CSAC BOARD OF DIRECTORS

BRIEFING MATERIALS

Thursday, September 5, 2019

10:00 a.m. – 2:00 p.m.

Meeting Location:

Capitol Event Center

1020 11th Street, Second Floor, Sacramento

(800) 867-2581 | Code: 7500508#

California State

Association of Counties

CALIFORNIA STATE ASSOCIATION OF COUNTIES
BOARD OF DIRECTORS MEETING
Thursday, September 5, 2019 | 10:00 AM – 2:00 PM
Capitol Event Center | 1020 11th Street | Sacramento, CA
Conference Line: (800) 867-2581 | Code: 7500508#

AGENDA

Presiding: Virginia Bass, President

10:00 AM PROCEDURAL ITEMS

1. **Roll Call** *Page 1*

2. **Approval of Minutes from April 25, 2019** *Page 3*

ACTION ITEMS

3. **Approval of Policy Priorities for Federal Transportation Reauthorization Bill** *Page 9*
   - *Darby Kernan | Deputy Executive Director, Legislative Affairs, CSAC*
   - *Chris Lee | Legislative Representative, CSAC*

4. **Approval of Policy Principles for Housing Development Impact Fee Legislation** *Page 18*
   - *Darby Kernan | Deputy Executive Director, Legislative Affairs, CSAC*
   - *Chris Lee | Legislative Representative, CSAC*

INFORMATION ITEMS

5. **Finance Corporation Update** *Page 32*
   - *Supervisor Leonard Moty | President, CSAC Finance Corporation*
   - *Alan Fernandes | Chief Executive Officer, CSAC Finance Corporation*

6. **California Counties Foundation Update** *Page 42*
   - *Chastity Benson | Operations Manager, California Counties Foundation*

11:30 AM SPECIAL PRESENTATION

7. **Governor's Homeless Taskforce Update** *Page 44*
   - *Jason Elliott | Chief Deputy Cabinet Secretary (invited)*
   - *Mark Ridley-Thomas | Supervisor, Los Angeles County Taskforce Co-Chair*
   - *Darrell Steinberg | Mayor, Sacramento, Taskforce Co-Chair*

12:30 PM LUNCH

1:00 PM INFORMATION ITEMS

8. **Court Security** *Page 45*
   - *Patrice Dietrich | Assistant Executive Officer, Stanislaus County*
   - *Rob Taro | Assistant County Counsel, Stanislaus County*
   - *Jessica Devencenzi | Legislative Representative, CSAC*

9. **In-Home Supportive Services** *Page 48*
   - *Supervisor John Peters | IHSS Working Group Co-Chair, Mono County*
   - *Justin Garrett | Legislative Representative, CSAC*

10. **Legislative Update** *Page 51*
    - *Darby Kernan | Deputy Executive Director, Legislative Affairs, CSAC*
    - *CSAC Legislative Representatives*

11. Operations & Member Services Update *Page 55*

- *Manuel Rivas, Jr. | Deputy Executive Director, Operations & Member Services, CSAC*

12. Challenge Awards *Page 57*

- *David Liebler | Director, Public Affairs & Member Services, CSAC*

13. 2019 CACE Distinguished Leadership Award *Page 58*

- *Graham Knaus | Executive Director, CSAC*

14. Information Items without Presentation

- CSAC Litigation Coordination Program Update *Page 60*
- Institute for Local Government (ILG) Update *Page 66*
- CSAC Institute Course Guide *Page 69*
- 2019 Calendar of Events *Page 77*

15. Public Comment

2:00 PM ADJOURN

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

CALIFORNIA STATE ASSOCIATION OF COUNTIES

Board of Directors

2019

SECTION		
U=Urban	President:	Virginia Bass, Humboldt
S=Suburban	First Vice President:	Lisa Bartlett, Orange
R=Rural	Second Vice President:	James Gore, Sonoma
	Immediate Past President:	Leticia Perez, Kern

SECTION	COUNTY	DIRECTOR
U	Alameda County	Keith Carson
R	Alpine County	Terry Woodrow
R	Amador County	Richard Forster
S	Butte County	Debra Lucero
R	Calaveras County	Merita Callaway
R	Colusa County	Denise Carter
U	Contra Costa County	John Gioia
R	Del Norte County	Chris Howard
R	El Dorado County	Sue Novasel
U	Fresno County	Buddy Mendes
R	Glenn County	John Viegas
R	Humboldt County	Estelle Fennell
S	Imperial County	Raymond Castillo
R	Inyo County	Jeff Griffiths
S	Kern County	Zack Scrivner
R	Kings County	Craig Pedersen
R	Lake County	Moke Simon
R	Lassen County	Chris Gallagher
U	Los Angeles County	Mark Ridley-Thomas
R	Madera County	Brett Frazier
S	Marin County	Damon Connolly
R	Mariposa County	Miles Menetrey
R	Mendocino County	Carre Brown
S	Merced County	Lee Lor
R	Modoc County	Patricia Cullins
R	Mono County	John Peters
S	Monterey County	Luis Alejo
S	Napa County	Belia Ramos
R	Nevada County	Ed Scofield
U	Orange County	Lisa Bartlett
S	Placer County	Bonnie Gore
R	Plumas County	Lori Simpson
U	Riverside County	Chuck Washington

U	Sacramento County	Susan Peters
R	San Benito County	Jamie De La Cruz
U	San Bernardino County	Janice Rutherford
U	San Diego County	Greg Cox
U	San Francisco City & County	TBA
U	San Joaquin County	Bob Elliott
S	San Luis Obispo County	Bruce Gibson
U	San Mateo County	Carole Groom
S	Santa Barbara County	Das Williams
U	Santa Clara County	Susan Ellenberg
S	Santa Cruz County	Bruce McPherson
S	Shasta County	Leonard Moty
R	Sierra County	Lee Adams
R	Siskiyou County	Ed Valenzuela
S	Solano County	Erin Hannigan
S	Sonoma County	Susan Gorin
S	Stanislaus County	Vito Chiesa
R	Sutter County	Dan Flores
R	Tehama County	Robert Williams
R	Trinity County	Judy Morris
S	Tulare County	Amy Shuklian
R	Tuolumne County	Karl Rodefer
U	Ventura County	Kelly Long
S	Yolo County	Jim Provenza
R	Yuba County	Doug Lofton

ADVISORS

Bruce Goldstein, County Counsels Association, Past President, Sonoma County
Birgitta Corsello, California Association of County Executives, President, Solano County

12/18

CALIFORNIA STATE ASSOCIATION OF COUNTIES
BOARD OF DIRECTORS
April 25, 2019
Hyatt Regency | Sacramento | CSAC Legislative Conference
Conference line: (800) 867-2581 | Code: 7500508#

MINUTES

1. Roll Call

OFFICERS

Virginia Bass | President
Lisa Bartlett | 1st Vice President
James Gore | 2nd Vice President
Leticia Perez | Past President

ADVISORS

Bruce Goldstein, County Counsels Association

CSAC STAFF

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

Alameda	– Keith Carson	Orange	– Lisa Bartlett
Alpine	– Terry Woodrow	Placer	– Bonnie Gore
Amador	– Richard Forster (remote)	Plumas	– Lori Simpson
Butte	– Debra Lucero	Riverside	– Chuck Washington
Calaveras	– Merita Callaway	Sacramento	– Susan Peters
Colusa	– Denise Carter	San Benito	– Absent
Contra Costa	– Absent	San Bernardino	– Janice Rutherford
Del Norte	– Chris Howard	San Diego	– Greg Cox
El Dorado	– Absent	San Francisco	– N/A
Fresno	– Absent	San Joaquin	– Bob Elliott
Glenn	– Absent	San Luis Obispo	– Bruce Gibson
Humboldt	– Virginia Bass	San Mateo	– Carole Groom
Imperial	– Raymond Castillo	Santa Barbara	– Das Williams (remote)
Inyo	– Jeff Griffiths	Santa Clara	– Susan Ellenberg
Kern	– Leticia Perez	Santa Cruz	– Bruce McPherson
Kings	– Craig Pedersen	Shasta	– Leonard Moty
Lake	– Moke Simon	Sierra	– Lee Adams
Lassen	– Chris Gallagher	Siskiyou	– Ed Valenzuela
Los Angeles	– Absent	Solano	– Erin Hannigan
Madera	– Absent	Sonoma	– Susan Gorin
Marin	– Damon Connolly	Stanislaus	– Vito Chiesa (remote)
Mariposa	– Marshall Long (remote)	Sutter	– Dan Flores (remote)
Mendocino	– Carree Brown	Tehama	– Robert Williams
Merced	– Lee Lor (remote)	Trinity	– Judy Morris
Modoc	– Patricia Cullins	Tulare	– Amy Shuklian
Mono	– John Peters	Tuolumne	– Karl Rodefer
Monterey	– Luis Alejo	Ventura	– Kelly Long
Napa	– Belia Ramos	Yolo	– Jim Provenza
Nevada	– Ed Scofield	Yuba	– Absent

2. Approval of Minutes from February 14, 2019

A motion to approve the minutes from the February 14, 2019 meeting made by Supervisor Rodefer; second by Supervisor Adams. Motion carried.

3. CSAC Institute Credentials and Fellows Program

Supervisor Lisa Bartlett, California Counties Foundation Board President introduced the 2019 Institute Fellows and Institute Credential awards.

4. Institute for Local Government

CSAC introduced the new Executive Director for the Institute for Local Government (ILG), Erica Manuel. CSAC partners with ILG to do great work on behalf of counties and local governments to work hand in hand to make counties successful. Erica addressed the board and highlighted what ILG has been doing. She envisions an organization that focuses on collaboration and bringing value to partners in ways not seen before, as a convener and facilitator for productive dialogue that helps with solving tough issues in your communities. ILG wants to help counties capitalize on opportunities to connect counties to technical resources and programmatic support. ILG complements the great work of counties to tell the stories of success and get the support counties need.

5. Nationwide Retirement Solutions

Eric Stevenson, Senior Vice President of Retirement Plans Distribution at Nationwide Retirement Solutions addressed the board. Nationwide has a strong partnership with the members of the California counties.

6. CSAC Policy Committee Reports

a. Administration of Justice

Supervisor Kelly Long informed the board of the updates and communication that took place during the policy committee meeting. The committee discussed Department of Corrections and Rehabilitation, juvenile justice, and pending legislation. They heard from the Secretary of the California Department of Corrections and Rehabilitation, Ralph Diaz. He discussed his priorities as secretary and what some of the opportunities are for counties to partner with the department. A recommendation was made by Lassen County Supervisor, Chris Gallagher for counties with prisons to have an annual meeting with the secretary, which the committee plans to implement and facilitate. Supervisor Rosemarie Smallcombe updated the committee about the CSAC Juvenile Hall Work Group and CSAC staff provided a brief legislative overview.

b. Agriculture, Environment, and Natural Resources

Supervisor Carole Groom reported on the AENR policy committee meeting to the board. The committee heard from CSAC's utility liability coalition partners attorney, John Fiske, and Up from the Ashes President, Patrick McCallum. There was a robust discussion on wildfire and utility liability issues. Nicole Elliott, Senior Advisor for Cannabis from GO BIZ, and Hasan Sarsour of Paragon Government Relations, provided a state of cannabis update and discussed state and federal level issues and legislation. The committee hosted a recycling panel of senior legislative staff that are working on source reduction for plastic packaging legislation to tackle California's growing recycling crisis. The panel included Legislative Director Tina Andolina from Senator Ben Allen's office and Legislative Director Katrina Robinson from Senator Nancy Skinner's office. Graphics such as charts and statistics showing global decline in plastics commodity pricing were provided to the committee. Cara Martinson provided a legislative update. No action was taken during the committee meeting.

c. **Government Finance and Administration**

Supervisor Judy Morris informed the board on the discussions at the GFA policy committee meeting. The committee heard from two panels, including topics on redistricting and sales tax reform. The redistricting panel included representatives from California Common Cause, the State Auditor's Office, and Supervisors Leticia Perez and Das Williams. AB 849 and SB 139 were the central focus of discussion. AB 849 would require all local agencies to undertake more public engagement during their redistricting process. SB 139 would require counties with an over 250,000 population to have an independent redistricting commission. The sales tax presentation by the executive chairman of HdL, Lloyd de Llamas included discussion on California's high sales tax rate in respect to the narrow base in the country. California has a large number of exemptions but only charges tax on tangible personal property, instead of digital property or services. Options for potential future reforms were presented.

d. **Health and Human Services**

Supervisor Das Williams addressed the board with an update on the Health and Human Services policy committee meeting. The committee discussed the Governor's IHSS MOE proposals and the UDW request to link the MOE proposal to county collective bargaining. The committee heard from three CSAC affiliate associations on budget efforts that CSAC has supported, including the County Health Executives Association of California, the California State Association of Public Administrators, Public Guardians and Public Conservators, and the County Welfare Directors Association of California. The committee also welcomed updates from the Child Support Directors Association and the Contra Costa County Department of Child Support Services, who provided important background about the child support program and discussed the Associations' priorities and current legislation. Brendan McCarthy, the Assistant Secretary of California Health and Human Services Agency also addressed the committee.

e. **Housing, Land Use and Transportation**

Supervisor Denise Carter summarized the HLT policy committee meeting that took place during the legislative conference. The committee received a presentation from Lynn von Koch-Liebert, Deputy Secretary from the Business Consumer Services and Housing Agency. She discussed the Governor's housing-related budget proposals, which includes $250 million for local and regional planning grants and $500 million in incentives for housing production. The committee also discussed the Governor's proposal to reform the regional housing needs process and link transportation funding, including SB 1 local formula funds, with housing. Policy discussion on housing development impact fees took place. James Hamill, Managing Director for the California Statewide Communities Development Authority (CSCDA), which manages the

Statewide Community Infrastructure Program (SCIP), helping local government and developers defer impacts fees while still competing needed infrastructure improvements. The committee approved policy principles to help direct CSAC's advocacy on the numerous impact-fee related bills under consideration in the legislature. The Chair of the Assembly Housing Committee requested CSAC's support for the package. While there ultimately was not consensus to recommend positions to the Executive Committee, the group had a robust discussion of three tenant protection bills.

f. **Resilient Counties**

Supervisor James Gore updated the board about the resiliency advisory board meeting that took place during the legislative conference. The advisory board is focusing on resilience for all disasters, including wildfires, earthquakes, active shooter situations, and many more. The group came up with a policy platform and has confidence in the direction moving forward and a vehicle to put it toward. The committee has created working groups to conquer all the different corners that resiliency touches. A disaster emergency management summit with the Governor's office will take place in June and CSAC will be an important partner in that summit. The committee sees an opportunity to have inflow of work with this summit to come out with some announcements and collaboration with the Governor's office for a path forward with regards to resilience.

7. **Consideration of Proposed CSAC Budget for FY 2019-20**

The Board was presented CSAC's proposed budget for Fiscal year 2019-20 by Supervisor Ed Scofield, CSAC's Treasurer, which was approved by the Executive Committee. Highlights of the proposed budget include: no dues increases for the sixth consecutive year; An increase in the Finance Corporation Participation Program contribution to $4.3 million; $525,000 net revenue expected from the Corporate Associates Program; projected increase of $125,000 in administrative revenue fees for staff and resources for county welfare data systems management support; Salaries and benefits reflect increased retirement contribution rates and benefit cost increases; $40,000 increase in the budgeted contribution to the California Counties Foundation; $250,000 contribution to the Capital improvement Fund; a projected $5.7 million in the Operational reserve by the end of FY 2019-20. Supervisor Scofield and staff recommend moving forward with support for the proposed budget.

A motion to approve the CSAC budget as presented made by Supervisor Peters; second by Supervisor Brown. Motion carried unanimously.

8. **Caucus Report Outs**

a. **Rural**

Supervisor Virginia Bass briefed the board on the rural county caucus. The caucus had an action item to change the term rules for the Executive Committee. The caucus is working through ideas on how to provide continuity.

b. **Suburban**

Supervisor James Gore updated the board on the suburban caucus, which currently has 17 counties. The group discussed the voting structure and is getting back to basics about how the caucus is organized. Topics such as resiliency, cannabis and county best practices were deliberated.

c. Urban

Supervisor Lisa Bartlett reported a summary of the urban caucus meeting that took place during the legislative conference. Ten counties were in attendance and the caucus had good discussions. There were no action items.

9. CSAC Finance Corporation Report

Supervisor Leonard Moty, President of the CSAC Finance Corporation, addressed the board with an update on the CSAC FC. The Corporation recently welcomed their new board members, Elba Gonzales and David Twa. The bond with the FC and CSAC continues to remain strong with an ongoing commitment to collaboration. Alan Fernandes, CSAC FC CEO also touched on the partnerships that the corporation has built and maintained. Officers were elected at the recent Annual Meeting, with Supervisor Moty remaining as President, Graham Knaus as Vice President, and Jim Erb as the Treasurer. Highlights of all the partnerships that the CSAC FC works with were presented to the Board of Directors in the briefing materials.

Steven Bennett, Regional Sales Manager at Dominion Voting Systems addressed the board. Dominion focuses on providing secure and transparent voting technology to ensure confidence in communities to carry out local elections.

10. Federal Legislative Update

The Paragon Government Relations team addressed the board and provided a legislative update to the Board of Directors. The House and Senate Homelessness bills supplement California's efforts. Funding bills for disaster recovery and resiliency are delayed due to disagreements over Puerto Rico FHWA Emergency response extensions, which have not been extended despite past practices of doing so. FY 2020 application process for SCAAP will effectively deny money to sanctuary governments. Federal legislation is moving on the Safe Banking Act in regards to Cannabis.

11. Operations and Member Services Update

Staff briefed the board on updates on the Communications and Member Services teams. CSAC held a regional meeting in March in Monterey County that focused on housing affordability and homelessness. Approximately 80 county representatives, corporate partners and CSAC policy experts attended the event. The next Regional Meeting will take place sometime in June in the Central Valley and will focus on opportunity zones. CSAC is partnering with RCRC to host the 2020 Western Interstate Region (WIR) conference in Mariposa County. Staff is putting out a call for entries for the 2019 CSAC Challenge Awards, which spotlight the most innovative programs developed and implemented by California Counties. The National Association of Counties (NACo) sponsors National County Government Month in April. This month's theme is "Connecting the Unconnected", the initiative sponsored by NACo President and San Diego County Supervisor Greg Cox. CSAC is using various tools to promote the event to the 58 counties. Staff continues to utilize different media outlets such as traditional, social and video to get the county story out.

12. California Counties Foundation Update

Staff updated the board on the California Counties Foundation, which has welcomed a new Board member, Supervisor Amy Shuklian. The CSAC Support Hub for Criminal Justice Programming (formerly known as the Results First Program), which was a project intended to provide support to counties to understand their criminal justice programs, has received a $900,000 Arnold Foundation grant to continue its work over the next two years. The team is engaging in an influx of strategic planning within counties. Supervisor Ed Scofield was welcomed to the Foundation Board as the new treasurer. CSAC staff acknowledged Amalia Mejia for her efforts and dedication to the Results First / Support Hub over the years. Amalia will be leaving the team to pursue a graduate degree. Diana Medina will be taking over the Support Hub project.

The meeting was adjourned. The Board will reconvene on September 5, 2019 in Sacramento, CA.

1100 K Street
Suite 101
Sacramento
California
95814

Telephone
916.327.7500
Facsimile
916.441.5507

September 5, 2019

TO: Members | CSAC Board of Directors

FROM: Darby Kernan | CSAC, Deputy Executive Director of Legislative Affairs
Chris Lee | CSAC, Legislative Representative

SUBJECT: Approval of Policy Priorities for Federal Transportation Reauthorization Bill – ACTION ITEM

Recommendation. Approve recommended policy priorities for reauthorization of the federal surface transportation bill.

Background. Congress passed and President Obama signed the Fixing America's Surface Transportation Act ("FAST Act") on December 4, 2015. The FAST Act was the first long-term transportation reauthorization bill in several years. It funds surface transportation programs—including, but not limited to, Federal-aid highways—at over $305 billion for fiscal years (FY) 2016 through 2020. In addition to funding surface transportation programs, the FAST Act made other transportation-related policy changes, including authorizing a pilot program for state and federal environmental law reciprocity that was long-sought by CSAC and CEAC. Changes like CEQA-NEPA reciprocity will allow California to stretch each additional federal transportation dollar further.

While the FAST Act provided five years of funding, it did not increase transportation revenues in order to address the structural shortfall in the federal Highway Trust Fund (HTF). The HTF relies on federally-imposed fuel taxes of 18.4 cents/gallon on gasoline and 24.4 cents/gallon on diesel fuel. These rates are not adjusted for inflation and were last increased by the federal government in 1993.

In California, federal surface transportation funds under the FAST Act amount to about $5.6 billion in annual revenue to the State Highway Account. Approximately 60% of those funds are allocated to state highway projects, with the other 40% are allocated to federally-eligible projects sponsored by regional and local governments. In addition to funding allocated through regional transportation planning agencies, counties are eligible to receive federal transportation funds directly from the State in the form of grants for bridge projects, safety improvements, and active transportation projects.

The FAST Act doesn't expire until September 30, 2020, but committees in both houses of Congress have already begun policy discussions around reauthorization priorities. The U.S. Senate Environment and Public Works Committee (Senate EPW Committee) recently unveiled America's Transportation Infrastructure Act (ATIA)—a draft surface transportation reauthorization bill for fiscal years 2021 through 2025. A brief summary of the bill, which the Committee unanimously passed in a mark-up on July 30, is attached to this memo. The bill is anticipated to receive a vote before full the Senate later this year. The U.S. House Committee on Transportation and Infrastructure (House T&I Committee) has indicated that it will not take up a highway bill until next year. However, if the Senate approves ATIA by the end of the year, House T&I Committee may be inclined to also introduce their own version.

In April 2019, CSAC convened a working group of CEAC, including representatives of urban, suburban and rural counties, to provide technical feedback on reauthorization priorities. The initial draft developed by the working group was reviewed and approved by the CSAC Housing, Land Use and Transportation Policy Committee on June 7, 2019 and the CSAC Executive Committee on August 1, 2019.

