CSAC EXECUTIVE COMMITTEE

BRIEFING MATERIALS
Thursday, January 14th, 2021
10:00 a.m - 12:30 p.m

Zoom Meeting: https://us02web.zoom.us/j/87215679447?pwd=dk1sdWVC5mpGYmZVY1N4T1hpKzkyQT09
Phone: (669) 900-6833
Meeting ID: 872 1567 9447
Passcode: 278330

California State Association of Counties
CALIFORNIA STATE ASSOCIATION OF COUNTIES
EXECUTIVE COMMITTEE MEETING
Thursday, January 14, 2021 | 10:00 am – 12:30 pm
Zoom: https://us02web.zoom.us/j/87215679447?pwd=dk1sdWVCsmpGYmZVY1N4T1hpKzkyQT09
Conference Line: (669) 900-6833 | Meeting ID: 892 6679 2833 | Password: 044611

AGENDA

Presiding: James Gore, President

THURSDAY, JANUARY 14

10:00 AM  PROCEDURAL ITEMS

1. Pledge of Allegiance
2. Roll Call
3. Your Role as an Executive Committee Member

DISCUSSION ITEM

4. Executive Director’s Report
5. Minute Mics: Executive Committee Roundtable – What’s going on in your County?
6. Discussion of Governor’s January Budget Impact
   ➢ Graham Knaus | Executive Director
   ➢ Darby Kernan | Deputy Executive Director, Legislative Services

ACTION ITEMS

7. Approval of Minutes from October 8, 2020 and November 5, 2020
8. Approval of Updated 2020 – 2021 Board of Directors Nominations
9. Appointment of CSAC Treasurer, NACo Board & WIR Representatives
   ➢ James Gore | President
10. Appointment of CSAC Policy Committee Chairs, Vice Chairs & Working Groups
    ➢ James Gore | President
11. CSAC Finance Corporation Report & Appointment of Board Members
    ➢ Supervisor Leonard Moty | President, CSAC FC
    ➢ Alan Fernandes | Chief Executive Officer, CSAC FC
    ➢ Graham Knaus | Executive Director
    ➢ Jennifer Henning | Litigation Counsel

INFORMATION ITEMS

13. Communications and Member Services Report
    ➢ Manuel Rivas | Deputy Executive Director, Operations & Member Services
    ➢ David Liebler | Director, Public Affairs & Member Services
14. California Counties Foundation Report
    ➢ Chastity Benson | Director, Operations & Educational Programs
15. Informational Items without Presentation
    ➢ CSAC Litigation Coordination Program
    ➢ Conflict of Interest Statement
    ➢ 2021 Calendar of Events
16. Public Comment

12:30 PM  ADJOURN

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

***BY VIRTUAL TELECONFERENCE ONLY***

Pursuant to the provisions of California Governor’s Executive Order N-29-20, issued on March 17, 2020, this meeting will be held as a virtual meeting only. Members of the public may access the meeting using the Zoom access link above. Public comments may be made using the “raise hand” function on Zoom, or may be submitted in writing electronically before or during the meeting on any matter on the agenda or any matter with the Executive Committee’s subject matter jurisdiction, regardless of whether it is on the agenda for Executive Committee consideration or action, by sending an email to: kjones@counties.org.
CALIFORNIA STATE ASSOCIATION OF COUNTIES
EXECUTIVE COMMITTEE
2021

PRESIDENT:
James Gore, Sonoma County

1ST VICE PRESIDENT:
Ed Valenzuela, Siskiyou County

2ND VICE PRESIDENT:
Chuck Washington, Riverside County

IMMEDIATE PAST PRESIDENT:
Lisa Bartlett, Orange County

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

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

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

EX OFFICIO MEMBER
Ed Scofield, Nevada County, Treasurer

ADVISORS
John Beiers, County Counsels’ Association, Past President, San Mateo County
Frank Kim, Orange County CEO, California Association of County Executives, President
YOUR ROLE AS AN EXECUTIVE COMMITTEE MEMBER

As an elected leader of CSAC, your role is to guide the organization to meet the needs of the members and serve as an ambassador for CSAC.

Executive Committee Member Roles and Responsibilities:

- Support and defend the CSAC Constitution
- Guide the implementation of CSAC Policies and Procedures
- Appoint an Executive Director to advocate for adopted priorities, implement policies and administer the activities and affairs of the Association
- Be available to participate in Board and Executive Committee meetings and conferences
- Be available to participate in the Executive Committee Leadership Forum
- Be available to discuss and provide direction on CSAC priorities and strategies
- Be available to periodically participate in key meetings or strategic communications
- Understand and promote CSAC policy positions including recommending advocacy priorities to the Board
- Review and submit the CSAC Budget to the Board
- Understand and promote CSAC Finance Corporation programs to CSAC members.

Travel, Lodging, Meals, and other costs:

- Costs for travel, lodging, and meals are generally funded by each member county, or, when applicable, may be funded by CSAC. Costs funded by CSAC may be considered income or a gift for purposes of FPPC reporting.

The effectiveness of CSAC is critically dependent upon Executive Committee members as leaders on behalf of California’s counties. CSAC staff will do everything possible to support success in your roles and responsibilities and to ensure the strongest and most unified voice of the organization.
January 14, 2021

TO:       CSAC Executive Committee
FROM:     Graham Knaus | Executive Director

SUBJECT: Executive Director’s Report

This item provides an opportunity to discuss the state of the Association and core priorities as well as refine the strategic approach to advocacy and communications through Executive Committee input. Included for discussion are the 2021 CSAC Initial Legislative Priorities as well as the COVID-19 Action Plan.
January 14, 2021

TO:       CSAC Executive Committee
FROM:    Graham Knaus, Executive Director
         Darby Kernan, Deputy Executive Director of Legislative Affairs
         Manuel Rivas, Deputy Executive Director of Administration

SUBJECT:  2021 CSAC Initial Legislative Priorities

County policy concerns are most often centered on resources to carry out state and local service responsibilities, the authority to carry out those responsibilities in local communities, and partnership with the state to improve existing programs.

Those concerns pose particular challenges as they relate to policy issues that CSAC is prioritizing in 2021: responding and recovering from the pandemic, wildfire and disaster preparedness, broadband, housing and homelessness, juvenile justice reform implementation, and local governance and land use authority preservation. The priorities below are issues critical to counties where CSAC will proactively advocate, in addition to responding to issues raised in the coming year.

COVID-19 Response and Recovery. The coronavirus and the serious COVID-19 illness it causes leapt from the local public health silo in March to impact the breadth of every county’s operations, including budgeting, workforce, human services, behavioral health, public safety and economic development. In 2020, CSAC helped secure critical federal CARES Act funding, $750 million in state Realignment Backfill funding, and a number of flexibilities regarding workforce and county operations, including increased Mental Health Services Act expenditure authority and extensions for county eligibility deadlines. CSAC also maintained close engagement with Governor Newsom and his Health and Human Services Agency on the state’s reopening plans, the availability of testing, health equity, and myriad other COVID-19 related issues. This record of strident advocacy on behalf of California’s counties must continue in 2021 as members grapple with federal funding deadlines, local economic impacts, strained health systems, and skyrocketing rates of domestic violence as well as requests for income assistance and behavioral health services.

County Fiscal Stability. As previously mentioned, county budgets will continue to face significant hardship and uncertainty in 2021 due to the ongoing pandemic. Revenues that counties rely on for normal operations are eroding, while counties also must respond to the unprecedented demands of the ongoing public health crisis as frontline service providers. CSAC will continue to advocate for adequate funding for safety net services that counties provide in order to prevent reductions to the vital health and human services programs that are needed more than ever.

Broadband Infrastructure and Funding. In the space of a generation, the internet has changed from a fringe tool for defense contractors and academia to a necessary utility for modern life. Nothing has made the importance of broadband more apparent than the COVID-19 pandemic, as workers and students move online. Yet a million households in California lack access to reliable broadband at any price and millions more are effectively barred from it for reasons of finances, language, or disability. It is long past time for...
California to ensure access to broadband and the means to adopt it for every Californian. CSAC will advocate for program reforms and funding sufficient to close the digital divide as quickly and completely as possible.

**Homelessness.** COVID-19 has only exasperated the homelessness crisis in California. While counties have received substantial funding over the last several years to support our efforts in combating homelessness, the need is only continuing to grow. CSAC will continue to advocate for resources, ensure that any new requirements come with commensurate new or ongoing funding, and clearly defined roles and responsibilities for each level of government.

**Resiliency.** After another horrific fire season in California, CSAC will advocate on behalf of counties on recovery efforts and the need to improve our statewide resiliency to disasters. CSAC will continue to advocate for flexible funding at the local level to help prepare, respond, and recover from disasters.

**Behavioral Health Services.** As COVID-19 continues into 2021, the need for individuals to access mental health services is critical. There is a need overall for additional funding to provide behavioral health services, technology for remote services, and for new policy changes, such as the implementation of Laura’s Law/AB 1976 expansion. Modernization and to protect county fiscal stability and successful services through the state’s CalAIM Medi-Cal proposal. CSAC will also focus on cross-sector collaboration and efforts to build robust and responsive services with schools, the criminal justice system, and other stakeholders.

**Juvenile Justice.** Another top priority for CSAC in 2021 will be the implementation of the recently enacted Division of Juvenile Justice (DJJ) Realignment. The timing of this policy shift, paired with a few concerns about the implementing legislation (SB 823), will present clear challenges. However, this will be yet another opportunity for counties to show success in implementing major policy reform in the face of adversity. CSAC and counties will need to partner with the Chief Probation Officers of California (CPOC) and probation departments to support implementation efforts and regional partnerships at the local level. These partnerships were key to the success of past juvenile justice reforms and crucial to obtaining the positive amendments included in SB 823.

Additionally, CSAC will advocate at the state level for adequate funding for all counties; local flexibility to develop responses and partnerships between counties to effectively serve youth, especially those with higher-level treatment needs; and appropriate oversight and accountability that is commensurate to the responsibility and liability being “realigned” to counties. CSAC also believes that oversight and accountability measures associated with the most complex youth cases that were last to be realigned should not disrupt the success counties have proven with existing juvenile programs and funding streams. To the extent these priorities require future legislation, CSAC will actively advocate for those changes at the state level.

**Affordable Housing.** The affordability and availability of housing is at crisis levels in California. The housing issue is not only a crisis in its own right, it’s also a main driver of California’s homelessness emergency. CSAC will advocate for funding for affordable housing, including new state funding for construction of homes affordable to households at all income levels. CSAC will continue to focus on implementation of recent housing legislation, including allocation of approved bonds, as well as full implementation of new homelessness programs.
Federal Legislative Outlook and Potential Priorities

COVID-19/County Fiscal Stability. With critical funding for COVID-19 response running out at the end of 2020, CSAC will continue to advocate for a fifth COVID-19 relief/economic stimulus package that will help California counties respond to and recover from the pandemic. CSAC will also make county fiscal relief and federal investment in other key programs major priorities for any current and/or future coronavirus response measures moving through Congress.

