

# SANTA BARBARA COUNTY BOARD AGENDA LETTER



Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

## Agenda Number:

**Prepared on:** 02/23/01  
**Department Name:** County Administrator  
**Department No.:** 012  
**Agenda Date:** 03/06/2001  
**Placement:** Departmental  
**Estimate Time:** 20 minutes  
**Continued Item:** NO  
**If Yes, date from:**

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**TO:** Board of Supervisors

**FROM:** Michael F. Brown  
County Administrator

**STAFF CONTACT:** Jim Laponis / Lori Norton  
568-3421

**SUBJECT:** Legislative Program Committee Recommendations

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## Recommendations:

That the Board of Supervisors considers the following Legislative Program Committee recommendations:

- A. Adopt the County's 2001 State Legislative Priorities, and direct staff to forward a copy of the Priorities to the county's State representatives. (Attachment A)
- B. Authorize the Chair to sign the attached letter to the State Legislative Analyst expressing concerns about the potential cost of implementing legislation to respond to the utility crisis, and requesting that the LAO prepare an analysis of the cost to local governments of proposed legislative solutions (Attachment B).

## Alignment with Board Strategic Plan:

The recommendations are primarily aligned with actions required by law or by routine business necessity.

## Executive Summary and Discussion:

On February 20, 2001, the Legislative Program Committee ("Committee") considered staff recommendations on the above items. In addition, the Committee received a report on SB 1 (Alpert) Decommissioned Oil Platforms and Production Facilities: California Endowment for Marine Preservation ("Rigs to Reefs"). A recommendation on SB 1 will be forwarded to the Board at its meeting of Tuesday, March 13, 2001.

The above recommendations were supported by unanimous vote of the Committee. The Committee membership is as follows: Fourth District Supervisor Joni Gray, Second District Supervisor Susan Rose, County Administrator Michael Brown, Auditor-Controller Robert Geis, and County Counsel Shane Stark.

### **2001 State Legislative Priorities**

The 2001 State Legislative Priorities were identified through discussions with the County Administrator, the County's Legislative Advocate, and Department Directors. The format of the Priorities document was developed to highlight Santa Barbara County sponsored legislation, State budget requests specific to Santa Barbara County, and Statewide issues of highest import to Santa Barbara County. Additional legislative positions are contained within Appendix A of the document.

The Legislative Priorities are intended to be a broad declaration of Board supported positions on issues of importance to the County, and to provide direction and guidance to staff in communicating with State legislators. The County Administrator, Department Directors, and the County's Legislative Advocate may represent the County's position on legislation that is consistent with these Legislative Priorities. As directed by the Committee, a copy of the County's Legislative Program Administrative Policies are also attached to this board letter (Attachment C).

### **Request for Legislative Analysts review of proposed utility legislation**

The Committee directed staff to prepare and seek Board approval for the Chair to sign a letter to the State Legislative Analyst expressing concerns about the potential cost of implementing legislation to respond to the utility crisis. Further, the letter should include a request that the LAO prepare an analysis of the cost to local governments of proposed legislative solutions to the crisis. A letter is attached for your consideration (Attachment B).

### **Legislative Session Update**

The Committee also received an update from Cliff Berg; Governmental Advocates, on the 2001 State Legislative Session. Mr. Berg reported that the Governor and Legislature are completely engrossed in working to resolve the State's energy crisis. As such, other legislative business has ground to a halt causing concern that other important issues may not be addressed in the current session. Further, Mr. Berg reported that the State's expenditure of approximately \$50 million dollars a day, to secure power, is likely to result in Governor Davis rethinking his budget proposal to provide another one-time local government relief package. Mr. Berg also provided a status report on our efforts to secure an author for legislation to amend the California Employee Retirement Law of 1937, to allow the county to extend the same death and survivor retirement benefits, currently available to a surviving spouse, to a surviving domestic partner.

### **Domestic Partner Retirement Benefit Update**

Mr. Berg reminded the Committee that Assemblywoman Jackson declined to author the legislation but agreed to assist us in finding an author for the bill. Assemblywoman Jackson also arranged a meeting with Ann Richardson, Deputy Legislative Secretary to Governor Davis, and Mr. Berg, to discuss the Governor's veto of similar legislation (SB 1410, Speier) introduced in the 1999-2000 Session. (SB 1410 would have amended the California Employee Retirement Law of 1937 to allow San Mateo County to provide death benefits and survivor's allowances to a member's surviving domestic partner.) The meeting with Ms. Richardson took place on February 13, 2001. Ms. Richardson identified a number of concerns that may have resulted in the Governor's veto of SB 1410. In addition to the policy issue regarding expanding the definition of domestic partners, Ms. Richardson stated that the Department of Finance was

concerned that increased employment benefits offered at the local level may create a demand for increased employment benefits at the State level.

As follow-up to the Board's direction of 1/16/01, Mr. Berg informed the Committee that he contacted Senators Jack O'Connell, Sheila Kuehl, John Vasconcellos, and Assemblymembers Jackie Goldberg, Christine Kehoe, Carole Migden, and Jackie Speier to discuss their interest in authoring the bill for the County of Santa Barbara. Each of these legislators declined, although Assemblymember Migden's staff indicated a willingness to consider amending an existing Migden domestic partnership bill (AB 25), to include the proposal. Legislative program staff also contacted representatives from a number of counties identified by Shawn Terris, Retirement Board Trustee. All of the counties contacted (Alameda, Contra Costa, Marin, Mendocino, Orange, San Diego, and Los Angeles) indicated that the issue had not been discussed by either their Retirement Board or Board of Supervisors. As such, they would not speculate on whether their counties would support the legislation if introduced

San Mateo County did indicate an ongoing interest in finding an author for legislation that would authorize the County to provide retirement death and survivorship benefits to same and opposite sex domestic partners. Although the County of San Mateo did not sponsor SB 1410 in the 1999-2000 legislative session (it was sponsored by the American Federation of State, County and Municipal Employees) their Board of Supervisors did support the legislation. As such, San Mateo County also contacted Senator Speier and requested she reintroduce a bill in the current session. On February 23, the bill introduction deadline, Senator Speier introduced SB 1049, which is a duplicate of SB 1410. A copy of the bill is attached (Attachment D). The bill, introduced as a placeholder, will provide a vehicle for San Mateo and Santa Barbara Counties to continue to pursue the Board's desire to provide death and survivor retirement benefits to domestic partners. We will continue to work with Senator Speier and San Mateo County to further this legislation.

A copy of the background material relevant to each recommendation is attached. Staff will be available to make a presentation and to respond to questions.

**Mandates and Service Levels:**

The Legislative Program is not mandated and its service levels are discretionary.

**Fiscal and Facilities Impacts:**

The impacts are indicated in the informational material that is part of each recommended item.

- c: Robert Geis, Auditor-Controller
- Shane Stark, County Counsel
- John Patton, Planning and Development Director
- Luis Perez, Planning and Development
- Clare MacDonald, County Counsel
- Cliff Berg, Legislative Advocate