

# Memorandum

**Date:** November 3, 2011

**To:** Members of the Legislative Program Committee:  
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



**From:** Terri Nisich, Asst. CEO

A handwritten signature in black ink, appearing to read "Terri Nisich", is written over the printed name.

**Subject:** Proposed Legislative Priorities 2012

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This item is on your agenda for consideration of new legislative priorities for the 2012 legislative platform. These issues are derived via a survey process with the individual departments, review of trends and consultation with our state and federal advocates. While review and analysis of various legislative proposals continue throughout the year, at this juncture the following additional legislative priorities are presented to the committee for consideration. (Draft briefs attached):

- DSS – Child Welfare Services
- DSS – Donation of Surplus Computer Equipment
- DSS – In-Home Supportive Services
- DSS – Safety Net Preservation
- DSS – Senior Services Support of Older Americans Act
- DSS – Social Services Funding
- DSS – TANF Reauthorization
- CSS – Child Support Protection Act
- First 5 – Proposition 10
- DA - District Attorney Legislative Enhancements
- PW – Federal Transportation Fund Reauthorization
- PD – Housing Element
- PARKS – Cachuma Boater Safety

In addition to the new priorities presented for consideration, staff will assess the present platform and recommend individual priorities for inclusion or deletion from the proposed 2012 legislative platform.



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# SOCIAL SERVICES CHILD WELFARE SERVICES

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## **SUMMARY OF THE ISSUE**

The Governor eliminated \$80 million from Child Welfare Services (CWS) in the FY 2009-10 state budget. The Legislature restored the funding in the FY 2010-11 state budget. On October 8, 2010, the Governor utilized his veto power and again unfunded the \$80 million General Fund appropriation to CWS. Again in the State's 2011-12 budget the funding was not included. When lost federal matching funds are included, the total cut grows to \$124 million. The impact to the County is \$1 million.

These cuts exacerbate historic under funding to an antiquated Child Welfare Services (CWS) budgeting and funding methodology that was established in the mid 1980's. Since then, dramatic changes have impacted the workload demands of the current system. The SB 2030 Workload Study established minimum and optimal caseload standards in 2000, and subsequent legislation required the development of a plan to implement the findings of the study. However, budget constraints have since prevented the state from allocating sufficient funding to implement the study's recommendations. Additional mandates continue to tax social worker resources.

With increasing caseloads, decreased funding, and decreased staffing, the County's Department of Social Services' ability to meet mandates in serving children and families is threatened. The staffing pattern contributes to a vicious cycle of an overburdened system that cannot adequately protect the children that we serve while pushing counties to improve State and Federal outcome measures for children as set forth in AB636.

## **PUBLIC BENEFIT/IMPACT**

Reducing funding without eliminating any of the mandates that counties must meet passes the responsibility for providing services to the counties without providing adequate resources, policy direction, or priorities on how to implement cuts. This forces local child welfare agencies and county Board of Supervisors to make difficult decisions that will harm children. Further, without services and proactive intervention, the cycle of child abuse expands.

## **COST TO THE GOVERNMENT**

The State not only places counties in the untenable position of deciding what not to do by passing on program cuts to local agencies and providing no relief from current requirements, but it also ultimately abdicates its responsibility to protect abused and neglected children.

## **REQUESTED ACTION AND STRATEGY**

The County requests that its delegation seek to restore Child Welfare Services funding to pre-FY 08/09 status during the State FY 12/13 budget and explore the possibility of seeking options to relieve counties from mandates in FY 11/12 and FY 12/13 if funding is not restored.

## **CONTACT:**

Kathy Gallagher, Director, Department of Social Services, 805.681.4451  
Terri Nisich, Assistant CEO, 805-568.3400

**PRIORITY:** Targeted State Advocacy

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*Terri Maus Nisich, Assistant County Executive Officer*



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## DONATION OF SOCIAL SERVICES SURPLUS COMPUTER EQUIPMENT DIRECTLY TO PUBLIC ASSISTANCE RECIPIENTS

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### **SUMMARY OF THE ISSUE:**

California Health and Human Services Agencies are being tasked with providing greater client access through e-technology to income maintenance programs via web portals that allow clients to apply for services, recertify their eligibility on-line, make appointments for service, update their records, or contact county workers through County websites. However, many low-income clients do not have home-based computers. The U.S. Census collected data on computer usage until 2005. Unfortunately, of those that lived below the poverty line, only 35.4% used a computer at all and of those only 35.3% used a computer at home.

