belia Ramos | Treasurer*
 - *Graham Knaus | Chief Executive Officer*

PROPOSITIONS: NOVEMBER 5, 2024, BALLOT

Policy Committee recommendation is the required first motion for consideration.

8. Proposition 5: "Local Government Financing" (ACA 1 & ACA 10) – **ACTION ITEM** *Page 15-19*

GFA Policy Committee Recommendation: SUPPORT

 - *Jacqueline Wong-Hernandez | Chief Policy Officer*
 - *Eric Lawyer | Legislative Advocate*
9. Proposition 35: "Provides Permanent Funding for Medi-Cal Health Care Services" (MCO Tax) – **ACTION ITEM** *Page 20-28*

HHS Policy Committee Recommendation: SUPPORT

 - *Jacqueline Wong-Hernandez | Chief Policy Officer*
 - *Jolie Onodera | Senior Legislative Advocate*

10. Proposition 36: “The Homelessness, Drug Addiction, and Theft Reduction Act” (Prop. 47 Reforms) – **ACTION ITEM** Page 29-35
AOJ Policy Committee Recommendation: SUPPORT
➤ *Jacqueline Wong-Hernandez | Chief Policy Officer*
➤ *Ryan Morimune | Legislative Advocate*

11. Proposition 4 (Climate Bond) – **ACTION ITEM** Page 36-47
AENR Policy Committee Recommendation: SUPPORT
➤ *Jacqueline Wong-Hernandez | Chief Policy Officer*
➤ *Catherine Freeman | Senior Legislative Advocate*
➤ *Ada Waelder | Legislative Advocate*

LUNCH

DISCUSSION ITEMS

12. Legislative Report Page 48-56
➤ *Jacqueline Wong-Hernandez, Chief Policy Officer*
13. Executive Committee Minute Mics
➤ What’s going on in your county (in one minute)?

CSAC REPORTS

14. Operations & Member Services Report Page 57-59
➤ *Chastity Benson | Chief Operating Officer*
➤ *Brian Ferguson | Director of Public Affairs*
15. CSAC Finance Corporation Report Page 60-75
➤ *Alan Fernandes | Chief Executive Officer, CSAC FC*
➤ *Rob Pierce | Chief Operating Officer, CSAC FC*
16. California Counties Foundation Report Page 76-79
➤ *Paul Danczyk | Chief Operating Officer, CA Counties Foundation*
17. INFORMATION ITEMS WITHOUT PRESENTATION
- CSAC Litigation Coordination Program Page 80-86
 - CSAC Institute Course Guide Page 87-90
 - 2024 Calendar of Events Page 91

ADJOURN

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



United States of America
Pledge of Allegiance



California State Association of Counties®



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CEO

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CALIFORNIA STATE ASSOCIATION OF COUNTIES
EXECUTIVE COMMITTEE
2024

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URBAN CAUCUS

- Kathryn Barger, Los Angeles County
- Keith Carson, Alameda County
- Rich Desmond, Sacramento County
- John Gioia, Contra Costa County
- Buddy Mendes, Fresno County
- Nora Vargas, San Diego County
- Kelly Long, Ventura County (alternate)**

SUBURBAN CAUCUS

- Luis Alejo, Monterey County
- Bonnie Gore, Placer County
- Erin Hannigan, Solano County
- Scott Silveira, Merced County (alternate)**

RURAL CAUCUS

- Kent Boes, Colusa County
- Ned Coe, Modoc County
- Ryan Campbell, Tuolumne County (alternate)**

EX OFFICIO MEMBER

Belia Ramos, Napa County, Treasurer

ADVISORS

- Sarah Carrillo, County Counsel, Tuolumne County
- Jeff Van Wagenen, CACE President, Riverside County

****Alternates are highlighted for your reference***

CALIFORNIA STATE ASSOCIATION OF COUNTIES
EXECUTIVE COMMITTEE MEETING
Thursday, March 28, 2024 | 10:00am – 1:30pm

LA County Arboretum | 301 N. Baldwin Ave, Arcadia CA

Zoom: <https://us02web.zoom.us/j/88529519459?pwd=TTlvT2hIOFlwa09mMEhRZ003N3Z4Zz09>
Conference Line: (669) 900-6833 | Meeting ID: 885 2951 9459 | Password: 262522

MINUTES

1. Roll Call

OFFICERS

Bruce Gibson | *President*
Jeff Griffiths | *1st Vice President*
Susan Ellenberg | *2nd Vice President*
Chuck Washington | *Immediate Past President*

CSAC STAFF

Graham Knaus | *Chief Executive Officer*
Jacqueline Wong-Hernandez | *Chief Policy Officer*
Chastity Benson | *Chief Operating Officer*

ADVISORS

Sarah Carrillo | *County Counsels' Association, Tuolumne County*
Jeff Van Wagenen | *California Association of County Executives President Riverside County*

SUPERVISORS

Keith Carson | *Alameda County (absent)*
Kent Boes | *Colusa County*
John Gioia | *Contra Costa County (absent)*
Buddy Mendes | *Fresno County*
Kathryn Barger | *Los Angeles County*
Scott Silveira | *Merced County*
Ned Coe | *Modoc County*
Luis Alejo | *Monterey County (absent)*
Bonnie Gore | *Placer County*
Rich Desmond | *Sacramento County*
Nora Vargas | *San Diego County*
Erin Hannigan | *Solano County*
Ryan Campbell | *Tuolumne County*
Kelly Long | *Ventura County*

Treasurer

Belia Ramos, *Napa County*

2. Approval of Minutes from January 18, 2024.

A motion to approve the meeting minutes from January 18, 2024, was made by Supervisor Coe and seconded by Supervisor Washington. The motion passed unanimously.

3. Approval of Updated 2023 – 2024 Board of Directors Nominations

The CSAC Constitution indicates that each county board shall nominate one or more directors to serve on the CSAC Board of Directors for a one-year term commencing with the Annual Meeting. The CSAC Executive Committee appoints one director for each member county from the nominations received and was presented with additional 2023-2024 nominations received to date.

A motion to approve the updated 2023-2024 Board of Directors Nominations was made by Supervisor Barger and seconded by Supervisor Ellenberg. The motion passed unanimously.

4. Approval of IRS Tax Form 990 – Tax Year 2022

A motion to approve the IRS Tax Form 990 for Tax Year 2022, was made by Supervisor Washington and seconded by Supervisor Barger. The motion passed unanimously.

5. Consideration of the CSAC Proposed Budget for FY 2024-2025

CSAC Treasurer, Supervisor Ramos, presented the FY 2024-2025 CSAC Proposed Budget to the Executive Committee. The recommended budget supports the Association’s operational needs and addresses rising costs and high inflation rates, while ensuring readiness for unexpected emergencies or other potential impacts from an economic downturn.

A motion to approve the CSAC Proposed Budget FY 2024-2025 was made by Supervisor Washington and seconded by Supervisor Barger. The motion passed unanimously.

6. ACA 1 (Aguilar-Curry): “55% Vote for Local Affordable Housing and Public Infrastructure Act”

Jacqueline Wong-Hernandez, Chief Policy Officer, and Eric Lawyer, Legislative Advocate, provided a brief description of ACA 1 to the Executive Committee and presented CSAC’s Government Finance and Administration (GFA) Policy Committee recommendation to SUPPORT the ballot measure.

A motion to SUPPORT ACA 1 was made by Supervisor Vargas and was seconded by Supervisor Ellenberg. The motion passed.

7. ACA 13 (Ward): “Protect and Retain the Majority Vote Act”

Jacqueline Wong-Hernandez and Eric Lawyer provided a brief description of ACA 13 to the Executive Committee and presented the GFA Policy Committee’s recommendation to SUPPORT the ballot measure.

A motion to SUPPORT ACA 13 was made by Supervisor Silveria and was seconded by Supervisor Boes. The motion passed.

8. CEO Report

Graham Knaus, CEO, provided an update on the Association.

9. CSAC Building Feasibility Discussion

Graham Knaus, CEO, Chastity Benson, COO, and Rob Pierce, COO for the CSAC Finance Corporation, presented CSAC’s Building Feasibility Study to the Executive Committee. The study analyzed the potential of a future renovation project for CSAC’s building at 1100 K Street in Sacramento.

The Committee authorized CSAC to proceed with the planning of a proposed renovation project, which included the selection and retention of a design firm, establishing a building advisory committee, and preparing detailed financing option and budgetary considerations.

CSAC will include this item on the next Executive Committee Meeting agenda, which is currently scheduled for August 8, 2024.

10. Legislative Update

Jacqueline Wong-Hernandez, CPO, provided a Legislative Update to the Executive Committee. CSAC 1st Vice President, Supervisor Griffiths, discussed SB 1032.

AI Steering Committee Update

Kalyn Dean, Legislative Advocate, and Jessica Sankus, Principal Fiscal & Policy Analyst, provided an update on CSAC's AI Steering Committee and presented the Committee's Artificial Intelligence Guiding Principles. The AI Steering Committee is chaired by Supervisor Carson.

11. Executive Committee Minute Mics

Each member of the Executive Committee spent one minute discussing pressing issues in their county.

12. Operations and Member Services Report

Chastity Benson, COO, provided an update on CSAC Operations and highlighted CSAC's upcoming Legislative Conference, which is scheduled for April 17-19 in Sacramento County.

13. CSAC Finance Corporation Report

Rob Pierce, COO for the CSAC Finance Corporation, and Jim Manker, Director of Business Development for the CSAC Finance Corp., provided an update on the Finance Corporations Corporate Associates Program and referenced their upcoming Spring Meeting, May 1-3 in San Mateo County.

14. California Counties Foundation Report

Paul Danczyk, Chief Operating Officer of the California Counties Foundation, provided an update on upcoming Institute courses, the New Supervisors Institute, CSAC's Grants Initiative and the California Emerging Technology Fund (CETF).

15. Public Comment

There was no public comment.

16. Closed Session

The Executive Committee met in closed session with legal counsel on two potential cases of significant legal exposure. Following the closed session, the Executive Committee returned to open session and announced that no reportable action had been taken.

The meeting was adjourned. The next Executive Committee meeting will be held on August 8, 2024, in Sacramento.



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Past President
Chuck Washington
Riverside County

CEO
Graham Knaus

August 8, 2024

TO: CSAC Executive Committee

FROM: Graham Knaus, Chief Executive Officer

SUBJECT: Approval of Updated Nominations for the CSAC 2023 – 2024 Board of Directors

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

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

The highlighted names denote additional responses received for 2023-2024.

2023 - 2024 CSAC BOARD OF DIRECTORS + ALTERNATES				
COUNTY	CAUCUS	DIRECTOR	ALTERNATE(S)	CHANGE FROM 2023
Alameda	U	Keith Carson	David Haubert	NO
Alpine	R	Terry Woodrow	Ron Hames	
Amador	R	Richard Forster	Jeff Brown	NO
Butte	S	Tod Kimmelshue	Tami Ritter	
Calaveras	R	Benjamin Stopper	Amanda Folendorf	NO
Colusa	R	Kent Boes	Daurice Kalfsbeek-Smith	NO
Contra Costa	U	John Gioia	Diane Burgis	NO
Del Norte	R	Chris Howard	Darrin Short	NO
El Dorado	R	John Hidahl	Brooke Laine	NO
Fresno	U	Buddy Mendes	Nathan Magsig	NO
Glenn	R	Grant Carmon	Monica Rossman	
Humboldt	R	Michelle Bushnell	Natalie Arroyo	NO
Imperial	S	Jesus Eduardo Escobar	Luis A. Plancante	
Inyo	R	Trina Orrill	Jeff Griffiths	NO
Kern	S	Leticia Perez	Phillip Peters	NEW BOARD MEMBER
Kings	R	Rusty Robinson	Doug Verboon	NEW BOARD MEMBER and ALT *
Lake	R	Bruno Sabatier	Jessica Pyska	NO

* Board member and Alternates switched positions

Lassen	R	Gary Bridges	Jason Ingram	NEW ALTERNATE
Los Angeles	U	Kathryn Barger	Holly J. Mitchell	NO
Madera	R	Leticia Gonzalez	Robert Poythress	
Marin	S	Mary Sackett	Eric Lucan	NEW ALTERNATE
Mariposa	R	Rosemarie Smallcombe	Miles Menetrey	NEW BOARD MEMBER and ALT
Mendocino	R	John Haschak	Maureen "Mo" Mulheren	
Merced	S	Scott Silveira	Josh Pedrozo	
Modoc	R	Ned Coe	Elizabeth Cavasso	NO
Mono	R	John Peters	Jennifer Kreitz	NO
Monterey	S	Luis Alejo	Wendy Root Askew	NO
Napa	S	Ryan Gregory	Anne Cottrell	
Nevada	R	Heidi Hall	Hardy Bullock	
Orange	U	Doug Chaffee	Vicente Sarmiento	
Placer	S	Bonnie Gore		NO
Plumas	R	Tom McGowan	Jeff Engel	
Riverside	U	V. Manuel Perez	Karen Spiegel	
Sacramento	U	Rich Desmond	Sue Frost	
San Benito	R	Bea Gonzales	Angela Curro	
San Bernardino	U	Jesse Armendarez	Curt Hagman	
San Diego	U	Nora Vargas	Joel Anderson	NO
San Francisco	U	Rafael Mandelman		NO
San Joaquin	U	Robert Rickman	Tom Patti	NO
San Luis Obispo	S	Bruce Gibson	Jimmy Paulding	
San Mateo	U	David Canepa	Dave Pine	
Santa Barbara	S	Das Williams	Gregg Hart	
Santa Clara	U	Susan Ellenberg	Otto Lee	NEW ALTERNATE
Santa Cruz	S	Bruce McPherson	Zach Friend	NO
Shasta	S	Kevin Crye	Mary Rickert	NEW BOARD MEMBER and ALT
Sierra	R	Lee Adams	Sharon Dyrden	NO
Siskiyou	R	Ed Valenzuela	Brandon Criss	NO
Solano	S	Erin Hannigan	Wanda Williams	NO
Sonoma	S	James Gore	Susan Gorin	

*

* Board Member and Alternate switched positions.

Stanislaus	S	Vito Chiesa	Mani Grewal	NO
Sutter	R	Dan Flores	Karm Bains	NEW ALTERNATE
Tehama	R	Candy Carlson	Pati Nolen	NEW ALTERNATE
Trinity	R	Ric Leutwyler	Heidi Carpenter-Harris	
Tulare	S	Amy Shuklian	Pete Vander Poel	NO
Tuolumne	R	Ryan Campbell	Jaron Brandon	NEW ALTERNATE
Ventura	U	Kelly Long	Jeff Gorell	NO
Yolo	S	Lucas Frerichs	Oscar Villegas	NO
Yuba	R	Don Blaser	John Messick	NO

* Board Member and Alternate switched positions.



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CEO

Graham Knaus

August 8, 2024

TO: CSAC Executive Committee

FROM: Chastity Benson, Chief Operating Officer
Debra Kurtti, Meeting Planner

SUBJECT: 2028 and 2029 CSAC Annual Meeting Site Selection – ACTION ITEM

Action Requested: Approve staff recommendation to hold the 2028 CSAC Annual Meeting in Riverside County, November 27, 2028 - December 1, 2028, and the 2029 CSAC Annual Meeting in Monterey County, November 26 - November 30, 2029.

According to CSAC’s [Policies and Procedures Manual](#), Association staff must present potential Annual Meeting sites for approval by the Executive Committee and Board of Directors up to four years in advance. This policy aims to increase efficiency, secure beneficial room rates, lower overall costs through advance booking, and expedite planning for county supervisors, staff, and partners who wish to attend.

The 2028 CSAC Annual Meeting is planned to take place in a southern California county, while the 2029 Annual Meeting is planned for a northern California county. This practice of alternating between northern and southern counties has been common since before 1995. For more background on this practice, please refer to the “CSAC Annual Meeting Site History” attachment.

Site Selection Process

2028 Annual Meeting Site Information

The site selection process for the 2028 Annual Meeting began with a Request for Proposals (RFP) from various venues in southern California counties. The CSAC Annual Meeting gathers nearly 700 participants who participate in more than 75 separate meetings and events over the course of four or five weekdays.

The RFP specified the need for a venue or venues that can host 500 to 700 participants, provide at least 1500 hotel room nights, and offer space for a 65-plus booth exhibit hall.

CSAC solicited full RFPs from sites in Los Angeles County (Long Beach and Downtown Los Angeles area), Riverside County (Riverside and Palm Springs area), and Orange County. After carefully reviewing the proposals and engaging in initial negotiations, staff determined that two sites—Riverside County and Los Angeles County—met the Association’s criteria, timing, and objectives for the 2028 event.

CSAC has prepared a short comparison of the four qualifying 2028 sites for Executive Committee review and deliberation. Please refer to the “Potential 2028 CSAC Annual Meeting Sites” attachment for additional detail:

LOCATION	CITY	AVAILABLE DATES	ROOM RATE	PARKING	RECOMMEND?
Riverside County	Indian Wells	November 27 - December 1, 2028	\$269.00	Valet \$40.00, self-parking \$25.00	YES
Los Angeles County	Long Beach	November 28 - December 3, 2028	Various hotels – have not received rates	Self-parking \$10.00 (Convention Center)	MAYBE
Riverside County	Riverside	November 26 - December 1, 2028	Multiple hotels, \$209.00 - \$369.00	Various	NO
Orange County	Anaheim	December 10-15, 2028	\$239.00	Not applicable	NO
Orange County	Anaheim <i>CSAC was at Disneyland in 2022.</i>	November 26- December 1, 2028	\$349.00	\$40/self-park \$70/valet	NO

2029 Annual Meeting Site Information

For the 2029 Annual Meeting, the site selection did not involve an RFP process, as it was discussed at the Executive Committee meeting on January 18, 2024. The committee recommended CSAC return to Monterey County in 2029 because CSAC was unable to secure Monterey County as the preferred location in 2027.

Next Steps

Due to rising hospitality costs and an extremely competitive market for conference sites, CSAC respectfully requests that the Executive Committee recommend the sites for the 2028 and 2029 Annual Meetings today.

If approved by the Executive Committee, the site recommendations will be forwarded to the CSAC Board of Directors for consideration on August 29, 2024. Staff will then immediately lock in the RFP rates and details for the site ultimately selected by the Board.

Attachments:

1. CSAC Annual Meeting History
2. Potential CSAC Annual Meeting Sites (chart)

CSAC Annual Meeting History

Updated July 2024

CSAC Annual Meeting Site History 1995 - 2027				
Year	Region	County	City	Venue
2027	North	San Francisco	San Francisco	Hilton San Francisco Union Square
2026	South	San Diego	Chula Vista	Gaylord Chula Vista
2025	North	Santa Clara	San Jose	Marriott & Hilton
2024	South	Los Angeles	Pasadena	Pasadena Convention Center
2023	North	Alameda	Oakland	Marriott Oakland City Center & Convention Center
2022	South	Orange	Anaheim	Disneyland Hotel
2021	North	Monterey	Monterey	Convention Center, Portola & Marriott
2020	South	Los Angeles	Los Angeles	The Westin Bonaventure Hotel (Cxl; moved online)
2019	North	San Francisco	San Francisco	Hilton San Francisco Union Square
2018	South	San Diego	San Diego	Marriott Marquis San Diego
2017	North	Sacramento	Sacramento	Convention Center & Hyatt Regency
2016	South	Riverside	Palm Springs	Convention Center & Renaissance
2015	North	Monterey	Monterey	Marriott and Portola
2014	South	Orange County	Anaheim	Disneyland Hotel
2013	North	Santa Clara	San Jose	Convention Center & Marriott
2012	South	Los Angeles	Long Beach	Convention Center & Hyatt Regency
2011	North	San Francisco	San Francisco	Hilton San Francisco Union Square
2010	South	Riverside	Riverside	Convention Center & Marriott
2009	North	Monterey	Monterey	Convention Center & Marriott
2008	South	San Diego	San Diego	Grand Hyatt
2007	North	Alameda	Oakland	Marriott Oakland City Center
2006	South	Orange County	Anaheim	Disneyland Hotel
2005	North	Santa Clara	San Jose	Convention Center & Marriott
2004	South	San Diego	San Diego	San Diego Concourse, Westin & US Grant
2003	North	Monterey	Monterey	Convention Center, Doubletree & Marriott
2002	South	Los Angeles	Pasadena	Pasadena Center & Hilton
2001	North	Sacramento	Sacramento	Convention Center, Sheraton & Hyatt Regency
2000	South	San Bernardino	Ontario	Convention Center, Marriott & Doubletree
1999	North	Monterey	Monterey	Marriott
1998	South	Orange County	Anaheim	Disneyland Hotel
1997	North	San Mateo	Burlingame	Hyatt Regency
1996	South	San Diego	San Diego	Doubletree
1995	North	Santa Clara	San Jose	Fairmont

Potential 2028 CSAC Annual Meeting Sites*

County	Riverside County	Los Angeles County	Riverside County	Orange County	Orange County
City	Indian Wells	Long Beach	Riverside	Anaheim	Anaheim
Property	Renaissance Esmeralda Resort & Spa CSAC Renaissance Esmeralda Indian Wells Video - Animoto	Hyatt Long Beach, Renaissance and Westin	Mission Inn, Hampton Inn, Home2Suites, Hyatt Place, Marriott, Convention Center	Anaheim Marriott	Disneyland Hotel
Available Dates	November 27-December 1, 2028	November 27-December 1, 2028	November 26-December 1, 2028	December 10-15, 2028	November 26-December 1, 2028
Room Rate	\$269	Not available	Various – from \$209.00 to \$369.00	\$239.00	\$349.00
Parking	\$25.00 self-parking \$40.00 valet	\$10.00 self-parking	Parking and airport shuttles available	N/A	\$40.00 self-parking \$70.00 valet
Food & Beverage Minimum	\$250,000	\$100,000	\$100,000	\$225,000	\$225,000
Space Fee	Waived	\$18,000	Waived	Waived	Waived
Notes	Immediately After Thanksgiving Week. The resort is self-contained and all sleeping rooms and meeting space are on property.	Immediately After Thanksgiving Week. Attendees will be housed at a minimum of three hotels. Convention Center space is not ideal	Immediately After Thanksgiving Week, attendees will be housed at the minimum of five hotels	Meeting dates too late and not enough meeting space	Immediately After Thanksgiving Week. CSAC Annual meeting was held at Disneyland Hotel in 2022. Too soon to return.
Recommend?	YES	MAYBE	NO	NO	NO

* as of February 12, 2024.

