



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: Clerk, Recorder and Assessor
Department No.: 062
For Agenda Of: 05/20/2014
Placement: Administrative
Estimate Time: .15
Continued Item: NO
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director(s) Joseph E. Holland, County Clerk, Recorder and Assessor
Contact Info: Renee Bischof, Chief Deputy Registrar of Voters, 696-8963
SUBJECT: Initiative to Ban “High-Intensity Petroleum Operations” Certification

County Counsel Concurrence:

As to form: Yes No N/A

Other Concurrence: N/A

As to form: Yes No N/A

Auditor-Controller Concurrence:

As to form: Yes No N/A

Recommended Action(s):

That the Board of Supervisors accept the County Clerk, Recorder and Assessor/Registrar of Voters’ certification of sufficiency of the Initiative to Ban “High-Intensity Petroleum Operations” including but not limited to Well Stimulation Treatments and Secondary and Enhanced Recovery Operations such as Hydraulic Fracturing, Steam Injection and Acid Well Stimulation Treatment on all Lands within Santa Barbara County’s Unincorporated Area Petition and take one of the following actions as required by Elections Code Section 9118:

1. Adopt the ordinance without alteration at the May 20, 2014 Board Meeting at which the certification of the petition is presented, or within 10 days after it is presented; or
2. Order the proposed ordinance to be submitted without alteration to the voters of the County at the November 4, 2014 General Election; or
3. Order a report from appropriate staff agencies concerning the fiscal impacts, consistency with county plans, and any other matter of interest to the Board pursuant to Elections Code Section 9111 at the May 20, 2014 Board Meeting. (Pursuant to Elections Code Section 9111(b) the report shall be presented to the Board of Supervisors not later than 30 days from the date of this meeting. When the report is presented to the Board of Supervisors, the Board has 10 days to either adopt the ordinance without

alteration or order the proposed ordinance to be submitted to the voters of the County at the November 4, 2014 General Election.)

As there is no meeting scheduled for May 27, 2014, should the Board of Supervisors choose to adopt the ordinance without alteration, this action must be taken at the May 20, 2014 Board Meeting.

If the Board of Supervisors chooses to order a report on the impact of the proposed ordinance, the Board would need to order the report be presented no later than the June 17, 2014 meeting to meet the 30 day deadline. Additionally, there is no meeting scheduled for June 24, 2014, therefore, the Board would also need to take action at the June 17, 2014 meeting to either adopt the ordinance without alteration or submit the proposed ordinance to the voters.

Summary:

On May 1, 2014, the proponents of the Initiative to Ban “High-Intensity Petroleum Operations” including but not limited to Well Stimulation Treatments and Secondary and Enhanced Recovery Operations such as Hydraulic Fracturing, Steam Injection and Acid Well Stimulation Treatment on all Lands within Santa Barbara County’s Unincorporated Area filed a petition with the County Elections Office for verification. In accordance with California Elections Code Sections 9114 and 9115, elections staff counted and verified the required number of signatures. The County Clerk, Recorder and Assessor/Registrar of Voters’ certification of sufficiency is affixed as Attachment A.

The full text of the proposed ordinance to Ban “High-Intensity Petroleum Operations” including but not limited to Well Stimulation Treatments and Secondary and Enhanced Recovery Operations such as Hydraulic Fracturing, Steam Injection and Acid Well Stimulation Treatment on all Lands within Santa Barbara County’s Unincorporated Area as submitted by the proponent is affixed as Attachment B.

For the Board’s information, the title and summary of the proposed measure prepared by County Counsel as is required by Elections Code Section 9105 is affixed as Attachment C and the language of California Elections Code Section 9111 as referenced in the recommended action(s) section is affixed as Attachment D.

Fiscal and Facilities Impacts:

Budgeted: Yes No

The incremental election cost to the Department should this ordinance be submitted to the voters of the County at the November 4, 2014 General Election is primarily for the cost of printing the initiative information in the countywide sample ballots, and dependant on the number of pages printed. The Department estimates the printing cost can range anywhere between \$50,000 - \$130,000.

Elections Code Section 13001 provides that expenses authorized and necessarily incurred in the preparation for, and conduct of, elections generally are county charges. Should the Department not be able to absorb the cost increase for this matter within its present budget, a budget revision request for additional funding may be requested.

Special Instructions:

Please forward a copy of the minute order to the Santa Barbara County Elections Office.

Attachments:

Attachment A: Certificate of Sufficiency

Attachment B: Full Text of the Proposed Ordinance

Attachment C: Ballot Title and Summary of the proposed measure

Attachment D: California Elections Code Section 9111

Authored by: Renee Bischof

cc: Joe Holland
County Counsel
Auditor-Controller