



**County of Santa Barbara
Meeting of the Legislative Program Committee**

MINUTES

Date: Monday, June 27, 2011

Time: 10:30AM – 12:00PM

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

Committee Members: Salud Carbajal, First District Supervisor
Doreen Farr, Third District Supervisor
Chandra L. Wallar, County Executive Officer
Robert Geis, Auditor-Controller
Dennis A. Marshall, County Counsel

Public Comment

- Geoff Bard: Ask policy makers and legislators for heightened scrutiny on issues relating to homelessness, tobacco control policy and nuclear safety (Diablo Canyon).
- Supervisor Carbajal suggested sending a quarterly letter of appreciation to state legislators in recognition of their work on issues facing the County of Santa Barbara.
- **DIRECTION:** Supervisor Carbajal directed staff to add sections on bill status, bill author(s), and authors' political affiliations to the Legislative Bill Briefs.

Action Items:

1. Approve minutes from the May 2, 2011 meeting.

Motion made by Supervisor Carbajal, seconded by Supervisor Farr, to approve the minutes of the May 2, 2011 meeting as amended. Motion passed by a vote of 5-0.

- *Action Item 8: Supervisor Carbajal stated that CSAG NACO is may be planning a workshop on the issue.*

2. Receive an update on federal issues of interest to the County and direct staff to take action as necessary.

Thomas Walters of Thomas Walters and Associates provided an update on Federal issues of interest to the County.

- Chandra Wallar suggested adding S. 755 to a future Legislative Program Committee agenda.
 - Terri Nisich stated that Crime Victim Restitution is already a part of the 2011 Legislative Platform.

Public Comment:

- Kathy Staples addressed the Committee regarding whether JAG grant funds could be used to maintain service levels at the North County Jail.
 - Chandra Wallar responded that the County typically defers to the Probation Department regarding the appropriation of JAG grant funds.

- Geoff Bard addressed the Committee regarding whether there is any Federal money for the restoration of the Gang Taskforce.
 - Thomas Walters responded that the County used to get funding through the earmarking process, but this is no longer an option.

3. Receive an update on State issues of interest to the County including State Budget, legislation and direct staff to take action as necessary.

Governmental Advocates, Inc., Inc. provided an update on State issues of interest to the County.

- **DIRECTION:** Supervisor Carbajal directed Governmental Advocates, Inc. to restructure the State Legislative Update memorandum by grouping subject matter under clearly labeled sections and headings.
- Supervisor Farr asked Governmental Advocates, Inc. where the cuts would be coming from.
 - Governmental Advocates, Inc. responded that the cuts are rumored to be coming from education and corrections. An answer should be known on June 28, 2011.
- Terri Nisich asked Governmental Advocates, Inc. to speak to the issue of Redevelopment Agencies.
 - Governmental Advocates, Inc. stated that at this time, there are two different RDA proposals:
 1. The first proposal would eliminate all RDAs
 2. The second proposal would allow redevelopment, but this would result in penalties
 3. A third potential proposal would allow redevelopment according to specific guidelines
 - Supervisor Farr asked whether a legal battle is anticipated.
 - Governmental Advocates, Inc. affirmed that a legal battle is anticipated and that RDA funds would be frozen during any legal proceedings.

4. Consider whether to take a position on State legislation:

A. AB 37, as introduced, Huffman. Public Utilities Code: This bill would require the CPUC, by January 1, 2012, to identify alternative options for customers of electrical corporations that decline the installation of wireless advanced metering infrastructure devices, commonly referred to as smart meters, as part of an approved smart grid deployment plan.

Terri Nisich provided a report on AB 37.

- Supervisor Farr stated that she and Supervisor Lavagnino requested that an item regarding smart meters be placed on the July 5, 2011 Board of Supervisors agenda.
- **DIRECTION:** Supervisor Farr directed staff to include information gathered from the California Council on Science and Technology in the July 5, 2011 packet regarding smart meters.
- Supervisor Carbajal stated that the PG & E administrative hearing may offer the option to opt-out, and the outcome of this hearing will be important.
- Supervisor Farr stated that an informational session at UCSB is scheduled for July.

