



**COUNTY OF SANTA BARBARA
LEGISLATIVE PROGRAM COMMITTEE**

MINUTES

Date: Monday, June 4, 2012

Time: 10:30 AM – 12:00 PM

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

Committee Members:	Salud Carbajal, First District Supervisor	Absent
	Doreen Farr, Third District Supervisor	Present until 11:30 AM
	Chandra L. Wallar, County Executive Officer	Present
	Robert Geis, Auditor-Controller	Absent
	Dennis A. Marshall, County Counsel	Present

Public Comment

- Kathy Staples re: presence at Committee meeting via conference telephone.
- Hillary Blackerby re: Middle Class Scholarship Act.
 - The Middle Class Scholarship Act would return \$1 billion back to the State.
 - Major corporations are opposed to the Middle Class Scholarship Act, such as Kimberly Clark and Procter & Gamble.
 - Hillary Blackerby requested that the issue be taken to the Board of Supervisors as soon as possible.
 - Supervisor Farr directed staff to prepare a Board Letter regarding the Middle Class Scholarship Act for the June 19, 2012 Board of Supervisors meeting.
 - Staff Update: This item was taken to the BOS on June 19 as directed. The vote was 2-2; therefore, no action was taken on the matter.

Action Items:

1. Approve minutes from the May 7, 2012 meeting.

Motion made by Farr, seconded by Marshall, to approve the minutes of the May 7, 2012 meeting of the Legislative Program Committee. Motion passed by a vote of 3-2, with Supervisor Carbajal and Robert Geis absent.

2. Receive an update on Federal issues of interest to the County and direct staff to take action as necessary. *(Note: This item was received at the end of the meeting)

Thomas Walters of Thomas Walters and Associates, Inc. provided an update to the Committee.

No action taken. The Committee lost its quorum at 11:30 AM; therefore, the meeting adjourned prior to the Action Item. Thomas Walters provided an update, but it cannot be considered part of the meeting.

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

Monica Miller of Governmental Advocates provided an update to the Committee.

- Monica Miller stated that the State budget now only requires a majority vote.
- Chandra Wallar directed Governmental Advocates to prepare a plan on how they will be dealing with the 50% turnover rate in the State legislature.

Motion made by Dennis Marshall, seconded by Supervisor Farr, to receive an update on State issues of interest to the County and direct staff to take action as necessary. Motion passed by a vote of 3-2, with Supervisor Carbajal and Robert Geis absent.

4. Receive an update on Realignment Funding Formulas from Chandra Wallar, County Executive Officer.

Chandra Wallar provided an update to the Committee.

- Many California counties saw significant benefits based on their population.
- The County of Santa Barbara received an allocation twice that of last year.
- Many have expressed disappointment in the realignment funding formula process.
- There is a great need for criteria other than a county's population, as well as for outcome measures.
- Counties must work together to develop an open process.
- Counties that do have realignment programs should be rewarded, whereas counties that do not have realignment programs should not receive the same level of funding.

5. Discussion and potential action items and direct staff to take action as necessary:

- A. **SB 162**, as amended, Anderson and Wyland. Economic Development. An act to amend Government Code, relating to economic development.

Terri Nisich stated that SB 162 refers specifically to State actions, as well as the State's ability to no longer oppose fee to trust applications if they are for the purpose of housing.

- SB 162 is vague, and the intent is unclear with regard to Williamson Act properties.
- SB 162 severs the State's ability to comment on fee to trust applications.
- Dennis Marshall states that once the land is part of a reservation, it is gone; once the land has gone through the fee to trust process, there is no longer an ability to comment.
- Monica Miller of Governmental Advocates stated that SB 162 went through a "gut and amend" in Sacramento, and therefore went through the House as a completely different bill.
- Supervisor Farr stated that there is nothing good about SB 162, and the "gut and amend" process is not desirable.

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- Supervisor Farr suggested that the County of Santa Barbara take a position of active opposition, as the County does not support a law that essentially gags State officials.
- Chandra Wallar stated that she is concerned with the process because counties look to the State to comment on a wide range of subjects.
- Jeremy Tittle stated that Supervisor Carbajal supports taking a position of active opposition to SB 162.
- Dennis Marshall stated that SB 162 is so vague that the courts may have to rule on the issue, which could potentially affect the County of Santa Barbara.

Public Comment:

- Bob Field spoke in opposition of SB 162, as the ability to comment should not be stifled. SB 162 would have a major impact and would affect the budget.
- Doug Herthel stated that Senator Feinstein is also concerned about SB 162. He suggested that SB 162 is unconstitutional, and proposed taking the issue to the Board of Supervisors on June 19, 2012.
- Gerry Shepherd asked how, if taken one step further, the State could oppose gaming compacts if they are no longer allowed to comment.
- Kathy Staples stated that SB 162 needs to provide clearer direction with regard to intent.
- Judy Ishkanian encouraged active opposition to SB 162.

Motion made by Supervisor Farr, seconded by Chandra Wallar, to take a position of active opposition on SB 162 via a letter that discusses the County's concerns with land use impacts and fiscal impacts, the economic detriment to the County as a result of SB162, the gut and amend process in Sacramento, and the fact that the County is an arm of the State. Motion passed by a vote of 3-2, with Supervisor Carbajal and Robert Geis absent.

Staff Update: SB 162 – Letter of Opposition attached.

- B. **SB 1054**, as amended, Pavley. Public Resources. An act to amend Government Code and to add sections to the Public Resources Code, relating to oil and gas.

