CSAC EXECUTIVE COMMITTEE

BRIEFING MATERIALS

Thursday, August 12, 2021 10:00 a.m - 1:00 p.m













Capitol Event Center | 1020 11th Street, 2nd Floor, Sacramento

Zoom Meeting:

https://us02web.zoom.us/j/85670569085?pwd=UkxYZE9haGZwcFp6M2Y5ckN1OVN1UT09

Conference Line: (669) 900-6833

Meeting ID: 856 7056 9085 - Passcode: 754442

California State
Association of Counties



CALIFORNIA STATE ASSOCIATION OF COUNTIES

EXECUTIVE COMMITTEE MEETING

Thursday, August 12, 2021 | 10:00 am – 1:00 pm

Capitol Event Center | 1020 11th Street, 2nd Floor, Sacramento

Zoom: https://us02web.zoom.us/j/85670569085?pwd=UkxYZE9haGZwcFp6M2Y5ckN1OVN1UT09

Conference Line: (669) 900-6833 | Meeting ID: 856 7056 9085 | Password: 754442

AGENDA

Presiding: James Gore, President

THURSDAY, AUGUST 12

10.00 484	DDOCEDUDAL	ITENAC
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- 1. Pledge of Allegiance Page 1
- 2. Roll Call Page 2

DISCUSSION ITEMS

- 3. Executive Director's Report Page 3
- 4. Minute Mics: Executive Committee Roundtable
 - What's going on in your County in one minute?
- 5. Communications and Member Services Report Page 4-7
 - Manuel Rivas, Jr. | Deputy Executive Director, Operations & Member Services
 - Jenny Tan | Senior Manager, Public Affairs & Member Services

ACTION ITEMS

- 6. Approval of Minutes from March 11 and July 22, 2021 Page 8-12
- 7. Consideration of Venue for 2023 & 2024 CSAC Annual Meeting Page 13-16
 - Manuel Rivas, Jr. | Deputy Executive Director, Operations & Member Services
 - Porsche Green | Meeting Planner

INFORMATIONAL ITEMS

- 8. CSAC Legislative Update
 - Darby Kernan | Deputy Executive Director, Legislative Affairs

Agriculture, Environment and Natural Resources

• Catherine Freeman | Legislative Representative

Administration of Justice

• Josh Gauger | Legislative Representative

Human Services

• Justin Garrett | Legislative Representative

Health Policy

Farrah McDaid-Ting | Legislative Representative

Housing, Land Use & Transportation

• Chris Lee | Legislative Representative

Government, Finance, & Administration

- Geoff Neill | Legislative Representative
- Ryan Souza | Legislative Representative
- 9. CSAC Finance Corporation Report
 - Supervisor Leonard Moty | President, CSAC FC
 - > Alan Fernandes | Chief Executive Officer, CSAC FC

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Page 17

10. California Counties Foundation Report

Page 29-31

- Manuel Rivas, Jr. | Deputy Executive Director, Operations & Member Services
- Chastity Benson | Director, Operations & Educational Programs

11. Informational Items without Presentation

CSAC Litigation Coordination Program
 Calendar of Events – 2021 & 2022

Page 32-43

Page 44-45

1:30 PM ADJOURN



United States of America
Pledge of Allegiance





California State Association of Counties®



OFFICERS

President

James Gore Sonoma County

1st Vice President

Ed Valenzuela Siskiyou County

2nd Vice President

Chuck Washington Riverside County

Past President

Lisa A. Bartlett Orange County

EXECUTIVE DIRECTOR

Graham Knaus

CALIFORNIA STATE ASSOCIATION OF COUNTIES EXECUTIVE COMMITTEE 2021

PRESIDENT:

1ST VICE PRESIDENT:

2ND VICE PRESIDENT:

IMMEDIATE PAST PRESIDENT:

Lisa B

James Gore, Sonoma County
Ed Valenzuela, Siskiyou County
Chuck Washington, Riverside County
Lisa Bartlett, Orange County

URBAN CAUCUS

Keith Carson, Alameda County Susan Ellenberg, Santa Clara County John Gioia, Contra Costa County Carole Groom, San Mateo County Kelly Long, Ventura County Kathryn Barger, Los Angeles County Buddy Mendes, Fresno County (alternate)

SUBURBAN CAUCUS

Luis Alejo, Monterey County Diane Dillon, Napa County Erin Hannigan, Solano County Bruce Gibson, San Luis Obispo County (alternate)

RURAL CAUCUS

Craig Pedersen, Kings County Sue Novasel, El Dorado County Jeff Griffiths, Inyo County (alternate)

EX OFFICIO MEMBER

Leonard Moty, Shasta County, Treasurer

ADVISORS

John Beiers, County Counsels' Association, Past President, San Mateo County Frank Kim, Orange County CEO, California Association of County Executives, President



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1st Vice President

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2nd Vice President

Chuck Washington Riverside County

Past President

Lisa A. Bartlett Orange County

-

EXECUTIVE DIRECTOR

Graham Knaus

August 12, 2021

TO: CSAC Executive Committee

FROM: Graham Knaus | Executive Director

SUBJECT: Executive Director'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.



OFFICERS

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1st Vice President

Ed Valenzuela Siskiyou County

2nd Vice President

Chuck Washington Riverside County

Past President

Lisa A. Bartlett Orange County

-

EXECUTIVE DIRECTOR

Graham Knaus

August 12, 2021

TO: CSAC Executive Committee

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

Jenny Tan, Senior Manager of Public Affairs and Member Services

SUBJECT: Communications and Member Services Report

As CSAC enters the second half of 2021, the Communications Team continues to engage, support advocacy, and connect stakeholders to various priorities, such as broadband, homelessness, health and human services, disaster assistance, and more. By collaborating with the CSAC Legislative team and continue to build relationships with media and County staff, CSAC's visibility and credibility continue to increase.

Key components of our communications work include:

EARNED MEDIA

By focusing proactive media communications to align with and augment legislative advocacy and continuing our commitment to respond to inquiries in a timely and helpful manner, CSAC continues to not only drive proactive media coverage, but be well positioned in major, important state and local stories with other key players.

<u>News Releases</u>: CSAC has written and distributed 20 news releases this past fiscal year, five of them about broadband and half were coalition newsletters written by CSAC or on behalf of partner agencies. Some of the more recent releases included: <u>Now Is NOT the Time to Kick Broadband Investments Down the Line;</u> <u>CSAC Responds to Governor Newsom's 2021-22 Budget Proposal;</u> and <u>Renaming Educational Institute to Honor Dean William "Bill" Chiat</u>. Other releases included responding to <u>the latest COVID-19 regional stay home orders</u> and the joint press conference and statement to <u>close the digital divide in this once-in-ageneration opportunity</u>.

<u>Media Inquiries</u>: CSAC's work on the COVID-19 pandemic and broadband advocacy created momentum and media inquiries, especially during the last six months of the fiscal year. For FY 2020-21, CSAC fielded 116 total media inquiries, including from major outlets such as Associated Press, Bloomberg, Los Angeles Times, Sacramento Bee, Capitol Public Radio, Politico, CalMatters, Kaiser Health News and others. This compares to 160 media inquiries during FY 2019-20; during the early months of the COVID-19 pandemic, there was a storm of media inquiries that leveled off once California started its vaccination effort and reopening framework.

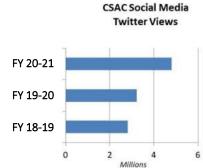
<u>Media Mentions</u>: CSAC recorded 70 media mentions from March 1- June 30, 2021, for a <u>total of 231 stories</u> this fiscal year. In comparison, there were only 52 media mentions for CSAC during the same period in 2020 and 2019 data is not available. Most of these mentions follow key Legislative priorities of Broadband, Homelessness, COVID response and vaccines. Proactive outreach on broadband with localized OpEds helped drive these mentions.

<u>Bulletin & Blog</u>: The CSAC Bulletin, our weekly e-newsletter, remains a source of information with clear and concise writing from subject matter experts. In the last fiscal year, the CSAC team produced 49 Bulletins and written more than 600 articles. The Bulletin is sent to more than 5,000 subscribers via email and on average, each newsletter is opened 900-1200 times, with about <u>53,000 views</u> recorded from July 1, 2020 – June 30, 2021.

In addition to the Bulletin, CSAC also drafted 35 County Voice Blogs, a place where the Association, county officials and stakeholders can voice their thoughts on governance and issues that impact California's 58 counties. Topics ranged from broadband and pandemic services to workshops and elections, among many others.

SOCIAL MEDIA

CSAC continued to focus on COVID-19 messaging as well as budget advocacy in the last quarter of FY 20-21. Drought and wildfire messaging have also begun as 50 counties have been added to the State's drought declaration. From July 1, 2020 - June 30, 2021, CSAC's Twitter account received 4.97 million views including 116,879 profile visits and 73,506 engagements. Additionally, in the last two years, Twitter impressions have increased by 70 percent. Twitter analysis states that the average cost per 1,000 impressions—if you were buying advertising space on the platform — is \$6.46. That translates into \$32,000 worth of free exposure for CSAC tweets overall.



70% increase over the last two years.

In addition to Twitter, CSAC is utilizing Facebook, Instagram, and YouTube to engage the public and stakeholders. For FY 2021-22, the Communications team will be looking at increasing engagements and followers across other platforms, such as Instagram and Facebook. By having a large social media presence across platforms, it will allow CSAC to reach a wider audience. Not everyone who is on Facebook will be on Twitter and not everyone on Twitter will be on Instagram; each social media platform has a different purpose and engages and attracts different individuals based on age and interest groups.

The most-viewed post on Twitter during the last fiscal year was on September 22, 2020, where a post about the steep decline of tourism and business due to COVID garnered 144,618 views. Of important note, a tweet on May 7, 2021, about the digital divide and calling for a broadband budget investment had 22,214 views. Even across topics, CSAC continues to be a sought-after source of information.