Policy Considerations. Given the long-term insolvency of the federal highway trust fund, a federal transportation funding fix continues to be the top priority for counties. To simply keep up with the pace of inflation, the spending levels authorized by the FAST Act would need to increase by $114 billion over the course of a new six-year surface transportation reauthorization bill. At the same time, it is crucial that federal transportation programs provide long-term funding stability for transportation projects that can take multiple years to plan and construct. CSAC's adopted policy supports a variety of new user-based revenues sources, from increasing the federal gas tax to assessing a user fee that more accurately charges motorists for their use of the system.

California has joined cities, counties, regions and states across the country to increase infrastructure funding. Senate Bill 1 (Beall, 2017), invests $54 billion over the next decade to fix roads, freeways, bridges, and as well as funding transit, safety programs and active transportation in every community in California. In addition, over 88% of the state's population lives in a county that has approved special taxes to fund regional transportation improvements, raising nearly $200 billion over the next 30 to 40 years. California needs a strong federal partner to make needed "fix it first" investments to preserve our existing assets, deliver transportation infrastructure improvements that will create jobs, increase safety, improve mobility, address emerging issues including climate change resiliency, and keep the economy growing. This can only happen with a long-term funding fix for the federal HTF.

In addition to the overarching need to address the long-term funding of the HTF, local bridge rehabilitation and replacement, emergency relief projects, and safety projects continue to be acute needs for county road systems in California. Specific priorities recommended for these key items include:

- **Restore the Highway Bridge Program.** Provide dedicated revenue for local bridges on the federal aid highway system, either by creating a set-aside similar to the "off-system" highway bridge set-aside or by restoring the Highway Bridge Program as a core program. California essentially maintained the Highway Bridge Program, which was eliminated as a standalone program under a prior transportation authorization bill. The state has continued to allocate approximately $300 million in federal funds to local bridge projects each year from the National Highway Performance Program and Surface Transportation Block Grant Program. Nevertheless, local bridge funding needs are acute and additional funding, as well as a dedicated program, is well warranted. California cities and counties own over 12,000 bridges, of which 829 need to be replaced and 1,834 need rehabilitation. Based on a conservative estimate from the 2018 Local Streets and Roads Needs Assessment, local agencies in California face a $2.6 billion shortfall for bridge repair and rehabilitation over the next decade.

- **Ensure Eligibility for Emergency Relief Projects.** Provide relief for local agencies impacted by disasters by extending the statutory limit for emergency relief projects under the Federal Highways Administration (FHWA) to six years with the possibility of additional one-year extensions for just cause. In California, seven counties have 129 FHWA emergency relief projects worth over $80 million related to severe winter storms in 2017. These emergency relief projects could lose funding without the extension granted by this policy proposal. CSAC recently co-sponsored a National Association of Counties policy resolution on this topic and CSAC's federal representatives have worked with members of the California delegation to introduce amendments to achieve this change. While attempts to attach amendments to other bills have been unsuccessful, the best opportunity to secure the change will be in the context of the reauthorization bill.

- **Focus on Safety.** Increase funding for safety infrastructure projects on the existing transportation system. Programs/projects must be aimed at reducing the greatest number of fatalities regardless of ownership of the system. Reauthorization should ensure that the rural road system, which is largely managed by counties and where fatality rates are the highest, retains dedicated funding. Counties face significant needs to retrofit their roads to better accommodate active transportation by cyclists and pedestrians, especially as accident rates for these modes of transportation increase. Accordingly, the reauthorization bill must promote bicycle and pedestrian safety programs and increase funding for these project types.

Action Requested. Staff requests that the CSAC Board of Directors approve the attached federal transportation reauthorization policy priorities.

Staff Contacts.
Chris Lee, (916) 327-7500 Ext. 521 or clee@counties.org.

Attachments.
1) Draft FAST Act Reauthorization Priorities
2) Senate Environment and Public Works Committee Summary of America's Transportation Infrastructure Act

California State Association of Counties

DRAFT

CSAC PRIORITIES FOR FAST ACT REAUTHORIZATION

Pending Approval by CSAC Board of Directors

FAST Act Reauthorization Priority: Increase Federal Revenues for Transportation Infrastructure

Without immediate bold action by Congress, the Highway Trust Fund will continue to face insolvency. Existing federal revenues continue to fall short of meeting the funding needs to bring our nation's surface transportation infrastructure into the next century. Our future economic prosperity, , and our dedication to the health, safety, and welfare of the traveling public and all Americans demands a significant reinvestment into the transportation network. **CSAC urges Congress to enhance revenues for investment in our national transportation infrastructure.**

The California State Association of Counties (CSAC) – the unified voice of California's 58 counties – believes that until the funding issue is addressed, we will not make significant progress in improving our critical transportation infrastructure. California has joined states around the country in taking action to address its transportation infrastructure funding needs. The landmark Road Repair and Accountability Act of 2017 provides over $5 billion annually to fix local roads, state highways and bridges and invest in transit and active transportation. At the regional level, over 80% of California's residents live in a county where voters have approved a dedicated local transportation tax measure. Despite these significant investments, California still depends upon a strong federal partnership to meet our transportation infrastructure needs.

The demands on our infrastructure are relentless – Californians log 300 million vehicle miles traveled annually, more than the current system was ever intended for. Local agencies in California own over 12,000 bridges, of which 829 need to be replaced and 1,834 need rehabilitation. At the same time, federal sources of revenue are declining due to necessary improvements in fuel economy and electric vehicle technology. In order to address pressing environmental concerns ranging from air quality and climate change to impacts on our water resources and energy demands, the nation must continue its work to advance technological improvements in fuel economy, alternative vehicles such as zero emissions vehicles, and reduce the amount people must drive to access work, school, home, services, and recreation. These challenges will only exacerbate our current funding dilemma.

CSAC's policy supports a variety of new revenues sources from increasing the federal gas tax to assessing a user fee that more accurately charges motorists for their use of the system than traditional revenues sources. Failing to address the severe funding issue within the next reauthorization effort will only negatively impact the condition of our system, our economy, our environment, and the overall quality of life for Americans. Increased revenue is our utmost priority for FAST Act reauthorization.

Once Congress addresses the funding issue, CSAC submits the following additional policy and programmatic priorities for consideration by Congress.

FAST Act Reauthorization Priority: Restore the Highway Bridge Program

- Provide dedicated revenue for on-system highway bridge projects, either by creating a set-aside similar to the off-system highway bridge set-aside or restoring the Highway Bridge Program as a core program.
- Increase dedicated funding for preventative maintenance on, and replacement of, bridges. This is a critical safety issue.

FAST Act Reauthorization Priority: Emergency Relief Projects

- Provide relief for local agencies impacted by disasters by extending the statutory limit for emergency relief projects under the Federal Highways Administration to six years with the possibility of additional one-year extensions for just cause.

FAST Act Reauthorization Priority: Focus on Safety

- Increase funding for safety infrastructure projects on the existing transportation system.
- Programs/projects must be aimed at reducing the greatest number of fatalities regardless of ownership of the system.
- Ensure the rural road system, where fatality rates are the highest, retains dedicated funding.
- Promote and increase funding for bicycle and pedestrian safety projects and programs.

Fast Act Reauthorization Priority: Fix-it-First

- Provide increased funding for maintenance and preservation of the existing system. Reinvesting in the system now prevents exponentially higher costs down the road.

FAST Act Reauthorization Priority: Streaming Project Delivery & Environmental Review

- Support streamlining of federal regulations to facilitate more expeditious project delivery.
- Ensure that federal project oversight is commensurate to the amount of federal funding.
- Extend the at-risk project pre-agreement authority available for transit projects to highway projects for non-construction activities and for construction activities once environmental review is complete.

FAST Act Reauthorization Priority: Increase Flexibility to Meet State, Regional, and Local Needs

- Maximize the use and flexibility of federal funds by not requiring minimum federal matches.
- Eliminate the need to program multiple phases for small projects.
- Eliminate need for TIP programming for air quality neutral projects.

FAST Act Reauthorization Priority: Assistance for Data Collection

- Provide funding, training, tools, and uniform standards for the collection of roadway and traffic data specifically for the local and rural roadways, including assistance and funding for data collection required by federal performance management rules.
- Provide assistance for data collection, and determining and quantifying GHG emissions, and other important data for addressing climate change in long-range transportation plans.

FAST Act Reauthorization Priority: Improve Environmental Stewardship & Address Climate Change

- Provide financial incentives to States that adopt and set greenhouse gas (GHG) emissions reductions targets and programs to accomplish those targets.
- Provide incentives in current programs and/or provide new funding sources for climate change neutral or friendly transportation projects and programs.
- Provide financial incentives for rural sustainability.

- Provide financial support for regional and countywide planning processes that integrate transportation and land use planning to reduce GHG emissions.
- Provide funding for retrofitting equipment and for alternate fuel infrastructure.

FAST Act Reauthorization Priority: Maintain Funding for Federal Lands Access Program (FLAP)

- Maintain funding for the FLAP for projects that provide access to, are adjacent to, or are located within Federal Lands.

For more information regarding these priorities and principles, please contact:
Joe Krahn, Paragon Government Relations, (202) 898-1444
Chris Lee, California State Association of Counties, (916) 650-8180

America's Transportation Infrastructure Act

America's Transportation Infrastructure Act of 2019 is the largest amount of funding provided for highway reauthorization legislation in history. The bill authorizes $287 billion from the Highway Trust Fund over five years in investments to maintain and repair America's roads and bridges and to keep our economy moving. The legislation includes provisions to improve road safety, accelerate project delivery, improve resiliency to disasters, reduce highway emissions, and grow the economy. Below are a few of the highlights of the bill.

Funds Our Highways and Grows Our Economy

The bill provides $287 billion in highway spending from the Highway Trust Fund over five years, of which $259 billion, or over 90%, is distributed to states by formula. The five-year funding level is more than a 27% increase above the FAST Act and will be the largest highway bill in history. The legislation maintains each state's share of highway formula funding and expands the flexibility and eligible uses of formula funds provided out of the Highway Trust Fund.

INFRA Funding

The bill increases funding for the Nationally Significant Freight and Highway Projects program, known as "INFRA," by providing $5.5 billion over five years. The bill increases funding flexibilities, and prioritizes certain critical interstate projects. The bill increases the minimum amount (from 10 percent to 15 percent) of INFRA funds to go towards smaller projects. The bill sets aside $150 million per year for a pilot program that prioritizes projects offering a higher non-federal match. The bill also creates new grant administration transparency requirements.

Enhances and Improves Road and Bridge Safety

New Competitive Grants for Bridges

The legislation authorizes over $6 billion over five years, including $3.3 billion from the Highway Trust Fund, for a competitive bridge program to address the backlog of bridges in poor condition nationwide. Every state with a well-justified proposal will receive funding to improve the condition and safety of its aging bridges. In addition, in order to enable agencies to support the large bridge projects that they often struggle to complete due to lack of adequate funding, no less than 50% of the program will support bridges with a total project cost larger than $100 million.

Safety Incentive Programs

In addition to increases in the existing Highway Safety Improvement Program, the bill includes a new safety funding supplemental of $500 million per year distributed to states based on their current formula share to support projects that would lower driver and pedestrian fatalities. States can receive greater project flexibility if they meet certain safety planning requirements. In addition, states can compete for additional funding awards by making progress on reducing fatalities.

Program to Reduce Wildlife-Vehicle Collisions

The bill provides $250 million over 5 years for a new grant program for projects designed to reduce wildlife-vehicle collisions. In addition, the bill adds new funding eligibilities for the construction of wildlife crossing structures within formula and competitive programs, and prioritizes the research and development of animal detection systems to reduce the number of wildlife-vehicle collisions.

Cuts Red Tape

The bill codifies core elements of the "One Federal Decision" policy for highway projects including establishing: a 2-year goal for completion of environmental reviews; a 90-day timeline for related project authorizations; a single environmental document and record of decision to be signed by all participating agencies; and an accountability and tracking system managed by the Secretary of Transportation (Secretary). In addition, the bill provides project sponsors with the flexibility to apply the core elements of the "One Federal Decision" policy to highway projects that require an environmental assessment.

The bill provides flexibility to the Department of Transportation (DOT) during the environmental review process, allowing the agency to set a schedule for projects, and limiting a possible extension request for other participating agencies to only one year. In addition, the bill requires the Secretary to provide a list of categorical exclusions applicable to highway projects to regulatory agencies and directs those agencies to publish a notice of proposed rulemaking to adopt relevant categorical exclusions within one year.

To accelerate project delivery and to ensure the equitable treatment of states by the Department of Transportation, the bill requires the Secretary to exercise all available flexibilities under current law, as long as they are in the public interest. The bill requires the Secretary to develop a simplified template for federal-state stewardship agreements and to remove non-statutory approval requirements from such agreements. The bill amends DOT regulations to lower paperwork burdens on states associated with traffic management plans for highway projects, work zone process reviews, and intelligent transportation system standards.

Delivers Projects Cheaper and Faster

The bill increases funding for the Technology and Innovation Deployment Program. These funds include $100 million in new and innovative construction technologies for smarter, accelerated project delivery.

Reinvests in Tribal and Federal Lands

The legislation provides increased funding for tribal and federal lands transportation programs, which includes $2.9 billion for the Tribal Transportation Program and $2.1 billion for the Federal Lands Transportation Program over five years. In addition, the bill provides $250 million over five years in dedicated funding for the Nationally Significant Federal Lands and Tribal Projects program, which will fund the construction and rehabilitation of nationally significant projects on federal and tribal lands.

The bill also requires the Secretary, acting through the Chief of the Forest Service, to develop a national strategy to carry out the Forest Service Legacy Roads and Trails Remediation Program to perform critical maintenance, urgent repairs, and improvements on National Forest System roads, trails, and bridges.

Improves Resiliency, Protects the Environment and Reduces Pollution Emissions

New Formula and Competitive Grants for Resiliency Projects

The bill invests $4.9 billion over 5 years in a new resiliency program to protect roads and bridges from natural disasters such as wild fires, and extreme weather events such as hurricanes, flooding, and mudslides. The new program will include both formula and grant funding. This program will distribute funding to states based on their current formula share. From the $4.9 billion it establishes an annual competition ($1 billion over 5 years) for resiliency projects nationwide, including projects designed to improve resilience in coastal states and funds for emergency evacuation routes.

Carbon Emissions Incentive Programs

The bill includes $3 billion over 5 years in new funding distributed to states based on their current formula share to support projects that would lower highway-related carbon emissions. States can receive greater project flexibility if they meet certain emissions planning requirements. In addition, states can compete for $500 million over 5 years in additional funding by making progress on lowering their per capita emissions.

Competitive Grants for Alternative Fuel Infrastructure

In preparation for the expected increase of alternative fuel vehicles, the bill establishes a competitive grant program funded at $1 billion over 5 years, for states and localities to build hydrogen, natural gas, and electric vehicle fueling infrastructure along designated highway corridors, which lack such infrastructure.

Other Emissions Reduction Provisions

The bill authorizes a new program to help states reduce traffic congestion ($200 million over 5 years), and a new program to reduce truck idling at ports ($370 million over 5 years). Other provisions include reauthorization of the Diesel Emissions Reduction Act (DERA) program, which reduces emissions from diesel engines, and the Utilizing Significant Emissions with Innovative Technologies (USE IT) Act, to support carbon capture, utilization, and sequestration research.

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http://epw.senate.gov

CSAC®

1100 K Street
Suite 101
Sacramento
California
95814

Telephone
916.327.7500
Facsimile
916.441.5507

September 5, 2019

TO: Members | CSAC Board of Directors

FROM: Darby Kernan | CSAC, Deputy Executive Director of Legislative Affairs
Chris Lee | CSAC, Legislative Representative

SUBJECT: Approve Policy Principles for Housing Development Impact Fee Legislation – ACTION ITEM

Recommendation. The Housing, Land Use, and Transportation Policy Committee recommends that the Board of Directors approve the attached policy principles for housing development impact fee legislation under consideration in the 2019-20 legislative session.

Background. The Governor and the Legislature continue to focus closely on housing production and affordability. Hundreds of housing bills were introduced this year and the adopted state budget for 2019-20 includes new funding for housing planning, infrastructure and production. As part of the 2017 legislative housing package, the Department of Housing and Community Development contracted with the Terner Center for Housing Innovation at the University of California, Berkeley to complete a study to evaluate the reasonableness of local fees charged to new developments. The study was publicly released on August 5. Pursuant to AB 879 (Grayson, 2017), it includes "findings and recommendations regarding potential amendments to the Mitigation Fee Act to substantially reduce fees for residential development."

Assembly Member Grayson introduced AB 1484 with the intention of amending it to include the recommendations outlined in the report upon its release. Though the report was published a little over a month after its June 30 statutory deadline and very close to the end of the legislative session, the Legislature may be interested in moving a bill to implement the recommendations included in the report. Those recommendations include:

Fee transparency: The report suggests increasing fee transparency and predictability of fees by requiring jurisdictions to:

- Clearly post nexus and feasibility studies on their websites.
- Post clear, comprehensive and up-to-date development fee schedules.
- Make annual fee reports easily available to the public.
- Confirm availability of fee schedules and annual fee reports in their Annual Progress Reports.
- Provide fee estimates and public guidance on calculating development fees.

Fee structure: The report suggests the following to structure impact fee rates in a way that encourage housing and affordability:

- Determining fees earlier in the development process.

- Requiring jurisdictions to consider alternative multipliers for fees and to justify their choices.
- Considering other options to reduce fees for ADUs and to promote development of ADUs.
- Requiring jurisdictions to determine if separate fees for infill and greenfield developments are necessary and calculating those fees separately based on cost to bring service to the project.
- Establishing additional nexus guidelines for inter-jurisdictional fees at the state level.

Fee design: The report suggests improving the fee design process in efforts to lower the cost of impact fees by:

- Setting guardrails on the levels of service or investment that can be considered in a nexus study.
- Requiring jurisdictions to establish stronger links between the fees they charge and the actual impacts of a specific development.
- Establishing a feasibility standard for determining fee amounts.
- Capping impact fees based on a set formula.

Alternative funding options: The report suggests the following to improve local financing for infrastructure:

- Requiring jurisdictions to justify why an impact fee is the most appropriate mechanism to fund the proposed infrastructure.
- Building local capacity to use other forms of infrastructure funding.
- Revisiting ways to better support local infrastructure and planning, including statewide tax reform.

The Legislature is currently considering a significant number of bills related to development impact fees. Topics include reporting and transparency, as well as fee caps, waivers, and "freezes." In response to these bills, the Housing, Land Use, and Transportation Policy Committee approved the attached policy principles for housing development impact fee legislation at their April 25 meeting. A brief summary of key bills is included below, including CSAC's position and the current location of the bill:

Reporting Requirements:

AB 831 (Grayson) – Watch: Current law requires the California Department of Housing and Community Development to complete a study evaluating local fees charged to new developments by June 2019. This bill would require the department to complete a study determining the total average residential fee burden per housing unit in each region of the state by June 2020. This bill would also require the department to report to the Legislature on local governments' progress in adopting the department's recommendations to reduce fees for residential development by January 2024. This bill is in the Senate Rules Committee and therefore currently ineligible to move forward this year.

AB 1483 (Grayson) – Oppose Unless Amended: This bill would require increased reporting of housing data from local jurisdictions, including information on zoning and planning standards, fees imposed under the Mitigation Fee Act, special taxes, and assessments applicable to housing development projects in each jurisdiction. This bill is currently in the Senate Appropriations Committee.

Freezing or Capping Impact Fees

AB 1484 (Grayson) – Watch: This bill currently requires local agencies to publish fees for housing development projects on their internet website. Assembly Member Grayson has indicated his intent to amend the bill to incorporate recommendations from the Terner study. The bill is currently in the Senate Appropriations Committee.

SB 13 (Wieckowski) – Oppose: This bill would prohibit a local agency from imposing any impact fee on an accessory dwelling unit (ADUs) under 750 square feet in size and requires proportionate reductions in fees as compared to those imposed on a new single family unit for ADUs depending larger than 750 square feet. This bill is in the Assembly Appropriations Committee.

AB 1706 (Quirk) – Watch: This bill would, until January 2035, provide incentives to housing developers in the San Francisco Bay area region if the they dedicate at least 20% of a development's housing units to households at or under 150% of the area median income. This bill would cap fees imposed under the Mitigation Fee Act at $20,000 per unit. This bill is currently in the Assembly Housing and Community Development Committee and therefore ineligible to move forward this year.

SB 330 (Skinner) – Oppose Unless Amended: This bill would, until January 2025, prohibit affected local governments from charging a development fee or exaction, including water or sewer connection fees, in an amount greater than what would have applied to the project when a complete initial application is submitted, unless it is indexed to inflation or the project changes substantially. This bill is currently in the Assembly Appropriations Committee.

Impact Fee Incentives

AB 847 (Grayson) – Pending: This bill would require the California Department of Housing and Community Development to establish a grant program for cities and counties to offset up to 100% of any transportation-related impact fees on housing developments that meet certain criteria. This bill is currently in the Assembly Housing and Community Development Committee and therefore ineligible to move forward this year.

AB 264 (Melendez) – Watch: This bill would establish a tax credit for development impact fees and connection fees applied to newly-constructed single-family and multifamily homes. This bill is currently in the Assembly Revenue and Taxation Committee and therefore ineligible to move forward this year.

Miscellaneous

AB 579 (Daly) – Pending: This bill would expand the definition of a "fee" under the Mitigation Fee Act to include fees for processing applications for governmental regulatory actions or approvals, fees collected under development agreements, or fees collected pursuant to agreements with redevelopment agencies. This bill is currently in the Assembly Local Government Committee and therefore ineligible to move forward this year.

AB 1386 (Chen) – Watch: This bill removes local governments' authority to require payment of fees or charges for a residential development in limited circumstances prior to the date of final inspection or issuance of the certificate of occupancy. This bill is currently in the Assembly Local Government Committee and therefore ineligible to move forward this year.

