



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: CEO
Department No.: 012
For Agenda Of: September 15, 2015
Placement: Administrative
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Mona Miyasato, County Executive Officer 568-3400
Director(s)
Contact Info: Terri Nisich, Assistant CEO 568-3400
SUBJECT: **Clarification of Motion of August 25, 2015 Regarding Establishment of Ad-Hoc Subcommittee for the Purpose of Engaging the Santa Ynez Band of Chumash Indians in Discussions Related to Land use and Financial Matters of Mutual Concern**

County Counsel Concurrence

As to form: Yes

Other Concurrence: N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

That the Board of Supervisors:

- a) Clarify that the short-term, ad-hoc advisory subcommittee that the Board of Supervisors appointed on August 25, 2015, consisting of Supervisor Farr and Supervisor Adam, for the purpose of engaging the Santa Ynez Band of Chumash Indians in discussions related to land use, financial matters of mutual concern, and other topics as appropriate, including the Camp 4, Mooney and Escobar Properties, and 350-acre "Triangle" properties: 1) shall conduct all meetings with the Tribe about these matters through noticed public meetings, consistent with the Brown Act, including being open to the public; but 2) Supervisor Farr and Supervisor Adam may otherwise meet among themselves and/or with County Staff as an advisory committee that is exempt from the Brown Act.
- b) Determine that the above action is an organizational or administrative action of government that are not a project under the California Environmental Quality Act, pursuant to Section 15378(b)(5) of the CEQA Guidelines.

Summary Text:

On August 25, 2015 the Board of Supervisors created an ad-hoc advisory subcommittee consisting of Supervisor Farr and Supervisor Adam for the purpose of engaging the Santa Ynez Band of Chumash

Indians in discussions related to land use and financial matters of mutual concern that include but are not limited to a waiver of sovereign immunity, Santa Ynez Valley properties of interest inclusive of the Camp 4, Mooney and Escobar Properties, and 350-acre "Triangle" properties, and other general topics between the County and the Tribe as appropriate. However, clarification is required in order to continue this process and carry out the Board's direction.

Background:

This item is on the agenda to clarify the Board of Supervisors motion of August 25, 2015. The formal motion recorded by the Clerk of the Board on this item is as follows:

Received and filed staff presentation and conducted public hearing. A motion was made by Supervisor Farr, seconded by Supervisor Adam, that this matter be Acted on as follows: a) Received and filed. b) and c) The Board of Supervisors appointed an ad-hoc subcommittee consisting of Supervisor Farr and Supervisor Adam for the purpose of engaging the Santa Ynez Band of Chumash Indians in discussions related to land use and financial matters of mutual concern that include but are not limited to the Waiver of Sovereign Immunity, Santa Ynez Valley properties of interest inclusive of the Camp 4, Mooney, Escobar and 350 acre "Triangle" properties and other general topics between the County and the Tribe as appropriate. Directed staff to draft a letter inviting the Tribe to participate in this process and requesting the appointment of two tribal members from the Tribal Business Committee. Further directed that appropriate County staff participate including County Counsel, that the ad-hoc committee meetings be conducted pursuant to the Brown Act and open to the public, and that they are held in a neutral location to encourage participation by Tribal and Non-Tribal individuals. Directed staff to provide initial comments to the Bureau of Indian Affairs regarding the Escobar and Mooney properties to preserve the County's status in that Fee-to-Trust process.

The Recommended Action of this Board Letter clarifies the motion of August 25, 2015 to indicate that public meetings of the ad-hoc subcommittee and the Tribal representatives are consistent with the Brown Act and open to the public, and internal preparatory advisory meetings are exempt from the Brown Act.

Authored by:

Terri Nisich, Assistant CEO