Current government code does not provide the flexibility needed to get surplus computers and computer equipment quickly into the hands of needy low-income recipients of public assistance programs directly by Social Service departments without the utilization of pass through agencies.

### **PUBLIC BENEFIT/IMPACT**

Access to home based computers and these e-technology capabilities could reduce the number of in-office visits required for low-income working clients and reduce phone calls to eligibility workers. Access to home computers could also give clients the ability to perform employment searches and provide their children with automated resources to help them in school, enhancing the families earning and learning potential.

### **COST TO THE GOVERNMENT**

The original cost of these computers is funded through the Department of Social Services with the majority of funding coming from State/Federal funds. Donated surplus equipment is generally considered antiquated for high volume, high speed utilization by County employees but they are still useful for less complex and less high-speed client use. In addition, removing the requirement to have a pass through agency could result in county savings resulting from non-profit administrative fees.

### **REQUESTED ACTION AND STRATEGY**

Revise Government Code 25372 to read: (a) Except as restricted by any conditions by which the county acquired the property, the board of supervisors may donate or lease any real or personal property that the board declares to be surplus to any public agency or organization exempt from taxation listed in subdivision (b). *The board of supervisors may authorize County Welfare Departments under direction of the Agency Director, the authority to donate surplus computer equipment directly to CalWORKs, CalFresh, Medi-Cal and General Relief recipients.* The board may impose on the donation or lease any terms and conditions that it determines to be appropriate.

### **CONTACT**

Kathy Gallagher, Director, Department of Social Services, 805.681.4451  
Terri Nisich, Assistant CEO, 805-568-3400

**PRIORITY:** Proposed State Legislation



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## ***SOCIAL SERVICES IN-HOME-SUPPORTIVE SERVICES (IHSS)***

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### **SUMMARY OF THE ISSUE**

The In-Home Supportive Services (IHSS) program provides assistance to eligible low-income aged, blind and disabled individuals who are unable to remain safely in their own homes without this service. By providing assistance with daily tasks of living, IHSS maintains independence and quality of life while avoiding the more costly alternative of institutionalization.

Services to these vulnerable individuals has been reduced through State budget cuts over the past two years. Now, the FY 11/12 State budget has included the IHSS program in the list of “trigger” cuts effective January 2012 if revenues do not meet projections. A full 20% across-the-board reduction in hours of service would be imposed. When added to previous reductions, the elderly and disabled will see one quarter of their service hours slashed.

### **PUBLIC BENEFIT/IMPACT**

IHSS is a critical program, preventing costly institutionalization and directly affecting the health and safety of recipients. Few social services programs have had such an immediate, positive and profound affect on a person’s quality of life. Retaining independence allows low-income elderly and disabled persons to continue to participate in family and community life, without placing an undue burden on loved ones or on local government.

### **COST TO THE GOVERNMENT**

IHSS supports and monitors the elderly and disabled in their homes, thus delaying the onset of major medical issues. If service hours are significantly reduced, as is proposed in the State budget, many recipients will be forced into more costly institutionalization at public expense. The average cost of care in a nursing home is \$7,000 per month, whereas the average cost of care through IHSS is approximately \$1,200 per month. Additionally, many recipients who lose hours of assistance will debilitate more rapidly and require increased medical care, which increases government health care costs and places a burden on local health care systems.

### **REQUESTED ACTION AND STRATEGY**

In order to preserve the safety net for Santa Barbara County’s most vulnerable aged and disabled citizens, the County requests that its delegation advocate for waiving cuts to IHSS service hours in the FY 11/12 State budget and preserve existing IHSS funding levels.

### **CONTACT:**

Kathy Gallagher, Director, Department of Social Services, 805.681.4551  
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**PRIORITY:** Targeted State Advocacy

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## **SAFETY NET PRESERVATION**

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### **SUMMARY OF THE ISSUE**

In Santa Barbara County, almost 60,000 people, or 15.0% of residents are living below the federal poverty level. There are approximately 19,000 or 20.5% of the County's children living in poverty. These rates reflect the impacts of a weak economy, the resulting recession, a slow and prolonged recovery, and drastic cuts in health and human services programs at the State level. All of these factors have disproportionately affected low income seniors, children and families leaving their basic needs at risk of being unmet.