While some prices and details are subject to change or additional negotiation, the dates presented above are not negotiable due to other bookings at each site.



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CEO

Graham Knaus

August 8, 2024

TO: CSAC Executive Committee

FROM: Graham Knaus | Chief Executive Officer

SUBJECT: **CEO's Report**

This item provides an opportunity to discuss the state of the Association and core priorities as well as refine the strategic approach to advocacy and communications through Executive Committee input.

**Consideration of
CSAC Building Renovation Project**

SEE ADDENDUM



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CEO

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August 8, 2024

To: CSAC Executive Committee

From: Eric Lawyer, Legislative Advocate
Stanica Boatner, Legislative Analyst

Re: **Proposition 5: “Local Government Financing” (ACA 1 and ACA 10) – ACTION ITEM**

GFA Policy Committee Action

The GFA Policy Committee voted on July 29 to take a “SUPPORT” position on Proposition 5, the “Local Government Financing” initiative. As a result, the recommendation has been forwarded to the Executive Committee for its consideration and action.

CSAC Ballot Measure Review and Position Process

CSAC policy committees may recommend a position of support, oppose, or neutral on a measure, or it may take no position. The recommendation will be considered by the CSAC Executive Committee, and the Executive Committee’s recommendation will be considered by the CSAC Board of Directors. Policy committee recommendations shall be the first motion made. No substitute motion can be made until the policy committee recommendation has been voted upon. More information regarding CSAC’s policy for consideration of and positioning on statewide initiatives is available in the [Policies and Procedures Manual](#), beginning on page 11.

Measure Status and Title – A Note for Clarity

The Legislature passed [ACA 1](#) (Chapter 173, Statutes of 2023) on September 14, 2023. The Legislature passed [ACA 10](#) (Chapter 134, Statutes of 2024) on June 27, 2024, to remove the provisions of ACA 1 that would apply the reduced vote requirements to special taxes. On July 3, 2024, Secretary of State Shirley Weber formally set ACA 1 on the ballot and [designated](#) it as Proposition 5.

Due to the familiarity with the title “ACA 1,” we will use that term to refer to the measure throughout this memo for the sake of consistency and clarity.

Measure Summary

This constitutional amendment would reduce the voter approval threshold from two-thirds to 55% for general obligation bonds that fund public infrastructure, affordable housing projects, and permanent supportive housing for persons at risk of chronic homelessness—and any associated ad valorem taxes needed to pay the interest and redemption charges on bonded indebtedness.

Background

The changes proposed in this measure are not without precedent. Assembly Member Aguiar-Curry introduced similar constitutional amendments in 2017 ([ACA 4](#)), 2019 ([ACA 1](#)), and 2021 ([ACA 1](#)). These measures were substantially similar and would have lowered the voter-approval threshold to 55% for local governments to both incur bonded indebtedness or impose specified special taxes to fund projects for housing or public infrastructure.

CSAC's past advocacy regarding these measures includes:

- ACA 4, 2017: [Support, in coalition with other local government advocacy groups.](#)
- ACA 1, 2019: [Support](#)
- ACA 1, 2021: The measure was referred to the Assembly Local Government Committee but was ultimately never heard. Therefore, CSAC did not have the opportunity to file a notice of support.
- ACA 1, 2023: [Support](#) via CSAC staff and formal [support](#) of the measure adopted by the CSAC Board of Directors on April 19, 2024

Staff Comments

Amendments to ACA 1

ACA 1 was passed by the Legislature in 2023 and set for the November 2024 ballot. Since then, the measure has been amended through two separate legislative vehicles, with one vehicle needed to make constitutional amendments, ACA 10, and another to make statutory changes, AB 2813.

ACA 10 significantly amended ACA 1 by removing its application of a reduced 55% vote requirement to special taxes used to support affordable housing, permanent supportive housing, and public infrastructure, as defined. Instead, due to the passage of ACA 10, ACA 1 would only reduce vote requirements *only* for general obligation bonds used to support affordable housing, permanent supportive housing, and public infrastructure—and any associated ad valorem taxes needed to pay the interest and redemption charges on bonded indebtedness.

AB 2813 made a series of technical amendments to the statutory provisions of ACA 1, including specifying accountability requirements for ACA 1 bonded indebtedness, clarifying the role of the State Auditor in reviewing ACA 1 audits, clarifying the roles and responsibilities of citizens' oversight committees on ACA 1 projects, and providing some restrictions on the uses of ACA 1 projects. Notably, those restrictions would clarify that ACA 1 funds cannot be used to acquire or lease real property with one to four dwelling units or to finance the reconstruction or rehabilitation of a sports arena. The Legislature passed AB 2813 on July 3, 2024.

Potential ACA 1 Projects

Broadly, ACA 1 would apply its reduced vote requirements to three categories: affordable housing, permanent supportive housing, and public infrastructure. While the measure is written in a way to apply somewhat broadly to projects meeting those definitions, the collective ACA 1 laws include both explicit prohibitions and authorizations on specific categories of projects that are qualified under ACA 1.

Affordable Housing

The definition of affordable housing under ACA 1, includes the purchase or lease of real property for rental housing, ownership housing, and interim housing. Affordable housing is also defined to include financial programs including downpayment assistance, first-time homebuyer programs, and owner-occupied affordable housing rehabilitation programs.

Affordability is defined as housing for households earning up to 150% of countywide median income or housing developments that include portions available to extremely low¹, very low², low³, or moderate-income households⁴, as defined in state law.

Late amendments to AB 2813 narrowed the use of affordable housing projects to multifamily housing projects, excluding real property with one to four dwelling units.

Permanent Supportive Housing

Permanent Supportive Housing is designed to apply to housing projects for persons at risk of chronic homelessness and those with mental illnesses. The projects are defined to include services aimed at helping residents retain housing, improve their health, and enhance their ability to live and work within their community.

Administrative costs for permanent supportive housing, and any other use of ACA 1 revenue, are limited to 5% of the proceeds of ACA 1 general obligation bonds.

Public Infrastructure

The definition of public infrastructure is broad, applying to facilities or infrastructure needed for the delivery of public services. Those can include police, fire protection, parks, recreation, emergency medical, public health, libraries, broadband, home hardening, flood protection, streets and roads, public transit, railroad, airports, and seaports. Public safety infrastructure can include equipment used exclusively by fire, emergency response, police, and sheriff personnel.

Public infrastructure projects can also include utility projects, including energy, communications, water, and wastewater infrastructure, as well as projects that provide protection of property from sea level rise.

ACA 1 proceeds cannot be used to pay for the construction, reconstruction, or rehabilitation of a sports stadium used predominantly for private ticketed events.

Aside from public safety equipment, public infrastructure projects must have a useful life of at least 15 years. Public safety equipment, on the other hand, must have a useful life of at least five years.

Oversight and Accountability

ACA 1 requires citizens oversight committees to ensure that ACA 1 general obligation bonds and projects comply with state laws and the local initiatives that implement them. The committees are

¹ [Health and Safety Code § 50106](#)

² [Health and Safety Code § 50105](#)

³ [Health and Safety Code § 50079.5](#)

⁴ [Health and Safety Code § 50093](#)

modeled on those established for Proposition 39 for school district bonds. ACA 1 oversight committees must be established within 90 days of certifying an election that includes an ACA 1 general obligation bond. The committees would be empowered to review copies of independent performance and financial audits of ACA 1 projects, inspect infrastructure and housing projects funded with ACA 1 revenue, and governing boards are required to provide the committees with any necessary technical assistance and resources needed to operate, without using ACA 1 proceeds to fund them.

Counties implementing ACA 1 general obligation bonds are required to conduct annual independent performance and financial audits of ACA 1 projects and submit them to the California State Auditor for review.

Parity with school districts

The California Constitution currently requires a two-thirds vote at the local level for general obligation bonds for cities, counties, and special districts. However, due to the passage of Proposition 39 in 2000, local school districts can receive approval for bonded indebtedness with only a 55% vote threshold for the construction, reconstruction, rehabilitation, or replacement of schools.

The changes included in ACA 1 will create parity for cities, counties, and special districts for voter approval thresholds already granted to school districts. In November 2022, California voters statewide [approved 72% of all local school bond measures](#) on local ballots (71 of 99 total measures), which only require a 55% voter approval threshold. In comparison, in November 2022 voters statewide approved 40 percent of all county general obligation bonds on local ballots, which require approval by two-thirds of voters.

Recorded Support and Opposition

Entities and individuals that filed a notice of support or opposition to ACA 1 as the measure moved through the legislative process are included in Attachment 1. Attachment 2 includes the list of registered support or opposition to ACA 10 and AB 2813. CSAC did not take a position on ACA 10 because the measure amended the version of ACA 1 already approved by the CSAC Board of Directors.

Policy Considerations

The California [County Platform](#), CSAC's adopted statement of the basic policies of concern and interest to California's counties, states, in part, that:

Local Authority: Counties should be granted enhanced local revenue-generating authority to respond to unique circumstances in each county to provide needed infrastructure and county services. Any revenue raising actions that require approval by the electorate should require a simple majority vote.

Local revenue-generating authority is a means of local control and remains a chief advocacy principle for California counties. CSAC's County Platform has long maintained that when communities have control over their services and revenues, they can choose the level of services they want from their government and the right level of revenue to provide those services, which is why lowering the two-thirds vote threshold continues to be a staple of the CSAC's advocacy efforts. Requiring a 55% supermajority would still require overwhelming support from local votes, giving them control over how their tax dollars are spent.

Staff Contacts: Please contact Eric Lawyer at elawyer@counties.org or Stanicia Boatner at sboatner@counties.org.

Materials and Resources for Further Reading

- Attachment 1: [Proposition 5 and ACA 1 Recorded Support and Opposition](#)
- Attachment 2: [ACA 10 and AB 2813 Recorded Support and Opposition](#)
- Attachment 3: [Full Text of ACA 1](#) (As Chaptered September 20, 2023)
- Attachment 4: [Full Text of ACA 10](#) (As Chaptered June 27, 2024)
- Attachment 5: [Full Text of AB 2813](#) (As Enrolled July 8, 2024)
- Attachment 6: [CSAC ACA 1 Support Letter](#) (Submitted September 11, 2023)
- Attachment 7: Michael Coleman, California Local Government Finance Almanac: [Local Revenue Measure Results, November 2022](#)



August 8, 2024

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Graham Knaus

To: CSAC Executive Committee

From: Jolie Onodera, Senior Legislative Advocate
Jessica Sankus, Principal Fiscal and Policy Analyst
Danielle Bradley, Legislative Analyst

Re: **Action Item: Proposition 35: Initiative 23-0024A1**
Title: “Provides Permanent Funding for Medi-Cal Health Care Services”

HHS Policy Committee Action.

The HHS Policy Committee voted on July 22 to take a “SUPPORT” position on Proposition 35, the “Provides Permanent Funding for Medi-Cal Health Care Services” initiative. As a result, the recommendation is being forwarded to the Executive Committee for consideration and action.

CSAC Ballot Measure Review and Position Process

CSAC policy committees may recommend a position of support, oppose, or neutral on a measure, or it may take no position. The recommendation will be considered by the CSAC Executive Committee, and the Executive Committee’s recommendation will be considered by the CSAC Board of Directors. Policy committee recommendations shall be the first motion made. No substitute motion can be made until the policy committee recommendation has been voted upon. More information regarding CSAC’s policy for consideration of and positioning on statewide initiatives is available in the [Policies and Procedures Manual](#), beginning on page 11.

Measure Status and Title – A Note for Clarity

Filed with the Office of the Attorney General in October 2023 and qualified by the Secretary of State’s Office in June 2024, Proposition 35 ([full text](#)) is [sponsored](#) by the Coalition to Protect Access to Care and will appear on the November 5 statewide ballot. Initiatives are known by many titles or other labels throughout the often long and intricate process from the time a measure is filed with the Office of the Attorney General and qualification of the measure by the Secretary of State’s Office 131 days prior to the next statewide general election. Although this memo will refer to the measure as Proposition 35, the following titles and labels will appear in the media or elsewhere:

- As assigned by the Secretary of State’s Office: Proposition 35
- Secretary of State’s Title: Provides Permanent Funding for Medi-Cal Health Care Services.
- As assigned by the Office of the Attorney General: Initiative 23-0024A1
- Sponsor’s Title: Protect Access to Healthcare Act of 2024

Measure Summary

The Managed Care Organization (MCO) tax is a tax on managed care organizations based on health insurance enrollment in the Medi-Cal program and in the commercial sector. The 2023 Budget Act, with federal approval, authorized the MCO tax from April 2023 to December 2026. The MCO tax revenues offset General Fund spending in the existing Medi-Cal program and support program augmentations. This initiative would make the MCO tax permanent, subject to federal approval, and would limit the structure of the tax, and would establish specific uses for the tax revenue.

BACKGROUND

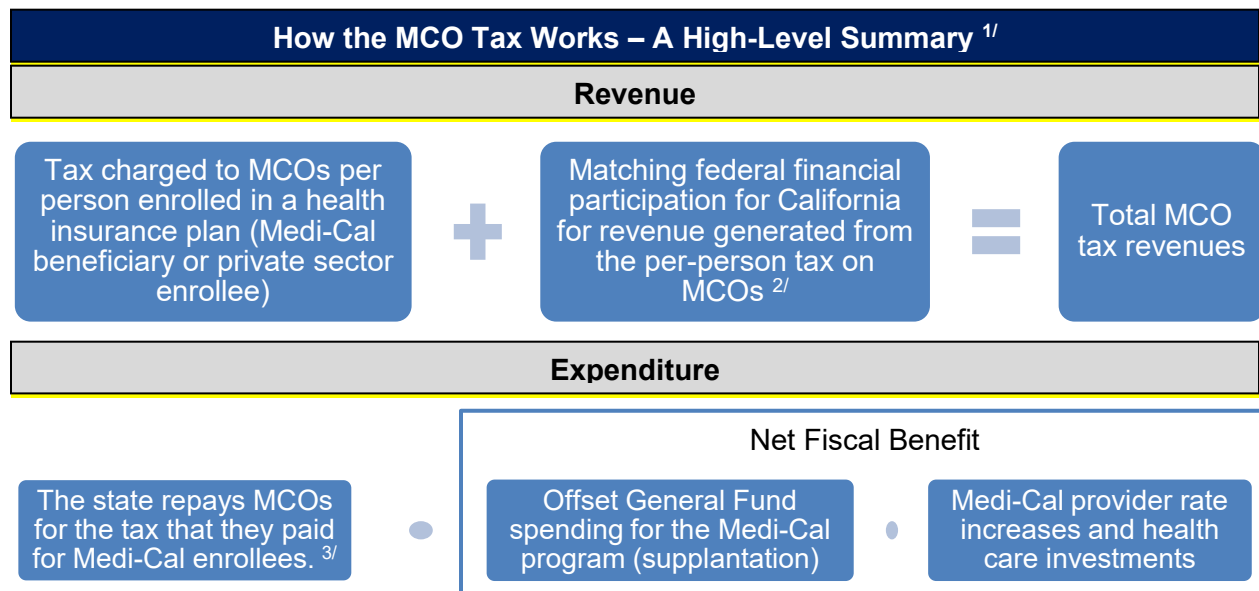
California’s Medi-Cal Program

Medi-Cal is California's Medicaid program. Medicaid is a federal public health insurance program which provides health care services for low-income individuals and families. Medicaid is administered by states (then delegated to counties in California), and funded jointly between the federal government and states. In 2024, there are an estimated 14.5 million Californians enrolled in Medi-Cal. A majority of Medi-Cal beneficiaries are enrolled in managed care plans. “Managed care” is a health care delivery system in which state Medicaid agencies (for California, this is the Department of Health Care Services) contract with managed care organizations (e.g., Kaiser Permanente, Anthem Blue Cross). Managed care organizations accept capitation payments (per person, per month payments) for delivering health benefits to individuals enrolled in Medi-Cal.

In total, the 2024 Budget Act includes \$161 billion (\$35 billion state General Fund) for the Medi-Cal program in 2024-25. The 2024 Budget Act also includes nearly \$7 billion of MCO tax revenues in 2024-25 to support the Medi-Cal program (i.e., offsetting state General Fund expenditures by \$6.9 billion). The balance of the MCO tax revenues are allocated for Medi-Cal provider rate increases (increased reimbursement for, amongst other things, primary care physicians, women’s health services, and ground emergency transport services) and other health care investments. The state and stakeholders are consistently engaged regarding the appropriate use of the MCO tax revenues (level of offsetting existing General Fund cost pressures vs. augmentations for the Medi-Cal program).

History and Structure of the MCO Tax

[According to](#) the Department of Health Care Services (DHCS), “the MCO tax is used as a mechanism to generate new state funds that can be used to match with federal funds to bring additional federal Medicaid dollars to California.” California’s MCO tax has existed in various forms for limited durations beginning in 2005. Today, the MCO tax is a tax on managed care organizations based on health insurance enrollment in the Medi-Cal program and in the commercial sector.



1/ This is a high-level summary for illustrative purposes. For more information, see the [LAO's May 2023 issue brief](#).

2/ Subject to approval from the federal Centers for Medicare and Medicaid Services.

3/ The state may not hold MCOs harmless for all taxes paid. The state does not repay the portion of the tax on commercial enrollment.

The 2023 Budget Act

The 2023 Budget Act, with federal approval, reauthorized the MCO tax with a new structure from April 2023 through December 2026. Over the lifetime of the tax, it was estimated to yield a net benefit to the state’s General Fund of \$19.4 billion. The 2023 Budget Act agreement included \$8.3 billion in MCO tax revenue to backfill budget shortfalls across several fiscal years, and appropriated \$11.1 billion for investments in the Medi-Cal program, including provider reimbursement rate increases. Although the federal Centers for Medicare and Medicaid Services (CMS) [approved](#) California’s 2023 - 2026 MCO tax model in December 2023, in late 2023 the state acknowledged that the [federal government has indicated](#) it may not approve such a large MCO tax again. Negotiations to address the state’s budget shortfall throughout Spring 2024 resulted in significant adjustments to the MCO tax spending package included in the 2023 Budget Act.

The 2024 Budget Act

The 2024 Budget Act includes an estimated \$23.1 billion in General Fund offsets for the Medi-Cal program across the lifetime of the tax. The 2024 Budget Act significantly reduces the planned funding for provider rate increases included in the 2023 Budget Act. As enacted, the 2024 Budget Act includes \$133 million in 2024-25, \$728 million in 2025-26, and \$1.2 billion in 2026-27 for new, targeted Medi-Cal provider rate increases and investments funded by MCO tax revenue. The provider rate increases that were preserved in the 2024 Budget Act were fiscally sustainable because the budget also includes another proposed modification to the 2023 Budget Act MCO tax model to increase forecasted revenues ([AB 160, Chapter 39, Statutes of 2024](#)).

How did we get here? One year in the life of the MCO tax		
Point-In-Time	Vehicle	Timeline: Recent changes to the 2023-2026 MCO tax
June 2023	2023 Budget Act - Budget Trailer Bills AB 118/119	Effective January 1, 2024, would have increased rates for primary care, maternity care, and non-specialty mental health services to at least 87.5% of Medicare rates. Effective January 1, 2025, would have planned for a second phase of rate increases for a broad array of services.
December 2023	~	CMS approves California’s MCO tax model for 2023 - 2026.
March 2024	Early Action Budget Agreement (SB 136)	<ul style="list-style-type: none"> The Legislature and Administration agreed to a package of early budget actions to shrink the shortfall. DHCS submitted a request to CMS to modify the MCO tax model to increase the amount of the tax; estimated to generate \$1.5 billion in additional net funding to the state over the remaining life of the tax. CMS approval is pending.
May 2024	Governor’s 2024-25 May Revision	To further address the state’s budget deficit, the Administration proposed to eliminate the \$6.7 billion in MCO tax-funded provider rate increases initially planned over multiple fiscal years as of the 2023 Budget Act.
June 2024	2024 Budget Act - Budget Trailer Bills SB 159/AB 160	Authorized new Medi-Cal provider rate increases and modified the MCO tax model (in addition to changes enacted by SB 136 in March 2024). Increases the MCO tax rate, thereby increasing the revenue forecast over the lifetime of the tax, subject to federal approval.

