

August 5, 2016 (Agenda)

Local Agency Formation Commission

105 East Anapamu Street

Santa Barbara CA 93101

1) Consider Recommendations for Impartial Analyses for the Isla Vista Community Services District Election:

- a. Measure E2016: Formation of the Isla Vista Community Services District
- b. Measure F2016: Levying a Utility User Tax

Dear Members of the Commission

RECOMMENDATION

It is recommended that the Commission approve the Impartial Analyses for the Isla Vista Community Services District Election.

DISCUSSION

At the April 7, 2106 meeting, the Commission approved the Formation of the Isla Vista Community Services District and a related item to allow the district to levy a Utility User's Tax. These two matters will be set for consideration at the November 8, 2016, General Election.

Government Code Section 56898 states that: "Whenever the executive officer is required by law to prepare an impartial analysis of a ballot proposition for approval by the commission, the commission may, by regulation, provide a procedure for approval or modification of the executive officer's analysis."

In any event, the analysis shall be prepared and submitted to the commission in sufficient time for the commission to consider and approve or modify the analysis, and submit the analysis to the officials conducting the election not later than the last day for submission of rebuttal arguments. The impartial analysis submitted by the commission shall not exceed 500 words in length and shall include a general description of the affected territory."

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submit the analysis to the officials conducting the election not later than the last day for submission of rebuttal arguments. The impartial analysis submitted by the commission shall not exceed 500 words in length and shall include a general description of the affected territory.”

Based on the above, staff has prepared Impartial Analyses for Measure E2016: Formation of the Isla Vista Community Services District, and Measure F2016: Levying a Utility User Tax. Legal Counsel and County’s Elections have both reviewed and approved the Impartial Analyses.

The Impartial Analyses are attached as Exhibits A and B for the Commission’s Consideration.

Exhibits:

Exhibit A Measure E2016: Formation of the Isla Vista Community Services District
Exhibit B Measure F2016: Levying a Utility User Tax

Please contact the LAFCO office if you have any questions.

Sincerely,



PAUL HOOD
Executive Officer

**IMPARTIAL ANALYSIS FOR MEASURE E2016
FORMATION OF THE ISLA VISTA COMMUNITY SERVICES DISTRICT**

This measure was placed on the ballot by the Board of Supervisors pursuant to direction by the Local Agency Formation Commission (“LAFCO”) under Government Code section 61250(c)(4). This ballot measure is to determine if the voters in the proposed Isla Vista Community Services District authorize the formation of the District. A “YES” vote by a majority of voters means that the District shall be formed. A “NO” vote is a vote against formation. If approved, the formation date will be March 1, 2017.

The District would encompass a population of approximately 15,000 residents in the unincorporated area of Santa Barbara County known as Isla Vista and is approximately a half square mile, coterminous with the boundaries of County Service Area No. 31, excluding any property owned by the Regents of the University of California within those boundaries.

Effective January 1, 2016, Government Code section 61250 was added to the Community Services District Law to provide for establishment of the District. LAFCO was required to order formation, but had discretion to determine which services could be provided and to establish the utility user tax rate.

LAFCO ordered the formation of the District, subject to voter approval, determined which services may be provided, and set the utility user tax rate at 8 percent. The utility user tax is subject a separate ballot measure that requires two-thirds voter approval. Approved services are:

- (A) Finance the operations of municipal advisory councils.
- (B) Tenant mediation program.
- (C) Finance the operations of area planning commissions.
- (D) Exercise the powers of a parking district.
- (E) Contract with the County of Santa Barbara or the Regents of the University of California, or both, for additional police protection services to supplement the level of police protection services already provided by either the County of Santa Barbara or the Regents of the University of California within the area of the district.
- (F) Acquire, construct, improve, maintain, and operate community facilities, including, but not limited to, community centers, libraries, theaters, museums, cultural facilities, and child care facilities.
- (G) Acquire, construct, improve, and maintain sidewalks, lighting, gutters, and trees to supplement the level of service already provided by either the County of Santa Barbara or County Service Area 31.
- (H) Abate graffiti.

The District board of directors shall be as follows:

(A) Five members elected at large from within the district as follows:

(i) Four members shall be elected for terms of four years. For the first election of the board of directors of the district, two members shall be elected for a term of two years and two members shall be elected for a term of four years.

(ii) One member shall be elected for a term of two years.

(B) One member appointed by the Board of Supervisors for a term of two years for the first appointment following the creation of the district, and for a term of four years thereafter.

(C) One member appointed by the Chancellor of the University of California, Santa Barbara for a term of four years.

by/Paul Hood, Executive Officer
Santa Barbara LAFCO

**IMPARTIAL ANALYSIS FOR MEASURE F2016
APPROVAL OF A UTILITY USER TAX FOR THE ISLA VISTA COMMUNITY
SERVICES DISTRICT**

This measure was placed on the ballot by the Board of Supervisors pursuant to direction by the Local Agency Formation Commission (“LAFCO”) under Government Code section 61250(c)(4). This ballot measure is to determine if the voters in the proposed Isla Vista Community Services District will authorize the levying of a utility user tax to fund the proposed District. A “YES” vote by a two-thirds the voters means that the utility user tax shall be imposed, provided formation of the proposed District is approved by a majority of the voters in a separate ballot measure. A “NO” vote is a vote against imposition of a utility user tax. If the voters do not approve a utility user tax on or before January 1, 2023, regardless of whether the voters approve District formation, the District shall be dissolved as of that date.

The District would encompass a population of approximately 15,000 residents in the unincorporated area of the County of Santa Barbara known as Isla Vista and is approximately a half square mile, coterminous with the boundaries of County Service Area No. 31, excluding any property owned by the Regents of the University of California within those boundaries.

Effective January 1, 2016, Government Code section 61250 was added to the Community Services District Law to provide for formation of the District. LAFCO was required to order formation, but had discretion to determine which services could be provided and to establish the utility user tax rate.

LAFCO ordered the formation of the District, subject to voter approval, determined which services may initially be provided and set the utility user tax rate at 8 percent. The utility user tax is subject to a two-thirds voter approval. The tax shall only be used to fund the following services:

- (A) Finance the operations of municipal advisory councils.
- (B) Create a tenant mediation program.
- (C) Finance the operations of area planning commissions.
- (D) Exercise the powers of a parking district.
- (E) Contract with the County of Santa Barbara or the Regents of the University of California, or both, for additional police protection services to supplement the level of police protection services already provided by either the County of Santa Barbara or the Regents of the University of California within the area of the district.
- (F) Acquire, construct, improve, maintain, and operate community facilities, including, but not limited to, community centers, libraries, theaters, museums, cultural facilities, and child care facilities.

(G) Acquire, construct, improve, and maintain sidewalks, lighting, gutters, and trees to supplement the level of service already provided by either the County of Santa Barbara or County Service Area 31.

(H) Abate graffiti.

If approved by the voters, a utility user tax may be imposed by resolution of the board of directors of the District on utilities of gas, water, electricity, sewer, or garbage disposal services. A utility user tax imposed by the district shall not apply to any utility provided by a telecommunications service provider.

by/Paul Hood, Executive Officer
Santa Barbara LAFCO