

CSAC BOARD OF DIRECTORS

BRIEFING MATERIALS

Thursday, September 7, 2017

10:00 a.m. - 1:30 p.m.



Meeting Location:

Capitol Event Center

1020 11th St., 2nd Flr., Sacramento, CA

(800) 867-2581 code: 7500508#



California State
Association of Counties



CALIFORNIA STATE ASSOCIATION OF COUNTIES
BOARD OF DIRECTORS
Thursday, September 7, 2017
10:00am to 1:30pm
Capitol Event Center, Sacramento
(800) 867-2581 code: 7500508#

A G E N D A

Presiding: Keith Carson, President

10:00am PROCEDURAL ITEMS

1. Roll Call Page 1
2. Approval of Minutes from May 18, 2017 Page 3

SPECIAL PRESENTATIONS

3. Proposition 57 Implementation Page 8
 - *Scott Kernan, Secretary, CA Department of Corrections and Rehabilitation (CDCR)*
4. CSAC Corporate Partner Remarks Page 15
 - *Jeff Smith, President, Taborda Solutions*

ACTION ITEMS

5. Consideration of In-Home Supportive Services (IHSS) MOE Page 16
 - *Helen Robbins-Meyer, President, CA Association of County Executives (CACE)*

INFORMATION ITEMS

6. CSAC Finance Corporation Update Page 19
 - *Leonard Moty, President, CSAC Finance Corp.*
 - *Alan Fernandes, Executive Vice Pres., CSAC Finance Corp.*
7. Legislative Update Page 20
 - AB 1250—Contracting Out
 - SB 649—Small Cell Towers
 - Cannabis Banking JPA
 - SB 1 Implementation—Transportation Funding (Handout Only)
 - *DeAnn Baker & CSAC advocacy staff*
8. CA Assoc. of County Executives (CACE) Distinguished Service Award Page 49
 - *Helen Robbins-Meyer, President, CACE*
9. CSAC Challenge Awards Page 50
 - *David Liebler, CSAC staff*
10. Operations and Members Services Update Page 54
 - *Graham Knaus, CSAC staff*
11. Information Items (no presentation) Page 66
 - CSAC Litigation Coordination Program Report
 - Institute for Local Government (ILG) Report
 - CSAC Institute Class Schedule
 - CSAC Financial Statement

1:30pm Adjourn

CALIFORNIA STATE ASSOCIATION OF COUNTIES
Board of Directors
2017

<u>Section</u>	<u>County</u>	<u>Director</u>
U	Alameda County	Scott Haggerty
R	Alpine County	Terry Woodrow
R	Amador County	Richard Forster
S	Butte County	Bill Connelly
R	Calaveras County	Michael Oliveira
R	Colusa County	Kim Dolbow Vann
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	Mick Gleason
R	Kings County	Doug Verboon
R	Lake County	Jim Steele
R	Lassen County	Chris Gallagher
U	Los Angeles County	Mark Ridley-Thomas
R	Madera County	Max Rodriguez
S	Marin County	Damon Connolly
R	Mariposa County	Marshall Long
R	Mendocino County	Carre Brown
S	Merced County	Lee Lor
R	Modoc County	Patricia Cullins
R	Mono County	Larry Johnston
S	Monterey County	Luis Alejo
S	Napa County	Diane Dillon
R	Nevada County	Ed Scofield
U	Orange County	Lisa Bartlett
S	Placer County	Jim Holmes
R	Plumas County	Lori Simpson
U	Riverside County	Chuck Washington

U	Sacramento County	Susan Peters
R	San Benito County	Jaime De La Cruz
U	San Bernardino County	James Ramos
U	San Diego County	Greg Cox
U	San Francisco City & County	Malia Cohen
S	San Joaquin County	Bob Elliott
S	San Luis Obispo County	John Peschong
U	San Mateo County	Carole Groom
S	Santa Barbara County	Das Williams
U	Santa Clara County	Ken Yeager
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	James Gore
S	Stanislaus County	Vito Chiesa
R	Sutter County	Larry Munger
R	Tehama County	Robert Williams
R	Trinity County	Judy Morris
S	Tulare County	Steve Worthley
R	Tuolumne County	Sherri Brennan
U	Ventura County	Kelly Long
S	Yolo County	Jim Provenza
R	Yuba County	Doug Lofton

President: Keith Carson, Alameda
 First Vice President: Leticia Perez, Kern
 Second Vice President: Virginia Bass, Humboldt
 Immed. Past President: Richard Forster, Amador

SECTION: U=Urban S=Suburban R=Rural

6/26/17

CALIFORNIA STATE ASSOCIATION OF COUNTIES
 BOARD OF DIRECTORS
 May 18, 2017
 Hyatt Regency Hotel, Sacramento

MINUTES

Presiding: Keith Carson, President

1. ROLL CALL

Alameda	Carson/Haggerty	Placer	Jim Holmes
Alpine	Terry Woodrow	Plumas	Lori Simpson
Amador	Richard Forster	Riverside	Chuck Washington
Butte	absent	Sacramento	Susan Peters
Calaveras	Michael Oliveira	San Benito	Jaime De La Cruz (audio)
Colusa	Denise Carter	San Bernardino	James Ramos
Contra Costa	John Gioia	San Diego	Greg Cox
Del Norte	Chris Howard	San Francisco	Malia Cohen
El Dorado	Sue Novasel	San Joaquin	Bob Elliott
Fresno	absent	San Luis Obispo	John Preschong
Glenn	John Viegas	San Mateo	Carole Groom
Humboldt	Bass/Fennell	Santa Barbara	Das Williams
Imperial	absent	Santa Clara	Ken Yeager
Inyo	Jeff Griffiths	Santa Cruz	Bruce McPherson
Kern	Leticia Perez	Shasta	Leonard Moty
Kings	Doug Verboon (audio)	Sierra	Lee Adams
Lake	Jim Steele	Siskiyou	Ed Valenzuela
Lassen	Chris Gallagher	Solano	Erin Hannigan
Los Angeles	absent	Sonoma	James Gore
Madera	absent	Stanislaus	Vito Chiesa (audio)
Marin	Damon Connolly	Sutter	absent
Mariposa	Marshall Long	Tehama	Robert Williams
Mendocino	Carre Brown	Trinity	Judy Morris
Merced	Lee Lor (audio)	Tulare	Steve Worthley
Modoc	Patricia Cullins	Tuolumne	Sherri Brennan
Mono	Larry Johnston	Ventura	Kelly Long
Monterey	Luis Alejo	Yolo	Jim Provenza
Napa	Diane Dillon	Yuba	Gary Bradford
Nevada	Ed Scofield	Advisors: Bruce Alpert & Helen Robbins-Meyer	
Orange	Lisa Bartlett		

The presence of a quorum was noted.

2. APPROVAL OF MINUTES

The minutes of February 17, 2017 were approved as previously mailed. The counties of El Dorado, Lassen, Mendocino, San Benito and Yuba abstained.

3. HOUSING AFFORDABILITY AND FINANCING REPORT

Tia Boatman and Tony Sertich from the California Housing Finance Agency (CalHFA) provided a report on programs currently being offered. The CALHFA Acquisition and Rehabilitation Loan Program provides competitive interest rates through its partnership with HUD and the US Treasury for the acquisition, rehabilitation and permanent loan financing for housing developments in order to preserve and/or increase the affordability of existing multifamily housing developments.

CalHFA also operates the Local Government Special Needs Housing Program (SNHP) on behalf of mental health agencies throughout California. SNHP allows local governments to use Mental Health Services Act and other local funds to provide financing to developers for the creation of permanent supportive rental housing that includes units dedicated for individuals with serious mental illness, who are homeless or at risk of homelessness. SNHP was created to replace the MHSA Housing Program as an option for local governments to continue to serve MHSA-eligible persons.

CalHFA's new Local Partnership Program is a unique option for affordable housing, where they team up with local governments to better leverage state housing resources. This program is designed to prevent displacement during gentrification of neighborhoods, by placing long-term affordability restrictions on the development.

4. CSAC CORPORATE PARTNER REMARKS

Diane Bruining from Argyle Security presented a report on detention facility contracting services the company provides. Argyle offers design, engineering, installation and integrated security products and solutions to government, justice and correctional markets. In addition to new construction, the maintenance team can assess current facility needs and offer cost saving repairs or replacement solutions.

5. GOVERNOR'S MAY REVISION OF THE 2017-18 STATE BUDGET

Diane Cummins, Special Advisor to the Governor, provided an overview of the Governor's May Revise. Some highlights include: partially mitigating impacts of the in-Home Supportive Services (IHSS) costs with appropriations to counties; school funding increase through the Local Control Formula by \$1.4b; restoring the \$500m child care package; and paying down \$6b for unfunded pension liability to CalPERS.

Ms. Cummins noted that negotiations regarding the In-Home Supportive Services (IHSS) program have been taking place with county stakeholders. As a result of these efforts, the May Revise includes \$1.1b in state general fund contributions over the next four years to mitigate the \$595m cost shift to counties in year one and future years. It also contains a commitment going forward to review the costs of the program within the structure of 1991 Realignment and the impact of the inflation factor. This is an improvement over the January budget that contained an approximate \$600m shift to counties beginning July 1, 2017. She indicated that this is an opportunity for counties and the state to revisit the way IHSS is administered. Caseload growth and minimum wage increases are seen as the biggest factors that will increase IHSS costs in the future. It was suggested that CSAC form an Ad Hoc working group to begin discussions in the fall with the Governor's Office regarding the future of IHSS program. President Carson indicated that once the CSAC Officers and Executive Committee consider future steps, the issue will be brought back to the Board of Directors.

6. CSAC REPORT ON GOVERNOR'S MAY REVISION

CSAC staff produced an analysis of the Governor's May Revise that was sent to all counties on May 11. Staff also distributed a county-by-county funding chart for SB 1 transportation funds. A summary of that

legislation was contained in the briefing materials. Staff also provided an overview of the In-Home Supportive Services (IHSS) MOE.

7. **CSAC POLICY COMMITTEE REPORTS**

Administration of Justice. Staff provided a report from the CSAC Administration of Justice Policy Committee meeting held on May 17. The meeting focused on bail reform issues and no action items were brought forward to the Board of Directors.

Motion and second to accept report from the Administration of Justice committee. Motion carried unanimously.

Agriculture, Environment & Natural Resources. Supervisor Bruce Gibson, Chair of the policy committee, reported that the committee heard informational reports on the future of the Williamson Act and Sustainable Groundwater Management Act during the meeting held May 18. The committee also took action to approve a CSAC Cannabis Policy and requested adoption by the Board of Directors. A copy of the draft policy was contained in the briefing materials and policy committee revisions were distributed at the meeting.

Motion and second to adopt a CSAC Cannabis Policy with the removal of the word "incentivize" in Section II, #1. Motion carried with one 'no' vote and one abstention.

Government Finance & Administration. Supervisor Erin Hannigan, Chair of the policy committee, provided a report from the meeting held May 18. The committee brought forward two action items for consideration by the Board of Directors. The first item was AB 274, which proposes to expand the application of sales tax to also include candy and processed snack foods. The policy committee recommended a 'support' position on this bill.

Motion and second to Support AB 274. Motion carried with two 'no' votes and one abstention.

In addition, the policy committee recommended that the Board of Directors approve the formation of a working group that would be tasked with establishing further policies on sales tax reform efforts.

Motion and second to approve recommendation for form a working group on sales tax reform efforts. Motion carried.

The second item was regarding divestment for CalPERS and other retirement systems in which counties participate. The policy committee recommended that the Board of Directors take an 'oppose' position on legislative efforts to mandate that CalPERS divest from certain industries; thereby endangering the sustainability of the Public Employees' Retirement Fund.

Motion and second to approve recommendation to Oppose legislative efforts regarding CalPERS divestment mandates. Motion carried with one abstention.

Health & Human Services. Supervisor Ken Yeager, Chair of the policy committee, presented a report from the meeting held May 18. The policy committee took action to 'support' the In-Home Supportive Services (IHSS) proposal contained in the May Revision and recommended approval by the Board of Directors. Details of the proposal are:

- Direct State General Fund dollars, \$400m in the first year and \$1.1b over four years – toward IHSS program costs.
- Create a new county IHSS maintenance of effort (MOE).
- In year one (2017-18), the MOE inflation rate would be 0%. It would rise to 5% in year two (2018-19), and then 7% in year three (2019-20) and beyond.

- Redirect all 1991 Realignment sales tax and Vehicle License Fee (VLF) growth funding over the next three years, and then half of these revenues in years four and five, to further offset IHSS costs.
- Institute an annually adjusted cap on funding for local IHSS Administration (IHSS social workers) and activities related to determining eligibility for the program.
- Return wage and benefit bargaining for IHSS providers to all counties, with adjustments to local bargaining that include increases to the current state participation cap on wages and benefits of \$12.10 and language to allow an appeal to the Public Employees Relations Board in any county without a completed bargaining agreement within nine months.

It was noted that there are numerous provisions and complexities within the proposal. However, the result of this plan would be a significantly reduced overall county contribution for IHSS costs in 2017-18 and 2018-19 compared to the January budget. It also protects county general funds to the greatest extent possible during the first two years.

Motion and second to approve the recommendation to 'Support' the IHSS proposal contained in the May Revise. Motion carried unanimously.

As directed by the Board of Directors at its February meeting, the policy committee reconsidered the proposed draft CSAC Platform language related to 'Child Near Fatality Incidents.' The version approved by the policy committee in February was contained in the briefing materials. A version submitted by Supervisor Rexroad was also brought back to the policy committee for consideration at the May 18 meeting. Supervisor Yeager reported that the policy committee deadlocked on Supervisor Rexroad's proposed language and took no action on the committee-recommended language. Therefore, this item will be brought back to the Board of Directors at a future meeting.

Housing, Land Use & Transportation. Supervisor Lisa Bartlett, Co-Vice Chair of the policy committee presented a report from the meeting held on May 18. The committee heard informational reports on SB 1, the Road User Charge Pilot Program, and a legislative update. No action items were brought forward.

Motion and second to accept the policy committee report. Motion carried unanimously.

8. PROPOSED CSAC BUDGET FOR FY 2017-18

Supervisor Valenzuela, CSAC Treasurer, presented the proposed CSAC Budget for FY 2017-18, as contained in the briefing materials. He noted that all building debt has been eliminated and that the six-month reserve remains in place. In addition, a Capital Improvement Program fund in the amount of \$500,000 is included in the proposed budget. This fund is designated for major repairs that may be needed in the coming years, such as heating/air, roof or other items in the aging building. The budget also includes an additional staff position in the communications unit. The proposed budget was approved by the Executive Committee in April and is recommended for adoption by the Board of Directors.

Motion and second to adopt the proposed CSAC Budget for FY 2017-18 as presented. Motion carried unanimously.

9. UPDATED FINANCIAL POLICIES

Staff presented revised CSAC Financial Policies, Operating Reserve Policy, and a Capital Improvement Program policy, as contained in the briefing materials. These policies are intended to strengthen the fiscal operations of CSAC and manage its capital assets. The Executive Committee previously approved the policies.

Motion and second to approve financial policies as presented. Motion carried unanimously.

10. CSAC FINANCE CORPORATION REPORT

Supervisor Leonard Moty, President and Alan Fernandes, Executive Vice President of the CSAC Finance Corporation, presented an update on Finance Corporation activities. It was noted that expenses were lower than budgeted and program performance was strong so the contribution to CSAC will be increased by \$400,000. The Finance Corporation Board recently approved an updated agreement with CSAC that provides for the flexibility to realign the Corporate Partnership Program with the Finance Corporation should such realignment be consistent with the priorities of both organizations in the future. The Finance Corporation is working with the State Treasurer's Cannabis Banking Working Group to develop solutions to the challenges associated with tax collection and cannabis banking. The approach will be to offer a joint powers authority on behalf of county government to assist with ensuring the safety of county workers regarding cash collection and ensuring that those regulated entities comply with the many requirements of state and local law.

11. CSAC OPERANDS AND MEMBERS SERVICES UPDATE

The CSAC Corporate Partnership Program has continued to grow this year. A Leadership Forum was held in San Diego in February. CSAC held a regional meeting in March in Kern County which focused on water issues. The next regional meeting is scheduled for June in Humboldt County and will focus on cannabis regulation. Staff produced videos highlighting the 2016 CSAC Challenge Award winning programs. The CSAC Institute continues to be very successful and now offers courses at satellite campuses in Contra Costa, Merced and Riverside counties.

12. INFORMATION ITEMS

The briefing materials contained a Litigation Coordination Program report, and Institute for Local Government (ILG) report, a copy of IRS Form 990, and a CSAC Financial Statement for July 2016-March 2017.

Meeting adjourned.



® August 23, 2017

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To: CSAC Board of Directors

**From: DeAnn Baker, Deputy Executive Director, Legislative Affairs
Darby Kernan, Senior Legislative Representative, Administration of Justice**

Re: Memo on Proposition 57: The Public Safety and Rehabilitation Act of 2016

Proposition 57 is a ballot measure that was approved by voters last November (64% to 35%) to enhance public safety, to stop the revolving door of crime by emphasizing rehabilitation, and to prevent federal courts from indiscriminately releasing inmates.

The California Department of Corrections and Rehabilitation (CDCR) is currently in the process of implementing Proposition 57. The following information lays out details of Proposition 57, the timeline for regulatory implementation, and new sentencing credits.

Proposition 57 Makes All Nonviolent Offenders Eligible for Parole Consideration

- Amended the State Constitution to specify that individuals convicted of a nonviolent felony offense shall be eligible for parole consideration after completing the term for their primary offense and required CDCR to adopt regulations to implement this change.
- As a result, the Board of Parole Hearings (BPH) can release nonviolent offenders after they serve the longest term imposed excluding any additional terms added to their sentence, which include any sentencing enhancements (such as the additional time an inmate serves for having prior felony convictions).

Expands CDCR's Authority to Award Sentencing Credits

- Amended the State Constitution to specify that CDCR shall have the authority to award credits to inmates for good behavior and rehabilitative or educational achievements and authorized CDCR to adopt regulations to implement changes to credits.
- As a result, CDCR can allow inmates to reduce their sentences through credits by more than is specified in statute.

Requires a Judge to Decide Whether Youths Should Be Tried in Adult Court

- Changed statute to require that all youths have a hearing in juvenile court before they can be transferred to adult court.
- As a result, prosecutors can no longer file charges directly in adult court and no youths can have their cases heard in adult court on a mandatory basis due to the circumstances of the offense.

Status of Proposition 57 Regulations

Emergency Regulations „

- To implement the parole consideration and credit earning provisions of Proposition 57, CDCR submitted emergency regulations to the Office of Administrative Law (OAL) on March 20, 2017. „
- These emergency regulations became effective on April 13, 2017 and will expire on September 21, 2017.

Permanent Regulations „

- An emergency regulation can become permanent if an agency adopts it through the regular rulemaking process within the time period that the emergency regulation is in effect and it is subsequently approved by OAL. „
- On July 14, 2017, CDCR issued a public notice to begin the regular rulemaking process, which includes a 45-day public comment period that ends on September 1, 2017. „
- If CDCR adopts the emergency regulations through the regular rulemaking process by September 20, 2017, the regulations remain in effect for 30 working days while OAL reviews them for compliance with state rulemaking procedures. If OAL approves the regulations, they become permanent.

Implementation of Parole Consideration Process

Exclusion of Certain Offenders with Nonviolent Convictions „

- The emergency regulations define “nonviolent offenders” in such a way as to exclude nonviolent offenders required to register as sex offenders and those who are serving indeterminate sentences (such as under the three strikes law) from the new parole consideration process.

Inclusion of Certain Offenders with Violent Convictions „

- The definition makes eligible for parole consideration certain offenders who have completed a prison term for a violent felony but are still serving a prison term for a nonviolent felony of which they were convicted at the same time.

Inmate File Reviews Rather Than Actual Hearings „

- Rather than in-person hearings, a BPH deputy commissioner reviews certain information about an inmate collected by CDCR. The inmate is approved for parole if the deputy commissioner concludes that the inmate does not pose an unreasonable risk of violence.

Review Initiated After Primary Term Served „

- The administration interprets Proposition 57 to prohibit deputy commissioners from reviewing inmates’ files until they have served the terms for their primary offenses. As a result, inmates that are granted parole are not released until after reentry planning is completed—about 60 days after completing their primary terms.

Implementation of New Sentencing Credits

Expands Sentencing Credits ,,

- As shown in the chart on the next page, the administration increased the number of credits inmates earn for good behavior (effective May 1, 2017) and for participation in rehabilitation programs (effective August 1, 2017).

Codifies Court-Ordered Credits ,,

- A federal court order to reduce prison overcrowding required CDCR to implement certain credits. The administration included these court-ordered changes in the emergency regulations so that inmates will continue to receive these credits once the court order is lifted.

Administration's Changes to Inmate Credit Earning		
Inmates Affected	Pre-Implementation	Post-Implementation
Good Conduct Credits		
Most violent offenders	Up to 15%	Up to 20%
Nonviolent third strikers	-----	Up to 33.3%
Inmates in fire camps, firehouses, or who have completed training for these assignments <ul style="list-style-type: none"> • Violent • Nonviolent second strikers 	Up to 15% Up to 33.3%	Up to 50% Up to 66.6%
Milestone Credits		
Non-sex registrant, nonviolent, non-third striker	Up to 6 weeks per year	Up to 12 weeks per year
All other inmates except those sentenced to death and life without the possibility of parole	-----	Up to 12 weeks per year
New Educational Merit Credits		
All other inmates except those sentenced to death and life without the possibility of parole	-----	3 to 6 months per achievement
New Participation Credits		
All other inmates except those sentenced to death and life without the possibility of parole	-----	Up to 4 weeks per year



Proposition 57: The Public Safety and Rehabilitation Act of 2016 Frequently Asked Questions

(Updated August 1, 2017)

What is Proposition 57?