Policy Considerations. Research by the Legislative Analyst's Office has shown that constitutional limitations on local taxation and requirements for voter approval of various taxes has likely shifted some of the burden for developing infrastructure and community facilities necessary to support new development from taxpayers at large and onto individual development projects. Accordingly, development impact fees in California appear to be higher than in other states.

California has large numbers of special districts and school districts, all which overlap with cities and counties and have various statutory authorities to impose impact fees on new development, which makes it more complex to provide transparency on applicable fees for housing projects and provide developers with certainty. Research by the Terner Center has pointed to wide variations in total fee burdens across local jurisdictions.

Action Requested. The Housing, Land Use, and Transportation Policy Committee recommends that the Board of Directors approve the attached policy principles for housing development impact fee legislation under consideration in the 2019-20 legislative session.

Staff Contacts.
Chris Lee, (916) 327-7500 Ext. 521 or clee@counties.org.

Attachments.
1) Executive Summary of Terner Center's Residential Impact Fee Study
2) CSAC Draft Policy Principles on Housing Development Impact Fees

Executive Summary

Local governments levy fees and exactions to help fund the expansion of infrastructure needed to support new housing. These charges support important local services, such as school, parks, and transportation infrastructure, which many California jurisdictions are struggling to fund. State-imposed policies that restrict local taxes, such as Proposition 13, leave municipalities with limited means of raising revenue for infrastructure. As a result, California jurisdictions have increasingly relied on development fees. While fees offer a flexible way to finance necessary infrastructure, overly burdensome fee programs can limit growth by impeding or disincentivizing new residential development, facilitate exclusion, and increase housing costs across the state.

In this report, the Terner Center for Housing Innovation at UC Berkeley analyzes the use of residential "impact fees" – development fees regulated by the Mitigation Fee Act – to inform policymakers on the trade-offs of policies intended to improve housing supply and affordability. This report focuses narrowly on impact fees and reviews of policy approaches to reduce Mitigation Fee Act fees on residential development, as stipulated by the Legislature in AB 879 (Grayson, 2017). However, impact fees exist within a much wider ecosystem of fees and exactions charged to new development (see table), thus some of the findings and implications of this analysis could apply to that broader ecosystem.

Development Fees by Type and Authority

Exaction	Eligible Uses	Subject to the Mitigation Fee Act?
Subdivision Map Act In-Lieu Fees	Must be tied to General Plan (e.g. bike paths, open space, etc.)	No
Quimby Act In-Lieu Fees	Parks	No
Inclusionary Housing Ordinance In-Lieu Fees	Affordable Housing	No
Utility Connection Fees	Cost to provide connection to utility system	No
School Facilities Impact Fees	School facilities	No
Permit Processing Fees	Costs associated with permit processing	No

Exaction	Eligible Uses	Subject to the Mitigation Fee Act?
Development Agreements (DA)/Community Benefit Agreements	Contracted between the jurisdiction and the developer	No
CEQA In-Lieu Mitigation Fees	Mitigate projects' environmental impacts through actions identified in an EIR under CEQA	Yes (if non-voluntary)
Impact Fees	**Any impact reasonable attributed to new development**	**Yes**

To better understand how impact fees are developed, structures, and implemented, we interviewed agency staff, nexus study consultants, land use law experts, and municipal budgeting experts across California. We also conducted case studies of fees, nexus studies, and capital improvement budgets in a cross-section of jurisdictions throughout the state.

This report presents the findings of our interviews and cast stuy analysis and also explores an assortment of potential reforms to the current system that arose in our research and engagement process. While each policy proposal that surfaced is intended to better balance efforts to have residential development "pay its way" with strategies to ensure that fees are transparent and reasonable, each comes with benefits and costs. In addition, some proposals are more feasible than others, some may function best in tandem or instead of one another, and others may have costs or unintended consequences that could outweigh their benefits. Given the complexity of these issues, a reform agenda could take many different forms. By laying out the pros and cons of each policy alternative, this report aims to inform the public conversation and ground state policymakers as they consider a variety of pathways to lower impact fees.

Findings

Based on a survey of 40 jurisdictions, in-depth case studies of 10 localities, and interviews with almost 30 experts, we explore four key aspects of impact fees in California. First, we review current practices around fee transparency and consider proposals to improve the predictability of impact fees. Second, we examine typical fee rate structures and weight proposals that would adjust fee structures to better promote housing supply and affordability. Third, we outline the tools that localities use to design fee programs, including nexus and feasibility studies, and analyze the potential impact of proposals that aim to lower the burden of fees on development. Finally, we consider the alternative options available to fund local infrastructure and outline the trade-offs of different approaches aimed at shifting local budgets towards other funding sources.

Fee Transparency

For fees to be truly transparent, the public and developers should be able to easily access the nexus studies used to establish impact fees as well as current fee schedules, and they should be able to estimate related project costs in advance. The ways impact fees are implemented under the current legal and regulatory framework reveal:

- **Nexus studies are rarely easily available to the public; only 28 percent of the localities surveyed posted all of their nexus studies clearly online**. Often, researchers had to sift through city council agendas or submit a public records request to access the studies.

- **Development fee schedules, including impact fee schedules, are often unclear and difficult to find**. Confusing or fragmented schedules limit developers' ability to estimate their costs for a prospective project and hinder oversight ad transparency.

- **While impact fees are relatively straightforward to calculate, estimating the full stack of development fees is often challenging**. Developers need to be able to estimate their local costs in order to draft precise proformas and accurately assess the feasibility of a project. In addition, tracking the full range of development fees would help localities gauge the effect of adding any type of fee on local development costs.

Improving Fee Transparency

To increase transparency and predictability of fees, the state could consider the following approaches:

- **Require jurisdictions to clearly post all nexus studies and any related feasibility studies on localities' websites.** The public, developers, researchers, and other jurisdictions would have easier and more reliable access to these important analyses.

- **Require jurisdictions to post clear, comprehensive, and up-to-date development fee schedules.** Fee schedules would clearly present details on fee variation by geographical area.

- **Require local governments to make annual fee reports easily available to the public.** Annual impact fee reports, which list fee schedules, fee revenue, and projects funded by fees, would be consolidated within a locality and also made easily available online.

- **Require jurisdictions to confirm the availability of their fee schedules and annual fee report in their Annual Progress Reports (ARPs) for their Housing Element.** This adheres to the spirit of housing element law by encouraging transparency of required development fees.

- **Require jurisdictions to provide fee estimates as well as public guidance on how to calculate development fees.** By providing fee estimates, localities can help developers determine their total project costs more accurately. Updated fee schedules with clear guidelines for calculating fees would also improve the transparency of local fees for the general public, including researchers and other governments. Clear fee schedules and estimates could take the form of a workbook or an online program and would include all development fees, with the exception of project-specific exactions.

The state could provide technical assistance or support for municipalities with limited capacity to undertake these fee transparency requirements.

Fee Structure

The way local governments structure their fees can affect the cost to developers, and can incentivize different types of housing. A review of current practices, and an estimation of impact fees for a prototypical single-family and multi-family development in our case study localities, found the following:

- **The timing of fee imposition varies depending on the jurisdiction and the fee.** Some localities impose fees – meaning they establish the total cost of fees for a project – at the time of building permit application, while others wait until the issuance of the certificate of occupancy. Imposing fees later in the development process can hinder precise project cost estimation and thus increase risk for developers.

- **The timing of fee collection varies widely.** Some jurisdictions collect fees when permits are issued and others collect when the certificate of occupancy is issued. Collecting fees earlier extends the length of time developers must carry the cost of fees.

- **Impact fees on accessory dwelling units (ADUs) can vary widely; many localities waive them completely, while others charge as much as $50,000 per unit.** ADUs are typically built on single-family lots and tap into existing infrastructure, lessening their impact on public facilities.

- **Localities often rely on geographically-specific impact fees in order to account for variations in infrastructure costs.** This common practice ensures that fee rates closely reflect the cost of improvements. It also distributes the cost between developments that will benefit from the new infrastructure, ensuring tht no one project is left to shoulder a majority of the burden.

- **When infrastructure needs transcend jurisdictional boundaries, inter-jurisdictional fees provide a streamlined way to mitigate impacts.** These fees also offer a way for less-resourced localities to leverage fees for infrastructure funding.

- **Impact fee amounts vary widely across localities.** Fees on prototypical projects in our ten case study localities varied by as much as $19,100 per unit for a multifamily project and by as much as $29,600 per unit for a single-family project. Variations in fee levels reflect differences in local housing markets as well as in local funding strategies and priorities.

- **Uses of fee revenue varies across localities.** While some localities focus their impact fee use entirely on transportation funding, others prioritize funding for parks or affordable housing

- **In all ten of our case study jurisdictions, the cost of impact fees per square foot was lower for single-family projects than for multifamily projects.** However, when assessed at the unit level, the cost of impact fees for the prototypical single-family project was higher than for the prototypical multifamily project in eight of the ten jurisdictions. Localities have some flexibility to choose how they structure fees, including the basis on which fees are calculated, and, in doing so, can intentionally or unintentionally incentivize certain types of development.

Improving Fee Structure

To ensure that impact fees are structured in ways that encourage housing supply and affordability, the state could weigh the benefits and costs of the following approaches:

- **Determine fees earlier in the development process.** Calculating fees based on fee rates in effect at an earlier point in the development process would lower risk for developers This approach would need to set fee determinations contingent on the project receiving a certificate of occupancy within a strict time frame; projects that stall would be subject to changes in the fee rates. While some interviewees highlighted this is a valuable approach, others raised concerns that it could result in the collection of outdated fee amounts and the imperil infrastructure funding.

- **Require jurisdictions to consider alternative multipliers for fees and to justify their choices.** The fee basis can further or undermine policy goals; for example, setting fees on a per-unit basis incentivizes less-dense development. Conversely, charging lower fees to reflect the lesser impacts of multifamily developments, particularly when they are situated near transit or built for special needs populations, can incentivize more affordable and sustainable unit types. Weighing different potential fee structures as part of their nexus study and presenting a justification would require cities and counties to consider the relationships between infrastructure impacts, housing affordability, and sustainability goals. However, interviews raised concerns that this may increase costs for localities with limited impact; without meaningful oversight, localities could easily justify their desired fee structures.

- **Consider different approaches to reduce fees on ADUs to encourage their development.** These approaches range from expanding requirements around nexus study prototypes to mandating fee waivers, and each approach presents its own trade-offs. Lowering fees on ADUs could remove a key obstacle for small-scale owner-developers and incentivize housing production in single-family neighborhoods.

- **Require jurisdictions to determine if separate fees for infill and greenfield developments are necessary, and if so, calculate fees separately based on the cost to bring service to the respective type of project.** While this approach would assuage some concerns that fees are not always proportional to impacts, it would be challenging to implement, and other alternatives that seek to improve the precision of nexus studies may better achieve this goal.

- **The state could establish additional nexus guidelines for inter-jurisdictional fees.** Guidelines could assuage concerns that inter-jurisdictional fees, particularly those that cover a large region, may be less closely tied to impacts. However, interviews noted that the current nexus guidelines function well for inter-jurisdictional fees, and did not highlight this approach as a priority.

While the Legislature may determine that some of the policy considerations above may not be appropriate for statewide regulation, the state could provide technical assistance to encourage localities to implement them as best practices. Other best practices related to fee structure and implementation that surfaced in our interviews include the following:

- **Splitting collection times for fees:** Cities and counties could review their more costly fees and consider whether they can afford to collect a portion of these fees later in the development timeline.

- **Implementing fee deferral programs:** Some localities build more flexibility into their fee timing by designing fee deferral programs. Deferral programs represent an important tool for localities to accommodate developer concerns when fiscally possible.

- **Increasing fees incrementally:** Rather than applying the full amount of a fee or fee increase when approved, localities can stage its implementation in steps over a period of time to give the housing and land markets a chance to adjust to the higher cost of development.
- **Adjusting rates for submarkets within a locality when sufficient variation exists:** zoning rates according to local housing markets or changes in project impacts can ease the impact of fees on weaker submarkets and ensure that fees accurately reflect project impacts.

Fee Design Process

The way fees are designed affects the cost of development. Ambitious policy proposals that surfaced during our interview and case study analysis reframe the way fees are devised, including the nexus studies that set the maximum legal impact fee based on the cost of infrastructure needed to serve a new project. Interviews with agency staff and nexus study consultants, and reviews of nexus studies in 40 jurisdictions demonstrate:

- **While state statute does not require a specific methodology for nexus studies, most studies follow a similar structure.** Nexus methodologies vary according to fee type – a parks fee requires a different analysis than an affordable housing fee, for example. Furthermore, methodologies can vary within fee types, depending on planning strategies, whether a locality expects greenfield or infill development, and the data available, among other factors.

- **Nexus studies generally assess impacts across broad categories and geographies, and assessed fees are not required to be tied to specific improvements or areas in a jurisdiction.** Nexus analyses are sometimes used to justify fees used for improvements far removed from a particular development – for example, a transportation fee charged to a project may be used to expand a section of road on the other side of the city – as long as the improvement aims to maintain an overall level of service for the jurisdiction.

- **Localities have the authority to determine acceptable levels of service, which can influence the maximum fee level defined by a nexus study and increase variation between jurisdictions.** Localities determine and plan to meet levels of service for major types of infrastructure, including parks, transportation, and fire protection. Once a city determines its desired level of service, a nexus study calculates the maximum fee amount based on the cost of providing that level of service to new residents. For example, one city may decide that the appropriate amount of parks should be 5 acres per 1,000 residents, while another may decide on 3 acres per 1,000 residents. A nexus study consultant would then determine what an appropriate park impact fee should be for new development in order to maintain that city's desired level of service.

- **Fees are often set under the legal maximum amount as defined by the nexus study, with notable exceptions.** While many localities set their fees well below the legal ceiling, some ask new developments to pay for all related infrastructure costs to support high levels of service, which may prove exclusionary in practice by stymieing new development or increasing housing prices.

- **While most jurisdictions make good-faith efforts to consider feasibility when setting rates for individual fees, their processes often do not adequately analyze the impact of total fee amounts on housing supply.** Determining whether a fee is overly burdensome can be challenging, particularly when housing markets may vary within a locality. Decision makers often rely solely on a comparison of fee levels from adjacent or similar cities to determine a reasonable fee amount, but those comparisons often fail to consider the highly localized nature of the housing market.

Improving Fee Design

Improved fee design processes have the potential to lower the cost of impact fees broadly, or to rein in outlying fees. To facilitate these benefits, the state could weigh the trade-offs of the following approaches:

- **Set guardrails around the levels of service or investment that can be considered in a nexus study.** By setting reasonable caps on service standards used by localities to determine the cost of impacts and set maximum fee amounts, the state could rein in overly burdensome fees. However, localities often et fees well below the maximum legal amount. If policymakers wish to lower fees more broadly, additional approaches may be needed.

- **Require cities to establish stronger connections between the fees they charge and the actual impacts of a specific development.** The Mitigation Fee Act could be amended to require a stronger tie between the fees local governments collect from projects and the infrastructure funded by fees. Specifically, Section 6601 of the California Government Code could be changed to require local agencies connect their nexus studies and fee schedules to a Capital Improvement Program (CIP), and make stronger connections between fees levi ed and the infrastructure the fees will finance. Similar to the proposal above, this approach would likely lower outlying fees because many localities already set their fees below legal maximum. If policymakers wish to decrease fees more broadly, this approach would need to be paired with additional policy levers.

- **Create a feasibility standard for determining fee amounts.** Cities and counties could be required to consider the impact of proposed fees ad fee increases on new development by incorporating a feasibility standard into their decision making process. Any consideration of feasibility should take into account the full universe of fees and exactions and review how they layer into a development in the context of a local housing market. Interviews emphasized that such a requirement would represent a significant cost to localities, and runs the risk of "pricing out" less-resourced localities from implementing impact fees. If policymakers decide to take this approach, they should strongly consider developi ng a feasibility tool, and providing technical support to lower the burden of analysis on localities. localities could use the tool or choose to conduct their own analysis, subject to review and approval by HCD.

- **The state could cap impact fees based on a set formula.** Proposals to cap fees have gained some political traction as a simple approach to lowering impact fees, but fee caps ignore the variation in how cities pay for infrastructure and may be too blunt an instrument. In many cases, high fees are a symptom of increasing strain on local budgets. Interviews were almost unanimous in cautioning that capping the revenue stream provided by fees could severely hinder the ability of localities to fund their infrastructure needs. Other, more complex proposals that aim to lower impact fees may be less disruptive to local budgets, but might require technical assistance to implement.

Alternative Funding Options

In AB 879 , the California Legislature called for recommendations to reduce impact fees. Impact fees in California are high relative to other states, and high fees can increase the cost of housing and stymie production. Still, any step taken to lower fees on housing development should be considered in the broader context of local fiscal conditions and constraints. California localities rely on fee revenue to a greater extent than their peers nationwide, and this reliance is in large part due to the intersection of intense growth pressures and sever limitations on traditional forms of revenue generation (e.g., property taxes). Fees are used to support the funding of much-needed growth-related infrastructure. However, it is possible for municipalities, intentionally or unintentionally, to establish fee schedules that can in practice be exclusionary, regressive, or harmful to housing affordability.

We reviewed the impact fee revenue and CIP budgets for the five different localities and found:

- **Impact fee revenue and CIP budgets vary widely, reflecting differences in local needs and priorities.** Young, growing localities with a significant amount of greenfield development, like Roseville, rely heavily on impact fees to fund infrastructure like roads and parks. In contrast, older, urbanized communities with greater maintenance needs, like Los Angeles and Oakland, fund the majority of their infrastructure improvements from other sources, such as user charges and local bonds, and are more likely to use impact fees to fund affordable housing.

Improving Local Financing for Infrastructure

In order to encourage localities to use other infrastructure funding mechanisms that have less impact on housing production, the state can weigh the following approaches:

- **Require cities and counties to justify why an impact fee is the most appropriate mechanism to fund the proposed infrastructure.** Localities could be required to consider whether fees are the appropriate tool, among the others available to them, to raise local revenue for critical infrastructure without overburdening new housing production. However, this approach does little to address the fact that there are few alternative funding mechanisms available to localities, particularly given California's restrictions on raising property and special taxes. Interviewees asserted that this alternative would likely prove ineffective, given that localities could easily justify impact fees and could reuse similar justifications for each fee update or approval.

- **Build local capacity to use other forms of infrastructure funding.** By assisting local governments to employ more politically feasible, but complex form of financing, such as tax increment financing int eh form of Enhanced Infrastructure Finance Districts (EIFDs), the state could reduce pressure on local budgets

- **Revisit ways to better support local infrastructure and planning, including statewide tax reform.** As long as current restrictions around tax revenue and other forms of local funding remain in place, California localities will rely more heavily on other sources of infrastructure funding, including impact fees, development agreements, Community Facilities Districts (CFDs), and other exactions on residential development. The legislature could consider new programs to backfill infrastructure funding, such as providing additional funding to localities that meet their Regional Housing Need Allocation (RHNA). The legislature could also consider changes to the Proposition 13 framework to directly address the underlying problem and expand local access to infrastructure funding. However ,policymakers should review any tax reform – including measures placed on the ballot by initiative – for negative effects on housing supply, and should implement parallel efforts to address those consequences.

Next Steps

As stipulated in Assembly Bill 879, this report seeks to weigh the costs and benefits of a range of policy alternatives aimed at lowering impact fees on residential development. Impact fees represent only one part of a much wider universe of development fees, and additional research is needed to review the relationship between development fees, broadly, and the cost of housing. We hope that our findings and analysis in this report – informed by talking to stakeholders, reviewing current literature, and estimating impact fees across the state – helps policymakers make informed choices when considering how to curtail unreasonable fees without hindering the financing of local infrastructure.

Draft Policy Principles for Housing Impact Fee Legislation

As approved by the Housing, Land Use and Transportation Committee

April 25, 2019

CSAC®
1100 K Street
Suite 101
Sacramento
California
95814
Telephone
916.327.7500
Facsimile
916.441.5507

- **Support Transparency.** Local agencies should continue to adopt housing development impact fees in a transparent, publicly-accountable manner consistent with existing law. Moreover, fee schedules should be readily available to development proponents. Counties should not, however, be required to serve as a clearinghouse for all other applicable development impact fees, including those imposed by other local districts.

- **Support Reasonable Certainty for Development Proponents.** Proponents of housing development projects should have a reasonable level of certainty that impact fees will not drastically change over the course of a project's approval process. The goal of certainty for developers must be balanced against reasonable changes in total fee charges due to changes in the scope of a project, the time elapsed between project approval and actual construction, and environmental analysis of the impacts of a project.

- **Oppose Arbitrary Caps or Fee Waivers.** Each local community has differing infrastructure and public facility needs due to geography, existing infrastructure, and community priorities. While the state has an interest in ensuring that housing is affordable for households at all income levels, it should not impose arbitrary limitations or waivers on impact fees without backfilling local costs to provide necessary infrastructure and facilities.

- **Oppose Unreasonably Burdensome Reporting Requirements.** Existing law already requires local transparency and reporting on impact fee programs. Any new reporting or disclosure requirements must be narrowly tailored and funding must be provided for implementation.

- **Support Reasonable Metrics for Calculation of Fees.** Local governments should be encouraged to review fee programs to ensure that they are calibrated to promote affordability by design. Where appropriate, fees should be designed so that they do not create impediments to smaller units that are often more affordable.

- **Support Options for Fee Deferral.** Local governments should be encouraged to provide opportunities for developers to defer housing development impact fees, ensuring that local agencies receive funding needed to address impacts while reducing construction financing costs for housing developers.

- **Support State Regulatory Changes to Reduce Fees.** State laws and regulations can increase pressure to impose impact fees through mandates that increase the costs of providing local services and infrastructure. State-led efforts to reduce local fees must also recognize the impacts of these requirements.

CSAC FINANCE CORPORATION

September 5, 2019

TO: Members | CSAC Board of Directors

FROM: Leonard Moty | CSAC Finance Corporation, President
Alan Fernandes | CSAC Finance Corporation, Chief Executive Officer

SUBJECT: **CSAC Finance Corporation Update**

CSAC Finance Corporation Board of Directors

Later this month, the CSAC Finance Corporation Board of Directors will meet in Orange County for its second meeting this year. The purpose of the meeting will be to meet jointly with the National Association of Counties Financial Services Corporation for the purpose of discussing our collaborative programs and new projects. In addition, the CSAC Finance Corporation will be reviewing and discussing new proposed programs for consideration as well as meeting with our existing business partners.

