

SANTA BARBARA COUNTY BOARD AGENDA LETTER



Clerk of the Board of Supervisors
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Agenda Number:
Prepared on: 04/11/05
Department Name: CAO
Department No.: 012
Agenda Date: 04/19/05
Placement: Departmental
Estimate Time: 30 minutes
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: Michael F. Brown
County Executive Officer

STAFF CONTACT: Jim Laponis, Deputy County Executive Officer
Lori Norton, Analyst, X 3421

SUBJECT: Legislative Program Committee Recommendations

Recommendations:

That the Board of Supervisors consider the following recommendations forwarded from the Legislative Program Committee:

- A. Oppose AB 260 (Bermudez) which would require the Chief Fire Official for each fire department to report information, including response time and staffing, to the State Fire Marshall. (Attachment A)
- B. Oppose AB 1248 (Umberg) which would remove felonies, DUI's, misdemeanor batteries, and serious sex crimes from the list of crimes for which the County can share booking fees to Cities. (Attachment B)
- C. Receive a copy of a letter, dated April 8, 2005, prepared as directed by the Legislative Program Committee, and signed by Supervisor Rose and Supervisor Firestone, expressing opposition to the State usurping local control through proposed housing and land use reform legislation. (Attachment C)

Alignment with Board Strategic Plan:

The recommendations are primarily aligned with Goal No. 1. An Efficient Government Able to Respond Effectively to the Needs of the Community; and Goal No. 4. A Community that is Economically Vital and Sustainable.

Executive Summary and Discussion:

On April 4, 2005, the Legislative Program Committee ("Committee") recommended that the Board of Supervisors consider the recommendations listed above. The 2005 Committee membership is as follows: Second District Supervisor Susan Rose, Third District Supervisor Brooks Firestone, County Executive

Officer Michael F. Brown, Auditor-Controller Robert Geis, County Counsel Shane Stark. The recommendations were unanimously supported by all members present. Auditor-Controller Robert Geis was absent from the meeting.

Following is a brief summary of the issues to be considered by the Board. Additional information is included as attachments to this document.

Oppose AB 260 (Bermudez)

AB 260 would require the Chief Fire Official for each fire department to report information, including response time and staffing, to the State Fire Marshall. Annually, the information would be analyzed, compiled, and disseminated by the State Fire Marshall. The scope of information analyzed and reported shall include, but not be limited to: Benchmarking to nationally recognized standards for fire protection and the average response time and staffing levels for each department in the every County and for each department in the State. The County is opposed to the bill because the benchmarking is to the 1710 Rule, established by the National Fire Protection Association. The intent of SB 260 is to work towards mandating excessive and prohibitively expensive staffing levels required to comply with a four minute response time which is the standard used in 1710. Attachment A includes a copy of the AB 260, a copy of a memorandum, prepared by the Santa Barbara County Fire Chief, which recommends that the Board of Supervisors oppose the bill, and a copy of an editorial from the Sacramento Bee, dated March 16, 2005.

Oppose AB 1248 (Umberg)

AB 1248 would remove felonies, DUI's, misdemeanor batteries, and serious sex crimes from the list of crimes for which the County can charge booking fees to Cities. Attachment B includes a copy of a memorandum prepared by the County Executive Office which provides both fiscal and policy concerns regarding the proposed exemption of certain crimes from booking fees. The County would support the State's continued backfill of booking fees to Cities, but is opposed to the County bearing the burden of booking fee costs without reimbursement.

Housing and Land Use Reform Proposal

Staff provided the Committee with information about the Administration's Legislative Counsel Draft of Legislation to enact Housing California: Proposal for Housing and Land Use Reform Legislation. The Proposal for Housing and Land Use Reform Legislation was prepared and distributed at the direction of the State Business, Transportation and Housing Agency to obtain feedback and comments from affected stakeholders. Interested parties were asked to provide comments by March 28.