For Facebook, a post on November 24, 2020, about three retiring county administrators who were honored with a Circle of Service Award garnered 8,110 views, the most on this platform for CSAC during the fiscal year, showcasing the different interests and trends across platforms.

Our Communications Team continues to produce a wide variety of graphics and videos supporting the various CSAC priorities, such as the vaccination process and reopening. CSAC-generated graphics about COVID-19 received more than 330,000 impressions this last fiscal year, while graphics about state advocacy reached 24,449 impressions and federal advocacy reached 40,182 impressions.

ADVOCACY CAMPAIGN MATERIALS

During the past year, the Communications Team developed multiple campaigns to educate and engage communities on COVID-19, like masking, vaccinations, mental health, and reopening, as well as supporting advocacy efforts for broadband legislation and the middle mile network.

The COVID-19 materials, which could be tailored and localized, were distributed to all 58 counties and utilized graphics, videos, and social media posts. Additionally, broadband materials included talking points, social media messages, graphics, short videos, and media mentions. The CSAC team worked with a cross-sector coalition representing local government, schools, hospitals, economic development organizations and more to support the historic \$6 billion investment in broadband infrastructure, the most significant investment in the country.

SPOTLIGHTING OUR MEMBERSHIP

Two of CSAC's features that spotlight our Association's membership – <u>Profiles in Leadership</u> and <u>Membership Monday</u> -- continue to be popular on our social media platforms and in our weekly Bulletin. Profiles in Leadership focuses on the important role our members play in the Association while Membership Monday provides insight into key county leaders.

As of June 30, 2021, 49 county staff from 38 rural, suburban, and urban counties have been profiled, including county supervisors, department heads and more.

Look for Profiles in Leadership every other Thursday and Membership Monday each week.





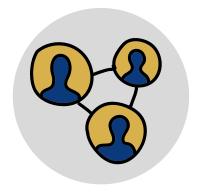






OPERATIONS & MEMBER SERVICES / CALIFORNIA COUNTIES FOUNDATION

NUMBERS FOR FY 2020-21 [JULY 1, 2020 - JUNE 30, 2021]



Member Services & Social Media

360

Virtual Annual Mtg Attendees 285

Virtual Leg Conference Attendees 4.9M

Twitter Impressions 960

70%

New Twitter Followers

Increase in Twitter impressions in last 2 yrs



Website & Media

882K

Website Views 116

Media Inquiries **53K**

Bulletin Views 49

Officials Spotlighted

Membership Monday & Profiles in Leadership

22K Video Views

Foundation

2,400

Institute Participants 51

Courses & Programs

31

IT Executive Credential Graduates 98

Executive Credential Graduates 11

Support HUB Webinars



2020 CSAC Challenge Awards

2020 Innovation Awards

2020 Challenge Awards

2020 Merit Awards

29

363

Total Entries 23

Counties Honored

CALIFORNIA STATE ASSOCIATION OF COUNTIES **EXECUTIVE COMMITTEE**

March 11, 2021

Zoom: https://us02web.zoom.us/j/89001310974?pwd=R2V2ZEUrV3I3c2pWREd0WUFWN2FSdz09

Conference Line: (669) 900-6833 | Meeting ID: 890 0131 0974 | Password: 303419

MINUTES

1. Roll Call

OFFICERS

James Gore | President Ed Valenzuela | 1st Vice President Chuck Washington | 2nd Vice President Lisa Bartlett | *Immediate Past President*

CSAC STAFF

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

ADVISORS

John Beiers | County Counsels' Association, San Mateo County Frank Kim | Orange County CEO, California Association of County Executives, President

SUPERVISORS

Keith Carson | *Alameda County*

Susan Ellenberg | Santa Clara County John Gioia | Contra Costa County Carole Groom | San Mateo County (absent) Kelly Long | Ventura County Kathryn Barger | Los Angeles County (absent) Buddy Mendes | Fresno County Luis Alejo | *Monterey County* Diane Dillon | Napa County Erin Hannigan | Solano County Bruce Gibson | San Luis Obispo County Craig Pedersen | Kings County Sue Novasel | El Dorado County Jeff Griffiths | Inyo County

EX OFFICIO MEMBER

Leonard Moty | Treasurer, Shasta County

2. Executive Director's Report

Graham Knaus presented to the Executive Committee and discussed the state bringing in a Third-Party Administrator (TPA), Blue Shield, to assist with vaccine allocation and administration. Counties are concerned about this model as they have been doing great work to administer vaccines. CSAC participates in a TPA Steering Committee, along health directors/officers, the Administration, and Blue Shield. The purpose of the committee is to make recommendations on all things related to the flow of vaccines and to manage and correct data related issues. CSAC, counties, and county councils are pushing back on the TPA contract between counties and Blue Shield because it would give county constitutional authority to a non-government entity and would require releasing electronic health records to Blue Shield. As an alternative solution, counties have suggested a non-binding Memorandum of Understanding (MOU) between the counties and the state.

3. Minute Mics: Executive Committee Roundtable – What's going on in your county?

Jeff Griffiths / Inyo County - Inyo County has been doing well administering vaccine. They have received some doses of Johnson & Johnson which has been helpful in reaching rural communities. They recently switched from Verily to OptumServe testing. Inyo has dedicated general fund money to help non-profit organizations throughout the county.

<u>Sue Novasel / El Dorado County</u> – El Dorado County is very happy to be receiving Johnson & Johnson vaccine, which is easier to administer to rural communities. They just celebrated International Women's Day and are pleased to have three women on their Board of Supervisors. COVID has had a profound effect on women in business and Supervisor Novasel asked the Executive Committee to keep this in mind as they use their COVID funds.

<u>Craig Pedersen / Kings County</u> – My Turn has been very challenging in Kings County. Kings County was rated 58 out of 58 in the equity process, as it relates to vaccinations. Bay Area residents are coming into the county to get vaccinated. Kings County has a lot of food processing plants and migrant workers, which have been tough to reach for vaccinations. As always, water is a significant issue due to the amount of agriculture.

<u>Bruce Gibson / San Luis Obispo County</u> – Supervisor Gibson discussed the challenges in managing the federal COVID relief dollars coming into San Luis Obispo County. How do they strike the appropriate balance between one-time COVID related needs and on-going programs in the county? Broadband and water issues are also very important. Supervisor Gibson mentioned a recent op-ed in the LA Times about the state's investment in early childhood education and reminded the Executive Committee of the importance of these continued investments.

<u>Erin Hannigan / Solano County</u> – Solano County has a mass vaccination clinic that will be vaccinating 4,000 people per day. With regards to the TPA, Supervisor Hannigan would hate to see the great work her county has been doing in this area negatively impacted by this agreement.

<u>Diane Dillon / Napa County</u> – Napa County residents have a very real fear of another significant fire season. The county just received a report that the wine and tourism industry took a \$2.4 billion hit during 2020 and they wouldn't survive another year like that.

<u>Luis Alejo / Monterey County</u> — Monterey County finally received additional vaccine and they have been able to start vaccinating thousands of farm workers, including 3,000 farm workers at the Salinas rodeo grounds last Saturday. They have another 3,000-person clinic scheduled for this coming Saturday. Vaccinations at the VA and other military institutions have not been correctly reported to the County. As a result, Monterey County is sending a letter to the Department of Defense advocating that they report vaccinations to all counties to assist counties in moving through the state's tiered system.

<u>Buddy Mendes / Fresno County</u> – Fresno County has been vaccinating their farm worker community for about 6 weeks and has a 500-person vaccination event scheduled for tomorrow. It's very complicated for people to schedule appointments through their online vaccination appointment system.

<u>Kelly Long / Ventura County</u> — Ventura County is working to get their \$2 million grant out to their businesses. They are mobilizing vaccinations to their farm workers and local businesses have expressed a need for that too. The Governor was recently in the area and congratulated the county on getting all of their educators vaccinated — which will be done by the end of March. Supervisor Long agrees that many fixes are needed for MyTurn.

<u>Susan Ellenberg / Santa Clara County</u> – 29 of 58 counties have adopted AOT due to new state law. Santa Clara County's behavioral health department is recommending that they opt out.

<u>Keith Carson / Alameda County</u> — Alameda County is focused on all things COVID and has initiated a grass roots door to door vaccination campaign, along with many organizations in the faith-based community. The county is re-assessing how they spend their funds from the American Rescue Plan. They are launching East Bay Forward which looks at life after the pandemic and explores: how do we move forward, what does life look like, and how do we do things differently?

<u>Chuck Washington / Riverside County</u> – Riverside County celebrated International Women's Day on March 8th. For the last two years Supervisor Washington has had an all-female staff. He stated that if someone had an all-male staff, no one would think to comment. But when the day comes that having an all-female staff becomes no big deal, we will have arrived at Diversity, Equity an inclusion.

Ed Valenzuela / Siskiyou County — Water is a big issue in Siskiyou County and that's big concern for agriculture and the upcoming fire season. They are at about 20% in the county for vaccination rates.

<u>James Gore / Sonoma County</u> – Sonoma County has allocated \$25 million towards a vegetation management initiative. They are also implementing a behavioral health and homeless sales tax, passed during the pandemic, that will generate \$30 million per year.

4. Broadband Working Group Update

Supervisor Luis Alejo presented to the Executive Committee on the all the work the Broadband Working Group has been doing. CSAC is leading an \$8 billion budget request to the state for one time funding, which includes \$6.8 billion for broadband infrastructure and \$1.2 billion for programs to assist with broadband adoption. The working group is also supporting AB-14, SB-4 and AB-34.

Supervisor Chuck Washington reported that the pandemic has done a great job of illuminating the shortcomings of internet and broadband access. While this used to be an issue primarily supported by the rural caucus, now the urban and suburban caucuses have joined the cause. The American Rescue Plan includes \$7.2 billion for schools and \$10 billion for states and tribes. An infrastructure bill is being introduced today that would put \$94 billion into broadband.

5. Approval of Minutes from January 14, 2021

A motion to approve the meeting minutes from January 14, 2021 was made by Supervisor Washington; second by Supervisor Long. Motion carried unanimously.

