

# LAFCO MEMORANDUM

## ***SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION***

105 East Anapamu Street • Santa Barbara CA 93101 • (805) 568-3391 + Fax (805) 568-2249

October 7, 2021 (Agenda)

TO: Each Member of the Commission

FROM: Mike Prater  
Executive Officer

SUBJECT: Report on Los Olivos Community Services District

*This is an Informational Report. No Action is Necessary*

### DISCUSSION

At the June 3, 2021 meeting, the Commission granted a request from the Los Olivos Community Services District for a Two-Year Extension from the Effective Date of Formation, which will run through April 6, 2023 to complete the Proposition 218 assessment district process.

The condition of formation is set forth in Paragraph B(vii) is as follows: "**The District shall implement a Proposition 218 assessment within one year of the effective date as necessary to fund the wastewater treatment facilities for the area, including CEQA and other planning analysis, assessment study and necessary election. Santa Barbara LAFCO may otherwise extend such deadline, or other LAFCO approved arrangements are made for funding such construction.**"

The District's letter and agenda packet explains the Board of Directors has continued to work diligently to complete the Proposition 218 assessment process. The District states they are on schedule to complete the election in summer of 2022.

As a condition of the time extension, the Commission requested periodic updates from the District on the update process. The District's General Manager has indicated that another update letter will be submitted in the November/December timeframe.

### Attachments

Attachment A – Los Olivos CSD Update Letter and September 15, 2021 Agenda Packet  
Attachment B – Communication Letter from Rohrer's dated September 13, 2021

Please contact the LAFCO office if you have any questions.

**Lisa Palmer, President**  
**Tom Fayram, Vice President**  
**Mike Arme, Director**  
**Brian O'Neill, Director**  
**Brad Ross, Director**



September 22, 2021

**Local Agency Formation Commission**

Attention: Mike Prater, Executive Officer  
County of Santa Barbara  
105 East Anapamu Street, Rm 407  
Santa Barbara, CA 93101

**SUBJECT: Los Olivos Community Services District Quarterly Progress Report**

Dear Commissioners:

The District continues to diligently pursue the design, construction and operation of a community wastewater collection and reclamation project to end reliance on individual septic systems. On June 3, 2021 this Commission granted a 2-year extension, until August 6, 2023, for the District to conduct its Proposition 218 benefit assessment election to fund the completion and operation of the wastewater collection and treatment system.

This quarterly update documents the District's progress on its efforts to complete the Prop 218 assessment election during the summer of 2022, well in advance of the August 6, 2023 extension deadline.

Project Goals:

1. Update Residential Onsite Wastewater Treatment System (OWTS) Requirements
2. Obtain Funding Resources for Program Development and Construction
3. Implement a Local Groundwater Monitoring Program; and
4. Complete and Operate a Collection, Treatment and Reclamation System for the entire Community

**Goal 1: Update Residential Onsite Wastewater Treatment System (OWTS) Requirements**

1. Completion and posting of Onsite Water Treatment System Fact Sheet. Provides guidance for the maintenance and repair of OWTS during the septic to sewer transition period. Prepared in conjunction with County EHS and the Water Board.
2. Working with County EHS to update the Los Olivos Local Area Management Plan, in accordance with State Guidelines, to provide clear guidance on continued residential OWTS use during the septic-to-sewer conversion. EHS representatives are scheduled to attend the October 13 LOCSO board meeting to discuss the draft requirements and implementation.

**Goal 2: Obtain Funding Resources for Program Development and Construction**

Los Olivos Community Services District, P.O. Box 345, Los Olivos, CA 93441, (805) 946-0431  
[losolivoscscd@gmail.com](mailto:losolivoscscd@gmail.com), [www.losolivoscscd.com](http://www.losolivoscscd.com)

1. Successfully obtained grant funds for “soft costs” (preliminary design, studies and environmental work, etc.).
  - a. Current Project Funding
    - i. State Water Board SRF Water Recycling Funding Program – 50% match on all studies, design and environmental tasks required to “determine feasibility” of the project. Maximum grant: \$150,000 match for \$300,000 in studies and design. This grant has been approved and The grant agreement is anticipated by September 30, 2021; work will begin as soon as the grant agreement is issued.
    - ii. District Funds - \$165,000 for specific project elements in support of Goals 1, 2 3 & 4.
    - iii. County Environmental Health Special Funds -\$180,000 funding for specific project elements supporting Goals 3 & 4.
2. Retain an Assessment Engineer by December 2021 to complete an accurate summation of project costs and cost distribution methodology for the project. This report is scheduled to be shared with the community in April 2022 as part of the Proposition 218 benefit assessment process.
3. Future Construction Funding  
The district continues to aggressively seek funding that will be used to mitigate the cost impacts to the community with a goal of limiting assessments to property owners:
  - a. Future Grants considered with a good probability of success
    - i. SRF Low-Cost Loan Funding
    - ii. Bureau of Reclamation Funds
    - iii. Proposition 1; SB 155, SB 170
  - b. Future Low Interest Loans
    - i. Low interest loans are available through USDA, CSDA, SDRMA, and SWB resource entities.
4. O&M, Administrative and Debt Service Costs
  - a. A fair share assessment, as determined by the Assessment District Engineer will be complete by April 2022. This report will provide the assessment basis for the assessment vote process scheduled for summer 2022.

### **Goal 3: Implement a Local Groundwater Monitoring Program**

5. Ground Water Monitoring
  - a. GSI hydrogeologists have completed a Ground Water Monitoring Plan that includes modeling and recommended implementation requirements. The plan calls for installing 12 monitoring wells in two phases (estimated \$600,000 to implement; funding source TBD). These wells will capture water quality data in the basin portion underlying and adjacent to Los Olivos, data that is important to both regional and District efforts to improve and enhance groundwater quality.

### **Goal 4: Design Collection, Treatment & Reclamation System**

1. Potential Siting Progress
  - a. Agreement with the County of Santa Barbara for a potential treatment site easement within excess County Road right-of-way (finalized October 2020).
  - b. The District has completed an extensive process to identify additional potential package plant location sites, including a third party analysis by Urban Planning Concepts. Sites

are being reviewed and advanced for further study as part of the initial project design phase.

2. Injection Feasibility Study
  - a. Groundwater Injection and Feasibility Study is currently underway and on track to be complete by February 2022.
3. Project Design Engineer Selection
  - a. The District selected Stantec as project design engineer at its September 15, 2021 meeting. As soon as the State Water Recycling Fund Grant Agreement is received, preliminary design for a project to serve the entire community will get underway.

The District has set a goal to complete project design and the Proposition 218 Assessment Process by the summer of 2022. Once a successful benefit assessment election is held, project construction is expected to take an additional two years to complete and begin operation.

Thank you for your continued support of the District and our efforts to improve groundwater quality through implementing a community wastewater management and reclamation solution for Los Olivos. If you have any questions, please contact me at (805) 680-2336 (or [lisa@lpalmerconsulting.com](mailto:lisa@lpalmerconsulting.com)) or Bob Perrault, General Manager, at (805) 668-7131 (or [robertjperrault51@gmail.com](mailto:robertjperrault51@gmail.com)).