Health Care Reform. If the U.S. Supreme Court strikes down the Affordable Care Act (ACA) in the case of California v. Texas, millions of Californians would lose their health insurance and millions of others would lose important protections provided under the law. For California’s counties, repeal of the ACA would mean one in three residents covered by Medi-Cal could lose health coverage or face substantial coverage limits. In addition, safety-net hospitals and other health providers that serve low-income individuals and families would be forced to scale back investments in health care programs and services. Finally, with more than a quarter of patients with serious mental illness relying on federal Medicaid program dollars, Medi-Cal expansion under the ACA has played a critical role in providing mental health services and substance abuse treatment to Californians, including people experiencing homelessness. The outcome of the Supreme Court case and the election results will influence the direction of potential health care policy in 2021 and CSAC will continue to prioritize the health care needs of individuals and families that we serve in any of these efforts.

Resilience. Extreme weather events and natural disasters are occurring more frequently and becoming more severe. Among other challenges, California has been confronted with persistent drought conditions, warming temperatures, and insect infestations, all of which have led to an unprecedented tree mortality crisis. Dead and dying trees, combined with the rapid growth of the wildland urban interface, have been identified as key factors in the devastating fire seasons in recent years and will continue to increase the likelihood of more severe wildfires in the future. On the heels of historic wildfires, California also has confronted severe winter storms, which have caused widespread flooding, mudslides, and damage to critical infrastructure across the state.

In light of recent disasters, including this year’s wildfires – which represent the largest and most destructive in recorded history – it is essential for CSAC to continue to advocate for federal assistance and pre-disaster mitigation funding to help counties prepare for and recover from the aftermath of devastating events. While Congress approved a major disaster reform bill in 2018, FEMA has yet to implement several major provisions of the law, including one that would provide assistance to state and local governments for building code implementation and enforcement. The agency also has yet to define the terms “resilient” and “resiliency.”
Communications Priorities

Strategic With Communications
The CSAC Communications Team functions with two primary goals in mind: support legislative advocacy and tell the County Story. We will continue to strategically leverage written, graphic and video communications to support the Associations’ policy priorities, as well as state and federal advocacy efforts. Working closely with CSAC Officers, County Supervisors, the Executive and Legislative Teams, messaging and tactics will all focus on enhancing our advocacy efforts while promoting our membership and the critical role counties play in our communities.

The Communications Team will utilize the strong foundation and relationships it has developed over the past two years in the areas of earned media and social media. Since FY 2017-18, views of CSAC Tweets have increased more than 70 percent and we plan to work with all 58 California Counties and the CSAC Advocacy Team to continue this momentum. Since FY 2019-20, CSAC has worked diligently to respond and leverage a 75 percent increase in media inquiries from state and national media outlets. This effort has allowed CSAC to build strong relationships with high-profile journalists while explaining CSAC positions on key priorities. The Communications Team will continue responding to media inquiries – and be proactive when it’s needed to advance counties’ priorities to the Capitol Press Corps and other targeted outlets. These traditional media relations efforts will be leveraged further through various CSAC Social Media channels.

Focusing on Member Services, or telling the County Story, is the other goal of the CSAC Communications Team. Our efforts in this area are designed to strategically spotlight county leaders’ services, highlight excellence in county service and raise the visibility of counties as a whole. Tactics include local media outreach for awards and recognitions; the Letters for Our Friends program; local media outreach promoting CSAC Challenge Awards and various other media outreach efforts. Communication and promotion tactics include the Profiles in Leadership series highlighting CSAC Board Members; The County of the Week series and Membership Mondays, which profiles various county professionals; The County Voice blog, the CSAC Bulletin and the Leadership Letter.

The CSAC Communication Team will continue to analyze existing and emerging communications channels and vehicles to determine the most effective ways to support the Association’s advocacy and Member Service efforts.
January 14, 2021

TO: CSAC Executive Committee

FROM: CSAC Officers
Graham Knaus | Executive Director

SUBJECT: CSAC COVID-19 Action Plan

Association COVID-19 Priorities:

1. Implementing Regional Stay-at-Home Order
   Ensure that counties are strong partners with the state in weathering the current
   surge and developing step-down measures

2. Resources
   Advocate for sufficient resources for counties commensurate with the numerous front
   line responsibilities of local government, including workforce, supplies, technology,
   and funding

3. Vaccine Distribution
   Ensure county leadership, input, and coordination for vaccine distribution

4. Testing
   Preserve and expand testing capacity and county coordination

5. Post-Surge Planning
   Proactively advocate for county input in defining metrics, establishing long-term
   needs, and developing a path forward after the surge, including the crafting of a green
   tier for broader reopening.

Proposed Timeline

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<tr>
<th>PRIORITY</th>
<th>IMMEDIATE</th>
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<th>1 MONTH</th>
<th>1-3 MONTHS</th>
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<td>Post-surge Planning</td>
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Implementing Regional Stay-at-Home Order

- Ensure clarification and consistency on all aspects
- Explore options for sub-regions to exit order
- Define enforcement of order
- Seek continued timely and close communication on changes/iterations
- Encourage effective messaging to public
- Identify and analyze data and metrics, as well as timing, used by state to determine restrictions as well as regional entry and exit

Resources

- Continue robust state budget advocacy for both current and upcoming budget year
- Ensure resources for workforce, supplies, and other pandemic-related activities and requirements
- Pursue direct federal relief to all counties in any federal stimulus package(s) along with additional federal resources for residents and the local economy
- Pursue revenue backfills (e.g. sales tax, property tax deferral, or realignment backfills) as needed
- Pursue direct and timely disaster assistance funding to counties, including all FEMA categories and CDAA funding
- Pursue funding for mass vaccination activities, testing, isolation/quarantine and other ongoing pandemic-related activities (also see below)
- Continue to pursue administrative and employer flexibilities across all county functions

COVID-19 Vaccine

- Preserve county role as the lead in local vaccine distribution
- Ensure resources for county coordination and distribution efforts
- Ensure adequate workforce to implement vaccination plan
- Ensure county bandwidth for data collection and data systems
- Promote necessity and resources required to build on access and equity work
- Collaborate on community messaging

Testing

- Preserve existing state, county, and community testing capacity and sites
- Ensure county access to new testing capacity/modes
- Ensure resources for testing, including supplies, transportation, sites, lab costs, and notifications
- Ensure county leads coordination and optimization of testing
- Obtain resources to communicate and increase access to testing
- Monitor testing turnaround times, technical issues
- Ensure private sites have adequate staffing and contingency plans to avoid sudden disruptions
Post-Surge Planning

- Identify metrics and conditions, such as vaccination and infection rates, for reduced state interventions, i.e. crafting a green tier
- Ensure close communication/adequate warning/clear understanding of all data elements
- Request a clear, expedient process for adjudication of data before imposing any state limitations
- Examine equity and access to develop information sharing/best practices to assist all counties
- Define county long-term needs and conditions
- Advocate for reasonable wind-down of executive orders and pandemic flexibilities
- Request long-term individual and business assistance; identify new opportunities to assist those impacted at state and local levels

Developed and approved by the CSAC Officers, this action plan will guide the Association’s efforts in the coming months. It requires close coordination with the Kitchen Cabinet, Rural County Working Group, Affiliates, and a multidisciplinary approach from all five CSAC policy teams. Further, this document is not meant to be comprehensive or static. Rather, it provides a framework for counties as we seek a true partnership with the state and evolve and adapt to these unprecedented times.

With the California Legislature poised to convene in January eager to engage on COVID-19 policy, Counties must redouble efforts to remain at the forefront of COVID-19 policy development to secure solutions and resources that bring communities together.
MINUTES

1. Roll Call

OFFICERS
Lisa Bartlett | President
James Gore | 1st Vice President
Ed Valenzuela | 2nd Vice President
Virginia Bass | Immediate Past President

SUPERVISORS
Keith Carson | Alameda County
Greg Cox | San Diego County
Carole Groom | San Mateo County (absent)
Kelly Long | Ventura County
Mark Ridley-Thomas | Los Angeles County (absent)

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

ADVISORS
John Beiers | County Counsels’ Association, San Mateo County (absent)
Carmel Angelo | Mendocino County CEO, California Association of County Executives, President

EX OFFICIO MEMBER
Ed Scofield | Treasurer, Nevada County

2. Approval of Minutes from August 6, 2020

A motion to approve the Minutes from August 6, 2020 was made by Supervisor Washington; second by Supervisor Long. Motion carried unanimously.

3. Consideration of the 2020-2021 Board of Directors Nominations

The CSAC Constitution indicates that each county board shall nominate one or more directors to serve on the CSAC Board of Directors for a one-year term commencing with the Annual Meeting. The CSAC Executive Committee appoints one director for each member county from the nominations received and was presented with the 2020-2021 nominations received to date.

A motion to approve the 2020-2021 Board of Directors Nominations was made by Supervisor Long; second by Supervisor Hannigan. Motion carried unanimously.

4. Approval of the 2019-20 Audited Financial Statements

In consultation with the Treasurer, CSAC staff worked closely and collaborated with Moss Adams LLP to complete the review of the financial statements for the fiscal year ending on June 30, 2020. Moss Adams LLP presented the complete audit review to the CSAC Audit Committee, which approved the FY 2019-20 Financial Statements on September 24, 2020. The CSAC Audit Committee has recommended approval of the FY 2019-20 Audited Financial Statements.

A motion to approve the FY 2019-20 Audited Financial Statements was made by Supervisor Washington; second by Supervisor Woodrow. Motion carried unanimously.
5. Consideration of Distinguished Service Award Nominees
The Distinguished Service Award is presented to the individuals who have made the greatest contribution to the improvement of government in California, particularly as it relates to county government. Examples include constitutional Officers, legislators, senior administration staff, and county officials. CSAC staff recommended Dr. Mark Ghaly for the Executive Committee’s consideration.

A motion to approve the Distinguished Service Award Nominee was made by Supervisor Washington; second by Supervisor Valenzuela. Motion carried unanimously.