For those workers and their families who are living paycheck to paycheck, unemployment or serious illness can plunge their families into poverty. Many will turn to government run safety net programs for help. Unfortunately, cumulative cuts to county-administered health and human services programs add up to a loss of more than \$2.4 billion in state and federal funds since June 2001. The shrinking public safety net has put extreme pressure on underfunded community based organizations to "catch" these needy families. If the safety net cannot temporarily assist those in need until their economic conditions improve, more residents will fall into poverty.

### **PUBLIC BENEFIT/IMPACT**

Hunger and malnutrition exacerbate chronic and acute diseases and speed the onset of degenerative diseases among the elderly, which affects their quality of life and increases their care costs. Children who are hungry or sick cannot learn and may fail to reach their full potential, leading to an uneducated future workforce. Residents without health insurance turn to emergency rooms, which shifts the burden and cost of health care to local communities.

### **COST TO THE GOVERNMENT**

Poverty imposes enormous costs on society and can have devastating implications on the short-term and long-term economic vitality of Santa Barbara County. The long-term economic impacts of poverty include the lost potential of children raised in poor households. The short-term impacts include lower productivity, earnings and purchasing power of poor adults, poor health, increased crime, and broken down neighborhoods.

### **REQUESTED ACTION AND STRATEGY**

In order to preserve the safety net for the County's most vulnerable citizens we request that its delegation advocate to preserve existing safety net program funding levels at both the State and Federal levels and restore cuts to safety net programs in future budgets.

### **CONTACT**

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### **PRIORITY:**

Targeted State and Federal Advocacy

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# SENIOR SERVICES – OLDER AMERICANS ACT REAUTHORIZATION

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## **SUMMARY OF THE ISSUE**

The Older Americans Act provides federal funding to Area Agencies on Aging (AAA's) to help low-income seniors live independently in their communities through supportive, nutrition and health promotion programs and services. This act is due to expire on September 30, 2011, and the programs and services it funds are alternatives to the County administered In-Home Supportive Services and Adult Protective Services programs. Presently there are over 54,000 seniors over the age of 65 within the County of Santa Barbara (13% of the County's population). This number is expected to double by the year 2050 placing additional demands on a variety of health and human services programs. Key issues facing seniors within the County are in-home care housing as well as public assistance needs for those that live below the poverty level. Therefore, it is imperative to ensure that the services and programs currently in place, are reauthorized to meet the growing population and needs of low-income seniors.

## **PUBLIC BENEFIT/IMPACT**

While seniors are the fastest growing sector of the population, little funding is provided to address overall spectrum of needs faced by individuals as they age. Without assistance, seniors often lack the ability to remain in their own homes and thus must resort to assisted living facilities at extraordinary costs or rely on family members and professional or informal caregivers for continued care. In addition, as a result of increasing medical needs, seniors utilize emergency rooms and public clinics at an increasing rate as a result of lack of appropriate health coverage. A comprehensive program of safety net services provided via community providers and governmental agencies, provides for the opportunity for seniors to remain independent for a longer period and provides for the spectrum of health and human services needs required to age with dignity.

## **COST TO GOVERNMENT**

For many older adults, a few hours a week of in-home services provided by the Older Americans Act can delay or prevent costly nursing home care for low-income seniors who are not eligible for In-Home Supportive Services administered by the Department of Social Services. Evidence confirms that good nutrition is important in maintaining the health and functional independence of older adults. It can reduce costly hospital admissions and delay nursing home placement. A majority of older adults in the US have diabetes, hypertension, high cholesterol or a combination of these chronic conditions. These conditions can be successfully managed with appropriate nutrition interventions that will improve health and quality of life. Left unchecked, these conditions result in increased costs.

## **REQUESTED ACTION AND STRATEGY**

That the County work with its legislative delegation and key representatives to support reauthorization of the Older Americans Act and increase funding for senior related services. Support critical components of the Older American's Act which promotes the health and well-being of low-income seniors by providing funding for Area Agencies on Aging for nutrition services and prevention and health promotions services enhancing the quality of life of low-income seniors.

## **CONTACT**

Kathy Gallagher, Director, Department of Social Services, 805.681.4451  
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## **PRIORITY:**

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## STATE SOCIAL SERVICES FUNDING

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### **SUMMARY OF THE ISSUE**

For the County Department of Social Services (DSS), the State pays a portion of the costs associated with providing mandated public assistance programs (“cost of doing business” or “CODB”). However, the State’s contribution has not kept pace with inflation or the actual costs of administering mandated programs. Rather, the state has frozen its funding for administration and overhead at the 2001 level. Although the department receives funding for caseload growth, absence of CODB funding prevents the department from pursuing new technologies and increased efficiencies, or achieving staffing levels that adequately address the needs of the clients and fulfill the mandated timelines established by the State and Federal government. DSS has deferred funding other needs in lieu of programmatic cuts, but cannot continue this practice indefinitely.