PROVISIONS OF PROPOSITION 35

Composed of 43 pages, Proposition 35 considerably diverts from the state's status quo and makes significant changes to the allowable expenditures of MCO tax revenue, while mostly maintaining the 2023 Budget Act structure of the levied tax. The bulleted information below captures the most significant components and requirements of Proposition 35.

Structure and Implementation of the MCO Tax

- Makes the MCO tax permanent.
- Requires DHCS to employ the models and methodologies used to structure the MCO tax as included in the 2023 Budget Act in perpetuity, to the extent permitted by federal law.

Federal Considerations

- Requires DHCS to seek federal approval necessary to implement Proposition 35.
- Requires DHCS to attempt to maximize the amount of federal matching funds available to California.
- Specifies that Proposition 35 is only operative during periods of federal approval.
- Allows DHCS to modify provisions of Proposition 35 if necessary to obtain federal approval of the MCO tax, within specified limitations.

Appropriation of MCO Tax Revenues

During Calendar Years 2025 and 2026:

- Appropriates \$4.7 billion MCO tax revenues each year for 12 specified purposes, including but not limited to: Medi-Cal managed care rates for primary care services, women's health services, ground emergency transport services, and designated public hospitals.

Beginning January 1, 2027:

- Assumes at least \$4.3 billion in MCO tax revenues annually.
- Creates a layered formula for allocation of MCO tax revenues, including creating more than 18 new state subfunds, accounts, or subaccounts.
- Each account and subaccount includes specific, distinct requirements for revenue expenditure.

Oversight and Accountability

- Requires the State Controller's Office to audit DHCS and programs receiving MCO tax revenues every four years.
- Prohibits borrowing or loan of the MCO tax revenues to the state's General Fund or any other state account, with limited exceptions.
- Prohibits using MCO tax revenue to supplant any other state revenues.
- Requires DHCS to make every reasonable effort to obligate or expend all MCO tax revenues annually, beginning January 1, 2027.
- Requires DHCS to publish an annual compliance report for use of the MCO tax revenues, which will be independently reviewed by the State Controller's Office. The State Controller's Office will publish a separate report evaluating DHCS' compliance.
- Establishes the Protect Access to Healthcare Act Stakeholder Advisor Committee within DHCS to research and analyze best practices for the development and implementation of Proposition 35 by DHCS.
- Requires DHCS to consult with the Stakeholder Advisory Committee to implement the components of Proposition 35, including the design of payment methodologies.

Administrative and Legislative Considerations

- Excludes MCO tax revenue expenditures from the state’s calculations pursuant to the State Appropriations Limit (also known as the “Gann Limit”).
- Provides that if the Legislature introduces a bill to amend Proposition 35 it must receive a 3/4 majority vote.

ESTIMATED IMPACTS AND OUTCOMES

Legislative Analyst’s Office (LAO)

According to the [LAO](#), this measure will result in three key fiscal effects in the short term (2025 and 2026):

- **No Change to State Tax Revenue** – because there are no changes to the temporary tax on health plans, which expires at the end of 2026, Proposition 35 would have no effect on state tax revenue over this time period.
- **Increased Funding for Health Programs** – because Proposition 35 requires the state to use more health plan tax revenue for funding increases, this will increase funding for Medi-Cal and other health programs. The total increase would likely be between roughly \$2 billion and \$5 billion annually. About half of this amount would come from the tax on health plans and the rest of the funding increase would come from federal funds.
- **Increased State Costs** – because it reduces the amount of health plan tax revenue that can be used to help pay for existing costs in Medi-Cal, Proposition 35 would increase state costs. Instead, the state likely would have to use more money from the General Fund for this purpose. The annual cost would be between roughly \$1 billion to \$2 billion in 2025 and 2026, or 0.5 percent to one percent of the state’s total General Fund budget.

In the long term (2027 and after), the LAO estimates that Proposition 35 will have unknown overall fiscal impacts on state revenues, health program funding, and state spending. Proposition 35 makes the temporary tax on health plans permanent and creates new rules about how to spend the money, which would reduce legislative and state flexibility over the use of MCO tax funds. The extent of this impact depends on federal actions and whether the measure would result in different state decisions around imposing, structuring, and spending proceeds from the MCO tax than in the absence of the measure.

The Administration

According to the provisions of the recently enacted Health budget trailer bill (SB 159), if Proposition 35 is approved by voters, the MCO tax spending package included in the 2024 Budget Act would largely become inoperable, as both expenditure plans are not sustainable. Although Governor Newsom has not taken a formal, public position on Proposition 35, the Governor has been quoted as follows, “This initiative hamstrings our ability to have the kind of flexibility that’s required at the moment we’re living in. I haven’t come out publicly against it. But I’m implying a point of view. Perhaps you can read between those many, many lines.” It is widely understood that the Administration is uncomfortable with the inflexibility of the measure and its potential to disrupt longstanding state policy on use of the MCO tax revenues.

Public Hospitals

California’s 21 public health care systems (PHS) include county-owned or affiliated systems and the five University of California academic medical centers. Together, these systems operate in 15 counties and play an important role in supporting the state’s health care safety net. It should be noted the vast majority of PHS funding is self-financed across a wide array of Medi-Cal subprograms, and their governmental status enables PHS to contribute the non-federal share of costs in place of the state. Public hospitals have been experiencing financing challenges due to low Medi-Cal base payments, which most public hospitals

cannot make up through commercial insurance payors, and supplemental payments have not kept up with the growth in the Medi-Cal program. Both the 2024 Budget Act and Proposition 35 include funding increases for some services/providers that will be received by public hospitals, however, Proposition 35 additionally includes dedicated funding for these designated public hospitals as indicated below.

STAFF COMMENTS

As described above, the engagement between the Administration and healthcare providers over the state of Medi-Cal reimbursement rates is longstanding. This was described and affirmed by the Public Policy Institute of California in 2023 in a [literary review](#) on health insurance in California, as follows: “...there are longstanding concerns about whether Medi-Cal coverage offers adequate access to health care providers and services. Researchers and advocates often cite lower payment rates and provider reimbursements as the main reason that fewer health care providers are willing to treat Medi-Cal enrollees. In a recent study, Medi-Cal enrollees did report more problems finding doctors who would accept their insurance compared to people with employer-based insurance or Covered California plans, even after adjusting for socio-economic factors and health status.’ Moreover, against this backdrop, the introduction of Proposition 35 was not entirely unexpected and was not created in a vacuum. However, the PPIC ultimately concluded that ‘Without more detailed information on health care costs and usage patterns, it is difficult to pinpoint a Medi-Cal payment rate that would ensure adequate access.’”

Further, it is worth noting that Proposition 35 is not the first citizen-led tax initiative with the goal of increasing quality of and access to health care delivered via the Medi-Cal program. [Proposition 56 \(2016\)](#) shared some of the same [proponents](#) as Proposition 35, and raised the tax rate on tobacco products by \$2 with the intent that the revenue be used for targeted Medi-Cal provider rate increases and other investments in the Medi-Cal program. Although the Proposition 56 tobacco tax is now a declining revenue source, Proposition 56 currently provides more than \$1 billion annually for a variety of investments in the Medi-Cal program, the largest of which is supplemental payments for physicians’ services.

In the aggregate, both the Administration and the proponents of Proposition 35 have presented fiscal strategies to expend the MCO tax revenue in the best interest of the fiscal health of the Medi-Cal program and the literal health of low-income Californians. The true choice before voters is whether to preserve or restrict the state’s flexibility, and which providers and services to prioritize. The table on the following page displays a comparison between the MCO tax expenditure plans in the 2024 Budget Act and in Proposition 35:

Services/Providers <i>In alphabetical order with no regard to fiscal year.</i>	2024 Budget Act	Prop 35 ^{1/}
Affordable Drugs ^{2/}		Tier 3
Allied Health Loan Repayment ^{2/}		Tier 3
CalHealthCares Loan Repayment ^{2/}		Tier 3
Clinic Quality Incentive Pool		Tier 1
Community-based adult services	X	
Community health workers ^{2/}	X	Tier 3
Congregate living health facilities	X	
Continuous coverage Ages 0-5	X	
Designated public hospitals ^{3/}		Tier 1
Emergency Department Services		Tier 1
Emergency medical transportation (ground and air)	X	Tier 1
Emergency Department Physician Services	X	Tier 1
Family Planning and Reproductive Health	X	Tier 1
Federally qualified and rural health center services	X	
Graduate medical education		Tier 1
Improved Dental Services		Tier 1
Improved Access to Mental Health ^{4/}		Tier 1
Medi-Cal Access and Support ^{1/}		Tier 1 & 2
Non-emergency medical transportation	X	
Outpatient and clinic access		Tier 1
Pediatric day health centers	X	
Primary Care ^{5/}	X	Tier 1
Private duty nursing	X	
Specialty Care ^{5/}	X	Tier 1
Workforce Capacity ^{1/, 2/}	X	Tier 1 & 3

Footnotes for the table:

Sources: [DHCS MCO Tax-Funded Investments Sheet](#) and Proposition 35 [text](#)

^{1/} Proposition 35 includes an initial appropriation of \$4.3 billion to a first tier of 15 specified purposes. \$400 million in revenues received past \$4.3 billion are appropriated to a second tier, Medi-Cal Access and Support (also included in the first-tier allocations). Any additional funding is available to a third tier of allocations.

^{2/} Third tier: Receives funding only after the designated appropriations for the first tier and second tier are satisfied.

^{3/} Funding for Public Hospitals is capped at \$150 million, with any additional funding rolled over to the Emergency Department allocation.

^{4/} Funding for Improved Access to Mental Health is capped at \$200 million, with any additional funding rolled over to the Emergency Department allocation.

^{5/} The designation Physician and Non-Physician Health Professional Services as defined by the Administration and included in their investment sheet includes Primary Care and Specialty Care.

Staff Comments Continued

Any decreases to the enacted and future budgeted General Fund offsets for the Medi-Cal program in current and future years will require more budget-balancing solutions to fill the gap. Notwithstanding the benefits to the Medi-Cal program that the specified provider rate increases could yield (e.g., increased access to health care and increased quality of care), the potential impacts of Proposition 35 should be considered against the fiscal risks to the state and, by extension, local governments. The passage of Proposition 35 would result in renewed budget-balancing negotiations for 2024-25 and subsequent fiscal years, and potentially put at risk the wins that counties secured in the 2024 Budget Act, such as the \$1 billion in 2024-25 for the Homeless Housing, Assistance and Prevention (HHAP) Program.

Policy Considerations

While the [CSAC Policy Platform](#) does not include specific statements regarding the MCO tax, there is some broad guidance regarding Medi-Cal reimbursement rates for providers:

- “Counties support Medi-Cal payment reforms that result in increased payments and state General Fund” (page 63).
- “The state needs to recognize county experience with geographic managed care and make strong efforts to ensure the sustainability of county organized health systems. The Medi-Cal program must offer a reasonable reimbursement and rate mechanism for local managed care systems which should help ensure sufficient health plan participation and expand the number of providers serving Medi-Cal participants” (page 63).

Recorded Support

Coalition to Protect Access to Care ([Sponsor](#)) which includes but is not limited to the California Medical Association, California Association of Hospitals and Health Systems, Global Medical Response, California Hospital Association, and Planned Parenthood.

Recorded Opposition

None known at this time.

Resources Referenced and Materials for Further Reading

- [Full text](#) of Proposition 35
- [Ballot Label](#)
- [Ballot Title and Summary – Secretary of State](#)
- [Legislative Analyst's Office Analysis \(July 2024\)](#)
- [Arguments in Favor of Proposition 35 – Secretary of State](#)
- [Legislative Analyst's Office May 2023 MCO Tax Issue Brief](#)
- [DHCS 2024 Budget Act MCO Tax-Funded Investments](#)
- [DHCS MCO Tax Primer \(May 2023\)](#)
- [DHCS News Release - CMS Approves MCO Tax \(January 2024\)](#)
- [CMS Approval Letter \(December 2023\)](#)
- [Department of Finance 2024 Budget Act Summary](#)
- [Public Policy Institute of California: The Impact of Health Insurance on Poverty in California \(March 2023\)](#)
- [DHCS: Proposition 56 Expenditures](#)
- [Full text of Proposition 56 \(2016\)](#)
- [CSAC Policy Platform](#)
- [CSAC Policies and Procedures Manual](#)

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August 8, 2024

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Graham Knaus

TO: CSAC Executive Committee

FROM: Ryan Morimune, Senior Legislative Advocate
Michaela Schunk, Legislative Analyst

RE: **ACTION ITEM: Proposition 36**
Title: “The Homelessness, Drug Addiction, and Theft Reduction Act”

ADMINISTRATION OF JUSTICE (AOJ) POLICY COMMITTEE ACTION

The AOJ Policy Committee voted on July 31 to take a “SUPPORT” position on Proposition 36, the “The Homelessness, Drug Addiction, and Theft Reduction Act” initiative. As a result, the recommendation is being forwarded to the Executive Committee for consideration and action.

CSAC BALLOT MEASURE REVIEW AND POSITION PROCESS

CSAC policy committees may recommend a position of Support, Oppose, or Neutral on a measure, or may take no position. The policy committee’s recommendation will be considered by the CSAC Executive Committee, and the Executive Committee’s recommendation will be considered by the CSAC Board of Directors. More information regarding CSAC’s policy for consideration of and positioning on statewide initiatives is available in the [Policies and Procedures Manual](#), beginning on page 11.

MEASURE STATUS AND TITLE

This measure was received by the Office of the Attorney General in September 2023 and will appear on the November 5, 2024, General Election Ballot. The proponents filed more than 601,317 valid signatures with the Secretary of State’s Office by the June 2024 deadline, surpassing the signature requirement¹ to go before the voters. Initiatives are often known by many labels or titles, and while this memo will refer to the measure exclusively as Proposition 36, the following is a short list of labels or titles that appear in the media and elsewhere:

- *As Assigned by the Secretary of State’s Office:* Proposition 36
- *Secretary of State’s Title:* Allows Felony Charges and Increases Sentences for Certain Drug and Theft Crimes
- *As Assigned by the Office of the Attorney General:* Initiative 23-0017A1
- *Proponent’s Title:* The Homelessness, Drug Addiction, and Theft Reduction Act

MEASURE SUMMARY

What follows are descriptions of Proposition 36, as provided by the California Secretary of State (SOS) and the proponents of the ballot measure, Californians for Safer Communities. The estimated fiscal

¹ The current initiative signature requirements according to the California Constitution, Article II, Section 8(b) and Elections Code section 9035 are as follows: for an Initiative Statute: 546,651; for an Initiative Constitutional Amendment: 874,641. Learn more: <https://www.sos.ca.gov/elections/ballot-measures/how-qualify-initiative>.

Administration of Justice Policy Committee Meeting

ACTION ITEM: Proposition 36

July 31, 2024

Page 2 of 7

impact by the Legislative Analyst and Director of Finance (DOF) and provided by the SOS² may be found on page 5 under POLICY AND FISCAL CONSIDERATIONS.

California Secretary of State

ALLOWS FELONY CHARGES AND INCREASES SENTENCES FOR CERTAIN DRUG AND THEFT CRIMES. INITIATIVE STATUTE.

Allows felony charges for possessing certain drugs, including fentanyl, and for thefts under \$950—both currently chargeable only as misdemeanors—with two prior drug or two prior theft convictions, as applicable. Defendants who plead guilty to felony drug possession and complete treatment can have charges dismissed. Increases sentences for other specified drug and theft crimes. Increased prison sentences may reduce savings that currently fund mental health and drug treatment programs, K-12 schools, and crime victims; any remaining savings may be used for new felony treatment [programs].

Proponents – Californians for Safer Communities

ADDRESSES ORGANIZED AND SERIAL RETAIL THEFT

Smash-and-grab robberies and retail theft are harming businesses and residents in California because those who commit these crimes know they'll get away with it, even if they're caught. This measure will hold repeat offenders accountable for the safety of our communities, rather than putting them back on the streets.

CONFRONTS THE FENTANYL CRISIS IN OUR COMMUNITIES

The fentanyl crisis has reached alarming levels and is now responsible for 20 percent of youth deaths in California. This measure will define fentanyl as a hard drug, hold individuals convicted of trafficking fentanyl accountable, and grant judges greater discretion in sentencing drug traffickers.

PRIORITIZES MENTAL HEALTH AND DRUG TREATMENT

Breaking the cycle of repeat offenders means addressing the many root causes of retail theft. This measure provides critical mental health, drug treatment services, and job training within our justice system for people who are homeless and suffering from mental illness or struggling with substance abuse.

BACKGROUND

Crime Classification(s)

Crimes generally are classified into one of three categories, from the most to least severe: felonies, misdemeanors, and infractions. There are important subcategories within these classifications, especially in the felony class. Sentencing changes enacted pursuant to 2011 Public Safety Realignment mean that individuals convicted of certain lower-level felonies (described as non-

² Note: this summary and estimate is provided by the Legislative Analyst and Director of Finance. It is available via the following link on the Secretary of State's website: <https://www.sos.ca.gov/elections/ballot-measures/qualified-ballot-measures>.

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serious, non-violent, non-sex offenses) serve their sentences in county jail. Prior to 2011 Realignment, felony sentences generally were served in state prison.

Proposition 47 (2014)

Proposition 47, approved by voters in 2014, requires misdemeanor rather than felony sentencing for specified low-level property and drug crimes, and permits incarcerated persons previously sentenced for these reclassified crimes to petition for resentencing. State savings from reduced incarceration costs, determined annually by DOF, are deposited yearly in the Safe Neighborhoods and Schools fund established through the measure.

25 percent of the savings is allocated to the California Department of Education to administer grants that reduce truancy, support at-risk students, and improve outcomes; 10 percent is allocated to the Victim Compensation and Government Claims Board Savings to administer grants to trauma recovery centers that provide crime victim services; and 65 percent is allocated to the Board of State and Community Corrections (BSCC) under the Proposition 47 grant program for public agencies delivering mental health services, substance use disorder treatment and diversion programs that reduce recidivism. These grants, which are awarded competitively, may serve both adults and juveniles and can be used for housing-related assistance and other community-based supportive services, including job skills training, case management or civil legal services pursuant to AB 1056 (Chapter 438, Statutes of 2015). The BSCC requires that at least 50 percent of the award made to grantees is passed through to community-based service providers.

According to the BSCC, an evaluation of the BSCC's Proposition 47 grant program "*suggests participants who received services made available by the 2014 voter-approved initiative are substantially less likely to recidivate compared to those traditionally incarcerated in California.*"³ The most recent evaluation, for Cohort II, is linked as the "Proposition 47 Cohort II Statewide Evaluation Report" under MATERIALS AND RESOURCES.

Legislative Responses

Policymakers have engaged in robust conversation about potential changes to Proposition 47, buoyed by alarming incidents of organized retail thefts (often referred to as "smash-and-grabs").

In June 2023, 66 members⁴ of the Legislature requested that the Little Hoover Commission (LHC) research and report on retail theft in California. Then, in late 2023, the California State Assembly's Select Committee on Retail Theft was announced by Speaker Robert Rivas, followed shortly thereafter by the Governor's release of a [framework](#) to address the heightened concern around organized retail theft in January of this year. The Legislature responded in kind, with both the [Assembly](#) and the [Senate](#) unveiling legislative packages aimed at mitigating the public safety, economic, and social impacts of theft. In total, the Assembly and Senate held five hearings on retail theft and fentanyl response. Earlier this month, the LHC published its report, which concluded:

³ Board of State and Community Corrections. Proposition 47 Grant Program: https://www.bscc.ca.gov/s_bsccprop47/.

⁴ California Legislature Letter Request to Research and Report on Retail Theft in California (June 14, 2023): <https://lhc.ca.gov/wp-content/uploads/LegislativeRequestLetter.pdf>.

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“Looking at available data, the Commission found that, despite a recent uptick, reported retail theft remains at roughly the same level as during the 2010s and lower than it was in earlier decades. Like many crimes, retail theft is undoubtedly underreported, but the report notes that by its nature, the level of underreporting is difficult to measure. The Commission concluded that more detailed crime data is needed for policymakers to craft an evidence-based response.”⁵

STAFF COMMENTS

While in recent years, retail theft, property crimes, and opioid and fentanyl use have been statewide priorities, strategies on how to best address these issues have varied and opinions are divided. CSAC’s diverse membership is no different, as supervisors are divided on this measure. There are boards of supervisors, and individual supervisors, who are inclined to support the initiative with recognition that there must be immediate policy changes. Many believe that establishing harsher penalties will provide greater incentives for law enforcement to arrest individuals committing crimes, provide additional tools for prosecutors to attain convictions – which in turn will reduce homelessness, drug use, and retail theft. Conversely, other county boards of supervisors and individual supervisors are inclined to oppose with concerns around the overall public safety and fiscal impacts of the measure, citing existing prosecutorial authority and reinforcing relatively low crime rates in recent years. Reasonable minds can – and do – differ on the relative merits of these policy changes.