6. Approval of Updated 2020-2021 Board of Directors Nominations

<u>A motion to approve the Updated 2020-2021 Board of Directors Nominations was made by Supervisor Alejo; second by Supervisor Washington. Motion carried unanimously.</u>

7. Consideration of the CSAC Proposed Budget and Salary Schedule for FY 2021-22

CSAC Treasure Leanord Moty thanked both Supervisor Valenzuela and Supervisor Scofield, the two previous CSAC treasurers, for their work in setting up policies and creating reserves to carry the Association through difficult times. The 2021-22 budget being recommended is based on careful consideration and recognizing baseline revenues and expenditures.

A motion to approve the CSAC Proposed Budget and Salary Schedule for FY 2021-22 was made by Supervisor Dillon; second by Supervisor Long. Motion carried unanimously.

8. Advocacy Priorities Report

Darby Kernan presented to the Executive Committee on CSAC's Advocacy Priorities. The legislative team is focusing on many issues, including flexibility with the use of COVID funds, wildfire and resiliency, and juvenile justice. CSAC has reinstituted the Juvenile Justice Working Group, which will include one supervisor from each caucus (rural, urban, suburban), three CAO's and three probation chiefs. Ms. Kernan emphasized that CSAC's relationship with the Administration is still strong, even though they have had many difficult conversations surrounding the pandemic.

9. CSAC Finance Corporation Report

Supervisor Moty presented that due to changes in their formula with Nationwide, the Finance Corporation may see a little bump in revenue this year, but a decline next year. The program for financing the Workforce Housing Initiative has been doing extremely well. They are looking to expand Easy Smart Pay to make it available to any county that wants it.

John Fiske, shareholder at Baron & Budd and CSAC corporate partner, provided an update on the work his firm is doing on behalf of counties. Baron & Budd represents public entities on large scale environmental and public nuisance cases, such as wildfire litigation, water contamination and opioid litigation.

10. Communications and Member Services Report

Manuel Rivas, Jr., reminded that Executive Committee that CSAC's virtual Legislative Conference is scheduled for April 22nd and 23rd. David Liebler, Director of Public Affairs and Member Services, presented that the communications team is working hard to complement CSAC's advocacy efforts. CSAC continues to use social media to push messaging surrounding COVID and highlight stories through the Profiles in Leadership.

11. California Counties Foundation Report

Chastity Benson, Director of Operations and Educational Programs for the Foundation, reported that the Institute was able to pivot quickly to address the changing education needs of counties during the pandemic. Ms. Benson reminded the Executive Committee that CSAC's first Diversity, Equity and Inclusion Forum is scheduled for April 8th. The Institute's first Alameda County class will start next week.

Meeting was adjourned. The next Executive Committee meeting will be held on August 12th, 2021.

CALIFORNIA STATE ASSOCIATION OF COUNTIES SPECIAL EXECUTIVE COMMITTEE

July 22, 2021

Zoom: https://us02web.zoom.us/j/81899097990?pwd=TTZ4eWc3WINsSkN6eXpyUFJ5VWYzQT09

Conference Line: (669) 900-6833 | Meeting ID: 818 9909 7990 | Password: 674896

MINUTES

1. Roll Call

OFFICERS

James Gore | President

Ed Valenzuela | 1st Vice President Chuck Washington | 2nd Vice President

Lisa Bartlett | *Immediate Past President*

CSAC STAFF

Graham Knaus | Executive Director

Manuel Rivas, Jr. | Deputy Executive Director,

Operations & Member Services

Darby Kernan | Deputy Executive Director,

Legislative Services

ADVISORS

John Beiers | County Counsels' Association,

San Mateo County (absent)

Frank Kim | Orange County CEO, California

Association of County Executives, President

SUPERVISORS

Keith Carson | Alameda County

Susan Ellenberg | Santa Clara County (absent)

John Gioia | Contra Costa County
Carole Groom | San Mateo County

Kelly Long | Ventura County

Kathryn Barger | Los Angeles County

Buddy Mendes | Fresno County Luis Alejo | Monterey County

Diane Dillon | Napa County

Erin Hannigan | Solano County (absent)

Bruce Gibson | San Luis Obispo County
Craig Pedersen | Kings County

Sue Novasel | El Dorado County

Jeff Griffiths | Inyo County

EX OFFICIO MEMBER

Leonard Moty | Treasurer, Shasta County

2. Approval of Updated 2020-2021 Board of Directors Nominations

<u>A motion to approve the Updated 2020-2021 Board of Directors Nominations was made by Supervisor Pedersen; second by Supervisor Dillon. Motion carried unanimously.</u>

3. Appointment to California Statewide Communities Development Authority (CSCDA) Board of Directors

CSAC and the Finance Corporation recommended consideration to appoint Mr. Matt Jennings, Riverside County Treasurer-Tax Collector, to fill the alternative vacancy on the California Statewide Communities Development Authority (CSCDA) Board.

<u>A motion to approve the Appointment to the CSCDA Board of Directors was made by Supervisor Barger;</u> second by Supervisor Washington. Supervisor Pedersen abstained. Motion carried.

4. Closed Session

The Executive Committee approved the terms of a multi-year contract between CSAC and the Executive Director and authorized the CSAC President to execute the contract on behalf of the Association.

<u>A motion to approve the terms of the CSAC Executive Director's Employment Agreement was made by</u> Supervisor Long; second by Supervisor Alejo. Motion carried unanimously.

Meeting was adjourned. The next Executive Committee meeting will be held on August 12th, 2021.



OFFICERS

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1st Vice President

Ed Valenzuela Siskiyou County

2nd Vice President

Chuck Washington Riverside County

Past President

Lisa A. Bartlett Orange County

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EXECUTIVE DIRECTOR

Graham Knaus

August 12, 2021

TO: CSAC Executive Committee

FROM: Manuel Rivas, Jr., Deputy Executive Director of Operations & Member Services

Jenny Tan, Senior Manager of Public Affairs

Porsché Green, Meeting Planner

SUBJECT: Recommendation to Approve Site for the 2023 and 2024 CSAC Annual Meeting

In order to secure the best suitable venue and most favorable rates for our members, CSAC staff has been actively researching potential sites for future Annual Meetings and we are recommending the Executive Committee to approve the site for the 2023 and 2024 CSAC Annual Meeting. As a reminder and for reference, the 2021 and 2022 Annual Meetings will be held in Monterey County and Orange County, respectively.

Recommendation: Approval of: 1) the 2023 CSAC Annual Meeting to be held in Alameda County at the Oakland City Center Marriott; and 2) the 2024 CSAC Annual Meeting to be held in Los Angeles County at the Pasadena Convention Center.

As more businesses, hotels, and restaurants proceed to safely reopen, including the hospitality industry, most venues are now open with available sales teams. Large group bookings are on the rise, and we are recommending sites to the Executive Committee to secure venues for the 2023 and 2024 Annual Meetings.

CSAC Annual Meeting Policy

The site selection criteria in the CSAC Annual Meeting Policy states:

- The CSAC Annual Meeting will alternate between Northern and Southern California. When feasible, CSAC will utilize as many counties as possible over a period of time to celebrate our members' diversity and uniqueness.
- Nearby hotel facilities must have approximately 500 sleeping rooms available for up to four nights.
- The conference facility must be within short walking distance of hotels.
- The conference facility must be able to house the vast majority of CSAC and affiliate meetings (i.e., 50,000 square feet of meeting space). Overflow meeting space must be available at a close-by facility.
- The conference facility must have space to house an exhibit hall for approximately 120 booth spaces.
- Meeting facility costs (including conference space, meals, and hotels) must be within CSAC budget requirements to ensure that conference registration fees are kept reasonable.

Selection Process

The site selection process for the 2023 and 2024 Annual Meeting included Request for Proposals (RFPs) to various venues in California counties, including Alameda, Los Angeles, Napa, Riverside, San Diego, and Santa Clara.

After reviewing the CSAC Annual Meeting Policy, the proposals from Alameda County and Los Angeles County met the Annual Meeting criteria, objectives, and CSAC budget requirements for 2023 and 2024.

2023 (Northern California)

County	Location	Conference Facility	Sleeping Rooms	Room Rate	Comment
Alameda	Oakland	Oakland Marriott City Center	Oakland Marriott City Center	\$229	 Preferred dates are available. Property is near public transportation and airport in the city center. Many attractions nearby. Last Annual Meeting held here was in 2007.
Napa	Napa	Meritage	Meritage/Vista Collina	\$289- \$339	 Offered room rate is on the higher end. Location would require transportation for all offsite activities, including the Exhibit Hall.
Santa Clara	San Jose	San Jose Convention Center	Marriott, Westin & Hilton	\$199- \$220	 Close to airport. Last Annual Meeting held here was in 2013.

Additional Notes Regarding 2023 Sites

The Oakland Marriott City Center is connected to the Oakland Convention Center, which is easily accessible from property and would host additional meeting functions. Oakland Marriott City Center is available during the CSAC and member-preferred week of November 13, 2023 through November 17, 2023 (before the Thanksgiving Holiday).

The Meritage in Napa County does not meet the space needs for the Annual Meeting. The San Jose Convention Center is not available during the preferred week of November 13, 2023.

2024 (Southern California)

County	Location	Conference Facility	Sleeping Rooms	Room Rate	Comment
					 Preferred dates are available.
Los Angeles		Pasadena Convention Center	Sheraton, Hilton & Westin	\$209- \$229	 All meetings held at one location.
	Pasadena				 Room rate ranges are extremely economical and attractive for the area, duration, and time of year.
					 Location is downtown and walkable to different activities and attractions.
					 Last Annual Meeting held here was in 2012.
					 Close to airport.
Riverside	Palm Springs	Riverside Convention Center	Marriott, Mission Inn, Hyatt Place &	\$169- \$179	 Would require four (4) hotels for accommodations.
		Center	Hampton Inn		 Last Annual Meeting held here was in 2016.
					 Newly renovated property.
San Diego	San Diego	Town & Country	Town & Country	\$199	Economical location.
					 Last Annual Meeting held here was in 2018.