Public Comment:

- Judy Ishkanian addressed the Committee regarding concern for the State-mandated delivery systems associated with smart meters.
- Hillary Blackerby stated that as AB 37 has not gone anywhere, it will not go into effect on the January 1, 2012 date listed in the bill.
- Kathy Staples stated that in her personal experience, she was not given the option to opt-out of a smart meter installation or reschedule its installation.

Motion made by Supervisor Farr, seconded by Supervisor Carbajal, to take a watch position on AB 37. Motion passed by a vote of 5-0.

5. Consider whether to take a position on Federal legislation:

A. HR 1084/S 587: Fracturing Responsibility and Awareness of Chemicals Act of 2011. Recommend to support.

Doug Anthony provided a report on HR 1084/S 587.

- Chandra Wallar stated that the industry's ability or disability to use different chemicals should be specified in the legislation.
- Supervisor Carbajal stated that if the industry does not want to disclose the exact recipes used, they should at least disclose a range to the public in light of public concern with chemical safety.
- Supervisor Farr expressed concern regarding how this will affect those at the local level, and how quickly the notification process will work in medical emergencies.
- Supervisor Carbajal stated that it is unclear which agencies preempt which agencies, and disclosure must be reconciled with CEQA.
- **DIRECTION:** Supervisor Farr directed staff to collaborate with the Public Health Department regarding notification protocols for medical emergencies.

Public Comment:

- Tom Prendiville stated that the information should not be kept from the public.
- Rachel Kondor stated that HR 1084 is not intended to regulate fracturing notification at the local level. It requires state agencies to disclose.
- Geoff Bard stated that it is critical to be proactive and have the information on file in case of medical emergencies.
- Kathy Staples commended the Energy Division of the Planning and Development Department for its commitment to transparency.

Motion made by Supervisor Carbajal, seconded by Supervisor Farr, to support HR 1084 with amendments that restore HR 1084 to its original intent of disclosing chemicals used in fracturing to the public. Motion passed by a vote of 5-0.

6. AB 579, Monning. Mobilehome parks. Review of legislation. Recommendation to watch.

Terri Nisich provided a report on AB 579.

- Supervisor Farr asked why staff was not recommending a support position.
 - Terri Nisich stated that staff mirrored CSAC's recommendation.
 - Governmental Advocates, Inc. stated that there is no reason to take a position on AB 579 as no action will be taken until 2012.

Motion made by Chandra Wallar, seconded by Dennis Marshall, to table the issue of AB 579. Motion passed by a vote of 5-0.

7. AB 1297, as introduced, Chesbro. Medi-Cal: mental health. Recommendation to support.

Ann Detrick, Director of ADMHS, provided a report on AB 1297.

- **DIRECTION:** Staff will write a letter of support for AB 1297.

Motion made by Supervisor Carbajal, seconded by Dennis Marshall, to approve staff recommendations and take a support position

8. AB 591, as amended (Wieckowski). Oil and gas production: hydraulic fracturing and direct staff to take action as necessary. Recommendation to watch.

Doug Anthony provided a report to the Legislative Program Committee.

- Chandra Wallar asked Governmental Advocates, Inc., Inc. to meet with staff legislator staff and relay to them that the County would support AB 591 if it is amended.
- **DIRECTION:** Supervisor Farr directed staff to check with the Air Pollution Control District to ensure permitting consistencies.

Public Comment:

- Hillary Blackerby stated that AB 591 has several supporters.
- Geoff Bard expressed concern regarding unauthorized permitting by agencies.
- Steve Lyon asked whether the County of Santa Barbara could make its own regulations.
 - Doug Anthony responded that there are some above-ground areas that the County can regulate and permit. The County must go through a permitting process and must undergo environmental review under CEQA.

Motion made by Supervisor Farr, seconded by Robert Geis, to adjourn the June 27, 2011 meeting of the Legislative Program Committee. Motion passed by a vote of 5-0.

Note: Next meeting is scheduled for Monday, August 1, 2011 from 10:30AM – 12:00PM.

“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>”