RECORDED SUPPORT AND OPPOSITION

Recorded Support

Proposition 36 has support from a broad coalition. The main proponent is [Californians for Safer Communities](#)⁶, led by support from district attorneys, large retailers, elected officials, small business owners, law enforcement agencies, veterans, and trade associations. For a list of financial supporters see the [SOS’ Campaign Finance Activity Propositions & Ballot Measures](#) page.

- [Argument in Favor of Proposition 36](#)⁷
- [Rebuttal to Argument Against Proposition 36](#)

Recorded Opposition

Generally, opposition to Proposition 36 comes from those in favor of existing law. Governor Gavin Newsom, Senate President Pro Tem Mike McGuire, and Speaker Robert Rivas led efforts in developing alternatives to Proposition 36 through their legislative package as well as a potential [competing ballot measure](#) that ultimately did not move forward. Proposition 36 will also likely face opposition from various criminal justice reform, human rights, faith-based, and labor organizations, in addition to

⁵ Retail Theft: A Data-Driven Response for California. Report #280. July 2024. Little Hoover Commission. Access at: <https://lhc.ca.gov/report/retail-theft/>.

⁶ See full list of supporters under MATERIALS AND RESOURCES. Note: this information is subject to change.

⁷ The law requires the Secretary of State's Office to place the Official Voter Information Guide on public display for 20 days before publishing and distributing to voters. The public inspection period is from July 23, 2024, through August 12, 2024: <https://www.sos.ca.gov/elections/public-display>.

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many current and former legislators and other elected officials that supported Proposition 47 (2014). For a list of financial opponents see the [SOS' Campaign Finance Activity Propositions & Ballot Measures](#) page.

- [Argument Against Proposition 36](#)
- [Rebuttal to Argument in Favor of Proposition 36](#)

POLICY AND FISCAL CONSIDERATIONS

At its core, Proposition 36 is an effort to amend portions of Proposition 47. CSAC opposed Proposition 47 in 2014. While the staff recommendation was, as it is now, to take no position, the Board deliberated and decided to oppose the measure. Staff recommendations on ballot measures do not dictate the final association-wide position; the members do. Staff base recommendations on the Board-adopted CSAC Policy Platform.

Consistent with the AOJ platform, generally speaking, CSAC does not weigh-in on legislative or ballot measures that create a new crime or changes to existing penalties for crimes. For example, CSAC did not take a position on the original Three Strikes initiative in the 1990s, nor did CSAC take a position on the Three Strikes reform measure of 2012 (Proposition 36).

However, CSAC opposed the 2000 initiative (Proposition 21) that made it easier to charge juveniles in the adult court based on increased costs.

CSAC Platform

Every legislative session, there are dozens, if not hundreds, of bills that propose to create a new crime or enhance a penalty. CSAC does not take a position on these bills for two primary reasons. First, there is an inherent conflict in the county criminal justice structure, with county responsibilities spanning both the prosecution and defense functions. The very nature of that structure limits CSAC advocacy on these policy matters. Secondly, given the diverse perspectives amongst all 58 counties about the relative benefits of a stricter versus more lenient penalty structure, arriving at a consensus across counties on the appropriateness and effectiveness of reforming Proposition 47 is unlikely. Ultimately, CSAC has no specific policy platform guidance related to sentencing reforms, and it will remain so, unless statewide consensus can be reached.

The estimated fiscal impact of Proposition 36 on state and local governments, by the Legislative Analyst's Office and Department of Finance,⁸ is as follows:

Summary of Estimate by Legislative Analyst and Director of Finance of Fiscal Impact on State and Local Governments

The fiscal estimate indicates increased state criminal justice system costs ranging from several tens of millions of dollars to the low hundreds of millions of dollars annually, primarily due to an increase in the state prison population and state court workload. Some of these costs could be offset by

⁸ Note: this summary and estimate is provided by the Legislative Analyst and Director of Finance. It is available via the following link on the Secretary of State's website: <https://www.sos.ca.gov/elections/ballot-measures/qualified-ballot-measures>.

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reductions in state spending on local mental health and substance use services, truancy and dropout prevention, and victim services due to requirements in current law. Increased local criminal justice system costs potentially in the tens of millions of dollars annually, primarily due to an increase in local court-related workload and a net increase in the number of people in county jail and under county community supervision.⁹

CSAC Membership

As referenced above, and perhaps most importantly, we anticipate that the CSAC membership will be divided on this measure. While we are aware of individual supervisors who have weighed-in on the measure, there are likely others that will be inclined to support or oppose for a variety of reasons.

STAFF CONTACTS

- Ryan Morimune, CSAC Senior Legislative Advocate at rmorimune@counties.org
- Michaela Schunk, CSAC Legislative Analyst, mschunk@counties.org

MATERIALS AND RESOURCES

- [Initiative 23-0017 – “The Homelessness, Drug Addiction, and Theft Reduction Act” Full Text](#)
- [Proposition 36 Coalition – Californians for Safety Communities](#)
- [Governor Newsom: Real Public Safety: A Plan to Fight and Prevent Crime in California](#)
- [Public Policy Institute of California \(PPIC\): Crime Data on Retail Theft and Robberies in California](#)
- [Board of State and Community Corrections \(BSCC\): Proposition 47 Cohort II Statewide Evaluation](#)
- [Judicial Council of California: Proposition 47 FAQs](#)
- [California State Assembly Select Committee on Retail Theft](#)
- [Legislative Analyst’s Office \(LAO\) Review of Proposed Statutory Initiative – October 2023](#)

SECRETARY OF STATE OFFICIAL VOTER INFORMATION GUIDE

- [Ballot Label \(PDF\)](#)
- [Title & Summary \(PDF\)](#)
- [Legislative Analysis \(PDF\)](#)
- [Argument in Favor \(PDF\)](#)
- [Rebuttal to Argument in Favor \(PDF\)](#)
- [Argument Against \(PDF\)](#)
- [Rebuttal to Argument Against \(PDF\)](#)
- [Text of Proposed Law \(PDF\)](#)
- [Summary Information \(PDF\)](#)

⁹ Qualified Statewide Ballot Measures, California Secretary of State: <https://www.sos.ca.gov/elections/ballot-measures/qualified-ballot-measures>.

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SUPPORT

Proposition 36 has support from a broad coalition. The main proponent is [Californians for Safer Communities](#), led by support from district attorneys, large retailers, elected officials, small business owners, law enforcement agencies, veterans, and trade associations. For a list of financial supporters see the [SOS' Campaign Finance Activity Propositions & Ballot Measures](#) page.

OPPOSITION

Generally, opposition to Proposition 36 comes from those in favor of existing law. Governor Gavin Newsom, Senate President Pro Tem Mike McGuire, and Speaker Robert Rivas led efforts in developing alternatives to Proposition 36 through their legislative package as well as a potential [competing ballot measure](#) that ultimately did not move forward. Proposition 36 will also likely face opposition from various criminal justice reform, human rights, faith-based, and labor organizations, in addition to many current and former legislators and other elected officials that supported Proposition 47 (2014). For a list of financial opponents see the [SOS' Campaign Finance Activity Propositions & Ballot Measures](#) page.



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Graham Knaus

August 8, 2024

To: CSAC Agriculture, Environment and Natural Resources Committee

From: Catherine Freeman, Senior Legislative Advocate
Ada Waelder, Legislative Advocate
Amber Garcia Rossow, Legislative Analyst

Re: Action Item: Proposition 4 –Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024

AENR Policy Committee Action

The Agriculture, Environment, and Natural Resources Policy Committee voted on July 29 to take a “SUPPORT” position on Proposition 4, the Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024. The final vote tally was 11 in favor of the position and 6 opposed. As a result, the recommendation is being forwarded to the Executive Committee for consideration and action.

CSAC Ballot Measure Review and Position Process

CSAC policy committees may recommend a position of Support, Oppose, or Neutral on a measure, or may take no position. The policy committee’s recommendation will be considered by the CSAC Executive Committee, and the Executive Committee’s recommendation will be considered by the CSAC Board of Directors. More information regarding CSAC’s policy for consideration of and positioning on statewide initiatives is available in the [Policies and Procedures Manual](#), beginning on page 11.

Measure Status and Title – A Note for Clarity

After much consideration and negotiation by both houses of the Legislature, [SB 867 \(Allen\)](#), the Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024, was passed and signed on July 3, 2024, narrowly meeting an extended deadline for the Legislature to place a bill on the ballot. On July 3, the Secretary of State assigned the legislative measure Proposition 4 on the ballot. The measure is colloquially referred to as the “Climate Bond.” For the sake of consistency and clarity, we will use Climate Bond to refer to the measure throughout this memo.

Measure Summary

The ballot measure would allocate 10 billion in state general obligation bond funding for climate related programs. [Full text of the measure can be read here](#). If the bond passes, these broad category amounts would be dedicated as listed below, with key sub-allocations highlighted. Detailed sub-allocations are listed in Attachment # 1.

- \$3.8 billion for safe drinking water, drought, flood, and water resilience programs
 - \$1.88 billion for water supply and water quality
 - \$1.14 billion for flood risk and stormwater management
 - \$605 million for watershed restoration and protection
- \$1.5 billion for wildfire and forest resilience programs

- \$1.2 billion for local fire prevention capacity and improvements to forest health and resilience
- \$135 million for the Wildfire Mitigation Grant Program
- \$1.2 billion for coastal resilience programs
 - \$415 million for coastal resilience projects and programs
 - \$50 million to implement the Sea Level Rise Adaptation Strategy
- \$1.2 billion for biodiversity protection and nature-based climate solution programs
 - \$870 million for grant programs to protect and enhance fish and wildlife resources
 - \$320 million toward specified conservancies
- \$850 million for clean energy air programs
 - \$475 million for offshore wind development
 - \$325 million for clean energy transmission projects
- \$700 million for park creation and outdoor access programs
 - \$200 million for outdoor recreation opportunities – *includes improvements to county parks*
 - \$200 million for the creation, expansion, and renovation of safe neighborhood parks
- \$450 million for extreme heat mitigation programs
 - \$40 million to fairgrounds for modifications/upgrades that provide community resilience
 - \$60 million for the creation of community resilience centers (includes fairgrounds)
- \$300 million for climate-smart, sustainable, and resilient farms, ranches, and working lands programs
 - \$105 million for improvements in climate resilience of agricultural lands
 - \$15 million for projects for the protection, restoration, conservation, and enhancement of farmland and rangeland

Of note, 40% of funding will be required to go toward disadvantaged communities. A disadvantaged community is defined as a community with a median household income of less than 80% of the area average, or less than 80% of statewide median household income. It is also worth noting that bonds may only be used for capital purposes.

BACKGROUND

The State Budget

The 2024 Budget Act contained a series of reductions to climate-based programs including funds that were appropriated in previous budget years but hadn't yet been expended. The Climate Bond was formulated in anticipation of cuts, though it is not a one-to-one restoration of dollars and programs cut in the final budget.

Recent Natural Resources Bonds

The last natural resources bond to pass with approval of the voters was in 2018 – Proposition 68 – which allocated funding to parks, natural resources protection, climate adaptation, water quality and supply, and flood protection. In 2014, California voters passed Proposition 1 which allocated \$7.1 billion toward funding for water quality, supply, treatment, and storage projects. According to the California Natural Resources Agency's bond accountability website (www.bondaccountability.resources.ca.gov), approximately \$40 million from Proposition 1 and \$145.4 million of Proposition 68 remain uncommitted.

Year	Prop. #	Title	Amount	Result	CSAC Position
2018	3	Authorizes Bonds to Fund Projects for Water Supply and Quality, Watershed, Fish, Wildlife, Water Conveyances, and Groundwater Sustainability and Storage.	\$8.9 billion	Failed	Support
2018	68	Authorizes Bonds Funding Parks, Natural Resources Protection, Climate Adaptation, Water Quality and Supply, and Flood Protection.	\$4 billion	Pass	No Position
2014	1	Water Bond. Funding For Water Quality, Supply, Treatment, And Storage Projects.	\$7.1 billion	Pass	Support

ESTIMATED IMPACTS AND OUTCOMES

General Fund

According to the Legislative Analyst’s Office (LAO), the estimated cost to repay the bond would be about \$400 million annually for the next 40 years. Payments would be made from the state General Fund, the account the state uses to pay for most public services, including education, health care, and prisons. While these payments would total less than one-half of 1% of the state’s total General Fund budget, without an increase in revenues, this may equate to a reduction in funds for other key activities.

Local Governments

The LAO predicts the climate bond would result in reduced local costs for natural resources and climate related activities. This is because local governments could receive funding for some essential facilities locals would otherwise need to fund themselves, such as for wastewater treatment. Alternatively, the LAO theorizes the availability of funding could encourage local governments to spend more money and build larger projects than they otherwise would, such as adding additional amenities to a local park. Additionally, investments made toward completing activities that reduce the risk or amount of damage from disasters could reduce state and local costs for responding to and recovering from those events. Overall, the LAO predicts net savings to local governments.

Some of the funding that would be made available to local governments through the bond requires local cost share or loan repayments. As can be found in *The CSAC Platform* section below, CSAC supports the minimization or elimination of local matching requirements.

Fiscal Considerations for Issuing Bonds, Generally

Issuing bonds is a method of financing capital projects through long-term borrowing. The state raises money by issuing financial securities (i.e. selling bonds) to investors. The state repays investors (principal and interest) over a scheduled period of time, usually decades. The term “debt service” is used by the state to describe the amount of money required to pay interest on outstanding bonds and the principal of maturing bonds. Usually, the state’s General Fund pays the principal and interest on general obligation bonds.

The [LAO describes debt service](#) as follows: “One of the major downsides of using bonds is that they are costlier overall than cash financing due to the interest that has to be paid. For example, assuming that a bond carries an interest rate of 4 percent, the cost of paying it off with level payments over 20 years is close to \$1.50 for each dollar borrowed—\$1 for repaying the principal amount borrowed and about \$0.50 for interest. This cost, however, is spread over the entire 20-year period. So, the cost after adjusting for inflation is considerably less—about \$1.10 for each \$1 borrowed. The cost of repaying

bonds depends primarily on the interest rate and the time period over which the bonds have to repaid (also known as the term). The state’s interest rate on bonds is generally determined by broader financial market conditions, including rates on U.S. Treasury notes and investor perceptions of the state’s creditworthiness.”

An estimate of the state’s current general obligation bond and commercial paper debt as of January 2024 is available on the [Department of Finance's website](#). Allocations and statewide bond costs for a substantially similar bond, Proposition 68 (2018), are available on the [California Natural Resources Agency’s website](#).

STAFF COMMENTS

The Platform

Generally, CSAC supports a variety of funding sources but has historically abstained from providing a position on bonds across policy areas. [The CSAC Platform](#) contains the following language that may be applicable for this bond:

- *CSAC supports a variety of funding sources which may include but are not limited to: statewide bond measures, statewide and local assessments, developer fees, wheeling charges, beneficiary pays, and the creation of a maintenance endowment fund.*
- *CSAC recognizes that appropriations or bond funds earmarked for flood protection must be equally available to all areas of the state.*
- *CSAC supports identifying specific dollar amounts for flood protection within any bond measure and supports the minimization or elimination of local matching requirements.*

CSAC Advocacy

This year, CSAC conducted extensive advocacy for the inclusion of funding to support local governments with implementation of organic waste (SB 1383) and advanced clean fleet requirements in whatever Climate Bond would appear on the ballot. Despite a coordinated push by CSAC, League of California Cities, Special Districts Association, and Big City Mayors, these top funding priorities were not included by the Legislature in the final iteration.

CSAC is especially concerned about the impact that budget cuts will have on local SB 1383 compliance efforts. This year’s budget lacks meaningful funding to support local governments. Without state support, the financial burden of organic waste targets will have to be shouldered elsewhere, leading to dramatic impacts on ratepayers and the cost of living in California. Of the 44 counties who responded to a CSAC survey, 55% said that they have already increased rates as a direct result of SB 1383, many of those increases ranging from 30-60%. In addition, over 60% of respondents anticipate the need to increase rates within the next 3 years to keep up with SB 1383 regulations.

Staff recognizes that the budget reduced funding for climate-based programs and recognizes the importance of protecting infrastructure providing resilience and protection during times of climate related disasters. However, given the nature of bond financing, and the lack of inclusion of CSAC’s priorities, CSAC staff has no recommendation.

Recorded Support

The legislative version of the Climate Bond had a wide net of support. Attachment # 2 includes organizations that were listed as supportive of SB 867 (Allen).

Recorded Opposition

Although no opposition was officially recorded in the legislative version of the bond, there are arguments in opposition submitted by Senate Majority Leader Brian Jones, Assemblymember Jim Patterson, and the Howard Jarvis Taxpayers Association. They believe that “bonds are the most expensive way for the government to pay for things” and especially since this bond “lacks accountability or measured metrics for success.”

ATTACHMENTS:

- *Attachment 1 – Climate Bond Funding Allocations*
- *Attachment 2 – SB 867 Support List*

\$3,800,000,000 FOR SAFE DRINKING WATER, DROUGHT, FLOOD, AND WATER RESILIENCE

- \$1,885,000,000 - California water supply and water quality.
 - \$610,000,000 toward water quality or drinking water
 - \$386,250,000 for groundwater storage, groundwater banking, groundwater recharge, or instream flow projects
 - \$386,250,000 for water reuse and recycling
 - \$75,000,000 for projects under the Water Storage Investment Program
 - \$62,500,000 for capital investments in brackish desalination, contaminant and salt removal, and salinity management projects
 - \$15,000,000 toward data management and to reactivate existing stream gages and deploy new gages
 - \$75,000,000 regional conveyance projects or repairs to existing conveyances
 - \$75,000,000 to increase water conservation in agricultural and urban areas
- \$1,140,000,000 - Flood Risk and Stormwater Management
 - \$550,000,000 for flood management projects:
 - \$150,000,000 for the Sacramento-San Joaquin Delta to improve existing levees
 - \$150,000,000 toward the Flood Control Subventions Program
 - \$250,000,000 for projects related to the State Plan of Flood Control
 - \$480,000,000 Resources for the Dam Safety and Climate Resilience Local Assistance Program that enhance dam safety and reservoir operations
 - \$110,000,000 for urban stormwater management projects
- \$605,000,000 to protect and restore rivers, lakes, and streams, and to improve watershed resilience, including the resilience of fish and wildlife within the watershed.
 - \$100,000,000 for projects related to integrated regional water management to improve climate resilience on a watershed basis
 - \$335,000,000 for projects that protect and restore rivers, wetlands, streams, lakes, and watersheds, and improve the resilience of fish and wildlife
 - Funds under this section are specifically designated for the Los Angeles Rivershed, the Riverine Stewardship Program, the State Coastal Conservancy for the Santa Ana River Conservancy Program, the Urban Streams Restoration Program, projects that improve conditions on wildlife refuges and wetland habitat areas, the Wildlife Conservation Board for the Lower American River Conservancy Program, the State Coastal Conservancy to protect and restore watersheds through the Coyote Valley Conservation Program in the County of Santa Clara, the State Coastal Conservancy to protect and restore watersheds through the West Coyote Hills Program, funding for the California-Mexico cross-border rivers and coastal waters, and the Clear Lake Watershed.
 - \$170,000,000 to implement the Salton Sea Management Program 10-year Plan

PROPOSITION 4 – THE CLIMATE BOND

- \$150,000,000 to the Wildlife Conservation Board with a portion toward projects reintroducing salmon into cold water habitat in the Sacramento and San Joaquin Rivers watersheds
- \$20,000,000 for grants to nature and climate education and research facilities, nonprofit organizations and public institutions, natural history museums, California zoos and aquariums

\$1,500,000,000 FOR WILDFIRE AND FOREST RESILIENCE PROGRAMS

- \$1,205,000,000 to improve local fire prevention capacity, improve forest health and resilience, and reduce the risk of wildfire spreading into populated areas from wildlands, including on federal lands.
 - \$185,000,000 projects that improve forest health and fire resilience, implement community fire preparedness demonstration projects, facilitate greenhouse gas emissions reductions, and increase carbon sequestration in forests and other landscapes across regions and throughout the state
 - \$170,000,000 to implement regional projects, such as landscape-scale projects developed by forest collaboratives
 - \$175,000,000 for long-term forest health projects, including improved forest management, prescribed fire, prescribed grazing, cultural fire, forest watershed restoration, reforestation, upper watershed, riparian, and mountain meadow restoration, and activities that promote long-term carbon storage and sequestration
 - \$185,000,000 for local fire prevention grants and workforce development for fire prevention and wildfire resiliency work
 - \$25,000,000 for the creation or expansion of a fire training center.
 - \$200,000,000 for forest health and watershed improvement projects in forests and other habitats, especially aimed at fire hazard areas
 - \$50,000,000 for grants to conduct fuel reduction, structure hardening, create defensible space, reforestation, or targeted acquisitions to improve forest health and fire resilience
 - \$33,500,000 to the Sierra Nevada Conservancy
 - \$25,500,000 to the California Tahoe Conservancy
 - \$33,500,000 to the Santa Monica Mountains Conservancy
 - \$33,500,000 to the State Coastal Conservancy
 - \$33,500,000 to the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy
 - \$25,500,000 to the San Diego Rivers Conservancy
 - \$15,000,000 to the Wildfire Conservancy
 - \$15,000,000 to the California Fire Foundation
- \$135,000,000 to the Office of Emergency Services for a wildfire mitigation grant program. Local agencies, among others, would be eligible to apply for grant funding of projects that reduce wildfire risks with an approved community wildfire protection plan; structure

PROPOSITION 4 – THE CLIMATE BOND

hardening of critical community infrastructure, wildfire smoke mitigation, evacuation centers; creating zero-emission backup power, energy storage, and microgrids for critical community infrastructure due to disasters; and retrofitting hardening, or creating defensible space for homes

- \$50,000,000 for projects in California that provide long-term capital infrastructure to use forest and other vegetative waste removed for wildfire mitigation for noncombustible uses
- \$25,000,000 for technologies that improve detection and assessment of new fire ignitions
- \$35,000,000 for uses to reduce wildfire risk related to electricity transmission.
- \$50,000,000 to the California Conservation Corps or certified community conservation corps, and nonprofit workforce organizations for demonstrated jobs projects. This will include local agencies that have programs that provide park and conservation employment training.