Additional Notes Regarding 2024 Sites

Los Angeles County was scheduled to host the 2020 Annual Meeting but was cancelled due to the pandemic. Hosting the meeting in Pasadena will allow us to return to LA County in 2024. The Pasadena Convention Center is available during the preferred week of November 18, 2024.

Recommendation

Based on our review of the RFP results and the optimal suitability of the Oakland Marriott City Center and Pasadena Convention Center, we respectfully recommend: **Approval of the 2023 and 2024 CSAC Annual Meetings to be held in Alameda and Los Angeles Counties, respectively.**

Attachment: CSAC Annual Meetings History

Attachment

CSAC Annual Meetings History

Year	Region	County	City	Venue
2021	North	Monterey	Monterey	Conference Center, Marriott & Portola
2020 (Cancelled)	South	Los Angeles	Los Angeles	The Westin Bonaventure Hotel
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

OFFICERS

President

James Gore Sonoma County

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Chuck Washington Riverside County

Past President

Lisa A. Bartlett Orange County

-

EXECUTIVE DIRECTOR

Graham Knaus

August 12, 2021

TO: CSAC Executive Committee

FROM: Darby Kernan | Deputy Executive Director of Legislative Affairs

SUBJECT: Legislative Report

This item provides an opportunity to discuss what the CSAC Legislative Team has been working on through both the state Budget and the Legislative process. The last day of the legislative session is September 10, 2021. The Legislative Team will walk through the key issues that will be of interest to all 58 counties.



August 12, 2021

To: CSAC Executive Committee

From: Leonard Moty, President

Alan Fernandes, Chief Executive Officer

RE: CSAC Finance Corporation Update

CSAC Finance Corporation Board of Directors

The CSAC Finance Corporation Board of Directors met in San Diego County for its first in-person Annual Meeting, since the COVID-19 lockdown, in June. The purpose of the meeting was to adopt its annual budget.

CSAC Finance Corporation Financial Position

The CSAC Finance Corporation reviewed its annual budget for the purpose of determining the financial priorities of the organization while ensuring a consistent revenue stream to CSAC. The CSAC FC Board approved an additional contribution to CSAC in the amount of \$300,000 bringing the total FY 2020-21 actual contribution to \$4.8 million, well over budget. Additionally, the Corporate Associate Program provided a contribution of \$400,000 to CSAC FY 2020-21. The proposed contribution FY 2021-22 is \$4.5 million and \$400,000 from CAP. The financial position of the CSAC Finance Corporation remains strong. CSCDA continues to exceed budget year over year. In addition, the outstanding gains with the new Workforce Housing program have contributed to the increase.

Corporate Associates Program

The Corporate Associates program is beginning the new fiscal year with support from 72 partners across three levels. Staff has secured 5 new partners as of this report. At the Platinum level, **DRC Emergency Services** (Kristy Fuentes), IEM (David Andrews) and **Zencity** (Assaf Frances) have now joined. At the Gold Level, **Airbnb** (Adam Thongsavat) has jjoined and **Kofile** (David Baldwin) and **Lockheed Martin Sikorsky** (Robert Head) have upgraded from the Silver Level. At the Silver Level, **Sixth Dimension** (Teri Cruz) has now joined.

Several of our partners just returned from the NACo Annual conference in D.C., where they supported the CSAC delegation reception and other events as needed. Many others are slated to support the August mini-regional event in Sacramento County. Despite coming off a difficult year, morale remains high as we head into the new fiscal year.

Thank you in advance for your willingness to meet and engage with the business community both in virtual ways and at upcoming CSAC events.

The most updated Corporate Associates roster is attached.





Jim Manker, Director of Business Development im@csacfc.org or 916.650.8107

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

Program Summary



CSCDA Cathy Bando www.cscda.org



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



Nationwide

Rob Bilo www.nrsforu.com



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



Investing

CalTRUST Laura Labanieh www.caltrust.org

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



Discounted Prescription Drugs

Coast2CoastRx Jim Manker www.coast2coastrx.com

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



Cyber Security and Technology

Synoptek Eric Westrom www.synoptek.com

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



Property Tax Payment Portal

Easy Smart Pay Alan Fernandes www.easysmartpay.net

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



Revenue Collection

CalTRECS Jim Manker www.csacfc.org

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



Cannabis Compliance

CCA Greg Turner www.cca.ca.gov

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



Information & Referral Services

211 California Christy Stutzman www.211california.org

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



Business Intelligence Services

Procure America Todd Main www.procureamerica.org

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.



Employee Health and Wellness Solutions

Optum Rally Jennifer Schlecht www.optum.com

Optum aspires to improve experiences and outcomes for everyone we serve while reducing the total cost of care. For individuals and families, Optum provides health care services, pharmacy services and health care financial services. For organizations, Optum provides business services and technology to health plans, providers, employers, life sciences and government.



Liquidity Management Services

CashVest by Three + One Chase Broffman www.threeplusone.us 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.

CSAC Finance Corporation Board of Directors

Leonard Moty, Shasta County – President
Graham Knaus, CSAC – Vice President
Jim Erb, Kings County – Treasurer
Ryan Alsop, Kern County
Lisa Bartlett, Orange County
Vernon Billy, Public Member
Richard Forster, Amador County
Elba Gonzalez-Mares, Public Member
Susan Muranishi, Alameda County
Billy Rutland, Public Member

CSAC Finance Corporation Staff

Alan Fernandes, Chief Executive Officer
Jim Manker, Director of Business Development
Christy Stutzman, Operations Manager
Sendy Young, Executive Assistant
Chase Broffman, Member Services Associate

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



ME PARTNERSHIP PROGRAM



PLATINUM Partners (as of 7.1.2021)

1. Alliant Insurance Services. Inc.

Nazi Arshi, Senior Vice President 1301 Dove St. Suite 200 Newport Beach, CA 92660 (949) 660-8110 narshi@alliant.com www.alliant.com

2. Anthem Blue Cross

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3. AON

Eric Stanger, Regional Market Leader 4 Overlook Point Lincolnshire, IL 60069 (401) 230-7999 eric.stanger@aon.com www.aon.com

4. AT&T

Mike Silacci, Regional Vice President External Affairs – Greater Los Angeles Region 2250 E. Imperial Hwy, Room 54 El Segundo, CA 90245 (213) 445-6817 Michael.Silacci@att.com www.att.com

5. Baron & Budd

John Fiske, Shareholder 11440 W. Bernardo Court San Diego, CA 92127 (858) 251-7424 ifiske@baronbudd.com www.baronandbudd.com

6. Blue Shield

Andrew Kiefer, AVP, Government Affairs 1215 K St. Suite 2010 Sacramento, CA 95815 (916) 552-2960 Andrew.keifer@blueshieldca.com www.blueshieldca.com

7. California Statewide Communities **Development Authority**

Catherine Barna, Executive Director 1700 North Broadway, Suite 405 Walnut Creek, CA 94596 (800) 531-7476 cbando@cscda.org www.cscda.org

8. CalTRUST

Laura Labanieh, CEO 1100 K Street, Suite 101 Sacramento, CA 95814 (916) 650-8186 laura@caltrust.org www.caltrust.org

9. CCHI

Mark Diel, Executive Director 1107 9th Street, STE 601 Sacramento, CA 95814 (916) 404-9442 mdiel@cchi4families.org www.cchi4families.org

10. CGI

Monica Cardiel Cortez, Partner, Consultant 621 Capitol Mall, Suite 1525 Sacramento, CA 95814 (916) 830-1100 monica.cardielcortez@cgi.com www.CGI.com

11. Chevron

Henry T. Perea, Manager, State Government 1201 K Street. Suite #1910 Sacramento, CA 95814 (916) 325-3034 Henryperea@chevron.com www.chevron.com

12. Coast2Coast Rx

John C. Stephens III, Executive Vice President Financial Marketing Concepts Dba Coast2CoastRx 1102 A1A North, Suite 202 Ponte Vedra Beach, FL 32082 (904) 543-4905 john.stephens@finmarkco.com www.coast2coastrx.com

13. Deckard Technologies, Inc.

Nick Del Pego, CEO 2223 Avenida de la Playa, Suite 206 La Jolla, CA 92037 (858) 248-9492 ndp@deckardtech.com www.deckardtech.com

14. DLR Group

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

15. 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

16. DRC Emergency Services

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

17. Enterprise Fleet Management

Lisa Holmes, State of CA Contract Manager 150 N. Sunrise Ave Roseville, CA 95661 (916) 240-1169 <u>Lisa.m.holmes@ehi.com</u> www.enterprise.com

18. Hanson Bridgett LLP

Paul Mello, Partner Samantha Wolff, Partner 425 Market Street, 26th Floor San Francisco, CA 94105 (415) 777-3200 swolff@hansonbridgett.com pmello@hansonbridgett.com www.hansonbridgett.com

19. Healthnet

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20. IEM

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21. Kaiser Permanente

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22. Nationwide

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23. NextEra Energy

Cara Martinson, Senior Director One California, Suite 1610 San Francisco, CA. 94111 (916) 267-5536 cara.martinson@nexteraenergy.com www.nexteraenergy.com

24. OMNIA Partners

Doug Looney, Group Vice President, West -Public Sector 840 Crescent Center Drive, Suite 600 Franklin, TN 37067 (314) 210-8058 doug.looney@omiapartners.com www.omniapartners.com/publicsector

25. OpenGov

Greg Balter, CPA
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Redwood City, CA 94063
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gbalter@opengov.com
www.opengov.com

26. Optum

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27. Pacific Gas & Electric Company

John Costa, Local Public Affairs 1415 L Street, Suite 280 Sacramento, CA 95814 (916) 584-1885 JB1F@pge.com www.pge.com

28. Performance Based Building Coalition

Claudio Andreetta, Board Member 5555 Vista Cantora Yorba Linda, CA 92887 (714) 318-4252 Claudio.w.andreetta@jci.com www.p3buildings.org

29. Peraton

Christy Quinlan, Client Principal, State and Local 608 Commons Dr. Sacramento, CA 95825 (916) 206-7702 christy.quinlan@perspecta.com www.perspecta.com

30. PRISM Risk

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

31. Procure America

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32. SiteLogIQ

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33. Southern California Edison

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34. Synoptek

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35. UnitedHealthcare

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36. Vanir Construction Management, Inc.

