

SANTA BARBARA COUNTY BOARD AGENDA LETTER



Clerk of the Board of Supervisors
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Agenda Number:
Prepared on: 5/20/03
Department Name: CAO
Department No.: 012
Agenda Date: 5/27/03
Placement: Departmental
Estimate Time: 45 minutes
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors
FROM: Michael F. Brown
County Administrator
STAFF CONTACT: Jim Laponis, Deputy County Administrator
Lori Norton, Analyst X 3421
SUBJECT: Legislative Program Committee Recommendations

Recommendations:

That the Board of Supervisors:

- A. **Oppose, if set for hearing, SB 952 (Perata), prohibiting a local agency from enacting or enforcing any ordinance, regulation, or resolution that would prohibit the conduct of, or require a use permit for, events held on property zoned for residential use by specified tax exempt organizations that charge admission or ask a donation. (Attachment A, unanimous vote of members present)**
- B. **Oppose SB 744 (Dunn), which would establish the Housing Accountability Committee (HAC) within HCD. The HAC would hear developer appeals of City or County decision on applications for the construction of affordable housing.** The HAC would consist of 5 members - the Director of HCD and the Director of Office of Planning and Research (or their appointed staff), and three members appointed by the Governor (with the consent of the Senate). The HAC would hear developer appeals of city or county decisions on applications for the construction of affordable housing.

Any applicant who proposes to construct housing that meets specified affordability criteria, and whose application is either denied or approved with conditions that in the applicant's judgment renders the project "infeasible", may appeal the decision to the HAC. The HAC may direct the local agency to issue an approval or permit to the applicant. Please Note: On April 21, the Legislative Program Committee considered SB 744 and forwarded a recommendation to the Board of Supervisors to Oppose the bill. On May 6, the Board of Supervisors received the recommendation and following a brief discussion requested staff to provide additional information on a portion of the bill that would provide priority eligibility for grant funding for Cities and Counties that were making progress towards meeting their affordable housing goals. However, the bill was amended by the author, and no longer contains the provision related to priority eligibility. **(Attachment B – Committee did not revote)**

- C. **Oppose AB 1531 (Longville), on the grounds that it would require additional elections, thereby increasing costs, and may result in voter confusion. Support an amendment that would move all California Primary elections to June.** AB 1531 moves the statewide primary election from the first Tuesday in March to the first Tuesday after the first Monday in June but maintains the March date for the state's presidential primary. As a result, it would require elections to conduct three separate elections in a

presidential year: one in March for the presidential race, one in June for all other primary races, and the general election to be held in November. In non-presidential years, the primary would be moved from March to June. Note: In 2002 the Board opposed SB 1975, which was substantially similar to AB 1531. **(Attachment C, unanimous vote of members present)**

D. Support the following recommendations and proposed priorities from the Joint City/County Affordable Housing Task Force (Attachment D, unanimous vote of members present):

- 1. Seek an amendment to State Law Governing “Fair Share” Housing Requirements as Mandated by the State Regional Housing Needs Plans authorizing 2 or more adjacent jurisdictions to jointly plan and fund the construction of affordable housing within the boundaries of either jurisdiction and permit them to share the RHNA credit.** Please Note: the Committee recommended staff work to amend this language into AB 1158, the RHNA Reform bill (which the Board voted to support on 5/6/3) or to seek an author in the next legislative session for a separate bill to accomplish the amendment.
- 2. Seek an Amendment to State Law Governing the Definition of Financial Assistance to households of moderate income to include households with incomes that are up to 200% of the Area Median for tight housing market areas.** Please Note, on 2/4/3, the Board considered and voted to “support in concept” this proposal. The Committee noted that there will be opposition to such a bill.
- 3. Defer action on additional priorities and proposals, discussed by the Joint City/County Affordable Housing Task Force, which would have State fiscal impacts, until such time as the State’s financial condition improves.**

E. Support the concept of a Health Care Reform bill that will provide expanded access to and reduce the cost of health care coverage. This recommendation came as a result of discussions of five Health Care Reform measures pending in the State Legislature: SB 921 (Kuehl), SB 2 (Burton), AB 1528 (Cohn), AB 1527 (Frommer), and AB 30 (Richman). Each of the bills attempts, through differing approaches, to expand access to and reduce the cost of health care insurance. Endorsing the general concept above will, if necessary, provide the Counties advocate flexibility in advocating on the Counties behalf if/when these bills are considered. **(Copies of each of the bills, which remain in “spot form”, are available in the Clerk of the Board’s Office. - unanimous vote of members present)**

F. Support SB 677 (Ortiz), which would prohibit the sale of carbonated beverages to pupils in elementary, middle, or junior high schools commencing September 1, 2005, and to pupils in high schools commencing September 1, 2006. Note: Existing law, to be operative on January 1, 2004, and contingent on the availability of funding, prohibits the sale of carbonated beverages at elementary schools. **(Attachment F – 3 ayes, member Stark abstained)**

G. Support SB 65 (Torlakson). Existing law places limitations on school districts’ ability to enter into exclusive right of sale contracts for carbonated beverages. SB 65 would increase the limitations to include the requirement for a public hearing and would extend the same requirements to include all contracts for the advertising and sale of non-nutritious foods and beverages. (Attachment G – 3 ayes, member Stark abstained)

H. Support the establishment of a Maddy EMS Fund for Santa Barbara County and Direct the EMS Agency staff to work with other interested parties to sponsor legislation to establish a unique funding source for a Maddy EMS Fund in Santa Barbara County. Please Note: Maddy Fund would be financed from a surcharge on vehicle code violations and would provide increased funding for emergency room indigent care. **(Separate Board item on the May 27th Administrative Agenda – unanimous vote of the members present)**

Alignment with Board Strategic Plan:

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

Executive Summary and Discussion:

The Legislative Program Committee met on May 19th, 2003, considered, and directed staff to forward the above recommendation to the Board of Supervisors. The Legislative Program Committee members are: Susan Rose, Second District Supervisor; Gail Marshall, Third District Supervisor; Michael F. Brown, County Administrator; Stephen Shane Stark, County Counsel, and Robert Geis, Auditor-Controller. Member Geis was absent from the meeting.

In addition to the recommended actions, the Committee received a brief report, from Cliff Berg, Governmental Advocates, on the status of the State Budget and the May Revise. A separate report on the May Revise is included on the May 27th Departmental Agenda.

The Committee also received information on SB 9 (McClintock), which would enact the Bureaucracy Realignment and Closure Act of 2004 for the purpose of realigning or closing outdated or ineffective and inefficient governmental entities. Cliff Berg advised the Committee that the bill was placed on the Appropriations suspense file, to be considered with other bills that will have a fiscal impact on the State. The Committee directed staff to monitor the bill's progress and if appropriate return with a recommendation to the Committee.

The Committee also briefly discussed SB 414 (McClintock), which would define the word injury for the purposes of workers compensation to mean an injury or disease, which is certified by a physician using medical evidence based on objective medical findings. The Committee directed staff to include SB 414 in a comprehensive discussion of all workers compensation bills, which is scheduled to occur at the June 21st meeting of the Committee.

Mandates and Service Levels:

The Legislative Program Committee was formed pursuant to Board of Supervisors action dated September 3, 1991.

Fiscal and Facilities Impacts:

Potential fiscal and facility impacts, where known, are described within each individual recommendation.

C: Legislative Program Committee Members
Cliff Berg, Governmental Advocates
Ron Waterman, Waterman and Associates