CSAC Finance Corporation Financial Position

The CSAC Finance Corporation will be reviewing its annual budget for the purpose of determining the financial priorities of the organization while ensuring a consistent revenue stream to CSAC. The original budgeted contribution to CSAC for FY 18-19 was $4.1 million and as a result of the success of its programs an additional contribution was approved, bringing the total FY 18-19 actual contribution to $4.8 million, well over budget. The financial position of the CSAC Finance Corporation remains strong as the revenues came in over budget for both CSCDA and CalTRUST, two of our largest programs. At the April meeting the CSAC Finance Corporation Board adopted our FY 19-20 budget and also will consider an upward adjustment in the current year.

Corporate Associates Program

The Corporate Associates program is beginning the new fiscal year healthy. The program currently has 64 partners across three levels. Business engagement remains strong at every CSAC event, including the just concluded CA Delegation reception at the NACo Annual Meeting, with 9 partners sponsoring.

There will be an equally strong showing at the upcoming Regional meeting in Sonoma County, October 9-11th. In addition, the CSAC Annual meeting and Expo is a highlight for most of our corporate associates and most will be present. The most updated partner roster is included in this packet in addition to our program overviews.

For more information on CSAC Finance Corporation please visit our website at: (www.csacfc.org) call us at (916) 650-8137 or email Alan Fernandes (alan@csacfc.org), or Jim Manker (jim@csacfc.org)

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

Jim Manker, Director of Business Development
jim@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 Co rporation supports CSAC's advocacy efforts on behalf of California's counties.

Program Summary

Financing

CSCDA Alan Fernandes 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.

Deferred Compensation

Nationwide Alan Fernandes 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 Alan Fernandes 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 Alan Fernandes 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 Alan Fernandes 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.

CSAC Finance Corporation
Board of Directors

Leonard Moty, Shasta County – ***President***
Graham Knaus, CSAC – ***Vice President***
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CSAC Finance Corporation
1100 K Street, Suite 101 * Sacramento, CA 95814

PLATINUM PARTHERS (as of 8.1.2019)

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**
   Michael Prosio, Regional Vice President, State Affairs
   1121 L Street, Suite 500
   Sacramento, CA 95814
   (916) 403-0527
   Michael.prosio@anthem.com
   www.anthem.com

3. **AON**
   Craig A. Isaak, Public Sector Market Leader
   4 Overlook Point
   Lincolnshire, IL 60069
   (630) 723-4568
   craig.isaak@aon.com
   www.aon.com

4. **California Statewide Communities Development Authority**
   Catherine Bando, Executive Director
   1700 North Broadway, Suite 405
   Walnut Creek, CA 94596
   (800) 531-7476
   cbando@cscda.org
   www.cscda.org

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

6. **Coast2Coast Rx**
   Marty Dettelbach, Chief Marketing Officer
   5229 Newstead Manor Lane
   Raleigh, NC 27606
   (919) 465-0097
   marty@c2crx.com
   www.coast2coastrx.com

7. **CSAC Excess Insurance Authority**
   Rick Brush, Chief Member Services Officer
   75 Iron Point Circle, Suite 200
   Folsom, California 95630
   (916) 850-7378
   rbrush@CSAC-EIA.org
   www.csac-eia.org

8. **Deckard Technologies, Inc.**
   Neil Senturia, CEO
   2223 Avenida de la Playa, Suite 206
   La Jolla, CA 92037
   (858) 754-3201
   neil@deckardtech.com
   www.deckardtech.com

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

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

11. **Election Systems & Software**
    Bryan Hoffman, VP of Corporate Sales
    11208 John Galt Blvd.
    Omaha, NE 68137
    (315) 559-1653
    bjhoffman@essvote.com
    www.essvote.com

12. **Enterprise Fleet Management**
    Lisa Holmes, State of CA Contract Manager
    199 N. Sunrise Ave.
    Roseville, CA 95747
    (916) 787-4733
    Lisa.m.holmes@ehi.com
    www.enterprise.com

13. **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

14. **Healthnet**
    Daniel C. Chick, Director Government Affairs
    1201 K Street, Suite 1815
    Sacramento, CA 95814
    (916) 552-5285
    daniel.c.chick@healthnet.com
    www.healthnet.com

15. **Kaiser Permanente**
    Kirk Kleinschmidt, Director, Government Relations
    1950 Franklin St, 3rd Floor
    Oakland, CA 94612
    (510) 987-1247
    kirk.p.kleinschmidt@kp.org
    www.kp.org

16. **Nationwide**
    Rob Bilo, VP of Business Development
    4962 Robert J Mathews Parkway, Suite 100
    El Dorado Hills, CA 95762
    (866) 677-5008
    bilor@nationwide.com
    www.nrsforu.com

17. **NextEra Energy**
    Kerry Hattevik
    Regional Director, West Government Affairs
    829 Arlington Blvd.
    El Cerrito, CA 94530
    (510) 898-1847
    Kerry.hattevik@NEE.com
    www.nexteraenergy.com

18. **Optum**
    TBD
    505 N Brand Blvd., Suite 1200
    Glendale, CA 91203
    (818) 484-9188
    Margaret.kelly@optum.com
    www.optum.com

19. **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

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

21. **Phrma**
    Floreine Kahn, Deputy Vice President, State Advocacy
    1215 K Street, Suite 970
    Sacramento, CA 95814
    (916) 233-3480
    Fkahn@phrma.org
    www.phrma.org

22. **Synoptek**
    Eric Westrom, VP of Operational Planning and Strategy
    3200 Douglas Blvd. Suite 320
    Roseville, CA 95661
    (916) 316-1212
    ewestrom@synoptek.com
    www.synoptek.com

23. **UnitedHealthcare**
    Margaret Kelly, Sr. Vice President, Public Sector and Labor
    5701 Katella Avenue
    Cypress, CA 90630
    (714) 252-0335
    margaret_kelly@uhc.com
    www.uhc.com

24. 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

25. Wellpath
Patrick Turner, Director of Business Development
12220 El Camino Real
San Diego, CA 92130
(281) 468-9365
patrick.turner@cmgcos.com
www.wellpathcare.com

26. 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

GOLD Partners

1. **AT&T**
   Mike Silacci, Regional Vice President
   External Affairs – Greater Los Angeles Region 2250 E.
   Imperial Hwy, Room 541
   El Segundo, CA 90245
   (213) 445-6817
   Michael.Silacci@att.com
   www.att.com

2. **HdL Companies**
   Andrew Nickerson, President
   1340 Valley Vista Drive, Suite 200
   Diamond Bar, CA 91765
   (909) 861-4335
   anickerson@hdlcompanies.com
   www.hdlcompanies.com

3. **KPMG**
   Ian McPherson, Principal Advisory – Justice and Security
   1225 17th Street, Suite 800
   Denver, CO 80202
   (303) 382-7561
   (720) 485-7276
   ianmcpherson@kpmg.com
   www.kpmg.com

4. **Paragon Government Relations**
   Joe Krahn, President
   220 Eye Street, NE, Suite 240
   Washington, DC 20002
   (202) 898-1444
   jk@paragonlobbying.com
   www.paragonlobbying.com

5. **Recology**
   Eric Potashner, Senior Director Strategic Affairs
   50 California Street, 24th Floor
   San Francisco, CA 94111-9796
   (415) 624-9885
   epotashner@recology.com
   www.recology.com

SILVER Partners

1. **Aetna**
   Tien Phan, CA Market Lead, Public Sector
   2850 Shadelands Dr.
   Walnut Creek, CA 94598
   (925) 948-4945
   PhanT@aetna.com
   www.aetna.com

2. **BIO**
   Barbara LeVake, Government Relations
   P. O. Box 3014
   Sacramento, CA 95812
   (530) 673-5237
   barbara@blevake.com
   www.bio.org

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

4. **CGL Companies**
   Robert Glass, Executive Vice President
   2260 Del Paso, Suite 100
   Sacramento, CA 95834
   (509) 953-2587
   bglass@cglcompanies.com
   www.cglcompanies.com

5. **Comcast**
   Beth Hester, Vice President External Affairs
   3055 Comcast Circle
   Livermore, CA 94551
   (925) 424-0972 x0174
   beth_hester@comcast.com
   www.business.comcast.com

6. **Dewberry**
   Alan Korth, RA, LEED AP, Associate Principal
   300 North Lake Avenue12th Floor
   Pasadena, CA 91101
   (626) 437-4674
   akorth@dewberry.com
   www.dewberry.com

7. **Energy Efficient Equity (E3)**
   Chris Peterson, VP Municipal Development
   7676 Hazard Center Drive, 5th Floor Suite 33A
   San Diego, CA 92108
   (858) 616-7500
   cpeterson@energyefficientequity.com
   www.energyeffiientequity.com

8. **ENGIE Services U.S.**
   Ashu Jain, Senior Manager
   23 Nevada
   Irvine, CA 92606
   (714) 473-7837
   ashu.jain@engie.com
   www.engieservices.com

9. **GEO Group**
   Jessica Mazlum, Business Development Director - Western Region
   7000 Franklin Blvd, Suite 1230
   Sacramento, CA 95823
   (916) 203-5491
   jmazlum@geogroup.com
   www.geogroup.com

10. **Hospital Council of Northern & Central California**
    Brian L. Jensen, Regional Vice President
    1215 K Street, Suite 730
    Sacramento, CA 95814
    (916) 552-7564
    bjensen@hospitalcouncil.net
    www.hospitalcouncil.net

11. IBM
Lisa Mattivi, Managing Director, California Public Sector
2710 Gateway Oaks Drive.
Sacramento, CA 95833
(301) 461-1547
lmattivi@us.ibm.com
www.ibm.com

12. Kofile
Eugene Sisneros, Western Division Manager
1558 Forrest Way
Carson City, NV 89706
(713) 204-5734
Eugene.sisneros@kofile.us
www.kofile.us

13. LECET Southwest
Chad Wright, Director
4044 N. Freeway Blvd.
Sacramento, CA 95834
(916) 604-5585
chad@lecetsw.org
www.lecetsouthwest.org

14. Liebert Cassidy Whitmore
Cynthia Weldon, Director of Marketing
6033 W. Century Boulevard, 5th Floor
Los Angeles, CA 90045
(310) 981-2055
cweldon@lcwlegal.com
www.lcwlegal.com

15. Managed Care Systems, LLC
Michael Myers, CEO
4550 California Ave., Suite 500
Bakersfield, CA 93309
(661) 716-8820
mmyers@managedcaresystems.com
www.managedcaresystems.com

16. MuniServices
Brenda Narayan, Director of Government Relations
1400 K St. Ste.301
Sacramento, CA 95814
(916) 261-5147
Brenda.narayan@muniservices.com
www.MuniServices.com

17. Northrop Grumman Aerospace Systems
Joe Ahn, Manager, State and Local Affairs
101 Continental Blvd, MS-D5/140
El Segundo, CA 90245
(310) 332-4667
joe.ahn@ngc.com
www.northropgrumman.com

18. PARS
Mitch Barker, Executive Vice President
4350 Von Karman Avenue, Suite 100
Newport Beach, CA 92660
(800) 540-6369 x116
mbarker@pars.org
www.pars.org

19. Raymond James
Robert Larkins, Managing Director, Western Region Manager
One Embarcadero Center, 6th Floor
San Francisco, CA 94111
(415) 616-8025
robert.larkins@raymondjames.com
www.raymondjames.com\

20. RBC Capital Markets, LLC
Bob Williams, Managing Director
2 Embarcadero Center, Suite 1200
San Francisco, CA 94111
(415) 445-8674
bob.williams@rbccm.com
www.rbccm.com/municipalfinance/

21. Renovate America, HERO Program
Dustin Reilich, Director of Municipal Development
15073 Avenue of Science #200
San Diego, CA 92128
(949) 237-0965
dreilich@renovateamerica.com
www.heroprogram.com

22. Republic Services
Tom Baker, Sr. Manager
1855 E. Deer Valley Road
Phoenix, AZ 85024
(623) 241-8429
tbaker@republicservices.com
www.RepublicServices.com

23. SAIC
Brenda Beranek, Senior Director, Business Development
4065 Hancock Street, M/S Q1-A
San Diego, CA 92110
(916) 276-1982
Brenda.L.Beranek@saic.com
www.saic.com

24. Samba Safety
Scott Faulds, Director/GM Registration Services
11040 White Rock Rd. #200
Rancho Cordova CA 95670
(916) 288-6616
sfaulds@sambasafety.com
www.sambasafety.com

25. Scotts Miracle Grow
Michael Diamond, State Government Affairs
8220 NE Husky Lane
Kingston, WA 98346
(206) 305-1622
Michael.diamond@scotts.com
www.scotts.com

26. 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

27. Sierra West Group, INC.
Mary Wallers, President
9700 Business Park Drive, #102,
Sacramento, CA 95827
(916) 212-1618
mewallers@sierrawestgroup.com
www.sierrawestgroup.com

28. SiteLogIQ
John J. Burdette III, Director, Facility Solutions Division
1512 Silica Avenue,
Sacramento, CA 95815
(916) 570-1061
jburdette@sitelogiq.com
www.sitelogiq.com

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

30. Thomson Reuters
Ann Kurz, Director of Sales, Western Region
510 E. Milham Ave.
Portage, MI 49002
(805) 479-3099
Ann.kurz@thomsonreuters.com
www.thomsonreuters.com/aumentum

31. WINFertility
Thomas Carey, VP Business Development
1 American Lane
Greenwich, CT 06831
(203) 216-0056
tcarey@winfertility.com
www.winfertility.com

32. Xerox Corporation
Michelle Yoshino, General Manager
1851 East First Street
Santa Ana, CA 92705
(714) 262-8854
michelle.yoshino@xerox.com
www.consulting.xerox.com

33. 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

CSAC®

1100 K Street
Suite 101
Sacramento
California
95814

Telephone
916.327.7500

Facsimile
916.441.5507

September 5, 2019

TO: Members | CSAC Board of Directors

FROM: Manuel Rivas, Jr. | California Counties Foundation, CEO
Chastity Benson | California Counties Foundation, Operations Manager
Diana Medina | CSAC Support Hub for Criminal Justice Programming, Project Manager

SUBJECT: California Counties Foundation Update

The California Counties Foundation (Foundation) is the non-profit foundation of CSAC that houses the CSAC Institute, the CSAC Support Hub for Criminal Justice Programming, and manages charitable contributions and grants to improve educational opportunities for county supervisors, county administrative officers, and senior staff. This memorandum highlights key activities and programs occurring within the Foundation.

CSAC Institute

The CSAC Institute for Excellence offers exemplary professional development opportunities for county managers, executives and elected officials. The program has grown from offering courses in one central location in Sacramento to five locations throughout the state as well as offering special programs that target specific audiences — elected officials, county executives, and new/aspiring department directors. This fiscal year the Institute will continue its work to provide continuing education opportunities through policy-based and leadership-focused courses and activities as described below.

County Campuses – Last June the Institute held its final course in Orange County. Nearly 25 participants received their Executive Credential during the Orange County Board of Supervisors meeting on June 25, 2019. The Tulare County Campus held its final course in July. Twenty-two participants received their Executive Credential at the Tulare County Board of Supervisors meeting on August 13, 2019. The next session of Tulare County campus will begin in January 2019. The Santa Cruz and Shasta/Tehama campuses will end its 2019 program in October and a new campus in Mendocino/Lake will start in January 2020.

Fall-Winter 2019 Course Schedule – The July-December session has begun. Classes will be offered in Sacramento, Santa Cruz, Orange, Shasta/Tehama and San Diego counties. This session, our curriculum focuses on financial management and county communications, along with offering popular Institute courses such as Realignment 101 and performance measurement and management.

New Supervisors Institute – The final session of the New Supervisors Institute was held July 18-19 in Sacramento. Nearly 30 newly elected County Supervisors received their certificate of completion. The group will reconvene during for a reunion breakfast during the Annual Meeting in San Francisco.

"So You Want to Be the County Executive" Seminar – The *So You Want to Be A County Executive* seminar will be held in February or March 2020. The popular career development seminar is

designed for those aspiring to or recently appointed as the CAO/CEO. The seminar examines the leadership practices, political skills, recruitment process and making the transition to becoming a County Executive. This is the ideal seminar for any senior manager who is considering the next step in their career.

CSAC Support Hub for Criminal Justice Programming

September 2019 Annual Summit — Planning continues to be underway for our 2019 Annual Summit which will take place on September 25-26 in Ventura County. The 2019 CSAC Support Hub Summit will bring counties together to learn how to champion building a culture of evidence-based policymaking in their jurisdictions. The summit will include panels and workshops about using logic models and process maps, enhancing contracting practices and utilizing data analysis to answer key criminal justice questions. A total of 22 counties have been invited to participate in order to extend this learning opportunity to additional counties across the state and continue growing the evidence-based movement. During the summit we will provide an overview and introduction to counties of our goal to support them in the development and realization of a strategic framework for data-driven and evidence-based practice. We will also work with counties to identify the best match between their needs and the resources we can provide to guide our work in the coming two years.

Connecting dots on housing in Kern County – In late July the CSAC Support Hub and members of the Legislative team met with Probation, Sheriff's Office, and Behavioral Health and Recovery Services to discuss the costs of housing offenders in the community and the different programs Kern is implementing that provide housing. During this meeting CSAC staff provided information on the various housing funds that are coming to the county, looked at current funding streams other counties are using, and brainstormed on ways to enhance partnerships in other county and state partners.

Building Yolo Board's knowledge on Criminal Justice: In mid-August the Yolo County Board of Supervisors held a daylong workshop focused on criminal justice and juvenile justice. CSAC staff was present and provided an overview of bills, funding, Yolo's progress on populating their Results First tools, and highlighting examples of how these tools were used in other counties. The purpose of the meeting was to gather direction from the board on their county approaches and priorities as part of their strategic planning process.

CSAC®

1100 K Street
Suite 101
Sacramento
California
95814

Telephone
916.327.7500

Facsimile
916.441.5507

September 5, 2019

TO: Members | CSAC Board of Directors

FROM: Graham Knaus | Executive Director, CSAC
Darby Kernan | Deputy Executive Director of Legislative Affairs, CSAC

SUBJECT: Governor's Statewide Homeless and Supportive Housing Advisory Task Force

In May, Governor Newsom announced the formation of the Statewide Homeless and Supportive Housing Advisory Task Force with the goal of meeting throughout the year in cities and counties around the state to observe best practices firsthand and receive input from governments and constituents statewide to propose solutions to address the homelessness epidemic. Co-chaired by Supervisor Mark Ridley-Thomas and Mayor Darrell Steinberg, the Task Force will focus on regional homelessness planning and solutions by working to get cities and counties to plan and work together in order to have the greatest possible impact in their communities.

The full list of advisors appointed to the Task Force includes:

- Los Angeles County Supervisor Mark Ridley-Thomas, Co-Chair
- Sacramento Mayor Darrell Steinberg, Co-Chair
- Oakland Mayor Libby Schaaf
- Fresno City Councilmember Esmeralda Soria
- San Diego County Supervisor Nathan Fletcher
- Riverside County Supervisor V. Manuel Perez
- Arcata City Councilmember Sofia Pereira
- County Welfare Directors Association of California Executive Director Frank Mecca
- Corporation for Supportive Housing Associate Director Sharon Rapport
- Western Center on Law and Poverty Policy Advocate Anya Lawler
- County Behavioral Health Directors Association Executive Director Michelle Cabrera
- Former U.S. Interagency Council on Homelessness Director Philip Mangano
- Former Department of Social Services Director Will Lightbourne

The advisors will examine best practices relating to prevention, diversion and intervention, as well as guide local governments as they develop regional plans to address homelessness.

Meetings will take place across the state to assist local governments in crafting their regional strategies to address homelessness—the first meeting of the Governor's Task Force is scheduled for September 6th in Stanislaus and planning is underway for a second meeting on September 27th in Southern California. The Governor also announced plans to appoint working groups of other regional leaders, service providers, formerly homeless people and academics around specific geographies or issues affecting homelessness, to work in collaboration with these advisors.

1100 K Street
Suite 101
Sacramento
California
95814
Telephone
916.327.7500
Facsimile
916.441.5507

September 5, 2019

TO: Members | CSAC Board of Directors

FROM: Jessica Devencenzi | Legislative Representative, CSAC
Stanicia Boatner | Legislative Analyst, CSAC

SUBJECT: Trial Court Security

Introduction

Trial court security was realigned to the counties as part of 2011 Realignment. In some counties the amount of funding that was provided to the counties has not kept up with increased personnel and security costs. Trial court security has been an Administration of Justice priority for a number of years. As such, California State Association of Counties (CSAC) staff has worked closely with the California State Sheriffs Association (CSSA) to make Trial court security more functional. CSAC and CSSA have had a number of meetings with the Administration, Judicial Council, budget and legislative staff.

Background

Prior to 1997, counties were primarily responsible for funding trial court operations, including the cost for county sheriffs to provide security services to trial courts. In 1997, the state shifted primary responsibility for trial court operations from the counties to the state. As part of this shift, counties annually requested state funding to cover the cost of sheriffs providing trial court security.

As part of the 2011 Realignment, court security funding, previously allocated by the State to the counties, was realigned and allocated directly to the county sheriff. (See Gov. Code §30025 et seq.) When realigning the source of funding for court security, the legislature clearly stated that this was "not intended to, nor should it, result in reduced court security service delivery, increased obligations on sheriffs or counties, or other significant programmatic changes that would not otherwise have occurred absent realignment." (Gov. Code § 69920.)

The legislature, additionally, clearly set forth the responsibilities of both the courts and the sheriffs. Specifically, the presiding judge, in conjunction with the sheriff, is required to develop a Comprehensive Court Security Plan. (Gov. Code § 69921.5.) And, the sheriff, with the approval and authorization of the board of supervisors, is required to, on behalf of the county, enter into an annual or multi-year Memorandum of Understanding (MOU) for court security staffing levels, specifying the agreed upon level of court security services. (Gov. Code § 69926.) The law additionally states that the terms of a MOU remain in effect and the sheriff must continue to provide court security as required, until the parties enter into a new MOU. (Gov. Code § 69926(f).)