Proposition 57 – The Public Safety and Rehabilitation Act of 2016 – is a ballot measure that was overwhelmingly approved by voters last November (64% to 35%) to enhance public safety, to stop the revolving door of crime by emphasizing rehabilitation, and to prevent federal courts from indiscriminately releasing prisoners. It also will require judges, rather than prosecutors, to determine whether juveniles charged with certain crimes should be tried in juvenile or adult court. It establishes a parole consideration process for nonviolent offenders who have served the full term for their primary criminal offense and who demonstrate that they should no longer be considered a current threat to public safety. It also gives inmates the opportunity to earn additional credits for good behavior and participation in rehabilitative, educational, and career training programs so they are better prepared to succeed and less likely to commit new crimes when they re-enter our communities. Condemned inmates and inmates sentenced to life without the possibility of parole will continue to be excluded from any credit-earning.

When will Proposition 57 go into effect?

The juvenile justice provisions have already gone into effect, as well as the implementation of the Good Conduct Credits, which began on May 1, 2017, and the nonviolent parole process, which began on July 1, 2017. Effective August 1, 2017, Milestone Completion, Rehabilitative Achievement, Educational Merit, and Extraordinary Conduct went into effect.

How can I submit public comment on the Proposition 57 regulations?

On Friday, July 14, 2017, CDCR issued a Public Notice, which began the public comment period. Members of the public can submit comments regarding Proposition 57 regulations through a variety of ways:

- Written comments may be mailed at:
 - CDCR
Regulation and Policy Management Branch
P.O. Box 942883
Sacramento, CA 94283-0001
- Comments may be sent by FAX to:
 - (916) 324-6075, Attention: Chief, Regulation and Policy Management Branch
- Comments may be e-mailed to:



- CDCR-Prop57-Comments@cdcr.ca.gov

The public comment period will end on September 1, 2017.

Why is Proposition 57 important?

By giving inmates – a vast majority of whom will eventually return to our communities – incentives to improve their lives through education, career training and rehabilitation, we are giving them tools to succeed on the outside, and that's good for public safety. Additionally, the initiative creates a durable solution to help the department implement common-sense prison population reduction measures and avoid court-ordered inmate releases. Currently, CDCR is under federal court orders to not exceed a prison population of more than 137.5% of design capacity. Without a durable solution, a federal court could release any inmates they choose if the population cap is exceeded.

What will Proposition 57 do?

Proposition 57 includes three major components designed to improve the juvenile and adult criminal justice system in California.

- It will require judges, rather than prosecutors, to determine whether juveniles charged with certain crimes should be tried in juvenile or adult court.
- It establishes a parole consideration process for nonviolent offenders, as defined by California Penal Code, who have served the full term for their primary criminal offense and who demonstrate that they should no longer be considered a current threat to public safety.
- It will give inmates the opportunity to earn additional credits for good behavior and participation in rehabilitative, educational, and career training programs so they are better prepared to succeed and less likely to commit new crimes on the outside.

What are the credits inmates can earn under Proposition 57?

The current credit-earning system is based on the crime committed. This new system will be based on conduct and participation in programs. CDCR is increasing credits for Good Conduct and Milestone Completion Programs, and introducing credits for Rehabilitative Achievement and Educational Merit. [Click here for more information on the Proposition 57 credits](#). Credits shall be awarded to inmates who participate in qualifying programs and activities successfully, and have sustained good behavior. The credits will serve to advance an inmate's release date if sentenced to a determinate term, or advance an inmate's initial parole hearing date if sentenced to an indeterminate term with the possibility of parole. Most credits can be forfeited if the inmate violates prison rules.



Who will be eligible to receive credits under Proposition 57?

All inmates, except condemned inmates and inmates sentenced to life without the possibility of parole.

Can an inmate lose credits?

CDCR can revoke Good Conduct Credits, Milestone Completion Credits, and Rehabilitative Achievement Credits as a result of disciplinary infractions and rules violations. Educational Merit Credits are not subject to revocation for disciplinary reasons.

What is the nonviolent parole process?

All inmates currently serving a conviction for a nonviolent offense as defined by California Penal Code will be able to participate in this parole process. This does not mean that inmates are automatically granted parole. The inmate's behavior will be reviewed and considered by the Board of Parole Hearings (BPH). The commissioners may find that inmate suitable for parole consideration if they believe he or she does not pose a current threat to public safety, and the inmate has served the full-term of the sentence for their primary offense.

Will CDCR be granting "early release" for inmates under Proposition 57?

Proposition 57 does not grant early release, but does give eligible inmates the opportunity to earn additional credits or time off their sentences. Credits can also be earned to advance an inmate's initial parole hearing date if he or she is sentenced to an indeterminate term with the possibility of parole. Credits can also be taken away for breaking prison rules.

How will Proposition 57 affect inmates who are serving time out of state?

Inmates serving criminal sentences under California law but housed in another jurisdiction (such as Western or Interstate Corrections Compact and a correctional facility administered by the Federal Bureau of Prisons), or housed in facilities leased by CDCR, are eligible to earn in Good Conduct Credit, Educational Merit Credit, and Extraordinary Conduct Credit.

Taborda Solutions

Taborda Solutions (Taborda) aids government leaders in improving citizen engagement, empowering employees, optimizing operations, and transforming their organizations by harnessing the Cloud, mobility and new digital services. Citizens, businesses and employees expect a greater level of service and innovation from government. Taborda's offerings provide government organizations with digital transformation; empowering citizens and employees through increased productivity and efficiency while also reducing costs. Taborda was founded in 2006 with a vision to provide premium customer service and end-to-end solutions to meet the needs of our clients.

Headquartered in the City of Folsom, just outside of Sacramento, Taborda has grown into a \$55M company, providing a full-range of IT services to our clients. Our team has extensive experience blending people, processes and technologies to solve the business challenges of our clients. We apply this experience toward our goal of offering high value products and services at competitive prices.

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August 23, 2017

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To: CSAC Board of Directors

From: DeAnn Baker, Deputy Executive Director, Legislative Affairs
Graham Knaus, CSAC Deputy Executive Director of Operations & Member Services
Justin Garrett, CSAC Legislative Representative, Human Services Policy
Elizabeth Marsolais, CSAC Legislative Analyst, Health and Human Services

RE: **IHSS MOE Methodology Recommendation – ACTION ITEM**

Requested Action. Approve the IHSS MOE methodology, consistent with the Executive Committee recommendation.

Actions to Date. On August 23, the IHSS MOE methodology recommendation was presented to the CSAC Executive Committee, which unanimously adopted a motion to recommend that the Board of Directors approve the methodology subject to it being reviewed by County Administrative Officers (CAOs). The IHSS MOE methodology recommendation was presented at a California Association of County Executives (CACE) meeting for all CAOs on August 23 and they unanimously adopted a motion to approve the methodology recommendation.

IHSS MOE Workgroup. Senate Bill 90 implemented the May Revise IHSS agreement and was signed into law on June 27. SB 90 specifically identified that the Department of Finance will consult with the California State Association of Counties (CSAC) to implement the County IHSS MOE, including determining each County's IHSS MOE base. CSAC worked to gather all of the available data from the Department of Finance and Department of Social Services that could assist in determining an equitable manner to establish the County IHSS MOE base. CSAC convened an IHSS MOE Workgroup to ensure input from the County Administrative Officers and technical experts and representation from Urban, Suburban, and Rural counties during the development of the County IHSS MOE. The workgroup had frequent calls and in-person meetings in order to establish a thorough and fair recommendation as quickly as possible on how to distribute the IHSS cost shift and offsetting revenue among California's counties.

Statewide Numbers. The statewide MOE is set at \$1.769 billion, which is \$647.3 million higher than 2016-17 costs with the old 3.5% inflator, local wage adjustments and the \$592.2 million state cost shift. The final County MOE amount for 2017-18 is \$1.369 billion as the \$400 million State General Fund offset is applied off the top at the state level so that the new MOE will go up by the total cost shift less \$400 million.

Methodology. The IHSS MOE workgroup considered a broad range of factors and data that could be utilized to determine how to distribute the \$592.2 million cost shift and \$400 million General Fund offset among the counties. Ultimately, the workgroup selected two factors to combine into an overall methodology.

MOE Base

- Each county has a specific county MOE amount that forms the starting point before the \$592.2 million cost shift is added.
- The county share of the prior MOE period was initially established based on 2011-12 expenditures, essentially what each county spent in 2011-12 on services, IHSS county administration and Public Authority (PA) administration. Changes in local wages and benefits

that have occurred over the past five years are reflected in a county's current share of the overall MOE.

- Each county's percent to total of this statewide base number is calculated.
- Utilizing the MOE base provides some stability to each county's current share of the statewide MOE. It also reflects the difference in wages and benefits that each county pays and incorporates that as a factor into determining a share of the cost shift.

Annual Hours Growth

- The amount of annual IHSS provider hours grew by 36% statewide over the prior MOE period.
- Data includes the statewide and county specific IHSS provider hours in the most recent year compared to statewide and county specific IHSS provider hours from five years ago.
- Each county's percent to total of this statewide growth number is calculated.
- Utilizing annual hours growth reflects changes that have occurred in the program over the previous MOE period and is responsive to where that growth occurred and may occur in the coming years.

IHSS MOE Recommendation. The workgroup recommends an approach that weights the MOE Base and Annual Hours Growth equally and combines them into an overall methodology. Based on combining 50% from each, a county's overall percent to total is calculated and then applied to determine the county's proportionate share of the cost shift and offsetting General Fund revenue. This balances out the different factors that impact a county's share of the IHSS cost increase. It provides a link to a county's current MOE amount and incorporates differences among wages and the growth in hours in determining how much of the cost shift each county should receive.

The overall MOE is the sum of four smaller MOE amounts – services, IHSS county administration, Public Authority administration, and Case Management, Information and Payrolling System (CMIPS). The recommended methodology is used to determine the services component of the cost shift and offsetting revenue, which accounts for approximately 95% of the overall amount. It is then combined with the other MOE amounts to calculate the total cost shift and proportionate share for each county. The new County MOE amount that counties receive is the amount after the cost shift has been added and the General Fund has been applied. All other offsetting revenue, with the exception of revenue used for caseload growth from prior years, is distributed in proportion to a county's share of the overall cost shift.

Statewide, the increased county costs remain manageable in 2017-18 and 2018-19, but are unsustainable in subsequent years. In an effort to address several outlier counties, the workgroup established a hold harmless provision to ensure that no county has increased costs above a specific percent. The hold harmless provision was applied to all outlier counties with the exception of San Francisco City and County, which has a unique issue that is being pursued separately.

Offsetting Revenue. There is additional offsetting revenue that is recommended to be distributed to counties as described below to offset the cost shift and be used toward caseload growth from prior years.

- **Redirected Vehicle License Fee (VLF) Growth** – In 2017-18, there is an estimated \$41.4 million available in VLF growth revenues that is redirected from the health and mental health subaccounts to offset IHSS costs. This amount is the remaining total of VLF growth after the CMSP Board VLF growth has been set aside as discussed below. This offsetting revenue is distributed to counties based upon the county's proportionate share of the IHSS cost shift that results from the above described methodology.

- **County Medical Services Program (CMSP) Board VLF Growth** – The estimated amount of CMSP Board VLF growth in 2017-18 is \$14.9 million, which is only eligible to be distributed to the 35 CMSP counties. This amount is distributed to the 35 CMSP counties proportional to the county share of the cost shift for just those 35 counties that results from the above described methodology.
- **Caseload Growth Owed from 2015-16 and 2016-17** – Counties have costs from caseload growth in prior years that counties have already paid and not yet received revenues to cover. This caseload growth includes IHSS and other mandated Social Services programs in Realignment. Consistent with the current “first in first out” practice for distributing growth dollars, these costs will be paid before revenues are used to pay caseload growth in the current year.
- **Sales Tax Growth** – There is an estimated \$45.4 million available in sales tax growth. This amount will be distributed to caseload owed from 2015-16 and 2016-17 proportional to actual caseload owed.
- **Accelerated Caseload Growth** – There is an estimated \$140.4 million available in sales tax growth that results from the changes in the law to accelerate the caseload growth revenue. This revenue will first be distributed to pay for caseload owed from prior years proportional to actual caseload owed. The remaining amount will be distributed to counties based upon the county’s proportionate share of the IHSS cost shift that results from the above described methodology.

CSAC Staff Contacts:

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August 23, 2017

To: CSAC Board of Directors

From: Leonard Moty, President
Alan Fernandes, Executive Vice President
James Hamill, CSCDA Administrator

RE: CSAC Finance Corporation Update

California Statewide Communities Development Authority (CSCDA)

One of our priority items with CSCDA is currently the Property Assessed Clean Energy (PACE) program. CSCDA currently has five PACE provider partners under their OpenPACE platform. We have been working closely with CSAC's Cara Martinson to help support lobbying efforts for the PACE programs. Additionally, we are beginning a new campaign working closely with the CSCDA Administrators to help educate counties on the oversight and consumer protections that CSCDA requires of their providers.

New Business Development Application

The CSAC Finance Corporation has created a Business Development Application online to vet new business ideas. The form can be found under the "Programs" link on the CSAC Finance Corporation website, www.csacfc.org. We welcome ideas from all counties and those corporations you do business with. All ideas we receive will be vetted to see if they are viable new programs.

For more information on the CSAC Finance Corporation please contact Alan Fernandes at (916) 650-8120 or alan@csacfc.org or Laura Labanieh at (916) 650-8186 or laura@csacfc.org.



Date: September 7, 2017

To: Members, CSAC Board of Directors

From: Dorothy Johnson, CSAC Legislative Representative

Re: **Assembly Bill 1250 (Jones-Sawyer) County Service Contracts
– INFORMATION ONLY**

1100 K Street
Suite 101
Sacramento
California
95814

Telephone
916.327.7500

Facsimile
916.441.5507

Staff Recommendation. This item is informational only.

Background.

Overview

[Assembly Bill 1250](#) (Jones-Sawyer), related to county service contracts, remains a top legislative priority for CSAC in 2017. This bill will restrict counties' ability to deliver critical services to the people of California and carry out basic county administrative functions. AB 1250 would create a set of requirements that are unlike any other required of either state or other local agencies. In doing so, AB 1250 would establish a de facto ban on contracting between counties and non-profits, community based organizations, and private service providers.

The bill is sponsored by the California State Council of the Service Employees International Union (SEIU) and the American Federation of State, County and Municipal Employees (AFSCME). The supposed need for the bill is to improve transparency in contracting and to address instances where certain decisions regarding contracting for services had negative impacts on taxpayers and service recipients.

Bill Summary

The [Senate Governance and Finance Committee analysis](#) provides a full overview of relevant existing law and changes sought by AB 1250. In summary, those changes are:

- 1) In order to enter into a contract for personal services, counties must conduct a cost-benefit analysis of every prospective contractor and demonstrate a cost-savings for the duration of the contract. The cost-benefit analysis relies on specific parameters, many of which are based on contracting terms established for the State with additional non-state requirements. The cost of the analysis falls to the county.
- 2) For contracts valued at over \$100,000 annually, contractors seeking to contract with counties must provide a description of all charges, claims, or complaints filed against the contractor with any federal, state, or local administrative agency during the prior 10 years. Contractors must also provide total compensation provided to workers performing similar work as sought by the contract as well as the total compensation for the five highest compensated officers, executives or directors.
- 3) On a monthly basis, counties must receive from contractors the names and wages of all contracted employees and subcontracted employees who are providing services to the county. This information would be subject to the California Public Records Act.

4) In order to renew or extend an existing contract, counties must conduct and review a performance evaluation and an audit to ensure service needs and anticipated savings were realized. The contractor is required to pay for the performance evaluation and audit.

5) The provisions of the measure apply to any contract entered into, renewed or extended after January 1, 2018, for personal services currently or customarily provided by employees of a county.

Advocacy Efforts

Initial CSAC advocacy efforts in opposition to AB 1250 focused on direct lobbying, which included testifying before policy committees, submitting position letters, and meeting with the author and sponsors to negotiate potential bill language. The communications component included social media and blog posts along with CSAC member notifications in the CSAC Bulletin. CSAC also highlighted the bill as one of three legislative priorities at the CSAC Legislative Conference held in mid-May.

Following the Assembly Floor vote, when the author pledged to strip cities from the measure, CSAC added to the direct lobbying efforts a more comprehensive public affairs strategy. This included the “No on AB 1250” branding, aggressive coalition building, earned media placements in major markets, targeted digital advertising, informational material drops, and a website, available at: www.stopAB1250.com. This built on CSAC’s existing [web page](#) dedicated to the “No on AB 1250” effort with stakeholder letters, press coverage and coalition resources.

During the Legislature’s Summer Recess, 11 in-district meetings with key legislators were held with local county leaders, non-profits, and other service provider stakeholders sharing the direct impacts to their communities. These meetings were invaluable to receive first hand comments, questions and possible votes from the legislators.

Results to date include a coalition of over 300 stakeholders, including 54 counties and non-profits and private business providing services for health and human services, behavioral health, law enforcement, legal and technology support, homelessness support, senior support, economic development, and emergency response.

CSAC also convened an AB 1250 Steering Committee comprised of key statewide organizations in opposition to the measure. The Steering Committee is tasked with developing and implementing targeted advocacy strategies.

Finally, CSAC coordinated two major press conferences. The first took place in Fresno County on August 14 which was well-attended and produced substantial media coverage. The second took place at the State Capitol on August 24, which was also well-attended and led by CSAC Executive Director Matt Cate.

Advocacy strategies continue fully through the end of session on September 15 and with further Administration meetings until the signature deadline of October 15 as needed.

Bill Status

As of August 24, the measure is held on suspense in the Senate Appropriations Committee. The [Department of Finance wrote an extensive analysis in opposition to the measure](#) but this does not dictate action by the Committee. Should Senate Appropriations Committee vote to

pass the bill, it will then move to the Senate Floor and then the Assembly Floor, for concurrence in the amendments taken in the Senate, before it is transmitted to the Governor's desk.

Timeline of AB 1250 Developments

- AB 1250 was introduced as a spot bill at the start of the 2017-18 Legislative Session.
- Amendments on April 4th made substantive changes to general law city and general law county contracting procedures. AB 1250 was amended twice more with minor and corrective language changes.
- In the Assembly Public Employment, Retirement and Social Security (PERSS) hearing on April 19th, AB 1250 failed passage (three to three with one abstention). Reconsideration was granted based on a pledge from the author and sponsors to work with the opponents before the reconsideration hearing the following week.
- Later that same week, a meeting with the author and sponsors was held with the CSAC, the League of California Cities, other opponents to review the concerns raised on behalf of local government agencies. A second meeting was held to negotiate amendments with stakeholders on both sides. Major, substantive changes were accepted by the sponsors to address the many of the egregious provisions of the bill. However, fundamental flaws remained that continued to undermine local authority to enter into contracts for services.
- Before the reconsideration hearing was held in Assembly PERSS, committee membership for was adjusted due to a member absence for personal reasons. The bill passed the committee by one vote and was referred to Assembly Appropriations.
- Assembly Appropriations referred the bill to the Suspense File in early May due to provisions that would require local agencies to host an online database with all contracts and contractor information posted, costing more than \$10 million statewide.
- In late May, AB 1250 passed out of Assembly Appropriations with major amendments that added charter counties to the bill and substituted the online database of local agency contracts for the Public Records Act language, which made private employee names and wages publicly available, amongst other changes.
- The bill moved to the Assembly Floor where further amendments were taken days before the House of Origin deadline to clarify the public works exemption, extend the legal services exemption, exempt government to government contracts and fire service contractors, and other minor technical corrections.
- On the evening of the House of Origin deadline, the AB 1250 vote was taken on the Assembly Floor and it fell 10 votes short of passage initially. Later that night, the author pledged to remove all cities from the bill and AB 1250 passed to the Senate on a 45-35 vote.
- AB 1250 was referred in the Senate to the Governance and Finance Committee. The Committee pulled the bill from the original hearing date, possibly due to pending amendments. The bill was heard on July 12 where the author pledged to take further amendments to exempt portions of the Santa Clara County health system services. The bill passed on a four to two vote (with the Committee Chair abstaining) and was referred to the Senate Appropriations Committee.
- The Senate Appropriations Committee placed the bill on the Suspense File on August 21.

Action Requested. This is an informational item only.

Attachments.

- 1) CSAC Oppose Letter with UCC, RCRC and CAJPA to Senate Appropriations Committee
- 2) Department of Finance Analysis of AB 1250
- 3) No on AB 1250 Coalition List (as of August 23, 2017)

Staff Contact. Please contact Dorothy Johnson at (916) 327-7500 Ext. 515 or djohnson@counties.org or Tracy Sullivan at (916) 327-7500 Ext 523 or tsullivan@counties.org



August 9, 2017

The Honorable Ricardo Lara
Chair, Senate Appropriations Committee
State Capitol Building, Room 2206
Sacramento, CA 95814

RE: **Assembly Bill 1250 (Jones-Sawyer). Counties: contracts for personal services.
Oppose – As Amended June 21, 2017
Hearing Date: August 21, 2017 – Senate Appropriations Committee**

Dear Senator Lara:

The California State Association of Counties (CSAC), Urban Counties of California (UCC), Rural County Representatives of California (RCRC) and the California Association of Joint Powers Authorities (CAJPA) respectfully oppose Assembly Bill 1250 (Jones-Sawyer), related to county contracts for services. This measure would establish burdensome contract procurement and renewal requirements for 57 of California's 58 counties that are unlike any other imposed on any state or local agency in California. In addition, it creates hurdles for non-profits, community based organizations, and private service providers that will create a chilling effect on county contracting opportunities. The impacts of this bill are far-reaching and hurt the most vulnerable Californians. At the same time, it will tie the hands of counties in their most basic administrative functions. The result is that residents and the State will suffer as county contracting costs increase and services dwindle or simply stop.

