CSAC BOARD OF DIRECTORS

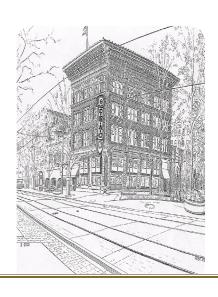
BRIEFING MATERIALS

Thursday, May 18, 2017 12:30 p.m. - 4:00 p.m.



Meeting Location:

Regency Ballroom B-C Hyatt Regency Hotel 1209 L Street, Sacramento, CA Sacramento County



California State
Association of Counties



CALIFORNIA STATE ASSOCIATION OF COUNTIES BOARD OF DIRECTORS

Thursday, May 18, 2017 12:30pm – 4:00pm

Regency Ballroom B-C, Hyatt Regency Hotel, 1209 L Street, Sacramento, CA

AGENDA

Presi	ding: Keith Carson, President	
12:30 <i>BUF</i>	0pm FET LUNCH	
1:00p <i>PRO</i> 1.	om CEDURAL ITEMS Roll Call	Page 1
		_
2.	Approval of Minutes of February 16, 2017	Page 3
SPE (3.	 CIAL PRESENTATIONS Housing Affordability and Financing Report Tia Boatman Patterson, Executive Director, CA Housing Finance Auth. (CalHFA) Tony Sertich, Dir. of Multi-Family Programs, CA Housing Finance Auth. (CalHFA) 	handout
4.	CSAC Corporate Partner Remarks Buddy Johns, Argyle Securities Jim Manker, CSAC staff	Page 7
5.	Governor's May Revision of the 2017-18 State Budget Michael Cohen, Director, State Department of Finance Diane Cummins, Special Advisor to the Governor	
6.	CSAC Report on the Governor's May Revision ➤ In-Home Supportive Services (IHSS) MOE ➤ Transportation Funding Package (SB 1) ■ DeAnn Baker & CSAC Advocacy staff	Page 15
ACT	ION ITEMS	
7.	CSAC Policy Committee Reports Administration of Justice Supervisor Federal Glover, Chair Darby Kernan, CSAC staff	Page 17
	Agriculture, Environment & Natural Resources > Draft Cannabis Policy • Supervisor Bruce Gibson, Chair • Cara Martinson, CSAC staff	Page 18
	Government Finance & Administration Expansion of Sales and Use Tax Application CalPERS Divestment Mandates Supervisor Erin Hannigan, Chair Dorothy Johnson, CSAC staff	Page 24
	Health & Human Services ➤ Child Near Fatality Incidents Platform Language ■ Supervisor Ken Yeager, Chair ■ Farrah McDaid Ting, CSAC staff	Page 30
	Housing, Land Use & Transportation	Page 33

Supervisor David Rabbitt, Chair

Chris Lee, CSAC staff

ACTI	ION ITEMS (cont.)	
8.	Consideration of Proposed CSAC Budget for FY 2017-18 Matt Cate, CSAC Executive Director Supervisor Ed Valenzuela, CSAC Treasurer	Page 34
9.	Approval of Updated Financial Policies Graham Knaus, CSAC staff	Page 40
INFO	RMATION ITEMS	
10.	CSAC Finance Corporation Report • Alan Fernandes, Finance Corp. Executive Vice President	Page 43
11.	CSAC Operations and Member Services Update • Graham Knaus & David Liebler, CSAC staff	Page 45
12.	Informational Reports without Presentation ❖ CSAC Litigation Coordination Program Report ❖ Institute for Local Government (ILG) Report ❖ IRS Form 990 ❖ CSAC Financial Statement July-March, 2016-17	Page 49
13.	Other Items	
4:00p	om <i>ADJOURN</i>	

CALIFORNIA STATE ASSOCIATION OF COUNTIES

Board of Directors 2017

<u>Section</u>	County	<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	Virginia Bass
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
υ	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	Andy Vasquez

President: First Vice President:

Second Vice President: Immed. Past President:

Keith Carson, Alameda Leticia Perez, Kern Virginia Bass, Humboldt Richard Forster, Amador

SECTION:

U=Urban

S=Suburban

R=Rural

1/26/17

CALIFORNIA STATE ASSOCIATION OF COUNTIES **BOARD OF DIRECTORS** February 16, 2017

Capitol Event Center, Sacramento

MINUTES

Presiding: Keith Carson, President

Orange

absent

1. ROLL CALL			
Alameda	Carson/Haggerty	Placer	Jim Holmes
Alpine	Terry Woodrow	Plumas	Lori Simpson (audio)
Amador	Forster	Riverside	Chuck Washington (audio)
Butte	absent	Sacramento	Susan Peters
Calaveras	Michael Oliveira	San Benito	absent
Colusa	Denise Carter	San Bernardino	James Ramos
Contra Costa	absent	San Diego	Greg Cox
Del Norte	absent	San Francisco	Malia Cohen (audio)
El Dorado	absent	San Joaquin	absent
Fresno	absent	San Luis Obispo	John Peschong
Glenn	absent	San Mateo	Carole Groom (audio)
Humboldt	Virginia Bass	Santa Barbara	Das Williams
Imperial	absent	Santa Clara	Ken Yeager
Inyo	Jeff Griffiths	Santa Cruz	Bruce McPherson (audio)
Kern	Leticia Perez	Shasta	Leonard Moty
Kings	absent	Sierra	Lee Adams (audio)
Lake	Jim Steele	Siskiyou	Ed Valenzuela
Lassen	absent	Solano	Erin Hannigan
Los Angeles	Mark Ridley-Thomas	Sonoma	absent
Madera	absent	Stanislaus	Vito Chiesa (audio)
Marin	absent	Sutter	absent
Mariposa	Marshall Long	Tehama	Robert Williams
Mendocino	absent	Trinity	absent
Merced	Lee Lor	Tulare	Kuyler Crocker
Modoc	Patricia Cullens	Tuolumne	Sherri Brennan
Mono	Larry Johnston	Ventura	Kelly Long (audio)
Monterey	Luis Alejo	Yolo	Jim Provenza
Napa	Diane Dillon (audio)	Yuba	Randy Fletcher
Nevada	Ed Scofield	Advisors: Helen Rol	bbins-Meyer and Bruce Alpert

The presence of a quorum was noted.

APPROVAL OF MINUTES

The minutes of December 1, 2016 were approved as previously mailed. The counties of Mariposa, Modoc and San Luis Obispo abstained from the vote.

3. CORPORATE PARTNER PRESENTATION

Staff noted that there are currently 67 CSAC corporate partners and requested that Board members utilize them whenever possible.

Shawn Kraatz from Alliant Insurance Services addressed the Board regarding services they provide to counties. He noted that Alliant is the largest public entity insurance company in the country. Alliant has partnered with CSAC Excess Insurance Authority to create several programs. The newest program is insurance for large construction projects – over \$10 million.

4. UNEVEN ECONOMIC RECOVERY AMONG CALIFORNIA COUNTIES

Staff provided a PowerPoint report on California's uneven economic recovery. It was noted that 67% of counties have less total tax revenue now than in 2008, and 62% of counties have a higher unemployment rate than the state, primarily in the Central Valley and Northern California. Thirteen counties have more people receiving CalWORKs grants now, per capita, than in 2008. Staff was directed to make the report available on the CSAC website.

5. REPORT ON GOVERNOR'S BUDGET FOR 2017-18

Diane Cummins, Special Advisor to the Governor, presented a report on the Governor's 2017-18 State Budget proposal that was released last month. She discussed the Department of Finance's decision to discontinue the Coordinated Care Initiative (CCI) and dismantle the In-Home Supportive Services (IHSS) Maintenance of Effort (MOE) deal in the 2017-18 budget. She noted that the Director of Finance has the authority to do so without legislative action and that it would take new legislation to change this course of action.

6. STATE BUDGET IMPACTS ON COUNTIES

Staff elaborated on the impacts of eliminating the Coordinated Care Initiative (CCI) and the IHSS MOE deal that was enacted in 2012 and 2013. The demise of the county IHSS MOE will result in \$625 million in increased county costs for the IHSS program in 2017-18. This estimate is based on normal program growth costs as well as the new costs recently enacted by the state – minimum wage increase, extension of three paid sick leave days to IHSS workers, and new federal overtime regulations. The cost shift will start on July 1, 2017. Staff indicated that negotiations are continuing and any changes would most likely be part of a budget trailer bill.

Staff reported on the Governor's transportation funding proposal. It is anticipated that the \$4.3 billion plan will not be enough to stop the continued deterioration of the local road network. CSAC is continuing to work with a broad coalition of partners in an effort to pass AB 1 (Frazier) and SB 1 (Beall), transportation funding legislation that would provide an additional \$2.2 billion annually to cities and counties to fix local streets and roads. SB 1 has passed out of Senate Transportation Committee and will be heard next in Senate Environmental Quality Committee. Staff requested that Board members contact members of that committee in support of the bill. Staff also requested that each county pass a resolution in support of the two transportation bills. Eighteen counties have already passed transportation resolutions. Staff was directed to send sample resolutions to the remaining counties. CSAC is also developing a transportation tool kit that combines an advocacy and communications strategy that will be sent to counties soon. All counties are encouraged to participate in a social media effort on this issue.

7. CSAC OFFICERS MEETING WITH GOVERNOR BROWN

President Carson provided a report on a meeting between CSAC Officers and Governor Brown held yesterday. A variety of issues were discussed during the meeting. Chief among them was the IHSS cost shift. The Governor took note of the seriousness of the IHSS issue and directed his staff to make it

a priority. President Carson noted that CSAC's partnership with the Governor remains solid and the Officers are hopeful that a mutually agreeable resolution will occur that mitigates the impact on county budgets.

8. AMENDMENTS TO CSAC COUNTY PLATFORM

The CSAC County Platform is a statement of basic policies on issues of concern and interest to California's counties and CSAC's policy committees. Every two years, the policy committees consider proposed changes and recommend amendments to the Board of Directors.

Administration of Justice. Staff outlined proposed changes to Chapters 2 (Administration of Justice) and 16 (Realignment), as contained in the briefing materials.

Motion and second to adopt proposed changes to Chapters 2 and 16 of the Platform. Motion carried unanimously.

Agriculture, Environment & Natural Resources. Staff outlined proposed changes to Chapters 3 (Ag. & Natural Resources), 4 (Energy), 14 (Climate Change Policy Guidelines), and 17 (CEQA Policy Guidelines), as contained in the briefing materials.

Motion and second to adopt proposed changes to Chapters 3, 4, 14 and 17 of the Platform. Motion carried unanimously.

Government Finance & Administration. Staff outlined proposed changes to Chapters 1 (General Provisions), 5 (Government Operations), 8 (Public Employment and Retirement), 9 (Financing County Services), 12 (State Mandate Legislation), and 13 (Economic Development), as contained in the briefing materials.

Motion and second to adopt proposed changes to Chapters 1, 5, 8, 9, 12 and 13 of the Platform. Motion carried unanimously.

Health & Human Services (HHS). Staff outlined proposed changes to Chapters 6 (Health Services), 11 (Realignment) and 12 (Human Services). A memo was distributed showing additional proposed changes following the February 8 policy committee meeting. One of the actions taken by the policy committee was to include an edited version of language regarding child welfare and foster care services that was submitted by Supervisor Rexroad. A discussion ensued on whether to include Supervisor Rexroad's original language or the edited version approved by the HHS policy committee.

Motion and second to adopt original language submitted by Supervisor Rexroad. Motion failed (13/16).

Motion and second to adopt the HHS Chapters without the language regarding child welfare and foster care services and refer it back to policy committee for further discussion. Motion carried unanimously.

