

**SANTA BARBARA COUNTY  
BOARD AGENDA LETTER**



Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Agenda Number:**  
**Prepared on:** 1/31/06  
**Department Name:** CEO  
**Department No.:** 012  
**Agenda Date:** 2/7/06  
**Placement:** Administrative  
**Estimate Time:** 20 mins on 02/14/06  
**Continued Item:** NO  
**If Yes, date from:**

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**TO:** Board of Supervisors

**FROM:** Michael F. Brown  
County Executive Officer

**STAFF CONTACT:** Jim Laponis  
Deputy County Executive Officer

**SUBJECT:** County Formation Election: Ballot Arguments

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**Recommendations:**

That the Board of Supervisors set a hearing on February 14, 2006 (estimated time 20 minutes) to:

- A. Consider whether to submit a ballot argument or (arguments) “for” and/or “against” the June 6, 2006, ballot measure: “Shall the new County of Mission be formed?”
- B. Consider whether to authorize a Board member or members to submit a ballot argument(s) “for” and/or “against” the Mission County formation ballot measure on the June 6, 2006 ballot.

**Executive Summary and Discussion:**

On June 28, 2005, the Board adopted Resolution No. 05-192 (copy attached) placing on the June 5, 2006 ballot the question “Shall the new County of Mission be formed?” The resolution also speaks to the submission of written ballot arguments “for” and “against” the creation of Mission County stating that such an argument is limited to 500 words. The Board of Supervisors or any Board member or members authorized by the Board may submit written argument(s) not later than a date fixed by the Elections Official (March 15, 2006).

If the Board determines to submit a ballot argument (or arguments) or authorize a Board member or members to so submit, the argument(s) would become the official ballot argument(s). If the Board determines not to submit or authorize the submittal of an argument, the cities within the County would be next in line of preference to so submit followed by any bona fide associations of citizens or qualified electors. In the event more than one argument is submitted by cities and/or electors, the official ballot argument would be selected by the Elections Official from those submitted.

In any event, the Elections Official is to notice the request for submission of written ballot arguments “for” and “against” the creation of Mission County in at least one newspaper of general circulation in the County at least once a week for three weeks commencing not less than 70 days prior to the election. Mr. Joe Holland, the Elections Official, has stated that his office intends to publish such notice in the Santa Barbara News Press, the Lompoc Record, and the Santa Maria Times starting Sunday, February 19, 2006, to run on three consecutive Sundays.

As stated in the June 28, 2005 report to the Board, there is a legal prohibition against county employees engaging in political activity on county time and a prohibition against spending county funds on ballot measures. Further, as indicated in that report, irrespective of whether the Board submits a ballot argument, the Board at its discretion, may or may not take a position on the ballot measure. Naturally, individual Board members and/or County employees on their own time and at their own expense may actively engage in related political activities.

**Mandates and Service Levels:**

There is no mandate requiring the Board to submit argument(s) or authorize a Board member(s) to so submit. Service levels would not be impacted whether or not the Board submits a ballot argument(s).

**Fiscal and Facilities Impacts:**

There are no fiscal or facilities impacts associated with submitting a ballot argument(s).

**Concurrence:** Stephen Shane Stark, County Counsel

**cc:** Joe Holland, Clerk-Recorder-Assessor-Elections Official