6. Consideration of Circle of Service Award Nominees
The Circle of Service Award is presented to recognize county officials, employees and other members whose service to the county family, CSAC membership and the advancement of our goals is substantially above and beyond the norm. Examples include Policy Committee chairs, task force members, affiliate presidents, special legislative advocacy efforts, Corporate Associate members, and department officials whose service to CSAC or another county, not their own, sets them apart. CSAC staff recommended the following individuals for the Executive Committee’s consideration:

- Judy Morris, Trinity County Supervisor
- Carre Brown, Mendocino County Supervisor
- Chuck Washington, Riverside County Supervisor
- Sachi Hamai, Los Angeles County Executive Officer (Retired)
- George Johnson, Riverside County Executive Officer
- Robert Bendorf, Yuba County Administrator (Retired)
- Veronica A. Kelley, DSW, LCSW, San Bernardino County Behavioral Health Director
- Kristin WeiVoda, Yolo County Emergency Medical Services Administrator
- Leihann Moffitt, Sacramento County Planning Director
- Amy Bodek, Los Angeles County Director of Regional Planning
- Peter Maurer, Calaveras County Planning Director
- Darby Kernan, CSAC Deputy Executive Director of Legislative Affairs
- Farrah McDaid Ting, CSAC Legislative Representative for Health Policy
- Jennifer Henning, Executive Director, County Counsels’ Association

A motion to approve the Circle of Service Award Nominees was made by Supervisor Cox; second by Supervisor Long. Motion carried unanimously.

7. CSAC Finance Corporation Program Report
Supervisor Leonard Moty, CSAC Finance Corporation President, and Alan Fernandes, CSAC Finance Corporation Chief Executive Officer, presented the Easy Smart Pay program to the Executive Committee. This platform gives taxpayers more flexibility in paying property taxes by allowing them to pay with a credit card and make monthly payments. Easy Smart Pay was first rolled out in San Luis Obispo County and then implemented in both Yolo County and Kings County.

8. Legislative Achievements Report
Advocacy Achievements
Graham Knaus and Darby Kernan highlighted CSAC’s 2020 Advocacy Achievements to the Executive Committee. Throughout 2020, CSAC has coordinated numerous meetings with the Administration, Officers and the Executive Committee, in addition to creating the CSAC “Kitchen Cabinet” and Rural County Working groups. With regards to the budget, CSAC was successful in achieving positive outcomes on many key priorities including:
- $1 billion as a Realignment backfill to help prevent devastating cuts to safety net programs due to declining Realignment revenues
- $1.3 billion from the Coronavirus Relief Fund to help pay for the costs of responding to the COVID-19 pandemic
- $100 million for the increased costs of the November election due to the new requirements in response to the pandemic
- $900 million for various homelessness efforts for counties, cities and continuums of care from both federal and state General fund
- $65 million annually for five years to counties to backfill the repeal of the authority to collect various criminal justice administrative fees upon conviction or arrest
- Mental Health Services Act (MHSA) reform & additional flexibility with MHSA funding
- Funding for Payments-In-Lieu of Taxes (PILT) to offset annual county tax revenue lost from land acquired and managed by the state as a wildlife area;
- $85.6 million for early ramp-up of 2020 fire season surge capacity
- Increase of the California Disaster Assistance Act (CDAA) funds to $100.8 million

**Operational Achievements**

With regards to communications, CSAC significantly increased its media presence over the last year through enhanced relationships with key journalists. CSAC also increased its use of social media and produced a variety of videos and infographics, in addition to producing 50 blog posts and 49 bulletins. During the first few months of the pandemic, the communications team created an interactive COVID-19 map on the CSAC website with comprehensive COVID-19 resources and provided nightly COVID-19 updates.

To spotlight its members, CSAC continued with Profiles in Leadership, Membership Monday, the County Voice and Letters for our Friends. Though delayed by the pandemic, CSAC continued with its Challenge Awards program to highlight county innovation and best practices.

The Foundation also saw tremendous change with the sudden loss of Dean, Bill Chiat. In 2020, the Foundation moved its entire curriculum to a virtual format, established the Education Committee, adopted updated bylaws and continued with institute campus rotation.

Operationally, CSAC completed their audit ahead of schedule and was determined to be in a sound financial condition. The Association will be able to maintain member dues at the same level as in the past seven years. Additionally, the Association completed several capital improvements, including replacing the boiler system and resurfacing the roof.

9. **Roundtable Discussion**
   The Executive Committee and CSAC Staff discussed CSAC’s 2021 Initial Priorities.

   Meeting was adjourned. The next Executive Committee meeting will be held on January 14, 2021.
MINUTES

1. Roll Call

OFFICERS
Lisa Bartlett | President
James Gore | 1st Vice President
Ed Valenzuela | 2nd Vice President
Virginia Bass | Immediate Past President

CSAC STAFF
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Darby Kernan | Deputy Executive Director, Legislative Services

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Carmel Angelo | Mendocino County CEO, California Association of County Executives, President (absent)

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Kelly Long | Ventura County
Mark Ridley-Thomas | Los Angeles County (absent)
Chuck Washington | Riverside County
Bob Elliott | San Joaquin County (absent)
Luis Alejo | Monterey County
Erin Hannigan | Solano County
Leonard Moty | Shasta County
Diane Dillon | Napa County (absent)
Craig Pedersen | Kings County
Terry Woodrow | Alpine County
Jeff Griffiths | Inyo County

EX OFFICIO MEMBER
Ed Scofield | Treasurer, Nevada County

2. Consideration of the Updated 2020-2021 Board of Directors Nominations
The CSAC Constitution indicates that each county board shall nominate one or more directors to serve on the CSAC Board of Directors for a one-year term commencing with the Annual Meeting. The CSAC Executive Committee appoints one director for each member county from the nominations received and was presented with updated 2020-2021 nominations received to date.

A motion to approve the updated 2020-2021 Board of Directors Nominations was made by Supervisor Long; second by Supervisor Woodrow. Motion carried unanimously.

Meeting was adjourned.
January 14, 2021

TO: CSAC Executive Committee

FROM: Graham Knaus, Executive Director
Manuel Rivas, Jr., Deputy Executive Director of Operations and Member Services
Darby Kernan, Deputy Executive Director of Legislative Affairs

SUBJECT: Approval of Additional Appointments for the CSAC 2020 – 2021 Board of Directors

Background: The CSAC Constitution indicates that each county board shall nominate one or more directors to serve on the CSAC Board of Directors for a one-year term commencing with the Annual Meeting. The CSAC Executive Committee appoints one director for each member county from the nominations received.

For counties that do not submit nominations, the appointed supervisor from the preceding year will continue to serve until such county board nominates, and the Executive Committee appoints, a supervisor to serve on the CSAC Board.

The highlighted names denote responses received for 2020-2021. The recommended appointments are in addition to those approved on October 8th and November 5th 2020.

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<th>ALTERNATE(S)</th>
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<td>R</td>
<td>Merita Callaway</td>
<td>Benjamin Stopper</td>
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<td>Kent Boes</td>
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<td>John Gioia</td>
<td>Karen Mitchoff</td>
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<td>Chris Howard</td>
<td>Gerry Hemmingsen</td>
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<td>El Dorado</td>
<td>R</td>
<td>Sue Novasel</td>
<td>John Hidahl</td>
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<td>Fresno</td>
<td>U</td>
<td>Buddy Mendes</td>
<td>Nathan Magsig</td>
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<td>R</td>
<td>Keith Corum</td>
<td>Paul Barr</td>
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<td>Rex Bohn</td>
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<td>Jesus Escobar</td>
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<td>Jeff Griffiths</td>
<td>Rick Pucci</td>
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<td>Kern</td>
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<td>Zack Scrivner</td>
<td>Leticia Perez</td>
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<td>Craig Pedersen</td>
<td>Doug Verboon</td>
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<td>Lake</td>
<td>R</td>
<td>Bruno Sabatier</td>
<td>Tina Scott</td>
<td>NONE</td>
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<td>Los Angeles</td>
<td>U</td>
<td>Kathryn Barger¹</td>
<td>Hilda Solis¹</td>
<td>YES</td>
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<td>Madera</td>
<td>R</td>
<td>David Rogers</td>
<td>Leticia Gonzalez</td>
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<td>Marin</td>
<td>S</td>
<td>Damon Connolly</td>
<td>Stephanie Moulton-Peters</td>
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<td>Mariposa</td>
<td>R</td>
<td>Miles Menetrey</td>
<td>Rosemarie Smallcombe, Thomas Sweeney, Marshall Long, and Wayne Forsythe²</td>
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<td>Mendocino</td>
<td>R</td>
<td>John Haschak</td>
<td>Ted Williams</td>
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<td>Scott Silveira</td>
<td>Josh Pederozo</td>
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<td>Modoc</td>
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<td>John Peters</td>
<td>Jennifer Kreitz</td>
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<td>Monterey</td>
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<td>Luis Alejo</td>
<td>Mary Adams</td>
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<td>Diane Dillon</td>
<td>Ryan Gregory</td>
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<td>Ed Scofield</td>
<td>Heidi Hall</td>
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<td>Lisa Bartlett</td>
<td>Doug Chaffee</td>
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<td>Bonnie Gore</td>
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<td>Plumas</td>
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<td>Greg Hagwood³</td>
<td>Jeff Engel</td>
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<td>Chuck Washington</td>
<td>V. Manuel Perez</td>
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<td>Bob Tiffany⁴</td>
<td>Bea Gonzalez⁴</td>
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<td>Janice Rutherford</td>
<td>Robert Lovingood</td>
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<td>San Diego</td>
<td>U</td>
<td>Nora Vargas</td>
<td>Joel Anderson</td>
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<td>San Francisco</td>
<td>U</td>
<td>Rafael Mandelman</td>
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<td>San Joaquin</td>
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<td>Chuck Winn</td>
<td>Tom Patti</td>
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<td>San Luis Obispo</td>
<td>S</td>
<td>Bruce Gibson</td>
<td>John Peschong</td>
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<td>San Mateo</td>
<td>U</td>
<td>Carole Groom</td>
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<td>Santa Barbara</td>
<td>S</td>
<td>Das Williams</td>
<td>Gregg Hart</td>
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<td>Santa Clara</td>
<td>U</td>
<td>Susan Ellenberg</td>
<td>Cindy Chavez</td>
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<td>Santa Cruz</td>
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<td>Bruce McPherson</td>
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<td>Shasta</td>
<td>S</td>
<td>Leonard Moty</td>
<td>Joe Chimenti</td>
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<td>Sierra</td>
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<td>Peter Huebner</td>
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<td>Ed Valenzuela</td>
<td>Brandon Criss</td>
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<td>Solano</td>
<td>S</td>
<td>Erin Hannigan</td>
<td>Monica Brown</td>
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<td>Lynda Hopkins</td>
<td>David Rabbitt</td>
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<td>Stanislaus</td>
<td>S</td>
<td>Vito Chiesa</td>
<td>Kristin Olsen⁵</td>
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<td>Sutter</td>
<td>R</td>
<td>Dan Flores</td>
<td>Mat Conant</td>
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<td>Tehama</td>
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<td>Robert Williams</td>
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<td>Trinity</td>
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<td>Keith Groves</td>
<td>Jill Cox</td>
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<td>Amy Shuklian</td>
<td>Kuyler Crocker</td>
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<td>R</td>
<td>Ryan Campbell, Daniel Anaiah Kirk</td>
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<td>Jim Provenza, Oscar Villegas</td>
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<td>R</td>
<td>Gary Bradford, Randy Fletcher</td>
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1. The Los Angeles Board approved the current board member and alternate to remain through December 31st, 2020. On January 1st, 2021, the new board member will be Kathryn Barger and the new alternate will be Hilda Solis.


