

SANTA BARBARA COUNTY BOARD AGENDA LETTER



Clerk of the Board of Supervisors
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Agenda Number:

Prepared on: 05/29/01
Department Name: County Administrator
Department No.: 012
Agenda Date: 06/05/2001
Placement: Departmental
Estimate Time: 15 minutes
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: Michael F. Brown
County Administrator

STAFF CONTACT: Jim Laponis / Lori Norton
568-3421

SUBJECT: Legislative Program Committee Recommendations

Recommendations:

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

- 1. Support AB 130 (Cardenas – as introduced 1/22/01) Family Planning Access Care and Treatment (PACT).** AB 130 expands State-only Family PACT to include preventative health care for low-income women (under 200% of poverty) up to age 65 years of age, and combines federal and state family planning and screening programs into one comprehensive program. (Attachment 1)
- 2. Support SB 19 (Escutia – as amended 5/3/01) Pupil Health: Obesity Prevention.** SB19 would, commencing on 1/1/04, require the sale of all foods on school grounds to be approved by the school food service program; permit the sale of certain foods at elementary schools only as full meals; restrict the sale of certain beverages; require that fruits and vegetables be offered for sale at any school site location where competitive foods are sold; increases the state reimbursement amount for school lunch program meals; creates incentive grants for individual school districts to develop and adopt policies on child nutrition and physical activities. (Attachment 2)
- 3. Support SB 317 (Ortiz – as amended 4/16/01) Nursing Education.** SB 317 would enact the Nursing Program Enhancement Act of 2001, which would include programs to increase the number of competent registered nurses and provide health care services to people in underserved areas of California. The bill would appropriate \$122 million from the General Fund for purposes of these programs. (Attachment 3)
- 4. Support SB 337 (Ortiz - as amended 3/28/01) Multipurpose Senior Services Program (MSSP).** SB 337 would require the MSSP to receive an annual standardized rate adjustment commensurate with the Consumer Price Index (CPI). Assuming a CPI of 2.6%, this would result in an annual increased appropriation of \$1.3 million. (Attachment 4)
- 5. Support SB 616 (Chesbro - as introduced 2/22/01) Public Health Laboratory Scientists: Training.** SB 616 would, subject to appropriation in the State Budget, create the Public Health Laboratory Training Fund and Training Board for the purpose of training public health laboratory scientists. (Attachment 5)

6. **Support SB 589 (Wesson – as introduced 2/21/01) Property Tax: Loans for property tax administration.** SB 589 would create the State-County Property Tax Administration Grant Program for the funding of county property tax administration costs. The current program sunsets in 2002, SB 589 would extend the program through 2007. Santa Barbara County would receive approximately \$1.9 million annually through SB 589. (Attachment 6)
7. **Support AB 987 (Maldonado - as amended 4/30/01) County of Santa Barbara Custodial Officers.** AB 987, introduced at the request of the County Sheriff, would eliminate the requirement that at least one peace officer must be on duty to supervise the performance of custodial officers any time there are 20 or more custodial officers on duty; allow custodial officers to conduct strip or body cavity searches; and eliminate the requirement that a female deputy sheriff must be in charge of female prisoners. This would allow a female custodial officer to be in charge of female prisoners. (Attachment 7)
8. **Oppose AB 1050 (Kehoe – as amended 5/3/01) Local Agency Meetings: Close Sessions.** AB 1050 would place new requirements and restriction on local agency closed sessions as they relate to real property transactions. Specifically, it would require a legislative body of the local agency to hold an open session prior to a close session to deliberate issues related to the desirability of and policy considerations related to the transaction, and to specify whether the negotiation involves a purchase, sale, exchange, or lease. Further, would require a local agency to provide a summary of the status of the negotiations and remaining substantive issues to be negotiated, and would prohibit the closed session to include discussion of, or action on, collateral issues, including sources of funding, potential use of the property, and retention of staff or independent contractors. (Attachment 8)
9. **Oppose AB 914 (Shelley – as introduced 2/23/01) Public Records.** AB 914 proposes to add Government Code Section 6256 to the Public Records Act, which would state that even if a public entity makes a legitimate finding that a record is not releasable, a court can apply another test and order the record released. The bill, which is sponsored by the California Newspaper Publishers Association, is intended to ensure access to public records. However, in so doing it eliminates safeguards, which are designed to protect confidentiality and proprietary information (Attachment 9).
10. **Oppose AB 1014 (Papan – as amended 5/1/01) Public Records Act.** AB 1014 would require state and local agencies to assist any member of the public to make a focused and effective request that reasonably describes an identifiable record by identifying records and information technology, environment, or physical location in which the record may exist and providing suggestion for overcoming any practical basis for denying access to the record or information sought. The California Newspaper Publishers Association also sponsors AB 1014. In attempting to enhance public access to information, the bill shifts the burden of identifying records to the public agency. (Attachment 10)
11. **Oppose AB 934 (Hertzberg – as introduced 2/23/01) Property taxes: refund proceedings: local assessments.** AB 934 would give local assesses the right to trial de novo in claims for the refund of locally-assessed property taxes. Specifically, under AB 944 the trial court may not be restricted to the administrative record, but shall consider all evidence relating to the valuation of the property admissible under the rules of evidence. This could result in a court ruling on such issues as whether the transfer of a property meets the definition of a change in ownership, whether a property qualifies for a specific exemption, whether an item is real or personal property, and whether the proper method of valuation has been used to compute the tax. (Attachment 11)
12. Receive a report on the Recommendations of the State Task Force on Court Facilities as it relates to the transfer of Historic Facilities and direct staff to take whatever actions are necessary to insure the County retains ownership of its historic Courthouse (No Attachment)

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 May 21, 2001, the Legislative Program Committee ("Committee") considered, and by unanimous vote, recommended the Board adopt the positions as identified above. 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. The Committee also received a report and directed staff to forward to the Board, for information only, the following bill:

SB 985 (Kuehl – as amended 5/8/01) Real Property. SB 985 extends from 30 to 90-days, the required notice a landlord must provide to a tenant to terminate a month-to-month or other periodic rental of residential real property. Further, SB 985 would exempt specified condominiums (The exemption would apply only to condominium units that have been sold separately by the subdivider to a bona fide purchaser for value.) from the Costa-Hawkins Rental Housing Act, which authorizes owners of residential real property to establish the initial and all subsequent rental rates for certain dwellings or units, and requires an owner to provide a copy of the rental or lease agreement to the tenant within 10 days of execution and once each calendar year within 10 days of a request by the tenant (Attachment 12).

Finally, the Committee received a report from Cliff Berg, Governmental Advocates, on the current status of several bills previously considered by your Board, received a report on the status of the utility crisis and related legislation, and received a report on the Governor's May Budget Revision. Chief Probation Officer, Sue Gionfriddo, made a brief statement to the Committee on the proposed elimination, in the Governor's May Budget Revision, of funding for the Juvenile Crime Prevention Program. A resolution, requesting Board support for continued funding of the Juvenile Crime Prevention Program will be forwarded to your Board under separate cover.

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: Cliff Berg, Governmental Advocates
- Roger Heroux, Public Health
- Tara Brown, Public Health
- Ken Petit, Clerk Recorder / Assessor
- Larry Herrera, Clerk Recorder / Assessor
- Jim Thomas, Sheriff
- Ken Shemwell, Sheriff
- Tom Sneddon, District Attorney