The State does not plan to provide these resources in the foreseeable future. Although it has been mitigated up to now by DSS, the full impact will begin to negatively impact the Department’s ability to deliver mandated services.

### **PUBLIC BENEFIT/IMPACT**

As a result of the many years of withholding CODB and a compounding of the shortfall by adding Medi-Cal CODB withholding to the equation, it has eroded DSS’s ability to maintain adequate staffing levels to meet client demand. Consequently, clients are experiencing longer wait times and delays in eligibility determinations, which has increased food insecurity, homelessness and delayed access to medical coverage. Staffing shortfalls also result in a delay in investigations which may result in individuals-being left in an abusive or negligent situation.

### **COST TO THE GOVERNMENT**

The state’s failure to fund actual county cost increases has led to a funding gap of nearly \$1 billion annually. Freezing funding also shifts costs to counties and increases the county share of program costs above statutory sharing ratios. Continued under-funding by the State has resulted in staffing decreases without a comparable decrease in State mandated programs. Should this continue, it would mean a significant decrease in service delivery, create performance inefficiencies and impact the ability to meet mandated timeframes while simultaneously exposing the county to increased liability particularly in CWS. Additionally, failure to meet mandated performance measures in programs may lead to fiscal sanctions being imposed by the Federal and State governments.

The Department estimates a \$13.6 million funding gap for FY 11-12 due to costs of administering programs without corresponding increases in State funding. The Department has used reserves and deferred spending on building maintenance and other equipment upgrades to absorb the funding gap each year. While these strategies may temporarily close the gap, there are both short and long-term impacts to the Department’s operations.

### **REQUESTED ACTION AND STRATEGY**

The County requests that its delegation support efforts to restore appropriate funding levels immediately and continuing into the future. Counties do not have the discretionary income to backfill the states responsibilities for funding these programs.

### **CONTACT:**

Kathy Gallagher, Director, Department of Social Services, 805.681.4451  
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**PRIORITY:** Targeted State Advocacy

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## SOCIAL SERVICES TANF REAUTHORIZATION

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### **SUMMARY OF THE ISSUE**

The Temporary Assistance for Needy Families (TANF) program was founded on the idea that states should have the flexibility to design their programs in a way best suited to their unique populations in order to help families transition from assistance to self-sufficiency. The last reauthorization of TANF, which was part of the Deficit Reduction Act of 2005, was heavily weighted toward Federal oversight and penalties instead of state flexibility – a change that reflected a level of distrust that was unwarranted given the progress states made in reducing the welfare rolls after TANF was initially implemented. The success of TANF depends on counties' flexibility to target local needs and support participant's work activities. Without that flexibility and the funding to implement it, the working families who are struggling toward self sufficiency will lose supportive services and many will be unable to successfully end their reliance on cash assistance. Welfare reform is an ongoing process of supporting working families in gaining self-sufficiency, not a one-time removal of families from the welfare rolls.

With congressional reauthorization looming in December 2011, we support flexibility that allows States and Counties to meet the individual needs of their caseloads. We support establishing Federal rules that measure the effectiveness of welfare programs by utilizing more outcome-based measures.

### **PUBLIC BENEFIT/IMPACT**

Santa Barbara County continues to struggle with the challenge of complying with Federal regulations and finds it difficult to achieve the federal Work Participation Rates (WPR), placing our County at risk of fiscal sanction. At the same time, significant funding cuts have been made by the Governor on CalWORKs and Employment Services funding that impacts staffing levels and supportive services, which further constrains our ability to meet these measures. If the current TANF WPR methodology remains unchanged, counties will be faced with policy decisions that will impact client services and possibly lead to County sanctions. These cuts almost certainly will translate into delays in processing applications and issuing checks, fewer clients finding jobs, and slashing programs such as housing help and domestic violence counseling. The latest California budget cuts are at the heart of the welfare-to-work approach, which many fear will be difficult to restore even after the current economic crisis is resolved.

### **COST TO THE GOVERNMENT**

Since TANF Reauthorization in 2005, the current required Federal participation rate of 50% has not be met statewide and State Legislation requires that counties participate in the required fiscal sanction. TANF Reauthorization offers an opportunity to change the current one-size fits all Federal rules that penalize States and Counties instead of offering flexibility and incentives gauged toward effective measures of welfare program success.

