



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

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

Department Name: County Executive Office  
Department No.: 990  
For Agenda Of: May 15  
Placement: Administrative  
Estimated Tme: 15 mins on 5/22 and 15  
mins on 6/6  
Continued Item: No  
If Yes, date from:  
Vote Required: Yes

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**TO:** Board of Supervisors  
**FROM:** Department Michael F. Brown, Executive Director, Redevelopment Agency  
Director(s)  
Contact Info: Terri Maus-Nisich, Assistant County Executive Officer  
Jamie Goldstein, Deputy Director, Redevelopment Agency (x 8050)  
**SUBJECT: Set Hearing for Redevelopment Agency Compliance with SB 53 and SB 1809**

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**Recommended Actions:**

That the Board of Supervisors set hearings to consider the proposed ordinance regarding County Redevelopment Agency compliance with SB 53 and SB 1809.

- a) Set hearing for May 22, 2007 (Time estimate: 15 mins), as follows:
- i. Consider the introduction (first reading) of an ordinance describing the Santa Barbara County Redevelopment Agency's Program concerning the use of eminent domain to acquire real property in the Isla Vista Redevelopment Project Area and finding that the Agency does not have the power of eminent domain in the Project Area for compliance with SB 53 and SB 1809.
  - ii. Approve the Notice of Exemption pursuant to Section 15378 of the California Environmental Quality Act (CEQA) Guidelines.
- b) Set hearing for June 6, 2007, as follows:
- i. Consider the adoption (second reading) of an ordinance describing the Santa Barbara County Redevelopment Agency's Program concerning the use of eminent domain to acquire real property in the Isla Vista Redevelopment Project Area and finding that the Agency does not have the power of eminent domain in the Project Area in compliance with SB 53 and SB 1809.

**Summary Text:**

This item is before the Board to comply with recent legislation regarding the use of eminent domain and redevelopment. Senate Bill 53, which was passed last year, requires the County, prior to July 1, 2007, to adopt an ordinance that contains a description of the redevelopment agency's program for the

acquisition of real property using eminent domain. This requirement applies to all jurisdictions with redevelopment agencies, even those with redevelopment plans like Santa Barbara County's, that do not contain eminent domain authority.

This new requirement is codified in Health and Safety Codes Section 33342.7. SB 53 also provides that after adoption of the ordinance, a redevelopment agency can only amend the program for acquisition of real property by use of eminent domain that is set forth in the ordinance by amending its redevelopment plan in accordance with the procedures and requirements of the California Community Redevelopment Law.

The Santa Barbara County Redevelopment Agency had the power of eminent domain when the Isla Vista Redevelopment Plans was originally adopted in 1990. However, that power expired in 2000 and was not renewed. There are no plans to reinstate the power of eminent domain. Thus, the Plan currently does not allow the Agency to acquire property by the use of eminent domain and the proposed Ordinance does not in any way change the provisions of the Plan with regards to the power of eminent domain.

**Authored by:**

Abigail Nugent, Redevelopment Specialist

**cc:**

Mary McMaster, County Counsel  
Jeff Lindgren, Redevelopment Agency