3. The Plumas Board approved Supervisor-Elect Greg Hagwood as board member in January 2021.

4. On August 4th, the San Benito Board approved Jaime De La Cruz as Board Member (replacing Jim Gillio) and Peter Hernandez as Alternate (replacing Jaime De La Cruz) until December 31st, 2020. In January 2021, the Board will appoint a new board member and alternate.

5. A new alternate will be selected in January 2021.
January 14, 2021

TO: CSAC Executive Committee

FROM: Graham Knaus | Executive Director

SUBJECT: Appointment of CSAC Treasurer, NACo Board of Directors, Western Interstate Region (WIR) Board Representatives, CSAC Policy Committees and Working Group Chairs & Vice Chairs

The CSAC Officers met on December 1 & 2, 2020 to consider appointments to CSAC Treasurer, NACo Board of Directors, NACo Western Interstate Region (WIR) representatives, and CSAC Policy Committees and working group chairs and vice-chairs. The following are the Officer recommendations for 2021:

**CSAC Treasurer**
Leonard Moty, Shasta County

**NACo Board of Directors**
Keith Carson, Alameda County
Miles Menetrey, Mariposa County
Zach Friend, Santa Cruz, County

**NACo WIR Board Representatives**
John Peters, Mono County
Lee Adams, Sierra County | RCRC Appointment

**California Counties Foundation Board**
Ed Valenzuela, Siskiyou County | President
Terri Woodrow, Alpine County
John Gioia, Contra Costa County
Amy Shuklian, Tulare County

**Institute for Local Government (ILG) Board**
Sue Novasel, El Dorado County
Virginia Bass, Humboldt County

**WORKING GROUPS**

**Resiliency Working Group**
Kent Boes, Colusa County | Chair
Diane Dillon, Napa County
Kelly Long, Ventura County
John Peters, Mono County
Bruce Gibson, San Luis Obispo County
Bruce McPherson, Santa Cruz County

**CSAC Rural County COVID-19 Working Group**
Ed Valenzuela, Siskiyou County | Chair
Denise Carter, Colusa County
Jeff Griffiths, Inyo County
John Peters, Mono County
Richard Wickenheiser, Tehama County Health Officer
Jill Blake, Nevada County Public Health Director
Carmel Angelo, Mendocino County CEO
Scott DeMoss, Glenn County CAO
CSAC Executive Committee
January 14, 2021
Page 2

**CSAC Kitchen Cabinet**
James Gore, Sonoma County | Chair
Ed Valenzuela, Siskiyou County
Chuck Washington, Riverside County
Lisa Bartlett, Orange County
Virginia Bass, Humboldt County
Luis Alejo, Monterey County
Leonard Moty, Shasta County
Diane Dillon, Napa County
V. Manny Perez, Riverside County
Frank Kim, CACE President and Orange County CEO
Carmel Angelo, Mendocino County CEO
Helen Robbins Meyer, San Diego County CEO
Mike Powers, Ventura County CEO
Kat DeBurgh, Executive Director, Health Officers Association of California (HOAC)
Michelle Gibbons, Executive Director, County Health Executives Association of California (CHEAC)

**Broadband Working Group**
Chuck Washington, Riverside County
John Peters, Mono County
Luis Alejo, Monterey County
Kathleen Haff, Tuolumne County
Lynda Hopkins, Sonoma County

**POLICY COMMITTEES**

**ADMINISTRATION OF JUSTICE**
Chair | Kelly Long, Ventura County
Vice Chair | Susan Ellenberg, Santa Clara County
Vice Chair | Damon Connolly, Marin County

**AGRICULTURE, ENVIRONMENT & NATURAL RESOURCES**
Chair | Chris Howard, Del Norte County
Vice Chair | Daron McDaniel, Merced County
Vice Chair | Heidi Hall, Nevada County

**GOVERNMENT FINANCE & ADMINISTRATION**
Chair | Bruce Gibson, San Luis Obispo County
Vice Chair | Luis Alejo, Monterey County
Vice Chair | Janice Rutherford, San Bernardino County

**HEALTH & HUMAN SERVICES**
Chair | Jeff Griffiths, Inyo County
Vice Chair | Doug Chaffee, Orange County
Vice Chair | Carole Groom, San Mateo County

**HOUSING, LAND USE & TRANSPORTATION**
Chair | David Rabbitt, Sonoma County
Vice Chair | Jennifer Kreitz, Mono County
Vice Chair | TBD
January 14, 2021

To: CSAC Executive Committee

From: Leonard Moty, President
Alan Fernandes, Chief Executive Officer

RE: CSAC Finance Corporation Update

CSAC Finance Corporation Board of Directors
The CSAC Finance Corporation Board of Directors is comprised of 11 directors designed to represent a multi-disciplinary cross section of California government and business. The CSAC Executive Committee will need to appoint 3 members to the CSAC FC Board as a result of the completion of terms and vacancies that have occurred as a result of retirements as of December 2020.

Specifically, there are two Supervisor seats, one for the Urban County Supervisor (created by the retirement of Supervisor Greg Cox from San Diego County) and the other representing a Suburban County. The applicants for those positions are:

- Supervisor Lisa Bartlett from Orange County
- Supervisor Leonard Moty from Shasta County

In addition, there are vacant seats for a Chief Administrative/Executive Officer and an Agency or Department Head. Susan Muranishi from Alameda County has served in the CAO position for the past three years and has applied to serve another term. Therefore, the CSAC FC recommends the following appointment:

- Susan Muranishi from Alameda County

Finally, Ryan Alsop, CAO from Kern County has served as a board member representing the Agency or Department Head position. The other CAO seat was recently vacated by the retirement of David Twa of Contra Costa County, who has served the CSAC FC with distinction, and therefore Ryan Alsop will be moving into this position to fill the remainder of this board term.

The CSAC FC Board has enjoyed a tradition of outstanding leadership from all members of its Board of Directors and supports all of these applicants mentioned above. Therefore, staff is requesting a motion and support to appoint above referenced applicants to the CSAC FC Board of Directors.
Corporate Associates Program
The Corporate Associates program is continuing the fiscal year with strong support from 70 partners across three levels. Staff has secured 8 new partners as of this report. At the Platinum level, Broadnet (Michael Davis), Procure America (Todd Main), Chevron (Henry T. Perea), OpenGov (Tim Melton and Christine Spiel) and SiteLogIQ (John Burdette and Jessica Ritter) have now joined. At the Gold Level, ForeFront Power (Sam Zantzinger) has joined, and Raymond James (Jose Vera) has upgraded from the Silver Level. At the Silver Level, Invisible Defender (Tori Klein) and Lockheed Martin (Robert Head) have now joined. These new partners combine for over $140,000 in new revenue to CSAC for F20/21.

We remain in regular contact with our Corporate Associates and are seeking new ways to partner with them virtually and provide the value they are accustomed to within our program. Opportunities include an expansion of partner driven webinars (some in association with ILG and others), and various Zoom calls and email outreach on behalf of our partners to our county members. As of this report, staff has successfully promoted and hosted 14 webinars this fiscal year, with more to be scheduled in the new calendar year.

At the CSAC Virtual Annual Conference in November, we had many of our partners very active in the various virtual workshops and meetings and of course many attended Virtuosity. Thank you in advance for your engagement in this new age of virtual connectivity and in your willingness to connect with the business community.

The most updated Corporate Associates roster is attached.
Mission Statement:

To provide a broad array of finance, investment, insurance and purchasing services to benefit California counties and related public agencies.

Commitment & Priorities

“Dedicated to the Business of Improving Public Services for Counties and Their Constituents”

Create and Manage Innovative Public Services and Products

Provide Financial Support to CSAC

Collaborate With Complementary National & State Organizations

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

Program Summary

**Financing**

**CSCDA**  
Cathy Bando  
www.cscda.org  

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

**Deferred Compensation**

**Nationwide**  
Rob Bilo  
www.nrsforu.com  

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

**Investing**

**CalTRUST**  
Laura Labanieh  
www.caltrust.org  

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

**Discounted Prescription Drugs**

**Coast2CoastRx**  
Marty Dettelbach  
www.coast2coastrx.com  

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

Synoptek  Eric Westrom  www.synoptek.com

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

Property Tax Payment Portal

Easy Smart Pay  Alan Fernandes  www.easysmartpay.net

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

Revenue Collection

CalTRECS  Jim Manker  www.csacf.org

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

Cannabis Compliance

CCA  Greg Turner  www.cca.ca.gov

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

Information & Referral Services

211 California  Alan Fernandes  www.211california.org

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

**Procure America**  
Todd Main  
www.procureamerica.org

Procure America provides its clients with analytics and strategies that result in greater performance at lower costs. By leveraging decades of industry experience, Procure America generates an average savings of 34%, all while increasing operational efficiency, vendor accountability, and service levels. Procure America’s experts have deep, industry-specific experience and will analyze all aspects of the supplier relationship-contractual, operational and invoice compliance. Knowledge, information and focus delivers results.

**Employee Health and Wellness Solutions**

**Optum Rally**  
Jennifer Schlecht  
www.optum.com

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

**Liquidity Management Services**

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

CashVest® provides liquidity analysis and FinTech data services for counties and other public entities. This program is a new opportunity to help manage your organization’s funds as a revenue-generating asset, identify the current marketplace value of your cash, and use time horizon data to maximize the value of all your financial resources.