### **REQUESTED ACTION AND STRATEGY**

The County requests that its delegation advocate at the Federal level to reauthorize the Temporary Assistance for Needy Families (TANF) program to restore and enhance state and county flexibility to tailor work and support services that move families into self-sufficiency based on their unique needs. TANF Reauthorization must undo the damaging effects of the 2005 TANF Reauthorization changes to the WPR formula and definition of "work." The County is interested in a balanced approach between federal oversight and state flexibility with better and more outcome-based measures of success.

### **CONTACT:**

Kathy Gallagher, Director, Department of Social Services, 805.681.4451

Terri Nisich, Assistance CEO, 805.568.3400

**PRIORITY:** Targeted State and Federal Advocacy

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## CHILD SUPPORT PROTECTION ACT OF 2011

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### **SUMMARY OF THE ISSUE**

This bill would make more funding available to California's Child Support program and have no immediate impact on how much funding is received in Santa Barbara County.

### **COST TO THE GOVERNMENT**

This legislation would return the program to rules in place prior to the Deficit Reduction Act of 2005. These proposed rules on how federal and state dollars are matched in the Child Support program would result in a shifting of \$30 million in annual expenditures from state discretion to federal obligation.

### **REQUESTED ACTION AND STRATEGY**

The California Child Support program is requesting federal lobbying support in favor of S195, the Child Support Protection Act of 2011. There is an economic argument for this legislation: for every dollar of public expenditure, the Child Support program collects and distributes \$3, either directly reimbursing the government for welfare costs or going straight to families. This program is an important economic stimulus and decreases the demand for public services for low income single parent families. With California's deep financial challenges, the state needs this federal Child Support assistance.

### **CONTACT**

Carrie Topliffe, Santa Barbara County Child Support Director

**PRIORITY:** Proposed Legislation

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## SANTA BARBARA COUNTY FIRST 5 – PROP 10

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### **SUMMARY OF THE ISSUE**

Proposition 10, “The Children and Families First Act”, was passed in 1998 to tax tobacco products to fund early child development. Due to the State’s poor economy and budget shortfalls, legislative bills and budget proposals are continuously under consideration to divert Proposition 10 funds to backfill previously State-funded programs which focus on children and families and use the funds for unrelated services. The County opposes any efforts to divert, reprogram or “borrow” Proposition 10 funds.

### **PUBLIC BENEFIT/IMPACT**

Santa Barbara County First 5 uses its Proposition 10 funds to promote programs focusing on health and well-being, education, safety and early childhood development for families and children under the age of five. These programs reflect local control and local solutions as programs are designed to address the needs of the Santa Barbara County community.

First 5 investments in newborn home visiting, children’s health and safety, early childhood development and education, and family strengthening services for children prenatal through age five, as well as supports placed-based strategies around community collaboratives.

Proposition 10 was passed by voters thirteen years ago and since then, young children have received health insurance, timely immunizations, dental care, early identification of special needs and quality child care and preschool services. These services have been customized to the local community and reflect the vision behind local community-based strategic plans. Diverting or reprogramming these funds would allow the State Legislature to determine how to use these funds and may even result in these funds being used for services entirely unrelated to children.

### **COST TO THE GOVERNMENT**

Diverting or reprogramming these funds would result in significant harm to children ages 0-5, by reducing or eliminating critical prevention and early intervention services. There would be a negative impact on the budgets of both local public agencies and local community-based organizations that depend on the long-term contracts currently in place with First 5. Moreover, funding of prevention and early intervention services may save money in the long-term, by reducing the need for government to provide crisis services or other more long-term costly treatments that may arise without proper prevention and intervention.

### **REQUESTED ACTION AND STRATEGY**

The County requests its delegation oppose any efforts to divert, reprogram or “borrow” Proposition 10 funds.

### **CONTACT**

Pat Wheatley, Executive Director, First 5 Santa Barbara County, 805.884.8087

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## DISTRICT ATTORNEY LEGISLATIVE ENHANCEMENTS

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### **SUMMARY OF THE ISSUE**

The Santa Barbara County District Attorney (DA) promotes crime prevention, protects the rights, and ensures the safety of the residents of Santa Barbara County through criminal prosecution and enforcement remedies. Violent crimes are prosecuted with intensity and focus; a core focus of the DA is to break the cycle of crime and hold offenders accountable. The DA is committed to achieving justice for the most vulnerable residents and providing innovative and efficient solutions to protect victims. The mission of the DA is to pursue truth and justice by employing the highest ethical standards in vigorously prosecuting the guilty, protecting the innocent and preventing crime. Ensuring adequate legislative reforms for various initiatives is a top priority for the DA in its mission to prosecute offenders and ensure safety and justice for all.