Sincerely,  
Los Olivos CSD



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Lisa Palmer  
Board of Directors, President

cc: Joan Hartmann, 3<sup>rd</sup> District Supervisor  
James Bishop, Central Coast Regional Water Quality Control Board  
Lars Siefert, Santa Barbara County EHS

Lisa Palmer, President  
Tom Fayram, Vice President  
Mike Arme, Director  
Brian O'Neill, Director  
Brad Ross, Director



POSTED 9 13 2021

**LOS OLIVOS COMMUNITY SERVICES DISTRICT**  
**Board of Directors Regular Meeting September 15, 2021 6: 00 PM**

This meeting will be held electronically via Zoom Meetings. The public will be able to hear and participate.

1. Join Zoom Meeting from PC, Mac, or Android: <https://us02web.zoom.us/j/89000408577?pwd=TjkzM28wM01YRXNkejZnRzYzUVVIZz09>
2. Via telephone: +1 (408) 638-0968 **Meeting ID: 890 0040 8577** **Passcode: 026366**

**REGULAR MEETING AGENDA**

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. PLEDGE OF ALLEGIANCE**

**4. DIRECTOR COMMENTS**

Directors will give reports on any meetings that they attended on behalf of the District and/or choose to comment on various District activities.

**5. PUBLIC COMMENTS**

Members of the public may address the Board on any items of interest within the subject matter and jurisdiction of the Board but not on the agenda today (Government Code - 54954.3). Speakers are limited to 3 minutes. Due to the requirements of the Ralph M. Brown Act, the District cannot take action today on any matter not on the agenda, but a matter raised during Public Comments can be referred to District staff for discussion and possible action at a future meeting.

**6. Public Discussion of the Methodology used in Selection of a Preferred Site and a Preferred Alternative Site to Study as a Possible Location of a Wastewater Treatment Package Plant.**

During the last Board meeting the Board advanced the Preferred Site (APN # 135230028) and the Preferred Alternative Site (APN # 135110024) for further review as a part of the Planning, Design and Environmental review of the Project. The Board also directed staff to notice a public information session to review the process the Board used to select the sites.

**7. ADMINISTRATIVE AGENDA**

All matters listed hereunder constitute a consent agenda and will be acted upon by a single roll call vote of the Board. Matters listed on the Administrative Agenda will be read only on the request of a member of the Board or the public, in which event the matter shall be removed from the Administrative Agenda and considered as a separate item.

**a. MEETING MINUTES**

- i. Approve Minutes of August 18, 2021

**b. INVOICE PAYMENT**

- i. July 14, 2021 UPC Invoice 10021, (through June ) \$155.00
- ii. August 15, 2021 Robert Perraul General Management Services ( 7-17- 8-15, 2021) \$3,645.00 .
- iii. August 24, 2021 MNS Invoice #78559 District Support Service (July) \$ 7,799.50
- iv. September 9,2021 Aleshire and Wynder1245 Legal Services (August) \$1,160.
- v. September 9,2021 GSI Groundwater Solutions Invoice # 0876.001-8, Groundwater Management Services, \$7,300.00

**8. Business Items: Discussion and Action on the following:**

- a. Consideration of Stantec Design Proposal from Stantec for the entire, District-wide Wastewater Collection and Treatment Plant Project.** At the request of the Board, Stantec Design Services Inc. submitted a revised proposal for Project Design Services Task Order No.2. The revised proposal includes a scope of work to complete the preliminary design for the entire, District-wide Wastewater Collection and Treatment Plant Project. The preliminary design proposal has been divided into three components: 1)Basis of Design, 2) 30% Completion and 3) 60% of Completion, **Recommendation: Authorize the Extension of the Design Services Contract and the completion of Task Order No. 2.**
- b. Consideration of An Update and Revision to the Los Olivos Community Wastewater Program Project Description .** The Project Description has been updated and revised to clearly articulate a system design for the entire District. The Board is being asked to review the revised Project Description and adopt by motion or provide staff with direction.
- c. Project Development - Project Management Committee Report. Committee members and General Manager will report on the following:**
  - i. Review Project Actions – Status Report (will be distributed prior to meeting)
  - ii. Review of Working Timeline to Benefit Assessment Election

**9. GENERAL MANAGER’S REPORT**

General Manager Report on current assignments, action items, and general District business.

**10. INFORMATIONAL ITEMS**

**11. CALL FOR AGENDA ITEMS**

**12. NEXT REGULAR MEETING:**

**13. AJOURNMENT**

The Los Olivos Community Services District is committed to ensuring equal access to meetings. In compliance with the American Disabilities Act, if you need special assistance to participate in the meeting or need this agenda provided in a disability-related alternative format, please call 805.946.0431 or email to [losolivoscscsd@gmail.com](mailto:losolivoscscsd@gmail.com). Any public records, which are distributed less than 72 hours prior to this meeting to all, or a majority of all, of the District’s Board members in connection with any agenda item (other than closed sessions) will be available for public inspection at the time of such distribution at a location to be determined in Los Olivos. California 93441.

**Item 6. Public Discussion of the Methodology used in Selection of a Preferred Site and a Preferred Alternative Site to Study as a Possible Location of a Wastewater Treatment Package Plant.**

Lisa Palmer, President  
Tom Fayram, Vice President  
Mike Arme, Director  
Brian O'Neill, Director  
Brad Ross, Director



## Memo

**To: President Palmer and Board members**

**From: Bob Perrault, General Manager**

**Subject: Preferred Plant Site Selection Discussion**

**Date: September 15, 2021**

### Summary

The District was formed overwhelmingly by voters in 2018 to provide a funding mechanism for the development, building and operation of facilities necessary to collect and treat wastewater for the community of Los Olivos. A priority task in the development of the system plan to serve the Community is the identification of potential site(s) that could be used for the package plant location. Once selected, the sites will be extensively reviewed as a part of the design, planning and environmental review process to determine if the site(s) location meet the goals of the district and community to develop an efficient, responsible, and cost-effective plant with limited disruption to the surrounding community.

The Board conducted preliminary research regarding potential sites in June 2019 and obtained an easement agreement with the County of Santa Barbara for the potential use of a .47 acres County Right of Way parcel adjacent to St. Marks and Mattei's Tavern.

In order to ensure all potential siting opportunities were considered, in January 2021 the District selected an outside consultant, - Urban Planning Concepts (UPC) to complete an independent, exhaustive study based on criteria (see Background for detail on the criteria) and to provide a list of potential sites for further consideration.

On June 6, 2021, UPC returned a listing of 17 sites in a weighted matrix format for consideration. The Board initially considered the site listing at the Board meeting held on July 14, 2021. At that meeting, the Board referred the matter for consideration and work to the Project Management Committee. The Committee further expanded the matrix criteria (see Background discussion below for details) and developed a recommendation for further Board consideration.

The Board considered the Committee recommendation during its August meeting. That recommendation reflected the identification of the Preferred Site APN# 135230028 and a Preferred Alternative site # 135110024. During the meeting there was considerable discussion by both Board members and members of the Public. At the conclusion of the discussion the Board decided to advance both the Preferred Site and the Preferred alternative site for further review as a part of the design and planning process. The Board also directed that a public information meeting be noticed and held September 15, 2021 for neighboring property owners within 500 feet of the two parcels in order to acquaint the public with the site selection process.

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**Lisa Palmer, President**  
**Tom Fayram, Vice President**  
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**Brad Ross, Director**



## **Background**

The plant facility's potential impact on the community is to be minimized. In accordance with the plant description contained in the District's Project Description: The treatment facility will be comprised of a high- efficiency, low odor, expandable Membrane Bio reactor (MBR) package plant. The plant will be designed to fit on a site of approximately ½ acre and sized to accommodate the current flow generated by the community. The architectural style of the barn -like building fully enclosing the package plant must be consistent with the architectural and historical details of Los Olivos. Every effort will be made to ensure the plant's impact will be minimized and will be thoroughly studied and mitigated in the environmental review process.

