

# SANTA BARBARA COUNTY BOARD AGENDA LETTER



Clerk of the Board of Supervisors  
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**Agenda Number:**  
**Prepared on:** 5/17/05  
**Department Name:** CEO  
**Department No.:** 012  
**Agenda Date:** 05/24/05  
**Placement:** Administrative  
**Estimate Time:**  
**Continued Item:** NO  
**If Yes, date from:**

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

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## Recommendation(s):

That the Board of Supervisors considers the following recommendations from the Legislative Program Committee meeting of May 16, 2005:

- Support AB 702 (Koretz) Nursing Education.** AB 702 would require the Office of Statewide Health Planning and Development to establish a statewide Registered Nurse Educator Scholarship Program to contract with colleges and universities to establish or expand related curriculum, and to provide education loans to registered nurses who are seeking a masters or doctorate degrees in nursing and who will commit to serving as registered nurse educators in California for a period of from 3 to 5 years upon completion of their studies. (Attachment 1: unanimous support of members present)
- Conditionally Support AB 1090 (Matthews) Solid Waste: Diversion: Conversion. Condition support for AB 1090 on the outcome of air quality testing and the resolution of whether conversion technology should be eligible for waste diversion credits.** AB 1090 adds recovery, through recycling, composting, conversion technology, or other beneficial use technologies to the existing waste management priorities for the California Integrated Waste Management Board (CIWMB). The bill also provides that local jurisdictions may use conversion technologies to meet their 50% waste diversion mandates required by existing law. (Attachment 2: unanimous support of members present)
- Support ACA 16 (Gordon) Taxation to supplement public safety funding, approval by electorate.** ACA 16 would allow a local government to impose, extend, or increase any special tax for the purpose of providing supplemental funding for the sheriff, police, or fire protection services, if that tax is submitted to the electorate and approved by a 55% (as opposed to the current 2/3 (67%)) vote of the voters voting on the measure. (Attachment 3: 3 ayes - members Rose, Brown, Geis; 1 abstain – member Stark; Member Stark abstained due to the anti-supplantation provision included in ACA 16)
- Oppose SB 44 (Kehoe) General Plans: Air Quality Element.** SB 44 would require each city and county to adopt an air quality element as part of its general plan, or amend appropriate elements of the general plan to include data and analysis, comprehensive goals, policies, and feasible implementation strategies intended to contribute to and complement other entities efforts to improve air quality. SB 44 would require local

governments to comply with these provisions during their next general plan update. (Attachment 4: unanimous support of members present)

5. **Oppose SB 326 (Dunn) Land Use: Housing Element. Existing Planning and Zoning Law, requires a multifamily residential housing project to be a "permitted use" not subject to a conditional use permit on any parcel zoned for multifamily housing if certain requirements are met.** SB 326 changes the term "multifamily residential housing" to "attached housing development," and defines "attached housing development" as a structure containing two or more dwelling units. (Attachment 5: unanimous support of members present; member Firestone absent)
6. **Oppose SB 1059 (Escutia) Electric Transmission Corridors, unless amended to respect local land use authority and private property rights.** SB 1059 would authorize the State Energy Resources Conservation and Development Commission to designate a transmission corridor zone on its own motion or by application of a person who plans to construct a high-voltage electric transmission line within the state (Attachment 6: unanimous support of members present; member Firestone absent)

### **Alignment with Board Strategic Plan:**

The recommendations are primarily aligned with Goals No. 1. An Efficient Government Able to Respond Effectively to the Needs of the Community and No. 5. A High Quality of Life for All Residents.

### **Executive Summary and Discussion:**

On May 16, 2005, the Legislative Program Committee ("Committee") recommended that the Board of Supervisors consider the recommendations listed above. Due to Agenda management issues, these recommendations are being placed on the Administrative Agenda. Staff will be present and prepared to address any questions the Board may have regarding the recommendations.

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, and County Counsel Shane Stark. Member Firestone was absent from the May 16<sup>th</sup> meeting.

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

In addition to the above actions items, the Legislative Program Committee received copies of, filed, and approved staffs' recommendation to watch (monitor) the following bills that were introduced in the Legislature, but have been held in Committee, turned into 2-year bills, etc. such that no action is required at this time:

- ❖ Watch AB 645 (Houston) Tide and submerged lands: California Coastal Sanctuary. AB 645 would amend the revenue sharing provisions between the State of California and Coastal jurisdictions and would amend current law to allow for slant drilling from upland or littoral sites to, and into, the subsurface of the tide or submerged lands.
- ❖ Watch AB 667 (Jones) Child Support Enforcement. Further, if AB 667 emerges from the Assembly Appropriations Suspense File, direct staff to oppose the bill under the auspices of the Board's policy to oppose bills that include unfunded mandates, financial penalties, and usurp local control. AB 667 would codify performance measures for child support programs, provide a process through which the State may penalize local agencies that fail to meet the performance standards including removing a local Child Support Services Director and assessing financial sanctions.

- ❖ Watch SB 321 (Morrow) Development fees. SB 321 amends the Mitigation Fee Act by assigning local agencies the burden of producing evidence to establish that a mitigation fee does not exceed the cost of the public facility, service, or regulatory activity before they establish, increase, or impose the fee. Bill is a two-year bill so no action required at this time.
- ❖ Watch SB 321 (Morrow) Development fees. SB 321 amends the Mitigation Fee Act by assigning local agencies the burden of producing evidence to establish that a mitigation fee does not exceed the cost of the public facility, service, or regulatory activity before they establish, increase, or impose the fee. Bill is a two-year bill so no action required at this time.
- ❖ Watch SB 725 (Morrow) Land Use Regulation: Compensation. SB 725 provides that if a state or local public entity enacts or enforces a new land use regulation that restricts the use of private property or any interest therein and has the effect of reducing the fair market value of the property or interest by 25%, then the owner of the property or interest shall be paid just compensation. Bill is a two-year bill so not action required at this time.
- ❖ Received a report from Cliff Berg, Governmental Advocates, on the status of the State Budget and May Revise.
- ❖ Received a copy of the Action Report with Summary of bills currently being monitored by County Legislative Program staff. A copy of the Action Report presented to the Committee is enclosed for the Board's information (Attachment 7).
- ❖ Received an update on AB 164 (Nava) Disaster Relief. AB 164 adds the severe rainstorms, flooding, and mudslides of December 2004 and January 2005 to the list of disasters eligible for full state reimbursement of local property tax losses, beneficial homeowners' exemptions treatment, full state reimbursement of local agency costs under the Disaster Assistance Act, etc. Staff advised the Committee that the potential for the County to receive full reimbursement for the disasters appears positive. AB 164 was passed by the Assembly and will be heard in the Senate in the upcoming weeks.

### **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