



MINUTES

County of Santa Barbara Meeting of the Legislative Program Committee

AGENDA

Date: August 21, 2009

Time: 10-11:30 AM

Place: **Board of Supervisors Conference Room, Fourth Floor**
105 E. Anapamu Street, Santa Barbara

Committee Members: Salud Carbajal, First District Supervisor
Janet Wolf, Second District Supervisor
Michael Brown, County Executive Officer
Robert Geis, Auditor-Controller
Dennis A. Marshall, County Counsel

All Committee members were present and constituted a quorum.

Public Comment

There were no comments made by members of the public.

Action Items:

1. Approve minutes from the June 1, 2009 meeting (*Attachments 1: Draft 6/1/09 minutes*). **A motion was made by Supervisor Wolf to approve the minutes. Mr. Brown seconded the motion. The motion carried 3-0-1, with Supervisor Carbajal abstaining as he was absent during the last meeting.**
2. Receive an update on federal issues of interest to the County and direct staff to take action as necessary. (Attachment 2a and 2b: Washington Updates from Tom Walters and Associates, Inc., August and June 2009)

Tom Walters gave an update on federal issues noting that Congress was recessed and that Congress would continue deliberations on healthcare when it resumes in September. Congress will resume working on the federal budget, with the goal of completing the budget by September 30. Mr. Walters discussed the items contained within the Washington Update including the SAFETEA-LU Reauthorization, emissions from ocean-going marine vessels and increasing the Medicare reimbursement rate to local physicians. Mr. Walters commented that both the House and Senate version of the healthcare reform include language to address the issue of Medicare reimbursement and that the County will need to consider the larger

issue of healthcare reform in the context of a provider of healthcare services as well as that of an employer.

3. Per a request received from Sonoma County, consider whether to take a position of support for HR 3525 (Thompson) to amend the Internal Revenue Code of 1986 to provide for the treatment of bonds issued to finance renewable energy resource facilities, conservation and efficiency facilities, and other specified greenhouse gas emission technologies. (Attachment 3: Text of HR 3525 and other materials)

Members of the public spoke both in support and in opposition to this bill. Sally Jordon and Judith Ishkanian of the Neighborhood Defense League of California spoke in opposition of the bill. Kathy Staples of the Santa Barbara County Energy Coalition spoke in support of the bill. Comments regarding the opposition noted that the agriculture community in Sonoma is opposed to requirements pertaining to greenhouse gas emissions. A motion was made by Supervisor Carbajal to continue this item until the September Committee meeting. Mr. Geis seconded the motion. The motion carried 5-0.

4. Per a request received from the National Association of Counties Health Steering Committee, determine whether to recommend submitting a resolution supporting comprehensive federal health reform to the Board of Supervisors for consideration. (Attachment 4a: NACo white paper on restoring the partnership for American health, Attachment 4b: Draft resolution urging passage of comprehensive federal health reform)

Supervisor Carbajal, the County's NACo representative, commented that NACo was advocating for comprehensive healthcare reform, not advocating for a specific bill or plan being considered by Congress. Supervisor Wolf is on the NACo health steering committee and noted that the resolution addresses the County's' responsibility to provide health-related services to constituents as well as the cost of the uninsured within the County rather than addressing the specific proposals being considered by Congress. A motion was made by Supervisor Wolf to place the resolution on the Board of Supervisors' agenda. Supervisor Carbajal seconded the motion, The motion carried 5-0.

5. Receive an update on the State budget, the status of County sponsored-bills and the status of other bills already considered by the Committee and direct staff to take action as necessary. (Attachment 5a and 5b: State Update from Governmental Advocates, Inc.; July and June 2009)
 - i. AB486 (Chesbro): Local governments: emergencies (County support)
(http://www.leginfo.ca.gov/pub/09-10/bill/asm/ab_0451-0500/ab_486_bill_20090629_chaptered.pdf)
 - ii. SB326 (Strickland): Land Use/Housing Element (County sponsor/support)
(http://www.leginfo.ca.gov/pub/09-10/bill/sen/sb_0301-0350/sb_326_bill_20090622_amended_asm_v97.pdf)