Bob Fletcher, Vice President of Business Development 4540 Duckhorn Drive, Suite 300 Sacramento, CA 95834 (916) 997-3195 bob.fletcher@vanir.com www.vanir.com

37. Wellpath

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38. Western States Petroleum Association

Catherine Reheis-Boyd, President 1415 L St., Suite 600 Sacramento, CA 95816 (916) 498-7752 creheis@wspa.org www.wspa.org

39. Witt O'Brien's

Matt Atkinson, Vice President, Marketing Morgan Stygles, Executive Administrator 1201 15th Street NW, Suite 600 Washington, DC 20005 (202) 585-0780 matkinson@wittobriens.com mstygles@wittobriens.com www.wittobriens.com

40. Zencity

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GOLD Partners

1. Airbnb

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2. HdL Companies

Andrew Nickerson, President 120 S. State College Blvd., Suite 200 Brea, CA 92821 (714) 879-5000 anickerson@hdlcompanies.com www.hdlcompanies.com

3. Kofile

Dave Baldwin, VP Sales, Western Region Eugene Sisneros, Western Division Manager 1558 Forrest Way Carson City, NV 89706 (713) 204-5734 Eugene.sisneros@kofile.us www.kofile.us

4. Kosmont Companies

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5. KPMG

William F. Zizic, Managing Director, Government & Infrastructure | Strategy 1225 17th Street, Suite 800 Denver, CO 80202 (312) 259-2869 wzizic@kpmg.com www.kpmg.com

6. Lockheed Martin Sikorsky

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7. Paragon Government Relations

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8. Raymond James

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9. Recology

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SILVER Partners

1. Aumentum Technologies

(a Harris Computer Company)
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2. Cerner Corporation

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3. Comcast

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4. Dewberry

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6. GEO Group

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7. Hospital Council of Northern & Central California

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8. IBM

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9. Konica Minolta

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10. LECET Southwest

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11. Liebert Cassidy Whitmore

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12. LinkedIn Talent Solutions

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13. MuniServices

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14. Northrop Grumman Aerospace Systems

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15. PARS

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16. Rapid Covid Labs

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17. RBC Capital Markets, LLC

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18. Republic Services

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19. SAIC

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20. Sierra Pacific Industries

Andrea Howell, Corporate Affairs Director PO Box 496028 Redding, CA 96049 (530) 378-8104 AHowell@spi-ind.com www.spi-ind.com

21. Sixth Dimension

Teri Cruz, Vice President 1504 Franklin Street, Suite 102 Oakland, CA 94612 (510) 715-6536 teri.cruz@sixthdimensionpm.com www.sixthdimensionpm.com

22. Telecare Corporation

Rich Leib 1080 Marina Village Parkway, Suite 100 Alameda, CA 94501 (619) 992-4680 rich.leib@dunleerstrategies.com www.telecarecorp.com

23. Ygrene Energy Fund

Crystal Crawford, Vice President, Program Development & Oversight, 815 5th Street Santa Rosa, CA 95404 (866) 634-1358 crystal.crawford@ygrene.com www.ygreneworks.com



August 12, 2021

TO: CSAC Executive Committee

FROM: Manuel Rivas, Jr., Chief Executive Officer

Chastity Benson, Interim Director of Operations & Educational Services

Ryan Souza,

SUBJECT: California Counties Foundation Report

The California Counties Foundation (Foundation) is the non-profit foundation of CSAC that houses the CSAC William "Bill Chiat" Institute for Excellence in County Government, the CSAC Support Hub for Criminal Justice Programming, and manages charitable contributions and grants to improve educational opportunities for county supervisors, county executives, administrators, and senior staff. The update below provides a brief overview of current Foundation activities.

CSAC Institute Recognition. On June 14, 2021, the CSAC Institute accepted the 2020 Chester A. Newland Academic Excellence Award from the American Society for Public Administration (ASPA) for demonstrating leadership and making noteworthy contributions to the education of public administrators. You can read more about the award recognition here.

New Supervisors Institute. The final session of the New Supervisors Institute was held August 11-12, 2021. Forty County Supervisors from 28 counties participated in the final session which focused on employee relations, media relations, intergovernmental collaboration, infrastructure, and emergency preparedness (response and recovery). Special thanks to Solano County Supervisor Erin Hannigan and retired Yuba County CAO Robert Bendorf for leading all three sessions.

Summer-Fall 2021 Course Schedule. The Institute's Summer -Fall schedule began on July 15, 2021. Twenty-five courses will be offered online through December 2021, including 6 Alameda County courses and 4 Mendocino-Lake courses. Popular courses such as Realignment 101, California Local Government 101 and Leading with Emotional Intelligence will be offered statewide. For more information, including a full list of classes and registration details, please visit www.csacinstitute.org.

County Campuses. Last April the Institute held its final course for the first Mendocino/Lake County cohort. Twenty-three Executive Credential recipients were recognized at their respective county board of supervisors meeting in June. The second Mendocino/Lake Cohort will begin in September 2021. The Alameda County cohort recently completed 5 classes in their 10-class series. The Alameda Campus will conclude in December 2021 and a new campus in Solano County will begin in January 2022.

California County Technology Executive Credential Program. The Institute continues to enjoy a partner with the California County Information Services Directors Association (CCISDA) to offer professional development opportunity designed exclusively for county IT professionals. Thirty-one IT professionals completed the 2020-21 program. To date, 137 county IT professionals have completed the program. To commemorate their achievement, Institute staff worked with CSAC's communications unit to produce a video recognizing their accomplishment. Please click here to view the video recognition. The next cohort of 38 participants will begin on August 12, 2021.

Challenge Awards. CSAC has opened the Call for Entries for the 2021 Challenge Awards. The annual program recognizes counties that have been able to address difficult tasks or situations. The deadline for 2021 award submissions is September 10, 2021. Please click here for additional information.

NACo Professional Development Academy Partnership. The Foundation has partnered with the National Association of Counties (NACo) Professional Development Academy (PDA) to enhance our educational programming and allow us to offer their High-Performance Leadership Academy (HPLA). We are pleased to announce that the inaugural California cohort of the CSAC High Performance Leadership Academy will be held September 13 – December 17, 2021. The 12-week, online leadership program will be facilitated by California county leaders. If you are looking to build or expand your employees' leadership skill set, please check out the CSAC High Performance Leadership Academy.

CSAC Support Hub for Criminal Justice Programming

Grants Overview. Currently, there are two central grant agreements under the CSAC Support Hub. These grants are provided by the Laura and John Arnold Foundation and The Pew Charitable Trusts. Both grants focus on the continuation, expansion, and sustainment of collaboration between the Support Hub for Criminal Justice Programming and local counties to improve data-driven and evidence-based practices through a structured Strategic Framework. More details on the specific components of the Strategic Framework and county work can be found on the Support Hub attachment.

Grants Operations. Although efforts on project specific components and expansion counties have been delayed because of the COVID-19 pandemic, the Support Hub has taken a multi-faceted approach to continuing this critical county engagement. These items include:

- Working with funders, amendments to both grants have been completed and are in the final signatory phase. These amendments mainly focus on extending reporting dates, extending final agreements to near year-end of the 2021 calendar year, and budget modifications to account for shifts with in-person meetings/convenings.
- Continued virtual technical assistance with partner counties to continue the already embarked upon work of components within the strategic framework, including logic models and process maps, program inventories and cost-benefit analysis, and data collection efforts. Additionally, conversations with county partners have begun to aid in the operational application of Strategic Framework components to what counties are currently confronting with programming and budget impacts.
- For the three counties that are newly partnering with the Support Hub, the Hub continues to stay engaged following initial kick-off meetings, but substantive work is not expected to begin until early fall 2020 because of the operational/staffing impacts as a result of COVID-19. These counties include Los Angeles, Contra Costa, and Stanislaus. As a note, Contra Costa County, although new, has remained engaged through initial development of programming inventories, literature assessment, and logic models.

Finally, the Support Hub has had two interactive seminars (summarized below) to facilitate a discussion on impacts to counties as it relates to the COVID-19 pandemic and state budget process. Those seminars allowed the Support Hub to both engage partner counties on items that are operationally critical while

reinforcing the importance of the Strategic Framework and its explicit usefulness during times of budget constraints.

- June 3, 2020, Interactive Seminar on "Responding to and Learning from COVID: How Might Data and Analytics Help" this virtual seminar engaged partner counties locally and discussed current data and analytic projects, including how that work can apply to some of the operational questions that counties are beginning to grapple with during this pandemic.
- July 8, 2020, Interactive Seminar on "State Budget and Fiscal Outlook for Counties: Impacts of COVID" this virtual seminar walked partnering counties on a number of items including a 2011 Realignment overview and COVID-19 fiscal impacts, the potential policy and budget implications around realignment of the State's Division of Juvenile Justice program, and the importance of how the Strategic Framework can be applied to these county-critical items.

Both seminars had between 40-50 county participants and a post-survey of the July 8th seminar, for the approximately 20% that responded, was positive with all participants noting the seminar as either "Very Valuable" (42.9%) or "Extremely Valuable" (57.1%). This survey also included the opportunity for participants to comment on future seminars they would be interested in attending, as part of the overall Strategic Framework.

While the Support Hub continues its virtual technical assistance work in partner counties, the Hub will also be continuing to plan for future seminars in the upcoming weeks/months that are of interest to partner counties. These seminars intend to focus on a more "in the weeds" approach to Strategic Framework components.