Housing, Land Use & Transportation. Staff outlined proposed changes to Chapters 7 (Planning, Land Use and Housing), 11 (Transportation and Public Works), and 15 (Tribal and Intergovernmental Relations), as contained in the briefing materials.

Motion and second to adopt proposed changes to Chapters 7, 11 and 15 of the Platform. Motion carried unanimously.

9. STATE AND FEDERAL LEGISLATIVE PRIORITIES FOR 2017

Staff presented draft 2017 legislative priorities as contained in the briefing materials. The priorities will assist in guiding CSAC leaders and staff through the state budget and legislative cycle this year. These priorities were previously approved by the Executive Committee.

Motion and second to adopt 2017 CSAC State and Federal Priorities as presented. Motion carried unanimously.

10. CSAC FINANCE CORPORATION REPORT AND CSCDA APPOINTMENT

CSAC Finance Corporation has hired a new Executive Assistant, Sendy Young, who will start on March 2. Nationwide and the National Association of Counties (NACo) will award four college scholarships to high school senior whose parents participate in a NACo Deferred Compensation 457 plan. Supervisors Forster and Moty are new members of the Finance Corp. Board.

The California Statewide Communities Development Authority (CSCDA) was created in 1988 to provide California's local governments with an effective tool for the timely financing of community-based public benefit projects. CSCDA is governed by a 7-member Commission. There is a vacancy on the Commission due to the retirement of Ron Holly, Monterey County Chief Deputy Auditor-Controller. It was recommended that Jordan Kaufman, Kern County Treasurer/Tax Collector and current alternate on CSCDA, be appointed to fill the vacancy effective April 1, 2017.

Motion and second to appoint Jordan Kaufman as a regular Commissioner on the CSCDA. Motion carried unanimously.

11. CONFLICT OF INTEREST STATEMENTS FOR CSAC BOARD MEMBERS

Staff requested that all CSAC Board members sign and return the annual Conflict of Interest statement which was distributed at the meeting and also contained in the briefing materials.

12. INFORMATION ITEMS

The briefing materials contained informational reports on the Institute for Local Government (ILG), the CSAC Litigation Coordination Program, and a copy of CSAC's July-December 2016 Financial Statement.

Matt Cate announced that CSAC's Employee Relations lobbyist, Faith Conley, is leaving to join the Civil Justice Association.

Meeting adjourned.

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Argyle Security

Argyle Security brings the most reliable security products and systems into a harmonized environment for real time information and quick responses. We provide design, engineering, installation and integrated security products and solutions to government, justice and correctional markets. The expertise of the Argyle Security team and our outstanding relations with major manufacturers allow clients to have access to the most advanced products available in the marketplace. In addition to new construction, our maintenance team can easily assess your current facility and offer cost saving repairs or replacement solutions.

Contact:

Buddy Johns, President & CEO (210) 495-5245 bjohns@argylesecurity.com

Diane Bruining, Director, Business Development (714) 305-5472 dbruining@argylesecurity.com

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Premier Partners (as of 5.1.2017)

1. Aetna

Josh Miller, Director of Sales and Service 2850 Shadelands Dr. Walnut Creek, CA 94598 (925) 964-5800 millerj6@aetna.com www.aetna.com

2. Alliant Insurance Services, Inc.

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

3. Anthem Blue Cross

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

4. Argyle Security

Buddy Johns, President & CEO 12903 Delivery Drive San Antonio, TX 78247 (210) 495-5245 bjohns@argylesecurity.com www.isisecurity.com

5. CaliforniaFIRST

Cliff Staton, Executive Vice President 500 12th St., Suite 300 Oakland, CA 94607 (510) 451-7917 <u>cliff@renewfund.com</u> www.renewfund.com

6. California Statewide Communities Development Authority

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

7. CGI

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

8. Coast2Coast Rx

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

9. CSAC Excess Insurance Authority

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

10. Dell | Enterprise Solutions Group

Rob McCaffrey, Regional Sales Director 5480 Great America Parkway Santa Clara, CA 95054 (916) 813-9514 Robert McCaffrey@Dell.com www.dell.com/networking

11. DLR Group

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

12. Dominion Voting Systems

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

13. Election Systems & Software

Larry Tonelli, Regional Sales Manager 1714 Bilbao Drive Santa Maria, CA 93454 (315) 559-1653 <u>larry.tonelli@essvote.com</u> <u>www.essvote.com</u>

14. Hanson Bridgett LLP

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

15. Hewlett Packard Enterprise

Frank Ury, Business Development, US Public Sector 22851 Driftstone Mission Viejo, CA 92692 (949) 922-9979 frank.ury@hpe.com www.hpe.com

16. Kaiser Permanente

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

17. Nationwide

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

18. Novartis Pharmaceuticals

Allison G. Barnett, Associate Director of State Government Affairs 1215 k street, suite 1500 Sacramento CA 94814 (916) 548-2989 allison.barnett@novartis.com www.novartis.com

19. Optum

Margaret Kelly, National VP, Government Education and Labor 505 N Brand Blvd Ste 1200 Glendale, CA 91203 (818) 484-9188 Margaret.kelly@optum.com www.optum.com

20. Pacific Gas & Electric Company

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

21. PayPal

Devin Whitney, Senior Manager, State Government Relations 2211 North First Street San Jose, CA 95131 (707) 319-3753 dewhitney@paypal.com www.paypal.com

22. Renovate America, HERO Program

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

23. Synoptek

Marc Moring II, Regional Manager 3200 Douglas Blvd. Suite 320 Roseville, CA 95661 (916) 402-1150 marc@synoptek.com www.synoptek.com

24. UnitedHealthcare

Meghan Newkirk, Senior Vice President, Public Sector 5701 Katella Avenue Cypress, CA 90630 (714) 252-0335 Meghan.Newkirk@uhc.com www.uhc.com

25. U.S. Communities

Rob Fiorilli, Program Manager 2999 Oak Road, Suite 710 Walnut Creek, CA 94597 (925) 588-5054 rfiorilli@uscommunities.org www.uscommunities.org

26. Vanir Construction Management, Inc.

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

27. Western States Petroleum Association

Catherine Reheis-Boyd, President 1415 L St., Suite 600 Sacramento, CA 95816 (916) 444-7750 <u>creheis@wspa.org</u> <u>www.wspa.org</u>

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Executive Partners

1. AT&T

Mike Silacci, Regional Vice President
External Affairs – Greater Los Angeles Region
2260 E. Imperial Hwy, Room 947
El Segundo, CA 90245
(213) 445-6817
Michael.Silacci@att.com
www.att.com

2. GEO Care

Rachel Kienzler, Regional Director, Business Development - Western Region 6100 Center Drive, Suite 825 Los Angeles, CA 90045 (619) 204-8630 rkienzler@geogroup.com www.geogroup.com

3. HdL Companies

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

4. KPMG

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

5. PhRMA

Merrill Jacobs, Senior Director 1215 K Street, Suite 970 Sacramento, CA 95814 (916) 233-3480 mjacobs@phrma.org www.PhRMA.org

6. Recology

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

7. Southern California Edison

Mary Rosas, Local Public Affairs 2244 Walnut Grove Avenue Rosemead, CA 91770 (626) 302-3011 mary.rosas@sce.com www.sce.com

8. Waterman & Associates

Joe Krahn, President 900 Second St., NE Ste. 109 Washington, DC 20002 (202) 898-1444 jk@wafed.com www.watermandc.com

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Associate Partners

1. CannaRegs

Amanda Ostrowitz, Founder 1776 Race Street #109 Denver CO, 80206 (860) 944-0014 amanda@cannaregs.com www.CannaRegs.com

2. CCHI

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

3. CGL Companies

Robert Glass, Executive Vice President 2485 Natomas Park Drive, Suite 300 Sacramento, CA 95833 (509) 953-2587 bglass@cglcompanies.com www.cglcompanies.com

4. Comcast

Ron Speno, Director, Enterprise Sales Government and Education 1242 National Drive Sacramento, CA 95834 (925) 724-9005 Ronald Speno@comcast.com www.business.comcast.com

5. CoreCivic

Brad Wiggins, Senior Director, Site Acquisition 10 Burton Hills Boulevard Nashville, TN 37215 (615) 263-3093 brad.wiggins@corecivic.com www.corecivic.com

6. Customer Service Advantage, INC.

Ray Esonis, Business Development Associate 555 W. Country Club Ln., Suite C-350 Escondido, CA 92026 (760) 803-2004 resonis@thecsaedge.com www.theCSAedge.com

7. Dewberry Architects, Inc.

Alan Korth, RA, LEED Associate Principal 300 N. Lake Ave, Suite #1200 Pasadena, CA 91101 (626) 437-4674 akorth@dewberry.com www.dewberry.com

8. Enterprise Holdings

Lisa Holmes, State of CA Contract Manager 199 N. Sunrise Ave. Roseville, CA 95747 (916) 787-4733 <u>Lisa.m.holmes@ehi.com</u> <u>www.enterprise.com</u>

9. ESRI

Jan Cunningham, Account Manager 380 New York St Redlands, CA 92373 (909) 793-2853 x4363 jcunningham@esri.com www.esri.com

10. Equinox Industries Ltd.

Mari-Lynn Rougeau, Business Manager 401 Chrislind Street Winnipeg, Manitoba, Canada R2C 5G4 (800) 563-3352 Mari-lynn@eqnx.biz www.desertplanters.com

11. GreenbergTraurig

Roger Dickinson, Shareholder 1201 K St., Suite 1100 Sacramento, CA 95814 (916) 442-1111 dickinsonr@gtlaw.com www.gtlaw.com

12. Harrison, Temblador, Hungerford & Johnson LLP

Brad Johnson, Partner 980 9th Street, Suite 1400 Sacramento, California 95814 (916) 382-4377 bjohnson@hthjlaw.com www.hthjlaw.com

13. Hospital Council of Northern & Central California

Brian L. Jensen, Regional Vice President 1215 K Street, Suite 730 Sacramento, CA 95814 (916) 552-7564 bjensen@hospitalcouncil.net www.hospitalcouncil.net

14. inContact

Pat Hansen, District Sales Manager 7730 S. Union Park Ave #500 Salt Lake, UT 84047 (916) 601-9319 Pat.hansen@inContact.com www.inContact.com

15. J.P. Morgan

Kara Harrell, Sales Support Associate 3 Park Plaza, 9th Floor Irvine, CA 92614 (817) 884-4629 kara.harrell@jpmorgan.com www.jpmorgan.com

16. Kitchell

Veronica Jacobson, Marketing Manager 2750 Gateway Oaks Dr., Suite 300 Sacramento, CA 95833 (916) 648-9700 vjacobson@kitchell.com www.kitchell.com

17. Kofile

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

18. Liebert Cassidy Whitmore

Jennifer Johnson, Business Development Manager 6033 W. Century Boulevard, 5th Floor Los Angeles, CA 90045 (310) 981-2057 jjohnson@lcwlegal.com www.lcwlegal.com

19. Managed Care Systems, LLC

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

20. MuniServices

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

21. NIELSEN MERKSAMER PARRINELLO GROSS & LEONI LLP

Jim Gross, Partner 1415 L Street, Suite 1200 Sacramento, California 95814 (916) 446-6752 jgross@nmgovlaw.com www.nmgovlaw.com

22. Northrop Grumman Aerospace Systems

Joe Ahn, Division Manager
Government Relations and Public Affairs
One Space Park
Redondo Beach, CA 90278
(310) 812-5312
joe.ahn@ngc.com
www.northropgrumman.com

23. Opterra Energy Services

Ashu Jain, Senior Manager 23 Nevada Irvine, CA 92606 (714) 473-7837 ajain@opterraenergy.com www.opterraenergy.com