\$1,200,000,000 FOR COASTAL RESILIENCE PROGRAMS

- \$415,000,000 for coastal resilience projects and programs
- \$350,000,000 for coastal and combined flood management projects and activities for developed shoreline areas, including port infrastructure
- \$135,000,000 for deposit into the California Ocean Protection Trust Fund
- \$75,000,000 to implement the California Sea Level Rise Mitigation and Adaptation Act of 2021
- \$50,000,000 to implement the Sea Level Rise Adaptation Strategy
- \$75,000,000, to restore island ecosystem, advance climate-ready fisheries management, and restoration and management of kelp systems
- \$75,000,000 to remove outdated or obsolete dams and for related water infrastructure.
- \$25,000,000 for hatcheries and efforts toward the Central Valley Chinook Salmon

\$450,000,000 FOR EXTREME HEAT MITIGATION PROGRAMS

- \$50,000,000 to the to fund projects that reduce the impact of extreme heat, reduce the urban heat island effect, and build community resilience
- \$150,000,000 to the Strategic Growth Council's Transformative Climate Communities Program
- \$100,000,000 for urban greening including the creation and expansion of green streets and alleyways
- \$50,000,000 to protect or augment California's urban forests
- \$60,000,000 for the creation of strategically located community resilience centers across diverse regions of the state at eligible community facilities such as fairgrounds
- \$40,000,000 to fairgrounds for modifications or upgrades that provide community resilience and Deploy communications and broadband infrastructure

PROPOSITION 4 – THE CLIMATE BOND

\$1,200,000,000 FOR BIODIVERSITY PROTECTION AND NATURE-BASED CLIMATE SOLUTION PROGRAMS

- \$870,000,000 for grant programs to protect and enhance fish and wildlife resources
- \$320,000,000 toward specified conservancies
- \$180,000,000 for projects to improve habitat connectivity and establish wildlife crossings and corridors
- \$10,000,000 for the Tribal Nature-Based Solutions Program
- \$22,000,000 for the southern Ballona Creek Watershed

\$300,000,000 FOR CLIMATE-SMART, SUSTAINABLE, AND RESILIENT FARMS, RANCHES, AND WORKING LANDS PROGRAMS

- \$105,000,000 for improvements in climate resilience of agricultural lands and ecosystem health with dedicated funding toward practices on farms and ranches that improve soil health, or accelerate atmospheric carbon removal or soil carbon sequestration and promote on farm water use efficiency
- \$20,000,000 for purposes of funding invasive species projects and activities
- \$15,000,000 for projects for the protection, restoration, conservation, and enhancement of farmland and rangeland
- \$90,000,000 for grants that benefit small- and medium-sized farms, socially disadvantaged farmers, beginning farmers or ranchers, and veteran farmers or ranchers, as defined, and increase the sustainability of agricultural infrastructure and facilities that support food systems, and increase market access. Funding is specifically designated toward the development and sustainability of farmers market, expand city or suburban community farms or gardens, regional farm equipment sharing, and tribes' food sovereignty to grow, produce, procure, and distribute foods
- \$30,000,000 to improve land access and tenure for socially disadvantaged farmers or ranchers, tribal producers, and beginning farmers and ranchers
- \$15,000,000 to the California Vanpool Authority for grants for the deployment of vanpool vehicles, clean technologies, and related facilities
- \$15,000,000 for purposes of providing grants to public postsecondary educational institutions that are designated as Agricultural Experiment Stations or Agricultural Research Institutes, to develop research farms to improve climate resiliency
- \$10,000,000 Farmworker Housing Component of the Low-Income Weatherization Program, to low-income farmworker households for no-cost energy efficiency upgrades designed to reduce greenhouse gas emissions by saving energy.

\$700,000,000 FOR PARK CREATION AND OUTDOOR ACCESS PROGRAMS

- \$200,000,000 for the creation, expansion, and renovation of safe neighborhood parks in park-poor neighborhoods

PROPOSITION 4 – THE CLIMATE BOND

- \$200,000,000 for the creation, protection, and expansion of outdoor recreation opportunities – eligible projects would include improvements to county parks
- \$100,000,000 for projects to expand recreational opportunities and public access to state and public park nonmotorized trails
- \$175,000,000 to implement projects to address the Department of Parks and Recreation backlog of deferred maintenance.
- \$25,000,000 for grants to nature and climate education and research facilities, nonprofit organizations and public institutions, natural history museums, California zoos and aquariums

\$850,000,000 FOR CLEAN ENERGY AIR PROGRAMS

- \$475,000,000 to support the development of offshore wind generation
- \$325,000,000 for the public financing of clean energy transmission projects necessary to meet the state’s clean energy goals
- \$50,000,000 to support the Long-Duration Energy Storage Program

Attachment 2
SB 867 (Allen) Support List

350 Bay Area Action	California Native Plant Society	Community Alliance with Family Farmers
350 Conejo / San Fernando Valley	California Native Plant Society, Alta Peak Chapter	Community Water Center
350 Humboldt	California Trout	Community Water Center Action Fund
350 Ventura County Climate Hub	California Wind Energy Association	Concerned Off-Road Bicyclists Association
Access Fund	Californians for Pesticide Reform	County of Monterey
Active San Gabriel Valley Agricultural Institute of Marin	California Nurses for Environmental Health and Justice	Courage California
Allensworth Progressive Association	CalWild	Defenders of Wildlife
Almond Alliance	Canopy	Delta Sculling Center
American Clean Power – California	Canopy Offshore Wind, LLC RWE	Ducks Unlimited, Inc.
American Farmland Trust	Carbon Cycle Institute	Endangered Habitats League
Angelenos for Trees	Catholic Charities of Stockton	Environmental Center of San Diego
Asociación de Gente Unida por el Agua	Center for Environmental Health	Environmental Defense Fund
Audubon California	Center for Food Safety	Environmental Protection Information Center
Azul	Central California Environmental Justice Network	Equinor
Ban SUP	Central Valley Partnership	Escondido Neighbors United
California Association of Port Authorities	Citizens Committee to Complete the Refuge	Extinction Rebellion San Francisco Bay Area
California Certified Organic Farmers	City of Huron	ForEverGreen Forestry
California Climate & Agriculture Network	City of Oakland, Department of Parks, Recreation and Youth Development	Fresnans against Fracking
California Coastal Protection Network	Clean Water Action	Friends of Harbors, Beaches, and Parks
California Coastkeeper Alliance	Climate 911	Friends of the River
California Environmental Voters	Climate Action Campaign at the Humboldt UU Fellowship	Gaviota Coast Conservancy
California Forward	Climate Health Now	Golden Gate Bird Alliance
California Institute for Biodiversity	Climate Resolve	Golden Gate Salmon Association
California Mountain Biking Coalition	Coastal Corridor Alliance	Golden State Wind
	Coastal Policy Solutions	Growing Together – Bay Area
		Habitable Designs
		Health Care Without Harm
		Hills for Everyone
		Humboldt Bay Harbor Recreation and Conservation District

IBEW 569
Invenergy | Even Keel Wind
Land Trust of Santa Cruz
County
Latino Outdoors
League to Save Lake Tahoe
Little Manila Rising
Living Classroom
Los Angeles Climate Reality
Project
Los Angeles Neighborhood
Land Trust
Marin Conservation League
Midpeninsula Regional Open
Space District
Mojave Desert Land Trust
Mono Lake Committee
Monterey Bay Aquarium
Monterey Bay Central Labor
Council
Mother Lode Land Trust
Mount Shasta Bioregional
Ecology Center
Mountain Area Preservation
Move California
Napa Climate NOW
National Parks Conservation
Association
Natural Resources Defense
Council
Northern California Regional
Land Trust
Ocean Conservancy
Ocean Defenders Alliance
Oceana
Oceantic Network
Offshore Wind California
Oswit Land Trust
Outdoor Alliance

Pacific Coast Land Design,
Inc.
Pacific Forest Trust
Pacifica Climate Committee
People for Ponto
Pesticide Action Network
Planning and Conservation
League
Point Blue Conservation
Science
Port of Hueneme
Port of Long Beach
Port of San Francisco
Professional Engineers in
California Government
Reinvent South Stockton
Coalition
Resource Renewal Institute
Resources Legacy Fund
Roots of Change
San Diego Audubon Society
San Diego County Water
Authority
San Diego Green
Infrastructure Consortium
San Joaquin Community
Foundation
Santa Cruz Climate Action
Network
Save The Bay
Social Eco Education
Sequoia Riverlands Trust
Sierra Business Council
Sierra CAMP
Sierra County Land Trust
Sierra Institute for
Community and Environment
Sierra Nevada Alliance
Siskiyou Crest Coalition

SoCal 350 Climate Action
Sonoma Land Trust
South Yuba River Citizens
League
SPUR
ST Forward
Sustain Tahoe
Sustainable Agriculture
Education
Sustainable Claremont
The Climate Center
The Conservation Lands
Foundation
The Escondido Creek
Conservancy
The LEAP Institute
The Pew Charitable Trusts
The Sierra Fund
The Tree Pledge
TOGETHER Bay Area
Transform
Trout Unlimited
Trust for Public Land
Tuolumne River Trust
Upper San Gabriel Valley
Municipal Water District
Urban & Environmental
Policy Institute, Occidental
College
Urban Counties of California
Valley Eco
Vineyard Offshore
Vote Solar
Western United Dairies
WILDCOAST
Wildlife Conservation
Network
Winter Wildlands Alliance
ZEV2030



Thursday, August 8, 2024

TO: CSAC Executive Committee
FROM: Jacqueline Wong-Hernandez | Chief Policy Officer
CSAC Advocacy Staff
SUBJECT: Legislative Update

The Legislature returned from summer recess this week and began the full sprint towards the end of the 2023-2024 Legislative Session. There are several important legislative deadlines before the Legislative Session ends at midnight on Saturday, August 31.

Table with 2 columns: Date/Deadline, Activity/Event. Rows include: Monday, August 5 (Legislature reconvenes), Friday, August 16 (Last day for fiscal committees), Monday, August 19 - Saturday, August 31 (Floor session only), Saturday, August 31 (2023-2024 Legislative Session ends), Monday, September 30 (Last day for the Governor).

In the first two weeks of August, the process for considering legislation with fiscal impacts that occurred in May will repeat. As a reminder, deadlines for bills differ depending on whether the bill is considered to have a financial impact on the state, as determined by the Office of Legislative Counsel. The term "fiscal committees" refers to the Senate Appropriations Committee and the Assembly Appropriations Committee, as shorthand. Nonfiscal bills (bills considered to have no financial impact on the state) are not required to be heard in an Assembly or Senate fiscal committee. Fiscal bills must be heard in the fiscal committees as well as the appropriate policy committees. Once approved by policy committees, nonfiscal bills move to the Floor of that house for a vote of the full house. Fiscal bills, however, must then be referred to the fiscal committee of that house by a specified deadline.

Due to cost concerns, especially during years in which the state is facing a budget deficit, many bills are held in fiscal committees by being set aside in the "Suspense File." Legislative leadership, committee chairs, and staff of the fiscal committees will consider the collective impact of Suspense File bills on the state's finances. Then, they decide which of those bills will move forward for a vote in committee, and which will die quietly on the Suspense File. CSAC submitted letters to both fiscal committees in July giving the county perspective on pending, often expensive, legislation. In particular, CSAC gave voice to county fiscal and workload concerns, since fiscal committee staff focus analyses on the state's fiscal impact.

Additionally, the upcoming election in November has commanded significant time and attention from legislative leadership and the Administration. It will be interesting to see how key policy issues are handled in light of national political events.

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LEGISLATION

CSAC staff work diligently with legislative staff, the Administration, and local government partners to help shape the bills that impact counties as they move through the legislative process. To this end, CSAC hosted a Summer Recess Legislative Webinar on Thursday, August 1. During this robust briefing, legislative advocates and analysts provided an update on key legislation affecting counties as we approach the final weeks of the 2023-2024 legislative session. Included below is a brief summary of the priority bills that staff have been advocating on this year. CSAC will keep counties updated on the latest developments on this legislation:

Sponsored Legislation

AB 817 (Pacheco) The Brown Act

CSAC Position: Sponsor. *This bill is **dead**.*

This measure would, among other things, increase civic engagement by allowing members of non-decision-making advisory bodies that are subject to the Brown Act to meet using two-way virtual teleconferencing indefinitely, without requiring the members to make their teleconference location open to the public and post their address on the meeting agenda.

CSAC staff contacts: Eric Lawyer, Legislative Advocate and Stanicia Boatner, Legislative Analyst

AB 2631 (M. Fong) Fair Political Practices Commission Ethics Training Course

CSAC Position: Sponsor.

This measure would require the Fair Political Practices Commission (FPPC), in consultation with the Attorney General, to create, maintain, and make available to local agency officials an ethics training course that satisfies state requirements for ethics trainings for local agency officials. The measure is necessary to ensure the FPPC can continue to provide free ethics training for local officials as required by [AB 1234](#) (Chapter 700, Stats. Of 2005).

CSAC staff contacts: Eric Lawyer, Legislative Advocate and Stanicia Boatner, Legislative Analyst

SB 366 (Caballero) The California Water Plan: long-term supply targets.

CSAC Position: Sponsor.

This measure would, among other things, update the California Water Plan and require the Department of Water Resources to develop a long-term water supply planning target for 2050.

CSAC staff contacts: Catherine Freeman, Senior Legislative Advocate and Amber Garcia Rossow, Legislative Analyst

SB 1032 (Padilla) Housing and Community Development Department Loan Forgiveness

CSAC Position: Sponsor.

This measure would give the Housing and Community Development Department the authority to forgive specific legacy loans if a borrower demonstrates that the loan is impeding the ability to maintain and operate the project for affordable housing or senior housing. SB 1032 aligns with our AT HOME efforts, specifically the housing pillar of the plan.

CSAC staff contacts: Mark Neuburger, Legislative Advocate and Kristina Gallagher, Legislative Analyst

PRIORITY LEGISLATION BY POLICY AREA

Administration of Justice

AB 2882 (McCarty) California Community Corrections Performance Incentives.

CSAC Position: Oppose.

This measure changes the composition of Community Corrections Partnerships, would specify new plan development and processing requirements at the local level, and adds considerable new Community Corrections Partnership data collection and reporting requirements.

SB 1057 (Menjivar) Juvenile justice coordinating council.

CSAC Position: Oppose.

This measure would dramatically recast the composition of multiagency juvenile justice coordinating councils, which are designed to develop and implement a continuum of county-based responses to addressing the needs of justice system-involved youth.

CSAC staff contacts: Ryan Morimune, Legislative Advocate and Michaela Schunk, Legislative Analyst

Agriculture, Environment, and Natural Resources

AB 985 (Arambula) San Joaquin Valley Air Pollution Control District (SJVAPCD)

CSAC Position: Oppose.

This bill would make fundamental changes to SJVAPCD's emission reduction credit program. CSAC is concerned about the impact and costs these changes would have on the services provided for Valley residents.

AB 2060 (Soria) Lake and streambed alteration agreements: exemptions.

CSAC Position: Support.

This measure would exempt from certain Lake and Streambed Alteration agreements some activities related to Flood-Managed Aquifer (groundwater) Recharge until January 1, 2029.

AB 2276 (Wood) Forestry: timber harvesting plans: exemptions.

CSAC Position: Support.

This measure would extend various timber harvest exemptions scheduled to sunset on January 1, 2026 to January 1, 2031. These changes were created to decrease the risk of wildfire.

AB 2560 (Alvarez) Density Bonus Law: California Coastal Act of 1976.

CSAC Position: Oppose.

This measure requires, among other things, for local governments in the coastal zone to amend local coastal programs to comply with both the Density Bonus Law and California Coastal Act.

AB 2660 (Committee on Energy Management) Office of Emergency Services: federal grant funding.

CSAC Position: Support.

This measure would require the California Office of Emergency Services (Cal OES) to allocate the maximum local share of specified federal grant funding to local operational areas.

AB 2902 (Wood) Organic Waste Rural Exemption

CSAC Position: Support.

This bill would extend the existing rural exemption under SB 1383, which applies to counties with fewer than 70,000 residents. The exemption is set to expire in 2037.

SB 1101 (Limón) Fire prevention: prescribed fire: state contracts: maps.

CSAC Position: Support.

This measure requires CAL FIRE to use spatial planning tools and comprehensive mapping (“potential operational delineations”) as a tool for strategic wildfire response.

SB 1420 (Caballero) Hydrogen Projects

CSAC Position: Support.

This bill would streamline permitting for new hydrogen projects throughout the state, to ensure that California is able to make the most of currently available federal infrastructure funding.

SB 1143 (Allen) Household Hazardous Waste

CSAC Position: Support.

This bill would create an extended producer responsibility program for household hazardous waste. This will shift the cost of handling these specialized products from local governments to the producers who make them.

SB 1159 (Dodd) California Environmental Quality Act (CEQA): roadside wildfire risk reduction projects.

CSAC Position: Support.

This measure would require the state to evaluate and consider the inclusion of roadside wildfire risk reduction projects near municipalities for categorical CEQA exemption.

SB 1390 (Caballero) Groundwater recharge: floodflows: diversion.

CSAC Position: Support.

This measure enables California to divert flood flows for groundwater recharge by clarifying when these flows may be captured for the benefit of aquifers, what and planning requirements are necessary for local agencies pursuing recharge, amongst other things.

CSAC staff contacts: Catherine Freeman, Senior Legislative Advocate, Ada Waelder, Legislative Advocate, and Amber Garcia Rossow, Legislative Analyst

Government Finance and Administration

AB 884 (Low) Elections: language accessibility.

CSAC Position: Oppose unless amended.

This measure would require county elections officials to provide specified elections materials in additional languages and provide additional language services. CSAC is asking for an amendment making the bill’s requirements subject to an appropriation for this purpose.

AB 2557 (Ortega) Local agencies: contracts for special services and temporary help: performance reports.

CSAC Position: Oppose.

This measure places burdensome requirements on local governmental agencies related to contracting out for services.

AB 2561 (McKinnor) Local public employees: vacant positions.

CSAC Position: Oppose.

This measure would, among other specified requirements, require local agencies with bargaining unit vacancy rates exceeding 15% for more than approximately six months to meet and confer with the bargaining units and hold a public hearing to discuss strategies to fill the vacancies.

AB 2797 (McKinnor) Telephone corporations: carriers of last resort: tariffs.

CSAC Position: Oppose. *This bill is dead.*

This measure would have, among other things, allowed telephone corporations seeking relief from carrier of last resort obligations to cease those obligations if they submit a notice to the California Public Utilities Commission and make specific changes to their tariffs.

SB 1034 (Seyarto) California Public Records Act (PRA): state of emergency.

CSAC Position: Support. *Signed by Governor Newsom on July 18.*

This measure amends the definition of “unusual circumstances,” in the PRA to include the need to respond to a PRA request during a state of emergency.

SB 1164 (Newman) Property taxation: new construction exclusion: accessory dwelling units.

CSAC Position: Oppose. *This bill is dead.*

This measure would have reduced local government property tax revenue by exempting newly constructed accessory dwelling units from property tax assessment for 10 years, if certain conditions are met.

SB 1441 (Allen) Examination of petitions: time limitations and reimbursement of costs.

CSAC Position: Support.

This measure would preserve local election resources by establishing reasonable timeframes for the examination of failed petitions.

CSAC staff contacts: Eric Lawyer, Legislative Advocate and Stanicia Boatner, Legislative Analyst

Health and Human Services

Health and Behavioral Health

AB 1168 (Bennett) Emergency medical services: prehospital EMS.