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**CSAC Finance Corporation**

**Board of Directors**

- **Leonard Moty**, Shasta County – President
- **Graham Knaus**, CSAC – Vice President
- **Jim Erb**, Kings County – Treasurer
- **Ryan Alsop**, Kern County
- **Vernon Billy**, Public Member
- **Greg Cox**, San Diego County
- **Richard Forster**, Amador County
- **Elba Gonzalez-Mares**, Public Member
- **Susan Muranishi**, Alameda County
- **Billy Rutland**, Public Member
- **David Twa**, Contra Costa County

**CSAC Finance Corporation**

**Staff**

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

**CSAC Finance Corporation**

1100 K Street, Suite 101 * Sacramento, CA 95814  
www.csacfc.org
PLATINUM Partners (as of 1.1.2021)

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

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

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

4. Baron & Budd
John Fiske, Shareholder
11440 W. Bernardo Court
San Diego, CA 92127
(858) 251-7424
jfiske@baronbudd.com
www.baronbudd.com

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

6. Broadnet
Michael Davis, VP of Business Development
8822 S. Ridgeline Blvd., #120
Highlands Ranch, CO 80129
(303) 523-5774
mdavis@broadnet.com
www.broadnet.com

7. 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

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

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

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

11. Coast2Coast Rx
Marty Dettelbach, Chief Marketing Officer
5229 Newstead Manor Lane
Raleigh, NC 27606
(919) 465-0097
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<td>Claudio Andreetta</td>
<td>Board Member</td>
<td>5555 Vista Cantora</td>
<td>Yorba Linda, CA 92887</td>
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<td>Christy Quinlan</td>
<td>Client Principal, State and</td>
<td>608 Commons Dr.</td>
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<td>Rick Brush</td>
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<td>Procure America</td>
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January 14, 2021

TO: CSAC Executive Committee

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

SUBJECT: Communications and Member Services Report

The primary focus of the CSAC communications and member services unit is to complement the Association’s core advocacy priorities, promote and advance the important role counties play in the lives of every Californian, and provide our members with valuable training, meeting and networking opportunities. While the accomplishing the latter has been a significant challenge in light of the COVID-19 pandemic, staff is finding and implementing new avenues to efficiently accomplish this goal.

Enhancing Our Advocacy Efforts Through the Media. There is no doubt that the COVID-19 pandemic has had a significant impact on CSAC media relations. When comparing the calendar year (January 1-December 30) of 2020 vs. 2019, CSAC responded to 83 percent more inquiries and was mentioned in 60 percent more media articles than the prior year. The most significant period of increased media inquiry came in April and May 2020 when inquiries were 480 percent higher than the previous year.

Inquiries and mentions came from international, nation, state and local news outlets like BBC, Washington Post, Associated Press, Los Angeles Times, CalMatters, Politico, Sacramento Bee, Orange County Register and others.

CSAC worked hand-in-hand with key media contacts and county representatives throughout the pandemic to present the county perspective on public health and emergency response issues. This partnership continues even as the initial crush of media outreach has begun to subside. The CSAC Communications team will continue to leverage these relationships in 2021 as we continue to advocate for county priorities.

Utilizing Effective Social Media Tools. With social media continuing to be utilized as a highly effective communications tool, CSAC has put additional emphasis on using various platforms – particularly Twitter – to get our message out to various audiences. Throughout the year, social media followers regularly sought the latest information on issues that are impacting their lives; in response, the Communication team significantly increased its social media presence and usage.
Some figures of interest for 2020:
- CSAC’s Twitter has had more than 6.2 million views in 2020.
- CSAC’s Website has received more than 850,000 pages views.
- CSAC’s videos were viewed more than 125,000 times.

In 2021, the communications team will continue to enhance the use of all social media platforms to assist the Association’s COVID-19 activities and legislative priorities, as well as spotlight key programs and services, keep counties informed, and promote CSAC meetings and events.

**Promoting County Best Practices.** The COVID-19 pandemic delayed the 2020 CSAC Challenge Awards, but the program was still carried out this fall. Utilizing a new entry and judging platform as well as a new entry category – disaster/emergency response and management – CSAC saw a record number of entries: 363. That was more than a 28 percent increase over the previous record high.

CSAC uses the awards program as a platform to promote county best practices. 52 innovative programs featuring rural, suburban and urban county programs are being recognized this year. Three counties – Humboldt, Orange and Placer – are receiving the California Counties Innovation Award, which is the top award presented. While the ongoing pandemic will cause the communications team to develop new ways to spotlight the award-winning programs, ideas are currently being developed.

The Communications team made a concerted push to promote the award-winning programs through local media, resulting in numerous articles being printed. We are currently analyzing a series of webinars on award-winning programs that focused on COVID-10 response.

**CSAC’s Virtual Annual Meeting.** CSAC’s ability to conduct our traditional large conferences came to a halt with the pandemic. While we were forced to cancel the 2020 Legislative Conference as well as the NACo WIR Conference (which CSAC was co-hosting), our team developed an ambitious virtual program for the Annual Meeting. Over the course of six days in November, 25 meetings and events were held virtually. More than 365 individuals registered for the conference, and attendance at our major sessions and policy committees far exceeded expectations; in fact, each of CSAC’s five policy committee meetings averaged over 100 participants.

Annual Meeting survey responses show that the conference exceeded attendees’ expectations with nearly 50 percent stating the virtual meeting was excellent. Overall, nearly 90 percent of attendees were happy with the conference’s content and format.

Some other key survey results:
- 94 percent of respondents rated the Kick-Off Session featured Governor Newsom was excellent/good.
• Conference workshops received very favorable ratings, especially “Lobbying During the Pandemic,” with 91 percent stating it was excellent/good.
• Attendees especially appreciated the conference scheduled that allowed for no concurrent sessions.

The Communications team is looking forward to when it can host meetings in-person; until then, we will continue to provide our members the opportunity to learn, engage and set policy through virtual platforms.
5.7 Million Twitter Views Overall

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COVID-19 Related Videos
415,000 Tweet Views

COVID-19 Related Graphics
635,000 Views

CSAC Advocacy Campaign Graphics
137,000 Views

Media Inquiries Overall
83% Increase over 2019
168 Inquiries

Resources Web Page
295+ Links

Communications Resources Web Page
100+ Links

Website COVID-19 Interactive Map
50,000 Views

Daily Advocacy Updates and Key Information
95+ Updates

WWW.COUNTIES.ORG
California State Association of Counties
January 14, 2021

TO: CSAC Executive Committee

FROM: Manuel Rivas, Jr., Chief Executive Officer
Chastity Benson, Interim Director of Operations & Educational Services
Ryan Souza, Program Director, CSAC Support Hub for Criminal Justice Programming

SUBJECT: California Counties Foundation Report

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

California Counties Foundation Education Committee. The Foundation Board established an Education Committee to review, on an annual basis, the direction and curriculum of the Institute and special education programming. The Education Committee held two meetings in the past six months. Committee members discussed the reopening of the Institute, the future of special programs (New Supervisors Institute and So You Want to Be the CAO), and new courses in crisis leadership and cultural competence. The Committee plans to reconvene prior to the next Foundation Board meeting to develop recommendations on short- and long-term plans for Foundation/Institute to build educational programming with an equity framework.

Institute Courses. The Institute’s distance learning format has been a great success! During Fall 2020, we averaged 47 participants per class and participants rated the value of courses at a 4.9 average on a 6.0 point scale on the class surveys. The Winter-Spring schedule has launched. We are offering popular courses such as Realignment 101, Financing California: The History, and Local Governance 101. We are also offering additional new courses to the Winter-Spring line-up, including Collaboration: A Way through Crisis, Inclusive Leadership, and Building and Maintaining a Strong Work Team in the New Normal. Please visit www.csacinstitute.org to view the full schedule.

County Campuses. December 2020 marked the final classes in our Santa Cruz, Tulare and San Diego county campuses. Twenty-two participants from Santa Cruz County, 25 participants from Tulare County, and seven participants from San Diego County completed their Executive Credentials. Mendocino/Lake County campus will complete their first program year in April 2021 and will begin their second cohort in September 2021. New virtual county campuses will begin in Alameda and Riverside counties in March 2021.

New Supervisors Institute. The Institute held a New Supervisor Informational Networking session on November 12, 2020, during the CSAC Annual Meeting. The extensive New Supervisors Institute began classes on December 1st and 2nd via Zoom with Sixty-five County Supervisors-Elects from 42 counties attending the event. Former Yuba CAO Robert Bendorf is working closely with Institute staff to develop the programming for this seminar. Special thanks to Solano County Supervisor Erin Hannigan who will be joining us once again to co-facilitate this important program. Session II will be held March 3-5, 2021 followed by Session III scheduled for July 8-9, 2021.
MPA Program. The Institute continues to partner with the California State University San Bernardino to offer a Master of Public Administration (MPA) degree exclusively for California county managers, executives and elected officials. The first cohort will receive their MPA this Spring. A new cohort will begin in August 2021. We will share additional details as they become available.

CSAC Support Hub for Criminal Justice Programming

Grants Overview. There remain two central grant agreements under the CSAC Support Hub for Criminal Justice Programming (Support Hub). These grants are provided by:

1. The Laura and John Arnold Foundation, and

Both grants focus on the continuation, expansion, and sustainment of the work between the Support Hub for Criminal Justice Programming and local counties to improve data-driven and evidence-based practices through a structured Strategic Framework. More details on the specific components of the Strategic Framework (linked here) and current county work can be found on the Support Hub website. These grants have current end dates at the calendar year end of 2021.

The current holiday season combined with the continuation of the COVID-19 pandemic has slowed additional engagement with the 14 partner counties, but the Support Hub anticipates significantly increased collaboration in the New Year and following release of the Governor’s 2021 Budget. This collaboration will continue its focus on engaging counties virtually through meetings, off-site technical assistance, and seminars focused on expanding county capacity for improving evidence-based and data-driven practices.

Grant Operations. The support hub continues to move forward on several initiatives to continue assisting partner counties in their operational practices, in addition to the hands-on technical assistance provided by the Support Hub.

Continuation of Seminar Series on (1) Programming and (2) Data and Evaluation
Having begun in October 2020 and occurring every month through May 2021, the Support Hub began the first of two concurrent seminar series. These seminar series are being held every other month, allowing participants in partner counties to engage in both series by attending a once-monthly timeslot. Both series are intended to provide sufficient detail to engage partner counties to take substantive action in working toward Strategic Framework components, followed by Support Hub Technical assistance. Details on each seminar are provided below and included on the Support Hub Seminar Series Webpage. Presently, there are approximately 100 participants signed up for each of the series.

COVID-19 County Partnership Projects

As a result of additional funding provided by The John and Laura Arnold Foundation for COVID-19 related issues, the Support Hub was able to partner on two specific projects aimed to see impacts surrounding the COVID-19 pandemic. These data-specific projects are expected to be completed in early 2021 for county analysis and use.
• Santa Cruz County Juvenile Data Project. Santa Cruz county, recently featured in a Support Hub article (linked here), is working with the Support Hub to leverage previous Support Hub work done with the county on a Juvenile Hall analysis tool developed to review juvenile hall reductions and the relation to crime rates in the community during COVID-19. Santa Cruz plans to leverage this further review to help in the overall application of Juvenile operations with the county.

• Tulare County Probation Data Project. In light of COVID-19, Tulare county is working with the Support Hub to clean, merge, and analyze pretrial and jail data to estimate impacts of COVID on jail intakes and releases, and pretrial decision making. This summary is aimed to help Tulare county understand how the pandemic impacted operations within the county.