Specifically, AB 1250 would establish requirements for a county (with the exception of San Francisco, a city and county) before it may enter into a contract or renew or extend an existing contract after January 1, 2018 with a "firm" for personal services, with limited exceptions. The term "firm" is defined as corporation, partnership, nonprofit organization, or sole proprietorship. The term "personal services" is not defined in the relevant code sections or any of the cross-referenced code sections. Examples of services areas where AB 1250 would apply include health care, mental and behavioral health, criminal justice and public safety, public works, environmental stewardship, transportation, and essential government administration including legal representation, information technology support, and records retention.

Counties rely on contracted service providers for many reasons. In some instances, it is to bring in expertise. Other times, it is the most effective way to reach residents who would otherwise not seek help due to stigma or cultural beliefs. It also is a way for counties to maximize local resources and taxpayer dollars. Counties may choose in some instances to contract with services providers because the benefits to their community and the results achieved are worth the investment.

Simply stated, AB 1250 will create a de facto prohibition on county service contracts due to the onerous requirements and costs drivers. It will also create a chilling effect on a county's ability to attract interested parties to respond to contract proposals. Our concerns related to fiscal impacts are outlined

below. It should be noted that counties have made a concerted effort to provide an accurate cost estimate despite the unclear terms, partial exemptions, and far-reaching scope of the bill's application.

Mandatory Cost-Benefit Analysis and Ongoing Audit and Performance Evaluations

AB 1250 requires counties to conduct a cost-benefit analysis for every prospective contractor bidding on a contract before entering into a new contract for personal services, with parameters based largely on state contracting rules. This fails to take into account locally adopted contract review procedures already in place and sets forth a sizeable mandate. For example, Imperial County (population 180,000) estimates the cost-benefit analyses for their contracted services would total \$400,000 annually, while in urban counties, the estimated figure jumps to the multi-million dollar range.

There are also audit and performance evaluation requirements before a contract can be renewed or extended under AB 1250. Imperial County, for example, estimates this will cost a collective \$345,000 per year for their non-profits, community based organizations, and private service providers. While the county does not bear the direct burden of the audit and performance evaluation, they are responsible for conducting the reviews or hiring an outside independent auditor. This creates ancillary costs for management. Imperial County would seek a contract manager (\$80,000 to \$90,000 annually) to conduct the reviews or coordinate the process. Nevada County (population 99,000) stated they would seek contract management solutions through new technology with a price tag of \$60,000 in year one and \$20,000 on-going.

The Kern County Public Works Department estimates the on-going fiscal impact of AB 1250 would be \$7.3 million to hire the necessary staff and complete the mandatory reviews for the county and their contractors. In public safety, the Kern County Sheriff's Office estimates an on-going fiscal impact of \$755,000 for compliance.

Litigation and Administrative Burdens Related to Personal Information

Counties are deeply concerned that making private employee data subject to the California Public Records Act, in which any person from any county, state or country can obtain access, will drain county resources. First, it will invite a new wave of data mining like was seen with public employee salary and pension information that will bog down county departments. California's local agencies do not have cost recovery provisions associated with PRA under Proposition 42 (2014), save for document duplication fees. All costs are placed squarely on the shoulders of the county.

Second, it disregards constitutional privacy rights by requiring the publication of personal financial information about private employees. Information about total rates charged by an individual hired through a contract may be included in a contract subject to the PRA, since it can be relevant to the consideration or ultimate award of the contract. However, AB 1250 sets forth an intrusive requirement that offers no benefit to the public and will discourage contracting with counties, thereby reducing competition and driving up costs yet again.

Implementation Issues under AB 1250

AB 1250 suffers from imprecise language, undefined terms, and erroneous cross-references that will make implementation exceedingly difficult and could invite further litigation about contract awarding. Even with corrections to drafting, services will suffer due to delays in contracts being awarded and subsequently renewed following the initial analysis and later performance assessment and cost savings audits.

AB 1250 largely ignores the timing it often takes to place an item before the Board of Supervisors. If a one year contract could be extended, audits would likely begin after just six months to ensure they are

completed in time to avoid service interruptions. The necessary time internal auditors would need to complete the audits for all of the county contracts would create a backlog, unless external services were hired to assist. Of course, those same contracted auditors needed would themselves be subject to the provisions of AB 1250.

In closing, we must stress the very dangerous reality AB 1250 sets forth for counties and the very dangerous precedent it establishes for other public agencies. AB 1250 will not improve services, reduce costs, or protect employees. Counties are not exaggerating when they say services will decrease or simply get cut, either where AB 1250 would be directly applied or in other program areas so that critical local programs and the most basic county administrative functions may continue.

We are unaware of a specific, current problem that AB 1250 would resolve or prevent. We are very much aware, however, of the very real harm AB 1250 would cause the residents of California. For the aforementioned reasons, we oppose AB 1250. If you should have any questions regarding our position, please contact Dorothy Johnson with CSAC at (916) 650-8133; Jolena Voorhis with UCC at (916) 327-7531; Paul A. Smith with RCRC at (916) 447-4806; or Faith Lane with CAJPA at (916) 441-5050.

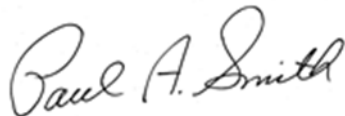
Sincerely,



Dorothy Johnson, Legislative Representative
California State Association of Counties



Jolena L. Voorhis, Executive Director
Urban Counties of California



Paul A. Smith, Vice President of Government Affairs
Rural County Representatives of California
Authorities



Faith Lane, Legislative Advocate
California Association of Joint Powers

cc: The Honorable Reggie Jones-Sawyer, California State Assembly
The Honorable Lorena Gonzalez Fletcher, California State Assembly
The Honorable Rob Bonta, California State Assembly
Honorable Members, Senate Appropriations Committee
Mark McKenzie, Consultant, Senate Appropriations Committee
Senate Republican Fiscal Office
Tom Dyer, Chief Deputy Legislative Secretary, Office of Governor Brown

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: 06/21/2017
POSITION: Oppose

BILL NUMBER: AB 1250
AUTHOR: Jones-Sawyer, Reginald
Byron

BILL SUMMARY: Counties: contracts for personal services.

Effective January 1, 2018, this bill requires counties to satisfy specified standards before executing new contracts or renewing existing contracts for personal services that are currently or customarily provided by county employees.

This bill does not apply to the City and County of San Francisco. We also understand that amendments were accepted in the Senate Committee on Governance and Finance, but not yet placed in print, that will exempt Santa Clara County's health system from the bill's requirements.

FISCAL SUMMARY

Many counties contract for a variety of services where it is cost-prohibitive or impractical to hire county employees to perform them. In these cases, counties will have little choice but to comply with this bill's requirements if they want to maintain the contracted services.

If this bill is enacted and a test claim is filed with the Commission on State Mandates, the Commission may determine those counties are "practically compelled" to perform the contract cost analysis required by this bill, even though the decision to contract for those services is itself discretionary. If these counties do not perform the contract cost analysis required by this bill, they will either have to cancel the contracts and suffer reduced service levels, or cancel the contracts and incur the added cost to hire county staff with the requisite expertise to perform the services previously provided via contract.

Although the potential mandated costs are unknown, we estimate they can easily range from \$1 million to \$10 million per year.

COMMENTS

Finance is opposed to this bill because it applies a one-size-fits-all approach to contracting for personal services that could severely restrict the ability of counties to provide services in an efficient manner. It is unclear if all county contracts for personal services should be limited or if a certain type of contract is problematic. This bill makes a sweeping change—potentially affecting hundreds of contracts—when the extent of the problem is unknown. Additionally, the bill uses ambiguous phrases that are open to interpretation, will be difficult to implement, and may lead to significantly higher costs. Specifically, Finance is opposed to this bill for the following reasons:

- The bill potentially imposes a reimbursable state mandate.

Counties often find it is most cost-effective to contract with private vendors for a host of public services. Depending on its unique situation, a county may find it fiscally or operationally challenging (if not impossible) to hire county employees to provide certain services. Despite the fact that it may

Analyst/Principal (0811) C.Hill	Date	Program Budget Manager Justyn Howard	Date
Department Deputy Director			Date
Governor's Office:	By:	Date:	Position Approved _____ Position Disapproved _____
BILL ANALYSIS			Form DF-43 (Rev 03/95 Buff)

Jones-Sawyer, Reginald Byron

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AB 1250

COMMENTS (continued)

be extremely difficult for a county to provide a service using its own employees, this bill requires the county to nevertheless perform the required contract cost analysis. Furthermore, if the county chooses to renew a contract that costs over \$100,000, it must pay for an audit to ascertain whether the contract actually resulted in county savings.

The practical compulsion implicit in requiring counties to perform the contract cost analysis and the contract cost audit may form the basis for state mandate claims.

The California Supreme Court has ruled that while local agencies may not be legally compelled to perform certain functions, it is possible for them to be practically compelled to perform those functions, and to thereby incur state-reimbursable costs. In *Department of Finance v. Commission on State Mandates (Kern High School Dist.)* (2003) 30 Cal.4th 727, the Court did not uphold the claimant's argument that it was practically compelled to perform the activities in question. However, the Court did say that "...we do not foreclose the possibility that a reimbursable state mandate might be found in circumstances short of legal compulsion - for example, if the state were to impose a substantial penalty (independent of the program funds at issue) upon any local entity that declined to participate in a given program..." As that ruling pertains to this bill, a local agency that contracts for services could make a compelling case that it has no choice but to perform the required contract cost analysis, because it is cost-prohibitive or operationally impractical to pay county staff to perform the contracted services.

- The bill makes it difficult for counties to provide public services in the most cost-efficient manner, and in a way that best meets their unique needs.

This bill places significant hurdles before counties that have determined the optimum way to provide essential public services is via contracts with non-profit organizations or private firms. The bill makes it extremely difficult for counties to contract for a host of public services including health care services, mental health services, substance use services, social services, transportation projects, and security and maintenance services. Of particular concern are the following issues:

- This bill may disproportionately affect small or rural counties that already experience higher vacancy rates and have difficulty recruiting employees for hard-to-fill or technical assignments.
- The required contract cost analysis places private contractors at a disadvantage, thus making it likely counties will incur added costs to hire new staff to perform services that it would otherwise be more cost-effective and practical to contract out.

The bill requires counties to exclude indirect overhead costs when calculating the cost of having county employees perform a service, unless the cost is solely attributable to the service in question and would not otherwise exist. The rationale for excluding the county's indirect costs from the contract cost analysis is unclear, particularly because most contracts include the vendors' indirect overhead costs.

The bill also precludes counties from contracting with vendors—including non-profit organizations—whose pay rates "significantly undercut" county pay rates. Because the bill does not define "significantly undercut," this provision will likely result in costly litigation for counties that perform the contract cost analysis in good faith, and whose decision to contract is subsequently challenged by parties who believe the contractor's pay rates "significantly undercut" county pay rates. Because non-profits are likely to offer lower wages, this bill may effectively block counties from contracting with non-profit organizations to perform vital

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AB 1250

COMMENTS (continued)

services.

- The bill does not define the phrase "customarily performed by," as the phrase relates to county employees' duties.

Per subdivision (g) of Section 31000.10, the required contract cost analysis applies whenever a county seeks to execute a new contract, or to renew an existing contract, for personnel services "...currently or customarily performed by the employees of a county." Based on both a plain reading, and on previous court rulings in cases dealing with duties "customarily" performed by civil service employees, this provision likely means a county cannot avoid the required contract cost analysis simply because it has customarily contracted for a certain activity. Instead, if a court determines that counties in general use county employees to perform a certain activity, the court may rule that a county that has customarily contracted for that same activity for years or decades must perform the required contract cost analysis before renewing that contract. The contract cost analysis will likely also apply when a county uses a mix of county employees and contract staff to perform a certain activity.

This provision almost guarantees that counties which choose to contract, despite this bill's many roadblocks, will be embroiled in costly litigation concerning the definition of "customarily performed by."

- The bill is ambiguously drafted and may lead to significant litigation.

In addition to the aforementioned legal ambiguity concerning the definition of "customarily performed by" and "significantly undercut," we note the following ambiguities that may result in litigation if this bill is enacted:

- Whether the contract "adversely affects" any of the county's nondiscrimination, affirmative action efforts.
- Whether savings from contracting are "large enough to ensure" they will not be eliminated by contractor or county cost fluctuations "that could normally be expected" during the contract period.
- Whether the savings "clearly justifies" the contract size and duration.
- Whether the "potential for future economic risk to the county from potential contractor rate increases is minimal."
- Whether "the potential economic advantage of contracting is not outweighed by the public's interest in having a particular function performed directly by county government."
- Whether "the services contracted cannot be performed satisfactorily by county employees, or are of such a highly specialized or technical nature that the necessary expert knowledge, experience, and ability are not available among county employees."
- It is an open question whether the bill will force counties to reduce services under the 2011 realignment.

In 2011, the state realigned responsibility for administering several public safety and human

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AB 1250

COMMENTS (continued)

services programs to the counties. Counties frequently rely on contracts to provide services in support of these programs.

Under Proposition 30 of 2012, counties are not required to implement any future state laws that increase the overall local costs to administer the respective program responsibilities transferred in 2011, unless the state provides additional money to pay for the increased costs. Under the Proposition the state also is not required to provide reimbursement for these costs. Counties will either not provide the increased service, or will provide it and correspondingly reduce other services.

Because this bill applies to county contracts for the provision of realigned services, and results in increased costs to administer those contracts, it is an open question whether counties will claim exemption from compliance with this bill under Proposition 30 for those particular contracts. However, to the extent that they cannot or do not self-exempt, and without an ability to obtain reimbursement from the state, counties will be forced to absorb these costs within existing funding, resulting in diminished service levels.

- The contracting restrictions in this bill are generally modeled on standards that apply to state government. However, the restrictions in this bill are more comprehensive. Of particular note is the requirement that counties arrange for independent audits to determine whether they achieved the anticipated cost savings by contracting.

We understand some proponents of this bill argue that it merely applies to counties the same contracting standards that apply to the state. This argument fails to acknowledge that the state, with a workforce of more than 229,000 employees (excluding the University of California and the California State University), has less need to contract for personal services. Furthermore, with the fiscal resources at its command, the state is better able than counties to bear the salary, overhead, and pension costs of hiring new employees.

Generally speaking, the state has a somewhat collaborative relationship with its labor organizations on this issue and has an ongoing dialogue with public employee unions about the need to contract for certain services of a complex or time-sensitive nature. The extent to which counties enjoy similar relationships their labor organizations is unclear.

- This bill applies much more broadly than does other legislation pertaining to local agency contracting authority.

In 2011 the Governor signed AB 438 (Chapter 611, Statutes of 2011). While AB 438 imposed contracting restrictions very similar to those imposed by this bill, AB 438 applies only to very specific instances when a city or library district seeks to achieve cost savings by turning their library operations over to private companies. As is discussed in this analysis, this legislation applies much more broadly than does AB 438.

- This bill does not apply uniformly to all counties.

San Francisco is fully exempt from this bill's provisions, and we understand it will soon be amended to also exclude Santa Clara County's health services. This indicates that at least some of the bill's supporters recognize the bill places unnecessary and burdensome new requirements on counties. Were this not so, there would be willingness to apply the bill to all

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AB 1250

COMMENTS (continued)

counties.

ANALYSIS

1. Programmatic Analysis

Existing law authorizes a county board of supervisors to contract for services on behalf of the county, county officers or departments, and district courts in the county, and requires that the contract be with persons specially trained, experienced, and with expertise and competence to perform the services, among other provisions.

This bill prohibits a county, other than the City and County of San Francisco, from executing new contracts or renewing existing contracts for personal services currently or customarily performed by that county's employees, unless the county demonstrates the contract will result in actual overall cost savings, and the county makes numerous findings, the most significant of which are as follows:

- In comparing costs, the county's indirect overhead costs for providing the service itself shall not be included unless those costs can be attributed solely to the function in question, and would not exist if that function was not performed in county service. Indirect overhead costs are defined as the pro rata share of existing administrative salaries and benefits, rent, equipment costs, utilities, and materials.
- In comparing costs, the county must include costs directly associated with the contracted function. These costs include, but are not limited to, those for inspection, supervision, and contract monitoring.
- Contracting out shall not be approved solely on the basis that savings will result from lower contractor pay rates or benefits. However, proposals to contract out shall be eligible for approval if the contractor's wages are at the industry's level and do not significantly undercut county pay rates.
- The contract does not cause vacant positions in county employment to remain unfilled.
- The contract does not cause the displacement of county employees, including layoffs, demotion, involuntary transfers to a new class, involuntary transfers to a new location requiring a change of residence, or time base reductions.
- The savings shall be large enough to ensure that they will not be eliminated by private sector and county cost fluctuations that can normally be expected.

The cost comparison criteria appears weighted towards favoring county employees over contracted services, especially as it relates to the exclusion of indirect costs from the county calculation. The requirement that counties contract with vendors who pay industry-level wages could make it difficult for small counties and those located in rural areas to contract for services that they cannot afford to hire classified staff to perform.

For contracts over \$100,000, the bill also requires that the contractor must provide:

- A description of all civil and criminal charges, claims, and complaints against them.

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ANALYSIS (continued)

- A description of any debarments by public agencies.
- Information on the total compensation provided to workers under contract.
- The names and compensation of individual employees, should the county request it, which information shall be subject to the California Public Records Act.
- An independent audit to determine whether, and to what extent, the anticipated costs savings were actually realized.

These requirements may be onerous for small firms or non-profit organizations that do not have staff to provide the information readily, potentially resulting in the best qualified providers not bidding for the work and forcing counties to hire county staff without sufficient expertise.

The bill provides several exemptions from its requirements. These include the following:

- When the contract is for a new function for which the Legislature has mandated or authorized the use of private contractors.
- When the contract is for services to be performed by another government entity.
- When the contracted services cannot be performed satisfactorily by county employees, or are of a highly specialized or technical nature.
- When the contracted services are incidental to the purchase or lease of real or personal property.
- When legislative, administrative, or legal goals and purposes cannot be achieved by county employees. A specific example provided by the bill is contracts for expert witnesses in litigation.
- When the work is such that the standards for emergency appointments apply.
- Contracts for private counsel, when the county counsel has a conflict of interest.
- Contracts for legal services, solely on a contingency or fee basis.
- Contracts for equipment, materials, facilities, or support services that the county cannot feasibly provide at the required location.
- Training contracts for which county trainers are not available.
- Contracts for services of such an urgent, temporary, or occasional nature that delays would result from using county employees, and thereby frustrate the desired goals.

The bill also exempts contracts for the following services from its provisions:

- Architecture, engineering, land surveying, and construction project management.
- Construction, alteration, demolition, installation, or repair work related to public works as defined in the Labor Code.
- Public transit and paratransit services, if fully funded by Federal Transit Administration

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ANALYSIS (continued)

assistance.

- Street sweeping.
- Solid waste hauling.

We understand that amendments were accepted in the Senate Committee on Governance and Finance, but not yet placed in print, that will exempt Santa Clara County's health system from the bill's requirements.

2. Fiscal Analysis

Many counties contract for a variety of services that it is cost-prohibitive or impractical to hire county employees to perform. In these cases, counties will have little choice but to comply with this bill's requirements if they want to maintain the contracted services.

If this bill is enacted and a test claim is filed with the Commission on State Mandates, the Commission may determine those counties are "practically compelled" to perform the contract cost analysis required by this bill, even though the decision to contract for those services is itself discretionary. If these counties do not perform the contract cost analysis required by this bill, they will either have to cancel the contracts and suffer reduced service levels, or cancel the contracts and incur the added cost to hire county staff with the requisite expertise to perform the services previously provided via contract.

Although the potential mandated costs are unknown, we estimate they can easily range from \$1 million to \$10 million per year.