### **AB 765**

During the 2011 Legislative Session, AB 765 was introduced by Assemblymember Katcho Achadjian on behalf of the Santa Barbara County District Attorney. Assembly Bill 765 would protect victims of rape by clarifying that a perpetrator who induces a victim into sexual activity by impersonating a cohabitant (live-in boyfriend or girlfriend) is guilty of felony rape by fraud. Under existing law, felony rape can be prosecuted in cases where a victim submitted to sexual activity “under the belief that the person committing the act is the victim’s *spouse* and this belief is induced by any artifice, pretense, or concealment practiced by the accused, with intent to induce the belief.” AB 765 would protect victims of rape by making it clear that a perpetrator who impersonates a victim’s *spouse or cohabitant* in order to commit a sexual act is guilty of felony rape by fraud. Doing so would empower District Attorneys with the tools necessary to prosecute rape cases by addressing the antiquated notion that everyone who lives together is married.

Other legislative initiatives to support include efforts to strengthen sexual battery laws; efforts to allow all law enforcement to obtain basic telephone/internet subscriber information during the investigative stage of a crime; and efforts to strengthen child pornography investigations.

### **PUBLIC BENEFIT/IMPACT**

The DA is committed to prosecuting crimes and ensuring safety and justice for everyone in Santa Barbara County.

### **COST TO THE GOVERNMENT**

Prosecution of crimes results in criminals being taken off the streets and entering the penal system. This cost is borne by the taxpayers and County public safety departments.

### **REQUESTED ACTION AND STRATEGY**

The County will work in collaboration with the County’s legislative delegation, law enforcement agencies and the California District Attorneys Association to support passage of AB 765 in the 2012 Legislative Session. The County’s legislative delegation should support other legislative efforts to strengthen laws regarding sexual crimes.

### **CONTACT:**

Joyce Dudley, District Attorney, 805.568.2308; Terri Nisich, Assistant CEO, 805.568.3400

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## FEDERAL TRANSPORTATION FUND REAUTHORIZATION

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### **SUMMARY OF THE ISSUE**

The last Federal surface transportation investment package, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), expired almost two years ago and has since been temporarily extended several times. Various conceptual proposals have been unveiled with widely varying goals and funding levels for local and regional projects. It is also critical to local road systems that Federal funding continues.

#### Bridge Program

The primary Federal program that is crucial to maintaining bridges on local roads in a safe and serviceable condition is the Highway Bridge Program (HBP). Without it, there is not adequate funding to maintain bridges. The HBP currently applies to bridges both on and off Federal aid routes. The County maintains approximately 110 bridges that are currently eligible to receive funding through the HBP. Approximately half of those are off-system bridges. Local agencies cannot afford to fund work needed on these structures by themselves without the HBP.

#### Local Roadway Programs

Part of past reauthorization bills that would significantly increase local agencies' ability to improve existing roads is one that provides a program for rehabilitation of local roads. With limited resources available to maintain and reconstruct urban and rural roads, it is difficult to address rural roads that are often long and winding and have high maintenance costs. Past funding bills have included projects that reconstruct or repair specific county roads or areas. Projects targeted at rural roads enhance agencies' ability to maintain their road systems.

#### Specific Projects

Project-specific funding has been another key element for local governments in SAFETEA-LU and TEA-21 before it. Local projects that are too large in scope or complex in nature to be advanced using local maintenance funds have benefited from Federal transportation fund packages. Without larger scale funding sources, it will be challenging to bring these projects to fruition. If there were an opportunity to fund named projects of this type, the following projects would benefit the region or area they serve.

##### 1) Countywide Road Rehabilitation Project

This project would reconstruct and pave roads serving County residents, visitors, and those traveling to the Los Padres National Forest. It would allow the County to improve safety, ride quality, drainage, and access to rural roads and the National Forest. (\$4.5 Million - 23rd District, \$6.25 Million – 24th District).