- iii. AB359 (Nava): Breast and cervical cancer: early detection screening: digital mammography reimbursement rates (County sponsor/support)
(http://www.leginfo.ca.gov/pub/09-10/bill/asm/ab_0351-0400/ab_359_bill_20090715_amended_sen_v96.pdf)
- iv. SB619 (Strickland): Flood control: County of Santa Barbara: Lower Mission Creek (County sponsor/support)
(http://www.leginfo.ca.gov/pub/09-10/bill/sen/sb_0601-0650/sb_619_bill_20090413_amended_sen_v98.pdf)
- v. AB50 (Nava): Disaster relief (County support)
(http://www.leginfo.ca.gov/pub/09-10/bill/asm/ab_0001-0050/ab_50_bill_20090624_amended_sen_v95.pdf)
- vi. AB566 (Nava): Mobilehome parks: conversion (County support)
(http://www.leginfo.ca.gov/pub/09-10/bill/asm/ab_0551-0600/ab_566_bill_20090723_amended_sen_v96.pdf)
- vii. AB761 (Calderon): Mobilehome park rent control (County oppose)
(http://www.leginfo.ca.gov/pub/09-10/bill/asm/ab_0751-0800/ab_761_bill_20090528_amended_asm_v97.pdf)
- viii. AB494 (Caballero): Local planning: agricultural laborer housing. (County oppose)
(http://www.leginfo.ca.gov/pub/09-10/bill/asm/ab_0451-0500/ab_494_bill_20090714_amended_sen_v95.pdf)
- ix. *ABx4 23: (DeVore): Oil and gas leases: state waters (No County position on this bill at this time)*
(http://www.leginfo.ca.gov/pub/09-10/bill/asm/ab_0001-0050/abx4_23_bill_20090724_amended_sen_v98.pdf)

Governmental Advocates provided an update on the State budget. The Legislature is working on language for the borrowing of Proposition 1A. Clarification is needed to determine if the implementation date for various health and human service funding reductions and other programmatic changes take effect on 10/1/09. Governmental Advocates, Inc. is working with CSAC on possible legislation to restore the Williamson Act subvention funding to counties. Governmental Advocates, Inc. is researching whether a MOU between counties and the State can occur to transfer parks that will be closed as part of the budget to counties. Legislature is currently considering corrections and parole reform. The 21st Century on Taxes is scheduled to release a report on the State's tax structure on September 20, 2009. The Legislature is also in a special session to ensure the State is eligible to receive federal stimulus, or ARRA funding, for education. Three County sponsored bills, AB359, SB619 and AB50, are currently in suspense in the Appropriations Committee. The Department of Finance has proposed amending AB50 to exclude reimbursement for the 2007 disasters because of the cost to the State. Discussion occurred regarding the status of

ABx423. Future legislation (a stand alone bill or a budget trailer) could be used to bring a project like Tranquillon Ridge back to the State Lands Commission for reconsideration. Kathy Staples of the Santa Barbara County Energy Coalition spoke regarding ABx423 and noted that the County would only receive one percent of the property tax if this bill was enacted. Ms. Staples suggested that future legislation should try to ensure that the County's receives 20% from any leases like the prior Maddy bill.

6. Determine whether to take a position on two bills pertaining to coastal resources (Attachment 6a and 6b: Text of AB226 and AB291 and analysis from CA Legislature Committee)
 - i. AB226 (Ruskin): California Coastal Act of 1976: Enforcement: This bill would authorize the California Coastal Commission to impose administrative civil penalties between \$5,000 and \$50,000 for violations of the California Coastal Act and would additionally require the Commission to take specified factors into account when determining the amount of the penalty, and allow the Commission to record a lien if the penalty is not paid.
http://www.leginfo.ca.gov/pub/0910/bill/asm/ab_02010250/ab_226_bill_20090723_amended_sen_v95.pdf
 - ii. AB291 (Saldana): Coastal resources: coastal development permits: penalties. This bill would prohibit any person subject to a pending enforcement action of the California Coastal Commission from submitting a coastal development permit application until the action has been resolved.
http://www.leginfo.ca.gov/pub/09-10/bill/asm/ab_0251-0300/ab_291_bill_20090511_amended_asm_v96.pdf

Staff from Planning and Development commented on the bills. There was discussion regarding the County's permitting process, the possible impact of the bills to the County, due process and the relationship with the Coastal Commission. A motion was made by Supervisor Wolf to monitor these bills and not take a position. Supervisor Carbajal seconded the motion. The motion carried 4-1 with Mr. Brown voting against the motion.

“Writings that are a public record under Government Code § 54957.5(a) and that relate to an agenda item for open session of a regular meeting of the County Legislative Program Committee and that are distributed to a majority of the members of the County Legislative Program Committee less than 72 hours prior to that meeting shall be available for public inspection at Santa Barbara County Clerk of the Board at 105 E. Anapamu Street, 4th Floor in Santa Barbara, and also on the County's website at <http://www.countyofsbq.org/ceo/legis.aspx?id=308>”