A Look Ahead. Because the CSAC Support Hub is funded solely through grants, the Support Hub is currently reviewing opportunities for additional funding, leveraging the current foundational structure provided through the Strategic Framework. These opportunities include potentially pursuing funding for further adult programming expansion to additional counties, additional funding to add component of the framework to current partner counties, juvenile justice program development technical assistance, and others. The CSAC Support Hub is also currently beginning development of a partnership with the California Policy Lab located at the University of California, Berkley. This partnership is aimed to continue county-level technical assistance while layering the ability to implement a voluntary statewide data and research initiative for counties.

The Support Hub remains enthusiastic about continuing to be a free resource to counties seeking to improve evidence-based and data-driven decision making and will keep the committee updated on progress in each of these areas.
MEMORANDUM

To: Supervisor James Gore, President, and Members of the CSAC Executive Committee

From: Jennifer Henning, Litigation Coordinator

Date: January 14, 2021

Re: Litigation Coordination Program Update

This memorandum will provide you with information on the Litigation Coordination Program’s new case activity since your August 6, 2020 Executive Committee meeting. Recent CSAC court filings are available on CSAC’s website at: http://www.csac.counties.org/csac-litigation-coordination-program.

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

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**Baker v. City of Redding**

Writ Petition Summarily Denied (3d Dist. Sept. 8, 2020)(C092318)

Status: Case Closed

This case raises the issue of how the Government Claims Act interacts with class action claims. It arises out of a number of tort claims submitted to the City of Redding for damages caused by the July 2018 Carr Fire. After about 50 individual tort claims were submitted to the city and denied, claimants’ counsel filed litigation in state court. Counsel then began filing petitions for relief from the claim presentation requirements on behalf of individuals who did not present timely claims. While those petitions were pending, claimants’ counsel filed a
motion requesting that the court find the class claims sufficient to fulfill claim presentation requirements for all named and unnamed claimants. The trial court granted claimants’ motion, finding it has inherent power to fashion “a new procedure in a complex litigation case to manage and control the processes before it.” As to the specific Government Claims Act requirements, the court concluded “that the legislature enacted standardized procedures for the purpose of providing a single process for making a claim against a government agency – but not to foreclose the manner in which the claims statutes might be implemented.” CSAC supported the City’s writ petition challenging the trial court’s order, but the petition was denied.

_Bejis v. City of Livermore_
Pending in the Ninth Circuit Court of Appeals (filed Feb. 26, 2019)(19-17386)  
**Status: Case Fully Briefed and Pending**

The Livermore City Council was considering whether to establish a downtown planning steering committee. Several speakers commented on the agenda item, including plaintiff. However, when plaintiff spoke during public comment on the item, he focused on an unrelated action the Council took the month before. He was admonished several times to keep his comments focused on the agenda item under consideration, though he was not removed from the podium. He later brought this First Amendment action in federal court against the city, alleging that his speech was stifled due to the interruptions of his comments and that the city engaged in viewpoint discrimination. The trial court ruled in favor of the city, concluding that “members of a city council are entitled to interrupt a speaker to remind him or her to limit their remarks to the agenda topic at hand” and that doing so does not infringe on First Amendment rights. Plaintiff has appealed. CSAC has filed a brief in support of the City.

_Broad Beach Geologic Hazard Abatement District v. All Interested Persons_
Pending in the Second District Court of Appeal (filed Mar. 4, 2020)(B304699)  
**Status: Briefing Schedule Pending**

This validation action involves an assessment on homes within a hazard abatement district to finance a beach restoration project. The trial court denied the validation and granted a related writ petition brought by assessed property owners, finding: (1) the District failed to properly separate general benefits from special benefits of the project because the public has access to the beach and would also benefit from the environmental improvements; (2) the project cannot be built as proposed due to conditions imposed by the Coastal Commission, thereby invalidating the assessment; and (3) the District failed to adequately analyze the proportionality of the special benefits because it did not assess two county-owned parcels in the project area, resulting in excessive assessments of the remaining parcels. CSAC will file a brief in support of the District.

_Chinese Theatres v. County of Los Angeles_
**Status: Case Closed**

This case involves attorneys’ fees under Rev. & Tax. Code section 1611.6 following a tax assessment dispute. The Superior Court found in favor of the
taxpayer, but the remand back to the Assessment Appeals Board was for the “sole purpose” of entering the correct property value on the tax roll. No additional findings at the AAB were needed. The taxpayer then brought a motion for attorneys’ fees under section 1611.6, which allows an award if the AAB’s findings are so deficient that the Court needs to tell the AAB to do them over. The County opposed because the remand to AAB did not require the AAB to make any additional findings. The trial court granted the motion, and the County appealed. The Second District reversed in an unpublished opinion, concluding that section 1611.6 clearly and unambiguously limits attorneys’ fees to situations where the AAB’s findings are deficient and new findings are needed. CSAC filed a brief in support of LA County in the Court of Appeal, and supported the County’s request for publication, which was granted.

\textit{Church v. San Mateo County Assessment Appeals Board}  
Status: Case Closed  
The San Mateo County Assessment Appeals Board invalidated escape assessments imposed by the County Assessor valuing the machinery and equipment (M&E) at Genetech’s location within the County. The Board determined Genetech purchased its M&E in a finished state, and installing it onto an assembly line did not constitute “self-constructed property” subject to assessment. The trial court reversed the Assessment Appeals Board, agreeing with the Assessor that none of the M&E was in a finished state until it was functioning and producing income. The Court of Appeal reversed, finding that the trial court erroneously applied its own definition of “finished product” that differed from the definition found in the Assessor’s Handbook and applied by the Board. The Court of Appeal further held that the Assessment Appeals Board’s determination was supported by substantial evidence on the record (the Board relied on evidence that included the sale price of individual M&E pieces and expert testimony about the market for such pieces). CSAC supported the Assessor’s request for depublication, but the request was denied.

\textit{City of Los Angeles v. County of Inyo}  
Pending in the Fifth District Court of Appeal (filed July 14, 2020)(F081389)  
Status: Amicus Brief Due February 8, 2021  
This lawsuit is a CEQA challenge to Inyo County’s use of eminent domain to acquire three properties owned by Los Angeles Department of Water and Power that have been leased to and used by Inyo as landfills for decades. Inyo County wants to continue to use the properties as landfills, but as an owner instead of a tenant. The County determined that the project was exempt from CEQA because it was merely a change in ownership, not in operations. LADWP argued that the County intended to make future changes to the water system, and that the County intended to start taking waste from neighboring jurisdictions. Though the County argued that any such future changes would be evaluated under CEQA if and when they occur, the trial court sided with LADWP, finding that the County should have evaluated future changes to the project, notwithstanding that no plans
are pending to make any changes to the landfill’s operations. The County has appealed, and CSAC will file a brief in support.

**County of Sonoma v. U.S. Bank N.A.**

Status: Case Closed

This case involves how costs are recouped when a dilapidated and noncompliant property is rehabilitated under Health and Safety Code section 17980.7, which allows counties to remediate property conditions that substantially endanger the health and safety of the public. The process involves a court authorizing a receiver to take over a property, make the necessary repairs, and then sell the property. The question, therefore, involves which costs are paid first out of the sale proceeds. The Court of Appeal determined that the receiver costs are given first priority. The court also determined that bank loans are subordinate, concluding that where a bank has not acted to resolve issues with the property prior to the need for a receivership, the bank should not have the same priority as the receiver. However, the Court of Appeal declined to place the County’s abatement costs and expenses on equal footing as a receiver’s, finding the statutes do not permit the County to have same super-priority status as the receiver. The County sought Supreme Court review, which CSAC supported, but review was denied.

**Coast Community College District v. Commission on State Mandates**

Status: Amicus Brief Due April 7, 2021

Plaintiff community college districts filed claims with the Commission on State Mandates for subventions related to a number of statutory and regulatory requirements to prepare, publish and implement various policies, procedures and notices to students, and other requirements related to minimum conditions for state aid. The Commission concluded these activities were not reimbursable mandates because the college districts could elect not to receive the state aid. The trial court agreed. On appeal, the Third District reversed and remanded. Noting that the case law required the court to determine “whether the state has legally or practically compelled the community college districts to comply with the minimum conditions,” the court concluded the Commission erred because “the minimum condition requirements apply to the underlying core functions of the community colleges, functions compelled by state law.” The court concluded that the argument that college districts are free to decline state aid is “inconsistent with the statutory scheme and the appellate record,” which show that community colleges are an integral part of education and a governmental function under California law. The court also noted that education is guaranteed a minimum level of funding under the California constitution. The California Supreme Court has granted review.
Conservatorship of E.B. (Public Guardian of Contra Costa County v. E.B)
45 Cal.App.5th 986 (1st Dist. Feb. 27, 2020)(A157280), petition for review granted (June 24, 2020)(S261812)
Status: Amicus Brief Due March 10, 2021

E.B. was diagnosed with schizophrenia. The trial court appointed a conservator during an LPS hearing in which E.B. was compelled to testify. On appeal, the First District held that an LPS conservatee is similarly situated to persons found not guilty by reason of insanity and other involuntary civil commitments whose testimony cannot be compelled. The California Supreme Court has granted review and will consider the following issue: Does equal protection require that persons subject to a conservatorship under the LPS Act have the same right to invoke statutory privilege not to testify as persons subject to involuntary commitments under Penal Code section 1026.5 after a finding of not guilty by reason of insanity? CSAC will file an amicus brief in support of the Public Guardian.

Contra Costa County Fire Protection Dist. v. PERB
Writ Petition Denied by the First Appellate District (Nov. 9, 2020)(A156897), petition for review pending (filed Nov. 19, 2020)(S265657)
Status: Pending in California Supreme Court

Reversing the decision of the Chief Administrative Law Judge, PERB found that the Fire Protection District’s negotiator’s use of terminology in negotiations that differentiated between “unrepresented” and “represented” management, and indicated that longevity pay would be reserved for “unrepresented management,” was discriminatory and “inherently destructive” of employee rights. PERB’s analysis did not examine the case as a bad faith bargaining case, instead evaluating the statements under the more malleable rubric of “interference” and “discrimination” case law. Also unprecedented in PERB and NLRB case law, the Decision required the District to modify the MOU to include longevity pay. From start to finish, the case took 9 years to resolve, so backpay is estimated at $1 million. A lengthy dissent found, among other things, that the Decision “creates automatic parity of benefits between represented and unrepresented employees, or at least a strong presumption of such parity, by cloaking what is essentially a bargaining case in the garb of discrimination and interference.” CSAC supported a writ petition to the Court of Appeal, but it was denied. The District has filed a Petition for Review in the California Supreme Court, and CSAC has filed a letter in support.