##### 2) Hollister Avenue Corridor Improvements and Railroad Bridge Project

This project will improve the flow of multimodal transportation through an area important to this region. Hollister Avenue is a critical travel path for both residential and commercial traffic. Improvements consist of widening Hollister Avenue for 1.25 miles from State Highway 154 west to San Antonio Road and includes roadway, bicycle, and pedestrian circulation betterments. The widening will result in two 12-foot lanes in each direction, 6-foot shoulders for Class II bike lanes and 5-foot sidewalks on each side of Hollister Avenue. The Union Pacific Railroad Bridge that crosses Hollister Ave near Modoc Road will be replaced with a longer structure to accommodate the widening, and an additional bridge will be constructed to provide a siding track for Union Pacific Railroad, Amtrak, and has potential for other commuter rail in the future (\$5M for Design and Environmental Review).



3) Refugio Road Safety Improvements

This project, located on Refugio Road along the Gaviota Coast, proposes to realign and widen Refugio Road for seven miles starting at Highway 101 and continuing northerly to the summit of the Santa Ynez Mountains. It will provide for safer access for bicyclists and equestrians by widening the existing roadway to include two lanes of travel, improving shoulders and sight distances. Refugio Road crosses Refugio Creek at seven locations: six low water crossings and one bridge. The low water crossings consist of concrete encased culverts to convey creek flow which act as a bridge in low flow events. Under high flow conditions, water runs over the roadway and precludes vehicular traffic. Seasonal rains often fill culvert openings with debris, forcing the creek to flow across the roadway year round. The project proposes replacement bridge structures that will improve creek conveyance and the fish and wildlife habitat. The proposed structures will raise the roadway profile to allow for high creek flows under the road. Additional drainage improvements are proposed to address rainfall run off and ensure safe passage (\$30 Million total cost, requesting \$2.9 million for Design and Environmental Review).

4) Purisima Road Widening Improvements

This project would widen Purisima Road from State Highway 1 to State Highway 246 to allow for 5-foot Class II bike lanes adjacent to 11 to 12-foot travel lanes. It would increase safety for bicyclists and encourage regional bicycle travel as a viable form of alternative transportation. The project would include widening the roadway, realigning the roadway and constructing drainage improvements. These improvements will mesh with two proposed regional projects to serve those traveling through the region: 1) Caltrans improvements on State Route 246 that include bicycle lanes and intersection improvements, and 2) a proposed space museum that visitors could access using this route (\$4.8M).

**PUBLIC BENEFIT/IMPACT**

These programs and projects increase the safety and serviceability of our roads and bridges for the various users of the County’s road system including motorists, bicyclists, and pedestrians.

**COST TO THE GOVERNMENT**

The President signed SAFETEA-LU into law on August 2005, authorizing \$244.1 Billion in funding for highways, highway safety, and public transportation. This bill continues to be extended at current funding levels. Increasing the funding levels commensurate with current needs and costs would help mitigate the nationwide decline of public infrastructure conditions.

**REQUESTED ACTION AND STRATEGY**

The County requests support from its delegation to include these transportation projects and programs in the Federal Transportation funding reauthorization. It is critical to our mission that Highway Bridge Program funds be maintained or increased for on- and off-system bridges. Reports on the nation’s infrastructure indicate it is in decline and that reversing the trend will require significant funding at all levels and on all infrastructure systems. The longer we wait to address our road and bridge maintenance needs, the more repairs will cost.

**CONTACT**

Scott McGolpin, Director, Public Works Department, 805.568.3010

**PRIORITY:** Appropriation Request - Proposed Legislation - Targeted Advocacy



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## Land Use: Housing Element: Regional Housing Need

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### **SUMMARY OF THE ISSUE**

The Planning and Zoning Law requires a city or county to prepare and adopt a comprehensive, long-term general plan, and requires the general plan to include specified, mandatory elements, including a housing element. That law requires the housing element to contain, among other items, an assessment of housing needs and an inventory of resources and constraints relevant to the meeting of those needs. That law requires the assessment and inventory, in turn, to contain an inventory of land suitable for residential development. This bill would require densities less than those specified by existing law to be deemed appropriate to accommodate housing for lower income households, if: the site is zoned to allow a minimum residential density of 10 units per acre, is located close to jobs and within one mile of a grocery store or elementary school, and is either owned by the county, is set aside for affordable housing development, and will be provided for the development of affordable housing at no cost to the developer, or the county has committed to providing subsidies of at least 15% of the total development cost per unit for the construction of affordable housing on the site during the planning period, as specified