CSAC Position: Oppose.

This measure would overturn statutory and case law record that has affirmed county responsibility for the administration of emergency medical services and with that, the flexibility to design systems to equitably serve residents throughout their jurisdiction. This bill could create fragmented and inequitable emergency medical services statewide.

AB 1975 (Bonta) Medi-Cal: medically supportive food and nutrition interventions.

CSAC Position: Support.

This measure would, upon appropriation by the Legislature and subject to federal approval, make medically supportive food and nutrition interventions a covered benefit under Medi-Cal fee-for service and managed care delivery systems.

AB 2075 (Alvarez) Resident Access Protection Act.

CSAC Position: Tracking.

This measure establishes the Resident Access Protection Act and grants residents of long-term care facilities the right to in-person, onsite visits (whether from friends, family, or health providers) during a public health emergency.

AB 2871 (Maienschein) Overdose fatality review teams.

CSAC Position: Support.

This measure would allow counties to establish overdose fatality review teams to engage in system-wide team review when there is a drug fatality, promote information sharing between county agencies and local stakeholders and experts, and strengthen the integration of local prevention efforts.

SB 1238 (Eggman): Health facilities.

CSAC Position: Tracking/engaged.

This measure authorizes psychiatric health facilities and mental health rehabilitation centers as eligible facility types for the involuntary treatment of individuals diagnosed only with severe substance use disorders (SUD) or co-occurring mental health and severe SUD as specified under SB 43 (Eggman, 2023) subject to criteria and regulations by the Department of Health Care Services (DHCS). SB 1238 also authorizes counties to designate specified facilities (that are not hospitals or clinics) to provide evaluation and treatment subject to requirements established by DHCS.

SB 1319 (Wahab) Skilled nursing facilities: approval to provide therapeutic behavioral health programs.

CSAC Position: Support.

This measure streamlines the approval process for skilled nursing facilities (SNFs) seeking to offer behavioral health services for residents by creating a process for SNFs to apply simultaneously to the multiple state departments that require approval for a SNF to provide special treatment program services.

SB 1397 (Eggman) Behavioral health services coverage.

CSAC Position: Support.

This measure establishes a mechanism for county behavioral health agencies to recoup reimbursement from commercial plans for privately insured clients referred to services through Full-Service Partnerships.

CSAC staff contacts: Jolie Onodera, Senior Legislative Advocate and Danielle Bradley, Legislative Analyst

Human Services and Homelessness

AB 1948 (Rendon) Homeless multidisciplinary personnel teams.

CSAC Position: Support – ***Signed*** by Governor Newsom on July 15.

This measure deletes the January 1, 2025 sunset date on current statute that gives seven counties the authority to exchange personal information of individuals at risk of experiencing homelessness for the purposes of service delivery and prevention, and expands that authority to the County of San Mateo.

AB 2496 (Pellerin) Liability claims: foster family agencies and noncustodial adoption agencies.

CSAC Position: Oppose unless amended.

This measure would, among other things, prohibit the use of certain types of indemnification agreements in contracts between counties and Foster Family Agencies. Foster Family Agencies are a critical partner of counties in caring for the well-being of children placed into foster care.

AB 2774 (Grayson) Childcare for Working Families Act.

CSAC Position: Support.

This measure would establish the Childcare for Working Families Task Force, convened by the Governor's Office of Business and Economic Development (GO-Biz), with the purpose of establishing recommendations aimed at addressing challenges faced by working families in accessing childcare.

SB 37 (Caballero) Older Adults and Adults with Disabilities Housing Stability Act.

CSAC Position: Support.

This measure would, upon appropriation of the Legislature, establish the Older Adults and Adults with Disabilities Housing Stability Pilot Program. This pilot program would offer competitive grants in up to five geographic regions or counties to administer housing subsidies for older adults and adults with disabilities who are experiencing homelessness or at risk of homelessness.

SB 1249 (Roth) Mello-Granlund Older Californians Act.

CSAC Position: Support in concept.

This measure would move forward on recommendations of the California Department of Aging CA 2030 Steering Committee to create a future-ready aging network in California.

CSAC staff contacts: Justin Garrett, Senior Legislative Advocate and Danielle Bradley, Legislative Analyst

Housing, Land Use, and Transportation

AB 1890 (Patterson, Joe) Public works: prevailing wage.

CSAC Position: Oppose unless amended.

This measure would mandate the awarding body of a public works contract to notify the Department of Industrial Relations in the event of a change in contractor or subcontractor identity or if the contractor's total amount changes by over \$10,000 within 30 days.

AB 1957 (Wilson) Public contracts: best value construction contracting for counties.

CSAC Position: Support.

This measure expands a pilot program statewide to allow all counties to use the best value contracting method, until 2030.

AB 2149 (Connolly) Gates: standards: inspection.

CSAC Position: Oppose unless amended.

This measure creates a requirement for local agencies to regulate and enforce safety provisions set forth in the bill on new and some existing gates that weigh more than 50 pounds and are over 48 inches wide or are more than 84 inches high and meet exceedingly vague public access criteria, which capture a massive variety and number of gates.

AB 2182 (Haney) Public works.

CSAC Position: Of interest.

This measure makes many changes to the existing public works and prevailing wage laws. Most significantly, this measure would mandate that when the prevailing wage is adjusted by the Department of Industrial Relations, the new prevailing wage applies to all applicable public works projects, overriding the prevailing wage that was included in the contract for that project. Currently, the prevailing wage included in a contract for a public works project remains in place for the duration of the contract (generally).

[SB 937 \(Wiener\) Development projects: permits and other entitlements: fees and charges.](#)

CSAC Position: Oppose unless amended.

This measure places restrictions and allows for delays of fees and charges counties may impose on certain types of affordable housing projects. This measure also Prevents the assessment of interest for delayed fees, extends entitlements for certain housing projects.

CSAC staff contacts: Mark Neuburger, Legislative Advocate and Kristina Gallagher, Legislative Analyst

OTHER ADVOCACY UPDATES

Artificial Intelligence

CSAC Provides Public Comment on Artificial Intelligence Regulations

On Wednesday, July 17, CSAC submitted a public comment letter to the California Civil Rights Department outlining concerns regarding their proposal to modify regulations implementing the employment provisions of the Fair Employment and Housing Act (FEHA). The Civil Rights Department proposes amending FEHA regulations to, among other things, restrict employer use of automated decision-making systems, in the interest of protecting against employee or applicant discrimination. While CSAC does not contest the intentions of the regulations or the goal to affirm that California’s antidiscrimination laws and regulations apply to potential discrimination caused by automated decision-making systems, CSAC has targeted concerns regarding how the regulations treat automated decision-making systems as a static tool –rather than acknowledging the continual evolution and improvement of this technology. While we understand the concerns these regulations are intended to address, our concerns are that they will be broadly interpreted to discourage the use of tools that can improve government efficiency and help public agencies resolve workforce vacancy challenges. More information is included in the links below:

California Civil Rights Department Proposed Modifications to Employment Regulations Regarding Automated-Decision Systems:

- [Press Release](#)
- [Initial Statement of Reasons](#)
- [Notice of proposed rulemaking](#)
- [Full text of draft regulations](#)
- [CSAC Public Comment Letter](#) (July 17, 2024)

CSAC Presents at Mountain Connect Conference

On Wednesday, August 7, in partnership with Supervisor Zach Friend (Santa Cruz County) and the National Association of Counties, Jessica Sankus participated in a panel discussion on the local, state and federal policies being considered and adopted regarding artificial intelligence and how local governments can help shape the regulatory and policy process during the [Mountain Connect](#) conference. Mountain Connect is a broadband development conference that provides relevant and targeted content to help communities across the nation make effective decisions as they expand telecommunications infrastructure. CSAC provided resources for conference attendees to engage in the regulatory process, and commented on the burgeoning regulatory landscape for artificial intelligence technology in California.

Proposition 1

CSAC and County Executives Participate on BHSA Revenue Stability Workgroup

CSAC continues its advocacy focus on Proposition 1 planning and implementation efforts through active participation on various advisory workgroups engaging with the Administration and stakeholders on the development of policies, guidance and processes to implement this significant reform.

On July 25, the first of a series of meetings of the statutorily required Behavioral Health Services Act (BHSA) Revenue Stability Workgroup took place. This workgroup includes representatives from CSAC (including urban/rural representation by county executives Robert Manchia (San Mateo County) and Andy Pickett (Butte County)), the Legislative Analyst's Office, the County Behavioral Health Directors Association, the Behavioral Health Services Oversight and Accountability Commission, and the Newsom Administration, with technical assistance from the Department of Finance.

CSAC staff also serve on the Behavioral Health Transformation (BHT) Implementation Workgroup and the Information Technology (IT) Subcommittee, in the development of the IT platform/solution for data collection/reporting of the BHSA integrated plan.



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Graham Knaus

August 8, 2024

TO: CSAC Executive Committee
FROM: Chastity Benson, Chief Operating Officer
Brian Ferguson, Director of Public Affairs
SUBJECT: **Operations and Member Services Report:
Key Details for Executive Committee Members**

The CSAC Operations, Member Services Unit and Public Affairs Team is responsible for creating areas for member engagement while continuing to streamline the Association’s operations. We are excited to provide you with the latest on our efforts to build evolve / transform services and programming to serve our members.

We have had a busy and successful Summer and look to build on that progress as we head into the Fall months. Some highlights of our work that we would like to share with you are included below.

Staffing Up to Serve YOU

We have restructured the staffing of our Member Engagement and Public Affairs unit to build a robust team that allows us to better engage in the public discourse while also providing amazing programming and support to members.

I am happy to report that we have had significant success in hiring over the summer and will be fully staffed in our Member Engagement and Public Affairs section by early September.

After extensive recruitment and hiring efforts, we have identified three new staffers that will fill out the functions of: Senior Member Engagement Manager, Digital Content Specialist as well as Member Services Assistant.

This marks an important milestone in fully staffing this team up so that we may build the CSAC of the future. We can’t wait for you to meet the new team members as they come on board in the next few weeks.

Updating our Online Platforms

We currently have not one, but two significant technology modernization initiatives underway that are going to make a meaningful difference for members in how they interface with CSAC.

First, we are replacing our Association Management System platform with a sleek modern database that will make it immensely easier for members to register for events, update their contact information, submit awards and so much more. The platform we will be using is called Rhythm and is a versatile tool that many

associations use nationally. Our team has been working hard on implementing the business process changes required for this system for the past several months and we are optimistic the new tool will go-live in the first quarter of 2025.

Secondly, we are replacing our public facing website to better meet the needs of our members. As our Executive Committee is well aware, the current site is not mobile friendly, lacks modern features and doesn't put our organization's best foot forward with the public. We have brought on a well-respected web design firm who is now working closely with our team to build a member-focused website to take CSAC into the modern era of online communications. The design-build of website is now underway and we are looking forward to sharing mockups of the website design with you all later this fall and full go-live is planned for the first quarter of 2025.

Matching Programming and Events to the Moment

In less than 100 days, county governments will oversee a general election that has far reaching consequences up and down the ballot for California communities. This election will take place against the backdrop of massive disruption and changes to the way counties do business including: implementation of key homelessness and behavioral health programs, use of artificial intelligence, a national insurance crisis and rollercoaster economic conditions driven by inflation and changing interest rates.

Now, more than ever, CSAC members crave connection to each other — a chance to share successes as well as the challenges they experience in their communities. This fall CSAC will provide a range of conferences and events, where county leaders can step back from their day-to-day duties to build connection while growing personally and professionally.

If you haven't already done so, please make sure to register for the CSAC Annual Meeting which is taking place November 18-22 in Los Angeles County. Register by September 30 to take advantage of early bird pricing. While we can't share all of the details of the programming for this event just yet, we do want to preview with you here that we are working on big, diverse and glitzy event in the spirit of our host county!

In light of the Park Fire and the significant impact it has had on our colleagues in Butte, Lassen and Tehama Counties we have postponed the regional meeting that had been scheduled for September in Butte. We are however, working closely with county leaders to participate in the 4th Annual After the Fire conference hosted by Sonoma County. At this event leaders from Sonoma, Butte and several others communities that have experienced significant disasters will share best practices with our neighbors from Maui County.

And finally, CSAC Staff will be fanning out for events across the State and Western US over the coming few months to represent CSAC and support YOU at a host of other county focused events and conferences this fall.

Operations Updates

As was discussed elsewhere on this Executive Committee agenda, CSAC is taking significant steps towards a building renovation project. This project may be the most significant renovation to date of this 1912 era building and is necessary for modern and future technology potential, space planning, and building

efficiencies. It is important to CSAC that our members, staff and our tenants are kept aware of critical steps in the process as we walk down this path together.

Our Accounting Team continues to shine having achieved a significant milestone by streamlining the budgeting process, and implementing improvement to our auditing functions which will allow for real-time monitoring of spending, our annual budget while enhancing the oversight and management of the Association's finances.

CSAC has long prided itself on being an employer that is committed to a safe, hospitable workplace. This summer CSAC implemented a new Workplace Violence Prevention Plan (WVPP) so that employees have a clearly understood, accessible, and actionable policy to respond quickly to episodes of workplace violence. The WVPP complements the organization's existing safety policies by laying out more specifically the steps to identify, report, track, and analyze violent incidents to reduce the likelihood of re-occurrence. This plan was made mandatory by Senate Bill 553 which required all California workplaces to have a policy in place to address the rising episodes of violence occurring at the worksite.



August 8, 2024

To: CSAC Executive Committee

From: Oscar Villegas, President
Alan Fernandes, CSAC FC Chief Executive Officer
Rob Pierce, CSAC FC Chief Operations Officer

RE: **CSAC Finance Corporation Report**

CSAC Finance Corporation Board of Directors

At its Annual Spring Meeting on May 2, 2024, the CSAC Finance Corporation (CSAC FC) Board of Directors held its annual election of Officers, approved the 2024-25 budget, received Business Partner updates and received reports from Staff regarding potential new Business Partnerships.

With Board action, Oscar Villegas (Supervisor - Yolo County) was reaffirmed as President, Graham Knaus (Chief Executive Officer - CSAC) was reaffirmed as Vice President and Ryan Alsop (Chief Executive Officer - Napa County) was also reaffirmed as Secretary/Treasurer. With budgetary action, CSAC FC is extremely proud that its 2023-24 financial contribution to CSAC was once again, for consecutive years, the largest contribution in the history of the CSAC FC.

Enterprise Mobility Partnership

CSAC FC is proud to announce a new Business Partnership with Enterprise Mobility, which began on July 1, 2024. After working very closely for the last several months, CSAC FC and EM have established a partnership that will allow counties to access vehicle rentals in a very streamlined fashion at rates that are far below the typical rates that individual counties and municipalities would receive directly and/or in isolation. Aside from the extremely discounted rental rates, though our partnership, counties will also automatically receive damage waivers and significant liability coverage from EM at no extra fee or cost, which will not place liability on the municipality or the individual employee(s) using the vehicle (s), this too is unique as typical rental contracts with individual municipalities do not include these perks. What's more is counties will receive these guaranteed rates and coverage with a zero volume benchmark, again a unique opportunity as rates tend to be based on utilization volume and most contracts require a minimum volume benchmark to guarantee the quoted rates.

For more information about this exciting partnership or to find out how your county can benefit from this program please call (916-612-3020) or email Rob Pierce (rob@csacfc.org).

California Cannabis Authority

There has been significant positive activity and momentum over the last several months regarding the California Cannabis Authority (CCA). CCA is a Joint Powers Authority formed in 2018 and with its establishment, CSAC FC and CCA have maintained an Intellectual Property License, Royalty, and Program Administration Agreement (Agreement) that required renewal and necessary revisions to better capture and memorialize the program, practices and procedures of CCA. As such on May 2, 2024, the CSAC FC Board approved the revised Agreement and CCA's Board approved the revised Agreement at its May 10, 2024, meeting. The material terms of the revised Agreement include extended term dates and royalty clause

revisions calling for formation cost reimbursement via fees for Executive Director and CFO services until reimbursement is achieved, at that point CCA will provide 50% of any net income or three (3) percent of CCA total combined revenue, whichever is higher, in addition to the Executive Director and CFO service fees should those services continue to be desired.

CSAC FC's and CCA's Boards also approved a Contract for Executive Director and Chief Financial Officer Services (Contract). The key terms of this new Contract provide that CSAC FC will provide CCA Executive Director and Chief Financial Officer services.

With both entities working in close collaboration with a mutual desire for progress moving forward, it is believed that the new Agreement and Contract will provide new enthusiasm to deliver CCA's services, help to ensure that formation costs will be reimbursed to CSAC FC, and an enhanced partnership and relationship between CCA and CSAC FC. In addition, the CCA team is working on expanding the counties that use its services and is excited about the increased offerings that will be finalized over the next few months.

For more information regarding CCA please visit our website at: (www.csacfc.org), call (916-548-3280) or email Stacie Frerichs (stacie@csacfc.org).

Corporate Associates Program

The Corporate Associates Program begins the 24/25 Fiscal Year with 76 partners strong across all three levels (Platinum, Gold and Silver). Many of these partners, were with us at the NACo Annual Conference in Hillsborough County, Florida helping to host a fantastic California delegation reception on Sunday, July 14th.

The new partners joining our program this year are as follows. At the **Platinum Level**, please welcome **Chorus Innovations** (Ryan Napier), **ES&S** (Chelsea Machado), **HGA** (Dacia Eastin), and **34 Strong** (Craig Isaac). At the **Gold Level**, please welcome **ATT** (Bryant Milesi – upgrading from Silver), and **Oracle** (Megan Jaskiewicz - formerly Platinum). At the **Silver Level** please welcome **Barclays Public Finance** (Tony Hughes), **Caret Health Inc.** (George Scarborough), **Indivior** (Jennifer Duncan and Pauline Whelen) and **Wonderschool** (Drew Baker). For more information regarding the CSAC FC Corporate Associates Program please visit our website at: (www.csacfc.org), call (916-548-3280) or email Jim Manker (jim@csacfc.org). The current partner list is attached for your reference.

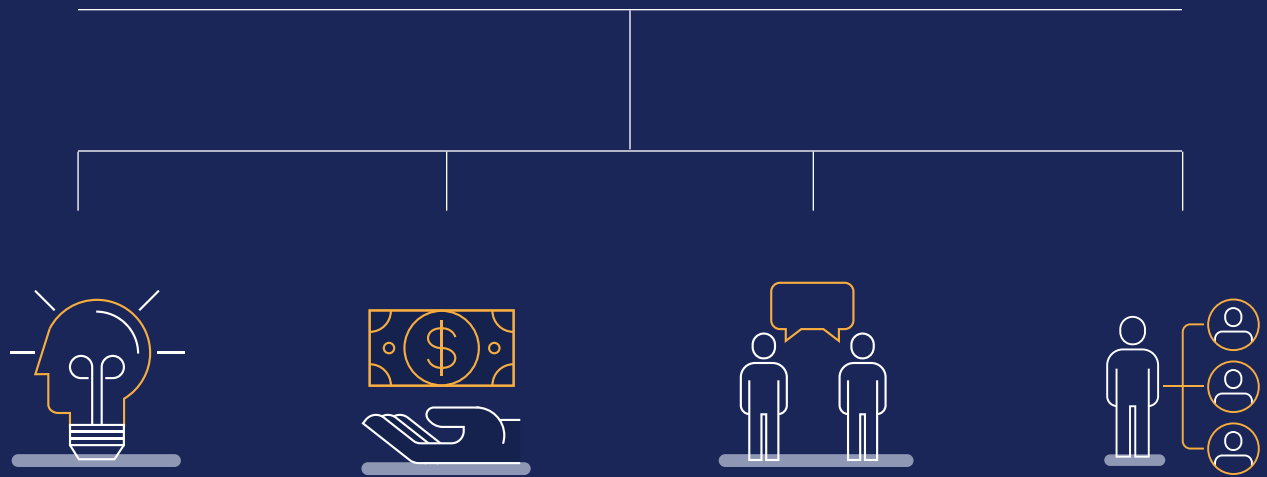


Mission Statement:

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

Commitment & Priorities

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



Create and Manage Innovative Public Services and Products

Provide Financial Support to CSAC

Collaborate With Complementary National & State Organizations

Maintain Strong Relationships With our Service Providers

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



Supervisor Oscar Vilegas, President
oscar@csacfc.org or 916.650.8137

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



Alan Fernandes
Chief Executive Officer
Alan@csacfc.org
(916)650-8175

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

Business Program Summary

CSCDA
Financing
www.cscda.org



Cathy Barna
cbarna@cscda.org
(800) 531-7476

The California Statewide Communities Development Authority (CSCDA) was created in 1988, under California's Joint Exercise of Powers Act, to provide California's local governments with an effective tool for the timely financing of community-based public benefit projects. Currently, more than 530 cities, counties and special districts have become Program Participants to CSCDA - which serves as their conduit issuer and provides access to an efficient mechanism to finance locally-approved projects. To date, CSCDA has issued more than \$70 billion in tax exempt bonds helping local governments build community infrastructure, provide affordable housing, create jobs, make access available to quality healthcare and education, and more.