Trial Court Security in the Counties

CSAC has heard from several counties there is not adequate funding being provided through realignment to support trial court security operations. While there are a number of counties on the verge of litigation with their local courts, the most recent litigation came out of Stanislaus County.

The dispute in Stanislaus County was over *two* full-time positions. The county worked to ensure that all courthouses in Stanislaus County have adequate security and, when it became apparent that the county did not have the funding necessary in the Trial Court Security Account to maintain 42.5 positions, the county communicated this to the local court and provided a viable option. Specifically, the county offered to pay for one position from its general fund, and asked the court to work with the county to reduce court security needs in the amount equivalent to the other position. The court declined and insisted that the county provide all of the services set out in the MOU, including 42.5 positions. In response, the county attempted to terminate the MOU.[1] The Stanislaus County Superior Court rejected this attempt and insisted that the county continue to provide the 42.5 positions. The court was relying on the provision in the government code stating that the MOU shall remain in effect until there is a new MOU. The court, additionally, alleged that Stanislaus County improperly used the Trial Court Security Account to pay for county administrative costs because the Government Code expressly prohibits a county from using the account for administrative purposes. (Gov. Code § 30029.05(b).)

This matter was heard by a California Court of Appeal Justice, who issued a writ of mandate commanding that:

(1) the County and Sheriff's termination of the MOU is invalid under Government Code section 69226, subdivision (f); (2) the County and Sheriff must continue providing courthouse security services as agreed upon in the October 2011 MOU, including a minimum of 42.5 full time equivalent positions, until the parties enter into a new MOU; (3) the County and Sheriff cannot use [Trial Court Security Account] funds for overhead expenses related to courthouse security. . .

CSAC has received questions about this decision and how it impacts counties. CSAC has found that this decision is benefitting some counties and hurting others--that is, some counties are using this holding to support their decision to *not* provide services that go beyond their MOU with the court and, in other counties, courts are demanding that counties provide service commiserate with the MOU, even if trial court funding is not available.

Future Action

CSAC has received a letter from CSSA requesting enhanced assistance on the issue of trial court security. CSSA is proposing a cohort of county supervisors and sheriffs meet with the Chief Justice and Judicial Council leadership to convince them to join us in making a request for additional funding. As stated above, CSAC and CSSA have partnered on this issue for years and will continue this partnership. As such, CSAC will select a group of supervisors, including officers and a representative from a rural, suburban and urban county to help inform the trial court security policy discussions, as well as attend meetings with the Chief Justice, Judicial Council leadership, CSSA and the Administration.

[1] The MOU between Stanislaus County and the Court contained a provision allowing for termination of the contract with six months notice.

California State Sheriffs' Association

Organization Founded by the Sheriffs in 1894

August 14, 2019

The Honorable Virginia Bass
President, California State Association of Counties
1100 K Street, Suite 101
Sacramento, CA 95814

Dear Supervisor Bass:

We write to seek the next level assistance and partnership of the California State Association of Counties in dealing with significant funding shortfalls related to the provision of court security services. Our respective memberships, associations, and staff have worked exceedingly well together over the years on this and other important issues of shared concern and it is in that spirit that we seek to ramp up our joint efforts to address the growing court security funding problem.

As you know, pursuant to 2011 Realignment, county sheriffs now receive base and growth funding from the state to provide court security services. Despite our best estimations and prognostications, in several counties, this funding was not sufficient to cover the costs of protecting state judges and courtrooms and in other counties, the allocated amounts, even as augmented by an annual growth factor, have become insufficient. This funding shortage, coupled with existing statute that keeps expired court security MOUs in place until replaced, has led to funding shifts to cover costs, the dedication of county general fund to fill expenditure gaps, and perhaps most importantly, dangerous reductions in security services.

While county supervisors, sheriffs, CSAC, CSSA, and our staffs have worked for years to remedy this vexing problem, it continues to worsen. Judges expect certain levels of security services, sheriffs desire to keep courts safe, and counties are being asked to step in and fill the gap between the cost of expected services and the funds provided by the state. Given recent litigation and the specter of more legal battles over this issue, the need to act has only been made clearer.

We seek your enhanced assistance in working with the Chief Justice and the Judicial Council to impress upon them the importance of this matter. While counties and judges may have some internal advance work to do to address these issues, our current working thought is to assemble a delegation of supervisors and sheriffs who can meet with the Chief Justice and Judicial Council leadership to convince them to join our effort, with the goal of that effort to be a joint request of Governor Newsom for additional funding for this crucial governmental safety function. We believe time is of the essence given the scope of the problem and would look to carry out this plan in the next few months.

Thank you for your consideration of this matter of mutual interest. We appreciate the ongoing partnership among CSAC, individual counties, sheriffs, and CSSA and look forward to our continued work on this very important issue. Should you have any questions, please don't hesitate to contact us or Cory Salzillo at CSSA.

Sincerely,

David Livingston, CSSA President
Sheriff, Contra Costa County

Robert T. Doyle, CSSA Legislative Committee Chair
Marin County

1231 I Street, Ste 200 ▯ Sacramento, California 95814
Telephone 916/375-8000 ▯ Fax 916/375-8017 ▯ Website www.calsheriffs.org ▯ Email cssa@calsheriffs.org

1100 K Street
Suite 101
Sacramento
California
95814

Telephone
916.327.7500

Facsimile
916.441.5507

September 5, 2019

TO: Members | CSAC Board of Directors

FROM: John Peters | IHSS Working Group Co-Chair, Supervisor, Mono County
Belia Ramos | IHSS Working Group Co-Chair, Supervisor, Napa County
Justin Garrett | Legislative Representative, CSAC
Roshena Duree | Legislative Analyst, CSAC

SUBJECT: 2019-20 IHSS MOE County Amounts Methodology

The Governor's proposal to revise the county In-Home Supportive Services (IHSS) Maintenance of Effort (MOE) was enacted into law in Senate Bill 80 (Chapter 27, Statutes of 2019). The new MOE creates a more sustainable fiscal structure for counties to manage IHSS costs and continue to deliver vital services on behalf of the state. CSAC partnered with counties over the past two years to work towards achieving this outcome and is grateful to the Governor and the Legislature for the proposal and legislation that will accomplish this goal.

One of the first tasks to implement the rebased MOE is to determine the individual county MOE amounts. The Department of Finance is required to consult with CSAC on making these determinations. This document outlines the methodology that was utilized to determine the individual county amounts of the rebased 2019-20 IHSS MOE.

Process for Developing Methodology

CSAC formed an IHSS MOE Subcommittee of the existing CSAC IHSS Working Group to secure county input in developing the recommended MOE amounts. The Subcommittee was co-chaired Mono County Supervisor John Peters and Napa County Supervisor Belia Ramos, who co-chair CSAC's IHSS Working Group, and included County Administrative Officers (CAOs) from rural, suburban, and urban counties, as well as county technical experts. Once the Subcommittee developed the recommendations, all CAOs were briefed and CSAC's officers gave their approval for moving forward with the methodology. The recommended MOE amounts were then shared with the Administration for their consideration. The Department of Finance and Department of Social Services have confirmed that they are moving forward with implementing the recommended amounts.

2019-20 Statewide IHSS MOE

Senate Bill 80 establishes the statewide 2019-20 County IHSS MOE at $1.563 billion. The Department of Finance determined this new amount by fully following through existing law at the time through the end of 2018-19 to develop a 2019-20 MOE prior to the rebased amount. That MOE total was $2.06 billion and results from the 2018-19 MOE, MOE adjustments for local wage and benefit increases in 2018-19, and the seven percent inflation factor.

Once that amount was determined, the Department of Finance calculated the incremental increase over 2018-19, incorporated the available 1991 Realignment revenues, and determined a new lowered MOE base that would fit within the Realignment revenues available to counties. This $1.563 billion amount becomes the new County MOE in 2019-20 and only increases from there by a lowered annual four percent inflation factor and adjustments for local wage and benefit increases. The lowered County MOE is made possible by an increased State General Fund commitment for IHSS costs that is ongoing and that totals nearly $2 billion in the first four years of this new structure. The State General Fund offset, redirected vehicle license fee (VLF) growth, and accelerated caseload growth mitigations that existed under the prior 2017 MOE end under the new MOE. The 2019-20 MOE contains only one MOE component for services, and does not have the four separate MOE components that were previously included.

IHSS MOE Methodology

The IHSS MOE methodology distributes the nearly $500 million decrease to get from the $2.06 billion MOE prior to the rebase to the final rebased MOE of $1.563 billion.

Step One: Remove County Specific Increases from End of State General Fund Mitigation and Seven Percent Inflation Factor in the Same Manner they were Added

For the first step, a starting point was established that incorporated the existing county MOE and how the increased costs were added prior to the rebase. While the MOE is being lowered by nearly $500 million from what it would have been, the increased amount over the final 2018-19 MOE after MOE adjustments for local wage and benefit increases were added directly results from specific individual county amounts. The methodology reflects that these amounts needed to be removed in the exact same manner. The $330 million increase that would result from the end of the State General Fund mitigation and the $134.8 million increase that would result from the seven percent inflation factor were removed from the $2.06 billion total MOE amount prior to the rebase in the same county-by-county manner that they were added.

The result of this is a statewide starting point of $1.595 billion with corresponding individual county starting points that add to this total. This starting point is only $32.1 million higher than the final rebased 2019-20 MOE amount of $1.563 billion. Below is a table that demonstrates this statewide starting point.

2019-20 IHSS MOE

2018-19 County MOE after General Fund Mitigation	$1.523 billion
2018-19 Annualized MOE Adjustments	$72.4 million
Increase to MOE from End of General Fund Mitigation	$330 million
Increase to MOE from Seven Percent Inflation Factor	$134.8 million
Total 2019-20 Prior to Rebase	$2.06 billion
Remove General Fund Mitigation Increase	-$330 million
Remove Inflation Factor Increase	-$134.8 million
Starting Point for Determining Rebased County Amounts	$1.595 billion
Difference from Starting Point to Rebased 2019-20 MOE	-$32.1 million
Rebased 2019-20 MOE	$1.563 billion

Step Two: Provide Equal Percent Decline for Every County for Remaining MOE Decrease

Once this starting point was established, the next task was to determine how to distribute the remaining $32.1 million decrease among the 58 counties. This calculates to a statewide decrease of 2.01 percent from the starting point to the final MOE amount. The methodology will provide every county with this same 2.01 percent decrease from the individual county starting point amounts to the individual county final MOE amounts.

In addition to the results described above, this methodology also accomplishes the following outcomes:

- The full annualized MOE adjustment amount was added to the MOE for any county that increased wages or benefits in 2017-18 or 2018-19.
- Any county that did not increase wages or benefits in 2018-19 will have a 2019-20 MOE amount that is lower than the county's 2018-19 MOE after General Fund offset.
- Any county that did increase wages or benefits in 2018-19 will have a 2019-20 MOE amount that is lower than the sum of the county's 2018-19 MOE after General Fund offset and the annualized MOE adjustment for that wage or benefit increase.

1100 K Street
Suite 101
Sacramento
California
95814

Telephone
916.327.7500

Facsimile
916.441.5507

September 5, 2019

TO: Members | CSAC Board of Directors

FROM: Graham Knaus, Executive Director
Darby Kernan, Deputy Executive Director, Legislative Affairs
Farrah McDaid Ting, Legislative Representative
Roshena Duree, Legislative Analyst

SUBJECT: County Impact of California's Next Health and Behavioral Health Waiver(s)

Introduction

California's counties play an indispensable role in the state's Medicaid program, called Medi-Cal, which provides health care coverage to low-income residents. Counties not only partner with the state to administer many of the functions of Medi-Cal, including eligibility, but also support the public health care safety net by financing and operating nonprofit public hospitals, health plans, and behavioral health plans.

While the state serves as the administrator of Medi-Cal, it is this partnership with counties – both contractual and fiscal – that ensures all qualified residents have access to the health and behavioral health care they need.

Much of the state's Medicaid program operates under federal waivers which allow the state to deviate from federal regulations or requirements to meet the needs of its population. Counties depend heavily on the federal waivers negotiated between the state and the Centers for Medicare and Medicaid Services (CMS) to help finance public hospitals, operate mental health plans, improve care, and coordinate innovative programs such as Whole Person Care. For counties, it is imperative for the state to continue to request waivers and additional financing for county safety net health services.

In 2020, the terms of two of the state's main Medicaid waivers, the Section 1115 Medicaid 2020 Waiver and the 1915b Medi-Cal Specialty Mental Health Services Waiver, simultaneously expire. The Department of Health Care Services (DHCS), which serves as the state's single point of contact with CMS, has undertaken an external stakeholder process on the waivers, while also conducting an internal waiver planning and drafting process.

Key Issues. Counties must prepare for this process by identifying and developing priorities for the new waivers and, most importantly, fully vetting the attendant fiscal implications associated with new ideas, new waivers, or even a scenario in which the state declines to engage in new or renewed waivers.

Please see next page for significant priorities.

Significant initial county priorities include:

- **Public Hospitals:** Preserving the nearly $7 billion in federal financial participation for county public hospitals and health systems under the current Medi-Cal 2020 waiver. These funds are absolutely critical for county public hospitals. Waiver funding and innovations have also helped transform county public hospitals into innovative health hubs rather than providers of last resort. Waiver funding also includes incentives for system transformation and improved patient care, both of which ultimately achieve cost savings and better health outcomes.

- **Behavioral Health:** Advancing behavioral health care and integration of services at the county level with the continuation of the 1915b Medi-Cal Specialty Mental Health Services Waiver, which designates county MHPs as the single provider of Medi-Cal Specialty Mental Health Services. Counties have made significant investments in the behavioral health system under the current 1915b Waiver, and stand ready to continue to transform behavioral health services to improve access, ensure quality care, and address the needs of unique populations in the state, such as foster youth, those living without shelter, and those reentering the community from jail.

- **Medi-Cal Eligibility:** Protecting county Medi-Cal eligibility functions, systems, and financing to ensure timely, accurate eligibility for all who qualify. This includes continued innovations to improve accuracy and data gathering, as well as training assistance and improved communication between the state and counties. Ideas include expanding pre-release eligibility services for those in county jails.

- **Innovation:** Sustaining and building upon innovative waiver programs and funding, such as Whole Person Care (WPC) and the Drug Medi-Cal Organized Delivery System (DMC-ODS).

- **16-Bed Limit Waiver:** Seeking new waiver authority offered by the federal government to access new funding for inpatient residential treatment in facilities designated as Institutes for Mental Disease (IMD). These types of facilities represent the highest and most intensive level of inpatient psychiatric care, and are the single most expensive service for MHPs. By obtaining an IMD waiver, the state will assist counties with the costs of this level of care, while also working together to shore up the entire continuum of mental health care to help avoid IMD placements in the first place.

Next Steps. CSAC must take a number of immediate actions to communicate and advocate for counties on waivers in 2019 and 2020: convene experts to identify key priorities, develop and evaluate fiscal models, and engage with the state, other stakeholders, and the Legislature on the importance of waiver funding for county safety net health and behavioral health systems.

More detailed reference information is included below, including a list of current waivers, a rough timeline, and additional resources.

ADDITIONAL DETAILS

MEDI-CAL

California's Medicaid program – called Medi-Cal – is one of the largest in the nation, providing health and behavioral health care coverage to more than 13 million low-income state residents. The state expects to spend approximately $23 billion in state General Fund in fiscal year 2019-20 on Medi-Cal, which does not include county realignment expenditures on health and behavioral health services.

The Department of Health Care Services (DHCS) serves as the single state agency responsible for the Medicaid program in California, and must ensure fiscal solvency, program standards, and adherence to state and federal requirements.

COUNTY ROLE IN MEDI-CAL

Counties intersect with the Medi-Cal program in critical ways, including:

- Public Hospitals: Counties operate 15 public hospitals in 12 counties, which provide critical safety net health care access to their communities.
- Health Plans: Counties operate 16 County Organized Health Systems or Local Health Plans providing Medi-Cal managed care health coverage and services to 7.5 million Californians (70 percent of Medi-Cal caseload)
- Behavioral Health Services: Counties operate 56 Mental Health Plans (MHPs), which provide Specialty Mental Health Services, including mental health and substance use disorder services, to Medi-Cal enrollees.
- Eligibility: County human services agencies administer Medi-Cal eligibility responsibilities, including determining eligibility and annual renewals, on behalf of the state.

FEDERAL WAIVERS OF IMPORTANCE TO CALIFORNIA'S COUNTIES

NAME	TYPE	REGARDING	TIMELINE	DOLLARS	NOTES
California Medi-Cal 2020 Demonstration, "Medi-Cal 2020"	Section 1115 Medicaid Waiver	Public Hospital Financing (PRIME, Global Payments Program), Drug Medi-Cal (DMC-ODS), Whole Person Care, Dental Transformation Pilot	December 30, 2015 through December 31, 2020	approximately **$6.2** billion in FFP Must be budget neutral for the federal government	Current waiver: 40 counties in DMC-ODS 25 counties in WPC 12 counties with public hospitals
1915(b4) Medi-Cal Specialty Mental Health Services Waiver	Freedom of Choice Waiver	Allows state to mandate enrollment into County Mental Health Plans for Specialty Mental Health Services	July 1, 2015 through June 30, 2020	50% of actual cost of services	Could include care integration
Institutes for Mental Disease (IMD) Waiver	Section 1115 Medicaid Waiver Institutes for Mental Disease	Would allow CA to pull down federal dollars for IMD stays.		Must be budget neutral for the federal government	New waiver opportunity; state has yet to apply

TIMELINE

DATES	ACTION	NOTES
Fall 2018-Winter 2019	DHCS convened Coordinated Care stakeholder meetings for 30 total hours	CSAC participated
Summer 2019	DHCS appoints and convenes Behavioral Health Stakeholder Advisory Committee (BH-SAC)	CSAC is a member
October 2019	DHCS will release concept paper, likely for both 1115 and 1915b waivers	
November-December 2019	DHCS will convene stakeholders for input and seek public comment	CSAC is a member and will submit public comment
Jan-July 2020	DHCS will draft waiver application(s) and submit to CMS	
March – September 2020	Negotiations between DHCS and CMS on Special Terms and Conditions (STCs)	
June 2020	Existing 1915b waiver expires	
December 2020	Existing 1115 waiver expires	
Jan-July 2021	State legislation to implement STCs drafted and moves through legislative process as an urgency measure (2/3 vote)	

ADDITIONAL RESOURCES

List of all 9 current CA waivers: https://www.medicaid.gov/medicaid/section-1115-demo/demonstration-and-waiver-list/Waiver-Descript-Factsheet/CA-Waiver-Factsheet.html#CA0336

DHCS Medi-Cal 2020 Waiver Page: https://www.dhcs.ca.gov/provgovpart/Pages/medi-cal-2020-waiver.aspx

CSAC Medi-Cal 2020 Waiver Page: https://www.counties.org/post/csac-resources (includes waiver updates, CSAC support letters, etc.)

CAPH Medi-Cal 2020 Waiver Page: https://caph.org/priorities/medi-cal-2020-waiver/

IMD Waiver Opportunity Letter: https://www.medicaid.gov/federal-policy-guidance/downloads/smd18011.pdf

DHCS 1915b Waiver Page: https://www.dhcs.ca.gov/services/MH/Pages/1915(b)_Medi-cal_Specialty_Mental_Health_Waiver.aspx

Whole Person Care Counties:
https://www.dhcs.ca.gov/services/Pages/WholePersonCarePilotApplications.aspx

Drug Medi-Cal Organized Delivery System Counties:
https://www.dhcs.ca.gov/provgovpart/Pages/County-Implementation-Plans-.aspx

1100 K Street
Suite 101
Sacramento
California
95814
Telephone
916.327.7500
Facsimile
916.441.5507

September 5, 2019

TO: Members | CSAC Board of Directors

FROM: Manuel Rivas, Jr. | Deputy Executive Director of Operations and Member Services, CSAC
David Liebler | Director of Public Affairs & Member Services, CSAC

SUBJECT: Communications Update

Member Services

Annual Meeting – Registration is now open for CSAC's 125th Annual Meeting, scheduled for December 3-6 in the City/County of San Francisco. This year's conference them is "Connecting California Communities". Work is well under way on developing the program agenda that will include enlightening keynote speakers and informative workshops/meetings on issues of relevance to California Counties. There are also tentative plans to hold an off-site workshop tour in conjunction with the host county.

Fall Regional Meeting – CSAC staff is busy planning our Fall Regional Meeting in Sonoma County on Oct. 9-10. The topic is "Building a Resilient Future: Counties Leading the Way." Attendees will have an opportunity to hear from local and state experts, and participate in discussions, focusing on local emergency preparedness, public engagement, and recovery and response. The meeting will also feature a tour that will showcase first-hand the lessons learned.
CSAC conducted a successful Summer Regional Meeting in Fresno County which focused on economic opportunities and was attend by more than 70 county representatives, corporate partners and CSAC issue experts.

NACo WIR Conference – CSAC continues to work closely with Mariposa County and RCRC to hosting the 2020 NACo Western Interstate Region Annual Conference in Mariposa County. Staff and 2019-2020 WIR President and Mariposa County Supervisor Kevin Cann will be conducting a site visit to Tenaya Lodge (location of the conference) in mid-September.

Challenge Awards – Our 2019 CSAC Challenge Award judges have made their final selections, which will be announced during the September Board of Directors meeting. This year we received 284 entries – the second most in the program's history. Fifty-one programs have been chosen to receive either Challenge or Merit Awards.

Communications

Traditional Media – CSAC continues to work with the media on a number of legislative issues. In early July, we conducted a press conference on wildfire legislation that was well-attended by Sacramento media, and included follow-up by reporters unable to attend. CSAC continues to receive numerous inquiries from reporters regarding a wide variety of issues, including the state budget, behavioral health, housing, homelessness, and numerous pieces of legislation. We also worked closely with our legislative unit on the development of a press release announcing the formation of the CSAC Homelessness Action Team.