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)					Fund Code	
	LA	(Dollars in Thousands)						
	CO	PROP						
	RV	98	FC	2017-2018	FC	2018-2019	FC	2019-2020
0001/Major Rev	LA	No	C	1,000-10,000	C	1,000-10,000	C	1,000-10,000 0001



We Oppose AB 1250

**Stop Attack on Services
for the Vulnerable**

(8/23/17)

Health and Human Services

Association of Community Human Service Agencies
California Council of Community Behavioral Health Agencies
California Hospital Association
California Association of Alcohol and Drug Program Executives, Inc. (CAADPE)
California Association of Social Rehabilitation Agencies
California Association of Public Hospitals and Health Systems
California Disability Services Association
County Behavioral Health Directors Association of California
County Health Executives Association of California
County of Los Angeles Workforce Development, Aging and Community Services
County Welfare Directors Association of California
ACT for Mental Health and Wellness Advent Group Ministries
Alameda Council of Community Mental Health Agencies
American Association for Marriage & Family Therapy CA Division
Anka Behavioral Health
Asian Americans for Community Involvement
Behavioral Health Contractors' Association (BHCA) of Santa Clara County

Health and Human Services (continue)

Bonita House, Inc.
Buckelew Programs'
Caminar for Mental Health
Center for Human Development
Community Clinic Consortium
Community Family Guidance Center
Community Solutions
Contra Costa Crisis Center
Contra Costa Health Services
County of Glenn Health & Human Services Agency
Crisis Support Services of Alameda County
Didi Hirsch Mental Health Services
Empower Yolo
Family & Children Services of Silicon Valley
Foothill Family Service
Gardner Family Health Network and Gardner Family Care
HealthRIGHT 360
Henrietta Weill Memorial Child Guidance Clinic
Hillview Mental Health Center, Inc.
Human Services Alliance of Contra Costa County
Porita Bell Hume Behavioral Health & Rehabilitation Center
Independent Living Center of Kern County
Kern County Behavioral Health & Recovery Services

Health and Human Services (continue)

Kings View
La Clínica de La Raza
Maxim Healthcare Group
Mental Health America of Los Angeles
Mental Health Systems, inc
Mental Wellness Center
Momentum for Mental Health
Pacific Clinics
Pathway Society Inc.
Peninsula HealthCare Connection
Putnam Clubhouse
San Fernando Valley Community Mental Health Center, Inc.
San Francisco Human Services Network
Shasta Community Health Center
Silicon Valley Independent Living Center
South Coast Community Services
Southern California Health & Rehabilitation Program
Tarzana Treatment Centers
Tehama County Department of Social Services
The Village Family Services
Turning Point Community Programs
Ujima Adult and Family Services
West End Family Counseling Services
Yolo Community Care Continuum

Public Safety

California District Attorneys Association
California State Sheriffs' Association
Chief Probation Officers of California
LA County Probation Department
Monterey County Sheriff's Office

Nonprofit Organizations

Abode Services
Advent Group Ministries
Alum Rock Counseling Center (ARCCC)
Asian Law Alliance
California Court Appointed Special Advocates Association
California Foundation for Independent Living Centers
California Library Association
California Partnership to End Domestic Violence
California State Alliance of YMCAs
California Workforce Association (CWA)
Catholic Charities of California United
Catholic Charities of Santa Clara County
Catholic Charities of Stockton
Centro La Familia Advocacy Services
Clinica Sierra Vista
Community Health Partnership (CHP)
ConXion to Community
Community Recovery Resources (CoRR)
Davis Community Meals & Housing
Family Services of Tulare County
Felton Institute
Fresno County Economic Development Corporation
Goodwill of Silicon Valley
Greater Antelope Valley Economic Alliance
Hiland and Associates
Hispanic Foundation of Silicon Valley
International Children Assistance Networks (ICAN)
Jewish Family and Community Services of the East Bay
Jewish Family Services of Silicon Valley
Journey Out
Law Foundation of Silicon Valley

Nonprofit Organizations (continue)

Los Angeles County Economic Development Corporation
National Council on Alcoholism and Drug Dependence, Tulare County, Inc. (NCADD)
Next Door Solutions to Domestic Violence
Operation SafeHouse
Parisi House on the Hill
Peace-It-Together Counseling Agency
Portuguese Organization for Social Services and Opportunities
Project Sentinel
Rainbow Community Center Reading and Beyond
San Jose Day Nursery
Santa Clarita Valley Economic Development Corporation
Sanctuary Centers of Santa Barbara Services, Immigrant Rights & Education Network (SIREN)
Shasta County Chemical People, Inc.
Silicon Valley Council of Nonprofits (SVCN)
Social Model Recovery Systems, Inc.
SOMOS Mayfair
STAND! For Families Free of Violence
Suicide Prevention and Crisis Services of Yolo County
Sunny Hills Services
Tessie Cleveland Community Services Corp.
The Guidance Center
The Victor Agencies
Thrive, The Alliance of Nonprofits for San Mateo County
Valley Medical Center Health Foundation
Vietnamese Voluntary Foundation
Westside Family Health Center
YWCA Silicon Valley

Children and Youth

California Alliance of Child and Family Services
California Coalition for Youth Alternative Family Services
Aldea Children & Family Services
Alum Rock Counseling Center
Aspiranet
Bay Area Youth Center, a division of Sunnyhill Services
Bill Wilson Center
Brighter Beginnings
CASA of Contra Costa County
CASA of Kern County
CASA of Mendocino and Lake Counties
CASA of Monterey County
Casa Pacifica Centers for Children & Families
CASA of Santa Cruz County
CASA of Solano County
Changing Tides Family Services
Child Abuse Prevention Council of Contra Costa County
Child Advocates of El Dorado County
Child Advocates of Silicon Valley, Inc.
Child & Family Center
Child & Family Guidance Center
Children's Health Council
Children's Institute, Inc.
Community Child Care Council of Santa Clara County
Contra Costa ARC Covenant House California
David & Margaret Youth and Family Services
Dependency Advocacy Center
Early Childhood Mental Health Program
East Bay Agency for Children
Edgewood Center for Children & Families
Ettie Lee Youth & Family Services
Family Care Network, inc.

Children and Youth (continue)

First 5 Association of California
Breakout Prison dba California Youth Outreach (CYO)
Family Service Agency of Santa Barbara
First Place for Youth
FosterHope Sacramento
Fred Finch Youth Center
Fresh Lifelines For Youth, Inc. (FLY)
Go Kids, Inc
Grail Family Services
Hathaway – Sycamores Child and Family Services
Hillsides
Kamali'l Foster Family Agency
Los Angeles Child Guidance Clinic
Lincoln
Mountain Valley Child and Family Services
Napa CASA
Olive Crest
Penny Lane Centers Rebekah's Children's Services
Redwood Community Services, inc.
River Oak Center for Children
San Fernando Valley
School Health Clinics of Santa Clara County
Seneca Family of Agencies
Smiles and Tears Child and Family Services Inc.
Stanford Youth Solutions
Teenforce
The Raise Foundation Transitions Children's Services
Tulare Youth Service Bureau, Inc.
Turning Point of Central California, inc.
United Advocates for Children and Families
Uplift Family Services
We Care Services for Children

Children and Youth (continue)

WestCoast Children's Clinic Youth Homes, Inc.
Youth Leadership Institute
Vista Del Mar Child & Family Services

Senior Services

Avenidas
Bay Area Older Adults Fruitful Living, Inc.
Heritage Clinic
La Comida de California Senior Nutrition Program
Live Oak Senior Nutrition and Service Center
Respite and Research for Alzheimer's Disease
Sunnyvale Senior Nutrition Program

Homeless Low income Services

Community Services Agency of Mountain View and Los Altos
Contra Costa Interfaith Housing Corporation for Supportive Housing
Downtown Streets Team
Downtown Women's Center
Families in Transition of Santa Cruz County, inc.
Interim, Inc.
LifeMoves
LifeSTEPS – Life Skills Training and Educational Programs
Peninsula Family Service Project WeHOPE
Rubicon Programs
Sacred Heart Community Service
Second Harvest Food Bank of Orange County
Second Harvest Food Bank of Santa Clara and San Mateo Counties
Shelter, Inc.
St. Joseph's Family Center
Sunnyvale Community Services

Homeless Low income Services (continue)

West Valley Community Services

Technology

Computing Technology Industry Association (CompTIA)

Information Technology Alliance for Public Sector (ITAPS)

TechNet

Emergency

California Ambulance Association

EMS Medical Directors' Association of California, Inc. (EMDAC)

Emergency Medical Service Administrators' Association of California (EMSAAC)

Education

Yolo County Office of Education

Transportation Logistics

California Trucking Association

Local Government

California State Association of Counties

California Association of Joint Powers Authorities (CAJPA)

California Association for Local Economic Development (CALED)

Rural County Representatives of California Urban Counties of California

Alameda County Board of Supervisors

Alpine County Board of Supervisors

Amador County Board of Supervisors

Butte County Board of Supervisors

Calaveras County Board of Supervisors

Contra Costa County Board of Supervisors

Del Norte County Board of Supervisors

El Dorado County Board of Supervisors

Fresno County Board of Supervisors

Humboldt County Board of Supervisors

Imperial County Board of Supervisors

Local Government (continue)

Inyo County Board of Supervisors

Kern County Board of Supervisors

Kings County Board of Supervisors

Lassen County Board of Supervisors

Los Angeles County Board of Supervisors

Madera County Board of Supervisors

Marin County Board of Supervisors

Mariposa County Board of Supervisors

Mendocino County Board of Supervisors

Merced County Board of Supervisors

Modoc County Board of Supervisors

Mono County Board of Supervisors

Napa County Board of Supervisors

Nevada County Board of Supervisors

Orange County Board of Supervisors

Placer County Board of Supervisors

Plumas County Board of Supervisors

Riverside County Board of Supervisors

Sacramento County Board of Supervisors

San Bernardino County Board of Supervisors

San Diego County Board of Supervisors

San Joaquin County Board of Supervisors

San Luis Obispo County Board of Supervisors

San Mateo County Board of Supervisors

Santa Barbara County Board of Supervisors

Santa Cruz County Board of Supervisors

Shasta County Board of Supervisors

Sierra County Board of Supervisors

Siskiyou County Board of Supervisors

Solano County Board of Supervisors

Sonoma County Board of Supervisors

South Bay Cities Council of Governments

Stanislaus County Board of Supervisors

Sutter County Board of Supervisors

Tulare County Board of Supervisors

Local Government (continue)

Tuolumne County Board of Supervisors
Ventura County Board of Supervisors
Yolo County Board of Supervisors
Yuba County Board of Supervisors

Business

California Chamber of Commerce
CalAsian Chamber of Commerce
American Staffing Association
Associated Builders and Contractors, Inc. –
Central Valley Chapter
Associated Builders and Contractors, Inc. -
Northern California Chapter
Associated Builders and Contractors, Inc. –
San Diego California Chapter
Associated Builders and Contractors, Inc. -
Southern California Chapter
Bay Area Council
California Building Industry Association (CBIA)
California Building Officials
County Building Officials Association of
California
California Business Properties Association
California Manufacturers & Technology
Association (CMTA)
California Retailers Association
California Staffing Professionals
Camarillo Chamber of Commerce
Carpenter/Robbins Commercial Real Estate,
Inc.
Chambers of Commerce Alliance of Ventura
and Santa Barbara Counties
Fresno Area Chamber of Commerce
Greater Bakersfield Chamber of Commerce
Greater Riverside Chambers of Commerce
Hub Cities Consortium – America’s Job
Center of California
Library System Services, LLC
Los Angeles Area Chamber of Commerce

Business (continue)

Los Angeles County Business Federation (LA
BizFed)
MuniServices
National Federation of Independent Business
(NFIB)
Orange County Business Council
ResCare Workforce Services
San Gabriel Valley Economic Partnership
The Silicon Valley Organization
Valley Industry & Commerce Association
(VICA)



FLOOR ALERT

Vote **NO** on SB 649

SB 649 eliminates your constituents' ability to provide input into the deployment of cellular sites in their communities.

- **SB 649 eliminates all meaningful authority currently vested in cities and counties to regulate size, appearance, location and quantity of cellular infrastructure. It therefore nullifies the ability of residents to obtain help from local elected officials regarding the siting of cellular sites in their communities.**

This will wipe out an essential local government function that Californians expect city councilmembers and county supervisors to provide, which is responding to concerns regarding neighborhood and community issues. If SB 649 becomes law, local elected officials will be unable to help your constituents address concerns they have about the impact of cellular sites on their neighborhoods and communities.

- **SB 649 does not really limit the size of cellular infrastructure because the bill exempts eight categories of "ancillary equipment" from the size limitations. It also allows telecom companies to decide on the number and locations of cellular sites without regard to local citizen input.**

The sponsors claim the bill limits the size of the equipment they can deploy. That's not the case. The equipment can be up to 35 cubic feet in size with all sorts of ancillary equipment attached that have no size limitation. Imagine a 35-cubic foot refrigerator outside your door with multiple antennas, cords and boxes attached.

Moreover, telecom companies can deploy their equipment on any public utility pole, light pole or building they want. Cities and counties cannot require alternative locations. According to the sponsors' own testimony, telecom companies intend to deploy 5 to 10 times as many sites as are currently deployed. Where you might see one pole with a cellular site attached on a given city block today, you will shortly see 5 to 10 times as many poles with cellular sites attached to them.

- **SB 649 does not require the deployment of 5G technology anywhere in California, and falls to require 5G deployment in underserved communities and low-income communities.**

Despite the sponsors' assertions that SB 649 is about 5G deployment, SB 649 does not require deployment of 5G technology. In fact, 5G is not mentioned in SB 649. Moreover, there are no provisions in SB 649 requiring the sponsors to address the digital divide by deploying 5G technology in underserved or low-income communities. SB 649 is all take and no give.

- **SB 649 effectively prohibits local government from negotiating agreements with telecom companies to provide in-kind cellular services to public libraries, schools, parks, and other public benefits.**

The City of Sacramento recently negotiated an agreement with telecom companies to provide in-kind WiFi service in public parks and other benefits in exchange for use of public infrastructure. Nonetheless, SB 649 effectively prohibits the ability to make such arrangements in the future. Combined with the cap on fees discussed below, this prohibition eliminates the ability of local governments to obtain reasonable value for the residents who fund the public utility infrastructure.

- **SB 649 eliminates existing and prospective fair market rate leases and instead creates an arbitrary \$250 charge for a telecom company's use of public property for private gain. This will effectively gut public programs currently supported by those fees.**

For example, some local governments use funds from their current agreements with telecom companies to address the digital divide in low income communities. If SB 649 passes, the telecom companies will terminate those agreements and replace them with the terms of SB 649 thereby eliminating funds currently used by those local governments to address the digital divide.

- **SB 649 is an audacious power grab by the wireless industry.**

Without proving a demonstrable need for the basic principles of the bill, SB 649 goes beyond its basic promises with the inclusion of presumptuous provisions such as requiring local governments to perform renovation work on public property to accommodate private wireless equipment at taxpayer expense.



A Coalition of 300 Cities, Counties, Agencies, and Organizations Opposed Urge Your NO Vote.

League of CA Cities | 1400 K Street, Suite 400, Sacramento, California 95814 | Phone: (916) 658-8200



® August 23, 2017

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To: CSAC Board of Directors
From: Alan Fernandes, CSAC Finance Corporation Executive Vice President
Cara Martinson, CSAC Senior Legislative Representative & Federal Affairs Manager
Re: **Cannabis Regulation, Revenue Collection & Banking Services – JPA Solution**

Introduction

Pursuant to the direction of the CSAC Executive Committee and the CSAC Finance Corporation, CSAC legislative and Finance Corp staff have been working together to explore ways that CSAC might assist counties with the cannabis regulatory compliance, banking and cash collection issues that will result from the legalization of adult cannabis use beginning in January 2018.

Background

As you know, California was the first to decriminalize the use of cannabis for medicinal purposes in 1996 with the passage of Proposition 215, though the state left virtually all regulation to local governments. In 2015, the California legislature then enacted a comprehensive regulatory framework for licensing and enforcement of medical cannabis cultivation, manufacturing, retail sale, transportation, storage, delivery and testing through the Medical Cannabis Regulation and Safety Act (MCRSA). In November 2016 voters passed Proposition 64, the Adult Use of Marijuana Act (AUMA), legalizing the adult use of cannabis in California. AUMA also decriminalizes sale and distribution within a robust regulatory scheme anchored by a “track and trace” system designed to track the sale and movement of all cannabis and cannabis products throughout the state, which is scheduled to be online beginning January 1, 2018. Just this summer, the Legislature approved SB 94, which conformed MCRSA and AUMA into a single system of state regulation and tax collection.

Notwithstanding the significant increase in state regulation and taxation, many California counties continue to be the first stop for cannabis commerce in terms of both regulation and public safety, as well as the front line of cannabis regulatory enforcement.

Cannabis, however, remains a Schedule 1 controlled substance under federal law and therefore illegal in the eyes of the federal government. Despite this fact, the federal government has issued federal guidelines to legalizing states and financial institutions that wish to bank with the cannabis industry. This guidance has opened the door somewhat to financial institutions that wish to work with legitimate cannabis operations. However, a certain amount of risk remains. Despite the federally issued guidelines, the prospects of removing cannabis from Schedule 1 remain unlikely at least into the next decade. As a result, many financial institutions are still reticent to accept the risk and costs associated with working with the cannabis industry, and cannabis businesses continue to have a difficult time accessing banking and other financial services. This is extraordinary, because some estimate the cannabis industry will generate *\$25 billion* in commerce over the next five years in California, and billions in state and local taxes. The resultant surge of manually delivered cash payments to state and local governments is expected to create a significant public safety concern, and to substantially increase opportunities for unscrupulous financial actors and shady business practices.

While other stakeholder groups have been meeting to chart paths for their groups or organizations to be ready for January, none are addressing the issue in a comprehensive way – and yet the big issues

raised by legalization cannot be solved by individual participants alone or by interest groups in isolation. While there is likely no single solution to the many layers of issues created by legalizing the adult use of cannabis, there is an acute demand and opportunity for a mechanism whereby various participants in the regulation and taxation of cannabis – namely cities, counties and state agencies – can collaborate, both to address common problems and to tackle their unique issues in ways that are complementary or not inconsistent with one another.

The Solution

The solution is the California Cannabis Authority (“CCA”), a Joint Powers Authority created by contract between counties with cannabis regulatory or taxing authority. (Although we envision that cities will be an important partner to CCA, the initial plan is to include only subdivisions of the state to reduce the potential for federal entanglements).

The purpose of CCA will be multifaceted, but initially focused on addressing the very acute but complex problems surrounding the substantial increase in cash payments to state and local governments expected from cannabis businesses. California cannabis laws impose a state excise tax and flat cultivation taxes, and also give local governments explicit authority to impose their own special or general taxes on cannabis. Cities, counties and state agencies have a common goal of ensuring maximum tax compliance to help fund a robust regulatory program. Developing solutions to help facilitate the greatest tax compliance at the state and local level is of utmost importance.

One of the most significant impediments to this “mainstreaming” of cannabis regulatory compliance and taxation is the aforementioned lack of banking services for cannabis cash collection. In turn, the largest impediment to providing access to banking services for cannabis businesses is the demand on banking institutions to conduct enhanced due diligence (EDD). Enhanced due diligence essentially involves commercial banks taking on the responsibility to 1) ensure their cannabis customers are not engaging in money laundering, and 2) otherwise ensure that cannabis business customers are complying with state and local laws regulating and taxing the industry. The cost to individual banks to create such oversight mechanisms is extraordinary – and as a result, few do.

The proposed CCA joint powers authority can reduce the cash-management burden on state and local governments by reducing the due-diligence burden on banks – by providing them much of the information required to comply with EDD. This requires big data and the means to analyze that data to support regulatory, tax and law enforcement activities. CCA will collect and provide this data and analytical capacity and function.

How JPAs Work

A Joint Powers Agreement (JPA) is a contract between two or more public agencies to exercise, jointly, all power(s) common to each of them, for the purpose of accomplishing specific shared goals. Government Code §§ 6500-6536, et. seq., titled the Joint Exercise of Powers Act, provide the authority for public agencies to enter into JPAs. JPAs can be formed to address a number of issues facing state and local governments in a cooperative manner.

All manner of federal, state and local public agencies can agree to exercise joint powers. A California agency can even share joint powers with an agency in another state. The common thread is that a confederation of governments works together and shares resources for mutual support or common

actions. These government agencies that participate in joint powers agreements are called member agencies.

Often, but certainly not always, a joint powers agreement can establish a separate entity from that of its members; a Joint Powers Agency or Joint Powers Authority. A joint powers authority is simply a new government entity created by the member agencies, but is legally independent from them. Like a joint powers agreement in which one agency administers the terms of the agreement, a joint powers agency or authority exercises powers common to the member agencies, and those powers are outlined in the joint powers agreement.

The formation of a JPA begins when public officials negotiate a formal agreement that details the member agencies' intentions, the powers that they will share, and other mutually acceptable conditions that define the intergovernmental arrangement. The terms of a joint powers agreement will describe the size, structure, and membership of the JPA's governing board and documents the JPA's powers and functions. Each member agency's governing body then approves the joint powers agreement.

As a separate agency, a JPA must appoint a treasurer and an auditor. The treasurer may be an employee of a member agency, the county treasurer where the JPA operates, or a certified public accountant. The JPA's auditor must arrange for an annual audit, although many public agencies audit their own JPAs. JPAs are subject to a number of state filing requirements as well as strict oversight through annual audits by independent auditors. Also, as public entities, JPAs are subject to open/public meeting requirements and demands on the availability of their information for public purposes.

As with any government agency, a joint powers agency needs money to operate. Among JPAs there are two popular funding methods: (1) creating a revenue stream, and (2) raising capital by issuing bonds. JPAs enjoy a largely unique and valuable power in that they can legally issue bonds without the need for voter approval. Generally speaking, counties, cities, and special districts need majority-voter approval before they can issue revenue bonds.

Another mechanism for JPAs to raise revenue is through fees charged to member public agencies. Similarly, to the extent a JPA contracts with private entities for products or services, those entities may be charged. However, Proposition 26, passed by the voters in 2010, curtailed the use of fees by broadly defining "tax," which under California Constitution Article XIII, Section D requires a vote of the people. The imposition of fees, if permitted at all, is restricted in amount to that which does not exceed the reasonable costs of providing the product or service by the local government agency.

The California Cannabis Authority (CCA) Joint Powers Authority

The CCA is structured rather simply. Members comprise counties that adopt an ordinance to join, as well as potentially those state agencies who are directly involved in taxing or regulating the cannabis industry. Cities will be treated as Participants who, by contract, will participate in the JPA but without Board voting authority.

The Board constitutes the governing body of the CCA and comprises each Member choosing to sit on the Board and designate a Board Member. The Board will designate an Executive Committee comprised of a President, Vice President, Secretary, Treasurer and three "at large members" that will be responsible for oversight of day-to-day Authority operations. The Executive Committee will be

responsible for hiring an Executive Director and General Counsel who will be responsible for running the Authority on a day-to-day basis.

The purpose of the CCA will be multifaceted, but will initially focus on cash collection and data collection to create a system that will facilitate cash payments for state and local agencies receiving tax revenue or fees from cannabis businesses. Additionally, the CCA will be authorized to provide regulatory and tax administration on behalf of Member and Participant agencies; coordinate regulatory and tax collection activities; promote efficiency among County regulatory and audit ordinances and practices; and facilitate industry compliance.

Through access to the combined information stores of CCA Member and Participant agencies, the CCA will be in a position to provide unparalleled insights into cannabis operations in California – which will serve the needs of these Member and Participant agencies in their regulatory, tax, and public safety functions.

Next Steps & Contact

CSAC has convened a small working group of Supervisors, Treasurer Tax Collectors and staff to help guide this effort. In addition, CSAC is working with the Treasurer’s Cannabis Banking Working Group to help inform our efforts.

