

CALIFORNIA STATE ASSOCIATION OF COUNTIES
BOARD OF DIRECTORS
September 5, 2013
CSAC Conference Center, Sacramento

M I N U T E S

Presiding: David Finigan, President

1. ROLL CALL

Alameda	Keith Carson	Placer	absent
Alpine	Terry Woodrow	Plumas	Jon Kennedy
Amador	Louis Boitano	Riverside	John Tavaglione (audio)
Butte	Maureen Kirk	Sacramento	Susan Peters
Calaveras	Merita Callaway	San Benito	Margie Barrios
Colusa	Kim Vann	San Bernardino	Josie Gonzales
Contra Costa	Gioia/Glover	San Diego	Bill Horn
Del Norte	Finigan/Sullivan	San Francisco	absent
El Dorado	Norma Santiago (audio)	San Joaquin	Bob Elliott (audio)
Fresno	Henry Perea	San Luis Obispo	absent
Glenn	John Viegas	San Mateo	Carole Groom
Humboldt	Virginia Bass (audio)	Santa Barbara	Doreen Farr (audio)
Imperial	absent	Santa Clara	absent
Inyo	Jeff Griffiths (audio)	Santa Cruz	absent
Kern	absent	Shasta	Leonard Moty
Kings	Doug Verboon (audio)	Sierra	Lee Adams
Lake	absent	Siskiyou	Ed Valenzuela
Lassen	absent	Solano	Linda Seifert
Los Angeles	absent	Sonoma	Carrillo/Rabbitt
Madera	absent	Stanislaus	Vito Chiesa
Marin	Susan Adams	Sutter	Larry Munger
Mariposa	John Carrier	Tehama	Robert Williams
Mendocino	Carre Brown (audio)	Trinity	Judy Pflueger
Merced	Hub Walsh (audio)	Tulare	Steve Worthley
Modoc	Jim Wills	Tuolumne	Randy Hanvelt
Mono	Larry Johnston	Ventura	Kathy Long
Monterey	Fernando Armenta	Yolo	McGowan/Rexroad
Napa	Brad Wagenknecht	Yuba	Roger Abe
Nevada	Ed Scofield	Advisors:	Bill Goodwin and Charles McKee
Orange	John Moorlach (audio)		

The presence of a quorum was noted.

2. APPROVAL OF MINUTES

The minutes of May 30, 2013 were approved as previously mailed.

3. CONSIDERATION OF URGENCY ITEMS

Staff requested that the Board of Directors add two urgency items to the agenda pursuant to Government Code Section 54954.2(b), because the matters arose after the posting of the agenda and there was a need to consider action before the next meeting. The items added were:

A. Closed Session: Pursuant to Govt. Code Section 54954.9 the Board of Directors will confer with Counsel regarding existing litigation of Plata v. Brown, et.al., U.S. District Court, Northern Dist. Of Cal., No. 3:01-CV-1335-TEH, and for discussion under common interest of CSAC and the State.

B. Open Session: Request for Policy Direction on Response to Prison Population Reduction Plans currently being considered by the State Legislature and Governor.

Motion and second to add urgency items listed above to the agenda. Motion carried by more than 4/5 of the members and unanimously by those present. Discussion on item B occurred before and after closed session.

A. Pursuant to Govt. Code Section 54954.9 the Board of Directors conferred with Counsel regarding existing litigation of Plata v. Brown, et.al., U.S. District Court, Northern Dist. Of Cal., No. 3:01-CV-1335-TEH, and also discussed under common interest of CSAC and the State. There was no reportable action taking during closed session.

B. The Board considered providing policy direction in response to prison population reduction plans currently being considered by the Legislature and Governor.

Staff distributed a memo that included an overview of the two proposals before the Legislature to address the federal court order in the state's prison overcrowding litigation.

Representatives from Senator Steinberg's office outlined his proposed Prison Population Reduction plan.

Staff requested the following action regarding Policy Direction in Response to Prison Population Reduction. (1) Reaffirm support for the Governor's short-term, targeted plan (SB 105) to comply with the federal court order to reduce the state's prison population without triggering the early release of state prisoners; (2) Encourage the Administration and Legislature to work together – with key stakeholders, including county supervisors, sheriffs, probation chiefs, county mental health and substance use disorder professionals – to develop over the long-term an array of durable solutions to the prison crisis that take into account the impacts of realignment and assure stability across the state and local public safety systems; and (3) Direct staff to work with the Administration and Legislature on developing comprehensive, long-term remedies, including elements in the Senate Democrats plan.

Motion and second to approve staff recommendation listed above. Motion carried unanimously.

4. REQUEST FOR AUTHORIZATION TO FILE COMMENTS REGARDING FEDERAL TRIBAL ACKNOWLEDGEMENT PROCESS

The Bureau of Indian Affairs (BIA) undertakes an administrative process, guided by federal regulations known as the *Procedures for Establishing that an American Indian Group Exists as an Indian Tribe*, to "federally acknowledge" an Indian Tribe. There are currently 109 federally recognized Tribes in California. Further, there are 79 petitions for federal recognition for California Tribes in various stages of the acknowledgement process pending with the BIA.