In identifying the initial sites, UPC used initial criteria provided by the District. The criteria were the following:

- Look at possible sites both within and within a mile distance of the district boundaries.
- The site size had to be at a minimum of ½ acre.
- Possible sites to include excess Right of Way for roads, vacant lots, and open farmland where a portion could be subdivided and purchased.
- Other Characteristics included: Number of lift stations required, special challenges and or constraints, location, proximity to creeks and neighborhoods, opportunity to host a variety of treatment options.

During the initial Board review the UPC list of sites was not prioritized. This was left to the Project Management Committee who expanded the matrix provided by UPC and came up with a numerical listing of the sites. In addition to the criteria used by UPC the Committee used the following criterial:

- Property Owner willing to work with the district
- Lot Size
- Elevation compared to community
- Access
- Physical Constraints
- Environmental Challenges
- Creek Crossing
- Residential Proximity
- Excess Right of Way
- Distance from Downtown core
- Ability to gravity flow

District Counsel has confirmed that the District has the legal authority to acquire and use property outside the boundaries of the District, as stated in Government Code section 61060, subsections (d) and (e). Further, the District can apply to LAFCO to annex any property acquired outside of the District for inclusion in the District, a process made simpler with the consent of the owners of the affect property or properties—which coincides with one of the above criteria. More information on LAFCO actions available to the District are available

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Based on these expanded criteria, the Board adopted the Committee's recommendation to advance the Preferred Site and the Preferred Alternative site for further consideration as a part of the lengthy planning, design, and public environmental review of the project. The entire system-package plant plus the delivery system infrastructure will also be included in the need to undergo a complete environmental review process. As the process moves forward the public will have a continued and ample opportunity to participate in the process.

**MINUTES TO APPROVE**

**MINUTES TO APPROVE**

**ATTACHMENT A**

Lisa Palmer, President  
Tom Fayram, Vice President  
Mike Arme, Director  
Brian O'Neill, Director  
Brad Ross, Director



POSTED 8-14-21

**LOS OLIVOS COMMUNITY SERVICES DISTRICT**  
**Board of Directors Regular Meeting August 18, 5:00 p.m.**

This meeting was held electronically via Zoom Meetings. The public was able to hear and participate.

1. Join Zoom Meeting from PC, Mac, or Android: <https://us02web.zoom.us/j/82349094942?pwd=SGRBYk1FWGN-tRVBsVDInWXhPNDljQT09>
2. Via telephone: +1 (408) 638-0968 Meeting ID: 823 4909 4942 Passcode: 173617

**REGULAR MEETING MINUTES**

1. **CALL TO ORDER:** The meeting was called to order by President Palmer at 5:24 pm
2. **ROLL CALL:** Present: President Palmer, Directors O'Neill, and Arme. Absent: Vice President Fayram and Director Ross.
3. **Pledge of Allegiance:** Led by President Palmer.
4. **Director Comments:** President Palmer noted she and General Manager had discussion with Jane Gray from DUDEK regarding potential funding opportunities.
5. **Public Comment:** There was no public comment.
6. **Administrative Agenda:** *Motion made to approve Administrative Agenda: Director Arme, Second: Director O' Neill, Approved 3-0-2 with Vice President Fayram and Director Ross absent.*
7. **Business Items:**
  - a. **Consideration and approval of Resolution 21-08. A Resolution of Directors of the Los Olivos Community Service District Setting the Appropriations Limit for FY 2021-2022:** The Board adopted the Resolution setting the appropriations limit at \$201,904.67. The limit incorporates a CPI adjustment of 3.9% in keeping with State Law. *Motion made to adopt Resolution 21-08 Setting the Appropriations Limit of FY 2021- 2022: Director Arme, Second by Director O, Neill, The motion to adopt was approved 3-0-2 with Vice President Fayram and Director Ross absent .*
  - b. **Consider Project Management Committee Recommendation to identify a Wastewater Treatment Plant Preferred Site and a Preferred Alternate Site:** There was much Board discussion and input from the public. A Communication was read into the record by President Palmer from resident Mark Herthel. President Palmer directed his communication be made a part of the record. Hillary Hauser of Heal the Ocean addressed the Board indicating her support for a single project with groundwater recharge from a site selected in a process. Resident Paul Rohrer of 2411 Alamo Pintado addressed the Board indicating he had sent an email to Board members noting his concerns with the project. It was noted Mr. Rohrer's email had earlier been distributed to the entire Board. Director Ross joined the meeting at 5:59 PM and actively participated in the discussion.

Following the Public and Board Discussion the following took place:

*A motion was made by Director Ross to hold a public workshop to discuss the selection methodology before moving forward with two project sites (a preferred and an alternate); there was no second. The Motion Failed.*

*A motion was made by Director O'Neill to use the Preferred Site and the Alternate Site as noted on the agenda/ staff report and advance them to the preliminary design phase; second by Director Arme. The motion was approved on 3-1-0-1 vote with Director Palmer voting no and Director Fayram absent.*

*A motion was made by Director Ross to set a public information meeting on site selection methodology, with notice to be provided to all neighboring property owners within 500 feet of both sites, with no less than 10 days of notice prior to the meeting, to take place on the same date and the next regular meeting on September 15. The motion was approved on a 4-0-1 vote with Vice President Fayram absent.*

- i. **Closed Session:** The Closed Session was deferred to a later date.
  
- c. **Consideration of Proposal from Stantec for Design Services:** Staff was directed by the Board to work with Stantec to return with a summary breakdown of schedule and costs according to project design elements: including Basis of Design, 30% and 60% of design completion.
  
- d. **Consideration of Proposed Scope of Work from GSI Water Solutions for Wastewater Injection Feasibility Study:** Following Board Discussion the Board took the following actions: Following Board discussion with representatives of GSI the following actions took place
  1. *Motion made by Director O'Neill to extend the period of performance in the General Services contract with GSI by 18 months commencing in August 2021 to January 2023. The motion was seconded by Director Ross, the motion was approved with a vote of 4-0-1 with Vice President Fayram absent,*
  
  2. *A motion was made to to authorize General Manager to execute an amendment to the agreement with GSI for Task I (High Level Planning Cost Estimate for Injection) with a not to exceed amount of \$12,500. The motion was seconded by Director Arme, the motion was approved by a vote of 4-0-1 with Vice President Fayram absent.*
  
- e. **Project Development - Project Management Committee Report. Committee Members and General Manager:** Reviewed upcoming meeting with Environmental Health Services on September 15, 2021. Discussed need to update Project Status Chart and review at meetings and reviewed the Timeline.
  
8. **General Manager's Report:** General Manager indicated there was nothing additional to Report.
  
9. **Informational Items:** District Counsel reported Governor's in-person meeting requirements would expire this month and the Board should prepare to meet in- person in September.
  
10. **Call for Agenda Items:** No new items were identified.
  