For more information, please contact Cara Martinson, CSAC Senior Legislative Representative & Federal Affairs Manager, at 913-327-7500 or cmartinson@counties.org; or Alan Fernandes, Executive Vice President ,CSAC Finance Corporation, at 916-327-7500 Ext, 560 or alan@csacfc.org.



® August 23, 2017

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To: CSAC Board of Directors

From: Kiana Valentine, CSAC Senior Legislative Representative
Chris Lee, CSAC Senior Legislative Analyst

Re: **SB 1 Implementation Update**

Background. The Legislature passed and the Governor signed into law an ongoing transportation funding and reform package in April 2017 following a multi-year advocacy effort that included CSAC, counties around the state, and our local government, business, and labor union partners. Over the next decade, SB 1, the Road Repair and Accountability Act of 2017, will provide approximately \$5 billion annually in new revenue for local streets and roads, state highways and public transportation through the imposition of new and increased fuel taxes and vehicles fees. From these new revenue sources, an average of approximately \$1.5 billion per year in new funding will be allocated by formula for county roads and city streets.

Policy Considerations. SB 1 includes new and enhanced public transparency and accountability requirements that will apply to both state and local revenues. CSAC has developed a webpage of resources to help facilitate county implementation of SB 1 and compliance with its accountability provisions here: <http://www.counties.org/post/sb-1-road-repair-and-accountability-act-2017>.

- **New Local Transparency Requirements and Maintenance of Effort.** To encourage transparency in the use of SB 1 revenues at the local level, counties will be required to approve their provisional plans for projects built with SB 1 transportation formula funds. In order to receive formula funding from the Road Maintenance and Rehabilitation Account (RMRA) a county must include a list of planned projects in a publicly-adopted budget. SB 1 also requires annual reporting on expenditures of RMRA funding. In order to receive RMRA funding, counties must comply with a local maintenance of effort based on average discretionary spending for county road purposes during the 2009-10, 2010-11 and 2011-12 fiscal years.
- **Development of Reporting Guidelines.** The California Transportation Commission (CTC) is charged with receiving local reports detailing planned projects included in the county budget and making a determination whether each jurisdiction has complied with this public transparency requirement. In each fiscal year, counties must comply with the planned project reporting requirement prior to receiving an allocation of RMRA funding from the State Controller. The CTC adopted final guidelines on these reporting requirements on August 16. The guidelines can be found on the CSAC SB 1 webpage and the CTC's website here: http://www.catc.ca.gov/programs/SB_1/081717_Final_LSR_Program_Reporting_Guidelines.pdf.

- **Deadlines for Reporting Compliance.** Counties must incorporate proposed RMRA project lists within the county budget and submit a project list to the CTC to establish eligibility by October 16. Several counties have already included a list of projects in recommended budgets approved in June. Counties that adopted a final budget in June without incorporating a list of planned projects will need to make a budget amendment to incorporate this information in order to comply with SB 1 provisions and receive allocations of formula funds.
- **Flexibility for Planned Expenditures.** While these requirements are a departure from prior fuel tax revenue allocations to counties, they are based on requirements that accompanied local funds from Proposition 1B in 2006. Given that SB 1 is an ongoing program that continuously appropriates local formula funding, the bill provided necessary flexibility. SB 1 included language recognizing that planned projects may change between when an anticipated project list is adopted to when projects are constructed. This provision authorizes such changes without a requirement to amend the initial project list, although funding may only be spent on eligible projects.
- **Eligible Uses and Other Policy Considerations.** SB 1 includes relatively broad project eligibility for local funds, however, the law clearly states that road maintenance and rehabilitation projects and safety projects should be the highest priority unless a county's pavement condition index exceeds 80. Counties should develop their list of planned RMRA-funded projects with this guidance in mind. Moreover, SB 1 places a strong emphasis on multi-modal transportation. Counties are encouraged to incorporate complete streets features appropriate for the specific rural, suburban or urban context of a road rehabilitation or maintenance project. CSAC advises counties to focus RMRA funds on projects that can accommodate such features within the project scope and existing bicycle/pedestrian plans.
- **Additional Formula Funding from SB 1.** In addition to formula funding from the RMRA, counties will benefit from inflation indexing on existing fuel excise tax rates, as well as the reset of the current "price-based" gasoline excise tax to 17.3 cents per gallon in July 2019 and future inflationary adjustments to that rate. These funding increases are not accompanied by additional reporting requirements and will ensure that counties continue to have funding for basic road maintenance road maintenance activities that do not lend themselves to location-specific reporting.
- **Competitive Funding Opportunities from SB 1.** Counties can also directly benefit from competitive funding programs established by SB 1. Links to additional information about these programs are available on the CSAC SB 1 implementation webpage:
 - \$300 million annually for "Trade Corridor Enhancement." Guideline development is underway via the CTC.
 - \$250 million annually for the new "Solutions for Congested Corridors" program. This will be a competitive program that funds projects nominated by regional

transportation planning agencies or county transportation commissions. Guideline development is underway via the CTC.

- \$200 million annually in local partnership funding for self-help counties that adopt special tax measures or uniform development impact fees dedicated to transportation purposes. Guideline development is underway via the CTC and CSAC plans to submit comments.
- \$100 million annually for active transportation projects (ATP). This is a competitive program. In the first year, funding will be split between projects nominated by regional transportation agencies and a statewide competition that were eligible, but did not receive funding in the last round of ATP grants. Guidelines will be revised in future years via the CTC.
- \$25 million annually for planning grants for local and regional agencies to implement state goals related to regional transportation planning, including SB 375 sustainable communities strategies. Guideline development is underway via Caltrans and CSAC plans to submit comments.
- \$20 million in one-time funding allocated over the next three years for climate change adaptation planning for transportation infrastructure. Guideline development is underway via Caltrans and CSAC plans to submit comments.

CSAC, working with our partners at the League of California Cities, is also pursuing statutory changes to SB 1 to expedite local street and road project delivery and increase accountability and transparency. At the time of this writing, staff is working with the Administration and legislative staff to identify a vehicle to ensure adoption of these changes before the Legislature adjourns for the year on September 15. Specifically, as counties have started to implement SB 1, we've identified the following four issues.

1. **Allow Internal Borrowing/Reimbursement to Expedite Project Delivery.** Cities and counties are anxious to begin road maintenance, rehabilitation, and safety projects with revenue from SB 1. Given the processes the SCO has to undertake in order to collect, distribute SB 1 funds, the earliest cities and counties will receive SB 1 funding is January 2018. Cities and counties would like to begin preparing projects for the 2018 construction season or even start construction on SB 1 projects now. However, existing law is unclear as to whether cities and counties can spend other funds now and reimburse themselves once SB 1 funds become available.
2. **Flexibility in Project List Adoption.** SB 1 requires cities and counties to annually adopt project lists within a city or county budget and submit adopted projects lists to the CTC to establish eligibility for local streets and roads funding. This process was modeled after Prop 1B. However, because city and county budgets are large documents that cover a range of issues including a project list in an adopted budget does not provide for added transparency or accountability. Rather, cities and counties should be able to adopt a project list at any regularly scheduled public hearing by resolution. Adoption by resolution will allow cities and counties to adopt project lists

earlier in the year and to establish eligibility with the CTC outside of the more prescriptive local budget process.

3. **Grace Period.** Cities and counties must submit approved project lists to the CTC each fiscal year to establish eligibility for SB 1 local streets and roads funds. While CSAC staff fully anticipate that cities and counties will adopt project lists and submit to the CTC before the annual deadline, unforeseen and/or unavoidable circumstances can occur that may lead a city or county to miss a deadline in a given year. The SCO has unofficially opined that it will allocate monthly apportionments to all eligible recipients but will not hold funds for cities and counties that have yet to submit an approved project list. The SCO should hold funds for at least three months before reapportioning their share of revenues to other eligible cities and counties. CSAC and the League will work to identify any cities or counties that fail to establish eligibility by the deadline each year and work to get them into compliance.

4. **Complete Fiscal Year Expenditure Reporting.** SB 1 requires cities and counties to submit to the CTC reports on completed projects at the end of each fiscal year. However, cities and counties may invest SB 1 funds into multi-year projects which are not clearly required to be reported on under existing statute. In order to demonstrate to the public, elected officials, and other interested stakeholders the broad benefits of SB 1, cities and counties should report on the expenditure of all SB 1 local streets and roads funds in a given fiscal year.

Action Requested. Information only.

Staff Contact. Please contact Kiana Valentine (kvalentine@counties.org or 916/650.8185) or Chris Lee (clee@counties.org or 916/650.8180) for additional information.



California Association of County Executives

Providing Executive Leadership in California's Counties

Distinguished Service Award

We would like to announce the third annual County Administrator/ County Executive (CAO/CEO) Distinguished Service Award. This award is to be given to an individual CAO/CEO who has shown exemplary work and has set an example for cities, counties and the state. This award shall be given to those CAO/CEOs who have made a difference for the professional administration of County Government.

CRITERIA: The following are the criteria that shall be used in selecting the CAO/CEO Distinguished Service Award. Demonstrated activities and abilities in one or more of the following criteria:

1. Being a role model for others in city/county government as well as in the profession of local government management.
2. Demonstrating respected leadership in the city, county, region, and/or statewide. He or she has used the highest ethical standards while conducting county affairs.
3. Serving as a mentor to the home county, other CAOs, 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 would 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 of the aforementioned criteria, please give an example(s) of each. If you do not have any examples for a specific criteria please say, NOT APPLICABLE.
3. Please cover each of the above criteria.
4. Please submit eight copies of the Nomination Paper to Terry Schutten, address and email listed below.
5. **SUBMIT THE NOMINATION PAPER BY FRIDAY, OCTOBER 13, 2017.**

The individual candidates will be reviewed by an 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.

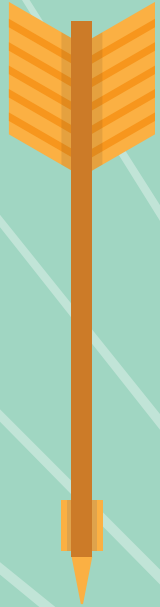
It needs to be stated that is not necessary for a Distinguished Service Award to be given on an annual basis but only on the outstanding work completed by a CAO/CEO.

Please submit nomination papers of the candidate's qualifications by Friday, October 13, 2017 to:

Terry Schutten, Executive Director
County Administrative Officers Association of California (CAOAC)
1100 K Street, Suite 101
Sacramento, CA 95814
Email: tschutten@counties.org

2017 CSAC CHALLENGE AWARDS CALL FOR ENTRIES

TARGETING SOLUTIONS

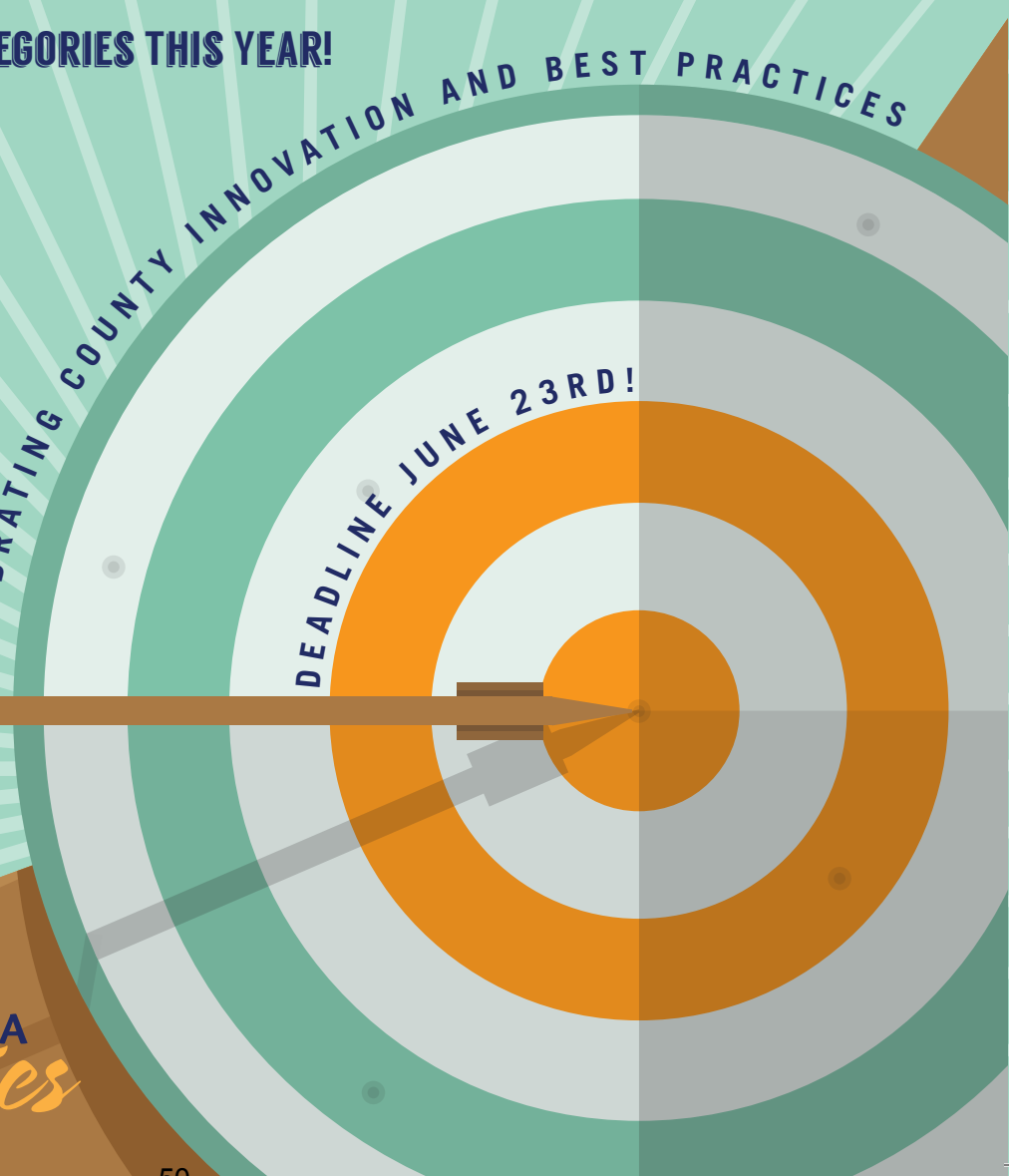
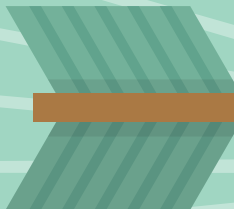


FROM PUBLIC SAFETY, HEALTH AND TECHNOLOGY TO SOCIAL SERVICES, HOUSING, COUNTY OPERATIONS AND MORE – JOIN YOUR INNOVATIVE COLLEAGUES AS WE TAKE AIM AT CRITICAL ISSUES FACING CALIFORNIA COUNTIES TODAY AND IN YEARS TO COME. 

NEW ENTRY CATEGORIES THIS YEAR!

CELEBRATING COUNTY INNOVATION AND BEST PRACTICES

DEADLINE JUNE 23RD!



CALIFORNIA
Counties

CELEBRATING COUNTY INNOVATION AND BEST PRACTICES 2017 CSAC CHALLENGE AWARDS CALL FOR ENTRIES



The California State Association of Counties (CSAC) invites you to enter our 2017 Challenge Awards competition.

These unique awards recognize the creative spirit of our California Counties as they find innovative, effective and cost-saving ways to provide programs and services to their citizens. This is a wonderful opportunity to spotlight your county's best practices while recognizing your staff for innovations in county government!

Please read the following instructions and consider entering your county's programs/projects to be honored with one of these prestigious awards.



ENTRY CATEGORIES

We have **NEW ENTRY CATEGORIES** for issue areas and population this year!



CALIFORNIA
Counties

ENTRY CATEGORIES



ISSUE AREAS

Administration of Justice & Public Safety – Includes programs associated with local law enforcement and public safety, adult and juvenile detention, and probation.

Agriculture, Environment & Natural Resources – Includes programs associated with agriculture, the environment, air quality, water, flood control, energy, parks and recreation, public lands, forestry, mining, endangered species, solid waste, and hazardous waste.

Government Finance, Administration & Technology – Includes programs associated with internal operations, employee training and wellness, workers' compensation, public records, technology, economic development, elections, food safety, and disaster planning/response.

Health & Human Services – Includes programs associated with health care, mental health, homelessness, foster care, child welfare services, adult protective services, IHSS, general assistance, aging, CalWORKs, county hospitals, the indigent, and veterans.

Housing, Land Use & Infrastructure – Includes programs associated with housing, land use, growth, planning, transportation, infrastructure, and tribal gaming issues.

POPULATION

Population categories will now reflect the three caucuses within CSAC: **Urban, Suburban and Rural Counties**. On your entry form, please check which population category you are entering.

Rural – Alpine, Amador, Calaveras, Colusa, Del Norte, El Dorado, Glenn, Humboldt, Inyo, Kings, Lake, Lassen, Madera, Mariposa, Mendocino, Modoc, Mono, Nevada, Plumas, San Benito, Sierra, Siskiyou, Sutter, Tehama, Trinity, Tuolumne, and Yuba.

Suburban – Butte, Imperial, Kern, Marin, Merced, Monterey, Napa, Placer, San Joaquin, San Luis Obispo, Santa Barbara, Santa Cruz, Shasta, Solano, Sonoma, Stanislaus, Tulare, and Yolo.

Urban – Alameda, Contra Costa, Fresno, Los Angeles, Orange, Riverside, Sacramento, San Bernardino, San Diego, San Francisco, San Mateo, Santa Clara, and Ventura.

ELIGIBILITY

Only programs that are developed, managed or funded by a county department or agency are eligible. Multi-county programs are eligible. Court-related programs must be coordinated or funded by the county.

An entry can only be submitted in one category; if you have an inter-departmental program, please mark the category that best reflects the nature of that program.

Programs that have previously received a Challenge Award cannot be entered again; Merit Award recipients are eligible.

Judges will be looking for programs that are innovative, unique and replicable. To enhance your chances, county programs or projects submitted should be in existence for at least one year.

ALL CHALLENGE AWARD ENTRIES WILL BE CONSIDERED FOR SPECIAL AWARDS AT THE JUDGES' DISCRETION. THESE AWARDS WILL NOT BE SUBJECT TO THE POPULATION CRITERIA OUTLINED ABOVE.

SELECTION CRITERIA

A panel of county and private sector officials will evaluate the entries. Judges' decisions are final. The following criteria will be used to select the winners:

- Statement of the problem and solution.
- Innovation, resourcefulness, vision, uniqueness and risk-taking.
- Potential replicability of the program/project.
- Cost-effectiveness of the program/project.
- Conformance to application instructions as set forth in the "Entry Instructions" below.

ENTRY INSTRUCTIONS

- 1 FILL OUT OFFICIAL ENTRY FORM ON INSIDE BACK PAGE OF THIS BROCHURE.** The entry form is also available online at www.counties.org. Make sure you check the appropriate issue and population categories.
- 2 OBTAIN A LETTER OF AUTHORIZATION.** This is simply a letter signed by either your Board Chair or County Administrator authorizing the entry of the county's programs in the Challenge Awards competition. Counties may submit one (1) letter of endorsement for all entries, but please list each entry by program name in your letter of endorsement.
- 3 CONSTRUCT YOUR "EXECUTIVE SUMMARY."** This is your statement of the challenge and the solution. Your Executive Summary is a very important part of your entry. It must be **NO MORE THAN TWO 8.5x11 DOUBLE-SPACED PAGES**. Please include contact information on the summary.

ORGANIZE YOUR EXECUTIVE SUMMARY AS FOLLOWS:

- **Overview** – Provide a brief, 25-word summary of your program or project.
 - **Challenge** – Describe the challenge your county faced and the process used to address it. Explain the unique or critical factors that led to this project.
 - **Innovative Solution** – Describe the innovative steps taken by the county to solve the problem or overcome the challenge.
 - **Originality** – Describe how this program is unique among California Counties.
 - **Cost Effectiveness** (If applicable) – How much money was budgeted to fund the project? How much money did the program save?
 - **Results** – Describe the results of the program/project. Discuss how the program or project has positively impacted the community, improved delivery of services to the public, or improved administration of a program internally.
 - **Project or Program Contact** – List the name, title, mailing address, phone and e-mail address of the person who can be contacted about this program.
 - **Optional Submission** – If your project involved the development of a video or CD, please enclose one copy. Videos/CDs will not be returned and become property of CSAC. Please limit supporting material – such as brochures, final reports or other information – to items that are directly relevant to this project.
- 4 MAKE CHECK(S) PAYABLE TO: CSAC CHALLENGE AWARDS. A payment of \$75.00 must accompany EACH entry.** If entering multiple entries, a single check with a total amount (\$75.00 for each program entered) may be submitted. However, a photocopy of the check must be submitted with each entry.
 - 5 SEND IN YOUR ENTRY BY MAIL.** You must send two (2) complete copies of each entry form and Executive Summary, along with either a check or photocopy of group payment and your letter of endorsement (see entry form for address). Your entry should be mailed to: CSAC Challenge Awards, CSAC, 1100 K St., Ste. 101, Sacramento, CA 95814.

ALL ENTRIES MUST BE POSTMARKED BY FRIDAY, JUNE 23, 2017. ENTRIES MAY NOT BE FAXED. ENTRIES RECEIVED BY CSAC WILL NOT BE RETURNED.

DEADLINE

All entries must be postmarked by Friday, June 23, 2017, to be considered. Faxed or emailed entries will not be accepted. Entries cannot be returned.

ENTRY FEE

\$75.00 per entry. A check payable to CSAC Challenge Awards must accompany EACH entry. If entering multiple entries, a single check with a total amount (\$75.00 for each program entered) may be submitted. Credit card payments cannot be accepted.