On June 21, the BIA released a *Preliminary Discussion Draft*. The stated purpose for the *Preliminary Discussion Draft* is to identify potential improvements in the process to improve the integrity of the BIA's decisions to acknowledge particular groups as Indian Tribes. Public comments are due September 25. Staff recommended that the Board of Directors authorize CSAC to file written comments related to achieving greater transparency in the existing process as follows: (1) Proactively solicit input from and convene consultation meetings with local governments, including counties, at the earliest possible opportunity; (2) Facilitate and encourage constructive public participation in the review process; and (3) A stringent and transparent fee-to-trust process must compliment the acknowledgement process.

Motion and second to authorize CSAC to file written comments in response to the BIA Preliminary Discussion Draft on the Procedures for Establishing that an American Indian Group Exists as an Indian Tribe. Motion carried unanimously.

5. POLICY REGARDING CSAC AFFILIATES

Staff presented a draft policy regarding CSAC affiliate organizations, as contained in the briefing materials. The policy outlines the structure, role and appropriate relationship of the CSAC Affiliates to the CSAC Board of Directors and CSAC organization as a whole. The intent of the policy is to help CSAC and affiliate organizations more effectively advocate for county government and our members, while supporting the maintenance of a collaborative working relationship. The CSAC Executive Committee reviewed the policy at its August meeting and some minor changes were made subsequent to review by CSAC affiliates.

Motion and second to adopt the draft CSAC Affiliates Policy as presented. Motion carried unanimously.

6. POLICY COMMITTEE OPERATING PROCEDURES

Staff presented proposed changes to the Operating Procedures for Policy Committees, as contained in the briefing materials. The proposed changes are primarily technical in nature and more accurately reflect current practice. The CSAC Executive Committee previously considered this document and directed staff to review the various issues under the purview of the five standing policy committees, and report back to the policy committees to ensure there is a full understanding of the various issues under each committee and that the titles reflect the major policy areas.

Motion and second to adopt proposed amendments to the Operating Procedures for Policy Committees as presented. Motion carried unanimously.

7. POLICY REGARDING CANDIDATE CAMPAIGN CONTRIBUTIONS

Staff presented a draft CSAC Staff Campaign Contribution Policy for consideration as follows: *CSAC staff has the right to voluntarily contribute their time or money to any political campaign. However, in order to avoid the appearance that such contributions are compulsory, county supervisors shall not directly solicit contributions from CSAC staff for all elections. Mass mailing or e-mail solicitations are not considered direct solicitations.* This policy was previously considered and amended by the CSAC Executive Committee.

Motion and second to adopt the proposed CSAC Staff Campaign Contribution policy as presented. Motion carried unanimously.

8. COUNTY ADMINISTRATIVE OFFICERS ASSOCIATION OF CALIFORNIA (CAOAC) REPORT

In early 2011, the County Administrative Officers Association of California (CAOAC) named a 9-member Realignment Allocation Committee (RAC), at CSAC's request, to tackle the 58-county distribution of AB 109 and related funds. That committee is chaired by Susan Mauriello, Santa Cruz County Administrative Officer. The committee has recommended – and the Legislature approved – two temporary formulas that direct the allocation of funds for the first three years of implementation.

Bill Goodwin, CAOAC President and RAC member, reported that the RAC recently submitted a growth allocation formula to the Department of Finance, as requested. The RAC surveyed all 58 counties for

input prior to developing the formula. It is not yet known if the proposed formula will be accepted by Department of Finance.

9. INSTITUTE FOR LOCAL GOVERNMENT (ILG) REPORT

JoAnne Speers, Executive Director of the Institute for Local Government (ILG), provided an update on ILG activities, as contained in the briefing materials. She also distributed three new publications to the Board. They were: *Celebrating Local Leadership in Sustainability*, *Sustainability Best Practices Framework*, and *Understanding Basics of Public Service Ethics Laws*. She also noted that the "Safe Routes to School Decision-makers Toolkit" was released in June and is available on the ILG website.

10. REPORT ON SB 594 (HILL): USE OF PUBLIC RESOURCES

Staff provided an update on SB 594 (Hill), a measure that seeks to limit CSAC's and similar organizations participation in campaigns on state and local ballot measures. The bill's author has agreed to accept CSAC's amendments which will allow CSAC to continue to participate in statewide campaigns. Therefore, CSAC has removed its opposition.

11. LEGISLATIVE REPORT

Staff reported that several bills are still making their way through the legislative process. CSAC will provide a detailed report in the CSAC Bulletin at the end of the legislative session. CSAC continues to work diligently on Affordable Care Act (ACA) implementation and the two bills that are vehicles for technical clean up on ACA.

12. INFORMATION/MISCELLANEOUS ITEMS

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

Supervisor Efren Carrillo addressed the Board of Directors regarding his battle with alcohol addiction and reiterated his commitment of continuing to serve as a CSAC Officer.

Steve Bennett from Dominion Voting Systems provided an update on electronic voting systems. He indicated they now offer an option for counties to lease equipment rather than being required to purchase electronic voting systems. Dominion Voting Systems is a CSAC Premier Corporate member.

Matt Cate presented Jim Wiltshire with a token of appreciation for his years of service to CSAC upon his retirement.

Meeting adjourned.