Glenn Russell, Director of Planning and Development, stated that SB 1054 died on the floor.

- C. **AB 2226**, as amended, Hueso. Government Proceedings: evidence: presumption. An act to amend and add sections relating to the Government Proceedings.

Terri Nisich stated that according to AB 2226, only aspects of the evidence code could be used to determine property ownership.

- AB 2226 takes away a critical tool.
- The California Coastal Commission is concerned with the implications of AB 2226.
- Chandra Wallar asked what the authors of AB 2226 were trying to resolve.
 - Terri Nisich and Dennis Marshall responded that it is unclear.

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Motion made by Supervisor Farr, seconded by Dennis Marshall, to take a position of active opposition on AB 2226. Motion passed by a vote of 3-2, with Supervisor Carbajal and Robert Geis absent.

- D. **Resolution:** Advocating to Minimize Harm in the State Changes Which Affect Child Development Services.

Terri Nisich suggested that this issue go to the Board of Supervisors on June 19, 2012.

- Chandra Wallar stated that the difference between a Resolution and a standard opposition letter is unclear.
- Supervisor Farr stated that the issue is a priority for the County, as there are corresponding negative impacts to the community due to cuts.
- Supervisor Farr asked whether staff should write a letter opposing cuts, or whether the issue should be brought to the Board of Supervisors.
- Staff provided technical comments regarding proposed state reductions to CSAC on all areas.

6. Staff Updates:

The Legislative Program Committee meeting of June 4, 2012 adjourned at 11:30 AM due to a lack of a quorum. As a result, Action Items 6A and 6B were not discussed, and no action was taken.

- A. **SB 1241**, as amended, Kehoe. Land use. An act to amend Government Code and to add section to the Public Resources Code, relating to Land Use: general plan, safety element fire hazard impacts.
- **Action:** Committee previously directed staff to take an "Oppose unless amended" position and draft letter of opposition.
- B. **AB 1801**, as amended, Campos. Fees for Solar. An act to add to the Government Code, relating to land use. Bill would prohibit the total fees charged in association with an application from exceeding the actual cost to the city, county, or city and county.
- **Action:** Committee previously directed staff to draft a letter of opposition letter stating that AB1801 is unfunded mandate, and that duplication is not necessary.

**The Legislative Program Committee meeting of June 4, 2012 adjourned at 11:30 AM, as the Committee lost its quorum.*

"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>"

DOREEN FARR

Third District, Chair

SALUD CARBAJAL

First District, Vice Chair

JANET WOLF

Second District

JONI GRAY

Fourth District

STEVE LAVAGNINO

Fifth District

**BOARD OF SUPERVISORS**

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www.countyofsb.org**COUNTY OF SANTA BARBARA**

June 11, 2012

The Honorable Joel Anderson
 California State Senate
 State Capitol, Room 2054
 Sacramento, CA 95814

**Re: *SB162 (Anderson): Economic Development: Federally Recognized Indian Tribes-
 Opposition***

Dear Senator Anderson,

I am writing on behalf of the Santa Barbara County Board of Supervisors to inform you of the County's formal opposition to SB162 (Anderson): Economic Development: Federally Recognized Indian Tribes.

The County of Santa Barbara recognizes the need for local governments, the State, and tribal governments to work within local land use, and public engagement process, as well as all environmental review required by CEQA, when considering future development of any magnitude. However, SB 162 summarily ignores the critical need for review and comment by the State on housing, environmental protection, and cultural preservation. Taking fee land-into-trust has significant impacts at the local level which is critical to provide public safety and other critical services to all served by the County.

Once land is formally taken into trust by any tribe, local government has no meaningful mechanism to participate. This is significant in that impacts typically generated by any development are at the local government level. Furthermore, it must be clear that once land is taken into trust for the purposes specific in SB162, housing, environmental protection or cultural preservation, the land can be later designated by the tribe for any purpose.

The County of Santa Barbara, like all local governments, relies on the State to ensure that critical public interest and policy issues are addressed. Specifically, the State must assess impacts to agriculture, Williamson Act Lands, endangered species, water resources, transportation, and fire. The State must have the ability to comment as these areas have statewide implications as well as direct health and safety and quality of life impacts to the individuals served locally.

Finally, the "Gut and Amend" of legislation to create SB162, at this stage of the legislative process, does not adhere to the spirit of public engagement and the transparency required if all local governments, the State, and tribes are to work together to mutually resolve crucial issues and concerns.

SB162 (Anderson): Economic Development: Federally Recognized Indian Tribes-Opposition

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For these reasons, the County of Santa Barbara must oppose SB162 as well as any future legislation that does not fully provide for the voice and commentary from all impacted.

Sincerely,



Doreen Farr, Chair
Board of Supervisors

Distribution List

The Honorable Barbara Boxer, Chair
Committee on the Environment and Public Works
United States Senate
Washington, DC 20510

The Honorable Dianne Feinstein
United States Senate
Washington, DC 20510

The Honorable Lois Capps
U.S. House of Representatives
Washington, DC. 20515

The Honorable Elton Gallegly
U.S. House of Representatives
Washington, DC. 20515

The Honorable Tony Strickland
Senator – 19th Senate District
State Capitol Bldg. – Room 4062
Sacramento, CA 94248

The Honorable Sam Blakeslee
Senator – 15th Senate District
State Capitol Bldg. – Room 4070
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The Honorable Das Williams
Assembly Member – 35th District
State Capitol Bldg. – Room 6011
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The Honorable Katcho Achadjian
Assembly Member – 33rd District
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