



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: Sheriff  
Department No.:  
For Agenda Of: August 3, 2010  
Placement: Administrative  
Estimated Tme: 10 minutes  
Continued Item: No  
If Yes, date from:  
Vote Required: Majority

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**TO:** Board of Supervisors

**FROM:** Department Bill Brown, Sheriff  
Director(s)  
Contact Info: Terri Nisich, Assistant CEO 568.3404

**SUBJECT:** **Rebuttal to Argument Against Measure S-2010-Authorization to Prepare, Sign and Submit Rebuttal Argument**

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: N/A

**Recommended Actions:**

That the Board of Supervisors:

- A. Receive and approve recommendation regarding potential signatories of the rebuttal argument regarding Measure S-2010-The County of Santa Barbara ½ Percent Transactions (Sales) and Use Tax Ordinance for Local Crime and Gang Reduction, Fire Protection and Jail Construction/Operation.
- B. Authorize in writing via “Authorization for Another Person or Persons to Sign Rebuttal Argument” to include Sheriff Bill Brown, Santa Barbara County Fire Chief, Mike Dyer, City of Santa Maria Mayor, Larry Lavagnino, City of Santa Barbara Mayor, Helene Schneider and, if desired, another individual the Board of Supervisors may deem appropriate, to prepare, sign and submit rebuttal argument.

**Summary Text:**

On July 27, 2010 the Board of Supervisors approved, signed and filed with the County Elections Office an Argument in Favor of Measure S-2010. As the signatories to the Argument in Favor, it is the Board’s discretion to whether to prepare and or sign a rebuttal argument or authorize other individuals to prepare, sign and submit a rebuttal.

On July 28, 2010, prior to the filing deadline, the County Elections Office received an argument against Measure S-2010. Per Section 9167 of the Elections Code, the signatories of the argument in favor may designate, in writing person or persons authorized to prepare, sign and submit a rebuttal argument.

**Background:**

The County Board of Supervisors has authorized and signed the Argument in Favor of Measure S-2010. As the signatories to the Argument in Favor, it is the Board's discretion whether to prepare, sign and submit a rebuttal argument or authorize other individuals to prepare and sign the rebuttal.

Specifically Section 9167 states:

**Section 9167. Rebuttal Arguments**

(a) When an argument in favor and an argument against a measure have been selected for publication in the voter information pamphlet the official responsible for conducting the election shall send copies of the argument in favor of the measure to the authors of the argument against the measure and copies of the arguments against the measure to the authors of the argument in favor. The authors may prepare and submit rebuttal arguments not exceeding 250 words, or may authorize in writing any other person or persons to prepare, submit, or sign the rebuttal argument. The rebuttal arguments shall be submitted to the elections official conducting the election no later than a date designated by the elections official.

(b) Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument that it seeks to rebut and shall be titled "Rebuttal to Argument in Favor of Measure (or Proposition) \_\_\_\_\_," or "Rebuttal to Argument Against Measure (or Proposition) \_\_\_\_\_," the blank spaces being filled in only with the letter or number, if any, designating the measure. Words used in the title may not be counted when determining the length of any rebuttal argument.

Measure S-2010 provides funding to construct and operate a new 304 bed jail facility, repair existing correctional facilities, provide alternatives-to-custody programs and enhance front-line law enforcement and critical life safety and fire protection services in the County unincorporated area and all eight cities. Therefore, it is recommended that the Board of Supervisors designate Sheriff, Bill Brown and County of Santa Barbara Fire Chief, Mike Dyer, City of Santa Maria Mayor, Larry Lavagnino and City of Santa Barbara Mayor, Helene Schneider as signatories to the rebuttal argument for Measure S-2010. No more than five individuals may be signatories to the 250 word rebuttal to the argument against Measure S-2010. The rebuttal argument must be filed with the County Elections Office on or before August 9, 2010.

**Performance Measure:**

**Fiscal and Facilities Impacts:**

Budgeted:

**Fiscal Analysis:**

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Annualized On-going Cost:</u>	<u>Total One-Time Project Cost</u>
General Fund			
State			
Federal			
Fees			
Other:			
Total	\$ -	\$ -	\$ -

**Attachment:**

Authorization Form

**Special Instructions:** That the Clerk of the Board transmit minute order to the County Elections Office.

**Authored by:**

Terri Nisich, Assistant CEO

**cc:** Ken Shemwell, Undersheriff