11. **Next Regular Meeting:**  
Wednesday, September 15, 2021, 6:00 p.m.  
Los Olivos School, Room 602

**12. Adjournment - Meeting was adjourned at 8:48:pm**

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APPROVED

\_\_\_\_\_ Lisa Palmer, President

ATTEST

\_\_\_\_\_ Robert Perrault, GM/Secretary

COMMUNICATION RECEIVED FROM MARK HERTHEL AND MADE A PART OF THE RECORD

Dear Los Olivos CSD Directors,

I am sending the following email to be read in public comment at this evenings board meeting for agenda item #xxx. I first want to commend your board and the Los Olivos Community on the formation of the Los Olivos CSD which has given our residents a local control option to debate, discuss and decide on how our community will move forward to address our communities wastewater regulatory challenges. I am writing this letter in response to your board considering to study one of our family properties as a potential site for a wastewater treatment system. While my preference would be for another property to be selected for this package plant I do realize that our property has ranked high on your districts property evaluation rating scale. I am open to considering working constructively with the district to make an approximate 1 acre portion of our little creek property available if all other site options are exhausted or are not feasible. This would be conditioned however on the following criteria being agreed to and followed through on. If ultimately this property is selected as a site our family would not be looking for any remuneration for this acreage. We would likely gift this portion of the property to the CSD. We do however reserve the right to reverse this decision or add to the conditions if new information arises. As I only learned about this topic being added to your agenda on Monday of this week I would ask that you take the time to properly notify and engage the residents near this property before taking any action. As most of the neighbors live outside the district boundaries they would not have been paying attention to your agendas and community outreach.

In the early years of your formation and work my understanding was that you were planning on using a property in downtown Los Olivos that was acquired from the county of Santa Barbara for a package plant to handle the flow from the downtown core and adjacent residential properties and that larger parcels to the south would be handled with onsite advanced treatment systems. I would like to hear more on your current vision and whether or not that has changed. Again to reiterate our preference would to not have a waste water treatment facility on our property, however we do want to ensure that the Los Olivos CSD is successful.

Sincerely,

Mark Herthel

Los Olivos, Ca.

ATTACHMENT A

Initial Conditions:

1. The district does outreach to all neighbors of this property and invite them to engage in the public forum before a decision is made. Listen to their input, concerns, and ideas and consider heavily.
2. Treatment plant would be compact Membrane Bioreactor or other similar advanced system sized for the community of Los Olivos.
3. Discharge water would be treated to the highest level to reduce odor and contaminants and would be discharged back into ground water supply or adjacent stream. No ponds, pits or spray irrigation.
4. Plant would be located on south west end of property in a location to be decided by CSD and property owner with input from immediate neighbors to best screen and have no impact to neighboring properties
5. Package Plant would be enclosed in an attractive barn structure/likely wood exterior to fit with character of this community. Property owner would have input on design plans for barn structure and fence to ensure it fits with the character of the community.
6. Advanced odor and noise mitigation measures would be put in place to ensure no odor or noise within 0-50 feet of the treatment plant.
7. CSD would work with land owner and county to provide road easement for property access at Southern border of property.
8. CSD would work with land owner and county to remove a total of 1 acre or less from the property to be donated and conveyed to CSD if and when the agreed to project conditions are met. If conditions are not met and agreed to the deal is off the table.
9. CSD would cover land use costs associated with all land use work needed for the project.
10. CSD would screen any ancillary supplies, equipment, etc.. not housed inside of barn with attractive wood fence or behind barn structure.
11. CSD will immediately haul away sludge from the system and not stockpile on the property.
12. The list of conditions may increase as input from neighboring residents come in, additional facts are learned, etc....



We just submitted a letter by e-mail to [losolivoscsd@gmail.com](mailto:losolivoscsd@gmail.com) the below text regarding Agenda Item 7c for today's Board Meeting. We appreciate that the text likely will not cut-and-paste well into this comment form, but we wanted (a) to make sure the Board had notice to check the email account in advance of your meeting and (b) to ask if you want hard copies of the letter delivered somewhere locally for your Board members. Thank you for your work on behalf of this wonderful community. August 18, 2012 Board of Directors Los Olivos Community Services District PO Box 345, Los Olivos CA 93441 Re: August 18 Board Agenda Matter 7c. Dear Honorable Board of Directors: Our family lives in the historic Ballard Adobes at 2411 Alamo Pintado Road, immediately next door to the proposed site (the "Littlecreek Site") of the sewage treatment plant. While we strongly support the good work of the Los Olivos Community Services District and its efforts to maintain local control of important decisions affecting our community, unsurprisingly, we must express our real concerns about having a sewage treatment plant located next door to our home. As you are aware, existing studies extensively describe the health risks sewage treatment plants pose to neighboring residents and the expected diminution of quality of life typically associated with such sites. This is especially concerning to us, given that we have a seven year old daughter attending the Los Olivos School, whom we have hoped would grow up in our historic home, on our sustainable farm, in our lovely community. Our concerns are further amplified given that, ironically, the proposed site is located outside of your district, where we and other affected neighbors are neither served nor represented by your district. Further, we, like the other adjacent neighbors, and unlike downtown Los Olivos, are located on agricultural property where the lot sizes easily support septic systems. So, to be clear, before drilling in on potential solutions, let's join together in agreeing that the sewage treatment plant is intended to serve others, who are members of your constituency, and is sited to place its negative externalities on folks who are not members of your constituency. Consequently, rather than me saying "not in my backyard," the Program Management Committee, by proposing the Littlecreek site, is saying, "not in our backyard but in the backyard of our neighbors who are neither benefitted by the project nor represented by us." This is not a question of us not doing our fair share, but of the District electing not to do its. In addition, before agreeing that the Littlecreek site represents the best possible location for the sewage treatment plant, we have some concerns regarding the process, and the transparency of that process, by which the Littlecreek site was selected. This may all be clear to others, and I apologize for not having followed this Board's actions previously, but from the current Board Memo, I understand that at the July Board meeting, Urban Planning Concepts submitted a matrix identifying 17 potential sites. After that submission, the Board accepted Director Ross's offer to unilaterally weigh the various sites. On August 11, a committee, identified as the Project Management Committee, reviewed Director Ross's revised matrix and selected a primary site and an alternative site for recommendation to this Board. Again, my

apologies for my lack of knowledge, but it is not clear to me who the Project Management Committee consists of and whether or not its meeting was public. Further, I am concerned that there appears to have been a determinative weighting system developed unilaterally by one Board member, without any apparent (at least to me) public discussion of its system or merits, that was then used by an unknown committee using an unknown process to provide a recommendation to the Board. Further, the Board material provides neither explanation of, nor reasoning for, the recommended weighting system and is insufficient (a) for the Board's reasonable review, discussion and action, (b) to provide necessary public transparency, and (c) to allow meaningful public review and insight. Consequently, I might suggest that, in order to provide full transparency and an open and defensible process, the Board notice a hearing on the contents and adoption of a preferred weighted selection system and its application to the various potential sites before prematurely moving to a decision based on assumptions and suppositions that might lack transparency, articulated reasoning and fair application. However, notwithstanding the fundamental inequities and gaps in apparent transparency and process described above, we would like to support the endeavors of our community. We have spoken with our neighbor who owns the Littlecreek site and who, with his family, has exemplified community involvement in Los Olivos; we agree with the list of conditions he wants placed on any sewage treatment plant located on the Littlecreek site. However, given our location directly next door to the proposed sewage treatment plant, we condition our support on both our neighbor's conditions (expected to be submitted to you by him), and the following clarifications and expansions of those conditions: 1) The sewage treatment plant would be MBR or other similar advanced treatment system. a) At its property line, the sewage treatment plant will result in no additional noise above current ambient daytime and nighttime levels. 2) The sewage treatment plant would be completely enclosed. a) No ponds, tanks or other water or effluent storage would be outside of the plant's structure or otherwise open to the atmosphere. b) No odors would exist outside of the plant's structure. c) No atmospheric emissions would occur. d) No bioaerosols would be released. e) No airborne pathogens would be released. f) No microorganisms, bacteria or fungus would be released into the air, earth or water. g) No increase in, flies, cockroaches, rats, or other vermin associated with the processing, storage or treatment of sewage would occur outside of the enclosed facility, and toxins used in vermin control would not have any increase above current ambient levels. 3) The effluent released into the ground would have been treated to such a level as not to (a) imperil or affect the water quality of the underlying aquifer from which the water district and others draw drinking water and (b) impact any adjoining wells or crops. 4) Any storage, loading or transportation of solid (or other) wastes or sewage sludge from the site will not result in any of the prohibited conditions described in Section 2 above. 5) No adverse impact on traffic or loss of service at any intersection or on Alamo Pintado Road/Santa Barbara Avenue, including no regular usage of heavy trucks on Alamo Pintado Road/Santa Barbara Avenue. 6) Outside lighting will not exceed current ambient levels at the sites property line, and no outside lighting will contribute to diminishment of current "dark sky" levels.