County Counsels' Association of California

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EXECUTIVE DIRECTOR Jennifer B. Henning

MEMORANDUM

To: Supervisor James Gore, President, and

Members of the CSAC Executive Committee

From: Jennifer Henning, Litigation Coordinator

Date: August 12, 2021

Re: Litigation Coordination Program Update

This memorandum will provide you with information on the Litigation Coordination Program's new case activity since your March 11, 2021 Executive Committee meeting. Recent CSAC court filings are available on CSAC's website at: http://www.csac.counties.org/csac-litigation-coordination-program.

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

COUNTIES	CITIES	OTHER AGENCIES
Alameda	Los Angeles (2 Cases)	State of California
Kern	Rancho Palos Verdes	
Los Angeles (4 Cases)	Sacramento	
Los Angeles County Assessor		
Monterey		
Napa		
San Benito		
San Diego (2 Cases)		
San Francisco		
San Francisco Assessor		
Santa Clara		
Santa Cruz		
Stanislaus		
Ventura		

Alameda County Superior Court v. County of Alameda

65 Cal.App.5th 383 (6th Dist. June 17, 2021)(H048342), petition for review pending (filed July 27, 2021)(S270087)

Status: Amicus Letter Due August 26, 2021

This dispute over court security arose as the Alameda County Superior Court (ACSC), Alameda County and the Alameda County Sheriff were attempting to reach a new court security MOU, but were operating under their existing MOU while negotiations were stalled. The existing MOU contains two provisions most relevant to this appeal. Exhibit C-3 states that the Sheriff has the "right to reduce the number of personnel/scope of service if the California State Legislature fails to provide sufficient funds, and the parties are either unable or unwilling to agree to meet the difference." Exhibit C-1 contains deployment levels, with the exact number of deputies assigned to each court facility. ACSC argued that Exhibit C-1 controlled, requiring the County to provide at least the number of deputies listed therein. The County argued that Exhibit C-3 allowed the Sheriff to reduce the number of deputies based on available funding.

ACSC filed a complaint for declaratory relief. The trial court ruled in the County's favor, finding the Exhibit C-3 was controlling, allowing the Sheriff to reduce minimum security levels. The Court of Appeal reversed, finding Exhibit C-1 to be the controlling section since it was the only one in line with the Superior Court Security Act (Gov. Code § 69920 et seq.) requirements that the security levels be agreed upon to remain in effect upon expiration of the MOU. "Exhibit C-3 does not identify any 'agreed-upon level of court security services' because it allows the Sheriff to unilaterally reduce services to whatever amount can be supported by the funding provided by the State. Exhibit C-1, in contrast, expressly identifies a minimum level of court security services that is quantified[.]" The court determined that public policy also supported this interpretation of the Act since "[n]othing in the legislative history suggests that the Legislature wished courts to be at the mercy of those counties that allowed the cost of court security services to exceed the funding provided by the State and that now deny any responsibility for these cost overruns." The Court of Appeal remanded with instructions to the trial court to consider the

impracticability affirmative defense raised by the County and the Sheriff. The County is seeking California Supreme Court review, and CSAC will file a letter in support.

Bailey v. San Francisco District Attorney's Office

Unpublished Opinion of the First Appellate District, 2020 Cal.App.Unpub.LEXIS 5993 (1st Dist. Sept. 16, 2020)(A153520), petition for review granted (Dec. 30, 2020)(S265223) Status: Amicus Brief Due August 2, 2021

An employee in the SF DA's Office brought this hostile work environment case stemming from one incident in which a co-worker used a racially derogatory term. The City investigated, counseled the offending employee, and separated the complaining employee from the offending employee. Plaintiff thereafter filed this Fair Employment and Housing Act action against her employer. The trial court ruled in the City's favor, and the Court of Appeal affirmed in an unpublished opinion. The court found that there were no triable issues of fact on which a jury could find for plaintiff on her claim for hostile work environment harassment based on race because the single alleged racial epithet by a coworker was not sufficiently severe or pervasive to alter the conditions of her employment. The court also affirmed the trial court conclusion that undisputed material facts showed that the DA's Office promptly took corrective action by counseling the employee who made the offensive remark, and that plaintiff conceded that she did not experience any racial harassment after the City took corrective action. Finally, the appellate court found that plaintiff did not suffer any adverse employment actions beyond mere social slights and work-related criticism. The California Supreme Court has granted review, and CSAC will file a brief in support.

Center for Biological Diversity v. U.S. Bureau of Land Management

Pending in the United States District Court for the Northern District of California (filed Oct. 30, 2019)(3:19-cv-07155-JSC)

Status: Amicus Briefs Due October 20, 2021

The Center for Biological Diversity is challenging BLM's approval of a resource management plan amendment for the central coast planning area (covering Alameda, Contra Costa, Fresno, Merced, Monterey, San Benito, San Francisco, San Joaquin, San Mateo, Santa Clara, Santa Cruz and Stanislaus, though San Francisco has no BLM land). The plan amendment opens BLM land in Fresno, Monterey, San Benito, Alameda, Contra Costa and Santa Clara Counties to oil and gas leasing, including "fracking" extraction. CBD alleges that BLM violated NEPA in adopting the plan amendment. Santa Cruz and Monterey Counties have joined as plaintiffs, and added two additional claims relevant to counties: failure to disclose and discuss possible conflicts between the proposed actions and local land use plans and policies, in violation of the National Environmental Policy Act (NEPA); and failure to coordinate with local governments when developing and revising the RMPA, in violation of the Federal Land Policy Management Act (FLPMA). The case is pending in federal district court. CSAC will file a brief in support of Monterey and Santa Cruz Counties, though the briefing schedule has been extended to allow the parties more opportunity to work toward settlement.

Chicken Ranch Rancheria of Me-Wuk Indians v. Newsom

Pending in the Ninth Circuit Court of Appeals (filed Apr. 27, 2021)(21-15751)

Status: Amicus Brief Due August 9, 2021

A number of tribes entered into compacts with the State of California in 1999 in order to be able to conduct Class III gaming under the Indian Gaming Regulatory Act (IGRA). In connection with the scheduled expiration of the 1999 compacts in 2022, the tribes conducted negotiations with the State for new compacts. The State sought to include in the negotiations provisions for sharing of revenue with non-gaming tribes, as well as provisions dealing with employment standards, anti-discrimination and minimum wage, labor relations, tort remedies, child support, environmental review and other topics. The Tribal Plaintiffs "particularly object[ed] to" a push by the State to require them to negotiate environmental mitigation with local governments, where failure to reach agreement would result in binding arbitration. The trial court agreed with the Tribes that the State went too far in making its requests. The court found that the State should have offered more meaningful concessions to support its requested asks. The State has appealed, and CSAC will file a brief in support consistent with CSAC's adopted policy platform language.

Chu v. San Francisco Assessment Appeals Bd, No. 1

Pending in the First Appellate District (filed Mar. 26, 2021)(A162440)

Status: A Briefing Schedule Has Not Yet Been Set

This case involves the proper assessment of a professional sports venue. The Assessor utilized the "cost approach," under which the taxable possessory interest is valued by considering depreciation of improvements and reducing that amount by the estimated present value of the improvements that revert to the public owner of the venue at the end of the term of possession. On appeal of the Assessor's decision, the Assessment Appeals Board adjusted the tax liabilities downward by also including future "functional obsolescence" in the calculation. The trial court upheld the AAB property tax reduction decision. Noting there is no case law or detailed governing authority on point, the court granted deference to the AAB's determination that application of future functional obsolescence was proper. The court found the AAB did not act arbitrarily, and that substantial evidence supported its functional obsolescence determinations. In particular, the court was persuaded that it is not arbitrary to assume that "ballparks are especially subject to functional obsolescence" based on changing demands of fans and technology, and that failing to make investments based on those changes shortens the useful life of the facility. The Assessor has appealed, and CSAC will file a brief in support.

City of Sacramento v. Mann

Pending in the Ninth Circuit Court of Appeals (filed Mar. 12, 2021)(21-15440) Status: Briefing Complete; Case Pending

This case involves the question of whether an adult non-cohabitating sibling can bring a claim under the First Amendment for loss of an intimate relationship. In the case, Sacramento police officers shot and killed Joseph Mann. Mr. Mann's father, as his next of kin and on behalf of his estate, brought suit against the City under Section 1983 and the City settled the case with Mr. Mann's father. Several months after the settlement, three non-cohabitating siblings brought suit under Section 1983, claiming a right under the First Amendment based on their intimate relationship with the decedent. The federal trial court concluded that "at least in certain circumstances, the right of siblings to intimately associate falls within the First Amendment's ambit." The court went on to find that

plaintiffs were able to show a sufficiently personal and intimate relationship with their deceased brother to warrant protection under the First Amendment. The city has appealed, and CSAC has filed an amicus brief in support of the City.

County of Santa Clara v. Superior Court (AT&T Mobility)

Writ Petition Pending in the Sixth Appellate District (filed June 4, 2021)(H049161) Status: Writ Petition Pending

A number of telephone utilities (AT&T, Pac Bell, T-Mobile and Sprint) filed tax refund lawsuits in over 20 counties challenging the property tax rates that were used to determine their tax bills for 2014-2015, 2015-2016, and beyond. The utilities' tax rates were calculated by counties pursuant to the mandatory statutory formula in Revenue and Taxation Code section 100(b) ("Section 100(b)"). The gravamen of plaintiffs' cases is that Section 100(b) is unconstitutional under article XIII, section 19, of the California Constitution ("Section 19"), which purportedly requires that utility property be taxed at the exact same rate as other property. The claim filed in Santa Clara County went to trial, and the trial court ruled against the County. The county has filed a writ petition in the Court of Appeal arguing that the text and legislative history of Section 19 make clear that it does not require uniformity in property tax rates for utility and other property. Rather, Section 19 requires that utility property is subject to taxation "to the same extent" and "in the same manner" as other property. This key language only requires that utility property is assessed by the State Board of Equalization to capture its full, statewide value ("to the same extent" as other property) and then subject to ad valorem taxation on the local rolls ("in the same manner" as other property). The county argues that this interpretation of Section 19 is consistent with its original purpose (when it was first adopted in 1933), which was to expand the local tax base and provide tax relief to homeowners and small business. CSAC has filed a letter supporting the County's writ petition, which is pending.