Social Media – CSAC's social media numbers have continued to grow. Between May and July CSAC's tweets received more than 900,000 views. CSAC is on track to receive over 3 million views in 2019. We continue to utilize Facebook, YouTube and Instagram on a daily basis to extend our social media reach.

Video – In the part three months, CSAC Communications has produced 25 videos. These included Challenge Award videos and promotional teasers, Power Minutes focusing on key legislative and budget issues, Legislative Conference and Regional Meeting summaries, and a CSAC press conference supporting wildfire legislation.

"The County Voice" Blog – CSAC's blog continues to be updated on a weekly basis. In the past three months, we have profiled numerous innovative programs developed by counties, as well spotlighted a number of other key issues and programs, including communications during a natural disaster or cyberattack, wildfire recovery, the CSAC Institute and the 2020 WIR Conference in Mariposa County.

CSAC®

1100 K Street
Suite 101
Sacramento
California
95814

Telephone
916.327.7500

Facsimile
916.441.5507

September 5, 2019

TO: Members | CSAC Board of Directors

FROM: David Liebler | Director of Public Affairs & Member Services, CSAC

SUBJECT: CSAC 2019 Challenge Awards

The recipients of the 2019 CSAC Challenge Awards will be announced at the September Board of Directors meeting.

This year we received 284 entries from 37 counties. This was the second most entries in the programs 26-year history. Our panel of judges reviewed all entries and whittled them down to 51 finalists from 27 counties. The counties with the most entries in the finalist round are: Riverside (5); Los Angeles, San Bernardino and San Diego (4); and Alameda, Santa Barbara and Santa Cruz (3). Counties entered by population category (urban, suburban or rural), and by issue areas that mirror the CSAC policy committees.

The judges are set to come together on Sept. 4 to decide which of these finalist programs earn Challenge or Merit Awards. The Challenge Award-winning counties will be announced at the Board of Directors meeting.

CSAC staff will once again travel to the Challenge Award-winning counties to present at Boards of Supervisors meetings, produce videos and blogs, work with local media, and utilize social media to spotlight the top programs.

The CSAC Challenge Awards were created in the mid-1990s as a way to spotlight the most innovative and effective programs in county government. Since that time, more than 1,000 county best practices have been recognized through the awards program.

California Association of County Executives
Providing Executive Leadership in California's Counties

2019 CACE Distinguished Leadership Award

Announcing the fourth annual County Administrator / County Executive (CAO / CEO) Distinguished Leadership Award. This award is to be given to an individual CAO / CEO who has demonstrated exemplary leadership and has set an example for local and state government. This award shall be given to those CAO / CEOs who have made a difference for the professional administration of County Government.

CRITERIA

Demonstration action and capacity in the following areas:

1. A role model for others in local government by exhibiting the Essential Competencies adopted by CACE
2. Earned respected leadership in the city, county, region, and / or state. He or she has used the highest ethical standards while conducting county affairs.
3. Serve as a mentor to the home county, other CAO / CEOs, and to young people entering the profession of local government Management.
4. Implemented innovative programs that exemplify one or all of the traits of leadership, such as improved public programs, ethics, career service, intergovernmental relations, etc.
5. The activities, programs, undertakings have long term positive results for the community

We request that you review these criteria and see if there is a CAO / CEO that you have worked with that meets these standards. Should you know such a CAO / CEO, you or your staff should submit a nomination paper.

NOMINATION PAPER

1. Shall be no longer than three pages.
2. For each aforementioned criterion, please provide an example(s) of each. If you do not have any examples for specific criteria, please say NOT APPLICABLE.
3. Please submit eight copies of the Nomination Paper.
4. SUBMIT THE NOMINATION PAPER BY **FRIDAY, OCTOBER 4, 2019.**

The individual candidates will be reviewed by the independent panel consisting of persons knowledgeable in county government activities and programs. The panel will review the candidates and make a selection based on the material submitted and knowledge of the individual candidates.

The CACE Distinguished Leadership Award may be given on an annual basis but only upon receipt of qualified nominations meeting the criteria of this distinctive award.

Please submit nomination papers of the candidate's qualifications by Friday, October 4, 2019 to:

Executive Director
California Association of County Executives
1100 K Street, Suite 101
Sacramento, CA 95814
Email: cace@counties.org

ESSENTIAL COMPETENCIES

Predictors of Success for California County Executives

Adopted by the California Association of County Executives, October 2018

1. Collaboration and Influence

- ◊ Builds informal authority, trust, and credibility across multi-sectors (interdepartmental, intergovernmental, community-based organizations, community members)
- ◊ Exercises influence through persuasion to move people towards united action
- ◊ Practices a symphonic approach to synthesize information, put pieces together, cross boundaries to see a bigger picture; makes connections between disparate information and people to innovate and bring harmony
- ◊ Employs collaborative approaches to deal with the challenging dilemmas when not 'in charge'

2. Strategic Agility and Orientation

- ◊ Establishes a shared vision and organizational values which connects every employees' and stakeholders' interests to the desired ends
- ◊ Separates means from ends; keeps the organization culture, systems, structure and resources focused on the ends
- ◊ Applies design literacy to building processes, initiatives, policies and programs which advance goals of organization

3. Build Organization Capacity

- ◊ Continually invests in and builds capacity of the people throughout the organization
- ◊ Coaches others in organization and creates an environment that supports mentoring and knowledge sharing throughout the organization
- ◊ Fosters resiliency in every employee

4. Results Orientation

- ◊ Tenacity in communication and action towards achievement of goals
- ◊ Aligns processes and practices to achieve ends
- ◊ Ensures processes are transparent and effective in achieving results, and subject to periodic improvement
- ◊ Performance measures and data are used regularly and are meaningful and accessible to managers, employees and the public in tracking progress towards goals

5. Readiness to Change

- ◊ Builds an agile organization with the structure, culture and systems able to respond to disruptive changes, and with employees who are prepared to respond to ambiguous and complex situations
- ◊ Articulates the vision for the future crafter by the governing board, and makes a compelling case for change to mobilize others

6. Acts with Head, Heart and Hands

- ◊ Articulates and demonstrates expected values in daily actions and conversations
- ◊ Exercises emotional intelligence in the practice of leadership
- ◊ Creates meaning for self and others

7. Inclusiveness

- ◊ Accepts and integrates other points of view in decision making and actions
- ◊ Facilitates conversations across diverse groups of people and perspectives
- ◊ Seeks to increase diversity in team members and thinking

8. Public Service

- ◊ Keeps a focus on for whom the service is provided and the desired outcomes for the community
- ◊ Practices equality and equitability in service delivery
- ◊ Exercises neutrality in the development and application of policy services
- ◊ Balances results with political acceptability
- ◊ Respects the governing board-executive symmetry of authority

Technical Competencies

- ◊ Has and keeps current on technical skills needed to do the job – but not to do others' jobs
- ◊ Able to apply technology as needed
- ◊ Understands how the local government operates and is financed
- ◊ Recognizes the roles and interrelationships of departments within the government and the relationships with federal, state and other local governments

California Association of County Executives
Providing Executive Leadership in California's Counties

CSAC INSTITUTE FOR EXCELLENCE IN COUNTY GOVERNMENT

County Counsels' Association of California

MEMORANDUM

To: Supervisor Virginia Bass, President, and Members of the CSAC Board of Directors

From: Jennifer Bacon Henning, Litigation Coordinator

Date: September 5, 2019

Re: Litigation Coordination Program Update

This memorandum will provide you with information on the Litigation Coordination Program's new case activities since your last meeting in April 2019. Briefs filed on CSAC's behalf are available at: http://www.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	Guadalupe	Metrolink
Contra Costa	Los Angeles	Los Angeles County MTA
Los Angeles		Los Angeles County Sanitation District
Monterey		Paradise Irrigation District
Napa		
Orange (2 Cases)		
Riverside		
San Bernardino		
San Diego		
Santa Clara		
Santa Mateo (2 Cases)		
Sonoma (2 Cases)		
Stanislaus County		
Ventura		

Busker v. Wabtec
Pending in the California Supreme Court (filed Sept. 7, 2018)(S251135)
Status: Amicus Brief Filed July 15, 2019

Prior to this case, prevailing wage guidance and case law has determined that prevailing wage applies to field installation work but not on rolling stock, which is work performed on board transit (trains, buses, ferries, etc.). Plaintiff in this case sought prevailing wage in federal court for work he performed on board a Metrolink train. The trial court affirmed the

1100 K Street, Suite 101, Sacramento, CA 95814 (916) 327-7535 FAX (916) 443-8867

law that prevailing wage does not apply to work on rolling stock. On appeal, the federal Ninth Circuit wanted a definitive answer to this state law question, and has therefore certified the question to the California Supreme Court. The Court will now decide whether California prevailing wage law applies to rolling stock.

Chevron USA v. County of Monterey
Pending in the Sixth Appellate District (filed May 7, 2018)(H045791)
Status: Amicus Brief Filed August 9, 2019

The voters of Monterey County enacted an anti-fracking initiative measure ("Measure Z") in November 2016. Plaintiffs (oil companies and mineral rights holders) challenged Measure Z on state and federal preemption, takings, and other grounds. Protect Monterey County, as an official sponsor of Measure Z, intervened in defense of the measure. (Monterey County settled and is not involved in the appeal.) The trial court struck down the initiative, finding that California's state oil and gas legal and regulatory scheme "fully occupies the area of the manner of oil and gas production" and therefore preempts the initiative's effort to ban underground wastewater injection and prohibit drilling any new wells. Similarly, the court concluded that the Measure conflicted with both state and federal law governing underground injection. The Safe Water Drinking Act directed the Environmental Protection Agency "to oversee underground injection throughout the United States" and granted the State of California the primary enforcement responsibility. The Measure "directly conflicts" with the state's mandate. CSAC's amicus brief focusing on preemption principles that honor local police powers.

City of Los Angeles v. Superior Court (McDowell)
Pending in the Second Appellate District (filed Mar. 27, 2019)(B296555)
Status: Amicus Letter File May 8, 2019

This case involves a fire that broke out in a car garage in a single family home in Los Angeles. The garage had been illegally converted into several living units. A resident of the garage started the fire by setting flame to a pile of clothes, and unfortunately, one of the other residents died. The deceased resident's heirs sued the City of Los Angeles, alleging that City police officers and other City workers had been to the property dozens of times, and those visits "should have revealed that the premises were not safe for human occupancy" and that the garage did not comply with local and state codes. The City sought to have the case dismissed. In opposition, plaintiffs submitted the order from the Alameda County Superior Court ruling (adverse to the City of Oakland) in In re Ghost Ship Litigation, a case in which CSAC also filed an amicus letter. Offering no reasoning in its written order, the Los Angeles Superior Court declined to dismiss the case. The City is seeking a writ in the Court of Appeal, and CSAC filed a letter in support.

County of Sonoma v. Gustely
36 Cal.App.5th 704 (1st Dist. May 31, 2019)(A153423), *request for publication granted* (June 24, 2019)
Status: Publication Granted; Case Closed

Defendant property owner failed to comply with a code enforcement abatement order that included abatement costs and civil penalties. The county filed this action to enjoin further violations and recover penalties. The property owner did not file a responsive pleading. The trial court entered a default judgment in favor of the county, but ordered penalties significantly lower than the amount ordered by the administrative hearing officer. On appeal, the First District held, in an unpublished opinion, that "this provision of the court's order, which alters a final administrative order, was entirely unexplained and provides respondent with a windfall he did not request, cannot be sustained." The court agreed with the county that the trial court lacked discretion to alter the administrative hearing officer's penalty order because the administrative order was final since the property owner did not file a timely writ or appeal, and there is no other mechanism for judicial review absent such a challenge. The court also found that even if the trial court could alter the penalty order, it could only do so after a finding of error, which the trial court did not make in this case. Sonoma County's publication request, which CSAC support, was granted.

Guillory v. Hill
36 Cal.App.5th 802 (4th Dist. Div. 3 May 31, 2019)(G054027), *request for publication granted* (June 26, 2019)
Status: Publication Granted; Case Closed

Plaintiffs won a civil rights claim against an Orange County Sheriff's Department investigator. Plaintiffs requested over $1 million in damages, but were awarded only $5,400, which was upheld in a separate appeal. As the prevailing party, plaintiffs then sought $3.8 million in attorneys' fees, which the trial court denied. In this unpublished opinion, the Fourth District upheld the zero fee award. Noting that plaintiffs are only entitled to "reasonable" attorneys' fee award in civil rights cases, the court concluded that awarding fees here would not be reasonable because: (1) plaintiffs obtained only de minimis success in their action; and (2) the fee request was made "in an almost 400-page motion crammed with obfuscating and questionable billing records." Orange County's publication request, which CSAC supported, was granted.

In re County Inmate Telephone Service Cases
Pending in the Second Appellate District (filed July 17, 2018)(B291341)
Status: Amicus Brief Due September 30, 2019

These consolidated cases were brought against the counties of Los Angeles, San Bernardino, Riverside, Orange, Ventura, Alameda, Santa Clara, San Mateo and Contra Costa. The cases challenge the county contracts with telephone service providers that have the exclusive right to provide telephone service in the counties' correctional facilities. Plaintiffs allege those service providers charge "grossly unfair and excessive phone charges" that amount to an unlawful tax, infringe on California constitutional rights of speech and association, and violate due process. The trial court ruled in favor of the counties, and the plaintiffs have appealed. CSAC will file an amicus brief in support of the counties.

Kaanaana v. Barrett Business Services
29 Cal.App.5th 778 (2d Dist. Nov. 30, 2018)(B276420), *petition for review granted* (Feb. 27, 2019)(S253458)
Status: Amicus Brief Due September 19, 2019

The Second District has found, in a 2-1 opinion, that contract workers who sorted recyclables at a county sanitation district facility were engaged in "public works" that would require the contractor to pay the workers according to the prevailing wage laws in the Labor Code. Under previous case and administrative law analysis, the types of work subject to prevailing wage requirements generally involved the construction or maintenance of public works infrastructure projects, but not the operation of existing facilities. The sanitation district sought Supreme Court, which CSAC support, and review was granted. CSAC will now file a brief in support of the district in the Supreme Court.

Los Angeles County Metropolitan Transportation Authority v. Yum Yum Donut Shops
32 Cal.App.5th 662 (2d Dist. Feb. 26, 2019)(B276280), *petition for rehearing denied* (Mar. 26, 2019), request for depublication and petition for review denied (June 12, 2019)(S255127)
Status: Case Closed

Yum Yum Donut Shops sought compensation under Code of Civil Procedure section 1263.510 for the loss of goodwill resulting from an eminent domain taking by the Los Angeles County Metropolitan Transportation Authority. The code requires the condemnee to establish its entitlement to good will. The trial court concluded that because Yum Yum had unreasonably rejected alternate locations proposed by the MTA, it was not entitled to compensation for goodwill. The Court of Appeal reversed, finding that section 1263.510 is intended to be remedial, meaning it should be liberally construed in favor of Yum Yum. As such, the court concluded that a condemnee is entitled to compensation for lost goodwill if any portion of that loss is unavoidable. MTA sought review and depublication, which CSAC supported, but both were denied.

Mateos-Sandoval v. County of Sonoma

912 F.3d 509 (9th Cir. Dec. 21, 2018)(16-16122), *petition for rehearing en banc denied* (Feb. 21, 2019), *cert. petition pending* (filed May 22, 2019)(18-1466)

Status: Petition for Certiorari Pending

This case challenges Vehicle Code section 14602.6, which provides for a 30-day vehicle impoundment when a driver is arrested for driving without a license. The Ninth Circuit Court of Appeals found in favor of plaintiffs in this case, concluding: (1) a local interpretation of state law was a separate policy sufficient to support county liability, even though the county was only enforcing State law; (2) even though an initial seizure does not violate the Fourth Amendment, the 30 day hold does violate the Fourth Amendment; and (3) the Legislature's rationale for the 30 day hold – deterring driving without a license – is not "reasonable" for purposes of the Fourth Amendment. Sonoma County sought rehearing in the Ninth Circuit, which CSAC supported, but rehearing was denied. The County is now seeking US Supreme Court review, and CSAC has filed a brief in support.

Olivera St. Apartments v. City of Guadalupe

Unpublished Opinion of the Second Appellate District, 2019 Cal.App.Unpub.LEXIS 3333 (2d Dist. May 14, 2019)(B286285), *request for publication denied* (June 6, 2019)

Status: Depublication Denied; Case Closed

This unpublished opinion upholds a city's adoption of an urgency ordinance to allow the city to consider zoning changes. In the case, the city adopted a temporary moratorium on boardinghouses based on an inquiry and meetings discussing the possibility of converting an existing apartment building (500 sq feet per person) into a boardinghouse for agricultural workers (50 sq feet per person). The building owner challenged the ordinance arguing, among other things, that the ordinance was invalid because there was no urgency (i.e., the meetings and inquiry on the issue did not justify adoption of the ordinance). The Court of Appeal disagreed, concluding that the "urgency ordinance is . . .reasonably related to the legitimate governmental purpose of briefly prohibiting boardinghouses while it considered zoning changes." The court noted that the city ultimately decided to allow boardinghouses as permitted uses, "[b]ut that does not mean the City was remiss in imposing an urgency moratorium to consider the matter." CSAC requested publication, but the request was denied.

Paradise Irrigation Dist. v. Commission on State Mandates

33 Cal.App.5th 174 (3rd Dist. Mar. 20, 1019)(C081929), *petition for review denied* (June 19, 2019)(S255512)

Status: Review Denied; Case Closed

Several irrigation and water districts filed test claims before the Commission on State Mandates seeking reimbursement for mandates related to the Water Conservation Act and its implementing regulations. The Commission denied the claim. The Sacramento Superior Court affirmed for two reasons. First, the court determined that those claimants that do not collect or expend property taxes are not eligible to claim reimbursement. Second, the court concluded that because the claimant agencies have fee authority, Government Code section 17556 precludes finding costs to be mandated by the State. The court acknowledged that the ability to impose fees to implement the Water Conservation Act is subject to the majority protest process of Proposition 218. "However, the mere specter of a majority protest should not, by itself, negate a local agency's fee authority. While it is possible that a majority of the owners will protest a proposed fee, it is also possible that they will not." Thus, the court concluded that "in the absence of a showing that Petitioners have 'tried and failed' to impose or increase the necessary fees, the Commission properly concluded that Petitioners have sufficient fee authority to cover the costs of any mandated programs." The appellate court affirmed, concluding that the majority protest procedure does not undermine this authority because the Districts can exercise this authority without voter approval. The District sought Supreme Court review, which CSAC supported, but review was denied.

People v. J.H.
Pending in the Third Appellate District (filed Oct. 25, 2018)(C088227)
Status: Case Fully Briefed and Pending

This case involves a restitution order issued 14 years ago in a juvenile criminal matter. The restitution for some $30,000 was ordered to compensate the victim of his crime (significant property damage resulting from vandalism and setting fire to property). The juvenile criminal defendant, J.H., is now an adult, and the county attempted to garnish his wages to collect on the restitution order. J.H. filed a motion to quash, arguing that the restitution order is like any other money judgment and is therefore subject to Code of Civil Procedure section 683.020, which provides for a 10 year enforceability period if the order is not renewed. Here, since the restitution order was issued 14 years ago and has not been renewed, J.H. argued it could not be enforced. The trial court agreed, and quashed the San Joaquin County's attempt to collect on the order. The county has appealed, and CSAC has filed a brief in support.

Sierra Club v. County of San Diego
Pending in the Fourth District Court of Appeal (filed Mar. 11, 2019)(D075478)
Status: Amicus Brief Due September 3, 2019

Though this case has a long and winding procedural history, the gist of this iteration of the case is a challenge to the EIR adopted for San Diego County's climate action plan. The trial court ruled in favor of plaintiff, concluding that the County's decision to allow out of county offsets for greenhouse gas (GHG) emissions was inconsistent with the county's general plan. The court also found that the out-of-county offsets violated CEQA because the county failed to ensure they were enforceable and of sufficient duration, failed to study the cumulative impacts, and improperly delegated the decision on offsets to its planning director. The county has appealed, and CSAC will file a brief in support.

Soda Canyon Group v. County of Napa
Writ Petition Pending in First Appellate District (filed Aug. 16, 2019)(A158076)
Status: Amicus Brief Filed August 23, 2019

Napa County approved a winery project in August, 2017. Plaintiff filed a CEQA action challenging the approval, and following the Atlas Fire in October 2017, sought to have evidence added to the administrative record of the impact of the fire on the project. The trial court concluded that the Atlas Fire evidence – an event that did not occur until five months after the public hearing before the Board – was "truly new evidence of emergent facts" that should be included in the administrative record and considered by the County on remand. The court declined to apply *Western States Petroleum Assn. v. Superior Court* (1995) 9 Cal.4th 559 [courts generally may not consider evidence not contained in the administrative record when reviewing the substantiality of the evidence supporting a quasi-legislative administrative decision] to the case. CSAC has filed a brief in support of Napa County.

Wright v. County of San Mateo
Previously published at: 33 Cal.App.5th 931 (1st Dist. Mar. 29, 2019)(A153687), *request for depublication granted* (June 26, 2019)(S255534)
Status: Case Depublished and Closed

This case involves application of Revenue and Taxation Code section 69.5, which allows qualified homeowners over 55 to transfer the property tax basis of their principal residence to a replacement dwelling of equal or lesser value in the same county. In this case, plaintiffs wanted to transfer the property tax basis of their old home to a new residence under section 69.5. However, their lender required them to form a Limited Liability Company (LLC) and transfer title of their newly purchased lot to the LLC, as a condition of obtaining a construction loan for building their replacement home on that lot. After they completed the construction, but before they applied to be exempt from a new assessment, plaintiffs transferred title of their new home back to themselves, bringing it out of the LLC. The assessor denied the property tax basis transfer because the new lot was owned by the LLC when plaintiffs sold their old home (four months before they finished the new residence, moved in and deeded it to themselves out of the LLC), and per the face of the statute, that disqualified them from the transfer. Both the Assessment Appeals Board and the trial court agreed with the Assessor. The Court of Appeal, however, ignored the plain language of the statute to reach what it determined was a more equitable result and ordered the tax basis transfer granted. CSAC supported San Mateo County's depublication request, which was granted.

