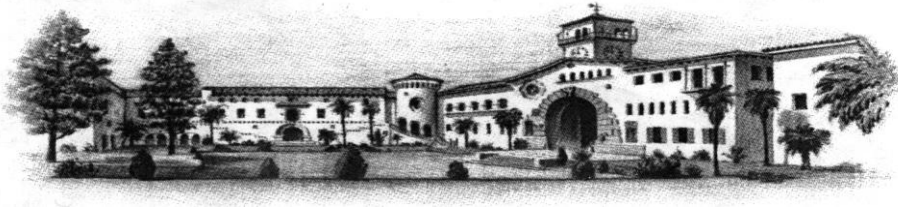


DRAFT 4/23/09 MINUTES



County of Santa Barbara Meeting of the Legislative Program Committee

AGENDA

Date: April 23, 2009

Time: 2 – 3:30 p.m.

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 members were present.

Public Comment

No public comment.

Action Items:

1. Approve minutes from February and March 2009 meetings (Attachments 1a: Draft summary from February 18, 2009 and Attachment 1b: Draft summary from March 23, 2009).
Action: Motion made by Supervisor Carbajal to approve the minutes, second by Mr. Marshall and motion passed 5-0.
2. Adopt meeting schedule for May as May 15, 2009 at 2 PM.
Action: Motion made by Supervisor Wolf to adopt the May 15, June 1, July 17 and August 21 meeting schedule, second by Supervisor Carbajal and motion passed 5-0.
3. Receive an update on federal issues of interest to the County including the federal fiscal year 2010 appropriations process, SAFETEA-LU (transportation) reauthorization, economic stimulus, healthcare reform, immigration, offshore oil leasing, wildfire suppression, and 2-1-1/social services and direct staff to take action as necessary (*Attachment 3a: Washington Update from Tom Walters and Associates, Inc., Attachment 3b: Federal legislation*)
 - a. S168: SCAAP Reimbursement Protection Act: allow SCAAP reimbursement for incarcerating illegal aliens charges with crime rather than convicted of a crime
 - b. H.R. 1906: California Ocean and Coastal Protection Act: permanently prohibit oil and gas leasing off the coast of California

- c. S 561/ H.R. 1404: FLAME: Create funding specifically for catastrophic emergency wildland fire suppression
- d. H. R. 211: Calling for 2-1-1: Authorize matching grants to implement/ maintain 2-1-1 system for social service assistance/referrals.

Action: Update received, no motion required. Request was made by Supervisor Wolf to review S132 and other gang prevention bills at the next meeting.

4. Receive an update on State issues of interest to the County including an update on County sponsored-bills, bills introduced by the County's representative Assemblymember Nava and other bills of interest to the County and direct staff to take action as necessary. Other bills introduced by the County's representatives will be discussed in detail at the next meeting. *(Attachment 4a: State Update from Governmental Advocates, Inc., Attachment 4b: SB County Legislation from Assemblymember Nava, 4c: Status Update for Legislative Bills for March 2009)*

- a. County-sponsored bills/County in support:
 - i. SB326 (Strickland): Land Use/Housing Element: Requires the housing element to include as part of the analysis of existing and projected housing needs, a quantification of the locality's existing and projected foreclosure rate and its impact on housing needs. **Update: Bill to consent calendar of Housing and Transportation Committee on 4/28/09.**
 - ii. AB359 (Nava): Breast and cervical cancer: early detection screening: digital mammography reimbursement rates: Requires digital mammography screening to be covered when analog mammography services are not available from the provider. It would permit coverage of digital mammography screening where digital and analog mammography are both available and would authorize digital screening eligibility and reimbursement under these programs only for those screenings where the provider agrees to receive reimbursement in full at the analog rate. **Update: Bill to Health Committee on 4/28/09.**
 - iii. SB619 (Strickland): Flood control: County of Santa Barbara: Lower Mission Creek: Authorizes the state to provide subvention funds, as prescribed, to the County of Santa Barbara, or to local agencies in that county, for a flood control project on the Lower Mission Creek. **Update: Bill being co-sponsored by Assemblymember Nava, to Natural Resources Committee on 4/28/09.**
 - iv. AB486 (Chesbro): Local government: emergencies: Requires any governing body to review the continuing need for a local emergency at least once every 30 days until the local emergency is terminated (as compared to every 14 days as currently exists). Note: The County is not the sponsor of this bill, but supports the bill (this issue was part of the County's 2009 adopted legislative platform). **Update: Bill passed in Assembly and to the Senate on 4/23/09.**