Nationwide
Deferred Compensation
www.nrsforu.com



Rob Bilo
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(877) 677-3678

The Nationwide Retirement Solutions program is the largest deferred compensation program in the country for county employees. In California, over 65,000 county employees save for their retirement using this flexible, cost-effective employee benefit program. This program is the only one with a national oversight committee consisting of elected and appointed county officials who are plan participants. Additionally, an advisory committee comprised of California county officials provides additional feedback and oversight for this supplemental retirement program. Currently 34 counties in California have chosen Nationwide to help their employees save for retirement.

CalTRUST
Investing
www.caltrust.org



Laura Labanieh
Laura@caltrust.org
(833) CALTRUST

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

CCHI
Outreach and Enrollment Network
www.cchi4families.org



Mark Diel
mark@cchi.org
(916) 404-9442

California Coverage & Health Initiatives (CCHI) is a statewide outreach and enrollment network, whose efforts ensure that all California's families are able to easily and effectively navigate into health coverage and other health services.

Easy Smart Pay
Property Tax Payment Portal
www.easysmartpay.net



Easy Smart Pay™

Alan Fernandes
Alan@easysmartpay.net
(916) 650-8120

Formed by the CSAC Finance Corporation, Easy Smart Pay is a platform built to modernize and simplify the process of paying government. ESP is a complementary bill pay service focused on providing automatic monthly payments to taxpayers for their property tax at the lowest industry rates. In addition to the partnership with the CSAC Finance Corporation, Easy Smart Pay partners with the NACo Financial Services Corporation and the California School Board Association. This program is currently being used in 28 of the 58 California counties and is now available for all counties to onboard.

PRISM
Employee Benefits Solutions
www.prismrisk.gov



Rick Brush
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(916) 850-7300

The Personal Lines Insurance Program (PLIP) provided by PRISM offers employees of PRISM members access to practical group savings on everyday insurance coverages. Available to all eligible PRISM members and their employees, council, commissioners and retirees, there is a solution and savings for many participants. The coverages provided include Automobile, Pet Insurance, Homeowners, Renters, Excess Liability/Umbrella to all the employees (including retirees), Condominium, Scheduled Personal Property, Recreation Vehicles, Watercraft, RV, Rental Properties, and more. Each public entity participating in a PRISM benefit program receives service support from a dedicated program management team.



**MUNICIPAL FINANCE
& SERVICES CORP.**

Municipal Finance & Services Corp.

Accelerated Vender Payments and
Cash Flow Solution
www.mfsamerica.com



Scott Chilson
schilson@mfsamerica.com
(949) 388-2686

The Accelerated Municipal Payment (AMP) Program, administered by Municipal Finance & Services Corporation (MFSC), is a non-third-party accounts payable program provided to local government agencies at no cost to the local agency. Through the AMP Program vendors are paid in an expedited fashion by MFSC, typically within 72 hours from invoice approval, resulting in enhanced cash flow for both the local agency and its participating vendors. Local agencies also benefit from a streamlined and efficient accounts payable system and not having to pay against the invoice themselves until typically 60 days from MFSC’s payment of the invoice. The AMP Program’s accounts payable, document, and data management system not only prompt expedited payments to vendors but also afford the agency improved efficiency and transparency. The service also includes courtesy services that increase vendor diversity and participation. Vendor participation in the AMP Program is voluntary and therefore allows flexibility to vendors.



PROCUREAMERICA
BUSINESS INTELLIGENCE SERVICES

Procure America

Business Intelligence Services
www.procureamerica.org

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(949) 388-2686

Procure America provides its clients with analytics and strategies that result in greater performance at lower costs. By leveraging decades of industry experience, Procure America generates an average savings of 34%, all while increasing operational efficiency, vendor accountability, and service levels. Procure America’s experts have deep, industry-specific experience and will analyze all aspects of the supplier relationship-contractual, operational and invoice compliance. Knowledge, information and focus delivers results.



**CALIFORNIA
CANNABIS
AUTHORITY**

CCA

Cannabis Compliance
www.cca.ca.gov

Stacie Frerichs
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(916) 650-8128

The California Cannabis Authority is a Joint Powers Authority established by county governments to develop and manage a statewide data platform. The platform will assist local governments that are regulating commercial cannabis activity by consolidating data from different channels into one resource to help local governments ensure maximum regulatory and tax compliance. In addition, the platform can help to facilitate financial services to the cannabis industry by linking willing financial institutions with interested businesses, and by providing critical data to ensure that all transactions and deposits are from legal transactions. As Counties look at establishing or revising their cannabis licensing and taxing structure, CCA should be among the resources used to ensure a successful and robust regulatory program.

Coast2Coast Rx Card

Coast2CoastRx

Discounted Prescription Drugs
www.coast2coastrx.com

Jim Manker
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(916) 650-8107

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

CSBA GAMUT

Agenda Management System
https://www.csba.org/gamut



James Collins
jcollins@csba.org
(916) 669-3278

CSAC FC has partnered with the California School Board Association (CSBA) to bring the GAMUT platform to California Counties and other public agencies that allows for a virtual meeting minutes record keeping that conforms with the Brown Act. Agencies are able to use this simple yet robust software for meetings and policies as well as provide immediate public access and translates in more than 100 languages. The platform incorporates the needs of a virtual meeting environment with online voting and remote board access. Agencies can purchase the entire suite or select the module that best suits their governance team's needs.

Synoptek

Cyber Security and Technology
www.synoptek.com



Eric Westrom
ewestrom@synoptek.com
(916) 316-1212

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

Public Surplus

Surplus Auction System
www.publicsurplus.com



Don Clayton
Donclayton@thepublicgroup.com
(801) 932-7000

Public Surplus is the best government surplus auction system available. Find great deals on heavy equipment, cars, buses and even airplanes. This system was created with unique capabilities specifically for public agencies, making it much more than an auction site. The services we offer to both buyers and sellers is of the highest quality with a strong focus on customer care.

CashVest by Three + One

Liquidity Management Services
www.threeplusone.us



Garrett MacDonald
gam@threeplusone.us
(585) 484-0311

CashVest® provides liquidity analysis and FinTech data services for counties and other public entities. This program is a new opportunity to help manage your organization's funds as a revenue-generating asset, identify the current marketplace value of your cash, and use time horizon data to maximize the value of all your financial resources.

Treasury Curve

Financial Management Services
www.treasurycurve.com



Nancy Jerez

Nancy@treasurycurve.com
(650) 521-5249

Treasury Curve was founded by a team of financial and technology innovators all-too-familiar with the pain treasury professionals face each day: How to efficiently manage both cash and investments, maximize idle cash and ensure compliance within strict investment policies. The result is a total solution designed to help you optimize your treasury, while giving you precious time back to optimize other areas in your finance and treasury areas.

Enterprise Mobility

Vehicle Rental Program
www.enterprisemobility.com



Lisa Holmes

Lisa.M.Holmes@em.com
(926) 240-1169

CSAC Finance Corporation and Enterprise Mobility have partnered to provide counties and other municipalities remarkably discounted rates for cars, trucks, vans and cargo vehicle rentals. Through this program Enterprise Mobility also provides automatic damage waivers and liability coverage at no additional cost and all with a zero-volume guarantee making it more efficient and cost effective to rent one or multiple vehicles on short and/or long-term bases. Enterprise Mobility is a leading provider of mobility solutions including car rental, fleet management, flexible vehicle hire, carsharing, vanpooling, car sales, truck rental, vehicle subscription, luxury rental, technology solutions and more, to help make travel easier and more convenient.

Board of Directors

- Oscar Villegas**, Yolo County - **President**
- Graham Knaus**, CSAC - **Vice President**
- Ryan Alsop**, Napa County - **Treasurer**
- Kathryn Barger**, Los Angeles County
- Richard Forster**, Amador County
- Elba Gonzalez-Mares**, Public Member
- Matt Jennings**, Riverside County
- Leonard Moty**, Public Member
- Susan Muranishi**, Alameda County
- Jack Pellegrino**, San Diego County
- Billy Rutland**, Public Member

Staff

- Alan Fernandes** - Chief Executive Officer
- Rob Pierce** - Chief Operating Officer
- Jim Manker** - Director of Business Development
- Christy Higgins** - Director of Operations
- Chase Broffman** - Business Development Manager
- Sendy Young** - Executive Assistant



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1. Alaska Airlines

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www.news.alaskaair.com

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(279) 245-7091
stephanie.berry@elevancehealth.com
www.anthem.com

3. Baron & Budd

John Fiske, Shareholder
11440 W. Bernardo Court
San Diego, CA 92127
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jfiske@baronbudd.com
www.baronandbudd.com

4. Blue Shield

Andrew Kiefer, VP, State Government Affairs
1215 K St. Suite 2010
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Andrew.keifer@blueshieldca.com
www.blueshieldca.com

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cbarna@cscda.org
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6. CalTRUST

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laura@caltrust.org
www.caltrust.org

7. CCHI

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mdiel@cchi4families.org
www.cchi4families.org

8. Chorus Innovations

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Long Beach, CA 90808
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ryan@joinchorus.com
www.joinchorus.com

9. Deloitte

Vanessa Vacca, Managing Director
1919 N. Lynn Street
Arlington, VA 22209
(949) 375-2579
vavacca@deloitte.com
www.deloitte.com

10. Dominion Voting Systems

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

11. DRC Emergency Services

Kristy Fuentes, Vice President Business
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110 Veterans Memorial Blvd.
Metairie, LA 7005
(504) 220-7682
kfuentes@drcusa.com
www.drcusa.com

12. Enterprise Fleet Management

Lisa Holmes, State of CA Contract Manager
150 N. Sunrise Ave
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www.enterprise.com

13. Election Systems and Software

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14. GX Broadband

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www.gxbroadband.com

15. HGA

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DEastin@hga.com
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16. IBM

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17. Kaiser Permanente

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18. Mosaic Solutions and Advocacy

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19. Nationwide

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(86) 677-5008
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20. NextEra Energy

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1 California Street, Suite 1600
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21. Pacific Gas & Electric Company

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22. Peraton

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23. PRISM

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www.prismrisk.gov

24. Procure America

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25. Prologis

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26. SiteLogIQ

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27. SLS

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28. Southland Industries

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29. 211 California

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30. 34 Strong

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32. Vanir Construction Management, Inc.

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33. Western States Petroleum Association

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1. Alliant Insurance Services, Inc.

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2. AT&T

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3. Coast2Coast Rx

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4. EY

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5. Hagerty Consulting

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6. HdL Companies

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7. Hipcamp

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8. OpenGov

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9. Oracle

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10. Paragon Government Relations

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11. Persimmony International

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13. Recology

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14. SAIC

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17. Synoptek

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SILVER Partners

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2. Barclays

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3. Caret Health Inc.

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4. Comcast

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5. DLR Group

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6. Engie N.A.

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To: CSAC Executive Committee
Cc: Graham Knaus, Chief Executive Officer, CSAC
From: Paul Danczyk, Chief Operating Officer, California Counties Foundation
Date: August 8, 2024
Subject: **California Counties Foundation Report**

The following report includes updates on the CSAC Grants Initiative (CGI), CSAC William “Bill” Chiat Institute for Excellence in County Government (CSAC Institute), and additional efforts.

The Foundation’s work carries across the State, reaching all counties through free and premium services offered via the CSAC Grants Initiative (CGI) and courses from The William “Bill” Chiat Institute for Excellence in County Government (Institute).

This map shows the Institute campus locations and CGI premium services.



CSAC Grants Initiative (CGI)

CGI continues to demonstrate its strength, having just completed its first full year of providing premium services. Currently, seven counties are receiving premium services, with two of them in the process of finalizing second-year agreements. Additionally, four counties are preparing to execute initial agreements for premium CGI services.

CGI and The Ferguson Group (TFG) Deliver Webinar 2

CGI's momentum is steadily increasing, bolstered by valuable feedback from counties, which is crucial in refining and shaping our efforts. On May 16, CGI and TFG successfully delivered the second segment of our four-part 2024 CGI webinar series, Funding Essentials for County Supervisors and CAO’s. This webinar featured Inyo County CEO Nate Greenberg and Supervisor Jeff Griffith’s, who provided valuable insights on how to position counties to compete successfully for funding opportunities.

County of Santa Clara Health System

On July 12, CGI was notified that it was selected to participate in final contract negotiations for Grant Writing and Grant Development services with the County of Santa Clara Health System. The County intends to award an agreement with an initial term of one year, with an option for the County to renew

for up to four additional one-year periods. CGI was chosen after a competitive selection process, highlighting its expertise and commitment to excellence in grant services.

CGI Newsletter Launch

On August 1, CGI will launch its official newsletter. This newsletter will be focused on all things grants and will include insights into the latest funding opportunities, establishing effective grant development strategies, and expert tips on crafting successful grant proposals.

CSAC Institute

CSAC Institute Humboldt Campus Graduations

The Humboldt County cohort graduated on July 9, 2024, and earned an executive credential. Joining the cohort were four participants from Trinity County and four from Del Norte County. The Institute partnered with Humboldt County to offer ten CSAC courses at an onsite campus running from January to May of 2024. Congratulations to the Institute’s graduates! They join a network of over 1,500 executives from across the state.



Pictured: CSAC Foundation COO Paul Danczyk and Assistant CAO Karen Clower with Humboldt County Graduates on July 9, 2024.



Pictured back row: District 4 Supervisor Heidi Carpenter-Harris, District 5 Supervisor Dan Frasier, CAO Trent Tuthill, District 1 – Ric Leutwyler, District 2 Supervisor – Jill Cox, and District 3 Supervisor – Liam Gogan, with Trinity Graduates July 16, 2024.

Upcoming Graduations

The following 2023-2024 cohorts will graduate soon.

Campus & Cohort		Graduation Set
1.	Mariposa County	August 13, 2024
2.	Riverside County	August 27, 2024
3.	Orange County (Riverside Campus)	September 10, 2024
4.	CCISDA Cohort	October 14, 2024
5.	County of Monterey	November 11, 2024

Upcoming Onsite Campuses

The Institute continues its efforts in designing both onsite campuses and virtual offerings. Campus designs range from intensive approaches between five- and ten-months periods. The following counties are on track for an onsite campus:

1. Glenn, Butte and Colusa, campus offered in Glenn this year.
2. Orange, and Riverside, campus offered in Orange County.
3. Ventura County.
4. County of Monterey.
5. Humboldt County.

Institute Testimonials

Testimonials highlight key feedback that the Institute's participants value about programs delivered across counties. When asked about the relevance of the program, the Institute is gratified to hear back and highlight the following:

1. "Although I try to keep an open mind, I went into the process a little skeptical and jaded. I was completely, pleasantly surprised at the relevance, and value to me at a personal level. I've been to several management, and best practice classes over the years, but I think this series has been the most beneficial to me." *Mariposa Cohort Participant.*
2. "Collectively, the training is impressive. I am honored to be a participant. The focus on leadership is evident. What stands out the most is individual growth as a leader and the practice of good management principles. I've learned more about myself as a person, my strengths, interests, talents and how this affects my management style." *Inyo County Participant.*
3. "I expected to learn from the instructors, but I am amazed by how much I learned from my colleagues and what they shared about their own experiences past and present, and the challenges they face daily in service of our county" *Miriam Mendoza Hernandez, Finance Manager, County of Monterey.*

Realignment Training

The Institute will offer Realignment Training in Sacramento, CA at the Sacramento International Airport Media Room on October 3 – 4, 2024. The course reached capacity on July 18, 2024 and a waitlist has opened. Those on the waitlist will receive priority registration for our next Realignment Training in Southern California, location TBD. Realignment is our most popular course. We will continue to offer it twice a year, in Southern California for the Spring and in Sacramento for the Fall. Projected dates for 2025 are April 3 – 4 2025, and October 2 – 3, 2025.

Alumni Programming

Strengthening Response Muscles – 2024

A five-part executive leadership program designed Strengthening Response Muscles 2024 for CSAC Institute alumni. As the national election cycle nears, so too does increased visibility for those in public service. This program is designed to help elected county officials and senior executives bolster response approaches, creating space between the event and action. The program focuses largely on self-awareness

and self-management, reinforcing disciplined techniques to exercise self-control and increase intentionality. The first of five sessions will commence October 4, 2024.

HR Directors Institute

We are excited to partner with the County Personnel Administrators Association of California (CPAAC) to offer the HR Directors Institute. This program is designed for current and emerging human resource directors from both within HR departments and other county departments with a particular emphasis on succession planning and political acumen. The program currently has twenty-one registrants, with a total of twelve counties onboard. The first session begins September 25, 2024, as a virtual intro session, followed by a one-week residency in Santa Barbara, CA.

CCISDA 2024 – 2025 Cohort

The Institute partners with the California County Information Services Directors Association (CCISDA) to offer the IT Executive Credential. Designed for current and emerging Information Technology leaders from across county departments, participants dive deep into leadership concepts, facilitated by nationally recognized faculty and county experts. The first session is on October 03, 2024.

The Institute will recognize over 30 graduates from the 2023-2024 cohort during CCISDA's Annual Conference on October 14th, 2024, in Orange County, CA.

New Supervisors Institute

This program runs every two years and is a series of three modules designed to help new supervisors hit the ground running. The series examines the basics of county governance. The first module provides a unique opportunity to develop a network amongst new supervisors that will last throughout their respective careers. Module One will be delivered at CSAC's 130th Annual Conference in Pasadena, CA on November 18, 2024. The Institute received thirty-one interests and continues registration efforts.

Additional Efforts

California Emerging Technology Fund (CETF) Partnership

Despite the expiration of the Affordable Internet Connectivity Program in June, we remain committed to supporting CETF as active members of the Digital Equity Regional Leadership Learning Community. Our involvement includes participating in and presenting at webinars, attending monthly meetings, and engaging in thought leadership exercises. Through these efforts, we continue to advance digital equity and promote greater access to internet connectivity for underserved communities.

Executive Services

The Foundation is expanding executive services outside of Institute programming. The goal is to help elected officials and senior executives where they are. Services range from executive coaching to retreats & seminars.



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EXECUTIVE DIRECTOR
Jennifer Bacon Henning

MEMORANDUM

To: Supervisor Bruce Gibson, President, and
Members of the CSAC Executive Committee

From: Jennifer Bacon Henning, Litigation Coordinator

Date: August 8, 2024

Re: Litigation Coordination Program Update

This memorandum will provide you with information on the Litigation Coordination Program's new case activity since your March 28, 2024 Executive Committee meeting. Recent CSAC court filings are available on CSAC's website at: <http://www.csac.counties.org/csac-litigation-coordination-program>.

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

COUNTIES	CITIES	OTHER AGENCIES
Fresno Inyo Mendocino San Francisco	Burbank Clearlake Gilroy Long Beach Oakland Pasadena Redlands	

City of Gilroy v. Superior Court (Law Foundation of Silicon Valley)
96 Cal.App.5th 118 (6th Dist. Oct. 23, 2023)(H049552), *petition for review granted* (Feb. 21, 2024)(S282937)
Status: Amicus Brief Due September 25, 2025

The City of Gilroy has a document retention policy that, as relevant here, calls for video footage from officer-worn body cameras to be retained for one year, after which they are automatically destroyed and no longer available to the City. This case centers around footage captured by bodycams during sweeps and clearing of homeless encampments. The Law Foundation of Silicon Valley, in investigating complaints by homeless persons that their personal property was being destroyed during cleanups of homeless encampments, made numerous public record requests for that footage. The City took the position that the video footage was exempt from disclosure as records of investigations and investigatory files. During this period, the Law

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Foundation was continuing to make various CPRA requests for this material, but the footage was continuing to be automatically deleted under the one-year retention policy. The Law Foundation ultimately advised the City of its intent to file a writ petition challenging the City's response to the CPRA requests, at which time the City initiated a litigation hold and began retaining the footage. The City later released video footage from encampment sweeps that did not relate to citations or arrests but continued to withhold footage that showed encounters in which the officers issued citations. A trial court agreed that this footage was properly withheld, and that order was not appealed.

The Law Foundation filed a petition for writ of mandate and complaint for declaratory relief challenging, among other things, the City's destruction of records while CPRA requests were pending and the City's initial assertion of a blanket exemption for the bodycam footage. The trial court granted declaratory relief to the Law Foundation, concluding the City "had a duty to, but did not, watch the bodycam footage before asserting a blanket exception when the details of the footage were unclear on their face in order to determine whether the exemption applies, separate the exempt and nonexempt material, if any, and share information derived from the exempt records with the requester as to why any withheld records were exempt rather than a boilerplate response that parrots the law." However, the trial court rejected the Law Foundation's argument that the City had a duty to retain the records after it received the CRPA request. Both sides appealed.