County of Santa Clara v. Superior Court (Doctors Medical Center of Modesto)
Writ Petition Pending in the Sixth Appellate District (filed Oct. 1, 2020)(H048486)
Status: Fully Briefed and Pending

This litigation concerns a medical reimbursement dispute involving the County’s public health care plan. Plaintiffs, two private hospitals, sought additional reimbursement for medical services provided to county plan enrollees under an “implied contract” theory. The County argued that implied contracts cannot be enforced against public agencies, but rather liability must be based either on a specific statute or on actual contract language adopted through the public contracting methods delineated by statute. The trial court agreed with plaintiffs, finding without much explanation that dismissing plaintiffs’ claim would be unconstitutional. The Superior Court also declined to apply the bar against recognizing implied contracts because, in the court’s view, the public policies underlying
January 6, 2021

Health care reimbursement outweighed the need to limit a public entity’s capacity to incur contractual obligations outside of its designated contracting mechanisms. CSAC filed a brief in support of the County’s writ petition, which is now pending.

**Golden Door Properties v. Superior Court (County of San Diego)**
Status: Case Closed

Golden Door filed lawsuits challenging a development project on CEQA and other grounds. One of plaintiff’s claims is that the County’s email retention policy, which automatically deletes emails after 60 days unless someone on the email saves it, (a) violates the Public Records Act, and (b) violates CEQA because it deletes documents that arguably should be part of the administrative record. In a 77-page opinion, the court ruled against the County. In addressing an issue of first impression, the court held that Public Resources Code § 21167.6 is “mandatory” and “broadly inclusive” with respect to the documents comprising a CEQA action’s record of proceedings, and therefore a “lead agency may not destroy, but rather must retain writings section 21167.6 mandates for inclusion in the record of proceedings.” The court noted that “[p]reparing a record under section 21167.6 is not an end in itself, but rather the means for judicial review of CEQA determinations. A thorough record is fundamental to meaningful judicial review. Therefore, we hold that section 21167.6 requires the lead agency to retain such writings.” San Diego sought Supreme Court review, which CSAC supported, but review was denied.

**Hill RHF Housing Partners v. City of Los Angeles**
Status: Amicus Brief Due March 3, 2021

The City of Los Angeles established two Business Improvement Districts (BIDs). The creation of BIDs is governed by Prop 218 and the Property and Business Improvement District Law of (PBID Law) authorizing cities to levy taxes. Plaintiffs challenged the tax and the trial court, ruling on the merits, found in favor of the City. Plaintiffs appealed and the Court of Appeal affirmed, not on the merits but instead because plaintiffs failed to exhaust their administrative remedies. Prop. 218 and the PBID Law create a comprehensive procedure for establishing BIDs, including opportunities for affected property owners to object to proposed assessments, and a requirement those objections be considered before levying the assessment. Here, plaintiffs argued their ‘no’ votes opposing the proposed assessments satisfied the exhaustion requirement. The Court of Appeal rejected this argument since presenting objections at a public hearing is necessary to give the City a chance to consider and respond to issues, and to develop a complete administrative record. The California Supreme Court has granted review to consider whether exhaustion of administration remedies is required prior to filing a Prop. 218 challenge against new fees / taxes, and CSAC will file a brief in support of the City.
Landwatch Monterey County v. County of Monterey
Pending in the Sixth District Court of Appeal (filed May 21, 2019)(H046932)
Status: Case Fully Briefed and Pending

After 14 years of review, the Monterey County Board of Supervisors approved a 17-lot subdivision on 344 acres of land proposed by Harper Canyon Realty. As relevant to this appeal, the Project is planned to draw water from an overdrafted groundwater basin. The EIR concluded that the Project would not result in a significant cumulative impact to groundwater. In response to comments on the draft EIR, the analysis in the final EIR was updated to reflect the results of additional studies and newly available statewide maps. However, the “less than significant” impact conclusion remained unchanged in the final EIR. Petitioners challenged the project approval, arguing that the EIR should have been recirculated for comment when the additional studies and maps were added. The trial court agreed, concluding the EIR should have been recirculated because the text changed too much between the draft and final EIR to allow for meaningful public review. CSAC has filed a letter in support of the appeal.

Malott v. Summerland Sanitary District
Status: Pending in the California Supreme Court

Petitioner Malott owns an apartment building in the Summerland Sanitary District. When the District approved a rate increase in February 2018, Malott did not attend the hearing or file a written protest. However, in April 2018, Malott filed a petition for writ of administrative mandamus challenging the rate increase. Malott challenged the District’s practice of assigning the same Equivalent Dwelling Unit figures to single- and multi-family residential uses. Malott included an expert declaration, which opined that industry standards required distinction of single- and multi-family units. The District moved to strike the declaration, which the trial court granted. The trial court then denied the petition on the merits. On appeal, the Second District found no duty to exhaust administrative remedies, citing Plantier v. Ramona Municipal Water District, and remanded with instructions to allow reliance on the post hoc expert opinion without addressing Western States Petroleum Association v. Superior Court, which forbids extra-record evidence to impeach legislation. CSAC’s request for depublication is pending.

Miner’s Camp v. Foresthill Public Utility District
Pending in the Third District Court of Appeal (filed Feb. 8, 2019)(C088828)
Status: Case Fully Briefed and Pending

This case is a Prop. 218 challenge to the Utility District’s adoption of a new water rate structure. Plaintiff argues that the rates, which charge plaintiff more for multiple dwellings on a parcel even though the parcel only has one water service connection, violate the constitutional requirement that a fee not exceed the service actually used by a property, and not exceed the proportional cost attributable to the property. The District defended its charges on the merits, but also argued that plaintiff failed to exhaust its administrative remedies because neither plaintiff, nor any other rate payer, argued that the rates violated Prop. 218 at the time of the rate hearing and adoption. The trial court concluded that a Prop. 218 challenge to water fees does not require exhaustion of administrative remedies. After the trial court issued its opinion, the Supreme Court issued its opinion in Plantier v.
Ramona Municipal Water District. Plantier left open the question of whether exhaustion is required for a Prop. 218 challenge, it was not required under the particular facts of that case. That question is pending in this case, and CSAC has filed an amicus brief.

**New Harvest Christian Fellowship v. City of Salinas**
Pending in the Ninth Circuit Court of Appeals (filed June 15, 2020)(20-16159)
Status: Case Fully Briefed and Pending

The City of Salinas’s zoning ordinance includes a “Main Street restricted area” in three blocks of downtown that prohibited “[c]lubs, lodges, places of religious assembly, and similar assembly uses” on the ground floor of buildings on three blocks of Main Street. With knowledge of the City’s view that worship services would not be permitted on the ground floor, plaintiff purchased a building within the Main Street restricted area. Plaintiff’s requests for a zoning amendment and conditional use permit for worship services in the new building were denied, though plaintiff was advised it could conduct worship services on the second floor of the building. Plaintiff then brought this lawsuit in federal court alleging that the city’s zoning ordinance treated plaintiff on less than equal terms with comparable secular uses, thus violating the Religious Land Use and Institutionalized Persons Act (RLUIPA). The trial court ruled in favor of the City, finding that the challenged restrictions apply to all assembly-type uses, whether religious or secular. The court also found that plaintiff could not have been substantially burdened since it knew of the restriction when it purchased the building, and because it could relocate its church facilities to the second floor of the building or almost anywhere else within the City. Plaintiff appealed, and CSAC has filed a brief in support of the City.

**Newsom v. Superior Court**
Pending in the Third District Court of Appeal (filed Nov. 16, 2020)(C093006)
Status: Case Fully Briefed and Pending

Plaintiffs, two members of the California Assembly, brought this action to challenge Executive Order N-67-20, which made changes to the 2020 General Election. Plaintiffs alleged that the Governor exceeded his authority under the California Emergency Services Act (“CESA”) in adopting the Order. Even though the General Election is over and the Legislature subsequently adopted legislation that superseded the Executive Order, the trial court went forward with the case, citing the importance of the underlying issue. The trial court found that in order to comply with the constitution, the Governor can suspend a statute, but cannot go beyond that to amend a statute or make legislative policy. The court went on to declare that EO N-67-20 is unlawful because it did not simply suspend a statute, but rather created new requirements for the election. Finally, the court issued a permanent injunction against the Governor preventing him from “exercising any power under [CESA] which amends, alters, or changes existing statutory law or makes new statutory law or legislative policy.”

This case does not challenge the State Public Health Officer’s authority under the Health and Welfare Code and related provisions, which have been the basis for the stay at home orders, the tiered business regulations, and the blueprint for the economy. No matter what happens in this case, all of those things remain in place. Rather, this case addresses the Governor’s authority under CESA to adopt certain Executive Orders, including many of the “Continuity of Operations” orders that CSAC requested and advocated strongly for at the beginning of the pandemic. Counties have relied on these orders to continue providing...
services and government operations while keeping staff and members of the public safe. They include things like alterations to the Brown Act, the ability to hold COVID briefings, flexibility with retired annuitants for emergency purposes, processing social services benefits without in person meetings, extensions of POBR deadlines, and more. The trial court order calls into question the validity of these orders, which would not only disrupt current operations, but raises the specter of litigation against counties for actions taken under these orders during the course of the COVID emergency. For these reasons, CSAC filed an amicus brief in the appeal in this case. In the meantime, the Court of Appeal has stayed the trial court opinion while the matter is pending on appeal.

Southwest Regional Carpenters v. City of Los Angeles
Pending in the Second District Court of Appeal (filed Oct. 10, 2019)(B301374)
Status: Case Fully Briefed and Pending

This case addresses when a lead agency must revise and recirculate an EIR after a project description changes in response to comments received by the agency to the EIR. In 2016, the Supreme Court rejected the “new project” test for determining whether a changed project remains similar enough to the original project for supplemental CEQA review to be appropriate. Instead, the Supreme Court created a different threshold inquiry for lead agencies, which asks whether the previous environmental document “retains any relevance” in light of changes to the project and whether “major revisions” to the previous environmental document are required. Unlike the “new project” determination, the “retains relevance” inquiry gives judicial deference to the lead agency’s determination. In the current case involving an infill mixed use project, the trial court found that the differences between the original project description and the final approved project rendered the project description unstable. In reaching that conclusion, the trial court created a new test concluding that to have an accurate, stable, and finite project description, a lead agency is required to provide a new CEQA public comment period when it proposes to approve a “materially different” project alternative from those included in the draft EIR. The city has appealed, and CSAC has filed a brief in support.