Action: Update received, no motion required. Discussion occurred regarding the Legislative Program Committee holding a brainstorming/ strategy session in the fall on possible ideas for legislative bills.

- b. Other Bills Introduced By Assemblymember Nava
 - i. AB50 (Nava): Disaster relief: Allows homeowner property tax exemption to victims of GAP **and Tea Fires** and provides state reimbursement to County for loss of local property taxes resulting from reduced tax assessments from damaged homes. *Note: County is in support of bill and the concept is part of the*

adopted 2009 legislative platform. Update: Clarification that bill covers both Gap and Tea Fires. No action needed as County has already supported bill.

- ii. **AB566 (Nava):** Mobilehome parks: conversion: Provides local governments with the option to deny a mobilehome park conversion application where there is evidence that park residents are opposed. Ventura County is co-sponsor. *Note: No position has been taken to date. Committee may determine whether to take a position on this bill today.*

Action: Motion made by Supervisor Carbajal to support this bill, second by Supervisor Wolf and motion passed 5-0.

- iii. **AB1156 (Nava):** Surplus funds: local agencies: investments: Prioritizes the investments of state funds into California community banks. *Note: No position has been taken to date. Committee may determine whether to take a position on this bill today.*

Action: Motion made by Mr. Geis to watch this bill and send it to the Treasury Oversight Committee for review and analysis, second by Supervisor Carbajal and motion passed 5-0.

- iv. **AJR 3 (Nava):** Offshore oil drilling: Would request that the Congress of the United States reinstate the federal offshore oil and gas leasing moratorium for the 2009 fiscal year and beyond. This measure would also memorialize the Legislature's opposition to the proposed expansion of oil and gas drilling off the Pacific Coast and any federal energy policies and legislation that would weaken California's role in energy siting decisions by those policies. *Note: No position has been taken to date. Committee may determine whether to take a position on this bill today.*

Member of the public, Judy Ishkanian of the Neighborhood Defense League of California, spoke in opposition to AJR3 due to financial solvency issues.

Action: Motion made by Supervisor Carbajal to support AJR3, second by Supervisor Wolf. Motion passed 4-1, with Mr. Brown voting no.

- 5. Receive a presentation on the following bills and determine whether to take a position. (*Attachment 5a: Matrix of Bills for Consideration, Attachment 5b: Supplemental Bill Analysis*)
 - i. **AB761 (Calderon):** Mobilehome park rent control: This bill would provide, in addition, that upon the sale, assignment, transfer, or termination of an interest in a mobilehome or a mobilehome tenancy in a mobilehome park, the management of the park may offer a new rental agreement containing an initial rent in excess of the maximum rent established by a local measure.
Member of the public spoke against this bill and the need to protect mobilehome parks in Goleta. Action: Motion made by Supervisor Wolf to oppose this bill, second by Supervisor Carbajal and motion passed 5-0.
 - ii. **AB558 (Portantino):** Land use planning: housing element: foster youth placement: Allows a city to reduce its regional housing need allocation (RHNA) by up to 10% if it adopts a program to actively promote and assist in the placement of foster youth in existing family-based households.
Action: Motion made by Supervisor Wolf to support if the bill does not have any ill impacts to the County, second by Supervisor Carbajal and motion passed 5-0.

- iii. AB494 (Caballero): Local Planning. Farmworker housing: Authorize a landowner subject to a Williamson Act contract to subdivide not more than 10 acres of land under a Williamson Act contract to be sold or leased to a nonprofit organization, a city, a county, a housing authority, or a state agency and used for farmworker housing for at least 30 years

Action: Motion made by Supervisor Carbajal to oppose this bill, second by Supervisor Wolf and motion passed 5-0.

