

SANTA BARBARA COUNTY BOARD AGENDA LETTER



Clerk of the Board of Supervisors
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Agenda Number:
Prepared on: 6/17/03
Department Name: CAO
Department No.: 012
Agenda Date: 6/24/03
Placement: Departmental
Estimate Time: 30 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

Recommendation(s):

That the Board of Supervisors:

- A. Oppose AB 1141 (Diaz) would extend agency shop agreements to supervisory and confidential employees.** AB 1141 is sponsored by the Peace Officers Research Association (PORAC); it is opposed by CSAC and the League of California Cities. (Attachment A - Unanimous vote of members present)
- B. Oppose AB 1156 (Nunez) Meyers-Millias-Brown Act (MMBA), which revises the definition of “employee organization” for purposes of MMBA to include any organization that “seeks” to represent employees of a public agency in their relations with that public agency and would expand the role of Public Employees Relations Board (PERB) by authorizing it to adopt rules to apply in areas where a public agency has no rule and to challenge agency rules and regulations irrespective of currently negotiated grievance procedures and dispute resolution processes.** Existing law authorizes a local public agency to adopt reasonable rules and regulations after consultation in good faith with representatives of an employer-employee organization. Changing the definition of “employee organization” to include any organization that “seeks” to represent employees would unduly burden local governments by requiring them to meet and confer with unrecognized employee organizations. Further, current law delegates jurisdiction to the Public Employment Relations Board (PERB) to resolve disputes and enforce the statutory duties and rights of local public agency employers and employees. Expanding the role of PERB as proposed in AB 1156 would restrict local autonomy by allowing PERB to adopt rules beyond those negotiated by local governments. AB 1156 is supported by Service Employees International Union; and opposed by CSAC and the League of California Cities. (Attachment B - Unanimous vote of members present)
- C. Oppose SB 163 (Alarcon) Service Contracts, which authorizes cities and counties, to contract out for services with private entities, if the contract would result in cost savings, as defined within the bill, and if one of seven provisions included in the bill is met.** Local governments are already restricted in their use of contract employment by existing law, IRS rulings, etc. In addition, local governments, including Santa Barbara County have enacted their own privatization criteria. SB 163 would further erode local government

autonomy by imposing State imposed restrictions. SB 163 is supported by Service Employees International Union; and is opposed by CSAC and the League of California Cities. (Attachment C – unanimous vote of members present)

D. Watch SB 18 (Burton) a spot bill dealing with Native American Sacred Sites and Draft Amendments, proposed by the Author, to be considered for inclusion in the bill. (Attachment D – unanimous vote of members present)

E. Support the annual renewal, and Authorize the Board Chair to sign the attached Agreement between the County of Santa Barbara and Waterman and Associates Governmental Relations (not a local vendor), for the provision of Federal Advocacy services as identified in exhibit A – Statement of Work, for the period of July 1, 2003 – June 30, 2004, for an amount not to exceed \$116,000 the same amount as the current contract. Note: Funding for the annual renewal of the Federal Advocacy agreement with Waterman an Associates is included in the FY 03-04 Budget adopted by the Board on June 13, 2003. In January of 2003, the Board considered and adopted five advocacy and three monitoring and reporting issues as specified in Exhibit A. (Attachment E – unanimous vote of members present).

Alignment with Board Strategic Plan:

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

Executive Summary and Discussion:

The Legislative Program Committee met on June 16, 2003, considered, and directed staff to forward the above recommended actions 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; Robert Geis, County Auditor/Controller; and Stephen Shane Stark, County Counsel. Member Geis was absent from the June 16th Committee meeting.

In addition to the recommended actions, the Committee received information a report from Cliff Berg, Governmental Advocates, on the State Budget and on the 2003-2004 Legislative Session. The Committee also received copies of various correspondence sent including:

1. Letter to Senator Wesley Chesbro, Chair, State Senate Budget and Fiscal Review Committee, supporting SB 976, Public Beach Restoration Funds. (Attachment F)
2. Letter to Senator John Burton, regarding the Draft Special Distribution Fund language he has proposed to be inserted in SB 930, which would undermine the ability of local governments to mitigate off-reservation impacts of gaming and would dictate that any funds spent locally, would be at the tribe's direction. (Attachment G)
3. Letter to the State Conference Committee on the Budget stating the County's opposition to the passage of a budget that fails to honor the State's commitment to backfill local governments for state vehicle license fee reductions and obligates counties to pay state child support penalties. (Attachment H)

The Committee also engaged in a brief discussion of issues related to current workers' compensation law, and various reform proposals, aimed at controlling costs, protecting employers from liability, and compensating workers equitably and efficiently for injuries or disease arising out of their employment. The Committee directed staff from the County

Administrators Office, County Counsel, Risk Management and Human Resources to meet, discuss, and return to the Committee with a short list of general reform concepts, which the Committee may consider recommending the Board endorse.

The Committee also engaged in a brief discussion of AB 205 (Goldberg), which would confer additional legal rights and responsibilities on registered domestic partners by extending most of the rights and responsibilities available to married couples under state law to registered domestic partners. The Committee directed staff to prepare an analysis of potential costs and benefits of AB 205 for the Committee to consider at its July meeting.

Mandates and Service Levels:

The Legislative Program Committee was formed pursuant to Board of Supervisor 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
Department Directors – via e-mail**