Collins v. County of San Diego

60 Cal.App.5th 1035 (4th Dist. Div. 1 Feb. 17, 2021)(D077063), petition for review denied (June 9, 2021)(S267878)

Status: Case Closed

County sheriff deputies arrested plaintiff under suspicion of public intoxication. Upon arrival at the jail, he was seen by a nurse for a routine screening to determine whether he should be booked into jail or sent to a hospital for medical or psychiatric treatment. Plaintiff claimed no medical issues, and at the conclusion of the screening, was booked into the jail. The next morning, after falling twice in his cell, he was transferred to a hospital where doctors determined he was suffering from a severe sodium imbalance. Unfortunately, the treatment he received from the doctors (not county employees) resulted in a significant brain injury. He later settled with the hospital for \$2.7 million, but also filed claims against the County. The main issue in this case is whether Government Code section 855.6 provides immunity to the jail intake nurse against claims that he was professionally negligent in his diagnosis and treatment of plaintiff. Section 855.6 immunizes against liability for examinations or diagnoses, unless such examinations or diagnoses are "for the purpose of treatment." The appellate court determined that in this case, the nurse's examination served a dual purpose—it was not just intended to evaluate fitness for jail, but also to determine whether plaintiff needed medical treatment. For that

reason, the court determined that Section 855.6 did not apply. San Diego County sought Supreme Court review, but review was denied.

In re Christopher L. (Los Angeles County Department of Children and Family Services v. Carlos L.)

56 Cal.App.5th 1172 (2d Dist. Nov. 2, 2020)(B305225), petition for review granted (Feb. 17, 2021)(S265910)

Status: Amicus Brief Due August 27, 2021

Father challenged a juvenile court order terminating his parental rights. He argued that some of the proceedings were erroneously held in his absence and without his counsel present, though he did engage in many other proceedings and with counsel present for over a year before his rights were terminated. The Court of Appeal found that the Father was correct that he should have been allowed to participate in the earlier hearings, but concluded that the error did not require automatic reversal. Rather, the court concluded the errors, though serious, were harmless in this case because the record clearly established that the outcome would have been no different had the Father been allowed to participate in the earlier hearings. Because the error was harmless and reversal would only serve to delay finality for the minor, the court did not reverse the orders terminating parental rights. The California Supreme Court has granted review. CSAC will file a brief in support.

Kinney v. Superior Court (County of Kern)

Writ Petition Pending in the Fifth District Court of Appeal (filed June 1, 2021)(F082845) Status: Writ Petition Pending

This Public Records Act case involves the interplay of two seemingly contradictory provisions. Government Code § 6254, subd. (f) mandates disclosure of "[t]he full name and occupation of every individual arrested by the agency, the individual's physical description including date of birth, color of eyes and hair, sex, height and weight, the time and date of arrest, the time and date of booking, the location of the arrest " On the other hand, Government Code, § 6254, subd. (k) exempts from disclosure those records the "disclosure of which is exempted or prohibited pursuant to federal or state law" and Penal Code § 13302 makes it a misdemeanor to produce information "pertaining to the identification and criminal history of any person, such as name, date of birth, physical description, dates of arrests, arresting agencies and booking numbers, charges, dispositions, and similar data about the person." Here, petitioner filed a Public Records Act request seeking the names and other information about individuals arrested for a DUI one year prior. In other words, the request was not for contemporaneous information (along the lines of what may be discoverable in an online inmate search), but for historical information that is nearly a year old. Kern County denied the request, arguing the public is only allowed to have contemporaneous, but not historical, arrest records. The trial court agreed with the County. A writ petition is pending in the Court of Appeal. CSAC will file an amicus brief if the court issues an order to show cause.

LA Alliance for Human Rights v. City of Los Angeles

Pending in the Ninth Circuit Court of Appeals (filed Apr. 22, 2021)(21-55395) Status: Case Fully Briefed and Pending

Judge Carter in the Central District Court of California issued a preliminary injunction against both the City and County of Los Angeles ordering extensive homelessness remediation measures. The court found that homelessness presented a "known and obvious danger," and the city and county showed a deliberate indifference to the consequences of their discriminatory policies, evidenced by "decades long inaction by the City and County[.]" The court found that the 'containment policy' that led to the creation of Skid Row triggered an affirmative duty under the special relationship exception to the Fourteenth Amendment. Additionally, "[w]hen state inaction has become so egregious, and the state so nonfunctional, as to create a death rate for Black people so disproportionate to their racial composition in the general population, [] state inaction has become state action that is strongly likely in violation of the Equal Protection Clause." The court also found violations of the ADA and Welfare and Institutions Code 17000. The court cited these various constitutional and statutory grounds as the basis for invoking its broad equitable authority, and issued an injunction requiring the City and County to place \$1 billion in funds earmarked for homelessness in escrow and prepare reports and audits of homelessness funds and those receiving the funds. The injunction further requires the City and County to identify all potentially available land, ceases the sale or transfer of all municipal properties, and orders them to provide housing for all Skid Row residents, with specific services ordered where necessary, within 180 days without the involuntary displacement of the residents. The City and County have appealed, and CSAC filed an amicus brief in support.

People v. Accredited Surety & Casualty Company

65 Cal.App.5th 122 (5th Dist. May 7, 2021)(F080431), request for publication granted (June 4, 2021)

Status: Case Closed

In this action, the criminal court released a criminal defendant on consent under the "early-out" provisions of Penal Code section 1269b, which allows for a quick release from jail with bail set according to a county's bail schedule. After the criminal defendant failed to appear at his arraignment, surety sought to set aside forfeiture of the bond, arguing that the bail was unconstitutional. The Court of Appeal upheld the forfeiture in an unpublished opinion. The court found the amount of bail was not unconstitutionally high on its face, and that the criminal defendant had meaningful opportunities to address the amount of the bail bond by raising the issue at his initial court appearance and by motion. Finally, the court determined that even if there were a constitutional violation in setting bail, that violation does not render the bail bond unenforceable as to the surety. CSAC supported Stanislaus County's request for publication, which the court granted.

People v. Wheeler

Pending in the Second Appellate District (filed Jan. 25, 2021)(B310024) Status: Amicus Brief Due August 11, 2021

This case involves a prosecution under the City of Los Angeles municipal code, which states that it is unlawful to "lease, rent to, or otherwise allow an Unlawful Establishment to occupy any portion of parcel of land." "Unlawful Establishment" is defined as "any Person engaged in Commercial Cannabis Activity if the Person does not have a City issued Temporary Approval or License." The defendant, who is the subject of an enforcement action for allowing unlicensed commercial cannabis activity on their property, is challenging the legality of the city's code, claiming it is preempted by Health and Safety Code section 11366.5. That code section prohibits renting or leasing a building or room for the purpose of manufacturing, sale, etc. controlled substances (including cannabis). The city argues the ordinance is not preempted based on Business and Professions Code section 26200, which gives local jurisdictions the authority to control cannabis activities in their borders, as well as City of Riverside v. Inland Empire Patients Health & Wellness Center, Inc. (2013) 56 Cal. 4th 729, which held that there was no preemption of Riverside's zoning regulations declaring medical marijuana dispensaries to be prohibited uses. The trial court and Court of Appeal agreed with the City, but the Supreme Court granted review and sent the case back to the Court of Appeal for further consideration. CSAC will file a brief in support of the City to emphasize the importance of local control.

Prang v. Amen Family Trust

58 Cal.App.5th 246 (2d. Dist. Dec. 7, 2020)(B298794), *petition for review granted* (filed Mar. 17, 2021)(S266590)

Status: Briefing Complete; Case Pending

This case involves Revenue and Taxation Code section 62(a)(2), known as the proportional ownership interest transfer exclusion. Generally, real property is reassessed upon a transfer. Section 62(a)(2) excludes transfers between legal entities that result solely in a change in the method of holding title. Here, real property was owned by a corporation

run by two voting stockholders and three non-voting stockholders. The two voting stockholders formed a trust, and the property was transferred from the corporation to the trust. Thus, the question in this case is whether all stock or only voting stock is considered to determine whether a property transfer is eligible for the property tax reassessment exclusion. The Court of Appeal agreed with the LA County Assessor that for purposes of the Section 62(a)(2) exclusion, "stock" means stock generally and not just voting stock. But the Supreme Court has granted review. CSAC filed an amicus brief in support of the Assessor.

Ray v. County of Los Angeles

Pending in the Ninth Circuit Court of Appeals (filed Nov. 25, 2020)(20-56245) Status: Briefing Complete; Case Pending

This IHSS litigation was prompted by a federal Department of Labor regulation eliminating the so-called "companion exemption," which largely exempted home care workers from overtime pay requirements. That regulation was supposed to go into effect on January 1, 2015, but due to court action and administrative delay, it did not go into effect in California until February 1, 2016. This class action lawsuit against LA County seeks back pay for overtime for IHSS providers for January 1, 2015 through February 1, 2016, which tees up the question of whether the County is the "employer" for purposes of overtime liability. The federal trial court concluded that the County is not the employer, and is therefore not liable for overtime back pay. Plaintiffs have appealed, and CSAC has filed a brief in support of the County.

Riopel v. County of San Benito

Pending in the Sixth Appellate District (filed Dec. 16, 2021)(H048681) Status: Amicus Briefs Due September 24, 2021

Plaintiffs are retired employees of San Benito County who sued the County alleging that during their employment the County granted them a "vested contractual right" to "fully paid retiree health benefits." They further alleged the County breached this promise when it changed retiree health plans, which create a new cost for the retirees. The trial court ruled in favor of the retired employees, finding that the evidence showed an intent to enter into an implied contract with employees that exchanged working for lower wages during active years for a promise of having their health benefits paid at the same rate as active employees during retirement. In reaching this conclusion, the court relied on testimony that was not part of the record before the Board of Supervisors, and concluded that the fact that the Board did not change retiree benefits for more than 20 years served to prove the County intended to create a vested right in the fully paid retiree health benefit. The County has appealed, arguing the trial court misapplied the presumption that a county's statutory scheme is not intended to create private contractual or vested rights, and a party who asserts the existence of such rights has the burden of overcoming that presumption with evidence that shows clear legislative intent. CSAC will file a brief in support.