INSTITUTE FOR LOCAL GOVERNMENT℠

Promoting Good Government at the Local Level

Update on Activities

September 2019

The Institute for Local Government (ILG) promotes good government at the local level with practical, impartial and easy-to-use resources for California communities. ILG's strong affiliation with the California State Association of Counties, the California Special Districts Association and the League of California Cities helps enhance collaboration and promote best practices among local agencies. ILG provides education in the form of technical assistance, trainings, webinars and online and print resources in an effort to assist local leaders to govern openly, effectively, and ethically; work collaboratively; and foster healthy and sustainable communities. ILG's current program areas include: leadership & governance, public engagement, workforce and civics education and sustainable communities.

To learn more about our programs and resources visit www.ca-ilg.org, or connect with us through our newsletter or social media through Facebook, Twitter or LinkedIn.

ILG is Available to Help Counties with Affordable Housing Needs

The California Department of Housing and Community Development (HCD) has released the SB 2 Planning Grants Notice of Funding Availability (NOFA) for approximately $123 million. The Planning Grants Program provides one-time, non-competitive grants to local governments to update a variety of planning documents and processes that streamline housing approvals and accelerate housing production.

ILG is working with PlaceWorks to help local governments secure this funding by identifying projects and tools that will help increase housing production. Funding is available for:

- Targeted General Plan Updates
- Community Plans and Specific Plans
- Zoning Updates and By-Right Zoning for Housing
- Objective Design Standards
- Accessory Dwelling Unit Regulations
- Streamlined Environmental Analyses
- Process Updates to Improve and Expedite Local Permitting

As part of this work, ILG is seeking to create tools to help local governments facilitate housing in California communities.

We have distributed a survey soliciting feedback on costs, requests for proposals and scopes of work related to projects that are eligible under the SB2 planning grants program. The results from this survey will be shared back out to cities and counties to provide valuable information aimed at saving local governments time and money. If your county has not already participated, please take a few minutes to respond to the survey: www.ca-ilg.org/SB2Survey.
Contact Karalee Browne at kbrowne@ca-ilg.org for more information.

ILG's Beacon Program Recognizes Counties for Their Sustainability Efforts

For over a decade, ILG's Beacon Program has provided a framework to help local governments implement energy and climate action initiatives in their communities, as well as recognize local governments for these efforts. This year ILG will be honoring three counties – Alameda, San Benito and Ventura - for their achievements reducing greenhouse gas emissions, saving energy and implementing sustainability policies and best practices.

For more information about how to participate in the program visit www.ca-ilg.org/BeaconProgram.

ILG Provides Direct Assistance to Alameda County

ILG helped design and facilitate a multi-agency workshop in Alameda County in June, as part of a joint collaboration between the Office of Emergency Services, Fire Department, Public Health Department, and the Office of Sustainability. The workshop kicked off the development of communication protocols about the health impacts of wildfire smoke. The workshop outcome was the creation of a short-term working group to develop a centralized alert wildfire smoke communication protocol.

ILG Continues to Explore Work Around Disaster Preparedness & Climate Resiliency

In early June, ILG provided facilitation support at the California Office of Emergency Services event - California for All: Emergency Management Preparedness Summit. Attendees discussed Emergency Management Capacity and Individual Preparedness, Disaster Recovery and Risk Reduction. In mid-June, ILG also facilitated a discussion with OPR's Integrated Climate Adaptation and Resiliency Program Technical Advisory Committee on wildfire resilience. Representatives from state and local government shared their perspectives on what tools, resources and information are needed to help local governments better prepare for, respond to and recover from wildfire events.

In late August, ILG hosted a convening of key local and state leaders to discuss projects, priorities and additional opportunities for collaboration on this topic. We're also developing a recommendations report, funded by OES, that is focused specifically on local agency needs in emergency management.

ILG continues to seek funding for development of essential resources to help local government leaders address Disaster Preparedness and Climate Resiliency through a "Prepare, Respond and Recover" framework.

Filling the Workforce Pipeline through 'Governments Engaging Youth'

Local governments face a unique challenge with filling the future workforce pipeline. To address that, ILG is leveraging its workforce and civics education program to educate and inspire the next generation of local leaders. Recent work (noted below) has centered around two areas - an advisory group focused on workforce development and an update of civics curriculum for K-12 schools in California. These critical components are working in tandem to move the needle on this issue.

Innovative Pathways to Public Service

The advisory group known regionally as "Innovative Pathways to Public Service" (IPPS) includes partners from K-12, community colleges, state and local government human resources officials, private and non-profit partners in workforce/youth development and regional leadership groups. The group is focused on building collective commitment and capacity to meet the workforce needs of the public sector. In late August, IPPS hosted a leadership convening to discuss results from a new study about public sector labor needs. In addition to sharing the results of the study, the collaborative issued a call to action to address the public sector workforce and the lack of seamless pathways, awareness of the breadth of jobs and essential services provided by public sector professionals, and diversity within the Sacramento region's public sector. Sonya Logman, Deputy Secretary to Governor Newsom served as the keynote speaker and the event featured a panel of government employers including Kate Sampson (El Dorado County and Adria Jenkins-Jones (CalHR).

Picture Yourself in Local Government

Young people that understand local government are more likely to want to pursue a career in local government. That's why K-12 curriculum updates are so important for addressing the workforce pipeline issue. The Picture Yourself in Local Government curriculum was recently updated to provide educators and municipal organizations succinct and current text to engage students and new audiences to local government. See the new materials online: www.ca-ilg.org/pylg.

New Resource Center on Opportunity Zones

In May, ILG launched its new online resource center on Opportunity Zones. The resource center includes:

- Background information;
- Maps and history on the selection of California's 879 Opportunity Zones;
- Steps local leaders and officials can take to prepare for Opportunity Zone investment;
- Additional tools including articles, presentations, data tools, sample prospectus and reports.

In June, ILG facilitated a panel discussion on Opportunity Zones at CSAC's regional workshop on economic development in Fresno. The panel included: Larry Kosmont (Kosmont Companies), Will Oliver (Fresno Economic Development Corporation) and Matt Horton (Millken Institute).

View the new section of ILG's site at www.ca-ilg.org/oppzones.

ILG Engages in Strategic Planning Process

Earlier this year, ILG's Board of Directors decided to embark on a strategic planning process. An ad-hoc committee has been selected and an external consultant has been hired. The ILG board and staff are working with the consultant to refine ILG's vision, mission and values, and develop a path forward. Recently at the Board's two day planning retreat ILG continued to refine the plan. The goal is to have a final document in November.

The final ILG board meeting of the year will take place Friday, November 15th in Sacramento.

Summer-Fall 2019

Course Guide

CSAC 10 YEARS INSTITUTE FOR EXCELLENCE IN COUNTY GOVERNMENT A DECADE OF EXCELLENCE

A good head and a good heart are always a formidable combination. – Nelson Mandela

Exceptional professional development for county elected officials, executives and managers

Schedule at a Glance

DATE			LOCATION	PAGE
JULY				
11	(TH)	Financing California Counties	Shasta/Tehama	3
18	(TH)	Negotiations and Collaboration in Complex Environments	Santa Cruz	5
18-19		*Two-Day Class* New Supervisors Institute – Session 3	Sacramento	
19	(F)	County Financial Reporting for Nonfinancial Professionals	Tulare	2
AUGUST				
8	(TH)	Facilitation Practices: Basics of Bringing People Together	Sacramento	3
8	(TH)	Customer Service in the Public Sector	Shasta/Tehama	2
15	(TH)	Polish Your Writing	Sacramento	6
15	(TH)	Bridging Contentious Communities	Santa Cruz	2
29	(TH)	Optimize IT Change Management	Sacramento	4
30	(F)	Local Governance in California	Sacramento	5
SEPTEMBER				
5	(TH)	Polish the Presentation	Sacramento	6
12	(TH)	Resiliency: Recover, Adapt and Sustain	Shasta/Tehama	6
13	(F)	GASB Financial Reporting Requirements	Sacramento	3
13	(F)	Leadership and Change: Practices to Move People	San Diego	4
19	(TH)	Resiliency: Recover, Adapt and Sustain	Santa Cruz	6
20	(F)	Leadership and Change: Practices to Move People	Tulare	4
26	(TH)	Capital Improvement Planning and Funding	Sacramento	2
27	(F)	County Budgeting and Financial Planning	Sacramento	2
OCTOBER				
10	(TH)	Managing Conflict with Comfort	Shasta/Tehama	5
10	(TH)	IT Executive Cybersecurity	Sacramento	4
11	(F)	How to Be Human at Work	Sacramento	3
11	(F)	Financing California Counties	San Diego	3
17	(TH)	Making an Impression: Working with the Media	Sacramento	5
17	(TH)	Engaging Employees for Success	Santa Cruz	3
18	(F)	Thinking Strategically in Trying Times	Tulare	7
24-25		*Two-Day Class* Realignment 101: Basics of 1991 and 2011	Sacramento	6
NOVEMBER				
1	(F)	Engaging Employees for Success	Sacramento	3
8	(F)	World Class Contracting and Purchasing	Sacramento	7
8	(F)	When Bad Things Happen: Media and Public Relations	San Diego	7
15	(F)	State Budget 101	Tulare	7
22	(F)	Storytelling and Other Practices in the Art of Persuasion	Sacramento	7
DECEMBER				
12-13		*Two-Day Class* Performance Measurement & Management	Sacramento	5
12	(TH)	IT Performance Metrics and Customer Value	Sacramento	4
13	(F)	Tackling Nagging Problems with Purpose	Sacramento	1
13	(F)	Leadership by Values	San Diego	4
19	(TH)	Managing Conflict with Comfort	Sacramento	5
20	(F)	Art & Practice of Organizational Leadership	Tulare	2

HIGHLIGHTED COURSES

Intentionality: Tying together activities to address tough issues

Tackling Nagging Problems with Purpose, Outcomes and Intentionality 113

REVISED! We all have those nagging problems that lurk in the background, the ones you know you should tackle but never seem to have time. In reality, they are often the ones we really don't want to undertake, or worse, we've made them "unsolvable", working around rather than tackling them. This class provides a much needed break to really examine these issues. Participants take a step back to identify the roots of the issues, re-frame them as necessary, and then identify alternative strategies to reduce roadblocks, sequence steps, identify stakeholders and develop flexibility in addressing tough issues. The class is about creating a mind-set for tackling problems and knowing whether you're making progress or not. Be prepared to be challenged, and encouraged to think in new ways.

Instructor: Mary Kirlin, DPA is a former professor and department chair in public policy at Sacramento State University.

Friday, December 13, 2019 10:00 a.m.–3:30 p.m.
Sacramento • $149/person for counties • 3 credits • Staff/Elected Officials

SPECIAL OFFERINGS

Financial Management Series

Capital Improvement Planning and Funding
Thursday, September 26, in Sacramento

County Budgeting and Financial Planning
Friday, September 27, in Sacramento

World Class Contracting and Procurement
Friday, November 8, in Sacramento

Polish Your Communication Series

Polish the Presentation
Thursday, September 5, in Sacramento

Polish Your Writing
Thursday, August 15, in Sacramento

Two-Day Intensive Courses

Realignment 101: The Basics of 1991 and 2011 Realignments
Thursday-Friday, October 24-25, in Sacramento

Performance Measurement and Management
Thursday-Friday, December 12-13, in Sacramento

CSAC California Counties FOUNDATION
California State Association of Counties
California Counties Foundation, Inc.

For registration please visit **www.csacinstitute.org**

LEARN . GROW . ACHIEVE

Updated 23 May 2019

Nature and dimensions of leadership in effective organizations

Art & Practice of Organizational Leadership 120

This interactive course designed for both experienced and new senior county managers explores the practical applications of leadership in creating a high performing county organization – especially in the difficult environments counties operate. Participants engage in discussions of key practices in formal and informal leadership, particularly in achieving sustainable change; employee engagement and team-building strategies; leadership when you're not in charge; and techniques for developing a vital workplace culture which supports organizational members.

Instructor: David Boesch is a former county administrative officer and city manager.

Friday, December 20, 2019 10:00 a.m.–3:30 p.m.
Tulare • $149/person for counties • 3 credits • Managers/Executives

Tools for engagement and decision making on difficult issues

Bridging Contentious Communities 112

Join former Nebraska State Senator Dave Landis for this engaging and entertaining discussion of how to work with others to address and bridge community problems, particularly in this era of divisiveness. This course examines a variety of problem solving and decision-making practices which will improve the likelihood of achieving your desired objectives. Case examples demonstrate application of ideas and challenge participants to consider alternative approaches in dealing with divisive community problems and opportunities. Participants gain hands-on experience with using the tools and exploring application to real world situations.

Instructor: David Landis is a former long-time Nebraska state senator, university instructor and economic development director for Lincoln, NB.

Thursday, August 15, 2019 10:00 a.m.–3:30 p.m.
Santa Cruz • $149/person for counties • 3 credits • Staff/Elected Officials

Effectively design and manage county capital improvement projects

Capital Improvement Planning and Alternative Approaches to Funding 155

NEW! Does your county have an updated CIP? This class will help you better understand what it is, how it is developed, management of **C**apital **I**mprovement **P**rogram projects, recommedned county polices, funding sources, and what questions you should be asking. Participants examine emerging fields of alternative funding options such as Public-Private Partnerships (P3), Design Build Project Delivery and other alternative funding streams, including benefits, opportunities, and cautions. The session will look at various case studies and lessons learned. Legal issues for protecting county interests are also discussed.

Instructors include: Andy Freeman, Chief Operating Officer, Vanir Construction Management, Inc., county partners and finance experts.

Thursday, September 26, 2019 10:00 a.m.–3:30 p.m.
Sacramento • $149/person for counties • 3 credits • Staff/Elected Officials

TAKE THIS WITH *County Budgeting and Financial Planning* ON SEPTEMBER 27

Overview of county budgeting and financial management

County Budgeting and Financial Planning 116

Counties have complex systems for budgeting and financial management. This course provides a comprehensive overview of the ins and outs of county budgeting and the budget process. Discussion includes a review of the County Budget Act, a year in the county budget cycle, key elements of a budget, and integration of strategic plans into the annual budget. Participants also examine county revenue sources, sales and property tax allocation, General Fund and special funds, creating and integrating department-recommended budgets, and public involvement in the budget process. The class explores key elements in longer-term county financial planning and management. Class is a must for everyone involved in the budget process.

Instructors: Patrick Blacklock is County Administrator of Yolo County, and Robert Bendorf is County Administrator of Yuba County.

Friday, September 27, 2019 10:00 a.m.–3:30 p.m.
Sacramento • $149/person for counties • 3 credits • Staff/Elected Officials

TAKE THIS WITH *Capital Improvement Planning* ON SEPTEMBER 26

Understand and interpret county financial reports

County Financial Reporting and Budgeting for Nonfinancial Professionals 369

This course provides the tools for decision-makers, elected officials, senior managers – other than accountants and auditors – who want to have an overview understanding of government financial reporting. Participants discuss budgets, financial statements and the audit, and at the 30,000 foot level what each of those is saying (or not saying!). Participants should bring questions about terms or concepts they have encountered as part of their interaction with county and government financial reporting. The discussion reviews terms and definitions used with government financial reporting and strategies on how to read financial statements and auditor reports to identify critical information and understand what it means … in plain English!

Instructor: James Gladfelter, CPA, is an experienced financial manager with community-based organizations and county contractors.

Friday, July 19, 2019 10:00 a.m.–3:30 p.m.
Tulare • $149/person for counties • 3 credits • Managers/Executives

Create customer satisfaction in a county setting

Customer Service in the Public Sector: Balancing Satisfaction with Priorities 354

Strategies to create and enhance a customer service culture for their agency is the focus of this class for managers and executives. Participants explore how to balance great customer service with county and state regulations and requirements. It focuses on what defines good customer service and a service culture. Lively small and large group conversations provide tools to assess the current environment, gaps to be more service oriented, and how to get there. The structure and process to support and recognize effective customer service are examined -- even in difficult regulatory situations. Barriers to good customer service are discussed along with service and performance measurements.

Instructor: Angela Antenore, M.Ed. is an experienced strategic facilitator, agency board member and university instructor.

Thursday, August 8, 2019 10:00 a.m.–3:30 p.m.
Shasta/Tehama • $149/person for counties • 3 credits • Staff/Elected Officials

Leadership can't be exercised alone

Engaging Employees for Success 126

In times of disruptive change and scarce resources, it is critical that employees from all levels of the organization are fully productive and engaged in adapting to change and addressing new challenges. This interactive workshop discusses the business case for employee engagement, the conditions fostering active engagement, and simple steps for supervisors, managers and co-workers to promote engagement.

Instructors: Dr. Frank Benest is former city manager of Palo Alto and a noted expert in organizational leadership; Donna Vaillancourt is former San Mateo County Human Resources Director.

Thursday, October 17, 2019 10:00 a.m.–3:30 p.m.
Santa Cruz • $149/person for counties • 3 credits • Managers/Executives

Friday, November 1, 2019 10:00 a.m.–3:30 p.m.
Sacramento • $149/person for counties • 3 credits • Managers/Executives

Hands-on practices to facilitate internal & community meetings

Facilitation Skills: The Basics of Bringing People Together 377

County staff can play an important facilitative role to encourage agencies, community groups, neighborhoods and others to have a conversation to problem solve and seek solutions together. Facilitation skills are a powerful leadership practice – particularly when you don't have formal authority to work through adaptive challenges or difficult problems. Whether you facilitate teams, inter-departmental or public meetings, or any group ... the skills from this class will be of value. This workshop introduces the basics of facilitation and provides participants with a wide range of hands-on practices and techniques.

Instructor: Bill Chiat is Dean of the CSAC Institute and has faciltated hundreds of local government workshops and meetings.

Thursday, August 8, 2019 10:00 a.m.–3:30 p.m.
Sacramento • $149/person for counties • 3 credits • Staff/Elected Officials

The context of county-state revenue relationships

Financing California Counties: The History 151

Have you found yourself overwhelmed trying to understand the county revenue sources and funding streams? And how we ended up with this complex system? This course provides an in-depth examination of the history of county revenue sources and how they have evolved over decades. Exploring the context of county funding decisions by the legislature and administration over the last 40 years is critical in understanding the current state-county funding and revenue relationships. The class examines the history and consequences of major elements in county revenues including: Proposition 13, 172, 1A, Vehicle License Fees, Realignment, ERAF, property tax allocations, current year State budget and more.

Instructor: Diane Cummins is Special Advisor to the Governor on State and Local Realignment.

Thursday, July 11, 2019 10:00 a.m.–3:30 p.m.
Shasta/Tehama • $149/person for counties • 3 credits • Staff/Elected Officials

Friday, October 11, 2019 10:00 a.m.–3:30 p.m.
San Diego • $149/person for counties • 3 credits • Staff/Elected Officials

The impact of GASB 34 for local governments continues to reverberate

GASB Financial Reporting Requirements 364

GASB 34, Basic Financial Statements – and Management's Discussion and Analysis – continues to change the way counties prepare and review their financial reports. This course will build you understanding of GASB 34, and implementation of recent GASB pronouncements -- including GASB 75, exposure drafts and future agenda items. Participants review key concepts such as basic financial statement formats, reconciliations of government-wide financial statements to the funds financial statements, note disclosures and infrastructure capital assets. The class also highlights accounting, financial reporting and disclosure issues; new pension standards: GASB 67 and 68; and review of the county Comprehensive Annual Financial Report. *Eligible for CPE credits for CPAs* and *MCLE credits for members of the California Bar.*

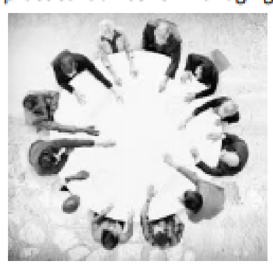
Instructor: Kenneth H. Pun, CPA, CGMA is the Managing Partner of the Pun Group Accountants and Advisors.

Friday, September 13, 2019 9:30 a.m.–3:30 p.m.
Sacramento • $149/person for counties • 3 credits • Managers/Executives

Personal Literacy: The human side of our professional life

How to be Human at Work 324

Until robots take over the world of work, we will still be showing up with all of our "human-ness" every day. Contrary to popular thought, nobody really compartmentalizes or keeps the parts of our lives separate. We bring our best and our baggage. In this class we explore what makes us human, how our emotions impact our work lives, practical advice for managing difficult people and situations, empathy and its role in the workplace, and what it means to tend to our personal well-being at work. Workshop exercises, assessments, and tools provide new ways of thriving at work and helping others do the same.



Instructor: Laree Kiely, Ph.D. is president and CEO of We Will, Inc. and former professor at the USC Marshall School of Business.

Friday, October 11, 2019 10:00 a.m.–3:30 p.m
Sacramento • $149/person for counties • 3 credits • Managers/Executives

Strategies to move technology changes forward

Optimize IT Change Management 335

NEW! Implementing changes is a constant activity for information technology departments, but doing so in a managed way has remained challenging. During this session we will define the key goals of change management, and work through the design, implementation and improvement of your change approach so that it best suits the needs and velocity of your organization. Discussion will focus on tactics to engage clients in the change efforts and how to overcome resistance to change.

Instructor: Valence Howden is a Research Director in the CIO Advisory Group at Info-Tech Research Group

Thursday, August 29, 2019 10:00 a.m.–3:30 p.m.
Sacramento • $149/person for counties • 3 credits • IT Managers/Executives

Information security is about sustainability of the county

IT Executive Cybersecurity 346

The technology of today has completely unleashed information in terms of volume, variety, and velocity, and as a result, information has become more critical than ever to competitive, strategic, operational, and even personal decision-making. This also means an organization's information is that much more attractive to someone on the outside, and many outsiders have malicious intent. Advanced persistent threats are already here, and the increasing numbers and use of mobile devices and cloud storage only heightens exposure by increasing the number of potential attack points. This course provides county IT leaders with knowledge and tools to achieve a comprehensive understanding of where counties are at risk for security threats and attacks, how to prioritize and build out security initiatives, the technology available to establish end-to-end protection, and how to ensure compliance from the weakest link in any security system – the human user.