24. PARS

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

25. Ramsell Public Health & Safety

Brian Mattson, PhD 200 Webster St. #200 Oakland, CA 94607 (720) 369-3656 bmattson@ramsellcorp.com www.ramsellphs.com

26. Raymond James

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

27. RBC Capital Markets, LLC

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

28. Republic Services

Bruce J. Murphy, Area Sr. Manager, Municipal Sales - West 3260 Blume Dr., Suite 200 Richmond, CA 94806 (510) 262-7530 bmurphy3@republicservices.com www.RepublicServices.com

29. SAIC

Lee Patterson, Senior Director 4065 Hancock Street, M/S Q1-A San Diego, CA 92110 (858) 232-5492 Lee.R.Patterson@saic.com www.saic.com

30. Sierra West Group, INC.

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

31. Tetrus Corporation, Inc.

Phil Apanovitch, VP of Sales & Marketing 197 Route 18 South East Brunswick, NJ 08816 (860) 836-2700 phil.apanovitch@tetruscorp.com www.tetruscorp.com

32. Thomson Reuters

Ann Kurz, Director of Sales, Western Region 510 E. Milham Ave.
Portage, MI 49002 (805) 479-3099

Ann.kurz@thomsonreuters.com
www.thomsonreuters.com/aumentum

33. Union Pacific Railroad

Francisco Castillo, Director, Public Affairs 915 L Street, Suite 1180 Sacramento, CA 95814 (916) 789-5957 fcastillo@up.com www.up.com

34. Union Supply Group

LD Hay, Executive Vice President 2301 East Pacifica Place Rancho Dominguez, CA 90220 (310) 604-4642 LDHay@unionsupplygroup.com www.UnionSupplyGroup.com

35. Xerox Corporation

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

36. Ygrene Energy Fund

Mark Rodgers, Managing Director, Government Affairs 815 5th Street Santa Rosa, CA 95404 (916) 998-0062 Mark.rodgers@ygrene.us www.ygreneworks.com

SB 1 (Beall) Funding Summary

Overview

- Approximately \$5.2 billion/year in new revenue no sunset
- Approved by Legislature on April 6; Governor Brown signed on April 28
- Accompanied by ACA 5 (Frazier), which provides constitutional protections for revenues

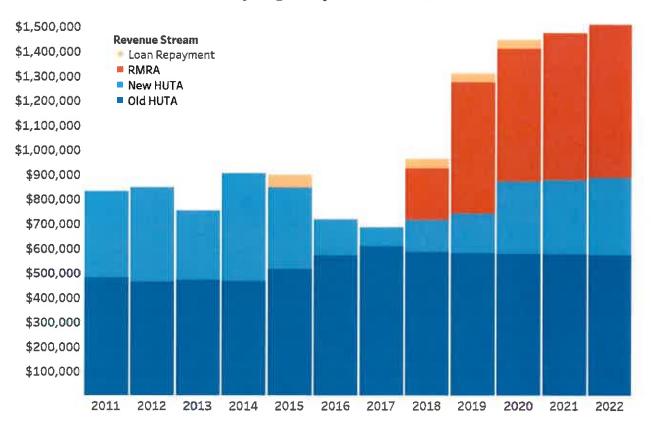
Revenue Measures

- o 12-cent gas excise tax increase
- o Reset price-based excise tax at 17.3 cents
- o 20-cent diesel excise tax increase
- o 4% diesel sales tax increase
- o \$25-\$175 annual "transportation improvement fee" based on vehicle value
- o \$100 annual zero emissions vehicle fee
- CPI adjustments on excise taxes/fees

Revenues Streams to Counties

- Road Maintenance and Rehabilitation Account
 - New gas tax, transportation improvement fee, and part of diesel excise tax
- o 50% state, 50% local
- Local share split evenly between cities and counties
- o County revenues by SHC Section 2103 formula
 - 75% on registered vehicles; 25% on maintained mileage
- Inflationary adjustments to base gas tax and Proposition 42 replacement gas tax

County Highway User Revenue





Administration of Justice Policy Committee CSAC Legislative Conference Wednesday, May 17, 2016 — 2:15 p.m. – 3:45 p.m. Hyatt Regency, Regency A Sacramento, California 95814

Supervisor Federal Glover, Contra Costa County, Chair Supervisor Alfredo Pedroza, Napa County, Vice Chair

2:15 p.m.	I. Welcome and Introductions Supervisor Federal Glover, Contra Costa County, Chair Supervisor Alfredo Pedroza, Napa County, Vice Chair
2:20 p.m.	II. Bail Reform Legislation – Legislation Discussion Senator Bob Hertzberg, Author SB 10 Assemblymember Rob Bonta, Author AB 42
2:40 p.m.	Question and Answer
2:50 p.m.	III. Existing Bail System and National Reform Efforts Jeffry Clayton, Executive Director, American Bail Association
3:20 p.m.	Question and Answer
3:30 p.m.	IV. Existing Pretrial Programs and Need For Reforms Supervisor Cindy Chavez, Santa Clara (invited) Aaron Johnson, Santa Clara County Pretrial Services Department
3:40 p.m.	Question and Answer
3:45 p.m.	V. Adjournment



Agriculture, Environment and Natural Resources Policy Committee

CSAC Legislative Conference Thursday, May 18, 2017 — 10:45 a.m. – 12:15 p.m. Hyatt Regency Sacramento, Regency A Sacramento County, California

Supervisor Bruce Gibson, San Luis Obispo County, Chair Supervisor Sherri Brennan, Tuolumne County, Vice Chair Supervisor Phil Serna, Sacramento County, Vice Chair

10:45 a.m. I. Welcome and Introductions

Supervisor Bruce Gibson, San Luis Obispo County, Chair Supervisor Sherri Brennan, Tuolumne County, Vice Chair Supervisor Phil Serna, Sacramento County, Vice Chair

10:50 a.m. II. CSAC Policy Platform – Cannabis Language (ACTION ITEM)

Cara Martinson, CSAC Legislative Representative Betsy Hammer, CSAC Legislative Analyst

11:30 a.m. III. New Life for Williamson Act? An Update from the Department of Conservation

Ben Turner, Assistant Director for Governmental and Environmental Relations, California Department of Conservation

11:45 a.m. IV. Sustainable Groundwater Management Act (SGMA): Regulatory Deadlines Ahead

Sam Boland-Brien, Groundwater Management Program, State Water Resources Control Board

12:00 p.m. V. State and Federal Legislative and Budget Update

Cara Martinson, CSAC Legislative Representative Betsy Hammer, CSAC Legislative Analyst Hasan Sarsour, Senior Legislative Associate, Waterman & Associates

12:15 p.m. VI. Closing Comments and Adjournment

Supervisor Bruce Gibson, San Luis Obispo County, Chair Supervisor Sherri Brennan, Tuolumne County, Vice Chair Supervisor Phil Serna, Sacramento County, Vice Chair



[®] May 18, 2017

1100 K Street Suite 101 Sacramento California 95814

Telephone
916.327.7500
Facsimile
916.441.5507

To: Members, CSAC Board of Directors

From: Supervisor Bruce Gibson, San Luis Obispo County, AENR Policy Committee Chair Supervisor Sherri Brennan, Tuolumne County, AENR Policy Committee Vice Chair Supervisor Phil Serna, Sacramento County, AENR Policy Committee Vice Chair

RE: CSAC Policy Platform - Cannabis Language (ACTION ITEM)

Recommendation. Approve draft policy language on cannabis.

Background. The CSAC Cannabis Working Group, co-chaired by Supervisors Nate Miley, James Gore, Estelle Fennell and alternate Judy Morris, crafted the attached cannabis policy based on significant input from the CSAC Agriculture, Environment & Natural Resources Policy Committee and other stakeholders. The CSAC Cannabis Working Group includes broad representation from Supervisors, Agricultural Commissioners, County Counsels, Environmental Health Directors, Planning Directors and Public Health, among others.

The language is in response to the passage of Proposition 64: The Adult Use of Marijuana Act (AUMA) and the Medical Cannabis and Regulatory Safety Act (MCRSA). As the state regulatory agencies begin to draft regulations to implement both laws, CSAC needs additional policy direction to help guide advocacy efforts. CSAC currently has a very narrow medical cannabis policy focused solely on respecting local control and supporting the enforcement of environmental regulations with respect to cannabis cultivation. Additional policy in a number of areas is needed to address the multitude of issues facing cannabis regulation implementation.

The CSAC Agriculture, Environment and Natural Resources Policy Committee will have the opportunity to review, discuss, edit, and approve the draft language at their Policy Committee meeting during the CSAC Legislative conference. Following committee action, the language will be considered by the CSAC Board of Directors.

Staff Contacts. Please contact Cara Martinson (cmartinson@counties.org or 916-327-7500, ext. 504) or Betsy Hammer (bhammer@counties.org or 916-327-7500, ext. 531) for additional information.



CSAC Cannabis Policy

Introduction

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

On November 8, 2016, voters passed Proposition 64, the Adult Use of Marijuana Act (AUMA), legalizing the adult use of cannabis in California. AUMA contains broad local regulatory and taxation authority, allowing local governments to decide how best to regulate – and impose local taxes on – the retail sale and cultivation of cannabis in their respective communities while integrating local regulatory programs within a larger state licensing system. AUMA provides guidelines for several state agencies to develop specific regulations that taken together will create a statewide licensing and regulatory framework for the cultivation, manufacture, transportation, testing, and sale of adult use cannabis. In addition to AUMA, the Governor signed into law the Medical Cannabis and Regulatory Safety Act (MCRSA) in 2015. MCRSA established a similar statewide licensing and regulatory framework specific to medical cannabis. While substantially similar, these two laws contain several differences. As a result, the Legislature and regulatory agencies are working to reconcile several inconsistencies between AUMA and MSCRA as they work to implement both laws.

AUMA and MCRSA respect local police powers and contain explicit county taxing authority. However, counties have a stake in shaping the broader statewide landscape of cannabis regulation in California as it will undoubtedly have a significant impact on local government operations. As the Legislature and regulatory agencies work to develop regulations to implement both the medical and adult use cannabis laws, counties put forth the following policy principles to guide CSAC positions and advocacy on cannabis regulation in California.

Policy Principles

I. Licensing, Regulation, and Local Control

Local government police powers and authority over taxation and fees must be respected in the development of any regulations implementing both medical and adult use cannabis laws. This includes support for existing local land use authority and counties' ability to ban the commercial adult use or medical cannabis retail sale and/or cultivation within the unincorporated area.

The MCRSA and AUMA outline categories of different types of licenses for the cultivation, sale, manufacture, distribution, and testing of cannabis. Both laws contain different types of restrictions on how many licenses can be held by a single entity. Counties support existing prohibitions on the cross-ownerships of licenses within the medical cannabis laws, and support restrictions on the cross-ownership of licenses within AUMA.

Counties support:

- 1. The development of a dual licensing system, which requires the verification of a local license as a condition precedent to the issuance of a state license for both medical and adult use commercial cannabis licensees, and the development of a strong license revocation policy and procedure for violations of license requirements.
- 2. Limitations and/or phase-in of unlimited acreage licenses, or Type Five licenses. (Proposition 64 allows for an unlimited acreage cultivation license Type 5 after the law has been in effect for five years).
- 3. State development of uniform regulations, when feasible, for adult use and medical cannabis.