In order to respond in a timely way, the Legislative Committee directed staff to draft a letter of response, to be signed by Supervisor Rose and Supervisor Firestone, reiterating the Board's position that housing and land use decisions should be made at the local level. Further, the Committee directed staff to attach a copy of staff's analysis, with specific comments on the proposed reform, and to send the letter to the State Business, Transportation and Housing Agency. Finally, the Committee directed staff to prepare and issue a press release notifying the public of the Proposal and the Board's opposition to it. A copy of each of the referenced documents is included in Attachment C.

Other Issues Discussed at the Legislative Committee Meeting – No Board Action Required

AB 1605 (Wolk and Berg)

The Department of Social Services requested the Committee recommend that the Board support AB 1605 and SB 1018 (identical companion bills) which would expand the existing Elder Abuse and Dependent Adult Civil Protection Act, to include mandated reporting responsibilities for suspected financial elder abuse. The Committee continued discussion of these bills until its next meeting. Further, the Committee requested a representative of the Department of Social Services attend the next meeting of the Committee to present their recommendation, and further directed staff to invite a member of the banking industry—which is opposed to the legislation—to attend and provide input to the Committee.

Report from Cliff Berg, Governmental Advocates

Cliff Berg, Governmental Advocates, provided a brief report on the State Budget and Legislative issues of interest to the Committee. As noted, the Governor's May Revise Budget will be released on May 14th. Of interest to the Board, State revenues are approximately \$2.3 billion higher than anticipated, improving the potential for the State to fund some previously proposed budget cuts. Mr. Berg reported that discussions are occurring regarding the potential for the State to reduce or eliminate the planned borrowing of additional Proposition 42 transportation funds to help balance the State General Fund. The County is opposed to the continued borrowing of Proposition 42 funds, which reduces available resources for local street and road improvements. Mr. Berg also reported that the Legislature has opposed the Governor's proposed reduction in Juvenile Justice Funding.

The County's financial forecast anticipated the loss of \$1.5 million in Proposition 42 transportation funding for FY 2005-2006 and \$1.8 million in Juvenile Justice Funding for FY 2006-2007. The \$1.8 million in Juvenile Justice funding includes matching funds which would be lost if the State does not fund the program. In short, the County is supportive of the continued funding of Proposition 42 and Juvenile Justice Programs and will continue to monitor progress on these and other State Budget developments.

Pension Reform Update

The Committee received a copy of the California Public Employee Pension Reform Act, a voter initiative currently in circulation. The Public Employee Pension Reform Act would provide that any person hired as a new employee by a public agency, on or after July 1, 2007, may only enroll in a defined contribution pension plan. Further, for the period of July 1, 2007 to January 1, 2008, it would allow any active member of a defined benefit plan to transfer the net present value of his/her interest in the defined benefit plan to a defined contribution plan. The Committee also received a status report on CSAC's Pension Reform Principles and Proposals which are being used to seek legislative reform (as opposed to initiative reform) of the public pension system.

On April 7th, Governor Schwarzenegger announced that the Public Employee Pension Reform Act would not be included on the proposed November Special Election ballot. The Governor indicated that the ballot initiative would be rewritten to clarify his intent that public safety continues to receive death and disability benefits. Further, the Governor indicated that he would work with the legislature on a legislative pension reform effort.

Mandates and Service Levels:

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

Fiscal and Facilities Impacts:

Fiscal and facility impacts are discussed in relationship to individual recommendations as applicable. Funding for the Legislative Program is included in the County Executive Office Budget (page D-14). For FY 2004-05, the Legislative Program budget is approximately \$255,000 and includes funding contracts with Governmental Advocates (State Legislative advocacy), Waterman and Associates (Federal Advocacy services), and County Executive Office program support totaling approximately 0.3 FTE's.

C: Cliff Berg, Governmental Advocates
Ron Waterman, Waterman and Associates
Department Directors

Attachments