

**County of Santa Barbara**  
**BOARD OF SUPERVISORS**



*First District - Salud Carbajal, Chair*  
*Second District - Janet Wolf*  
*Third District - Doreen Farr*  
*Fourth District - Peter Adam*  
*Fifth District - Steve Lavagnino, Vice Chair*  
  
*Mona Miyasato, County Executive Officer*

**Action Summary**

**Monday, December 16, 2013**

**9:00 AM**

**SPECIAL MEETING**

**COUNTY ADMINISTRATION BUILDING  
BOARD HEARING ROOM, FOURTH FLOOR  
105 E. ANAPAMU STREET, SANTA BARBARA**

The Board of Supervisors meets concurrently as the Board of Directors of the Flood Control & Water Conservation District, Water Agency, the Santa Barbara Fund for Public and Educational Access and other Special Districts.

Live Web Streaming of the Board of Supervisors Meetings, Agendas, Supplemental Materials and Minutes of the Board of Supervisors are available on the internet at: [www.countyofsb.org](http://www.countyofsb.org).

**9:00 A.M. .... Convened to Regular Session**

**Roll Call**

**Present:** 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Adam, and Supervisor Lavagnino

**Pledge of Allegiance**

**Approval of Minutes of the December 10, 2013 Meeting**

A motion was made by Supervisor Farr, seconded by Supervisor Wolf, to approve the Minutes of December 10, 2013. The motion carried by the following vote:

**Ayes:** 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Adam, and Supervisor Lavagnino

**Recessed to Closed Session at the conclusion of Departmental Item No. 1**

**Report from Closed Session**

COUNTY COUNSEL

**13-0009**

Closed Session Agenda

**No reportable action taken.**

**Public Comment Period**

*Persons desiring to address the Board must complete and deliver to the Clerk the form which is available at the Hearing Room entrance prior to the commencement of this comment period. THE PUBLIC COMMENT PERIOD IS RESERVED FOR COMMENT ON MATTERS WITHIN THE SUBJECT MATTER JURISDICTION OF THE BOARD OF SUPERVISORS. EACH PERSON MAY ADDRESS THE BOARD FOR UP TO THREE MINUTES AT THE DISCRETION OF THE CHAIR, FOR A TOTAL PUBLIC COMMENT PERIOD OF NO MORE THAN 15 MINUTES. (Resolution No. 09-368) (13-00001)*

*WHEN TESTIFYING BEFORE THE BOARD OF SUPERVISORS, PERSONAL ATTACKS AND OTHER DISRUPTIVE BEHAVIOR ARE NOT APPROPRIATE.*

**Re: Closed Session Announcement Process - Andy Caldwell addressed the Board**

**Re: Ongoing Labor Negotiations - Bruce Corsaw addressed the Board**

**Administrative Agenda**

*All matters listed hereunder constitute a consent agenda, and will be acted upon by a single roll call vote of the Board. Matters listed on the Administrative Agenda will be read only on the request of a member of the Board or the public, in which event the matter shall be removed from the administrative agenda and considered as a separate item.*

**Departmental Agenda**  
**Planning Items and Public Hearings**

1) COUNTY EXECUTIVE OFFICE

13-00882

HEARING - Consider recommendations regarding components of a business license tax on the business of producing an onshore oil ballot measure, as follows: (EST. TIME: 2 HRS.)

a) Receive and file a report on options for structuring a business license tax on the business of producing onshore oil (hereafter “business license tax”) for inclusion in the drafting of Ordinances, Resolutions and possible ballot language for potential placement on an upcoming ballot;

b) Receive and file a report on possible uses for revenues generated by a business license tax for inclusion in the drafting of Ordinances, Resolutions and possible ballot language for potential placement on an upcoming ballot if the Board chooses to create a Special Tax;

c) Consider and provide direction to staff on the following:

i) Structural options and specific revenue purposes of a business license tax in Santa Barbara County; and

ii) Creation of required documents, including but not limited to, Ordinances, Resolutions and possible ballot language, for consideration at a Public Hearing on January 21, 2014 (first reading) and adoption on February 4, 2014 (second reading) for the June 2014 Primary Election Ballot; or

iii) Creation of required documents, including but not limited to, Ordinances, Resolutions and possible ballot language, for consideration at a Public Hearing in sufficient time to be placed on the November 2014 General Election Ballot;

d) Consider setting a hearing to consider required documents for a business license tax ballot measure, including but not limited to, Ordinances, Resolutions and possible ballot language;

e) Direct staff to draft a follow-up letter to the Presiding Judge of the Superior Court and copy to the Grand Jury detailing the Board’s follow up action(s) on Recommendation No. 1 of the 2013 Grand Jury report titled “Taxing Oil: Tapping into Santa Barbara County’s Natural Wealth” and authorize the Chair to execute the letter; and

f) Determine that the above actions are not a project under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(4) of the CEQA Guidelines because they consist of the creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