7) All electrical, water, and transportation infrastructure will be placed within aesthetically appealing barn-like structures. 8) The sewage treatment plant, the property on which it is located and all appurtenant structures, improvements, and all related personal property will be maintained in first-rate condition equal or above surrounding farms and houses and in accordance with all requirements and best practices standards. 9) The operations and activities associated with the sewage treatment plant will be conducted using best practices equal or above the standards of other such facilities in California's specialty wine growing regions. 10) Adequate monitoring for compliance with all of the conditions be ensured on an ongoing basis. a) Noise, air, light level, pest, water quality, and other testing will be done on a continual ongoing basis with the results made public in real time. b) Affected parties be afforded a private right of action (with fee recoupment) so that they may fulfill a private attorneys general function, if the County or other regulatory bodies do not promptly and strictly enforce compliance as set forth in the sewage treatment plant's mitigation measures and conditions of approval. Again, we wish to voice our support for the good work of the District and its Board Members and for the independence and self-governance of our community. I apologize for the seemingly pedantic list of conditions and the brief explanation of concerns regarding apparently neglected process and transparency, but as a lawyer engaged in development and infrastructure projects for many years, I have seen how intentions may change or be forgotten over time, and how various political bodies may lay off negative externalities on those who are not represented. Obviously, it should go without saying that the proposed sewage treatment plant has the potentiality of severely and inequitably impacting our family and other families, farms and small businesses, and we expect to work closely with you, your staff and your counsel to ensure a just and sustainable result. Sincerely, /s/ Paul Rohrer

**Agenda Item 8a. Attachment**



Stantec Consulting Services Inc.  
111 E. Victoria Street  
Santa Barbara, CA 93101

September 9, 2021

File: 184031368.202

Attention: Mr. Bob Perrault

Email: [robertjerrault51@gmail.com](mailto:robertjerrault51@gmail.com)

Los Olivos Community Service District  
PO Box 345  
Los Olivos, CA 93441

**Reference: Request for Budget Proposal, Los Olivos Community Service District Project Design Services – Task Order No. 2 Preliminary Design - v 05**

Dear Mr. Perrault,

## Project Understanding

Los Olivos Community Service District (District) has requested a scope and budget for Task Order No. 2: Feasibility Study/Preliminary Design for the District service area as described below. Task No. 2 will be based on the terms and conditions of the Professional Services Agreement executed August 20, 2020.

Stantec's efforts are intended to support the District in fulfilling the goals of the Water Recycling Funding Program (WRFP) Planning Grant funding awarded by the State. This effort will determine wastewater collection, treatment and water recycling concept feasibility and costs. The results of this concept/preliminary design will be used by the District in preparation of its Recycled Water Project Report (RWPR).

The project will include engineering services as described in the tasks below for a gravity collection system, and treatment plant site work. The effluent disposal method as selected by the District will be through well injection to the groundwater basin. The well design and permitting will be developed by the District's consultant GSI. Well injection will require wastewater treatment with reverse osmosis, microfiltration and advanced oxidation, the highest level of treatment available and regulated by the State Water Board. Facilities of this calibre are typically utilized in the absence of other effluent disposal options, or in applications where the effluent is developed for indirect potable reuse. Stantec will work with a District selected wastewater treatment plant manufacturer who will provide the treatment plant design parameters and costs. Stantec will develop the gravity collection system and will provide coordination, and support site development of the treatment facility.

## Preliminary Design

This project will develop a Basis of Design Report and preliminary design of the septic to sewer conversion project for the District's service area.

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Reference: Request for Budget Proposal, Los Olivos CSD Project Design Services – Task Order No. 2 Preliminary Design - v  
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## Task Order No. 2 Subtasks:

### 2.1 – Basis of Design

Stantec will prepare a Basis of Design (BOD) report to document findings in this phase of work. The BOD will include the following sections:

- A. Recommendations from previous studies.
- B. Wastewater flows and loads
  - a. Stantec will expand on the Phase 1 Loading Study to include build-out load conditions to be used for design. Stantec assumes there are no future flows to be considered beyond the current District boundary
- C. Effluent water quality requirements are disposal dependent. It is assumed these criteria will be provided by the District's consultant, GSI and the criteria will adhere to California Code of Regulations Title 22, and meet the standards for Indirect Potable Reuse: Groundwater Replenishment
- D. Conceptual plant site layout considerations for the District's Wastewater Treatment Plant Preferred Site (assumes Little Creek Property for scoping purposes, other locations may result in additional work). A second site can also be considered, though it may require an additional pump station. Stantec will include the Preferred Alternate Site on map for reference only. Stantec will work with the District and their selected package treatment plant manufacturer to prepare a site layout for the "expandable" package plant layout at the proposed Preferred Site
  - a. Stantec will work with the District and the package treatment plant manufacturer for layout of onsite needs such as the influent pump station, primary and secondary treatment facilities, reverse osmosis facilities, effluent storage and pumping facilities, chemical storage, biosolids storage, brine storage, solids dewatering facilities (if recommended by the wastewater treatment manufacturer), electrical/control facilities, etc.
  - b. It is assumed that the District's selected wastewater treatment plant manufacturer can provide the required level of treatment
  - c. It is assumed that the District's selected wastewater treatment plant manufacturer will provide all required process engineering, equipment and construction costs; Stantec will not be the process engineer
  - d. A review of alternative manufacturer's is not included in this scope, but the design criteria established in this Basis of Design report will be universal
  - e. An 11x17 drawing exhibit of the wastewater treatment plant site will be prepared
- E. Sludge hauling considerations
- F. Reverse Osmosis brine hauling considerations

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- G. Stantec will work with the District to evaluate and prepare a gravity collection system concept layout for feasibility purposes. Stantec will prepare 10 percent conceptual collection system drawings as 11x17 exhibits (plan view only, no profiles). Drawings will be based on available aerial images or new survey, depending on timing of the survey work
- H. Stantec will work with the District to prepare collection system design criteria, related to minimum slopes, minimum velocities, maximum percent full, minimum cover, and manhole spacing

The Basis of Design report will be focused on summarizing design performance criteria with limited explanation, figures and detail development. The District will provide a consolidated set of review comments. A final report will be prepared after incorporating agreed upon District's review comments.