R.J. Reynolds Tobacco Co. v. County of Los Angeles

Pending in the Ninth Circuit Court of Appeals (filed June 1, 2020)(20-55930) Status: Briefing Complete; Case Pending

Last year, Los Angeles County enacted an ordinance prohibiting the sale of all flavored tobacco products, including e-cigarettes, smokeless products, and menthol-flavored products. Plaintiffs immediately filed this challenge alleging that the Tobacco Control Act (TCA) expressly preempts state and local governments from regulating the ingredients and additives that go into tobacco products, and the ordinance is impliedly preempted because the TCA charges the FDA with promulgating tobacco product standards. The district court granted the County's motion to dismiss, finding that "the Ordinance is not expressly preempted by the TCA because it does not regulate tobacco product standards and therefore is protected by the Preservation Clause, which permits states and localities to prohibit the sale of tobacco products even if those sales bans are stricter than federal law." The court also found that the ordinance is not impliedly preempted by federal law because the statute "expressly gives state and local governments the power to prohibit the sale of tobacco products." CSAC has filed a brief in support of the County.

Sandoval v. County of San Diego

985 F.3d 687 (9th Cir. Jan. 13, 2021)(18-55289), petition for rehearing denied (Mar. 25, 2021)

Status: Amicus Brief Due September 23, 2021

A probationer was arrested on a probation check for drug possession, and unbeknownst to the arresting deputies, he swallowed a substantial amount of methamphetamine to prevent its discovery by the officers. Once booked in jail, he had health symptoms and was placed in a medical observation cell. Ultimately, he become unresponsive and died of a drug overdose during transport to the hospital. His wife then brought this action against the County's jail nurses for failing to provide adequate medical care. The trial court ruled in the County's favor, but the Ninth Circuit reversed. The main question in the case is what standard applies to inadequate medical care claims brought by pre-trial detainees: "deliberate indifference" or "objective reasonableness." The Ninth Circuit applied the easier "objective reasonableness," a standard that was not in effect at the time the death occurred. The court went on to conclude that the nurses' conduct was not objectively reasonable. Judge Collins dissented, concluding that the "majority errs—and expressly creates a circuit split—in reaching the oxymoronic conclusion that a county employee who did not even violate the law at the time he or she acted can nonetheless be said to have violated clearly established law at that time." San Diego County will seek U.S. Supreme Court review, and CSAC will file a brief in support.

Stop Syar Expansion v. County of Napa

63 Cal.App.5th 444 (1st Dist. Mar. 25, 2021)(A158723), request for publication granted (Apr. 23, 2021)

Status: Case Closed

This case is a CEQA challenge to an aggregate operation expansion project, which was approved by the Planning Commission and Board of Supervisors after seven years of CEQA review, with over 100 pages of conditions and mitigation measures. The trial court

ruled in favor of the County, and the Court of Appeal affirmed in an unpublished opinion. The court determined that petitioner failed to exhaust its administrative remedies on all but one of its claims. The court found that petitioner's appeal to the Board on the issues before the court were nothing more than "bland and general" references that were too generic to satisfy the exhaustion requirement because they did not apprise the Board of the specific issues being pursued on appeal. On the one issue that the Court of Appeal found exhaustion had been met (daily particulate emissions), the court upheld the County's use of a five-year average annualized approach to calculating emissions rather than a one-year (250 work days) approach, calling petitioner's argument a disagreement among experts that was not a sufficient basis to find the EIR inadequate. Finally, the court held that petitioner's argument that the project was not consistent with the County's general plan was not a CEQA issue, and therefore needed to be pursued under Civil Code of Procedure § 1085 as a separate cause of action. CSAC's publication request was granted.

Tansavatdi v. City of Rancho Palos Verdes

60 Cal.App.5th 423 (2d Dist. Jan. 29, 2021)(B293670), petition for review granted (Apr. 21, 2021))(S267453)

Status: Amicus Brief Due September 29, 2021

Plaintiff sued the City after her son was killed after being struck by a truck at an intersection with no bike lane. She alleged the absence of a bike lane was a dangerous condition that led to her son's death, and that the City failed to warn bicyclists of the absence of a bike lane. The Court of Appeal found that the city was entitled to design immunity against dangerous condition claims. However, the court remanded the case to the trial court to determine whether the City was entitled to summary judgment for failure to warn of the bike lane's absence, even while the court acknowledged that it did not know what sort of warning would be appropriate. The court concluded that establishing design immunity does not preclude liability for failure to warn of a dangerous condition. The Supreme Court has granted review to the following issue: Can a public entity be held liable under Government Code section 830.8 for failure to warn of an allegedly dangerous design of public property that is subject to Government Code section 830.6 design immunity? CSAC will file a brief in support of the City.

Towner v. County of Ventura

63 Cal.App.5th 761 (2d. Dist Apr. 28, 2021)(B306283), petition for review pending (filed June 4, 2021)(S269128)

Status: Petition for Review Pending

This case involves the County's efforts to discipline, and ultimately terminate, plaintiff, a DA investigator, for dishonesty. Plaintiff appealed his termination to the Civil Service Commission, and the County sought a trial court order disqualifying the Commission from hearing the appeal. As part of the County's court filing, it attached exhibits, including some records from plaintiff's personnel file. The trial court denied the County's petition, and ultimately the Commission heard plaintiff's appeal and ordered him reinstated with full back pay and benefits. Plaintiff then brought this action asserting that the County violated POBR in attaching confidential personnel records to its public court filing to disqualify the Commission. The trial court ruled in favor of the County, but the Court of Appeal reversed. The court agreed with plaintiff that the County's disclosure of

his confidential personnel records was illegal as a matter of law. Specifically, the court found that Penal Code section 832.7 states that confidential peace officer records may only be disclosed following a Pitchess motion, and that Government Code section 1222 makes a public officer's "willful omission to perform any duty enjoined by law" a criminal misdemeanor. The County is seeking Supreme Court review, and CSAC has filed a letter in support of the petition.

California State Association of Counties 2021 Calendar of Events

JANUARY

- 1 New Year's Day
- 14 CSAC Executive Committee Meeting | Virtual
- 18 Martin Luther King, Jr. Day

FEBRUARY

- 11 CSAC Board of Directors Meeting | Virtual
- 15 Presidents Day

MARCH

- 11 CSAC Executive Committee Meeting | Virtual
- 8 12 NACo Policy Steering Committee Meetings | Virtual
 - 19 NACo Board of Directors Meeting | Virtual
- 24 26 NACo Legislative Conference | Virtual
 - 31 Cesar Chavez Day

APRIL

- 8 CSAC Diversity, Equity & Inclusion Forum | Virtual
- - 22 CSAC Board of Directors Meeting | Virtual

MAY

31 Memorial Day

JUNE

- 2 4 CSAC Executive Committee Leadership Forum | San Diego
- 3 4 CSAC Finance Corporation Annual Meeting | San Diego
- TBA CSAC Regional Meeting | TBA

JULY

- 2 Independence Day (observed)
- 9 12 NACo Annual Conference | Prince George's County, Maryland

AUGUST

- 12 CSAC Executive Committee Meeting | Sacramento
- 13 Regional Meeting on Homelessness | Sacramento

SEPTEMBER

- 2 CSAC Board of Directors Meeting | Sacramento
- 6 Labor Day

OCTOBER

- 11 Indigenous Peoples Day
- 13 15 Executive Committee Retreat | Sonoma County

NOVEMBER

- 11 Veterans Day
- 25 Thanksgiving Day
- 29 Dec 3 CSAC 127th Annual Meeting | Monterey County

DECEMBER

- 2 CSAC Board of Directors Meeting | Monterey County
- 15 17 CSAC Officers Retreat | Napa County
 - 24 Christmas Day (observed)
 - 31 New Year's Day (observed)

California State Association of Counties 2022 Calendar of Events

JANUARY	
17	Martin Luther King, Jr. Day
27	CSAC Executive Committee Meeting Sacramento
FEBRUARY	
1-4	Executive Committee Leadership Forum San Diego
12 – 16	NACo Legislative Conference Washington DC
21	
MARCH	
3	CSAC Board of Directors Meeting Sacramento
24	- ·
31	- 1
	CSAC Regional Meeting TBA
	CSAC Regional Meeting TBA
APRIL	CCAC Fire and Control Manufact I Nove Control
7 - 8	1 1 3 31 1 7
	CSAC Legislative Conference Sacramento
21	CSAC Board of Directors Meeting Sacramento
MAY	
18 – 20	Western Interstate Region (WIR) Conference Anchorage, Alaska
30	Memorial Day
JUNE	
20	Juneteenth (subject to approval)
TBA	CSAC Regional Meeting TBA
JULY	
4	Independence Day
21 - 24	NACo Annual Conference Adams County - Aurora, Colorado
AUGUST	
11	CSAC Executive Committee Meeting Sacramento
	conte Executive committee Meeting Sudrumento
SEPTEMBER	CCAC Deard of Directors Meeting Correments
1	CSAC Board of Directors Meeting Sacramento
5	Labor Day
TBA	CSAC Regional Meeting TBA
OCTOBER	
5 - 7	
6	511
10	Indigenous Peoples Day
NOVEMBER	
11	Veterans Day
14 - 18	CSAC 128 th Annual Meeting Orange County
17	CSAC Board of Directors Meeting Orange County
24 - 25	Thanksgiving Holiday
DECEMBER	
7 - 9	CSAC Officers Retreat TBD

26 Christmas Day (observed)