GENERAL INFORMATION

- Two levels of awards will be presented by CSAC in each category: Challenge and Merit Awards. The judges have the flexibility to offer an optional top-level award: The California Counties Innovation Award.
- Judges will also consider all entries for special awards that are open to all population categories.
- Challenge Awards will be presented in person in the recipient's county. Merit Awards will be mailed.
- In the event that a multi-county application is honored, each county will receive an award.
- Award-winning recipients will be notified by email upon completion of judging in the fall.
- If you have any questions, contact David Liebler, CSAC Director of Public Affairs & Member Services:
916/327-7500, ext. 530
dliebler@counties.org

NEW

ENTRY CATEGORIES

All entries must now be placed in both a specific **ISSUE AREA** category and **POPULATION** category.

CHALLENGE AWARDS ENTRY FORM

You may type this information on a separate sheet and submit as Page 1 of your entry:

ISSUE AREA CATEGORY (NEW):

- Administration of Justice & Public Safety
- Agriculture, Environment & Natural Resources
- Government Finance, Administration & Technology
- Health & Human Services
- Housing, Land Use & Infrastructure

POPULATION CATEGORY (NEW):

- Rural County
- Suburban County
- Urban County

County(ies) Name(s)

Lead Department/Agency

Contact Name and Title

Mailing Address

City State Zip

Phone Ext.

Email

TITLE OF THIS ENTRY

(to be used on award – seven words maximum)

IMPORTANT - INCLUDE THE FOLLOWING FOR EACH ENTRY:

- Completed entry form; remember to have check the appropriate issue area and population categories.
- 2-Page executive summary.
- Copy of endorsement letter authorizing entry. One letter may be used for multiple entries, but please include a copy for each entry.
- Enclose payment of **\$75.00 for each entry**. One check may be used for multiple entries.

CHECKS SHOULD BE MADE PAYABLE TO:

CSAC Challenge Awards

MAIL OR DELIVER ALL OF THE ABOVE TO:

CSAC Challenge Awards
1100 K Street, Suite 101, Sacramento, CA 95814

2016 CSAC CHALLENGE AWARD RECIPIENTS

CALIFORNIA COUNTIES INNOVATION AWARD

Plumas County – 20,000 Lives

CHALLENGE AWARD RECIPIENTS

UNDER 50,000

Amador County – Improving Oral Health for Amador's Children

50,001 – 200,000

Imperial County – Inside/Out College Program

Tehama County – Washington Street Productions: Getting People to Work

200,001 – 750,000

Butte County – Your Mind Matters

Santa Barbara County – Central Coast Collaborative on Homelessness

Sonoma County – Unaccompanied/Undocumented Children Deportation Defense Project

750,001 & ABOVE

Los Angeles County – Roadmap to Sustainable Waste Management Future

Los Angeles County – Youth Opportunity Program

Orange County – Adopt-A-Channel Program

Sacramento County – Probation Department Career Training Partnership

San Bernardino County – Gateway Mock Trial Competition

San Diego County – First Responder Access and Functional Needs Training

San Diego County – Trauma Responsive Unit Protects Youth in Custody

MERIT AWARD RECIPIENTS

UNDER 50,000 (No Awards Given)

50,001 – 200,000

Imperial County – Working Child Support Cases with Mexico

200,001 – 750,000

Butte County – Strengthening Families

Marin County – Game of Floods: Adapting to Sea Level Rise

Placer County – Clean Slate Clinic

San Joaquin County – McHenry Avenue Temporary Roundabout

Santa Cruz County – Citizen Connect Mobile App

Stanislaus County – Focus on Prevention Initiative

Tulare County – Bee-Tracking Application

750,001 & ABOVE

Alameda County – MAP1193

Contra Costa County – High School Voter Registration and Participation Kits

Los Angeles County – Bridge Preservation: Bridge Preventive Maintenance Program

Los Angeles County – County Services Kiosk

Los Angeles County – DCFS Foster Care Search System

Los Angeles County – LA County Hosts "Tell Your True Tale" Writers Workshop

Riverside County – Gang Awareness Mentorship and Education

Riverside County – Paternalism to Partnership—Innovative Pediatric Therapy Services

Riverside County – Transition and Reentry Unit

San Bernardino County – Community Liaison Unit

San Bernardino County – Family Stabilization Intensive Case Management Collaboration

San Bernardino County – Volunteer Income Tax Assistance (VITA)

San Diego County – Access Brings Innovation, Enhancements to Call Center

San Diego County – Being Healthy Teen Wheel Project

San Diego County – Disaster Preparedness Curriculum, "Be Aware! Be Prepared!"

San Diego County – Improving Communication with Communities During Emergencies

San Diego County – Land Development Process Reorganization

San Diego County – Leveraging Tablet/4G Tech for Process Automation

San Mateo County – Agile Organization Initiative

Ventura County – Service Excellence Program

Ventura County – Sheriff's OES Mobile APP

www.counties.org





September 7, 2017

1100 K Street
Suite 101
Sacramento
California
95814

Telephone
916.327.7500

Facsimile
916.441.5507

To: CSAC Officers
CSAC Executive Committee

From: Graham Knaus, Deputy Executive Director of Operations and Member Services
David Liebler, Director of Public Affairs & Member Services
Jim Manker, Director of Corporate Relations
Kelli Oropeza, Chief of Financial Operations

Re: CSAC Operations and Member Services Update

This memorandum highlights key activities and initiatives occurring within CSAC operations and member services.

Corporate Partnership Program

The Corporate Partnership Program will begin the Fiscal 2017-18 with 72 partners, including 30 Premier, 8 Executive, and 34 Associate partners. The Premier Partner level is realistically the back bone of our program. Each Premier partner makes an annual contribution to CSAC in the amount of \$25,000 or more. This is why we are so pleased to add three new companies to this level: California Forensic Medical Group, Healthnet, and Taborda Solutions. Please note the most updated partner roster is included in the pages following this report.

Regional Meetings

We just completed the Northern Counties Regional Meeting, June 28-29 in Humboldt County. It was our largest Regional Meeting to date! Over 60 county leaders and corporate partners participated in a robust agenda about cannabis. Many of us had the opportunity to participate in an educational tour on Wednesday, June 28. Our first Regional Meeting of the new fiscal year is set to take place in early November.

New CSAC Corporate Partner Guide is coming

We are currently in the process of completing our latest corporate partner guide. The corporate partner guide helps to articulate all CSAC Finance Corporation partners and the various revenue share programs we offer through each. This guide also lists all current yearly corporate partners (those companies who make an annual one time investment) and provides information about their business offerings and the value they bring to California Counties. We will be distributing this guide to each member of the CSAC Board of Directors, and the CAO/CEO, General Services Directors and procurement department in each of their counties.

Annual Meeting Exhibit Hall – Tuesday, November 28 and Wednesday, November 29

We have just opened the annual exhibit hall registration and are hopeful to have as many as 100 exhibitors this year. One thing never changes, our booth vendors want to make a connection with you! Please make every effort to stop in and interact on products and services that may be of value to your county.

Thank you again for your support of our Partnership Program.

CSAC Corporate Program twitter page, please follow us!

www.twitter.com/CsacCorp

Member Services and Communications

Following is a brief summary of CSAC Communications Unit activities and successes during the past three months. Significant emphasis continues to be placed on a combination of earned and social media to meet a number of our communications goals for the year.

Earned Media

Over the past several months, the CSAC Communications Unit has played an integral role in complementing our advocacy efforts on key legislative issues. We have been successful in placing several op-ed pieces in various newspapers on issues important to counties. Often this involved close collaboration with other stakeholders. The Sacramento Bee ran a piece in opposition to SB 649, the “small cell bill,” from Matt Cate, Carolyn Coleman from the League of Cities and Greg Norton from the Rural County Representatives of California. The Bee also ran an opinion piece co-authored by CSAC 1st Vice President Leticia Perez and Moira Kenney from the California First Five Commission, opposing AB 1250, the county contracting bill. In both cases, CSAC’s Communications team was instrumental in crafting the messages and getting the items placed in the Bee.

Social Media

During the past three months, CSAC tweeted more than 800 times and received nearly 600,000 impressions. Facebook and Instagram continue to be increasingly popular social media venues utilized by CSAC. Our following on Instagram grows daily the more that we utilize this outlet. A wide variety of CSAC programs, meetings and events are regularly promoted, as are positive stories about our California Counties and supervisors, as well key legislation and other issues of importance to our members.

Blogs

CSAC continues to publish at least one blog every week. During the past three months, CSAC finished our blog series featuring 2016 Challenge Award-winning programs. Beyond that, our blog, “The County Voice,” touched on a variety of issues important to counties: housing, the opioid epidemic, public safety, transportation, AB 1250 and tree mortality. County authors included Supervisors Richard Forster (Amador), Damon Connolly (Marin) Luis Alejo (Monterey), Patrick

Kennedy (Sacramento), and David Canepa (San Mateo), as well as Sheriff Commander Judy Gerhardt (Los Angeles) and County Librarian Maggie Durgin (Tuolumne).

Videos

CSAC finished off its video series on the Challenge Awards; a total of 14 videos have been produced this year on county best practices. During the past two months, CSAC has released a total of eight video recordings of the recent cannabis regional meeting in Humboldt and Counties Cannabis Summit in Sacramento. CSAC communications has also produced videos on county exhibits at the State Fair, and CSAC webinar and testimony given at the Capitol by county officials. We are also production on an overall cannabis series, as well as preparing to release a video looking back on Yuba County's 14Forward homeless program a year later. CSAC is utilizing the talents of a communications intern specializing in video/digital production to assist in the increased workload.

Working with Institute for Local Government

CSAC has produced a video on behalf of the Institute for Local Government spotlighting a Beacon Program award-winning program. Local government officials in Monterey and Santa Cruz Counties, including Supervisors McPherson and Alejo, are highlighted in the video that will be shown September 14 at the awards program during the League of California Cities Annual Conference.

Challenge Awards/County Best Practices

CSAC revamped our annual Challenge Awards program for 2017; awards are now given in specific issue areas as well as by population levels. The awards program experienced a record number of entries (288) this year. A panel of 15 judges is set to come together September 6 to discuss the finalists. Challenge Award recipients are being announced at the September 7 Board of Directors meeting with county notification soon to follow.

Regional PIO Meetings

CSAC has planned regional meetings for public information officers in both Southern and Northern California. San Bernardino and Contra Costa counties, respectively, hosted the events on behalf of CSAC. More than 50 county PIOs had registered to attend the daylong events that were focused on regional cooperation.

CSAC Institute Course

CSAC Communications taught a course on media relations at the CSAC Institute in late July. The course was taught by David Liebler, CSAC's Director of Public Affairs & Member Services, and Betsy Burkhart, Contra Costa County Communications Director. Attendees included county supervisors, department heads, PIOs and other senior staff who interact with the media.

CSAC Wins Awards

CSAC was honored with three awards by the National Association of County Information Officers (NACIO), an affiliate of NACo. Superior Awards were presented in feature writing (a blog by David Liebler on a unique Mono County Behavioral

Health Program), and in video (spotlighting the impacts of tree mortality); a Meritorious Award was presented to CSAC for another video that featured Yuba County's 14Forward program for the homeless.

California Counties Foundation

The California Counties Foundation (Foundation) is the non-profit foundation of CSAC that houses the CSAC Institute, the partnership with the Pew-MacArthur Results First Initiative, and manages charitable contributions and grants to improve educational opportunities for county supervisors, county administrative officers, and senior staff.

CSAC Institute

The CSAC Institute continues its remarkably successful evolution to meet county professional development needs through policy-based and leadership-focused courses and activities. The CSAC Institute offers courses at the main campus in Sacramento, and satellites located in Contra Costa County, Merced County, and now in San Bernardino County. In addition, the Institute will open a Northern California satellite in Shasta County January 2018 thanks to the partnership with Shasta and Tehama counties.

Results First

The CSAC/Results First Partnership began in 2015 and is centered on evidence-based and cost-effective criminal justice programming at the local level. The goal of the CSAC/Results First partnership is to develop county capacity to make evidence-based policy decisions that produce the best outcomes for residents with the highest rate of return for taxpayers. The effort began with the pilot counties of Kern, Santa Barbara, Fresno, and Santa Cruz and has been expanded to Santa Clara, Ventura, Nevada, and Solano counties.

CSAC/Results First continues to receive interest from various counties (rural, urban suburban) and the program's help desk is currently open for interested counties in learning about what works in programing. Program staff has also created a Results First Clearinghouse that includes programs and practices tested through the rigorous Results First data model and proven to work successfully for addressing criminal justice needs within limited funds for both adults and juveniles.

The Foundation, in partnership with Pew Charitable Trusts, Inc, has secured a \$500k grant from the California Health Care Foundation to provide longer-term funding for the program as well as increase capacity and bring on one additional staff to expand to other interested counties.

Fiscal Operations

The 2016-17 fiscal year ended strong and staff is working with our external auditors to complete the annual audit. The audit will cover CSAC operations and will now be consolidated with our California Counties Foundation and the CSAC Finance Corporation. The audit will be presented to the Audit Committee for final approval in September and then presented as an informational item to the Executive Committee and Board.

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Jennifer B. Henning

MEMORANDUM

To: Supervisor Keith Carson, President, and
Members of the CSAC Board of Directors

From: Jennifer Henning, Litigation Coordinator

Date: September 7, 2017

Re: Litigation Coordination Program Update

This memorandum will provide you with information on the Litigation Coordination Program's new case activities since your last Board meeting on May 18, 2017. 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 County San Mateo County	City of Los Angeles (2 cases) City of Morgan Hill City of Pasadena City of Sacramento City of Santa Monica	Ramona Municipal Water District State of California

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Brewster v. Beck

STATUS: Petition for Rehearing Denied; Case Closed

859 F.3d 1149 (9th Cir. June 21, 2017)(15-55479), *petition for rehearing en banc denied* (Aug. 23, 2017)

Plaintiff loaned her vehicle to her brother-in-law. He was stopped by police while driving with a suspended license and her vehicle was impounded. A hearing was held and, although plaintiff provided proof of ownership and a valid California driver's license, the City of Los Angeles, following the requirements of Vehicle Code section 14602.6, held the vehicle for 30 days. Plaintiff filed this lawsuit alleging Fourth Amendment violations. The district court agreed with the city that Vehicle Code section 14602.6 is a valid administrative penalty. The Ninth Circuit reversed, holding that the 30-day impound is a seizure under the Fourth Amendment and the circumstances justifying the initial seizure of the vehicle were no longer present after the car was seized and plaintiff presented officers with proof of ownership and a valid driver's license. The city sought rehearing, which CSAC supported, but rehearing was denied.

Cal Fire 2881 v. CalPERS (State of California)

STATUS: Amicus Brief Due October 17, 2017

7 Cal.App.5th 115 (1st Dist. Dec. 30, 2016)(A142793), *petition for review granted* (Apr. 12, 2017)(S239958)

Beginning in 2003, eligible public employee members of CalPERS had the ability to purchase "airtime," which is the option to purchase at cost up to five years of nonqualifying service credit. The ability to purchase airtime was eliminated in 2013 by PEPR. Plaintiffs challenged this portion of PEPR, arguing that it violates the contracts clause of the California Constitution (Cal. Const., art. I, § 9) and, therefore CalPERS lacks authority to refuse to consider applications for this service credit. The First District upheld PEPR's elimination of airtime purchases. The court determined that plaintiffs could not lawfully claim a vested contractual right to airtime service credit as part of their pension benefits. The court found that there was no intent to create, either expressly or impliedly, a vested right when the airtime statute was passed in 2003. The court further found that while "plaintiffs may believe they have been disadvantaged by these amendments, the law is quite clear that they are entitled only to a 'reasonable' pension, not one providing fixed or definite benefits immune from modification or elimination by the governing body." Plaintiffs filed a petition for review and the Supreme Court granted review to consider: (1) Was the option to purchase additional service credits pursuant to Government Code section 20909 a vested pension benefit of public employees enrolled in CalPERS? (2) If so, did the Legislature's withdrawal of this right through the enactment PEPR violate the contracts clauses of the federal and state Constitutions? CSAC will file an amicus brief on the first issue.

City of Los Angeles v. Metro Water District of S. California

STATUS: Amicus Brief Due April 20, 2018

Pending in the Second Appellate District (filed May 13, 2016)(B272169)

This case raises the issue of when attorneys' fees are available in litigation related to Public Records Act requests. In the case, the Water District was prepared to release records in response to a PRA request by the San Diego Union Tribune (UT), but gave the

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City of LA (which had interest in the records at issue) advanced notice so they could consider whether they wanted to seek judicial intervention. The city then filed this action seeking to prevent disclosure, and UT intervened to argue in favor of disclosure. The court ultimately agreed with UT that the records should be released. UT then sought attorneys' fees under the Public Records Act and Code of Civil Procedure section 1021.5 (the private attorney general statute). The trial court awarded fees to UT against the Water District under the PRA, even though the Water District was always prepared to release the records. The court concluded that the Water District's delay in producing the records in order to give the city an opportunity to file the lawsuit subjected them to fees, notwithstanding that the District did not violate the PRA. The court denied fees under the PRA against the City of Los Angeles, but granted fees under CCP 1021.5. The court concluded that fees were not available under the PRA because the City of Los Angeles did not possess the records and therefore did not violate the PRA. However, the court concluded that UT advanced significant legal theories through its lawsuit, and was therefore entitled to fees as a private attorney general. Both the District and the City have appealed the fee award, and CSAC will file a brief in support.

City of Morgan Hill v. Bushey

STATUS: Petition for Review Granted; Briefing on the Merits Underway

12 Cal.App.5th 34 (6th Dist. May 30, 2017)(H043426), *petition for review granted* (Aug. 23, 2017)(S243042)

The city adopted an ordinance to rezone a parcel to allow for a hotel project. Project opponents placed a referendum on the ordinance on the June 2016 ballot. Prior to the election, the city sought to have the referendum removed from the ballot because if the referendum were successful, it would create an inconsistency between the zoning for the parcel and the general plan's land use designation for the parcel. The Court of Appeal held that a referendum petition challenging an ordinance that attempts to make the zoning for a parcel consistent with the parcel's general plan land use designation is not invalid if the legislative body remains free to select another consistent zoning for the parcel should the referendum result in the rejection of the legislative body's first choice of consistent zoning. In doing so, the court rejected the Fourth District's decision in *deBottari v. City Council* (1985) 171 Cal.App.3d 1204 [referendum invalid where repeal of the zoning ordinance in question would result in the subject property being zoned for the low density residential use while the amended plan calls for a higher residential density]. The city's petition for California Supreme Court review, which CSAC support, was granted.

DFS Group, L.P. v. County of San Mateo

STATUS: Amicus Brief Due November 15, 2017

Pending in the First District Court of Appeal (filed Dec. 30, 2016)(A150162)

This case raises an issue of first impression on how to assess, for purposes of property tax liability, a minimum annual lease guarantee. In the case, plaintiff, which has possessory interest in the San Francisco Airport, entered into a lease and concession agreement with a third party. That lease agreement included a guarantee that plaintiff will receive from the third party a minimum rent of \$24 million annually. The actual rent received may be more, but under the terms of the agreement, it could never be less. When San Mateo County assessed the property, it included the value of the minimum lease

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guarantee. Plaintiff challenged that part of the assessment, arguing that the minimum lease guarantee is really just a type of exclusivity that is a non-taxable intangible asset. Both the Assessment Appeals Board and the trial court agreed with the County. Plaintiff has appealed. CSAC will file a brief in support of the county.

Garcia v. City of Pasadena

STATUS: Petition for Review Denied; Case Closed

11 Cal.App.5th 532 (2d Dist. May 3, 2017)(B267613), *petition for review denied* (filed Aug. 9, 2017)(S242480)

Plaintiffs, a mother and her young son, were walking (the son in a stroller) on a three-mile recreational walkway adjacent to a golf course when the son was struck in the head by an errant golf ball. There is an eight foot chain link gate separating the walkway from the golf course at the incident location, but no high netting. Plaintiffs filed a lawsuit against the City of Pasadena, arguing that the walkway or golf course is a dangerous condition of public property under Government Code section 835. The city filed for summary judgment and the trial court entered judgment in favor of the city. The Court of Appeal affirmed, holding that Government Code section 831.4 trail immunity does not immunize a dangerous condition of a commercially operated, revenue generating public golf course that causes injury to pedestrians on an adjacent trail. The city filed a petition for California Supreme Court review, which CSAC supported. Unfortunately, the petition was denied.

In re W.T. (Alameda County Social Services v. D.H.)

STATUS: Briefing Schedule Not Yet Set

Pending in the First Appellate District (filed July 10, 2017)(A151843)

Minor was placed in a foster home at age 18 months. Over a year later, after parental rights were terminated, the Agency substantiated allegations that the foster mother had abused her biological son while minor was in her home. The agency issued a notice of intent to remove the minor. When foster mother objected, the court elevated her to the status of "Prospective Adoptive Parent," entitling her to a hearing on whether removal from her home was in minor's best interest. Ultimately, the court found that it was not in minor's interest to be removed from the home and ordered the Agency to proceed with adoption. The order was issued despite the fact that the home cannot be approved under State law, and that the decision to grant a criminal exemption for placement is exclusively an executive decision subject to review only for abuse of discretion. The court ruled instead that the "best interest" standard overrides the placement eligibility rules. The court also ruled that the Agency must fund the placement notwithstanding the home being ineligible for AFDC-FC funding. Alameda County has appealed, and CSAC will file a brief in support.

National Conference of Black Mayors v. Chico Community Publishing

STATUS: Amicus Brief Due November 20, 2017

Pending in the Third Appellate District (filed Jan. 24, 2017)(C083956)

The City of Sacramento received a PRA request from the Sacramento News & Review (SN&R) seeking emails from a gmail account that the mayor used to conduct business in his role as President of the National Conference of Black Mayors (NCBM).