*Deliverables:*

- A. Draft BOD in PDF format
- B. Final BOD in PDF format

## **2.2 – 30 Percent Design**

Stantec will prepare 30 percent design documents based on the final BOD. The 30 percent design includes the following tasks:

### **2.2.1 Topographical Mapping**

*A. Aerial Topographic Mapping:*

Aerial mapping will be performed including mapping of the limits of the District Boundary as well as extending at least 10-feet beyond. Aerial mapping will include, the horizontal locations of building footprints, guy wires, vaults, utility boxes, sidewalks, curbs, edge of asphalt, fences, walls, driveways, access roads, and vegetation.

Stantec will provide a subcontracted aerial firm (Vertical Mapping Resources, [VMR], [www.verticalmapping.com](http://www.verticalmapping.com)) the coordinates of said aerial targets and the site will be flown by the subcontractor by airplane taking photos to be the basis for the site mapping. VMR will provide Stantec the deliverables described below. The deliverables will have relative site accuracy of approximately +/-0.2' horizontally and vertically (better in open-sky improved locations) prepared to National Map Accuracy Standards:

- a. Planimetric base map with a digital terrain model (DTM) with 1' contours
- b. Colorized ortho-rectified aerial imagery with +/-0.2' pixel resolution (1 pixel of the photo represents a 0.2' x 0.2' square on the ground)

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**B. Ground Based Topographic Mapping:**

Stantec has included up to five (5) days of supplemental ground based topographic mapping of the proposed sewer pipeline alignments and an additional two (2) days for the package treatment plant location(s) (up to two locations as selected by the District). Topographic surveying and mapping will locate pavement, curbs, driveways, walks, median and parkway planters, and visible surface utilities (accessible storm drain manholes will be opened and the invert elevation, pipe size and pipe material will be noted), together with topographic features such as pipe crowns, flow lines, grade breaks, etc. from back of walk to back of walk. Pavement and surface materials will also be identified. Trees larger than 6" in diameter (measured at chest height) will be located and shown on the map along with detail information such as walls, signs, surface material limits, mailboxes and USA markings, if available, as achievable within the allotted ground survey time.

**Note:** In areas where the topography poses a safety risk, we will interpret elevations based on available ground measurements.

**C. Mapping Deliverables and Notes:**

- a. Create an AutoCAD drawing for the project base map, including surveyor's notes and legend. The scale of the base map will be 1" = 20' with a 1-foot contour interval
- b. Mapping will be based horizontally on the California Coordinate System of 1983 (CCS83), NAD83(2011), epoch 2017.50, and vertically on the North American Vertical Datum of 1988 (NAVD88) via geodetic ties to continually operating GNSS stations constraining to coordinates at said stations as published by the California Spatial Reference Center (CSRC). National Geodetic Survey's (NGS) "Geoid12B" or "Geoid18" geoid model will be interpolated and applied to computed ellipsoid heights for all project data to derive orthometric project heights
- c. Locate upstream and downstream gravity utility lines beyond the topographical mapping boundary (storm drain) inlets/outlets and invert elevations of visible crossing gravity utilities. Approximate size of pipe entering/exiting manhole will be noted
- d. Establish semi-permanent survey control points (magnetic nails in pavement or scribed "+" in concrete) along alignment for use by contractor during construction
- e. Create an AutoCAD drawing for the project base map, including a title sheet with surveyor's notes, vicinity map, and legend. The scale of the base map is proposed to be 1" = 20' with a 1-foot contour interval
- f. For this survey, the right-of-way mapping to be included with the topographic mapping will be based on the County Assessor's GIS parcel lines. During the design phase, it may be determined that the accuracy of the GIS parcel lines will not be suitable for all areas. For those areas where a greater accuracy is needed, additional research of public records would need to be conducted to determine the complexity of establishing the right of way. Based on the complexity and length of area needed, a corresponding fee adjustment would be required



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- g. No parcel boundary mapping is included in the survey effort
- h. No survey will be completed north of Highway 154. (However, the District may want to consider capacity in the collection system to serve this area if it's ever added [sewered] in the future.)

## **2.2.2 Data Review, Utility Research, and Base Mapping**

### *A. Data Review, Utility Research, and Base Mapping*

- a. Stantec will work with the District to obtain available existing records including but not limited to utility record maps. Stantec will provide the following scope for this task:
  - i. Review the as-built drawings as well as any relevant previous reports for the project
  - ii. Review County Roads basemaps and incorporate into the project basemap where necessary
  - iii. Perform a record search utilizing USA Dig Alert and available record drawings. Using the USA Dig Alert database and our contacts with the various agencies with utilities in the vicinity of project, we will request available as-built data, and request information on existing facilities and available future planned projects in the area that may potentially impact the proposed construction schedule
  - iv. We will plot the information received from the District and utility providers to prepare the utility base map. Information received from utility providers will be submitted to the District for record keeping
  - v. Conduct site reconnaissance to capture any project constraints, above grade surface features, and creek alignment that may affect the design (assumes four (4) field days will be required to perform this effort)

## **2.2.3 30 Percent Plans**

### *A. Wastewater Treatment Plant Proposed Design*

- a. Wastewater Treatment Plant (WWTP) Concept Design: Stantec will work with the District and their selected package treatment plant manufacturer for the WWTP concept design (30 percent). Stantec will coordinate this work, but it is assumed the package treatment plant manufacturer will provide the concept design criteria, layout needs and requirements, as well as provide a constructed facility cost estimate. Stantec understands the District plans to select the package treatment plant manufacturer by November 2021. The District should confirm that the manufacturer will support this design process. In some cases, manufacturers require a fee. Stantec assumes that the District will ensure manufacturer support.

This task includes:

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- i. Coordination with the District, package treatment plant manufacturer, and the District's subconsultant GSI for preliminary sizing of influent and effluent metering tanks, as necessary
  - ii. Work with District to evaluate sludge/slurry hauling receivers, costs, and feasibility. Stantec understands the District does not plan on having biosolids handling onsite and plans to haul wet sludge offsite
  - iii. Prepare a civil site plan and will evaluate other utility coordination such as electrical, potable water, and connection to the collection system. Stantec will review access requirements for operations including sludge and brine hauling and chemical delivery. Final design will be part of a future scope of work. A site civil plan will be included in the preliminary design plan set as part of the technical memorandum
  - iv. Stantec will identify hydraulic needs of the WWTP, including a possible influent pump station, influent flow equalization and pumping needs, effluent storage and pumping needs, and biosolids storage and pumping needs in coordination with the treatment plant manufacturer and the District's permit consultant. Design work will require supplemental authorization, depending on the facility needs identified
  - v. Stantec understands the site may require architectural design for a barn façade for the equipment and for the County approval process. This work is not included in this scope of work and is anticipated to be part of the final design scope of work. Architectural and building design is excluded from this phase of the scope of work. It is assumed that cost items for these project elements will be provided by the District.
- b. Stantec will coordinate with the District's permit consultant (to be selected by District) for their efforts on discharge permit. Stantec assumes District's permit consultant will take the lead on obtaining the discharge permit and that they will provide support documents for the permit process and costs associated therewith. Stantec assumes specification information will be provided by the package treatment plant manufacturer for all treatment components.