II. Cultivation and Environmental Impacts

Counties support:

- 1. Uniform pesticide and other contaminant standards for adult use and medical cannabis.
- 2. Integration with GIS systems at the local level, especially with respect to cultivation sites. This should include integration and consultation with resource conservation districts and enable integration with Integrated Watershed Management Plans.
- 3. Action to reduce environmental degradation and incentivize the responsible use of resources, including water and electricity, in cannabis cultivation.
- 4. Strong coordination between local and state agencies to ensure uniform application in environmental enforcement efforts. This includes providing clear guidance and adequate resources to responsible agencies to regulate and enforce existing environmental laws when they are applied to the cultivation of cannabis.
- 5. The ability to grow industrial hemp as an agricultural product.

III. <u>Enforcement and Public Safety</u>

Counties strongly urge the state to fully enforce all state aspects of cannabis regulations, and to provide resources to local governments for enforcement efforts undertaken by local governments.

Counties support:

- 1. The development of enforceable standards for impaired driving.
- 2. Employer rights to maintain a drug-free workplace and the ability to impose restrictions on cannabis use by employees, while respecting AUMA and MCRSA protections for qualified cannabis users.
- 3. Action and assistance to aid local government and law enforcement's ability to stop unlicensed commercial activity and diversion of cannabis and cannabis products.

- 4. Dedicated resources for the active enforcement of illegal cannabis cultivation on state and federal lands.
- 5. State standards governing worker safety and security in the cannabis industry.
- 6. Inspections of cannabis retail establishments, sales locations, or cultivation sites to ensure adherence to state and local laws and policies.

IV. Labeling, Testing, and Advertising

Counties urge the state:

- 1. To develop packaging requirements that are designed to display no appeal for children and to require childproof containers, where appropriate.
- 2. To allow counties to use state-run labs for pesticide, heavy metal, and biological testing for enforcement purposes.
- 3. To develop uniform potency standards for cannabis products to ensure consumer health and safety.

Counties support:

- 4. Standards for the recognition of a particular appellation of origin of cannabis cultivated in a certain geographical region.
- 5. Strict labeling and testing requirements of all adult use and medical cannabis products.

V. Resources, Revenue Collection, and Banking

Counties urge:

- 1. The federal government to continue to respect states' rights with respect to cannabis regulation and enforcement.
- 2. The federal government to allow banking services for the cannabis industry to help reduce the public safety issues posed by a cash-based industry.
- 3. The federal government to declassify cannabis as a Schedule I drug.

Counties support:

- 4. Interim solutions to encourage tax compliance in the absence of adequate banking solutions.
- 5. Revenue sharing or grants from state revenues to manage the impacts of cannabis growth.
- 6. Sufficient resources for local code enforcement and environmental health and other departments.
- 7. Sufficient funding for adequate staffing at the state and local level to conduct regular inspections for dispensaries, cultivation, and manufacturing facilities, to conduct

- investigations and enforcement activity, and to quickly respond to and resolve complaints in a timely manner.
- 8. Actions that would provide state funding and resources to local governments for public education efforts concerning responsible use of cannabis.

VI. Public Education, Outreach, and Research

Counties support:

- 1. Methods of sharing best practices, lessons learned, and model ordinances on cannabis regulation and taxation.
- 2. The development of strong, effective substance abuse prevention and education campaigns at the state level with input from counties, and resources for local education.
- 3. Statewide data collection and additional research and monitoring of trends regarding the impacts of cannabis including impacts to public health, enforcement issues, and other impacts. Counties urge the state to share such data and research with local governments.
- 4. Continued collaboration between local and state agencies, including ongoing dialogue about implementation efforts, tax rates, enforcement issues, and other issues of significance.
- 5. Adequate local representation on the state Cannabis Advisory Committee to help inform state regulatory agencies and other stakeholders about local conditions, concerns and issues of significance.
- 6. Widespread communication on the impacts of cannabis on public health, especially related to impaired driving.



Government Finance & Administration Policy Committee

CSAC Legislative Conference Thursday, May 18, 2017 — 9:00 a.m. – 10:30 a.m. Hyatt Regency Sacramento, Regency A Sacramento County, California

Supervisor Erin Hannigan, Solano County, Chair Supervisor Judy Morris, Trinity County, Vice Chair

9:00 a.m. I. **Welcome and Introductions** Supervisor Erin Hannigan, Solano County, Chair Supervisor Judy Morris, Trinity County, Vice Chair 9:05 a.m. II. State Budget Update and Fiscal Forecast Carolyn Chu, Senior Fiscal & Policy Analyst, Legislative Analyst's Office 9:25 a.m. III. Expansion of Sales and Use Tax Application – ACTION ITEM Dorothy Johnson, Legislative Representative, CSAC 9:35 a.m. IV. CalPERs Divestment Mandates – ACTION ITEM Dorothy Johnson, Legislative Representative, CSAC V. 9:50 a.m. **Voting Modernization Bond Act of 2018** James Schwab, Chief of Legislative Affairs, Secretary of State's Office 10:00 a.m. VI. **State Board of Equalization Audit and Corrective Action** Geoff Neill, Senior Policy and Fiscal Analyst 10:15 a.m. VII. **Legislative Update** a) Cannabis Banking b) Broadband Funding Dorothy Johnson, Legislative Representative, CSAC Tracy Sullivan, Legislative Analyst, CSAC 10:30 a.m. VIII. Adjournment



1100 K Street Suite 101 Sacramento California 95814

Telephone 916.327.7500 Facsimile 916.441.5507 May 5, 2017

To: CSAC Government Finance and Administration Policy Committee

From: Dorothy Johnson, Legislative Representative

Tracy Sullivan, Legislative Analyst

Re: Expansion of Sales and Use Tax Application – ACTION ITEM

Recommendation. Staff recommends that the Government Finance and Administration Policy Committee (Committee) discuss and recommend a position to the Board of Directors that will guide future advocacy efforts on expanded sales tax application to products.

Background.

The application of sales tax to certain products follows a tangled trail of logic and lobbying efforts. Differences in sales tax application to similar goods and products can depend on whether or not it is purchased at a vending machine or from a cashier; consumed on the premise or to go; and or deemed a "necessity" such as food or medicine. (For example, some household plants that are edible are not taxed whereas decorative plants are subject to sales tax.) Much of the rationale behind what is and is not exempt is the necessity designation and because sales tax is a "regressive" tax that does not have proportional impact based on income.

The last thirty years of state sales tax policies has resulted in counties receiving almost half of the statewide sales tax rate, with roughly two-thirds of that being constitutionally dedicated to health and public safety programs. In addition, cities and counties receive a dedicated 1% (Bradley-Burns) and 0.25% dedicated to county transportation. Cities and counties may also collect voter-approved transactions and use taxes that cannot exceed a combined city and county rate of 2%.

Each year the Legislature proposes numerous sales tax exemptions for a variety of products. Most recently this has included school text books, emergency supplies, diapers, tailored clothing, feminine hygiene products, and electric or hybrid cars. The exemptions are often well-intended but disregard the loss of local revenue. Accordingly, CSAC has consistently opposed these measures unless amended to limit the proposed exemption only to the state's share.

The 2017-18 Legislative Session is different. A proposal to expand the application of sales tax to also include candy and processed snack foods (as defined, pursuant to Assembly Bill 274/ACA 2; Garcia) was introduced. A "candy tax" did exist in California through legislation signed by Governor Wilson in 1991 that taxed candy, chips and other processed snack items. Then, Proposition 163 was presented to voters the following year to repeal that tax on the grounds that low-income communities have little access to

healthy foods. Candy and other snack products were classified as "necessities." The measure passed resulting in a revenue loss of \$200 million annually for the state.

The candy tax proposal through AB 274/ACA 2 is estimated to result in an \$900 million dollars annually statewide with roughly \$400 million allocated to counties based on the existing rate shares.

Comments.

Changes to the Sales Tax Base. California has seen a trend of slowing sales tax revenue collection as consumer behavior has shifted from a focus on goods to services and untaxed products (digital media, for example). Until system-wide changes are made to either sales tax application or local revenue authority, it may be prudent to expand the base to avoid further erosion of this revenue stream.

This Product or This Principle. CSAC has consistently opposed sales tax exemptions regardless of the product and intended beneficiaries if the exemption impacted any of the county shares. Committee members may wish to consider if the *expansion* of taxable products should follow suit with consideration given to the fiscal impacts over and beyond the policy implications related to the product.

Tax Expansions with Dedicated Funds. CSAC has previously supported tax increases applied to products when there is a specified or related purpose for the revenue such as mitigating the impact of that product's use. For example, last year the CSAC Board of Directors supported Proposition 56 (2016) that applied an additional per-pack cigarette tax with revenues allocated mostly to established tobacco use prevention and cessation programs. The author of the 2017 "candy tax" offers that the sharp increase in childhood obesity and diabetes, especially in disadvantaged communities, warrants the tax expansion to help reduce consumption. It could also be argued that the associated cost pressures on the healthcare system from unhealthy food consumption lend merit to the proposal.

Sales Today, Services Tomorrow. State legislators and the State Controller have proposed several reform efforts to the way sales tax is applied. Some proposals include "clean up" for greater consistency in its application to remove loopholes and ensure food, medicine and other necessity products are not taxed. Other proposals would change the overall tax structure to focus on some services (such as haircuts and green fees) in lieu of products. The Committee may wish to consider if a one-at-a-time approach to expand sales tax application undermines the larger efforts for reform. The Committee may also wish to consider if the benefits of additional revenue outweigh those concerns given that reforms of any magnitude are often a decade-long effort.

Action Requested. Staff requests approval from the committee to advance the proposed recommendation, if any, to the CSAC Board of Directors for action.

Contacts. Please contact Dorothy Johnson (<u>djohnson@counties.org</u> or 916/650-8133), or Tracy Sullivan (<u>tsullivan@counties.org</u> or 916/650-8124) for additional information.



1100 K Street Suite 101 Sacramento California 95814

716.327.7500 Facsimile 916.441.5507 May 5, 2017

To: CSAC Government Finance and Administration Policy Committee

From: Dorothy Johnson, Legislative Representative

Tracy Sullivan, Legislative Analyst

Re: CalPERS Divestment Mandates – ACTION ITEM

Recommendation. Staff recommends that the Government Finance and Administration Policy Committee (Committee) discuss and forward an "oppose" position to the Board of Directors on measures mandating divestment for CalPERS and other retirement systems in which counties participate.

Background.

As provided in the California Constitution by Proposition 162, the California Pension Protection Act of 1992, the boards of California's public retirement systems have "plenary authority and fiduciary responsibility for investment of monies and administration of the system."

Under Proposition 162, the Legislature also retained its authority to, by statute, "continue to prohibit certain investments by a retirement board where it is in the public interest to do so, and provided that the prohibition satisfies the standards of fiduciary care and loyalty required of a retirement board pursuant to this section."

The Constitution also states, "[t]he members of the retirement board of a public pension or retirement system shall discharge their duties with respect to the system solely in the interest of, and for the exclusive purposes of providing benefits to, participants and their beneficiaries, minimizing employer contributions thereto, and defraying reasonable expenses of administering the system."

Recent and currently pending legislation has sought to block investment and require divestment by CalPERS and/or CalSTRS from companies or investment opportunities associated with or controlled by the following:

- Dakota Access Pipeline (AB 20; Kalra, 2017)
- US/Mexico Border Wall (AB 947; Ting, 2017)
- Country of Turkey (AB 1597; Nazarian, 2017), (AB 1661 and AB 2650; Nazarian, 2016)
- Predatory Lenders (AB 2283; Calderon, 2016)
- Israel Boycott Promotion (AB 1551; Allen 2016)
- Thermal Coal (SB 185; De Leon, 2015) SIGNED
- Firearms and Ammunition Manufacturers (AB 761; Dickinson, 2013)
- Country of Iran (AB 1151; Feuer, 2011) (AB 211; Anderson 2007) SIGNED

The motivation for these divestment proposals is rarely, if ever, fiscal. Instead, they seek to uphold California's core values and affect a more focused dialogue on critical issues like supporting clean energy, opposing nuclear armament and opposing human rights violations.