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The city obtained responsive documents between the mayor and the law firm that represented the mayor in his NCBM activities. Because the city did not believe it has standing to assert any privilege that might apply to those document, it alerted SN&R and the law firm that it intended to release the records. NCBM and the mayor (in his role as an officer with NCBM) filed a writ to prevent release of the records. The court stayed the release while the law firm prepared a privilege log, and ultimately the city released certain records (some redacted) in accordance with the court's ruling. SN&R's parent company, Chico Community Publishing, then sought attorneys' fees from NCBM under the PRA and section 1021.5. The trial court denied the motion, concluding: (1) that SN&R was not a prevailing party; and (2) Chico Community Publishing did not seek fees from the relevant public agency (i.e., the city). Chico Community Publishing has appealed. CSAC will file a brief in support of the City of Sacramento.

Park v. Thompson

STATUS: Amicus Brief Due September 30, 2017

51 F.3d 910 (9th Cir. Mar. 14, 2017)(14-56655)

In 1994, the Ninth Circuit held that in a case alleging an unfair criminal trial, an acquittal does not defeat the cause of action, but rather is relevant in determining the amount of damages. (*Haupt v. Dillard* (9th Cir. 1994) 17 F.3d 285.) In 2008, the Eleventh Circuit took a different approach; it evaluated relevant US Supreme Court decisions and concluded that the alleged impropriety in an unfair trial claim must be "material," and in order to be material, there must be a reasonable probability of a different trial result. (*Kjellsen v. Mills* (11th Cir. 2008) 517 F.3d 1232, 1239.) In the present case, plaintiff alleges that a City of Santa Monica police investigator coerced a witness not to testify in her defense. Ultimately, she was acquitted of the murder charges against her, but she nevertheless brought this case alleging an unfair trial. In a 2-1 opinion, the Ninth Circuit permit the action to go forward. Though it acknowledged the conflict with the Eleventh Circuit, the court continued to rely on *Haupt* to conclude that the fact that plaintiff was eventually acquitted did not render the witness testimony immaterial, nor did it bar plaintiff's Section 1983 action stemming from violations of her rights during the underlying criminal investigation and prosecution. The has requested U.S. Supreme Court review, and CSAC will file a brief in support.

Plantier v. Ramona Municipal Water District

STATUS: Petition for Review Pending

12 Cal.App.5th 856 (4th Dist. Div. 1 June 13, 2017)(D069798), *petition for review pending* (filed July 24, 2017)(S243360)

This case raises an important Prop. 218 procedural issue: Whether Prop. 218's protest procedures provide an administrative remedy that must be exhausted prior to filing a class action lawsuit challenging the methodology of calculating fees under Prop. 218's substantive requirements. The Court of Appeal allowed this class action challenge to a water fee to move forward even though members of the class did not exhaust their administrative remedies under Prop. 218. The Water District is seeking California Supreme Court review, and CSAC will file a letter in support.



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Promoting Good Government at the Local Level

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Update on Activities

September 2017

The Institute for Local Government (ILG) is the research and education affiliate of the California State Association of Counties, the League of California Cities and the California Special Districts Association.

ILG promotes good government at the local level with practical, impartial and easy-to-use resources for California communities. Our resources on ethics and transparency, local government basics, public engagement, sustainable communities and collaboration and partnerships are available at www.ca-ilg.org.

Highlights

- ILG honors Supervisor Greg Cox for his 11 years of service on the ILG Board at the August retreat.
- ILG works with CSAC and the League on their Joint Homelessness Taskforce.
- ILG will host joint Beacon Award ceremony on September 14th – Alpine County will be honored with a full Beacon Awards and seven counties will be recognized with Beacon Spotlight Awards.
- ILG launched Governments Engaging Youth Toolkit.
- ILG continues work on effective governance, summer meals and more.

Effective Governance

ILG continues its effective governance work. Staff convened governance and facilitation and subject-matter experts, including ILG board member and Yolo County CAO Patrick Blacklock, to discuss options for a future ILG effort to provide professional development and consulting services to support effective governance among municipal agency boards and councils. Offerings could include educational sessions to inspire individual leaders or teams to pursue governance mindset in their own agencies as well as in-depth services to transform governance cultures among agencies. ILG piloted a training on this topic on June 30th at the League of California Cities' Mayor and Councilmember Executive Forum. The session highlighted attributes of high functioning councils and strategies for moving towards a more effective council. Staff is exploring opportunities to refine and replicate this training in the future.

ILG has also been working with Cal-ICMA consultants (Frank Benest and Kevin Duggan) to establish a resource center on the Institute's website for administrators and officials. Content is geared towards those looking for best practices documents on effectively governing, and instilling civility among councils and in the relationship between elected officials and the chief executive. The resource center can be accessed here: www.ca-ilg.org/leadership.

Homelessness Taskforce

ILG is working with CSAC and the League on their Joint Homelessness Taskforce. ILG is supporting the development of the final report, the final task force meeting in October and supporting educational sessions at CSAC's and the League Annual Conferences.

Beacon Program

ILG is partnering with CSAC and the League to host a joint Beacon Spotlight Awards ceremony on September 14th in Sacramento. Many prestigious speakers have already committed to present, including CSAC's Graham Knaus, the League's Carolyn Coleman and ILG Board member Stephany Aguilar. We had a record number 58 Beacon Program participants apply for award consideration this year. ILG will be awarding eight Full Beacon Awards, including a silver-level to Alpine County. The counties of Alameda, Monterey, Sacramento, San Mateo, Santa Cruz, Ventura and Yolo will also be honored with spotlight awards. We would like to thank the CSAC communications team for assisting ILG in filming and producing a video highlighting the great work of cities and counties in the Monterey Bay Region which will be shown at the awards ceremony. For more information contact Karalee Browne at kbrowne@ca-ilg.org.

ILG Working to Establish Sustainable Communities Leadership Council

Mary Nichols, Chair of the California Air Resources Board (CARB) and board members Judy Mitchell and Sandra Berg recently met with Carolyn Coleman, the Executive Director of the League and ILG to share information and ideas on how state government and local agencies can work together on issues related to climate, energy and sustainability. During the meeting, the CARB representatives expressed a desire to increase communication and coordination between state agencies and local government on a range of sustainability issues and suggested the creation of an informal body of local officials to provide regular input to the state.

To follow up this invitation, ILG is working with CSAC, the League, and CSDA to explore establishing a statewide Local Government Sustainable Communities Leadership Council reflective of and responsive to, local government. The Council would have three purposes:

- To serve as a forum for local officials from special districts, cities and counties throughout California who are leaders in sustainability to exchange ideas, share best practices, explore innovations and develop initiatives and collaborations;
- To provide an informal channel for information, input and advice from local government to state agencies as they develop and implement an array of climate, energy and sustainability projects and programs, including the recently reauthorized state Cap and Trade program; and

- To magnify the impact of the three statewide associations and ILG by collectively leveraging resources to support local leadership in the design, implementation and financing of sustainable community efforts.

ILG Launches Governments Engaging Youth Toolkit

Through funding from the Stuart Foundation and the California Workforce Investment Board (WIB), Governments Engaging Youth (GEY) continues its work to support and enhance youth-civic engagement and work-based learning opportunities through school-municipal partnerships. As part of this effort, ILG recently released a toolkit to help local governments start and grow youth civic engagement programs. You can access the toolkit here: www.ca-ilg.org/GEYToolkit.

California Summer Meal Coalition

ILG has also been working with the California Library Association and California State Library to prepare local libraries to serve summer meals and help establish local partnerships. The State Library has provided additional funds to libraries that will be operating Lunch at the Library. This year, 160 libraries served summer meals - a 14% (or 20 site) increase from 2016. ILG has continued to work with the National League of Cities to provide support to CHAMPs cities as they work in partnership with their county, special district, school and community partners to combat youth hunger. For more information contact Patrice Chamberlain at pchamberlain@ca-ilg.org.

New Articles and Resources

So far in 2017, ILG has produced 12 new articles and resources. The new articles since the last meeting are listed below:

- *Increasing the Effectiveness of Public Engagement Efforts* outlines the benefits of online engagement and ILG's resources that can help cities better engage their communities (www.counties.org/county-voice/online-efforts-make-public-engagement-more-effective) ILG also wrote a Western City column on this topic (www.westerncity.com/Western-City/June-2017/Increasing-the-Effectiveness-of-Public-Engagement-Efforts/).
- *ILG Provides Ethics Resources and Training* shares ILG's resources and training opportunities on ethics topics (AB 1234, the Brown Act, conflicts of interest, etc.) (CA Special District May/June 2017 issue).
- *Make Your Public Meetings More Effective* shares tips for special districts to improve public meetings (CA Special District July/August 2017 issue).
- *California Cities Create Carbon Funds to Support Climate Action* discusses cities that are implementing carbon fund programs to fund sustainability efforts (www.westerncity.com/Western-City/July-2017/California-Cities-Crete-Carbon-Funds-to-Support-Climate-Action/).
- *Governments Engaging Youth: Preparing for College, Career and Civic Life* highlights examples of governments engaging youth programs throughout the state (www.westerncity.com/Western-City/August-2017/Governments-Engaging-Youth-Preparing-for-College-Career-and-Civic-Life/).

- *New Toolkit Helps Local Governments Engage Youth* shares information about ILG's new toolkit (www.westerncity.com/Western-City/August-2017/New-Toolkit-Helps-Local-Governments-Engage-Youth/).

Recent Workshops and Trainings

So far in 2017, ILG has trained over 2000 local government officials and staff. A list of workshops and trainings since the last meeting can be found below:

- In June, ILG facilitated a session “Tips to Promote an Ethical and Transparent Culture” at the CA Association of County Treasurers and Tax Collectors Annual Conference. Attendees learned tips on how to encourage ethical best practices, promote transparency in their work place and in their county community, and share information with the public about agency operations and the decision-making process.
- In June, ILG's Sustainability Team attended the Statewide Energy Efficiency Collaborative (SEEC) Forum and facilitated a session on "Cap and Trade: Getting Your Piece of the Pie."
- The Public Engagement team held a webinar in June on Engaging Your Community through Surveys and Polls. Panelists discussed best practices, technology, tools and techniques for using surveys and polls to engage your community. The recording of the webinar can be accessed here: www.ca-ilg.org/webinar/engaging-your-community-through-surveys-and-polls.
- In June, ILG facilitated two sessions “Online Advocacy: How Social Media Influences Public Policy” and Student Success Provides the Building Blocks for Thriving Communities and a full day workshop “Exceptional Council for Exceptional Times: Creating a Governance Culture of Civility and Purpose.” at the League's Mayors and Councilmembers Executive Forum.
- ILG served as a panelist for the Civic Engagement, Technology & Strategy session of the Local Governance Summer Institute
- ILG sponsored two Priority Based Budgeting Summits in August in Brisbane and Benicia.

Board of Directors

In June, ILG's Board of Directors met and heard a presentation from Adam Probolsky from Probolsky Research on the results of a statewide poll regarding the issues facing California communities and the attitudes and perceptions toward local governments. The board also heard updates on ILG goals and programs. In August ILG's Board met to hear programmatic updates and discuss ILG's impact and future vision for success. The Board also honored CSAC liaison Greg Cox for his over 10 years of service to the ILG Board.

The final Board meeting of the year will take place Friday, December 8th in Sacramento.

Summer – Fall 2017 Course Guide

The beautiful thing about learning is nobody can take it away from you. – B.B. King

Professional development classes for county officials, executives and managers

Schedule at a Glance

DATE		LOCATION	PAGE
JULY			
6 (TH)	<i>Emerging Issues</i> The Crisis of Housing	Sacramento	3
13 (TH)	Enable and Energize: An Environment for People to Excel	Sacramento	3
14 (F)	Maturity Factor + Emotional Intelligence	Sacramento	5
20 (TH)	Leading with Emotional Intelligence	Contra Costa	5
28 (F)	Making an Impression – Effective Media Relations	Sacramento	5
AUGUST			
4 (F)	Fiscal Health Diagnosis and Practice for Counties	Sacramento	3
10 (TH)	IT-Focused Contracting with Cloud/Hosted Providers	Sacramento	4
11 (F)	Polish the Presentation – Advanced Practices	Sacramento	6
17 (TH)	Polish the Presentation – Advanced Practices	Contra Costa	6
24 (TH)	State Budget 101: What Counties Need to Know	Sacramento	7
SEPTEMBER			
8 (F)	County Budgeting and Financial Planning	Sacramento	2
8 (F)	Leadership & Change: Practices to Move Organizations	San Bernardino	4
14-15	<i>Two Day Class</i> Realignment Workshop: 1991 and 2011	Sacramento	7
15 (F)	Leadership & Change: Practices to Move Organizations	Merced	4
21 (TH)	Building and Maintaining a Team Environment	Contra Costa	2
21-22	<i>Two Day Class</i> Performance Measurement Workshop	Sacramento	6
29 (F)	County 101: Duties, Roles and Responsibilities	Sacramento	2
OCTOBER			
5 (TH)	IT Risk and Portfolio Management	Sacramento	4
6 (F)	Communication with Influence	Sacramento	2
13 (F)	Art & Practice of Organizational Leadership	San Bernardino	1
13 (F)	Manage Conflict (even hostility) in Comfort	Sacramento	5
19 (TH)	Negotiation and Collaboration in Complex Environments	Contra Costa	6
20 (F)	Financing California Counties: The History	Sacramento	3
20 (F)	Thinking Strategically in Trying Times	Merced	7
26 (TH)	Strategy: Clarifying, Building, Implementing, Alignment	Sacramento	7
27 (F)	Communicating Complex Data and Information	Sacramento	2
NOVEMBER			
3 (F)	Thinking Strategically in Trying Times	Sacramento	7
9 (TH)	Practitioners Guide to Hiring, Developing and Retaining	Sacramento	6
16 (TH)	Leadership & Change: Practices to Move Organizations	Sacramento	4
17 (F)	Leading with Emotional Intelligence	Merced	5
17 (F)	Financing California Counties: The History	San Bernardino	3
27 (F)	Bridging Contentious Communities: Catalytic Leadership	Sacramento	1
DECEMBER			
1 (F)	Drama at the County – Acting Techniques for Leadership	Sacramento	2
8 (F)	Labor Relations and Negotiations	Sacramento	4
8 (F)	Local Governance in California	San Bernardino	5
14 (TH)	IT Executive Cybersecurity	Sacramento	4
15 (F)	Intergenerational Leadership	Sacramento	3
15 (F)	Talent Development and Succession Planning	Merced	7

Nature and dimensions of leadership in effective organizations

The 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: Dr. Frank Benest is former city manager of Palo Alto and a noted expert in organizational leadership and management.

Friday, October 13, 2017

10:00 a.m.–3:30 p.m.

San Bernardino ♦ \$149/person for counties ♦ 3 credits ♦ Managers/Executives

Tools for engagement and conversations in divisive times

Bridging Contentious Communities:

Fostering Catalytic Leadership in Counties

112

Join former Nebraska State Senator Dave Landis for this engaging and entertaining discussion of how to work with others to solve community and organizational problems, particularly in this era of divisiveness. This course examines a variety of problem solving and negotiation 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 community problems and opportunities. Participants gain hands-on experience with using the tools and exploring application to real world situations. This is a class and instructor you will not forget.



Instructor: David Landis is a former long-time Nebraska state senator who has successfully brought together opposing sides to find common ground on difficult policies and issues.

Monday, November 27, 2017

10:00 a.m.–3:30 p.m.

Preceding the CSAC Annual Meeting

Sacramento ♦ \$149/person for counties ♦ 3 credits ♦ Staff/Elected Officials



Deployment and leadership of high performance teams

Building and Maintaining a Team Environment 371

Counties use teams as a method to get work done. It takes a certain organizational culture to support teams. This course examines the culture and attributes of high-performing teams in the public sector. Hands on simulations demonstrate team strategies. Strategies, tools and resources are shared along with team leadership practices, and how to transition to a team culture. Participants examine the group dynamics required for team success, define team responsibilities and accountability, how to evaluate team performance against mission, and the leadership practices to lead and sponsor teams.

Instructor: Dr. Jerry Estenson is Professor of Organizational Behavior at CSU, Sacramento.

Thursday, September 21, 2017 10:00 a.m.–3:30 p.m.
 Contra Costa ♦ \$149/person for counties ♦ 3 credits ♦ Managers/Executives

Effective visual display of complex information

Communicating and Presenting Complex Issues and Data 389

Counties present complex and detailed information to decision-makers and the public, and may fall into the trap of overwhelming the audience with too much content or complexity. This course provides strategies and techniques for presenting data, complex issues and analytical information in a way an audience can understand and apply. Participants explore balancing content with clarity, effective use of tools such as PowerPoint, and determining what evidence to present. Using their own examples, participants examine how to present statistical data, key elements of visual design, and creation of presentations which communicate multifaceted ideas in a clear manner.



Instructor: Dr. Mary Kirlin is Associate Professor of Public Policy and Administration at CSU-Sacramento.

Friday, October 27, 2017 10:00 a.m.–3:30 p.m.
 Sacramento ♦ \$149/person for counties ♦ 3 credits ♦ Managers/Executives

“Emotions drive people...people drive performance” – Josh Freedman

Communication with Influence 130

new The ability to have quality conversations, including techniques to engage stakeholders at all levels and build relationships, depends upon one’s ability to communicate effectively. The class explores your preferred communication style and its impact on others to improve your ability to communicate with clarity, impact and confidence. The highly interactive day will enhance your ability to have quality conversations with individuals, teams and key stakeholders. You will learn how to identify people’s preferred communication style and how to relate to differing styles to build rapport, create and lead conversations with maximum impact and effectiveness.

Instructors: Angela Giacomis is CEO of Careerlink, and works at the nexus of business and neuroscience; John Dare transforms organizations to thrive in accelerating change as a Silicon Valley entrepreneur.

Friday, October 6, 2017 10:00 a.m.–3:30 p.m.
 Sacramento ♦ \$149/person for counties ♦ 3 credits ♦ Managers/Executives

Exactly what are California counties responsible to do?

County 101: Duties, Authorities and Responsibilities of Counties 157

Counties have very broad authorities and responsibilities. Federal and state laws along with county-adopted policies and ordinances frame how each of the 58 counties implement those duties. With such broad responsibilities it is difficult for county officials and staff to be aware of all the duties and mandates across all departments. This class examines each county responsibility area and, at a policy level, highlights what is mandated, required and/or discretionary, and the roles and authority counties have for that service. It would also look at the history of counties in California.

Instructor: Bill Chiat is CSAC Institute Dean, former executive director of the California Association of Local Agency Formation Commissions and CEO of Napa County.

Friday, September 29, 2017 10:00 a.m.–3:30 p.m.
 Sacramento ♦ \$149/person for counties ♦ 3 credits ♦ Staff/Elected Officials

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 will also examine county revenue sources, sales and property tax allocation, General Fund and special funds, creating and integrating department-recommended budget components, and public involvement in the budget process. The class will also explore 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 8, 2017 10:00 a.m.–3:30 p.m.
 Sacramento ♦ \$149/person for counties ♦ 3 credits ♦ Managers/Executives

“All the world’s a stage” – including California counties

Drama at the County: Acting techniques to improve your county performance 350

Leadership and acting have a lot in common. Both crafts require practitioners to be aware of and manage their emotions and those of people around them. They evoke different emotions — leaders generally don’t try to get people to cry and actors generally don’t get people to work through difficult workplace changes — but their crafts overlap nonetheless. In this lively, interactive class, participants learn and practice classic theatrical training techniques they can apply to their work as county leaders. Learn how to add passion and meaning to your communication.



Instructors: Stacy Corless is a Mono County supervisor and founding member of Sierra Classic Theatre in Mammoth Lakes; John Gioia is a Contra Costa supervisor and Vice Chair of the California Counties Foundation and founding board member of CSAC Institute.

Friday, December 1, 2017 10:00 a.m.–3:30 p.m.
 Following the CSAC Annual Meeting
 Sacramento ♦ \$149/person for counties ♦ 3 credits ♦ Staff/Elected Officials

Practical tools to foster top performance from every employee

Enable and Energize:

Create an Environment for People to Excel 131

In their trusted book, *The Leadership Challenge*, authors Kouzes and Posner share their research and the five leadership practices, critical in today's workplace. This class examines two of the practices – Enable Others to Act and Encourage the Heart. While straightforward, most managers find the exercise of these exemplary practices much more difficult. Through practical exercises participants study the building of trust, facilitation of relationships and practices to develop capacity in others. Recognizing one cannot motivate others, but can create an environment in which every employee feels motivated, the class looks at tools for recognizing contributions and commitments to shared values.



Instructor: Bill Chiat, Dean of CSAC Institute. For the last 35 years he has facilitated executive leadership development with agency managers and executives, and served in senior executive roles.

Thursday, July 13, 2017 10:00 a.m.–3:30 p.m.
Sacramento ♦ \$149/person for counties ♦ 3 credits ♦ Managers/Executives

EMERGING ISSUES

Exploring trends in policy issues

These seminars provide county decision-makers an opportunity to explore emerging trends with colleagues and experts. Brief presentations examine facets of the issue and allow ample opportunities for discussion on the resources, capacity and authority available for counties to work toward solutions.



Solutions to increase affordability and availability of housing

Emerging Issues: The Crisis of Housing 406

California has reached a crisis point regarding both the availability of housing and its affordability. The average price of a home in the state is two-and-a-half times the average national price and rents are fifty percent higher than the rest of the country. According to the Legislative Analyst's Office, major changes to local government land use authority, local finance, CEQA, and other major policies are likely necessary to address California's high housing costs and limited availability. This course will focus on statewide and locally-driven policy solutions emerging through legislation and local policy changes, as well as case studies.

Thursday, July 6, 2017 10:00 a.m.–3:30 p.m.
Sacramento ♦ \$149/person for counties ♦ 3 credits ♦ Elected Officials/Staff

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.