***B. Los Olivos Sewer Collection System***

- a. Stantec will prepare 30 percent collection system design plans utilizing the concept exhibits prepared in the previous phase. Stantec will incorporate agreed upon comments into the 30 percent plans. Stantec anticipates the following activities as part of this task:
  - i. Prepare a collection system sewer hydraulic model. Stantec will utilize the aerial topography and will review the overall collection system hydraulics for sizing considerations.
  - ii. Prepare a lateral compatibility study, meeting County Public Health standards, if any. No field work or ground survey will be provided for private properties. Stantec assumes the homeowners will be responsible for final design and construction of individual connections

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- iii. Set preliminary depth of sewer mains based on available topographical data from the aerial survey
- iv. Assumes one lift station will be required based on the Little Creek site and known information at the time of this proposal. Stantec will coordinate with the District once the survey and layout has been evaluated to discuss pumping needs. Stantec will show a proposed lift station location on the site plan
- v. Prepare 30 percent preliminary sewer main plans in AutoCAD format (Plan sheets will include title sheet, notes, based on available information Stantec assumes there will be approximately forty-five plan and profile sheets for the sewer mains, and six detail sheets) The design plans will include the proposed sanitary sewer main and trunk line locations and existing utilities.
- vi. Provide recommendations for collection system sizing, layout, and materials

**C. Opinion of Probable Costs**

- a. Stantec will prepare a Class IV Opinion of Probable Construction Cost (OPCC) for the 30 percent design submittal package
- b. Stantec will work with the District to provide a cost estimate for the Final Design package, Construction Management and Inspection, plus a contingency

**Deliverables:**

- A. *Colorized ortho-rectified aerial imagery (electronic submittal)*
- B. *AutoCad topography and basemap file (electronic submittal)*
- C. *30 percent design plans – (electronic submittal)*
- D. *Opinion of probable costs (electronic submittal)*

## **2.3 – 60 Percent Design**

Upon District written approval of the 30 percent design plans, Stantec will prepare the 60 percent construction documents for the wastewater treatment plant and collection system. Stantec will incorporate agreed upon comments from the 30 percent design phase into the 60 percent design. The 60 percent construction documents include the following:

**A. Wastewater Treatment Plant Proposed Design**

- a. Prepare detailed plans to include the following:
  - i. Civil site plan
  - ii. Civil rough grading plan

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- iii. Electrical site plan
  - iv. Mechanical site plan
  - v. Site utility plan
  - vi. Electrical, structural, and mechanical details will be provided during final design and are not a part of this scope of work
- b. Stantec understands the site may require architectural design for barn façade for the equipment and for the County approval process. This work is not included in this scope of work and is anticipated to be part of the final design to be scoped at a later date. Architectural and building design is excluded from this scope of work. For a complete cost estimate, it is assumed the District will support a budget for these project elements to be included in the total opinion of probable costs.

***B. Los Olivos Sewer Collection System***

- a. Prepare detailed plans to include pipe slopes, inverts, pipes sizes, and line/curve tables
- b. Technical specification table of contents
- c. The proposed lift station for inclusion with the 60 percent submittal will include the following sheets:
  - i. Site layout (wet well, valve vault, controls, emergency storage [if feasible], odor control, etc.)
  - ii. Force main plan and profile (assumes two sheets)
  - iii. Electrical, structural, and mechanical details will be provided during final design and are not a part of this scope of work

***C. Opinion of Probable Costs***

- a. Stantec will prepare a Class IV Opinion of Probable Construction Cost (OPCC) for the 60 percent design submittal package
- b. Stantec will work with the District to provide a cost estimate for the Final Design package, Construction Management and Inspection, plus a contingency
- c. Stantec assumes the easement or land acquisition, disposal design elements (wells and associated piping/conveyance), such as effluent and environmental permitting costs, treatment plant quotes and CEQA compliance, will be prepared by others and the District will provide final estimates to be incorporated into a master cost spreadsheet
- d. Stantec will work with the District to summarize operation and maintenance costs, including the collection system, treatment facilities (from the selected treatment plant manufacturer, including

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labor, chemicals, electricity, parts, etc.), pumping costs, injection wells (from GSI), sludge and brine hauling and tipping fees and recommended reserves that may be used to understand user rates

*Deliverables:*

- A. 60 percent design plans – (electronic submittal)
- B. Opinion of probable costs (electronic submittal)

## **2.4 – Project Management, Meetings, and Communication**

The project management subtask includes the following responsibilities:

*A. Project Meetings*

Attend design meetings with the District staff. Meetings will be held virtually unless in-person meetings are feasible.

- a. Kick off meeting (assumes 1-hour virtual meeting)
- b. Three status update meetings with staff (assumes 1-hour virtual meeting, each)
- c. Basis of Design Review meeting (assumes 1-hour virtual meeting)
- d. 30 and 60 Percent Design meetings (assumes 2-hour virtual meeting each)
- e. Two presentations to the District Board (assumes 2-hour virtual meeting)

*B. Project Management*

- a. Prepare progress billings and manage project schedule
- b. Coordinate staff and deliverables

*C. District and Other Consultants Coordination*

Stantec assumes the District or the District's other consultants will take the lead for agency coordination. Stantec will work with the District for coordination purposes and provide conceptual documents as part of the other tasks defined below. Stantec assumes up to 20 hours for coordination during the preliminary design phase.

## **Assumptions:**

- A. Septic systems are within 20 feet of parcel structures and sewer laterals are no deeper than 3.5 feet. (This is important for assessing depth requirements for the sewer mains in the rights of way identified in this study.)

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- B. No private parcel improvements will be assessed. They will, however, be conceptually discussed, i.e., septic tank decommissioning and new lateral requirements and an associated cost assigned for the opinion of probable costs. Stantec assumes homeowners will be responsible for construction and hook up of their private laterals
- C. Additional ground survey will be required during final design
- D. Final design will be provided under a separate scope of work
- E. Stantec assumes no additional buildings will be provided onsite at the package treatment plant location, or if required, they will be provided as part of final design
- F. Sizing of bulk storage of chemical will be provided by the package treatment plant manufacturer
- G. Stantec understands the package treatment plant manufacturer may contract the District as plant operator in the future
- H. The District will identify the selected treatment plant manufacturer and they will be available to support and contribute to the design and costing effort
- I. The District will provide reliable effluent disposal capacity (not to be assessed by Stantec). District will provide:
  - a. Review of deliverables. Stantec assumes deliverables are reviewed within two weeks of submittal
  - b. Treatment plant site location and parcel boundary information
  - c. Final service area limits, i.e. should the collection system provide capacity for any future sewerage additions from outside the immediate bounds of this study, such as areas north of Highway 154
  - d. Selected package treatment plant manufacturer

## SERVICES NOT INCLUDED

The following services and all other services not specifically listed herein are excluded:

1. Governmental and public agency Map checking fees.
2. Preparing and filing Corner Records or maps of any kind.
3. Setting boundary or right-of-way monuments.
4. Boundary mapping.
5. Land acquisition or negotiations. Easement preparation.
6. Sub-surface utility detection or potholing services.
7. Title Company reports, services and fees.
8. Odor control design.
9. Final Engineering services will be provided under a separate scope of work.
10. Geotechnical services. This will be required for Final Engineering and bidding.
11. Environmental services including but not limited to CEQA (or other funding clearance requirements, such as NEPA), biological studies, noise, archeological, etc.
12. Permit preparation and/or processing.
13. Wastewater treatment or disposal design, cost estimating and permitting.
14. Traffic control plans. These can be included in Final Design.

