

LAFCO

Santa Barbara Local Agency Formation Commission

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May 14, 2020 (Agenda)

Local Agency Formation Commission

105 East Anapamu Street

Santa Barbara CA 93101

Consider Request to Extend the LAFCO Resolution 19-03 deadline to conduct Proposition 218 proceedings for the San Antonio Basin Water District from June 30, 2020 to September 30, 2020

Honorable Commissioners:

RECOMMENDATION

It is recommended the Commission approve the request to extend the deadline to conduct Proposition 218 proceedings for the San Antonio Basin Water District from June 30, 2020 to September 30, 2020.

DISCUSSION

The proponents of the Formation of the San Antonio Basin Water District have requested the Commission extend, pursuant to Resolution 19-03, Condition 2(d), the deadline to conduct Proposition 218 proceedings from June 30, 2020 to September 30, 2020. The request is attached as Exhibit A. LAFCO Resolution 19-03 is attached as Exhibit B.

The reason for the extension were delays in the formation process that were beyond Petitioners' control. The confirmation election was not held until April 7 and certification of the election results occurred on April 21, 2020. Staff supports the request.

Sincerely

Paul Hood, Executive Officer



By: William Dillon, LAFCO Counsel

EXHIBITS.

- Exhibit A Petitioners' Letter Requesting Time Extension on Proposition 218 Proceedings.
Exhibit B Resolution 19-03 Approving Formation of the San Antonio Basin Water District.

Commissioners: Craig Geyer, Chair ♦ Roger Aceves ♦ Cynthia Allen ♦ Jay Freeman ♦ Joan Hartmann ♦ Steve Lavagnino
♦ Holly Sierra ♦ Shane Stark ♦ Etta Waterfield, Vice-Chair ♦ Roger Welt ♦ Das Williams **Executive Officer: Paul Hood**

THE LAW OFFICES OF



A Limited Liability Partnership • Est. 1939

Alan F. Doud, Partner

May 4, 2020

VIA EMAIL: hood.paul@sbcglobal.net

Santa Barbara Local Agency Formation Commission
Attn: Paul Hood, Executive Officer
105 East Anapamu Street
Santa Barbara, CA 93101

**RE: *Request for Extension of Deadline to Complete Proposition 218 Assessment
Ballot Proceeding***

Dear Mr. Hood:

Our office represents the landowners within the San Antonio Basin Water District as counsel for the Friends of the San Antonio Water Basin.

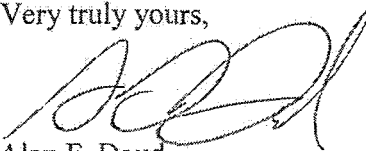
On Thursday, July 11, 2019, the Santa Barbara Local Agency Formation Commission adopted Resolution No. 19-3, approving the formation of the District subject to the following Condition 2(d):

The District, if formed, shall cease to exist if the Proposition 218 Proceeding is not conducted and an assessment to fund the District is not approved by June 30, 2020, or Santa Barbara LAFCO otherwise extends such deadline.

Due to delays in the formation process beyond the control of the petitioners, the District's formation election was held on April 7, 2020 and was canvassed on April 15, 2020. In light of the procedural timelines set forth in Proposition 218, it will not be possible for the District to complete its assessment ballot proceeding prior to June 30, 2020. We therefore request that the Commission extend the deadline as provided for in Condition 2(d) to September 30, 2020.

Thank you for your consideration of our request. Please call me with questions or concerns at (661) 377-7136, or email me at adoud@youngwooldridge.com.