- iv. AB512 (Yamada): Agricultural land: Williamson Act: compatible uses: Would include horse breeding and training facilities as a compatible use of land under a Williamson Act contract.

Action: Motion made by Supervisor Wolf to support, second by Supervisor Carbajal and motion passed 4-1 with Mr. Brown abstaining.

- v. SB715 (Wolk) Agricultural land: Williamson Act: (1) Defines "agricultural income" to mean continuous income derived from either an agricultural use or an agricultural commodity, or both. (2) Authorizes the board of supervisors of a county to require the county assessor to send an annual survey to verify continuous agricultural income from one or more agricultural uses or agricultural commodities, in the form the board prescribes, to all owners of land under a contract, and would require the owner or owners to return the completed survey to the assessor within 60 days. (3) Requires the legislative body of a city or county to deny approval of a tentative map, or parcel map for which a tentative map is not required, for the proposed subdivision of land that is subject to a contract entered into pursuant to the Williamson Act, unless the legislative body finds, among other things, that the proposed subdivision will be consistent with the purposes of that act, each resulting parcel of land will be consistent with the local rules relating to that act, and the approval of the proposed subdivision does not compromise the long-term commercial agricultural use or open-space use, as specified. The bill would also authorize the legislative body to impose any reasonable and necessary restrictions on the residential use of any resulting parcel. (4) When a city or county serves written notice of non-renewal of an open-space easement contract, a Williamson Act contract, or a farmland security zone contract, and the landowner makes a written notice of protest, the board of supervisors or the assessor is required to follow specified steps in assessing the annual value of the land until the contract term expires, beginning no later than one year after the date of the notice of non-renewal.

Action: Motion made by Supervisor Carbajal to have the Agricultural Advisory Committee and the Agricultural Preserve Advisory Committee review the bill and have the Agricultural Commissioner, Mr. Gillette, report back at the next meeting. Also have the Assessor review the bill as well. Second by Mr. Geis and motion passed 5-0.

- vi. SB671 (Runner): Agricultural land: valuation. Authorizes independent fee appraiser to obtain an independent fee appraisal within 45 days of receipt of the assessor's appraisal when assessing current fair market valuations to determine the cancellation fee for removing land from a Williamson Act contract.

Action: Motion made by Supervisor Wolf to have the Assessor review the bill and report back at next meeting, second by Supervisor Carbajal and motion passed 5-0.

- vii. AB544 (Coto): Eminence credential: American Indian language: Require the Commission on Teacher Credentialing upon recommendation by a tribal government, to issue an American Indian languages eminence credential to a candidate who has demonstrated eminence in the tribal language of a federally recognized Indian tribe in California.

Action: Motion made by Supervisor Wolf to watch the bill, second by Mr. Marshall and motion passed 5-0.

- viii. AB273 (Andersen): Collections: amounts imposed by a court: Requires the superior court to refer these delinquent fines, state or local penalties, forfeitures, restitution fines and orders, and any other amounts imposed by a superior court upon a person or entity for criminal offenses to the Franchise Tax Board for collection, regardless of the amount.

Action: No action was taken as Governmental Advocates, Inc. indicated that the bill failed in Committee. It was suggested that the Probation Department pursue the concept and put forth legislative language when the County develops its legislative platform for the upcoming year.

- ix. SB676 (Wolk): Local agency fees: Removes the limit on fees that may be charged by a county recorder acting as a filing officer under the Uniform Federal Lien Registration Act.

Action: Motion made by Supervisor Wolf, to support bill second by Supervisor Carbajal and motion passed 5-0.

- x. AB320 (Solario): County Jail and re-reentry facilities: Allow counties to receive coequal preference points in bid to seek funds for local jail construction for either agreeing to site a reentry facility or contract county jail beds to the CDCR for reentry facilities.

Action: Motion made by Supervisor Wolf to support bill if amended, second by Supervisor Carbajal and motion passed 5-0.

“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>”