Pending in the Second Circuit Court of Appeals (filed Aug. 4, 2020)(20-2537)
Status: Case Fully Briefed and Pending

This case is one of several challenging the Trump Administration’s “public charge” rule. Since the 1800’s, federal law has prohibited the admission to the United States of “any person unable to take care of himself or herself without becoming a public charge.” In August 2019, the Trump Administration redefined the term “public charge” to require a consideration of not only cash benefits, but also certain non-cash benefits. The old rules would define someone as a public charge if they received cash assistance from SSI, TANF, or federal, state, or local general cash assistance programs. The new rules add additional benefits to that list: SNAP assistance, Section 8 housing assistance, Section 8 project-based rental assistance, Medicaid (with certain exceptions), and Section 9 public housing. A nationwide preliminary injunction was issued originally issued. However, the Supreme Court stayed the injunction, and the rule went into effect on February 24, 2020. Meanwhile, the litigation on the merits continued in the district court, and, of course, mere
weeks after the Supreme Court lifted the preliminary injunction, the country was hit with a global pandemic. The district court ultimately determined that the public charge rule conflicts with efforts to combat the pandemic by discouraging immigrants from utilizing public benefits, including healthcare. The district court issued a preliminary injunction enjoining the rule during the national emergency. The Department of Homeland Security has appealed. CSAC joined a coalition brief in a similar case pending in the Ninth Circuit. The same coalition has now filed an amicus brief in the Second Circuit, based on policy platform language opposing policies that have negative impacts on health and wellbeing outcomes, impose county cost shifts, or increase administrative burdens.

**Williams v. County of Sonoma**
**Status:** Case Closed

Plaintiff was riding her bicycle on a training ride in preparation for a long distance event. Plaintiff was described by her expert as an “avid recreational cyclist” who participated in multiple group events. Her speed is disputed, but she failed to see a large pothole located in the middle of a well-traveled rural road, due to shadows. She was catapulted off her bicycle and sustained serious injuries. In her subsequent dangerous condition of public property lawsuit, a jury awarded plaintiff $1.895 million, which was reduced by 30% comparative fault to about $1.3 million. The Court of Appeal affirmed, rejecting the County’s argument that plaintiff’s claim should have been barred by the primary assumption of risk doctrine. “In sum, because the County already owed a duty to other foreseeable users of the road to repair the pothole, the policy reasons underlying the primary assumption of risk doctrine support the conclusion that the County owes a duty not to increase the inherent risks of long-distance, recreational cycling.” CSAC filed a brief in support of the County in the Court of Appeal, and supported the County’s depublication request, but the request was denied.

**Zolly v. City of Oakland**
**Status:** Amicus Brief Due March 12, 2021

The City of Oakland entered into waste management agreements with two companies, each paying a Franchise Fee to the City. The City redesignated part of the franchise fee for one of the companies to compensate the City for the cost of implementing the Alameda County Waste Management Plan, under Public Resource Code section 41901. Three waste management rate payers challenged the fees as violating Props. 218 and 26. The Court of Appeal found in favor of plaintiffs ruling that even an exemption to Prop. 218 “must still be reasonably related to the value of the franchise.” The court found the plaintiffs properly stated a claim challenging the franchise fee by showing that the fee exceed the reasonable value of the franchise conveyed, which may be considered taxes subject to Prop. 218’s voter approval requirement. The Supreme Court granted review to consider the following issue: Must city franchise fees that are subject to California Constitution, article XIII C, be reasonably related to the value of the franchise? CSAC will file an amicus brief.
California State Association of Counties
Conflict of Interest Policy

Article I
Purpose

The California State Association of Counties ("CSAC") is a California nonprofit mutual benefit corporation. Members of the Board of Directors ("Board Members") of CSAC are subject to certain legal obligations in the performance of the duties of their position. For this reason, CSAC is establishing this Conflict of Interest Policy for its Board Members.

CSAC Board Members are required to exercise good faith in all transactions involving their duties, and they are subject to certain obligations not to use their position, or knowledge gained through their position, for their personal benefit. In their dealings with CSAC, Board Members should be mindful of potential conflict of interests.

Article II
Standard of Care

In determining potential conflicts of interest, the following standard of care shall be applicable:

A. Board Members shall perform their duties in good faith, in a manner they believe to be in the best interest of CSAC, with such care, including reasonable inquiry, as an ordinary prudent person in a like position would use under the circumstances.

B. Board Members are required in their capacity as members of a Board of Supervisors to receive training on ethics and conflicts of interest that satisfies the requirements of AB 1234. Board Members shall perform their duties in a manner consistent with the principles addressed in this training.

C. Board Members are entitled to rely on the information, opinions, reports or statements (including financial statements and other financial data) prepared or presented by officers or employees of CSAC, independent accountants, and other experts who provide professional services to CSAC, provided that Board Members believe such individuals are reliable and competent, and that the matters on which they present are within their professional or expert competence. Board Members may also rely on the information, opinions, reports or statements of any committee of the Board of Directors with respect to matters within that committee’s designated authority if Board Members believe the committee merits their confidence. Board Members are entitled to rely on the information, opinions, reports or statements of any person, firm, or committee if, after reasonable inquiry when the need therefore is indicated by the circumstances, they have no knowledge that would cause such reliance to be unwarranted.

Article III
Conflicts and Disclosure

A. Board Members are necessarily involved in the affairs of other institutions and organizations. Effective boards and organizations will include individuals who have relationships and affiliations that may raise questions about perceived conflicts of interest. Although many such potential conflicts are and will be deemed inconsequential, every Board Member has the responsibility to ensure the entire Board of Directors is made aware of situations that involve personal, familial, or business relationships that could create a real or perceived conflict of
interest. Every Board Member is also a member of a Board of Supervisors for a County in the State of California, and their counties pay dues to support CSAC. Decisions by Board Members related to setting dues for CSAC membership is deemed not to be a conflict of interest. Board Members are required annually to be familiar with the terms of this policy, and to acknowledge by his or her signature that he or she is acting in accordance with the letter and spirit of this policy.

B. Board Members are required to make a full disclosure to the Board of Directors of all material facts regarding any possible conflict of interest, to describe the transaction, and to disclose the details of their interest. CSAC shall, as appropriate, seek the opinion of legal counsel and such other authorities as may be required, before entering into any such transaction. Before approving a transaction in which a Board Member may have a conflict of interest, the Board of Directors will attempt, in good faith and after reasonable investigation under the circumstances, to determine that:

1. CSAC is entering into the transaction for its own benefit;
2. The transaction is fair and reasonable as to CSAC at the time CSAC entered into the transaction;
3. The Board of Directors has knowledge of the material facts concerning the transaction and the director’s or officer’s interest in the transaction; and
4. CSAC cannot obtain a more advantageous arrangement with reasonable effort under the circumstances.

The Board of Directors must then approve the transaction by a vote of a majority of the Board of Directors then in office, without counting the vote of any director who may have a conflict of interest due to the transaction under consideration.

CALIFORNIA STATE ASSOCIATION OF COUNTIES
CONFLICTS OF INTEREST DISCLOSURE STATEMENT

I hereby certify that I have carefully read and hereby acknowledge receipt of a copy of this Conflict of Interest policy. In signing this Disclosure Statement, I have considered not only the literal expression of the policy, but also what I believe to be the spirit of the policy as well. To the best of my knowledge, information and belief, I hereby certify that, except as stated in the exception below, neither I nor any of my relatives by blood or marriage has any direct or indirect interest that conflicts with the interests of CSAC.

The exceptions are as follows (if more space is required, please attached additional page[s]; if no exceptions, please leave space blank):

_____________________________________________________________________________________
_____________________________________________________________________________________

If any situation should arise in the future that, as discussed in the policy, may involve me or my relatives by blood or marriage in a conflict of interest, I will promptly disclose the circumstances to the Board of Directors of CSAC.

Name: ________________________          Signature: _______________________________________

County: ________________________     Date: _______________________________________
## California State Association of Counties
### 2021 Calendar of Events

### JANUARY
<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>New Year’s Day</td>
</tr>
<tr>
<td>14</td>
<td>CSAC Executive Committee Meeting</td>
</tr>
<tr>
<td>18</td>
<td>Martin Luther King, Jr. Day</td>
</tr>
</tbody>
</table>

### FEBRUARY
<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>11</td>
<td>CSAC Board of Directors Meeting</td>
</tr>
<tr>
<td>15</td>
<td>Presidents Day</td>
</tr>
<tr>
<td>20 - 24</td>
<td>NACo Legislative Conference</td>
</tr>
</tbody>
</table>

### MARCH
<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>11</td>
<td>CSAC Executive Committee Meeting</td>
</tr>
<tr>
<td>TBA</td>
<td>CSAC Regional Meeting</td>
</tr>
</tbody>
</table>

### APRIL
<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>6 - 9</td>
<td>CSAC Finance Corp. Annual Meeting</td>
</tr>
<tr>
<td>22</td>
<td>CSAC Board of Directors Meeting</td>
</tr>
<tr>
<td>21 - 22</td>
<td>CSAC Legislative Conference</td>
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</tbody>
</table>

### MAY
<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
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</thead>
<tbody>
<tr>
<td>25 - 28</td>
<td>NACo WIR Conference</td>
</tr>
<tr>
<td>31</td>
<td>Memorial Day</td>
</tr>
</tbody>
</table>

### JUNE
<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 - 4</td>
<td>CSAC Executive Committee Leadership Forum</td>
</tr>
<tr>
<td>TBA</td>
<td>CSAC Regional Meeting</td>
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</tbody>
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### JULY
<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>Independence Day (observed)</td>
</tr>
<tr>
<td>16 - 19</td>
<td>NACo Annual Conference</td>
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</table>

### AUGUST
<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>12</td>
<td>CSAC Executive Committee Meeting</td>
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</tbody>
</table>

### SEPTEMBER
<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>CSAC Board of Directors Meeting</td>
</tr>
<tr>
<td>6</td>
<td>Labor Day</td>
</tr>
<tr>
<td>TBA</td>
<td>Regional Meeting</td>
</tr>
</tbody>
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### OCTOBER
<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>6 - 8</td>
<td>Executive Committee Retreat</td>
</tr>
<tr>
<td>11</td>
<td>Indigenous Peoples Day</td>
</tr>
</tbody>
</table>

### NOVEMBER
<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
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</thead>
<tbody>
<tr>
<td>11</td>
<td>Veterans Day</td>
</tr>
<tr>
<td>25</td>
<td>Thanksgiving Day</td>
</tr>
<tr>
<td>29 - Dec 3</td>
<td>CSAC 127th Annual Meeting</td>
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</tbody>
</table>

### DECEMBER
<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>CSAC Board of Directors Meeting</td>
</tr>
<tr>
<td>15 - 17</td>
<td>CSAC Officers Retreat</td>
</tr>
<tr>
<td>24</td>
<td>Christmas Day (observed)</td>
</tr>
<tr>
<td>31</td>
<td>New Year’s Day (observed)</td>
</tr>
</tbody>
</table>

Updated 1.8.21