Instructor: Manish Kothari is a Manager in the CIO Advisory Group at Info-Tech Research Group

Thursday, October 10, 2019 10:00 a.m.–3:30 p.m.
Sacramento • $149/person for counties • 3 credits • IT Managers/Executives

Create better value for – and relationships with – IT customers

IT Performance Metrics and Customer Value Management 342

County governments create value for citizens through the services they deliver. Doing so effectively and efficiently not only requires a keen understanding of how government service quality is impacted by the internal systems and processes which enable them, but also requires establishing metrics around these systems and processes in order to measure performance - after all if it isn't measured, it isn't managed. This facilitative course is designed to help county IT professionals understand the metrics that matter. By taking a customer-centric approach, participants will understand how to establish metrics across IT services, applications, and infrastructure, optimize performance over time, and communicate the benefits realized to the rest of the organization through a series of interactive discussions, group activities, and individual exercises.

Instructor: Valence Howden is a Research Director in the CIO Advisory Group at Info-Tech Research Group.

Thursday, December 12, 2019 10:00 a.m.–3:30 p.m.
Sacramento • $149/person for counties • 3 credits • IT Managers/Executives

Why change efforts fail - and how to remove those barriers

Leadership & Change: Practices to Move People and Organizations 124

County officials and managers discuss the need for change in their organizations, yet struggle when change is difficult to accomplish within the depths of the organization. This course helps participants move past technical solutions to the practices for approaching adaptive challenges. Discussion highlights why some changes happen relatively quickly while others are stymied. Participants explore change from the perspective of those whom the change affects. Practical discussions focus on design of a change process; practices to diagnose, interpret and select interventions; barriers; and creating an environment in which people can expand their capacity to address adaptive change.

Instructor: Bill Chiat, Dean of CSAC Institute. For the last 40 years he has worked with hundreds of local agencies in crafting change.

Friday, September 13, 2019 10:00 a.m.–3:30 p.m.
San Diego • $149/person for counties • 3 credits • Staff/Elected Officials

Friday, September 20, 2019 10:00 a.m.–3:30 p.m.
Tulare • $149/person for counties • 3 credits • Staff/Elected Officials

Harnessing the power of purpose

Leadership by Values: Strategies for Success in Public Service 122

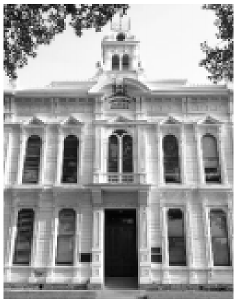
Understanding the relationship of values to decisions can be a helpful decision-making tool. Focusing on commonly held (although sometimes competing) values underlying difficult policy dilemmas can help leaders bridge differing perspectives—either while policies are being debated or after difficult decisions have been made and need to be explained. In addition, clearly articulated organizational values provide staff with important information on an organization's priorities. This course explores the role values play in both personal and organizational leadership, strategies to consider in modeling organizational values, and approaches to making and explaining difficult decisions.

Instructor: Dr. Rich Callahan is professor of management at the University of San Francisco.

Friday, December 13, 2019 10:00 a.m.–3:30 p.m.
San Diego • $149/person for counties • 3 credits • Staff/Elected Officials

JPA-Special Districts-MPO-LAFCo-COG-Cities-CSA: What do they all do?

Local Governance in California 150



California has a complex system of providing services through local governments. This course provides an overview of local government structure and responsibilities in California. You'll learn the basics of all the local agencies and how they interrelate with county responsibilities. A brief history of California governance is followed by a review of the roles and responsibilities of the state, cities, counties, special districts and an alphabet soup of other local agencies. Discussion highlights the authority and responsibilities of the county as it relates to other agencies through a county case study on the interrelationships of all these local agencies.

Instructor: Bill Chiat, CSAC Institute Dean, former executive director of the California Association of Local Agency Formation Commissions and experienced executive in county, district and city governments.

Friday, August 30, 2019 10:00 a.m.–3:30 p.m.
Sacramento • $149/person for counties • 3 credits • Staff/Elected Officials

Hands-on workshop in media relations

Making an Impression: Effective Media Practices 352

Every call from the news media for an interview presents both risk, and an opportunity to make a positive impression. This course helps seasoned professionals and elected officials understand the news media, how it works and why it works the way it does. The course will also help polish interviewing skills, staying on message and bridging back to main messages. The course covers practical strategies for planning, preparing and delivering interviews that get your message across in a way that can be retained by the audience. Participants build their skills for live, taped and phone interviews. Hands-on work includes practice labs, videos and constructive critiques from media professionals.

Instructors: David Liebler is the CSAC Director of Public Affairs and Members Services and a former journalist; Betsy Burkhart is the Communications and Outreach Manager for the City of Walnut Creek.

Thursday, October 17, 2019 10:00 a.m.–3:30 p.m.
Sacramento • $149/person for counties • 3 credits • Staff/Elected Officials

Facilitate conflict constructively

Manage Conflict (Even Hostility) in Comfort 360

Conflicts and disagreements are a fact of life. They can contribute to better outcomes or can lead to an escalating situation. Transform the most difficult circumstances into a satisfying experience for all involved. This course helps County elected officials and executives identify constructive approaches to positively managing conflict whether from the dais, in a meeting, or one-on-one. Participants analyze their own response to conflict and develop tools to quickly assess and respond to difficult situations and create practical, positive outcomes.

Instructor: Laree Kiely, Ph.D. is president and CEO of We Will, Inc. and professor at the USC Marshall School of Business.

Thursday, October 10, 2019 10:00 a.m.–3:30 p.m.
Shasta/Tehama • $149/person for counties • 3 credits • Staff/Elected Officials

Thursday, December 19, 2019 10:00 a.m.–3:30 p.m.
Sacramento • $149/person for counties • 3 credits • Staff/Elected Officials

Achieve outcomes in everyone's best interest

Negotiations and Collaboration in Complex Environments 356

Negotiation is "a back and forth interaction among two or more people who wish to arrive at a mutually agreeable outcome where the parties have some interests in common and some that are opposed." This definition from Fisher and Ury's book Getting to Yes describes most "Public Good" negotiations. Solution-Based Negotiation teaches participants how to achieve the most beneficial outcomes for all negotiating parties while ensuring the outcomes are in the best interest of the public while the negotiating parties' relationships end positively. This course covers the most current tried and tested behaviors in the field of negotiation and gives you tools that will be immediately useful in your work. Best of all, it can help you serve your constituents in the best possible ways without needless compromise.

Instructor: Dr. Laree Kiely is president of the Kiely Group, and professor at the USC Marshall School of Business.

Thursday, July 18, 2019 10:00 a.m.–3:30 p.m.
Santa Cruz • $149/person for counties • 3 credits • Staff/Elected Officials

TWO-DAY INTENSIVE WORKSHOP

Measurement influences behavior and drives performance

Performance Measurement and Management: Accountability for Results 370

World-class public agencies recognize the critical role of performance management and measurement in helping define the strategy, public value and performance expectations of the organization as well as aligning individual and agency decision-making toward desired public value creation. They also help managers assign and use resources effectively. Because the public is demanding accountability and transparency from government, performance measurement is a leadership practice for county managers to better plan and manage outcomes and not just activities. The workshop focuses on designing effective and realistic performance measurement systems. Participants explore practical approaches, techniques and tools to create, implement and analyze measurements to improve county performance and better communicate outcomes to the community. Hands-on exercises examine criteria for measurement selection, with time for participants to develop balanced, outcome-based measures for their agencies.

Instructors: Laree Kiely, Ph.D. is president and CEO of We Will, Inc. and professor at the USC Marshall School of Business; Bill Chiat is Dean of CSAC Institute and former CEO of Napa County.

Thursday-Friday, December 12-13, 2019
10:00 – 4:30 p.m. Thursday and 8:30 – 3:00 p.m. Friday
Sacramento • $298/person for counties • 3 credits • Staff/Elected Officials

POLISH YOUR COMMUNICATIONS SERIES

For experienced presenters wanting to 'up' their presentations

Polish Your Presentation: Advanced Practices in Communication 125

This intense class helps senior managers and elected officials better present their ideas with conviction, control and poise — and without fear. The course covers specific skills and advanced techniques for delivering professional presentations that get results. Participants examine their presentation style, learn to use tools to organize their presentation and communicate their thoughts, and handle difficult situations. A straightforward presentation model helps participants build their self-confidence and overcome the common mistakes which turn off audiences. Use of graphics and presentation tools are also examined. Through a lab, participants work on improving one of their own presentations.

Instructor: Bill Chiat is Dean of the CSAC Institute and an accomplished presenter with city, county and state governments.

Thursday, September 5, 2019 10:00 a.m.–3:30 p.m.
Sacramento • $149/person for counties • 3 credits • Staff/Elected Officials

Make your case in writing

Polish Your Writing: Professional Practices in Communication 133

An advanced class designed for anyone who wants to improve their ability to communicate important issues in writing … to Boards, employees, media, the community. County officials often communicate through written documents. This course will discuss different types of written work (including policy memos, decision memos, and informational writing), tips for communicating clearly in writing, and approaches to making complex topics digestible for lay audiences. We will also discuss when and how to use visuals to enhance the understanding of your written work. Writing is a process of creating a record for someone else and this course will assist you in identifying your audience(s) and writing with them in mind. The course will include samples of writing, opportunities to assess your own writing, and experience editing the work of others.

Instructor: Dr. Mary Kirlin is a consultant with local governments and a former public policy professor at Sacramento State University.

Thursday, August 15, 2019 10:00 a.m.–3:30 p.m.
Sacramento • $149/person for counties • 3 credits • Staff/Elected Officials

Visit www.csacinstitute.org for

- Current class information
- Special seminars and professional development opportunities
- Downloadable resources

TWO-DAY INTENSIVE WORKSHOP

Context, structure and funding of realignment in California

Realignment 101: The Basics of 1991 and 2011 Realignments 307

This two-day course examines the history and rationale for establishing it in 1991, why programs were included, what was learned, and the expansion to realignment in 2011 – all updated with program and funding changes through 2019. Participants first examine the establishment and programs of the 1991 realignment. Discussion details health and human services and mental health programs. Participants explore individual programs, how they work, funding and current status. The course examines the 2011 realignment – including AB 109 – with an emphasis on public safety programs. Details on the realigned programs, changes to 1991 realignment services, implementation, funding and how counties are implementing the 2011 realignment are all discussed. The second day features a detailed examination of fiscal issues: structure and allocation of local funds; flow of funds in human services, public safety, health, behavioral health, and other programs; forecasting and tracking realignment, VLF and Prop 172 funds; fund growth; and other fiscal issues.

Instructors: Diane Cummins, former Special Advisor to the Governor on Realignment; Andrew Pease, Finance Director, San Diego County Health and Human Services Agency; and Robert Manchia, San Mateo County Human Services Agency.

Thursday - Friday, October 24-25, 2019
10:00 – 4:30 p.m. Thursday and 8:30 – 3:00 p.m. Friday
Sacramento • $298/person for counties • 6 credits • Staff/Analysts

Rebound from the untoward effects of adversity and uncertainty

Resiliency: Build an Organization to Recover, Adapt and Sustain 323

Counties operate in a volatile and complex world, where anticipated and unanticipated challenges emerge regularly. The key is to not only survive such events, but to prosper as an organization. Resilience is the ability to cope with the challenges, problems and set-backs organizations and individuals face. This class defines the attributes of resiliency and focuses on strategies to build a culture of resiliency in your organization and employees. Exercises and discussion focus on three traits of resiliency: staunch acceptance and communication of reality; ability to observe and interpret meaning in messy and terrible situations; and the skills to innovate with resources at hand. Course exercises and discussion provide practical tools to build an organizational culture of resiliency.

Instructor: Bill Chiat is Dean of CSAC Institute and has worked with local governments across the West in building organizational capacity.

Thursday, September 12, 2019 10:00 a.m.–3:30 p.m.
Shasta/Tehama • $149/person for counties • 3 credits • Managers/Executives

Thursday, September 19, 2019 10:00 a.m.–3:30 p.m.
Santa Cruz • $149/person for counties • 3 credits • Managers/Executives

We depend on it … How does that state budget process work??

State Budget 101: What Counties Need to Know 396

Did you ever wonder how the Governor made that budget decision or why it changed it in May? Or do you want to find out how the Legislature changes the Governor's proposal or how counties can influence either the Governor or the Legislature? This is the class where you can learn the budget basics and answers to those questions and so much more. The class takes an inside look at the state budget process, policy and politics. Learn about how to find and interpret budget information and a few tips about influencing the budget decisions.

Instructors: Diane Cummins is former Special Assistant to the Governor; Jean Hurst is Principal with HBE Advocacy.

Friday, November 15, 2019 10:00 a.m.–3:30 p.m.
Tulare • $149/person for counties • 3 credits • Managers/Executives

Storytelling is one of life's most powerful tools

Storytelling and Other Leadership Practices in the Art of Persuasion 378

Persuasion is interpreted as an attempt to evoke a voluntary change in the attitude or behavior of another person. Effective leaders are able to tell stories that speak to others and markedly influence their behaviors. Through hands-on exercises the class explores elements of storytelling and how to construct and use stories in the practice of leadership. Participants examine case studies and experiences to develop their own stories. Other practices examined include metaphors, humor, reciprocation, contrast and conformity. These tools are placed in the context of enhancing the transaction between leader and follower and authentically hearing the needs of listeners.

Instructor: Bill Chiat is Dean of the CSAC Institute and has been a practitioner of leadership (and storytelling) for 35 years.

Friday, November 22, 2019 10:00 a.m.–3:30 p.m.
Sacramento • $149/person for counties • 3 credits • Staff/Elected Officials

New ways to think and work through enduring problems

Thinking Strategically in Trying Times 363

This intense seminar discusses the challenges of strategic agility with the critical, enduring problems counties face. The focus is on the art of possibilities. Participants examine separating probabilities (what's likely to happen) from possibilities (what could happen) and applying concepts of creative and strategic thinking to find different paths to solutions. The conversation provides strategies to question assumptions; identify the environmental issues; distinguish strategies from tactics; use team resources, and structure learning from experience.

Instructor: Dr. Rich Callahan is professor of management at the University of San Francisco.

Friday, October 18, 2019 10:00 a.m.–3:30 p.m.
Tulare • $149/person for counties • 3 credits • Staff/Elected Officials

Prepare for organizational scandals and crises

When Bad Things Happen: Managing the Media in Crises and Emergencies 357

Counties are prepared for natural disasters … but what about federal and state investigations, embezzlement of funds, arrest or death of an official, program failure, scandals uncovered and other unexpected situations. This course focuses on the communications principles required to respond to organizational crises. Case studies are analyzed to identify successful and unsuccessful responses. A set of steps are presented to prepare a communications response, including role assignments, strategies and tactics which target affected audiences, key messages which tell the county's story, and delivering the response via the media and other communications vehicles. Techniques are shared for response options, sample messages, understanding media perspective and how to avoid common pitfalls and missteps.

Instructors: Sheri Benninghoven, APR is President of SAE Communications. Scott Summerfield is an expert in public agency strategic communications.

Friday, November 8, 2019 10:00 a.m.–3:30 p.m.
San Diego • $149/person for counties • 3 credits • Staff/Elected Officials

Manage county resources effectively and efficiently

World Class Contracting, Contract Management and Procurement 392

Every County or public entity requires the effective procurement of goods and services in order to successfully achieve its mission, business objectives and meet the needs of its constituents. This class provides insight into fundamental principles of public contracting and procurement, the role of contracting and procurement within your organization, as well as, best in class strategies which lead to effectively and efficiently meeting your requirements. Discussion will cover the principles and key elements of contract management and procurement process, and will provide participants a broad understanding of various contracting approaches, best practices, and will discuss practical examples of contract monitoring tools and templates. Prior and during this session, participants will be invited to submit specific contracting and procurement situations and questions, which they would like to be discussed during the session.

Instructor: Jack Pellegrino, CPCM is the Director of Purchasing and Contracting for the County of San Diego and an Instructor at San Diego State University. He is a Certified Contracts Manager.

Friday, November 8, 2019 10:00 a.m.–3:30 p.m.
Sacramento • $149/person for counties • 3 credits • Staff/Elected Officials

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COURSE SCHEDULE INDEX

Institute Courses by Topic

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www.csacinstitute.org Visit the Institute website for updated information, course schedules and resource materials, including materials from many of the Institute's most popular classes.

ABOUT CSAC Institute

CSAC Institute for Excellence in County Government is a professional, practical continuing education program for senior county staff and elected officials. Its goal is to expand capacity and capability of county elected officials and senior staff to provide extraordinary services to their communities. The Institute was established in 2008 and is a component of the California Counties Foundation, Inc. and the California State Association of Counties (CSAC). Nearly 6,000 county staff and elected officials have taken courses. The Institute is supported by the California Counties Foundation (a 501(c)(3) charity), CSAC, grants from organizations and foundations, and course registration fees.

Course Locations

Sacramento – Courses are held downtown at the Sacramento Area Council of Governments, 1415 L Street, 3rd floor, or the Sacramento Masonic Center, 1123 J Street.

San Diego – Courses are hosted by San Diego County and held at the San Diego County Operations Center, 5560 Overland Avenue, San Diego.

Santa Cruz – Courses are hosted by Santa Cruz County and held at the Santa Cruz County Sheriff's Community Room, 5200 Soquel Avenue, Santa Cruz.

Shasta/Tehama – Courses are hosted by Shasta and Tehama counties and held in Redding at the Best Western Hilltop Inn, 2300 Hilltop Drive.

Tulare – Courses are hosted by Tulare County and held at the Tulare County Health & Human Services Agency, 4031 West Noble Avenue, Visalia.

Course Registration and Fees

Registration – Course registration is done on-line. *Advance registration is required*. Because of limited class size we cannot accommodate registration at the door. To register for a class please visit www.csacinstitute.org.

Fees – Course tuition includes instruction, materials, certificate and lunch. All county staff and officials are eligible for the special county rate of $149/class day. Staff from county-partnered CBOs, CSAC Partners and Premier Members, and CSAC Affiliate Members are also eligible for this special reduced rate. Regular registration fee is $351/class day.

Discounts – Reduced tuition is available with the purchase of the Credential Package.

Cancellations and Substitutions – Substitutions may be made at no charge; substitutions are not allowed for individuals in a credential package. Registrations may be cancelled by logging into your account, e-mail or calling up to seven days in advance of the class. Refunds are subject to a $20 handling fee. There are no refunds or credits for cancellations within seven days of a class or no-show the day of the class.

Contact Us

Institute Dean - Bill Chiat bchiat@counties.org

Institute Manager – Chastity Benson cbenson@counties.org

Admin. Assistant – Olviya Vataman ovataman@counties.org

916/327-7500 or **info@csacinstitute.org**

2019
CSAC Calendar of Events | Board of Directors

JANUARY	
1	New Year's Day
16	Rural County Representatives of California (RCRC) Board Meeting & Installation of Officers
16	**CSAC Executive Committee Orientation Dinner | Sacramento**
	6:30 PM Reception, 7:15 Pm Dinner | Esquire Grill – 13th & K Streets
17	**CSAC Executive Committee Meeting | Sacramento**
21	Martin Luther King, Jr. Day
30 – 31	**CSAC Executive Committee Leadership Forum | San Diego**

FEBRUARY	
14	**CSAC Board of Directors Meeting |Sacramento**
	10:00 AM – 2:00 PM | Capitol Event Center – 1020 11th Street, Sacramento
18	President's Day
20	Rural County Representatives of California (RCRC) Executive Committee Meeting | Sacramento

MARCH	
2 – 6	**NACo Legislative Conference | Washington, D.C.**
13	Rural County Representatives of California (RCRC) Board of Directors Meeting | Sacramento
21	**Regional Meeting – Housing & Homelessness | Monterey**

APRIL	
4	**CSAC Executive Committee Meeting | Sacramento**
24 – 25	**CSAC Legislative Conference | Hyatt Regency Sacramento**
25	**CSAC Board of Directors Meeting | Sacramento**

MAY	
1	Rural County Representatives of California (RCRC) Board of Directors Meeting | Sacramento
15 – 17	**NACo WIR Conference | Spokane County, Washington**
22	Rural County Representatives of California (RCRC) Executive Committee Meeting | Sacramento
27	Memorial Day

JUNE	
TBD	**Regional Meeting | TBD**
19	Rural County Representatives of California (RCRC) Board of Directors Meeting | Sacramento

JULY	
4	Independence Day
10	Rural County Representatives of California (RCRC) Executive Committee Meeting | Sacramento
11 – 15	**NACo Annual Conference | Clark County, Las Vegas, Nevada**

AUGUST	
1	**CSAC Executive Committee Meeting | Sacramento**
14	Rural County Representatives of California (RCRC) Board of Directors Meeting | Sacramento

SEPTEMBER

2 Labor Day

5 CSAC Board of Directors Meeting | Sacramento

10:00 AM – 2:00 PM | Capitol Event Center – 1020 11th Street, Sacramento

25 Rural County Representatives of California (RCRC) Board of Directors Meeting | El Dorado County

OCTOBER

2 – 4 CSAC Executive Committee Retreat | Santa Cruz County

9 – 10 Regional Meeting – Resiliency | Sonoma County

14 Columbus Day

16 Rural County Representatives of California (RCRC) Executive Committee Meeting | Sacramento

NOVEMBER

11 Veterans' Day

13 Rural County Representatives of California (RCRC) Executive Committee Meeting | Sacramento

28 Thanksgiving Day

DECEMBER

3 – 6 CSAC 125th Annual Meeting | Hilton, San Francisco

5 CSAC Board of Directors Meeting | San Francisco

11 Rural County Representatives of California (RCRC) Board of Directors Meeting | Sacramento

18 – 20 CSAC Officers' Retreat | Napa County

25 Christmas Day

as of 12/12/18