The Sixth District Court of Appeal ruled in favor of the City. The court overruled the trial court on the validity of the search, finding that the matter was moot and declaratory relief on that issue is not available under the facts of this case: "Since Law Foundation has not raised any issue in this original proceeding as to 'whether a particular record or class of records must be disclosed,' we cannot grant Law Foundation any effective relief under the CPRA." The Court of Appeal affirmed on the issue of record retention. After citing the various Government and Penal Code sections that apply to retention of bodycam footage, the Court concluded: "[T]he CPRA does not govern the retention of public records. The CPRA also does not require public agencies to retain records that are potentially responsive to a public records request, and we may not insert such a requirement in the CPRA. Additionally, the CPRA does not impose a duty on public agencies to advise persons requesting public records of the existence of retention statutes. . . . For that reason, even assuming that Law Foundation seeks prospective relief under Code of Civil Procedure 1060, declaratory relief is not available because City has no duty under the CPRA to preserve all documents that have been withheld as exempt."

The California Supreme Court has granted review to the following issues: (1) May an organization obtain declaratory relief under the Public Records Act based on a public entity's failure to preserve records while the organization's requests for those records were pending? (2) Is it a violation of the Public Records Act for a public entity to fail to preserve records it determined were exempt from disclosure before a court has had an opportunity to conduct a review? CSAC will file a brief in support of the City.

Di Lauro v. City of Burbank

Pending in the Second Appellate District (filed Jan. 10, 2024)(B334408)

Status: Amicus Brief Due September 6, 2024

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This case raises two California Public Records Act issues: (1) Does the CPRA authorize class action claims? (2) Does a department within a public agency (here, the City's Dept of Water and Power) that has its own website violate the CPRA if that separate website does not have its own CPRA portal?

On the first issue, the trial court concluded that the statute does not provide for class actions: "One must remember that there would be no enforceable claim regarding public records access absent this statute, and, as such, the statute is a focused waiver of the otherwise applicable concept of sovereign immunity. As such, the express limitation of standing to bring a claim under the statute should be respected and not eroded by countervailing considerations that class actions are a desirable procedural device which should be grafted onto all types of litigation."

As to the website portal requirements, the court noted that Plaintiff's argument relied solely on Government Code section 7922.600, which requires, in part, that public agencies assist requestors in identifying records. The court concluded that "this is too vague a provision to lead to the conclusion that a public entity which has a CPRA-sufficient portal on its primary website must have a similar portal on any additional websites it maintains. While it would clearly be good practice to have a link from the additional websites to the primary website where the portal exists, the Court cannot find a sufficiently clear legislative mandate in § 7922.600 that this is an enforceable legal duty." CSAC will file a brief in support of the City.

Helm v. City of Los Angeles and County of Inyo

101 Cal.App.5th 1219 (4th Dist. Div. 1 Apr. 19, 2024)(D083075), *request for publication granted* (May 13, 2024)

Status: Case Closed

The City of Los Angeles owns, and the County of Inyo maintains, a recreational area and campground called Diaz Lake. Plaintiff tripped and fell on a wire cable while walking to the Diaz Lake recreational area. That wire cable was suspended between two wooden poles and was intended to prevent vehicles from accessing a pedestrian pathway from a nearby roadway. Plaintiff's action against the City and County alleged dangerous condition on public property, premises liability, and negligence. Summary judgment was granted in favor of defendants based on trail immunity. The Court of Appeal affirmed in an unpublished opinion. The court first concluded that plaintiff was injured accessing a trail, and not on a roadway, and thus the first test of trail immunity was met. The court went on to find that the wire and poles were an integral part of the trail to which immunity extends. The court rejected Plaintiff's argument that trail immunity should not apply to trail component designed to prevent access to a trail (here, to prevent vehicular access). Instead, the court noted that elements of a trail design that allow for access while providing for pedestrian safety are included in trail immunity. CSAC's publication request was granted.

Howard Jarvis Taxpayers Assn v. City of Long Beach

Pending in the Second Appellate District (filed Sept. 1, 2023)(B331453)

Status: Amicus Brief Due August 29, 2024

The City of Long Beach created a "Vacant Lot Monitoring Program," which, among other things, imposed a fee of \$780 per year on vacant lots to cover the cost of the program's requirement that code enforcement officers inspect the vacant lots every month to make sure they are being properly maintained. Only 148 lots in the city were classified as vacant and assessed the fee. Plaintiff alleged the fee violates Prop. 218,

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thus posing the question of whether the Vacant Lot Monitoring Program fee is imposed as “an incident of property ownership” and is therefore precluded by Prop. 218. The trial court ruled in favor of the city, finding: “[T]he fee is not imposed merely based on normal ownership and normal use of the lots, which is what Article XIII D governs. Rather, the fee is based on the lots being vacant, i.e., non-use. In that sense, the fee does not ‘burden landowners as landowners.’ The fee burdens landowners as ‘non-users.’” Plaintiff has appealed. CSAC will file a brief in support of the City.

JHS Family Limited Partnership v. County of Fresno

Pending in the Fifth District Court of Appeal (filed Nov. 1, 2023)(F087092)

Status: Case Fully Briefed and Pending

This case goes back to 2015 when, due to some language (provided by the online vendor that handled the County’s tax sales) that indicated the County would inform bidders of any known environmental conditions on a property up for sale, the successful bidder on a certain contaminated property sued the county on a breach of contract theory. They claimed the language in the sales materials made a contract that the county had breached by failing to inform the bidder that the particular property was on the state’s contamination list. The trial court ruled against the County, holding: (1) that the County entered into a valid implied contract; (2) that the County owed remediation costs as well as open ended damages according to proof submitted by plaintiffs. The court did not address applicable immunities. The County has appealed, arguing that the trial court erred by finding that the County entered into a legal agreement with plaintiffs, and that even if there were a contract, it does not obligate the County to reimburse the plaintiffs for remediating conditions of the subject property. CSAC has filed an amicus brief in support of Fresno County.

Koi Nation of Northern California v. City of Clearlake

Pending in the First Appellate District (filed Dec. 18, 2023)(A169438)

Status: Case Fully Briefed and Pending

The City initiated informal communications with the Koi Nation of Northern California (Koi) regarding potential tribal cultural resource (TCR) impacts of a project to extend a public roadway and construct a hotel on a former airstrip. The communications helped inform a subsequent Cultural Report concluding the project would have no cultural resource or tribal cultural resource effects. Consistent with CEQA, the City sent a formal AB 52 Notice of the Project to the Koi and another tribe, Habematolel Pomo of Upper Lake (“Pomo”). The AB 52 Notice informed the tribes of the opportunity to request formal consultation with the City regarding the project. The sole consultation request came from the Pomo, and the City held a formal consultation with the Pomo.

Based on the project’s lack of significant environmental impacts, the City prepared a mitigated negative declaration (MND). The Planning Commission adopted the MND and approved the project, but the Koi appealed the project to the City Council. Before and at the City Council hearing, the Koi asserted, among other things, that the City had failed to adequately consult with them under AB 52. Though the Koi had failed to timely request consultation, the City conditioned the Project to include numerous measures to ensure protection of TCR in the unlikely event of discovery, including a measure requiring all construction workers on the project to undergo cultural sensitivity training from Koi representatives before ground-breaking

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activities. The City Council denied the Koi's appeal, adopted the MND, and approved the project.

This appeal followed. The trial court found in favor of the City, concluding: (1) failure to timely request consultation eliminated the City's requirement to consult under AB 52; (2) although the Koi and Pomo had an inter-governmental agreement to assist each other, that did not mean that a consultation request by the Pomo was sufficient to also trigger consultation by the Koi; (3) because the Project site contained no TCR listed or determined to be eligible for inclusion in the California Register or included in a local register of historical resources, the City (as CEQA lead agency) had discretion under the substantial evidence standard to determine the existence of TCR; (4) the City's determination of no TCR was supported by substantial evidence. The Koi has appealed. CSAC has filed a brief in support of the City.

Love v. Villacana

Pending in the Ninth Circuit Court of Appeals (filed Dec. 5, 2023)(23-3991)

Status: Case Fully Briefed and Pending

Plaintiff is a 15-year-old minor who resided with Reginald Thomas nearly his entire life. Though Mr. Thomas did not adopt plaintiff, he treated him as a son (took him to school and doctors' appointments, gave him advice, and supported him financially). Thomas died after a struggle with police, who were called to his home during a mental health crisis. Plaintiff brought this Section 1983 action alleging that he had a constitutionally protected "liberty interest in [Thomas] companionship and society," and that the officers' actions deprived him of his parent-child relationship in violation of the Due Process Clause of the Fourteenth Amendment.

The federal trial court dismissed the action, concluding that Plaintiff did not have a liberty interest in his relationship with Thomas that was protected by the Due Process Clause. The court concluded that to state a viable federal claim for loss of a parent-child relationship under the Fourteenth Amendment, the relationship must have two elements: (1) custodial, and (2) either biological or legal. Here, because the relationship was custodial, but not biological or legal, there was no viable claim. The court rejected Plaintiff's argument that the case could move forward under California Family Code section 7611(d), which would make Thomas the Plaintiff's presumed parent. The court held instead that "federal courts look to federal law to determine whether a relationship is protected by the Fourteenth Amendment. . . . Thus, even if Thomas was Plaintiff's 'presumed parent' under California Family Code § 7611(d), he nonetheless lacks any biological or legal connection to Thomas and therefore has no protected liberty interest in their relationship." Plaintiff has appealed. CSAC filed a brief in support of defendants (City of Pasadena).

Rogers v. City of Redlands

Pending in the Fourth Appellate District, Division Three (filed Nov. 15, 2023)(G063580)

Status: Amicus Brief Due August 12, 2024

This case is an appeal of a lawsuit challenging the city's decision to transfer a portion of the revenue collected from its solid waste collection fee to the citywide street paving program to repair road damage caused by solid waste collection vehicles. Plaintiff argued that the charge violates Vehicle Code section 9400.8, which states: "Notwithstanding any other provision of law, . . . no local agency may impose a tax, permit fee, or other charge for the privilege of using its streets or highways, other

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than a permit fee for extra legal loads. . . .” The City argued that its use of solid waste fee revenue did not violate section 9400.8 because it “charges utility rates calculated to recover the full cost of providing service on a record which properly estimates those costs, including the costs . . . to remedy the impact on streets of regular travel by utility trucks on streets, including residential streets not designed for such loads. This is not a charge for the privilege of using streets, but recovery from service recipients of the cost to remediate damage to streets necessarily incurred to provide the service.” The trial court disagreed, finding that the transfer of a portion of the solid waste fee to the pavement repair program violated section 9400.8. CSAC will file a brief in support of the City.

Simon v. City and County of San Francisco

Pending in the Ninth Circuit Court of Appeals (filed Feb. 27, 2024)(24-1025)

Status: Fully Briefed and Pending

This case is a constitutional challenge to San Francisco’s Pretrial Electronic Monitoring (“PTEM”) Program brought by three criminal defendants who were released from custody pretrial after being charged with violent assaults, subject to participation in the PTEM Program. Specifically, plaintiffs alleged that the requirement that they consent to warrantless searches and that location information from their monitors would be shared with other law enforcement agencies are unconstitutional. The federal trial court issued a preliminary injunction against San Francisco and its Sheriff prohibiting them from enforcing a warrantless search condition for any defendant who did not have such a condition specifically stated in their release order from the court and from sharing location data for PTEM Program participants with any other law enforcement agency (including the San Francisco Police Department), even for PTEM Program participants who were specifically admonished by the Superior Court that this sharing was a condition of release and where those participants agreed to the condition in court. San Francisco has appealed to the Ninth Circuit, and CSAC has filed a brief in support.

Vichy v. City of Ukiah / County of Mendocino

101 Cal.App.5th 46 (1st Dist. Mar. 29, 2024)(A165345), *request for depublication denied* (July 10, 2024)(S285170)

Status: Case Closed

This case involves a rifle club that operates a shooting range on land it leases from the City of Ukiah. The property is owned by the City but is located in an unincorporated area of Mendocino County. The County requested an Attorney General’s Opinion to determine whether the City or County had land use authority over the property, but before the opinion was issued (ultimately determining that the County had land use authority), the Club began demolition of its existing range and construction of a new facility. It did so without permits from either the City or the County. Plaintiff Vichy Springs Resort operates a mineral springs resort and spa half a mile from the Club. Vichy sued both the City and County alleging CEQA violations, with the allegations against the County focused on its failure to act in response to a code enforcement complaint against the Club. The County argued that CEQA applies only to project approvals, not to governmental inaction. The County asserted it was neither required to nor capable of conducting environmental analysis of a third party’s decision to start work without County approval. But the Court of Appeal disagreed, finding plaintiff could properly challenge an agency’s decision that a project is not

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subject to regulation. “While the Club did not apply for a permit, doing so would have been an idle act so long as the County maintained it had no regulatory authority. In this unusual circumstance, the County’s determination meant that the Project was allowed to proceed without environmental review, which directly conflicts with the stated purpose of CEQA.” CSAC’s depublication request was denied.

Whitehead v. City of Oakland

99 Cal.App.5th 775 (1st Dist. Jan. 22, 2024)(A164483), *request for publication granted* (Feb. 13, 2024), *petition for review granted* (May 15, 2024)(S284303)

Status: Amicus Brief Due October 3, 2024

Plaintiff sued the City of Oakland for injuries he suffered after his bicycle hit a pothole during a fundraiser training ride. Both the trial court and the Court of Appeal ruled in the City’s favor, concluding that an agreement signed by plaintiff releasing the “owners/lessors of the course or facilities used in the Event” from future liability was valid and enforceable under existing case law precedent. Unfortunately, the California Supreme Court has granted review and will consider the following question: Does a liability release agreement between a bicyclist and the organizer of a recreational bicycle ride extend to the alleged negligent maintenance of a public road by a municipality named in the agreement but not a party to it? CSAC will file a brief in support of the City.



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FOR EXCELLENCE IN
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Format	Campus	Course	Instructor	Date
Virtual	Statewide	333 IT Business Relationship Management	Trevor Gregg	Thursday, August 8, 2024
Virtual	Statewide	328 Increase Organizational Maturity to Drive Innovation, Performance, and Sustainability	Steve Monaghan & Laree Kiely, Ph.D.	Thursday, August 15, 2024
On-Site	Fresno	363 Thinking and Acting Strategically in Conditions of Uncertainty	Rich Callahan, DPA	Friday, August 16, 2024
On-Site	Inyo	389 Data-Driven Decision Making	Deb Hunt, Ph.D.	Wednesday, August 21, 2024
Virtual	Statewide	385 Psychological Safety in Public Service Organizations	Ana Estrada Daniels	Thursday, August 29, 2024
On-Site	Orange	110 Leadership Fundamentals and Public Services Values	Paul Danczyk, Ph.D.	Friday, September 6, 2024
On-Site	Glenn	110 Leadership Fundamentals and Public Services Values	Paul Danczyk Ph.D.	Thursday, September 12, 2024
Virtual	Statewide	363 Thinking and Acting Strategically in Conditions of Uncertainty	Rich Callahan	Friday, September 20, 2024
On-Site	Fresno	354 Customer Service in the Public Sector: Balancing Satisfaction with Priorities	Angela Antenore, M.Ed.	Friday, September 20, 2024
Onsite	Residency	Special Program: HR Directors Institute 2024	CSAC Institute in partnership with CPAAC	Wednesday, September 25, 2024
Virtual	Statewide	138 Strengthening Political Acumen and Social Awareness in Public Service Organizations	Peter Wright Ph.D.	Friday, September 27, 2024

Virtual Course offered on Zoom

CSAC Institute Special Program



More information and registration can be found on our website at csacinstitute.org
 Contact Faith at femmert-sanchez@counties.org with any questions

Format	Campus	Course	Instructor	Date
On-Site	Sacramento	307 Realignment 101: The Basics of 1991 and 2011 Realignments	Diane Cummins, Robert Manchia, Ardee Apostol, Monica Bentley	Thursday, October 3, 2024
Virtual	Statewide	Special Program: Strengthening Response Muscles 2024	Melissa Hankins, Glenn Fox, Rueben Brock, Marcy Porus- Gottlieb & Ana Estrada Daniels	Friday, October 4, 2024
On-site	Orange	116 County Budgeting and Financial Planning	Leanne Link	Friday, October 4, 2024
Virtual	Statewide	155 Who Am I As A Leader?	Jamie Crews Ed.D.	Thursday, October 10, 2024
On-Site	Glenn	128 Emotional Intelligence	Marcy Porus-Gottlieb	Thursday, October 17, 2024
On-Site	Fresno	383 Managing Conflict and Finding Common Ground	Supervisor Belia Ramos	Friday, October 18, 2024
On-Site	Inyo	117 Change Leadership	BJ Snowden	Wednesday, October 23, 2024
On-site	Orange	131 Strategic Action: Staying on Top of DEI Goals	Regina Romeo	Friday, November 1, 2024
On-Site	Glenn	121 Inclusive Leadership	Lisa Williams	Friday, November 1, 2024
On-Site	Inyo	300 Confronting Our Fears: Leading and Presenting with Courage	Larry Liberty, Ph.D.	Wednesday, November 6, 2024
On-Site	Glenn	132 Leadership Styles	Tommy Royston, Ph.D.	Thursday, November 14, 2024
On-Site	Statewide	Special Program: New Supervisors Institute	CSAC Institute	Monday, November 18, 2024
On-site	Glenn	116 County Budgeting and Financial Planning	Leanne Link	Thursday, December 5, 2024
Virtual	Statewide	122 Equity Driven Leadership	Jei Africa Psy.D.	Friday, December 6, 2024
On-Site	Orange	128 Emotional Intelligence	Marcy Porus-Gottlieb	Friday, December 13, 2024



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About our Executive Credential Programs

About Us - The California State Association of Counties (CSAC) Institute for Excellence in County Government is a collection of award-winning professional development programs for senior county administrators, emerging leaders, and elected officials. The Institute expands the capacity and capability of county leaders to provide extraordinary service in their communities. Established in 2008, the Institute is part of the California Counties Foundation, Inc., a subsidiary of CSAC, with a network of over 6,000 past participants, and 1,500 credentialed alumni.

About the Program - CSAC Institute offers over 80 professional courses annually, designed specifically for county supervisors, senior executives, and emerging leaders. Courses are built from the foundations of public service leadership and county governance. Each course offers practical applications and “take home” values through interactive, adult-centered instructional approaches that encourages interaction with peers and shared learning.

Credentialing - Earning an executive credential provides visible acknowledgement of participants’ commitment to expand their capacity to better serve their communities. The credential requires the completion of 10 CSAC-approved courses. All attendees automatically receive credit towards an executive credential for every class completed.

Delivery - Courses are offered either onsite or virtual. For onsite deliveries, campus designs range from intensive approaches over five months to traditional structures over a ten-month period. Current trends encourage intensive design considerations.

About the Instructors - Our faculty are leading experts in their fields. The network comprises over 100 county leaders, consultants, scholars, and executive coaches who understand and specialize in public service leadership. They include members of the National Academy of Public Administration, consultants of Fortune 500 companies, featured TedTalk speakers, and lead authors.

Recognition - Participants who complete their credential receive the framed credential certificate, credential pin, recognition at a CSAC statewide meeting, have their name posted on the Institute website, and are eligible to become Fellows of the Institute.



Pictured: Alameda Graduate Celebration in Alameda County, 2024



California State Association of Counties

2024 Calendar of Events

**Updates are highlighted below*

JANUARY

- 1 New Year's Day (observed)
- 15 Martin Luther King, Jr. Day
- 18 CSAC Executive Committee Meeting | Sacramento County
- 1/31-2/2 Executive Committee Leadership Forum | Torrey Pines, San Diego County

FEBRUARY

- 10-13 NACo Legislative Conference | Washington DC
- 19 Presidents Day

MARCH

- 7 CSAC Board of Directors Meeting | Sacramento County
- 13-14 CSAC Regional Meeting | Imperial & Riverside Counties
- 28 CSAC Executive Committee Meeting | Los Angeles County
- 29 Cesar Chavez Day (observed)

APRIL

- 17-19 CSAC Legislative Conference | Sacramento
- 19 CSAC Board of Directors Meeting | Sacramento

MAY

- 1-3 CSAC Finance Corp. Spring Meeting | Half Moon Bay, San Mateo County
- 8-10 Western Interstate Region (WIR) Conference | Mariposa County
- 27 Memorial Day

JUNE

- 19 Juneteenth
- (new date!)* 20-21 CSAC Regional Meeting | Alameda County

JULY

- 4 Independence Day
- 12-15 NACo Annual Conference | Tampa, Florida, Hillsborough County

AUGUST

- 8 CSAC Executive Committee Meeting | Sacramento County
- 29 CSAC Board of Directors Meeting | Sacramento County

SEPTEMBER

- 2 Labor Day
- 12-13 CSAC Regional Meeting | TBD

OCTOBER

- 9-11 Executive Committee Retreat | San Luis Obispo County
- 14 Indigenous Peoples Day
- TBD CSAC Finance Corp. Fall Meeting (will occur on Friday of CSAC Annual Meeting)

NOVEMBER

- 11 Veterans Day
- 18-22 CSAC 130th Annual Meeting | Los Angeles County
- 21 CSAC Board of Directors Meeting | Los Angeles County
- 28 Thanksgiving Day

DECEMBER

- 4-6 CSAC Officers Retreat | TBD
- 25 Christmas Day