Friday, October 20, 2017 10:00 a.m.–3:30 p.m.
Sacramento ♦ \$149/person for counties ♦ 3 credits ♦ Staff/Elected Officials

Friday, November 17, 2017 10:00 a.m.–3:30 p.m.
San Bernardino ♦ \$149/person for counties ♦ 3 credits ♦ Staff/Elected Officials

Best practices to assess and communicate county financial health

Fiscal Health Diagnosis and Practice for Counties 322

Today, California counties face an economic recovery among the longest since WWII. The recovery has brought moderate fiscal stability and strength, threatened by an inevitable economic downturn, high pension costs and State and Federal budget problems. This course provides practical information and tools to identify, manage and communicate fiscal challenges. Understand the need for long-term financial analysis and planning to gain stability in services, staffing and messaging to the media and other stakeholders. Discuss indicators of financial distress, gimmicks and short-term fixes often employed to mask that distress, and long-term best financial practices to understand and mitigate threats. A hands-on practical exercise is featured, using the recently developed **California County Financial Health Diagnostic** tool (pre-course homework is assigned!), with participants walking away with a five-year financial forecast of county General Fund and/or special revenue funds, indicators of the health of those funds, and practical advice on how to communicate results.

Instructors: Martin Polt is the Deputy County Executive Officer and CFO of Nevada County; Christina Rivera is Deputy County Administrator of Sonoma County.

Friday, August 4, 2017 10:00 a.m.–3:30 p.m.
Sacramento ♦ \$149/person for counties ♦ 3 credits ♦ Analysts/Managers/Execs

Today's county workforce has people in their 70's, in their teens and everywhere in between

Intergenerational Leadership 149

For the first time in history we find ourselves working with people from five generations. In today's workplace we have to understand, communicate and interact with people from different eras, different values and habits, and fundamentally different ideas about life! This class focuses on understanding and practicing how to integrate deeper generational insights into practice. Participants do self-assessments of their eras and their own values. They profile their work environments to discern the complexity of the generational mix. Most importantly they learn a unique set of skills and processes to employ when encountering people whose values, habits and business practices may be at odds with their own. This workshop provides participants skills to blend generations to get the best from everyone.



Instructor: Larry Liberty, Ph.D. works with Fortune 500 companies and teaches in MBA programs across the globe, and is author of *The Maturity Factor – Solving the Mystery of Great Leadership*.

Friday, December 15, 2017 10:00 a.m.–3:30 p.m.
Sacramento ♦ \$149/person for counties ♦ 3 credits ♦ Managers/Executives

Information Technology Courses for IT Managers and Directors



CSAC Institute and the California County Information Services Directors Association have partnered together to offer a series of professional development courses for managers and executives in county technology. The courses are part of the requirements for the *California County Technology Executive*

Credential. For more information on the IT Credential, please visit: www.ccisda.org.

Information security is no longer just about technology, it's about securing the sustainability of the organization

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.



Thursday, December 14, 2017 10:00 a.m.–3:30 p.m.
Sacramento ♦ \$149/person for counties ♦ 3 credits ♦ IT Managers/Executives

It takes a sophisticated contract administration system to take full advantage of external services

IT-Focused Contracting with Cloud/Hosted Providers 348

External services are attractive. They enable organizations to tap into economies of scale – and with the advent of cloud/hosted deployments, IT services can be procured at exponentially cheaper rates. However, entering into complicated agreements with multiple vendors requires an equally sophisticated contract administration system to manage procurement, negotiate (and renegotiate) terms, take advantage of promotional pricing and licensing, and coordinate payment schedules. Without proper vendor management, organizations miss out on potential cost savings to be realized within their contracts, and in a county government a dollar saved on service agreements is an additional dollar to create municipal services. This course examines concepts and tools to establish a process to govern the selection of vendors and subsequent management of vendor relationships, risk and performance.

Thursday, August 10, 2017 10:00 a.m.–3:30 p.m.
Sacramento ♦ \$149/person for counties ♦ 3 credits ♦ IT Managers/Executives

Strategies to protect organizational assets and processes

IT Risk and Portfolio Management 343

Issues such as privacy, fraud, security and organizational accountability mean every organization should have process in place to monitor and mitigate organizational risks. Because the organization tasks IT with protecting assets and processes, risk management often falls on its broad shoulders as well. However, the value of risk management is not inherently understood by county leaders, and more often than not IT departments find they must convince the organization to take it up in a formal capacity. This challenge is exacerbated in cases where IT leaders lack a fundamental understanding of what matters most to the organization. In this course, IT leaders will learn the questions to ask of peers to identify areas of critical importance to organizational risk management, the knowledge required to build a formal risk management process, and best practices for mitigating risks identified.

Thursday, October 5, 2017 10:00 a.m.–3:30 p.m.
Sacramento ♦ \$149/person for counties ♦ 3 credits ♦ IT Managers/Executives

Employees are every county's largest budget item

Labor Relations and Negotiations in Local Government 153

The class examines the basics of labor relations in the county environment. Laws and regulations affecting public-sector employment and labor relations in California are examined along with techniques to build and maintain effective and productive relationships with employee groups. The class explores the various roles in labor relations and labor negotiations along with pitfalls to avoid in working with labor representatives. Techniques are examined for maintaining productive relationships with employee organizations during difficult times. *Eligible for MCLE credits for members of the Bar.*



Instructors: Richard Whitmore and Richard Bolanos are partners with Liebert Cassidy Whitmore and work extensively with local governments on labor relations

Friday, December 8, 2017 10:00 a.m.–3:30 p.m.
Sacramento ♦ \$149/person for counties ♦ 3 credits ♦ Staff/Elected Officials

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 adoptive 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 35 years he has worked with hundreds of local agencies in crafting change.

Friday, September 8, 2017 10:00 a.m.–3:30 p.m.
San Bernardino ♦ \$149/person for counties ♦ 3 credits ♦ Staff/Elected Officials

Friday, September 15, 2017 10:00 a.m.–3:30 p.m.
Merced ♦ \$149/person for counties ♦ 3 credits ♦ Staff/Elected Officials

Thursday, November 16, 2017 10:00 a.m.–3:30 p.m.
Sacramento ♦ \$149/person for counties ♦ 3 credits ♦ Staff/Elected Officials

Enhance interpersonal leadership skills

Leading with Emotional Intelligence 128

What characteristics and practices distinguish great from good performers? What evidence based practices should be part of your daily routine to be a high performer? We will answer these questions from a 30 year data base and research of top performance as we dive into the four areas of Emotional Intelligence (EI): 1) Understanding Yourself, 2) Managing Yourself, 3) Understanding Others and 4) Managing Others. You will take an assessment to determine your EI strengths. Hands on tools to enhance your EI will be explored.

Emotional Intelligence is a prime factor to one's success when compared to Intelligence Quotient (IQ) and technical expertise. Business simulations, practices sessions, videos and group discussions will help participants enjoy, engage and learn more.

Instructor: Relly Nadler, Psy.D. is founder of True North Leadership, Inc., and author of *Leading with Emotional Intelligence*.

Thursday, July 20, 2017 10:00 a.m.–3:30 p.m.
Contra Costa ♦ \$149/person for counties ♦ 3 credits ♦ Staff/Elected Officials

Friday, November 17, 2017 10:00 a.m.–3:30 p.m.
Merced ♦ \$149/person for counties ♦ 3 credits ♦ Staff/Elected Officials

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

**Local Governance in California:
 All Those Agencies!** 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, December 8, 2017 10:00 a.m.–3:30 p.m.
San Bernardino ♦ \$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 in the Communications and Media Director for Contra Costa County.

Friday, July 28, 2017 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: Dr. Laree Kiely is president of the Kiely Group and a professor at the USC Marshall School of Business.

Friday, October 13, 2017 10:00 a.m.–3:30 p.m.
Sacramento ♦ \$149/person for counties ♦ 3 credits ♦ Staff/Elected Officials

How your emotions impact behavior, relationships and results

**The Maturity Factor + Emotional Intelligence:
 Become emotionally agile for success** 393



Behavioral sciences research is less than 50 years old. Yet in that short period we have uncovered many useful ideas and models for contemporary leadership practice. It now seems obvious to any manager or leader that emotional

intelligence and psychological maturity are essential elements of success. This workshop reviews the core elements of both EQ and the Maturity Factor. It then explores best practices of effective managers and leaders in using their emotions for the greater good. Emotional agility and flexibility gives rise to opportunities to interact on complex problems and situations in new and unique ways. The class provides participants the information and best practices needed to become more masterful and flexible.

Instructor: Larry Liberty, Ph.D. works with Fortune 500 companies and teachers in MBA programs across the globe. He is author of *The Maturity Factor – Solving the Mystery of Great Leadership*.

Friday, July 14, 2017 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, October 19, 2017 10:00 a.m.–3:30 p.m.
 Contra Costa ♦ \$149/person for counties ♦ 3 credits ♦ Staff/Elected Officials

SPECIAL TWO-DAY INTENSIVE WORKSHOP

Performance measurement influences organizational behavior and drives organizational 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 of the Kiely Group and professor at the USC Marshall School of Business; Bill Chiat is Dean of CSAC Institute and former CEO of Napa County.

Thursday-Friday, September 21-22, 2017
 10:00 – 4:30 p.m. Thursday and 8:30 – 3:00 p.m. Friday
 Sacramento ♦ \$298/person for counties ♦ 6 credits ♦ Staff/Officials

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.

Friday, August 11, 2017 10:00 a.m.–3:30 p.m.
 Sacramento ♦ \$149/person for counties ♦ 3 credits ♦ Staff/Elected Officials

Thursday, August 17, 2017 10:00 a.m.–3:30 p.m.
 Contra Costa ♦ \$149/person for counties ♦ 3 credits ♦ Staff/Elected Officials

Use the C-S-A-C method to hire, train, evaluate, praise, and promote

Practitioner’s Guide to Hiring, Developing and Retaining Great Employees 127

This course is designed to help drastically reduce personnel problems with a systematic approach to hiring, retaining and rewarding the very best employees. Additionally, the course will review the best practices to



identify and remove people that don’t meet the needs of the department or public. After attending this course; participants will have the tools to make personnel problems a thing of the past. Executives and managers will be able to “see the future,” recognize personnel problems at their earliest onset, and then take the appropriate action. This session will help every manager make better personnel decisions based on four key points: Character, Skills, Aptitude, and Commitment. Following these C-S-A-C principles will drastically improve every aspect of the human resource element in organizations regardless of the agency size or complexity of mission.

Instructor: John Mineau is Chief Deputy Sheriff of Monterey County and Corrections Operations Bureau Chief, as well as a community college instructor.

Thursday, November 9, 2017 10:00 a.m.–3:30 p.m.
 Sacramento ♦ \$149/person for counties ♦ 3 credits ♦ Staff/Elected Officials

SPECIAL TWO-DAY INTENSIVE WORKSHOP

Context, structure and funding of realignment in California

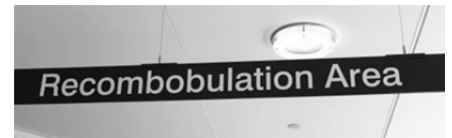
Realignment 101: The Basics of 1991 and 2011 Realignments 307

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 2016. 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 is Special Advisor to the Governor on State and Local Realignment; Andrew Pease, Finance Director, San Diego County Health and Human Services Agency; and Robert Manchia, San Mateo County Human Services Agency.

Thursday - Friday, September 14-15, 2017
 10:00 – 4:30 p.m. Thursday and 8:30 – 3:00 p.m. Friday
 Sacramento ♦ \$298/person for counties ♦ 6 credits ♦ Staff/Analysts

wasteful activity of creating a strategic plan when indeed they have NO strategy. In this world of unpredictability, high velocity, rapid change, and citizens counting on us to do the right thing, we MUST start by creating and clarifying our strategy. In this session we cover how to construct a solid yet adaptable strategy for your organization, ensuring strategic thinking and alignment to strategy from everyone, understanding how all other organizational elements and processes fit within the context of "strategy," and determining how to take these concepts back to your environment to make a positive difference.



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

Thursday, October 26, 2017 10:00 a.m.–3:30 p.m.
 Sacramento ♦ \$149/person for counties ♦ 3 credits ♦ Staff/Elected Officials

Build organizational capacity from within the county

Talent Development and Succession Planning 380

This interactive course will confront the “retirement wave” of baby-boomers leaving local government and explore strategies and best practices to create effective leadership development and succession planning programs in county government. The course includes case examples, small group discussions as well as presentations. Discussion highlights: workforce demographic challenges facing county government; why talent development and succession planning are key to building organizational capacity, especially in tough times; steps to get started; and best practices and lessons learned from leadership development and succession planning programs.

Instructors: Dr. Frank Benest, former city manager of Palo Alto and a noted expert in succession planning. Donna Vaillancourt is the Human Resources Director for San Mateo County.

Friday, December 15, 2017 10:00 a.m.–3:30 p.m.
 Merced ♦ \$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 associate professor of management at the University of San Francisco.

Friday, October 20, 2017 10:00 a.m.–3:30 p.m.
 Merced ♦ \$149/person for counties ♦ 3 credits ♦ Staff/Elected Officials

Friday, November 3, 2017 10:00 a.m.–3:30 p.m.
 Sacramento ♦ \$149/person for counties ♦ 3 credits ♦ Staff/Elected Officials

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 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. Learn about who influences – and how they do it – the state budget process, policy and politics. It’s an inside look at a complex process which influences virtually every aspect of county operations. Learn about how to find and interpret budget information and a few tips about influencing the budget decisions.



Instructors: Diane Cummins is Special Advisor to the Governor on State and Local Realignment; Jean Hurst is Principal with HBE Advocacy and long-time legislative advocate on local government finance.

Thursday, August 24, 2017 10:00 a.m.–3:30 p.m.
 Sacramento ♦ \$149/person for counties ♦ 3 credits ♦ Staff/Elected Officials

Discover your strategic intent – build your strategic agility

Strategy: Clarifying, Building, Implementing and Ensuring Alignment 388

A seminal article was published recently called "The Strategic Plan is Dead. Long Live Strategy." It's staggering when we realize how many public entities focus on the time-consuming and often

COURSE SCHEDULE INDEX

Institute Courses by Topic

COURSE	LEADERSHIP COURSES	PAGE
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124	Leadership and Change: Practices to Move Organizations	4
125	Polishing the Presentation: Advanced Practices in Communication	6
128	Leading with Emotional Intelligence	5
130	Communication with Influence	2
131	Enable and Energize: Create an Environment for People to Excel	3
149	Intergenerational Leadership	3
350	Drama in the County – Acting Techniques to Improve Performance	2
356	Negotiations and Collaboration in Complex Environments	6
360	Manage Conflict (even hostility) in Comfort	5
363	Thinking Strategically in Trying Times	7
380	Talent Development and Succession Planning	7
370	<i>Two Day Class</i> Performance Measurement Workshop	6
371	Building and Maintaining a Team Environment	2
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116	County Budgeting and Financial Planning	2
127	Practitioners Guide to Hiring, Developing and Retaining Employees	6
150	Local Governance in California: All those local agencies!	5
151	Financing California Counties: The History	3
153	Labor Relations and Negotiations in Local Government	4
157	County 101: Duties, Authorities and Responsibilities of Counties	2
307	<i>Two Day Class</i> Realignment Workshop: 1991 and 2011 Realignments	7
322	Fiscal Health Diagnosis and Practice for Counties	3
343	IT Risk and Portfolio Management	4
346	IT Executive Cybersecurity	4
348	IT-Focused Contracting with Cloud/Hosted Providers	4
352	Making an Impression – Effective Media Practices	5
396	State Budget 101: What Counties Need to Know	7
406	<i>Emerging Issues</i> The Crisis of Housing	3



COST-EFFECTIVE SOLUTION FOR COUNTY SUCCESSION PLANNING AND EXECUTIVE DEVELOPMENT

*Registration fees includes professional instruction,
course materials, certificate and lunch*

Course schedule and descriptions subject to change.
Visit www.csacinstitute.org for:

- * Up-to-date schedule and course information
- * Special class and workshop additions
- * Institute Credential Programs
- * Institute Fellows



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). Over 4,000 county staff and elected officials have taken courses. The Institute is supported by CSAC, the California Counties Foundation (a 501(c)(3) charity), grants from organizations and foundations, and course registration fees.

Course Locations

Sacramento – Courses are held in downtown Sacramento at the Capital Event Center at the M.A.Y. Building, 1020 11th Street.

Contra Costa – Courses are hosted by Contra Costa County and held at the Department of Conservation and Development building, 30 Muir Road, Martinez.

Merced – Courses are hosted by Merced County and held at the Child Support Services training room, 3368 North Highway 59, Suite I, Merced.

San Bernardino – Courses are hosted by San Bernardino County and held at the Department of Behavioral Health Administration Building, 303 East Vanderbilt Way, Room 109, San Bernardino.

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. Please contact the Institute Program Coordinator with any registration questions or problems.

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. On a space-available basis, courses are open for others to attend. Regular registration fee is \$351/class day.

Discounts – Reduced tuition is available to county staff and officials when registering for three or more classes at the same time or with the purchase of the Credential Package. Save at least 15% with these options.

The Institute is developing additional packages for counties to save on registration fees, including bulk packages of course registrations at a discount to distribute to staff. For more information, please contact the Institute Program Coordinator.

Contact Us

Institute Dean - Bill Chiat bchiat@counties.org

Institute Training Program Coordinator – Chastity Benson cbenson@counties.org

916/327-7500

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.

California State Association of Counties®
Estimated Year-End Financial Statement
2016-17

	FY 2016-17	FY 2016-17	FY 2016-17
	Budget	Actual	Percent
Revenues:			
Membership Dues	3,430,506	3,430,506	100%
Finance Corp Participation	3,500,000	4,000,000	114%
Rental Income	168,417	173,088	103%
Administrative Miscellaneous	579,800	700,633	121%
CSAC Conferences	413,000	464,935	113%
CEAC	159,565	162,127	102%
Corporate Associates	929,000	877,050	94%
Litigation Program	<u>432,276</u>	<u>432,276</u>	100%
Total Revenues	\$9,612,564	\$10,240,615	107%
Expenditures:			
Salaries/Benefits	5,563,382	5,384,423	97%
Staff Outreach	166,200	178,192	107%
Leadership Outreach	75,000	86,101	115%
NACo Meetings & Travel	120,500	134,414	112%
NACo 2nd VP Campaign	10,000	12,741	127%
Public Affairs/Communications	50,350	53,141	106%
CSAC Conferences	559,716	566,036	101%
Facilities	284,747	304,047	107%
Office Operations	284,310	292,214	103%
Organizational Partnerships	120,500	115,000	95%
CEAC	159,565	162,127	102%
Outside Contracts	647,000	661,498	102%
Corporate Associates	510,256	543,006	106%
Litigation Program	432,276	432,276	100%
Foundation Contribution	<u>180,728</u>	<u>221,062</u>	122%
Total Expenditures	\$9,164,530	\$9,146,278	100%

CSAC is currently working with our external auditors to complete our 2016-17 Audit. Final numbers will be presented at the Board's November 30 meeting.

2017 CSAC Calendar of Events

Board of Directors

January

- 4 Urban Counties of California (UCC) Board Conference Call
- 11 CSAC Executive Committee Orientation Dinner, Sacramento
- 12 CSAC Executive Committee Meeting, Sacramento
- 18 Rural County Representatives of California (RCRC) Board Meeting & Installation of Officers Reception, Sacramento

February

- 1 Urban Counties of California (UCC) Board Conference Call
- 8-10 CSAC Premier Corporate Partner Forum, San Diego County
- 16 CSAC Board of Directors Meeting, Sacramento
10:00am – 1:30pm, Capitol Event Center, 1020 11th Street, 2nd Floor, Sacramento
- 25-1 NACo Legislative Conference, Washington, D.C.

March

- 1 Urban Counties of California (UCC) Board Conference Call
- 15 Rural County Representatives of California (RCRC) Board Meeting, Sacramento

April

- 5 Urban Counties of California (UCC) Board Conference Call
- 6 CSAC Executive Committee Meeting, Los Angeles County
- 19-21 CSAC Finance Corporation Board Meeting, Monterey County
- 26-27 Rural County Representatives of California (RCRC) Board Meeting, Tehama County

May

- 17 Urban Counties of California (UCC) Board Meeting, Sacramento
- 17-18 CSAC Legislative Conference, Hyatt Regency Hotel, Sacramento
- 18 CSAC Board of Directors Meeting, Sacramento
12:30pm – 4:00pm, Hyatt Regency, 1209 L Street, Sacramento
- 24-26 NACo Western Interstate Region Conference, Deschutes County (Sunriver), Oregon

June

- 21 Rural County Representatives of California (RCRC) Board Meeting, Sacramento

July

- 5 Urban Counties of California (UCC) Board Conference Call
- 21-24 NACo Annual Conference, Franklin County/Columbus, Ohio

August

- 2 Urban Counties of California (UCC) Board Conference Call
- 3 CSAC Executive Committee Meeting, Sacramento
- 16 Rural County Representatives of California (RCRC) Board Meeting, Sacramento

September

- 6 Urban Counties of California (UCC) Board Conference Call
- 7 CSAC Board of Directors Meeting, Sacramento
10:00am – 1:30pm, Capitol Event Center, 1020 11th Street, 2nd Floor, Sacramento
- 13-15 CSAC Finance Corporation Board Meeting, Santa Barbara County
- 27-29 Rural County Representatives of California (RCRC) Annual Meeting, El Dorado County

October

- 4 Urban Counties of California (UCC) Board Conference Call
- 4-6 CSAC Executive Committee Retreat, Alameda County

November - December

27-1 CSAC 123rd Annual Meeting, Sacramento Convention Center

29 Urban Counties of California (UCC) Board Meeting, Sacramento

30 CSAC Board of Directors Meeting, Sacramento

2:00pm – 4:00, Sacramento Convention Center, 1400 J Street, Sacramento

December

6 Rural County Representatives of California (RCRC) Board Meeting, Sacramento

13-15 CSAC Officers' Retreat, Napa County

As of 6/26/17