The CalPERS board has decided to divest from certain industries, including tobacco for the last 16 years, pursuant to its Divestment Policy (see Comments section below). Estimated costs resulting from that action totaled between \$2 billion to \$3 billion, according to a third-party analysis. Recently enacted divestment mandates do not have estimates on their fiscal impact to the state pension system beyond administrative costs for reporting and transactions. The "opportunity cost" is most often reported as a loss prior to divestment mandate implementation.

Comments.

Fiduciary Responsibility. As stated in the State Constitution "a retirement board's duty to its participants and their beneficiaries shall take precedence over any other duty." Divestment mandates can present significant challenges for CalPERS in balancing current affairs against its fiduciary duty to maximize retirement investments. As such, to protect the long-term sustainability of the Public Employees Retirement Fund the Committee should consider how divestment mandates would have a negative effect on investment performance.

CalPERS Adopted Divestment Policy. The stated fiduciary obligations for the retirement board generally forbid CalPERS from sacrificing investment performance for the purpose of achieving goals that do not directly relate to CalPERS operations or benefits. According to the CalPERS Policy, divesting appears to almost invariably harm investment performance, such as by causing transaction costs (e.g., the cost of selling assets and reinvesting the proceeds) and compromising investment strategies. In addition, there appears to be considerable evidence that divesting is an ineffective strategy for achieving social or political goals, since the usual consequence is often a mere transfer of ownership of divested assets from one investor to another. Investors that divest lose their ability as shareowners to influence the company to act responsibly. Current policy generally prohibits divesting in response to initiatives, but permits CalPERS to use constructive engagement, where consistent with fiduciary duties, to help divestment initiatives achieve their goals.

CSAC Existing Policy on Pension Systems. The adopted CSAC platform does not speak to the issue of investment choices. The policy principles support increased predictability of costs and benefits for employee and employers; reduced and contained costs for government, employees and taxpayers; and sound fiduciary management.

This Issue or This Principle. The range of targeted companies or investment areas addressed by divestment proposals is expansive. The Committee may wish to consider if there are any areas where divestment mandates are, or are, not appropriate and if there are exceptions to that determination.

By Legislative Mandate or By Board Authority. The CalPERS board is authorized to make investment determinations under their existing authority. If the Committee determines that certain divestments are warranted, the Committee may also wish to consider if it is more appropriate to rely on the existing board process to pursue that change rather than the legislative process.

As Goes CalPERS, So Goes '37 Act? None of the proposed divestment policies impact non-statewide retirement systems. However, divestment policies could influence decision-making for other county-based retirement systems indirectly as attention is given to issues.

Action Requested. Staff requests approval from the Committee to advance the proposed recommendation, if any, to the CSAC Board of Directors for action.

Contacts. Please contact Dorothy Johnson (<u>djohnson@counties.org</u> or 916/650-8133), or Tracy Sullivan (<u>tsullivan@counties.org</u> or 916/650-8124) for additional information.



Health and Human Services Policy Committee

Thursday, May 18 • 10:30 a.m. – 12:00 p.m. Regency E • Hyatt Regency 1209 L Street • Sacramento, CA

Supervisor Ken Yeager, Santa Clara County, Chair Supervisor Candy Carlson, Tehama County, Vice Chair

Note: This policy committee meeting is an <u>in-person meeting only</u> and is being held as part of the CSAC 2017 Legislative Conference.

10:30 a.m. I. Welcome and Introductions

Supervisor Ken Yeager, Committee Chair, Santa Clara County Supervisor Candy Carlson, Committee Vice Chair, Tehama County

10:35 – 11:10 a.m. II. HHS Legislative and Budget Update

• Update on May Revision of Governor's Budget

• Update on CCI/IHSS MOE Issue

Farrah McDaid Ting, CSAC Legislative Representative Elizabeth Marsolais, CSAC Legislative Analyst Graham Knaus, Deputy Executive Director of Operations and Member Services

11:10 – 11:25 a.m. III. Federal Update

Joe Krahn, Waterman & Associates

11:25 a.m. – 11:55 a.m. ACTION ITEM

IV. Platform Update: Child Near Fatality Incidents

Farrah McDaid Ting, CSAC Legislative Representative

Elizabeth Marsolais, CSAC Legislative Analyst

11:55 a.m. – 12:00 p.m.

V. Other Items

12:00 p.m. VI. Adjournment

Information Only

VII. Whole Person Care Pilots Update: Initial Implementation



May 4, 2017

1100 K Street Suite 101 Sacramento California 95814

Facsimile 916.441.5507

To: CSAC Health and Human Services Policy Committee

From: Farrah McDaid Ting, CSAC Legislative Representative Elizabeth Marsolais, CSAC Legislative Analyst

916.327.7500 RE: Child Near Fatality Incidents Platform Language Review – ACTION ITEM

Background. At the end of each two-year legislative session, CSAC undertakes a policy platform review process. Following CSAC staff's solicitation of comments from counties and members of the HHS Policy Committee in October 2016, staff presented an initial draft of the policy platform chapters on health, human services, and realignment to the committee at its November 29, 2016, meeting. However, the election of President Trump required the committee to more closely examine federal portions of the proposed platform, particularly the section on the Affordable Care Act. Additionally, at the 2016 Annual Meeting, Yolo County Supervisor Matt Rexroad requested that language be added to the Human Services chapter of the Policy Platform to address the need for transparency in child near fatality incidents.

Based on the HHS Policy Committee's feedback at Annual Meeting, CSAC staff undertook additional rounds of edits to better reflect the federal uncertainty regarding the Affordable Care Act (ACA), the unwinding of the Coordinated Care Initiative and In-Home Supportive Services Maintenance of Effort, as well as other comments received. During its February Board Meeting, the CSAC Board of Directors voted to approve the Health and Realignment Chapters as approved by the HHS Policy Committee on February 8. However, after a lengthy discussion around 2 proposals for language on child fatality and near fatality incidents, the Board ultimately voted to approve the Human Services Chapter without the language on child fatality and near fatality incidents. The Board additionally voted to have the language on child near fatality incidents be brought back to the HHS Policy Committee and the Board of Directors.

Proposed Language. The language before the HHS Policy Committee today is the same language that the HHS Policy Committee approved at its February 8 meeting. The Policy Committee had previously considered language on this issue at it January 2017 meeting, however due to technical issues, it was not possible to take a vote at that time and the issue was pushed back to the February 8 meeting. Staff worked with County Counsels and the County Welfare Directors Association to reach the compromise language below:

When a child who has been left with a family that has been subject to a report of abuse and neglect dies or nearly dies, the best course is to try and learn what, if anything, could be improved in county operations and policies so that children in the future do not suffer similar fates. As an important part of this effort, counties support transparency related to child deaths and near deaths that occurred because of abuse and neglect, so long as all identifying information is redacted from the documents that are released.

Under this language, CSAC would support the release of appropriately redacted portions of a juvenile case file that are germane to understanding how a foster child's fatality or near fatality occurred. The focus on documents that are germane to a foster child's death or near death helps counties and the public understand how the tragic event occurred, but would also protect counties against potential

liability for violations of privacy that may arise from including documents that are not related to how the event occurred.

Process. In response to the motion approved by the CSAC Board of Directors in March, staff has brought this issue back to the HHS Policy Committee for consideration. If language is approved by the HHS policy committee, these changes will be submitted to the CSAC Board of Directors for approval during their May 18 meeting. We wish to thank each of the supervisors, county affiliate organizations, and county staff who reviewed the proposed changes and suggested additional clarifications throughout this process.

Staff Recommendation:

Staff recommends adopting the language as previously approved by the HHS Policy Committee.

CSAC Staff Contacts:

Farrah McDaid Ting, CSAC Legislative Representative: fmcting@counties.org, (916) 327-7500 Ext. 559 Elizabeth Marsolais, CSAC Legislative Analyst: emarsolais@counties.org, (916) 327-7500 Ext. 524



Housing, Land Use and Transportation Policy Committee

CSAC Legislative Conference Thursday, May 18, 2017 — 8:45 a.m. – 10:15 a.m. Hyatt Regency Sacramento Sacramento County, California

Supervisor David Rabbitt, Sonoma County, Chair Supervisor Lisa Bartlett, Orange County, Vice Chair Supervisor Bob Williams, Tehama County, Vice Chair

8:45 a.m. I. Welcome and Introductions
Supervisor David Rabbitt, Sonoma County, Chair

8:50 a.m. II. New Transportation Funding: What Does the Passage of SB 1

Mean for Your County?

Chris Lee, CSAC Legislative Analyst

9:10 a.m. III. Road User Charge Pilot Program Update and Next Steps
Supervisor Lisa Bartlett, Orange County, Vice-Chair and Road
Charge Technical Advisory Committee Member
Curtis Vandermolen, Deputy Director, California Transportation
Commission (invited)

9:55 a.m. IV. Housing and Land Use Legislative Update Chris Lee, CSAC Legislative Analyst

10:15 a.m. V. Closing Comments and Adjournment
Supervisor David Rabbitt, Sonoma County, Chair
Supervisor Lisa Bartlett, Orange County, Vice Chair
Supervisor Bob Williams, Tehama County, Vice Chair



1100 K Street Suite 101 Sacramento California 95814

916.327.7500 Facsimile 916.441.5507 May 18, 2017

To: CSAC Officers

CSAC Executive Committee CSAC Board of Directors

From: Ed Valenzuela, CSAC Treasurer

Matt Cate, Executive Director

Re: CSAC Budget 2017-18

As Treasurer of CSAC, I present to you the proposed budget for the 2017-18 fiscal year. In conjunction with the Executive Director, Matt Cate, the attached revenue and spending plan for the upcoming year is hereby submitted for your adoption. The budget reflects the expenditures needed to advance CSAC's mission of serving California's 58 counties through effective advocacy, training, and member services programs.

Recommendation: Adopt the proposed FY 2017-18 CSAC budget.

CSAC's fiscal condition remains solid. FY 2016-17 year-end fund balance is projected to exceed \$1 million due to growth in revenues, continued implementation of operational efficiencies, and strong performance by the CSAC Finance Corporation. This comes following last year's payoff of the CSAC building loan, eliminating all debt while still meeting the Operating Reserve Policy target of a 6-month reserve.

The proposed budget is designed to meet the following organizational priorities:

- Align expenditures to projected revenues while meeting critical objectives across all areas including advocacy, communications, member services, the corporate program, and the CSAC Institute;
- Support all advocacy priorities, county visits and regional meetings, the Challenge Award program, and the contribution to the California Counties Foundation which supports the CSAC Institute campuses;
- Set-aside five percent of revenues to allow appropriate operating margin and additions to reserves;
- Provide authority to the Executive Director for potential merit increases;
- Establishment of a Capital Improvement Program to better plan for the management of the CSAC building and potential building maintenance costs; and
- Provide funds to support a communications initiative that expands existing capacity to support CSAC communications and allows for direct county communications support during a disaster, to cover regional and county-

specific meetings of interest, and to build a network between CSAC and county local media, public information officers, supervisors and county administrators.

Highlights of the proposed CSAC FY 2017-18 Budget

Revenues

- No dues increase -- dues remain flat for the fifth consecutive year and continues to represent approximately one-third of total revenues to support key priorities and operations.
- Finance Corporation contribution grows to \$3.75 million.
- Corporate Associates is expected to generate \$382,000 in net revenue. This reflects continued growth in the Corporate Partners Program.