**Received and filed staff presentation and conducted public hearing.**

**A motion was made by Supervisor Wolf, seconded by Supervisor Farr, that this matter be Acted on as follows:.**

**Established an ad-hoc committee composed of First District Supervisor Carbajal and Third District Supervisor Farr to work with staff on the necessary components related to the placement of a proposal to establish a Business License Tax on the Business of Producing Onshore Oil on the June 2014 Primary Election Ballot.**

**The motion carried by the following vote:**

**Ayes:**        3 - Supervisor Carbajal, Supervisor Wolf, and Supervisor Farr

**Noes:**        2 - Supervisor Adam, and Supervisor Lavagnino

A motion was made by Supervisor Farr, seconded by Supervisor Wolf, that this matter be Acted on as follows:

a) and b) Received and filed.

c) and d) Directed staff as follows:

Directed staff to return to the Board with all appropriate documents, including but not limited to the first reading of the ordinance(s), resolutions and possible ballot language on January 21, 2014 in Santa Barbara (second reading set for February 4, 2014 in Santa Barbara). Further directed that staff include the following in the development of the ballot measure as enumerated by the Board based on the decision points worksheet presented by staff at the hearing of December 16, 2013 as follows:

That the tax rate per unit will be one dollar per barrel;

The tax rate will be indexed for inflation on an annual basis on January 1st;

A price floor exclusion will not be established;

Low volume wells, defined as producing less than five barrels per day, will be excluded;

The Business License Tax on Onshore Oil Production will not have a sunset date;

The tax will be a special tax and will include a no supplantation restriction;

The base line year to determine compliance with the supplantation restriction is to be determined at the hearing on January 21, 2014 based on information provided by staff on one, two and three year averages;

The frequency of collection by the Treasurer Tax Collector would be annual and a portion of the tax would reimburse County departments for the cost of providing, collecting or reporting business license and collecting taxes;

Staff to propose options for the reimbursement basis at the hearing on January 21, 2014;

That staff provide information/options at the hearing of January 21, 2014 on the specific programs, projects or initiatives to be funded that would include but not be limited to deferred maintenance with discretion to purchase physical assets such as equipment that would be used to support Libraries, County Parks and County Fire;

Staff to provide options on January 21, 2014 for the division of funds between those programs, projects and initiatives to be funded; and

Staff to provide language at the hearing on January 21, 2014 that will allow the Board to either include or exclude oil produced out to three miles offshore.

e) Directed.

f) Approved.

**The motion carried by the following vote:**

**Ayes:** 3 - Supervisor Carbajal, Supervisor Wolf, and Supervisor Farr

**Noes:** 2 - Supervisor Adam, and Supervisor Lavagnino

**Adjourned at 11:40 AM**

**Adjourn to**

**Tuesday, January 7, 2014**

**Santa Barbara County Courthouse**

**Mural Room**

**1100 Anacapa St.**

**Santa Barbara**

**Challenges**

*IF YOU CHALLENGE A DETERMINATION MADE ON A MATTER ON THIS AGENDA IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE TO THE BOARD OF SUPERVISORS AT, OR PRIOR TO, THE PUBLIC HEARING.*

**Announcements**

*The meeting of Monday, December 16, 2013 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Thursday, December 19, 2013, at 5:00 PM and on Saturday, December 21, 2013, at 10:00 AM on CSBTV Channel 20.*

*THE BOARD OF SUPERVISORS WILL NOT BE MEETING ON TUESDAY, DECEMBER 17, 2013; TUESDAY, DECEMBER 24, 2013; OR TUESDAY, DECEMBER 31, 2013. THE NEXT REGULAR MEETING OF THE BOARD OF SUPERVISORS WILL BE ON TUESDAY, JANUARY 7, 2014 IN SANTA BARBARA.*

**<http://www.countyofsb.org>**