

**SANTA BARBARA COUNTY
BOARD AGENDA LETTER**



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

Agenda Number:
Prepared on: 5/16/05
Department Name: CEO
Department No.: 012
Agenda Date: 5/24/05
Placement: Administrative
Estimate Time: 45 Minutes on 6/28/05
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: Michael F. Brown
County Executive Officer

STAFF CONTACT: Jason Stilwell
Project Manager

SUBJECT: County Formation Election and Issues Update

Recommendation(s):

That the Board of Supervisors:

- a) Receive the Final Report of the Mission County Formation Review Commission.
- b) Set a hearing for June 28, 2005 to:
 - i. Adopt a resolution proclaiming and noticing an election on June 6, 2006 for the purpose of determining whether the proposed Mission County shall be created,
 - ii. Receive and file a report regarding the adopted recommendations of the Board to the Mission County Formation Review Commission,
 - iii. Receive a report regarding county formation issues.

Alignment with Board Strategic Plan:

The recommendation is primarily aligned with actions required by law or business necessity.

Executive Summary and Discussion:

The Clerk of the Board has received the final report of the Mission County Formation Review Commission (Commission). The report includes eleven determinations of the Commission and detailed supplementary information relating to the potential viability of a new County north of Gaviota pass. The report does not make a recommendation for or against the formation of Mission County. In addition to the final report, the Commission produced public information documents. These are also provided to the Board herein. Staff intends to briefly discuss the final report on June 28, 2005. The Commission adopted its final report, sent the report to the printer, and disbanded on March 28, 2005.

Also, on June 28, 2005 the Board of Supervisors will be presented with a resolution to proclaim and notice the June 6, 2006 election to provide voters the opportunity to determine whether the proposed Mission County shall be created. The Board is required to proclaim and notice the election according to the County Formation chapter of the California Government Code (§23350).

In addition to highlighting the Commission's final report and presenting the resolution setting the election on June 28, 2005, staff requests to update the Board on the county formation process. This will include a:

- Report on the action taken by the Commission regarding the Board's recommendations. The Board made four requests of the Commission and the Commission decided to incorporate three of the four requests into its Final Report. The Commission chose not to amend its indebtedness determination; the Board requested the amendment to enable Santa Barbara County to receive credit for new indebtedness associated with new assets that will be located in Mission County. The remaining three requests of the Board relating to preserving the tax exempt status of certificates of participation, liquidation of operational liabilities, and addressing the court special services maintenance of effort payment, were incorporated by the Commission in substantial form;
- Summary report on the costs of the County's previous re-districting effort. This item was requested by the Board as one way to analyze the potential costs of districting the remaining Santa Barbara County prior to the creation election;
- Report on the potential options for the Board to further discuss the Mission County formation issue, take a position on the question of forming the proposed county, and the legal issues pertaining to the opportunities the Board will have in selecting ballot arguments;
- Report on the final costs of the Commission and costs to date of the county formation effort.

Mandates and Service Levels:

None from the requested actions. However, the Board of Supervisors is required by Title 3, Chapter 3 of the Government Code "Creation of New Counties" to perform certain other functions including receiving the Mission County Formation Review Commission's final report and adopting a resolution setting the election.

Fiscal and Facilities Impacts:

None from the requested actions. As of April 30, 2005, the county formation effort has cost the County \$668,306. Of this, \$496,379 is a result of County departments supporting the County Formation Review Commission and responding to Commission requests for information. \$171,927 relates to the direct work of the County Formation Review Commission including Commissioner stipends, professional consulting services and publication of legal notices.

Attachments: Final Report of the Mission County Formation Review Commission,
Public information documents produced by the Mission County Formation Review Commission.

cc: Joe Holland, County Clerk-Recorder-Assessor
Robert Geis, Auditor-Controller
Bob Smith, Elections Division Manager