Expenses

- Salaries and benefits are 1.7 percent higher than FY 2016-17 and include modest benefit cost increases in addition to Executive Director authority to increase existing salaries as merited.
- Increase the budgeted contribution to the California Counties
 Foundation by \$15,000 to \$195,000 to support the continued
 expansion of the CSAC Institute. This enables sustainable support for
 an upcoming satellite campus in Northern California as well as
 authority to expand staff support to ensure sufficient staff capacity to
 meet existing and anticipated demands.

Reserves

 Projected reserves beginning FY 2017-18 are \$5 million which meets the 6-month reserve policy target. In addition to operating reserves, \$500,000 of FY 2016-17 year end fund balance shall be designated to a newly established Capital Improvement Program Fund creating combined reserves of \$5.5 million.

California State Association of Counties® Budget FY 2017-18

	Actual FY 15-16	Budget FY 16-17	Year End FY 16-17	Budget FY 17-18
Revenues:				
	0.400.500	0.400.500	0.400.500	0.400.500
Membership Dues	3,430,506	3,430,506	3,430,506	3,430,506
Finance Corp Participation	4,075,000	3,500,000	4,000,000	3,750,000
Rental Income	171,666	168,417	172,853	178,229
Administrative Miscellaneous	665,081	579,800	649,938	606,400
CSAC Conferences	414,733	413,000	428,750	418,000
CEAC	146,452	159,565	160,390	163,586
Corporate Associates	830,249	929,000	860,750	908,000
Litigation Program	<u>429,737</u>	<u>432,276</u>	<u>432,276</u>	<u>432,276</u>
Total Revenues	10,163,424	9,612,564	10,135,463	9,886,996
Expenditures:				
Salaries/Benefits	5,180,847	5,563,382	5,280,745	5,655,920
Staff Outreach	162,436	166,200	171,700	174,700
Leadership Outreach	56,890	75,000	89,235	80,000
NACo Meetings & Travel	132,201	120,500	150,984	140,000
NACo 2nd VP Campaign	9,119	10,000	12,741	0
Public Affairs/Communications	47,207	50,350	50,286	77,040
CSAC Conferences	528,099	559,716	595,098	599,545
Facilities	1,722,171	284,747	366,485	302,117
Office Operations	270,334	284,310	255,251	277,525
Organizational Partnerships	139,485	120,500	123,293	128,000
CEAC	146,452	159,565	160,390	163,586
Outside Contracts	663,535	647,000	653,412	656,100
Corporate Associates	496,804	510,256	521,323	525,187
Litigation Program	429,737	432,276	432,276	432,276
Foundation Contribution	<u>128,886</u>	<u>180,728</u>	<u>191,370</u>	<u>194,978</u>
Total Expenditures	10,114,201	9,164,530	9,054,589	9,406,974
YEAR END FUND BALANCE	49,222	448,034	1,080,875	480,022
Capital Improvement Fund Contribution to Reserves			\$500,000 \$580,875	\$250,000 \$230,022

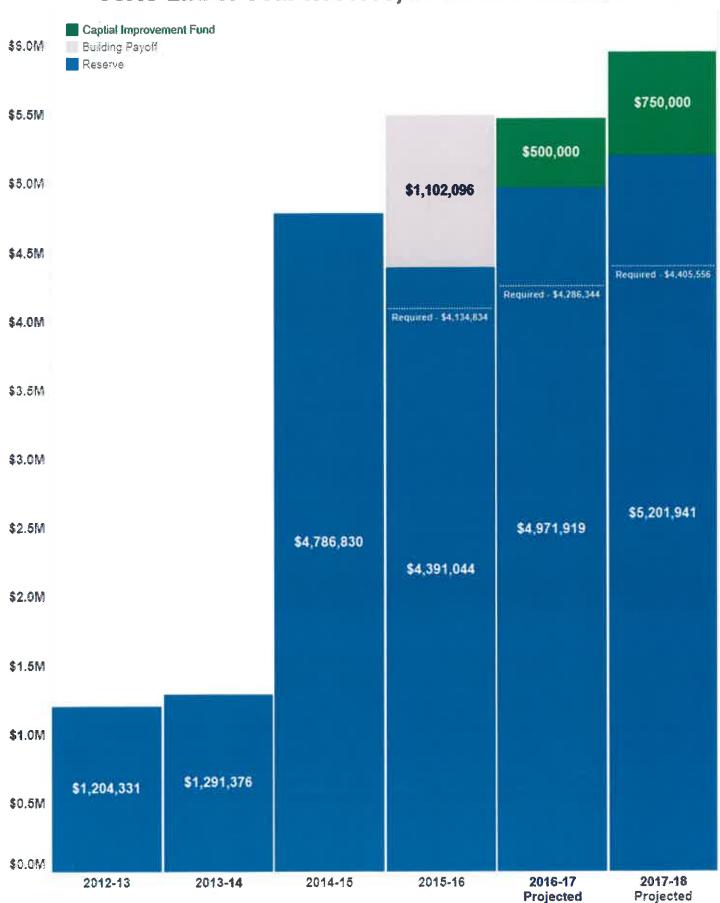
California State Association of Counties® Draft Budget FY 17-18

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California State Association of Counties® Draft Budget FY 17-18

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BUDGET YEAR 17-18										
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CSAC End-of-Year Reserve, 2012-13 to 2017-18





1100 K Street
Suite 101
Sacramento
California
95814
Telephone
916.327.7500
Facsimile

916.441.5507

May 18, 2017

To: CSAC Officers

CSAC Board of Directors

From: Ed Valenzuela, CSAC Treasurer Matt Cate, Executive Director

Graham Knaus, Deputy Executive Director of Operations & Member Services

Re: CSAC Financial Policies

<u>Recommendation:</u> Adopt revised financial policies to strengthen the fiscal operations of the association and manage its capital assets as recommended by the Executive Committee.

<u>Background:</u> CSAC financial policies are intended to create a strong fiscal foundation for the association, guide management of financial affairs based on organizational priorities, and mitigate potential risks to ensure the long-term stability of CSAC. Financial policies include those related to the CSAC budget, operating reserve, and fiscal operations, and provide the broad framework for the day-to-day accounting and fiscal procedures.

The Operating Reserve Policy was adopted in 2015 to require a 6-month operating reserve to mitigate unexpected fluctuations in revenues and/or expenditures. This threshold has been met each year beginning in 2015-16, and meets the national standard for non-profit organizations. Following implementation of the policy, CSAC has since eliminated all debt including the payoff of the loan on its 1100 K street property, built in 1897.

Maintaining the condition and function of the building, particularly the more than 100 year old original boiler, requires routine maintenance and a delicate touch of our aged, difficult to replace building infrastructure. To most effectively manage the association's capital assets, staff recommends implementing a Capital Improvement Program to prepare for large repair, replacement, and maintenance costs beyond the scope of the Building budget. Doing so would allow for annual prioritization of capital projects as well as resources to mitigate potential risks to capital assets.

The proposed Financial Policies prioritize year-end fund balance to the following purposes:

- Funds needed to meet the required 6-month operating reserve target.
- Contribution to the Capital Improvement Program of up to \$250,000.
- Additional contributions to the Operating Reserve and/or Capital Improvement Program.
- Other association priorities as determined by the Executive Director, in consultation with the Treasurer.

These policies are intended to maximize the ongoing fiscal stability and flexibility of CSAC and ensure funds are prioritized to meet association priorities.

See attached CSAC Financial Policies which were approved by the Executive Committee at its April 6, 2017 meeting.

CSAC Financial Policies

- 1. CSAC shall implement financial policies to strengthen the fiscal stability of the association through the establishment of operative and capital reserves and to ensure the strongest return on association resources through the establishment of a procurement policy, investment policy, and other policies as needed.
- 2. Operating Reserve and Capital Improvement Program reserves serve to strengthen the fiscal stability of the association, provide resources to fund unanticipated expenses or priorities, as well as plan for appropriate management of its capital assets.
- 3. The Investment Policy guides the management of financial accounts, particularly with respect to the appropriate investment of operating and reserve funds to best protect and grow association revenues.
- 4. The Procurement Policy provides for the most cost effective service delivery model through the competitive procurement of goods and services.
- 5. In any fiscal year ending with a fund balance, funds shall be allocated in the following priority order:
 - a. Funds required to meet the required 6-month operating reserve.
 - b. Up to \$250k of additional fund balance shall be allocated to the Capital Improvement Program.
 - c. Additional contributions to the operating reserve and/or capital improvement program.
 - d. Other association priorities as determined by the Executive Director, in consultation with the Treasurer.

CSAC Operating Reserve Policy

- 1. The purpose of this Policy is to establish an operating reserve for the California State Association of Counties (CSAC) to ensure long-term fiscal stability of the association.
- 2. CSAC shall maintain an operating reserve of six months of the annual operating budget, less expenditures for the Litigation Program and other restricted expenditures.
 - a. The six-month operating reserve shall be met or exceeded unless there is a significant change in revenues or expenditures or an identified association priority on the use of funds as determined by the Executive Director, in consultation with the Treasurer of CSAC.
 - b. To address significant changes to revenues or expenditures, or to meet association priorities, the Executive Director may utilize reserve funds, in consultation with the Treasurer of CSAC.
 - c. To the extent the operating reserve falls below the six-month target, funds should be replenished to meet the target within three years.
- 3. The operating reserve policy shall be reviewed periodically to ensure it continues to meet association priorities.

CSAC Capital Improvement Program

- 1. The Capital Improvement Program shall be established for the California State Association of Counties (CSAC) to plan for and manage the association's capital assets.
- 2. CSAC shall establish a Capital Improvement Program as a sub-account of Association Reserves.
 - a. The capital improvement program shall receive up to \$250k in available fund balance each year. The contribution shall be met or exceeded unless there is a significant change in revenues or expenditures or an identified association priority on the use of funds as determined by the Executive Director, in consultation with the Treasurer.
 - b. To plan for or address significant capital improvement needs, the Executive Director may utilize reserve funds, in consultation with the Treasurer.
 - c. Capital Improvement funds shall be used for the following purposes:
 - i. Large anticipated capital projects required to extend the life of the association's assets such as to replace the roof or the boiler.
 - *ii.* Unanticipated capital projects exceeding \$5,000 not otherwise funded by the budget.
 - *iii.* Other association priorities as determined by the Executive Director, in consultation with the Treasurer.
- 3. The capital improvement program reserve policy shall be reviewed periodically to ensure it continues to meet association priorities.



May 18, 2017

To: CSAC Board of Directors

From: Supervisor Leonard Moty, President

Alan Fernandes, Executive Vice President

RE: CSAC Finance Corporation Board Update

A. CSAC Contribution

The CSAC Finance Corporation Budget will close out this Fiscal Year in a strong position. Organizational expenses including salaries, and other costs were lower than budgeted and program performance was strong. Consequently, the CSAC Finance Corporation authorized an increase contribution to CSAC of up to \$400,000 above the budgeted contribution.

B. Agreement Between CSAC Finance Corporation and CSAC

It has been a couple of years since the agreement between CSAC Finance Corporation and CSAC has been revisited. Since, there have been a number of organizational changes at CSAC Finance Corporation and ongoing discussions about realigning the Corporate Partnership Program with the activities of the CSAC Finance Corporation. Consequently, the CSAC Finance Corporation Board of Directors approved an updated agreement that provides for the flexibility to realign the Corporate Partnership Program should such realignment be consistent with the priorities of both organizations in the future.

