

CALIFORNIA STATE ASSOCIATION OF COUNTIES
EXECUTIVE COMMITTEE

August 8, 2013
CSAC Conference Center, Sacramento, CA

MINUTES

Presiding: David Finigan, President

1. ROLL CALL

David Finigan, Pres.	Henry Perea, Fresno
John Gioia, 1 st Vice Pres.	Bruce Gibson, San Luis Obispo
Mike McGowan, Immed. Past Pres.	Vito Chiesa, Stanislaus, alternate, (audio)
Federal Glover, Contra Costa	Kim Dolbow Vann, Colusa
John Moorlach, Orange (audio)	Robert Williams, Tehama
John Tavaglione, Riverside (audio)	Terry Woodrow, Alpine, CSAC Treasurer
Kathy Long, Ventura	Bill Goodwin, CAOAC Advisor
Greg Cox, San Diego, alternate	Charles McKee, County Counsel Advisor
Susan Adams, Marin	

2. MINUTES OF APRIL 18, 2013

The minutes of April 18, 2013 were approved as previously mailed.

3. REMARKS BY CSAC PREMIER CORPORATE MEMBER

Paul Mello of Hanson Bridgett LLP addressed the Executive Committee. Hanson Bridgett is a large law firm with offices throughout northern California that has worked with counties on pension cases, and is hoping to expand business as a new Premier of the CSAC Corporate Associates program.

4. PROPOSED SITE FOR 2017 CSAC ANNUAL MEETING

Staff presented a proposal to hold the 2017 CSAC Annual Meeting in Sacramento. It was noted that Sacramento has not hosted a CSAC annual meeting since 2005. Further, it is anticipated that the new downtown sports arena will be completed by that time which should result in significant improvements along the K street corridor. Downtown hotels have promised very competitive room rates for the conference.

Motion and second to approve Sacramento as the location for the 2017 CSAC Annual Meeting. Motion carried unanimously.

5. POLICY REGARDING CSAC AFFILIATES

CSAC affiliate organizations are very diverse and range from representing directly elected county officials to county department heads. The governance and staff support structure also varies significantly with some having significant governance structure with independent executive directors and lobbying staff to those with little or no organizational structure or independent staff.

Staff presented a draft Affiliate Policy which attempts to accommodate these differences and outlines the structure, role and appropriate relationship of the CSAC affiliates to the CSAC Board of Directors and the CSAC organization as a

whole. The intent of the policy is to help CSAC and affiliate organizations more effectively advocate for county government and our members, while supporting the maintenance of a collaborative working relationship. The policy also includes a recommendation to grant the CSAC Executive Director authority to modify an affiliate membership to address instances where affiliates take a legislative or regulatory position of statewide interest that is contrary to CSAC's adopted positions and policies.

A discussion ensued regarding whether the policy may be too heavy-handed or, in some cases, not strong enough. It was suggested that affiliates be given an opportunity to review and comment on the draft policy before it is finalized.

Motion and second to approve the draft Affiliates Policy and direct staff to disseminate among affiliates for comment prior to final adoption by the Board of Directors. Motion carried unanimously.

6. AMENDED POLICY COMMITTEE OPERATING PROCEDURES

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

Motion and second to adopt proposed amendments to Policy Committee Operating Procedures. Motion carried unanimously.

7. POLICY REGARDING CANDIDATE CAMPAIGN CONTRIBUTIONS

Staff presented a draft policy regarding CSAC staff contributions to political campaign, as follows: *"CSAC staff has the right to voluntarily contribute their time or money to any political campaign. However, in order to avoid the appearance that such contributions are compulsory, county supervisors are discouraged from directly soliciting contributions from CSAC staff for all elections."*

The Executive Committee made the following amendments: *"However, in order to avoid the appearance that such contributions are compulsory, county supervisors are discouraged from shall not directly soliciting contributions from CSAC staff for all elections. Mass mailings or email solicitations are not considered direct solicitations."*

Motion and second to approve amendments to CSAC Policy Regarding Candidate Campaign Contributions. Motion carried unanimously.

8. AFFORDABLE CARE ACT UPDATE

Staff provided an update on AB 85, the legislation that implements the Affordable Care Act (ACA) in California. The bill includes the following provisions:

- Counties have a choice of methods to determine savings via resolution by each Board of Supervisors and may choose either a 60/40 calculation of

savings or a cost/revenue-based formula developed mainly for counties with public hospitals;

- Provisions to assist county hospitals, including assignment of Medi-Cal patients to county providers and cost-based payment of Medi-Cal rates;
- Creates a County Health Funding Resolution Committee comprised of CSAC, Department of Health Care Services and Department of finance to hear cost/revenue disputes;
- Specifies the \$300m withholding from the health realignment account in 2013-14 will be done via a schedule developed by Dept. of finance in consultation with CSAC;
- a true-up process for the cost/revenue formula and parts of the 60/40 formula;
- language to allow any county with cash flow issues related to health programs to work with Dept. of Finance and CSAC on implementing procedures to address these issues;
- Legislative intent to review the formulas if the federal government enacts federal immigration reform.

CSAC staff is working with the Department of Finance to ensure that all counties are able to implement AB 85. A few unresolved issues remain such as negotiating a cap on the \$300m in first year payments and calculating growth on the CalWORKS program.

9. NATIONAL ASSOCIATION OF COUNTIES REPORT

Matt Cate reported on the recent National Association of Counties (NACo) conference held in Fort Worth, Texas. He noted that several California county supervisors participated in steering committees. The California Caucus voted as a block to support Commissioner Sallie Clark from Colorado who ultimately won the election for NACo 2nd Vice President. A discussion took place regarding the interview process for NACo 2nd vice president candidates. The CSAC officers will be looking at a process for next year.

10. STATE PRISON OVERCROWDING LITIGATION UPDATE

Staff provided an update on the ongoing litigation in the *Plata* and *Coleman* cases involving challenges to the state's delivery of health and mental health care in the prison system. A federal three-judge court previously found that the overcrowded conditions in the state's prisons were the primary cause of an unconstitutional level of care and directed the state to reduce prison overcrowding to a specified level.

On July 12, CSAC, through the County Counsels' Association, submitted an amicus brief with the U.S. Supreme Court in support of the state's request for a stay on the federal three-judge court's June 20 order. That appeal was denied. The state now has until December 31, 2013 to reduce the state prison population by approximately 10,000.

Although the immediate stay request has been denied. The state is still asking the US Supreme Court to assume jurisdiction over the case. If the Court accepts the case, it would then order a briefing on the merits. Staff requested that the Executive Committee approve filing a CSAC amicus brief urging the US Supreme Court to accept jurisdiction of the *Plata/Coleman* case.

Motion and second to authorize CSAC to file an amicus brief urging the US Supreme Court to accept jurisdiction of the *Plata/Coleman* case. Motion carried unanimously.

11. MISCELLANEOUS

Reports on the CSAC Litigation Coordination program and the CSAC Finance Corporation were contained in the briefing materials.

Executive Committee members were encouraged to participate in the CSAC Finance Corporation's pooled purchasing program.

It was announced that Eraina Ortega, CSAC's Employee Relations Legislative Representative, has accepted a position as Deputy Director of Policy for the Department of Finance.

Meeting adjourned.