

SANTA BARBARA COUNTY BOARD AGENDA LETTER



Clerk of the Board of Supervisors
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Agenda Number:
Prepared on: 05/01/06
Department Name: CEO
Department No.: 012
Agenda Date: 05/16/06
Placement: Administrative
Estimate Time:
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: Michael F. Brown, County Executive Officer

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

SUBJECT: Legislative Program Committee Recommendations

Recommendation:

That the Board of Supervisors considers the following recommendations from the Legislative Program Committee meeting of April 17, 2006:

- A.** Support H.R. 4782 (Capps) and S. 2294 (Boxer) The California Ocean and Coastal Protection Acts (identical bill introduced in the House and Senate) which would permanently prohibit oil and gas leasing off the coast of the State of California. (Attachment A).
- B.** Oppose SB 1800 (Ducheny and Cedillo). SB 1800, sponsored by the California Building Industry Association, requires a City/County to adopt a Housing Opportunity Plan (HOP) that ensures adequate sites are zoned to meet 10-year housing needs for all income levels. Individual housing projects that are consistent with the HOP would be exempt from CEQA if environmental documents have been certified for the HOP and conditions have not substantially changed. Projects consistent with a HOP may only be denied or reduced in number by a 4/5 vote of the Board with written findings that the project would adversely impact public health or safety and no feasible mitigation exists. (Attachment B).
- C.** Oppose AB 3050 (Committee on Judiciary (Jones, Chair)), which would require that liability for property damage or personal injury shall rest jointly with all state and local public entities that participate in the design, construction, operation, or maintenance of a flood control project that fails to function as intended resulting in property damage or personal injury, for new developments in previously undeveloped areas which were previously devoted to agricultural use or open space. (Attachment C).
- D.** Oppose AB 2987 (Nunez) unless amended to maintain local control of franchise fees setting and collection, right-of-way management, and taxing authority. AB 2987 would eliminate all local oversight and management of video franchising and would instead establish a procedure for state-issued

authorization for the provision of cable service or video services. (Attachment D which includes an outline of the pros and cons of the proposed state-issued authorization for cable/video services).

- E. Support SB 1576 (Murray) in concept. SB 1576 will require the State to fully fund transitional housing placement for foster youth. Existing law provides that County's pay 60% of the cost and the State pays 40%. SB 1576 would provide 100% State funding for the program. (Attachment E).
- F. Support AB 2481 (Evans) which would increase the basic rate paid to foster parents by 5% effective January 1,2007, and provide for future rate increases which would be tied to changes in the state cost-of-living based to the California Necessities Index. The full cost of the increase would be borne by the State. (Attachment F)
- G. Support AB 2161 (Hancock) which would create a pilot project for 5 volunteer counties to participate in a unified and streamlined process for licensing and approving relatives, foster families, and adoptive parents who care for abused and neglected children. Santa Barbara County Department of Social Services has indicated an interest in piloting this project. (Attachment G)

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 April 17, 2006, the Legislative Program Committee ("Committee") recommended that the Board of Supervisors consider the actions listed above. The 2006 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. All members were present and voted unanimously to approve the recommended actions with the exception of Recommendation A in which Mr. Brown abstained and Recommendation D in which Supervisor Firestone indicated he needed more information on the pros and cons.

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

The Committee received a brief report from Governmental Advocates who provided an update on AB 2265 (Nava) and SB 1617 (McClintock) which are both County's sponsored legislation.

The Board may recall that SB 1617 (McClintock) as introduced on February 24th, would amend Section 1610 of the Fish and Game Code to expand emergency work exemptions to include emergency work declared by the governing body of a local governmental agency, by resolution adopted by a majority vote, to be necessary to prevent or mitigate immediate future loss, or damage, to life, health, property, or essential public services that, in the determination of the local governmental agency, is likely to occur as a result of fire, flood, storm, earthquake, land subsidence, gradual earth movement, or landslide. If passed, SB 1617 will allow the Board of Supervisors to declare an emergency, by local resolution, which would exempt streambed clearing, necessary to prevent or mitigate future loss or damage, from Fish and Game permitting.

SB 1617 failed passage in the Senate Natural Resources and Water Committee by a vote of 2 ayes to 5 noes. The Committee felt that the streambed clearing work the County feel is necessary, as described by County Public Works staff, is already allowable under law, and that the issued is one of interpretation by local Fish and Game. As such, the Committee volunteered its staff to assist the County in working with Fish and Game to secure a written interpretation of existing law to allow the County to engage in streambed clearing activities as necessary to prevent future flooding.

AB 2265 (Nava) as introduced on February 22, would authorize Santa Barbara County to continue to collect additional court fine revenue penalties (Maddy Funds) to pay for emergency medical services until January 1, 2010. Under existing law, Santa Barbara County is authorized to collect additional revenue penalties (Maddy Funds) until January 1, 2007, when the current statute sunsets. The Board will recall that Maddy Funds are passed through to hospitals to pay for uncompensated care of emergency/trauma patients.

As reported by Governmental Advocates, the Assembly Public Safety Committee, which was set to consider AB 2265, requested the author incorporate amendments limiting the extension of the Maddy Fund through January 1, 2009, and included legislative intent that the Board of Supervisors place a local funding measure on the ballot by November 2008, to provide a local funding source for uncompensated emergency medical care provided to the under and uninsured in Santa Barbara County.

The Committee considered SB 1125 (Chesbro) and AB 2134 (Harman) both of which would provide that revenues paid to the State for tidelands oil leases be allocated among specific purposes related to fishery restoration projects, wetlands maintenance, etc. The Committee has several questions about the legislation and its impact on State funding. Since the Committee meeting of April 17th, both bills have been substantially amended. As such, the bills will be returned to the Committee for further consideration prior to forwarding to the Board of Supervisors.

The Committee received a briefing but took no action on AB 2972 (Nava) which would provide that an application for oil and gas development, in state waters, that is determined to be incomplete by the State Lands commission shall be deemed withdrawn one year after the applicant is informed of the incomplete status. The Committee had several questions about the need for this legislation and its impact on project within Santa Barbara County. The Committee directed staff to watch the bill, and research further the impact on Santa Barbara County.

Finally, the Committee received a recommendation from the Department of Social Services to consider AB 2193 (Bass and Cohn) which would phase in caseload and budgeting standards for child welfare services. The County Executive office expressed concerns regarding the provision in the bill that the County must provide matching funds to support caseload standards which would be mandated by the State. The Committee does not recommend Board action on this bill. Social Services will continue to monitor the bill and advise the Committee of its progress.

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-16). For FY 2005-06, the Legislative Program budget, as adjusted during the Budget Hearings is \$126,729 which includes the contract with Governmental Advocates (State Legislative advocacy), and County Executive Office program support totaling approximately 0.3 FTE's.

C: Cliff Berg, Governmental Advocates
Department Directors

Attachments