C. Tax Collection Programs

As previously reported, the California State Treasurer has created the Cannabis Banking Working Group, a statewide group of various stakeholders. Matt Cate is representing the interests of CSAC and all California Counties, including the efforts and activities of the CSAC Finance Corporation. The purpose of the group is to study the issue facing government as it relates to tax collection and the challenges of taxing and regulating a largely unbanked industry. Ultimately, the goal will be to develop solutions to the challenges associated with tax collection and cannabis banking. The approach that we plan to offer on behalf of county government is a joint powers authority 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. As the working group continues we will update this Board on the progress of this solution.

Because the current status of cannabis enforcement at the federal level is in doubt, we are working closely with CSAC staff to keep apprised of the current status of law changes both at the State and Federal level, and will be moving forward to engage law firms to guide the creation of this joint powers authority.



May 18, 2017

1100 K Street Suite 101 Sacramento California 95814

75814

Telephone
916.327.7500

Facsimile
916.441.5507

To: CSAC Officers

CSAC Board of Directors

From: Graham Knaus, Deputy Executive Director of Operations & 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.

Member Services and Communications

Following is a brief summary of CSAC Communication Unit activities and successes during the first four months of 2017. Significant emphasis continues to be placed on usage of social media tools as well as earned media to meet a number of our communications goals for the year.

Challenge Awards/County Best Practices

Staff undertook video shoots of eight programs in six Southern California counties during a seven-week period. At the same time, we began producing and releasing videos and blogs every other week. Starting in January, this promotion of California Counties' best practices will run through June. In total, we are releasing 14 videos and blogs spotlighting award-winning programs during the six-month period. To date, 10 videos have been released, featuring programs in Amador, Butte, Los Angeles, Orange, Plumas, Sacramento, San Bernardino, San Diego, Sonoma and Tehama Counties.

Staff has also revamped the Challenge Awards entry process. Entries will now be judged in specific issue categories, as well as population categories. We believe this will provide a better opportunity to recognize programs across a wider spectrum of service areas. The Call for Entries for the 2017 awards was distributed last month; the deadline for entries is June 23, 2017. Please talk to your staff about entering some of your innovative programs!

Blogs

CSAC continues to publish at least one blog every week. Content so far this year has covered a wide variety of topics, from Challenge Award-winning programs and the drought to transportation and ethics. We have also increased our usage of submissions from county supervisors, including running pieces from Supervisors Keith Carson, Vito Chiesa, John Tavaglione, Ken Yeager, Diane Dillon and Don Nottoli since the beginning of the year. We look to continue this practice in the months ahead.

Videos

Beyond the Challenge Awards videos that are being produced every other week, Communications staff utilized our Youtube channel to compliment key advocacy priorities, such as transportation, IHSS and the ACA repeal. Videos were produced from a variety of source material, including video-recorded CSAC webinars, Capitol testimony and county member comments. Staff also filmed a video introducing our 2017 CSAC President.

Social Media

CSAC Communications staff continues to place significant emphasis on our social media outlets as a way to tell the county story, support CSAC advocacy efforts, promote CSAC events and spotlight issues of importance to our members. Twitter has been especially effective during the past few months; in fact, February was our most impactful month as we had more than 300,000 impressions. Much of that was due to CSAC playing a role in getting the word out to Northern California residents about the Oroville Dam Spillway near-disaster. Staff also continues to post on our Facebook and Instagram accounts on a regular basis.

Earned Media

CSAC's earned media success so far this year has centered on the transportation funding issue. Staff was able to place a joint op-ed from Matt Cate and the League of Cities new Executive Director Carolyn Coleman in the Sacramento Bee on the day the Legislature returned to session. Through CSAC's work with the Fix Our Roads coalition, there has been a steady drumbeat of editorials, op-eds and straight news stories about the poor state of our roads and the legislation that will provide more funding. News conferences were also held in a number of areas round the state.

Working with County PIOs

CSAC Communications has also begin to take its work with county PIOs to the next level, specifically in the area of mutual aid. We have sponsored a workshop at our Legislative Conference on this issue and have begun developing a data base for use in crisis situations where CSAC can assist the impacted county directly or be finding other PIOs to lend a hand. We are also planning roundtable discussions on this issue in Northern and Southern California later this year.

County Visits

During the first four months of the year, CSAC's Communications team visited 11 counties for a number of reasons, including for video shoots, a regional meeting, and one-on-one meetings.

California Counties Foundation

The California Counties Foundation (Foundation), the non-profit foundation of CSAC that houses the CSAC Institute, the Results First partnership with PEW Charitable Trusts, Inc., 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 Riverside County. In addition, the Institute is working through the details of a Northern California satellite that is targeted to begin January 2018.

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 and Ventura counties.

The pilot counties have implemented numerous policy changes in their adult criminal justice systems and have expanded to other policy areas such as Juvenile Justice and Behavioral Health. The effort also equips counties with the tools to require community based organizations to perform at an evidence-based practice standard and collect data to better analyze future programing.

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.

With one dedicated staff, the program is at capacity and continues to look for potential long-term funding to increase capacity and expand into more interested counties.

Corporate Partnership Program

The Corporate Partnership Program has continued its growth pattern from the last few years. 2016-17 began with 56 partners, including 24 Premier, 6 Executive, and 26 Associate. Since our last report, we are now at 71 Partners, with 27 Premier, 8 Executive and 36 Associate. We still have a few other potentials in the last quarter of the fiscal year, but most are primed for the new fiscal year.

Legislative Conference highlights

CSAC sold all 16 booth spaces for our mini-expo, and even managed to find space for an additional booth. Our Corporate Partner attendance at this conference is over 50, and we have sold a majority of our sponsorship opportunities. Our Corporate Partner engagement continues to remain at a high level.

Regional Meetings

These one day regional events are designed to bring together members and leaders from counties, our CSAC Executive and Advocacy Team members and our Premier and Executive level partners. The meetings are designed around a policy issue of interest in each region; panels and round table discussions help foster the sharing of information and creative solutions critical to excellent county governance. The most recent regional meeting was held March 8-9 in Kern County. The meeting included 45 county leaders and corporate partners and a robust agenda about water policy. Staff is greatly appreciative to CSAC 1st VP Leticia Perez for hosting. Our next Regional Meeting is scheduled for June 28-29, in Humboldt County. CSAC 2nd VP Virginia Bass has agreed to host this meeting on the local regulation of cannabis.

Partnership Program and Finance Corporation Program

We continue to work closely with the CSAC Finance Corporation to leverage and strengthen the marketing strategy and elevate understanding of the available Finance Corporation revenue programs as well as CSAC corporate partners. A new Services Agreement between the CSACFC and CSAC was approved at the CSACFC Annual Meeting in April that further integrates the Partnership Program into the Finance Corporation, allowing for new cross-program opportunities while increasing overall capacity to generate revenues to support CSAC priorities.

Thank you again for your support of our Partnership Program.

CSAC Corporate Program twitter page, please follow us! www.twitter.com/CsacCorp

Fiscal Operations

The proposed CSAC budget continues to grow revenues and distribute them in alignment of organization priorities including our strong advocacy presence in California and in Washington D.C., expanding communications and member services to celebrate the great work being accomplished in counties as well as provide direct support when needed, contributing to the California Counties Foundation and its CSAC Institute, and growing public-private partnership opportunities through the relationship with the Finance Corporation and through the Corporate Partnership Program.

As a follow-up to payoff of the CSAC building loan and elimination of all debt, staff is proposing updated Financial Policies to prioritize the use of year-end fund balance as well as establish a Capital Improvement Fund to assist in managing capital assets.

Staff Contacts: Please contact Graham Knaus (gknaus@counties.org or (916) 650-8109), David Liebler (gliebler@counties.org or (916) 327-7500 x528), or Kelli Oropeza (koropeza@counties.org or (916) 327-7500 x544) for additional information.



County Counsels' Association of California

BOARD OF DIRECTORS

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Rubin E. Cruse, Jr. Shasta County 2016-2018

Gregory P. Priamos Riverside County 2016-2018

EXECUTIVE DIRECTOR Jennifer B. Henning

MEMORANDUM

To: Supervisor Keith Carson, President, and

Members of the CSAC Board of Directors

From: Jennifer Henning, Litigation Coordinator

Date: May 18, 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. 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
San Bernardino	Los Angeles	Tri-City Healthcare District
	Sacramento	District
	San Diego (2 cases)	

Citizens for Beach Rights v. City of San Diego Status: Publication Request Granted; Final

--- Cal.App.5th ---, 2017 Cal.App.LEXIS 365 (4th Dist. Div. 1 Mar. 28, 2017)(D069638), ordered published (Apr. 20, 2017)

The City of San Diego obtained a local Site Development Permit (SDP) and a permit from the California Coastal Commission to construct a new lifeguard station. Due to difficulties in securing funding, the city issued building permits for the project many years later. After initial construction began, plaintiff filed a petition to halt construction, arguing that the SDP had expired. The trial court agreed and ordered the city to abandon the construction. The city appealed, arguing that the trial court's ruling failed to address the recent building permits that necessarily included the city's decision that the SDP remained valid. The city asserted that any challenge to the building permits was timebarred because it was not brought within 90 days as required by Government Code section 65009(c)(1)(E). The Fourth District agreed with the city and reversed, concluding that plaintiff's lawsuit was time-barred and allowing the city to proceed with the project. CSAC's publication request was granted.

City of Los Angeles v. Hotels.com

Status: Amicus Brief Due July 31, 2017

Pending in the Second District Court of Appeal (filed Mar. 21, 2017)(B255223)

The California Supreme Court determined last year that Transient Occupancy Taxes (TOT) could not be imposed on the surcharge collected by online travel companies (OTC). When these cases were winding their way through the courts, the City of Los Angeles amended its TOT ordinance to include OTCs in the definition of "operator." The trial court, which ruled prior to the recent Supreme Court case, decided against the city, concluding that the markups charged by the OTCs did not constitute "rent." In dicta, the trial court also found the amendment to the TOT ordinance required a vote under Prop. 218. The city appealed, but the appealed was stayed pending the outcome of the Supreme Court decision. Following the Supreme Court's decision in December 2016, briefing has resumed. One of the main issues on appeal is whether the amendment to include OTCs in the definition of operator was required by Prop. 218 to be submitted to the voters for approval. CSAC will file a brief in support of the city.

County of San Bernardino v. Superior Court (Reed)

Status: Fully briefed and pending

Order of the San Bernardino County Superior Court (Jan. 25, 2017)(Case No. CIVDS1416377), *petition for writ of mandate denied* (4th Dist. Div. 2 Mar. 28, 2017)(E067817)

Social workers twice investigated reports of possible child abuse of plaintiff. The social workers determined the reports were unfounded, but provided the family with information about community services that could help improve their parenting skills and assist with the minor's special education needs. Seven months later, the father's live-in girlfriend seriously injured the child, a crime for which she was arrested and charged. This civil lawsuit followed against the county to recover for the minor's injuries. Plaintiffs acknowledged that the social workers properly conducted the investigation and that it was within their discretion to conclude that no formal child welfare services were needed. The

trial court nevertheless denied the county's summary judgment motion, finding that by providing information to the family about voluntary services, the social workers created a mandatory duty to develop and enforce a case plan. The trial court's ruling did not discuss the CDSS Child Welfare Services Manual, which specifically authorizes providing families with voluntary resources upon a finding that no formal child welfare services are needed. The Court of Appeal denied the county's petition for writ of mandate. The county is now seeking relief from the California Supreme Court. CSAC has filed a letter brief in support of the county.