Very truly yours,



Alan F. Doud

cc: Bill Dillon
@law.wmdillon@gmail.com

EXHIBIT A

LAFCO RESOLUTION NO. 19-03

RESOLUTION OF THE SANTA BARBARA LOCAL AGENCY FORMATION
COMMISSION MAKING DETERMINATIONS AND APPROVING THE FORMATION OF
THE SAN ANTONIO BASIN WATER DISTRICT AND ESTABLISHING A
COTERMINOUS SPHERE OF INFLUENCE

WHEREAS, the above-referenced proposal has been filed with the Executive Officer of the Santa Barbara Local Agency Formation Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act (Section 56000 et seq. of the Government Code); and

WHEREAS, at the times and in the manner required by law the Executive Officer has given notice of the Commission's consideration of the proposal;

WHEREAS, the Commission heard, discussed and considered all oral and written testimony related to the proposal including, but not limited to, the Executive Officer's report and recommendation, the environmental document or determination, existing Spheres of Influence and applicable General and Specific Plans; and

WHEREAS, the Local Agency Formation Commission finds the proposal to be in the best interests of the affected area and the total organization of local governmental agencies within Santa Barbara County.

NOW, THEREFORE, BE IT RESOLVED DETERMINED AND ORDERED by the Local Agency Formation Commission of Santa Barbara County as follows:

- (1) Find that the formation is categorically exempt from CEQA based on the creation of a government funding mechanism exempt pursuant to CEQA Guidelines Section 15378(b)(4) or alternatively CEQA Guidelines Section 15061(b)(3), the "common Sense" exemption; and
- (2) Approve the proposal, known as the Formation of the San Antonio Basin Water District subject to the following terms and conditions:
 - a) The name of the district shall be the San Antonio Basin Water District;
 - b) The District shall be initially composed of a five-member elected Board of Directors, each of whom must be a landowner within the District;

- c) The District shall have those powers and responsibilities set forth in the California Water District Law, Water Code section 34000 et. seq., including Water Code section 35401 that authorizes the District to acquire, plan, construct, maintain, improve, operate, and keep in repair the necessary works for the production, storage, transmission, and distribution of water for irrigation, domestic, industrial, and municipal purposes, and any drainage or reclamation works connected therewith or incidental thereto;
- d) The District, if formed, shall cease to exist if the Proposition 218 Proceeding is not conducted and an assessment to fund the District is not approved by June 30, 2020, or Santa Barbara LAFCO otherwise extends such deadline;
- e) The District, if formed, shall cease to exist if on or before June 30, 2020, it does not succeed to the rights and responsibilities of the Cachuma Resource Conservation District in the Joint Powers Agreement (“JPA”) entered into with the Los Alamos Community Services District on May 16, 2017, which JPA Agency has been designated as the Groundwater Sustainability Agency for the San Antonio Basin under the Sustainable Groundwater Management Act, Water Code section 10720 et. Seq; and
- f) Should the new Board of Directors levy any of the “Proceeds of Taxes,” described above, it will establish an Appropriations Limit.
- g) The District shall not exercise jurisdiction over lands within its boundaries that are not within the San Antonio Groundwater Basin, as defined by the California Department of Water Resources in Bulletin 118 (as Basin 3-14). Petitioners shall submit the relevant portions of Bulletin 118 to the Executive Officer for review and approval prior to recordation of the Certificate of Completion.

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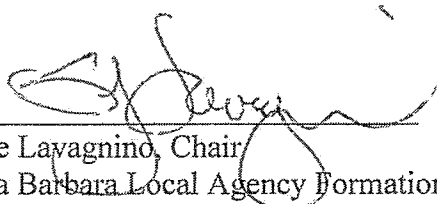
This resolution was adopted on July 11, 2019 and is effective on the date signed by the
Chair.

AYES: Commissioner Aceves, Commissioner Allen, Commissioner Geyer,
Commissioner Hartmann, Commissioner Lavagnino, Commissioner Waterfield,
and Commissioner Welt

NOES: None

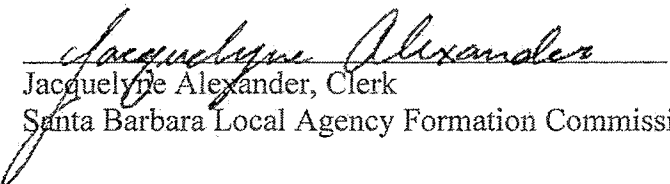
ABSTAINS: None

Dated: 7/11/2019



Steve Lavagnino, Chair
Santa Barbara Local Agency Formation Commission

ATTEST:



Jacquelyne Alexander, Clerk
Santa Barbara Local Agency Formation Commission