### **PUBLIC BENEFIT/IMPACT**

*(To be discussed)*

### **COST TO THE GOVERNMENT**

*(To be discussed)*

### **REQUESTED ACTION STRATEGY**

It would lower the minimum required density for housing to be deemed affordable for lower income households if certain conditions were met. Currently state law allows for zoning of 20 units an acre to be considered affordable by design to low income households. This bill would lower that allowable density to 10 units an acre if certain conditions are met. This would make it easier to get RHNA credit for the low income category by providing the County more options to count certain parcels as having the capacity to accommodate low income households in its Housing Element Land Inventory. This is a requirement the County has traditionally struggled with in the past, leading to controversial rezones to meet RHNA requirements. Therefore, any bill that gives the County more options when conducting its Land Inventory will have a beneficial impact on the Housing Element process, while still ensuring County housing needs are being met. The bill would also provide for affordable housing in a manner more compatible with neighborhoods that are not high-density and urban in design, and thus provide more options to a county government.

### **COUNTY CONTACT**

Jeff Hunt, Planning & Development

### **PRIORITY**

Targeted State Advocacy

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#### **COUNTY EXECUTIVE OFFICE**

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*Terri Maus Nisich, Assistant County Executive Officer*



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## Land Use: Housing Element

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### **SUMMARY OF THE ISSUE**

State law requires a council of governments that assigns a county's share of regional housing needs to reduce that county's share if specified conditions relating to the transfer of shares are met, including the condition that the county's share of low-income and very low income housing only be reduced in proportion to the amount by which the county's share of moderate- and above moderate-income housing is reduced.

This legislation would provide that, with respect to that condition, in the case of a transfer in which a county provides funding for affordable housing construction within a city, that transfer does not have to be proportional across income categories, but may reflect the specific affordability of units that are being funded.

### **PUBLIC BENEFIT/IMPACT**

*(To be discussed)*

### **COST TO THE GOVERNMENT**

*(To be discussed)*

### **REQUESTED ACTION STRATEGY**

Legislation would allow the County to more easily transfer some of its low income housing requirements to cities by removing the requirement for proportional reductions in moderate and above moderate housing. The positive impact to the County would be to encourage County funding of affordable housing projects within cities, where more jobs are located, decreasing commute times and providing more housing for workers, while assuring that the Countywide RHNA allocation is still being met.

### **COUNTY CONTACT**

Jeff Hunt, Planning & Development

### **PRIORITY**

Targeted State Advocacy

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## CACHUMA LAKE- BOATER SAFETY AND ENFORCEMENT FINANCIAL AID

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### **SUMMARY OF THE ISSUE**

The County of Santa Barbara has been entrusted by the public to assure boaters are practicing safe boating protocol, as well as enforcing the rules and regulations on Cachuma Lake for over 50 years. The California State Department of Boating and Water Ways has a financial aide program to help offset the costs of boating safety and enforcement (Boating Safety and Enforcement Financial Aid Program). Currently there are 38 counties participating in this program. However, due to program and legal constraints, any new counties wishing to sign up for the program are put on a waiting list. The current program will allow any county to receive up to 20% of the program funds, which is allowing one county to monopolize the majority of funding. The current program has \$10.6 million per year in funding, of which over \$2.1 million go to one county agency, leaving the other 37 counties to split the remaining \$8.5 million, for an average of \$229,000 each.

The Boating Safety and Enforcement (BS&E) Financial Aid Program was established in 1969 by Assembly Bill 1827, which became Section 663.7 of the Harbors and Navigation Code (H&N) once enacted. Section 6593 of the California Code of Regulations (CCR) was developed in 2002 to further implement this program. The purpose of the BS&E Financial Aid Program is to provide State financial aid to local governmental. The program is intended to augment existing local resources for boating safety and enforcement activities.

### **PUBLIC BENEFIT/IMPACT**

Cachuma Lake serves over 600,000 visitors each year and the majority of visitors use the lake for recreational boating. Access to the boating and safety enforcement financial aide program will help the county offset the costs of providing safety and enforcement on Cachuma Lake.

### **COST TO THE GOVERNMENT**

While the County does currently receive funding for safety and enforcement from recreational boat licensing fees collected by the state, any costs occurred above this amount is done so at the expense of the County.

### **REQUESTED ACTION AND STRATEGY**

The County requests lobbying the state to adjust their guidelines for the boating and safety enforcement financial aide program to allow more Counties access to the funding and also allow for more even distributions of the funds available.

**CONTACT:** Brian Roney, Interim Director, Parks Department, 805.568.2461; Terri Nisich, Assistant CEO, 805.568.3400.

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