Medical Acquisition Co. v. Tri-City Healthcare District Status: Briefing Schedule Not Yet Determined

Decision of the San Diego County Superior Court (37-2014-00009108), appeal to be filed This eminent domain case raises an important question about when a public agency can change its mind about taking property. In the case, the public agency used the "quick take" procedures to start the process of acquiring property. The quick take process requires the public agency to deposit a sum equivalent to the estimated property value, and then there is a trial to determine the actual cost to acquire the property in eminent domain. The agency followed that process—it deposited \$4.7 million and obtained an order for possession. But the jury later valued the property at \$16.8 million, which was significantly higher than the agency was willing to pay. The agency therefore exercised its statutory right to abandon the eminent domain proceeding, but the property owner filed a motion to set aside the abandonment. The trial court granted the motion, essentially forcing the public agency to spend \$16.8 million for property it cannot afford and no longer wants. CSAC will file an amicus brief in support of the agency on appeal.

Stevenson v. City of Sacramento Status: Amicus Brief Due in August

Pending in the Third District Court of Appeal (C080685, C082096)(filed Nov. 2, 2015, May 11, 2016)

In 2010, the City adopted a policy calling for the retention of e-mails for two years, and establishing July 1, 2015 as the date deletion would begin. Five days before July 1, 2015, Petitioners submitted Public Records Act requests for all emails scheduled for deletion. The City asked Petitioners to narrow their request, but instead Petitioners filed this action seeking to enjoin the City from deleting any emails. The city argued, among other things, that if a preliminary injunction issued, Petitioners should be required to post a bond under Code of Civil Procedure section 529 to cover the cost of retaining the emails. The trial court agreed that a bond is required. It initially set the bond amount at \$80,000, but then reduced it to \$2,349.50 after supplemental briefing. Petitioners appealed the trial court's order requiring them to post a bond at all. CSAC will file a brief in support of the city.

Union of Medical Marijuana Patients v. City of San Diego Status: Amicus Brief Due on June 1, 2017

4 Cal.App.5th 103 (4th Dist. Div. 1 Oct. 14, 2016)(D068185), petition for review granted (Jan. 11, 2017)(S238563)

The city adopted an ordinance regulating medical marijuana cooperatives within the city. The city concluded that the ordinance was not a "project" under CEQA, finding that the potential impacts were speculative, and that subsequent individual facility applications would involve a discretionary process the would trigger CEQA review. Petitioner argued that the adoption of a zoning ordinance is a "project" under CEQA because it had the potential to cause environmental impacts as a result of traffic, air pollution, and effects from home cultivation sites around the city. The trial court denied the petition. The Fourth District Court of Appeal affirmed, concluding that the ordinance did not constitute a project within the meaning of CEQA, and therefore CEQA review was not required to the ordinance's adoption. The Supreme Court has granted review. CSAC will file a brief in support of the city.

Promoting Good Government at the Local Level

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Update on Activities

May 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 presented at the New Supervisors Institute in April.
- ILG's Executive Director appointed to Climate Adaptation Technical Advisory Council.
- ILG continues work on effective governance, governments engaging youth, public engagement and immigrant integration.
- Beacon Program call for data opened April 1st.

ILG's Executive Director Appointed to Climate Adaptation Technical Advisory Council

The Governor's Office of Planning and Research has appointed ILG's Martin Gonzalez to serve on the newly established Integrated Climate Adaptation and Resiliency Technical Advisory Council (TAC). The Council, established through Senate Bill 246, brings together local governments, practitioners, scientists and community leaders to help coordinate activities that better prepare California for the impacts of a changing climate. The TAC will support the Office of Planning and Research in its goal to facilitate coordination among state, regional and local adaptation and resiliency efforts. It is focusrf on opportunities to support local implementation actions that improve the quality of life for present and future generations.

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. Development of the concepts as well as potential marketing strategies continues.

Staff is also working directly 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.

Public Engagement

TIERS Training

In January, ILG held two free public engagement trainings for local government teams in the Central Valley and Inland Empire. During the trainings, local government teams learned how to use ILG's new <u>step-by-step public engagement framework</u> to effectively engage residents. Attendees gained skills that helped them overcome barriers, challenging situations and political roadblocks in public engagement efforts. The Central Valley training took place on January 10th-11th and the Inland Empire training took place on January 31st- February 1st. Counties that participated include: San Bernardino, Fresno and San Joaquin. Public Engagement staff recently held follow up meetings will the training attendees to gather feedback on the training and the framework. Staff is working to secure renewal funding from the James Irvine Foundation to continue to refine and scale the training program.

Governments Engaging Youth

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. Since November, GEY has convened experts and practitioners in the youth-civic engagement field to enhance our work. Additionally, staff developed an online toolkit for school and municipal agencies to pursue partnerships devoted to work-based learning and youth-civic engagement. With future funding, we hope to work with Ventura, Yolo and San Bernardino counties.

ILG is preparing a toolkit, that will be released later this year, to help local governments start and grow youth civic engagement programs. Is your county engaging youth or interested in starting a program? Contact Randi Kay Stephens at rstephens@ca-ilg.org to share your story or find out how ILG can help.

Beacon Program – Award Application Opened April 1st

On April 1st, ILG released the application for award consideration for this year's Beacon Awards. If your county is interested in applying for an award for your sustainability efforts, visit www.ca-ilg.org/BeaconProgram or contact Karalee Browne at kbrowne@ca-ilg.org. A full list of participating cities and counties can be found here. Monterey, Santa Cruz and Alpine counties have expressed interest in joining the program.

Recent Workshops and Trainings

- Last month, ILG's Executive Director Martin Gonzalez had the pleasure of presenting on "Intergovernmental Collaboration and Shared Services" at the New Supervisors Institute.
- In February, ILG held a series of workshops in the Central Valley on the connection between climate investments and health and how agencies in the valley can access cap and trade, and other state, funding.
- In March, ILG partnered with Public Agenda to provide a full day "Public Engagement Strategy" Workshop.
- In March, ILG facilitated an AB 1234 training at the League's Planning Commissioners Academy.
- In March, ILG partnered with the San Bernardino LAFCO to provide a training on "Partnering with Community Based Organizations for More Effective Public Engagement."
- In April, ILG presented about the Summer Meal Coalition at the San Bernardino County Transportation Authority and San Bernardino Council of Governments City/County Manager's Technical Advisory Committee Meeting.
- ILG sponsored the CAPIO Conference and had a table promoting ILG's programs and resources.
- In April, ILG facilitated a webinar with CSDA on Public Engagement and Budgeting.
- ILG facilitated a session at the 2017 CA Transportation Planning Conference "Rural Transportation: The Road to Rural Sustainability."
- ILG facilitated a session at the California City Clerks Association Conference "Engaging the Public on Hot Topics" in April.
- The Public Engagement team organized an implicit bias training in eastern Contra Costa County. It included an overview on implicit bias and how it impacts decisions in local government.

New Articles and Resources

- *ILG Offers Resources for California's New Elected Officials and Staff* outlines ILG's materials for newly elected and appointed officials in California. This article appeared in the January/February issue of *CA Special District*.
- *Investing in Community Health and Prosperity* discusses the connections between a changing climate, public health and a community's bottom line and what funding

- opportunities exist for local government in CA (<u>www.ca-ilg.org/sites/main/files/file-attachments/investing in community health and prosperity electronic 0.pdf</u>).
- Cities and Schools Partner for Positive, Transformational Outcomes shares how Culver City has developed a strong collaborative effort to address youth issues such as homelessness, hunger and public safety (www.westerncity.com/Western-City/April-2017/Cities-and-Schools-Partner-for-Positive-Transformational-Outcomes/).
- Cities Fight Hunger and Improve Youth Health With CHAMPs discusses how healthy
 food can have far-reaching impacts on a city's workforce and on the well-being of
 families who live there and what cities are doing to ensure this access to the youth in their
 communities (www.westerncity.com/Western-City/April-2017/Cities-Fight-Hunger-and-Improve-Youth-Health-With-CHAMPs/)
- Immigrants, the Economy and Civic Engagement discusses the economic impact of immigrants in California and the strategies local governments are using to engage their residents in civic life and foster inclusive, welcoming communities (www.westerncity.com/Western-City/May-2017/Immigrants-the-Economy-and-Civic-Engagement/).

Board of Directors

In March, ILG's Board of Directors met and heard presentations from: the Fair Political Practices Commission including an update on their Form 700 e-filing system, enforcement activities and an update on their efforts to streamline the Public Reform Act; the Public Policy Institute of California on trends in a number of areas impacting local governments including immigration, housing/homelessness, ACA implementation, environmental issues and realignment; and ILG staff on programmatic efforts.

ILG's 2017 Board meetings will take place:

- Friday, June 2nd (Sacramento)
- Thursday and Friday, August 17th 18th (San Diego)
- Friday, December 8th (Sacramento)



1100 K Street Suite 101 Sacramento California 95814

Telephone 916.327.7500 Facsimile 916.441.5507 May 18, 2017

To: CSAC Officers

CSAC Board of Directors

From: Graham Knaus, Deputy Executive Director of Operations & Member

Services

Re: CSAC IRS Form 990 taxes

The Form 990 is required by the IRS to be filed annually by nonprofit mutual benefit corporations including CSAC. The intent of the Form 990 is for the IRS to collect information about activities, revenues, and expenses to ensure continued status as a tax-exempt entity.

The Annual Form 990 was considered and approved by the Executive Committee at its April 6, 2017 meeting. Following approval, it is now provided to the Board as an informational item.

The sale of the Ransohoff building in November 2014 resulted in an adjustment to the tax basis that eliminates CSAC's tax liability for multiple years.

In addition to the tax components of the Form 990, we are required to state the hours of the Board, Executive Committee and Officers for the time they devote to the organization. Reported weekly hours currently reflect the following:

	<u>2015</u>	<u>2014</u>	<u>2013</u>
President:	8 hours	8 hours	8 hours
Officers:	8 hours	8 hours	8 hours
Executive Committee:	1.5 hours	1.5 hours	.5 hours
Board:	.5 hours	.5 hours	.5 hours

The Form 990 summary pages are attached. The full Form 990 is available upon request.

Exempt Organization Business Income Tax Return (and proxy tax under section 6033(e))								QMB No.	1545-0687
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	Information about Form 990-T and its instructions is available at www.irs.gov/form990t.								
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California State Association of Counties® Financial Statement July-March 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	2,700,000	77%
Rental Income	168,417	129,158	77%
Administrative Miscellaneous	579,800	555,931	96%
CSAC Conferences	413,000	408,845	99%
CEAC	159,565	121,835	76%
Corporate Associates	929,000	859,050	92%
Litigation Program	432,276	432,339	100%
Total Revenues	\$9,612,564	\$8,637,664	90%
Expenditures:			
Salaries/Benefits	5,563,382	3,987,124	72%
Staff Outreach	166,200	138,888	84%
Leadership Outreach	75,000	75,663	101%
NACo Meetings & Travel	120,500	125,760	104%
NACo 2nd VP Campaign	10,000	12,741	127%
Public Affairs/Communications	50,350	47,975	95%
CSAC Conferences	559,716	445,147	80%
Facilities	284,747	257,102	90%
Office Operations	284,310	207,794	73%
Organizational Partnerships	120,500	115,000	95%
CEAC	159,565	121,835	76%
Outside Contracts	647,000	429,113	66%
Corporate Associates	510,256	437,788	86%
Litigation Program	432,276	301,551	70%
Foundation Contribution	180,728	<u>160,000</u>	89%
Total Expenditures	\$9,164,530	\$6,863,481	75%

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
- 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, Location TBD

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 – 4:00pm

December

Rural County Representatives of California (RCRC) Board Meeting, Sacramento 13-15 CSAC Officers' Retreat, Napa County

As of 2/3/17