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- 15. Architectural, buildings or structure design.
- 16. Permit fees.
- 17. Services not listed herein.

## Proposed Fee

Based on our understanding of your requirements and our experience with similar projects, we estimate that the fee required for our services will be approximately as follows:

**Task Order No. 2 .....\$266,750**

Our charges will not exceed the above fee estimate without your prior authorization. Stantec reserves the right to reallocate budget between the tasks if necessary, provided the overall total is not exceeded.

We have estimated the cost of our services based on our understanding at this time of the scope and complexity of the work. During the performance of our services, the need for additional or expanded services may be determined. We will make every reasonable effort to keep you informed of our progress and costs incurred.

As we are all aware, we are all working in unprecedented times as a result of the COVID-19 pandemic. The situation is a very fluid one. Our proposal is based on what we understand as of today but may change as conditions change. We would be pleased to have a further discussion with you to share our respective plans and efforts to help manage and mitigate the impact of this evolving situation on your proposed project.

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## Schedule

Stantec is proposing the below schedule for the tasks associated with Task 2 proposal.

Key Efforts	2021					2022						
	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	
Fully Executed Contract and Notice to Proceed		★										
Task 2.1: Project Management, Meetings, and Communication		★	★				★		★			
Task 2.2: Basis of Design												
Prepare Basis of Design												
District Review Period												
Task 2.3: 30 Percent Design												
Topographical Mapping												
Data Review, Utility Research, and Base Mapping												
30 Percent Plans												
District Review Period												
Task 2.4: 60 Percent Design												
60 Percent Plans												
District Review Period												

## Authorization to Proceed

Should you require additional information or wish to discuss this work authorization further, please give me a call at (805) 285-9093. If this work authorization is satisfactory, please provide us written authorization to proceed by issuing an executed task order. This work shall conform to the terms and conditions of the Professional Services Agreement executed on August 20, 2020. The following is a summary of the current task orders assigned from the Agreement.

LOCS D Septic to Sewer Project Task Order Summary			
Task Order	Description	Authorization Date	Estimated Fee
No. 1	Loading Study	9/9/2020	\$ 20,000
No. 2	Preliminary Design		\$ 266,750
		<b>Total</b>	<b>\$ 286,750</b>



September 9, 2021

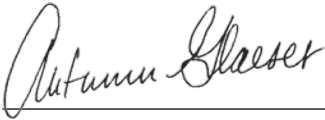
Mr. Perrault

Page 13 of 13

**Reference: Request for Budget Proposal, Los Olivos CSD Project Design Services – Task Order No. 2 Preliminary Design - v  
05**

Regards,

**Stantec Consulting Services Inc.**



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**Autumn Glaeser, PE**  
Project Manager  
805-285-9093  
Autumn.Glaeser@Stantec.com



---

**Gabe Aronow, PE**  
Principal-In-Charge  
530-470-0515  
Gabe.Aronow@Stantec.com

Attachment: Proposed Fee

FEE ESTIMATE - Los Olivos CSD Septic to Sewer Task 02 Preliminary Design

Name		Kolli, Vanu	Aronow, Grabe	Glaeser, Autumn	Botrous, Akram	Devirees, Andrew	Zikowski, Jonny	Schibo, Stephanie	Eisenbart, Daniel	Hoang, Long	Gower, Hayden	Loudak, James	Gower, Hayden	Kangler, Nick	Project Summary				
Project Billing Rate	Total Units (T&M)														Labour	Expense	Subs	Total	
\$251.00	4	\$251.00	\$217.00	\$251.00	\$192.00	\$192.00	\$170.00	\$228.00	\$243.00	\$192.00	\$243.00	\$142.50	\$142.50	\$1.10	\$1.10				
Fee (T&M)		\$1,004.00	\$22,590.00	\$31,248.00	\$12,048.00	\$13,056.00	\$32,256.00	\$66,300.00	\$7,296.00	\$9,234.00	\$14,976.00	\$13,122.00	\$10,260.00	\$10,260.00	\$1,100.00	\$22,000.00	\$266,750.00		
<b>Total</b>															\$243,650.00	\$1,100.00	\$22,000.00	\$266,750.00	

Task Code	Task Name	Units	Hours	Labour	Expense	Subs	Total
2.1	Basis of Design	8 8 8 8 8 24 4	68	\$13,876.00	\$0.00	\$0.00	\$13,876.00
2.2	30 Percent Design		802	\$150,498.00	\$550.00	\$22,000.00	\$173,048.00
	Topographical Mapping		262	\$44,528.00	\$550.00	\$22,000.00	\$67,078.00
	Data Review, Utility Research, and Base Mapping	8 8 4 40 80	140	\$25,792.00	\$0.00	\$0.00	\$25,792.00
	30 Percent Plans & OPCC	34 42 32 40 68 150 4 30	400	\$80,178.00	\$0.00	\$0.00	\$80,178.00
2.3	60 Percent Design		252	\$51,040.00	\$0.00	\$0.00	\$51,040.00
	Wastewater Treatment Plant Proposed Design	8 4 8 8	28	\$6,420.00	\$0.00	\$0.00	\$6,420.00
	Los Olivos Sewer Collection System	8 10 40 100 30	188	\$36,148.00	\$0.00	\$0.00	\$36,148.00
	OPCC	4 4 4	36	\$8,472.00	\$0.00	\$0.00	\$8,472.00
2.4	Project Management, Meetings, and Communication		136	\$28,236.00	\$550.00	\$0.00	\$28,786.00
	Project Management, Meetings, and Communication	4 20 60 8 8 36 500	136	\$28,236.00	\$550.00	\$0.00	\$28,786.00

**Agenda Item 8b. Attachment**



8-14-19

Draft

# Los Olivos Community Wastewater Program Project Description

## OUR PURPOSE

The Los Olivos Community Services District (District) was formed by voters in 2018 to provide a funding mechanism for the development, building and operation of facilities necessary to collect and treat wastewater in the unincorporated community of Los Olivos.

## PROJECT GOAL

The purpose of the Los Olivos Wastewater Treatment / Reclamation Program Project Description (Project Description) is to state the Board's strategy for providing an economically viable and effective wastewater treatment and reclamation solutions to the residents and property owners within the District. Any final solution selected will meet public health needs and the regulatory requirements of the Regional Water Quality Board (RWQCB).

The Los Olivos Wastewater Reclamation Program is comprised of four distinct components, each being interdependent and implemented concurrently:

1. Develop and Implement Interim Onsite Wastewater Treatment System (OWTS) Requirements to be incorporated in the County Local Area Management Plan (LAMP)
2. In order to Reduce Project costs identify Financial Assistance for Program Development, Construction and Operation.
3. Implement an ongoing Local Groundwater Monitoring Program; and
4. Design, Permit and Build a Phased Collection and Treatment System

1. DEVELOP INTERIM OWTS REQUIREMENTS IN CONJUNCTION WITH COUNTY EHS

Onsite Wastewater Treatment Systems (OWTS) in Los Olivos are currently governed by the Santa Barbara County Public Health Department's (County EHS) Local Area Management Plan (LAMP).

Los Olivos property owners who seek County EHS guidance on OWTS-related issues have experienced inconsistent direction regarding dwelling expansion, system failure, need for installation of an advanced treatment system, existing system maintenance and other issues and costs associated with requirements for connection to a community collection and treatment system.

ATTACHMENT A

To resolve this issue, the District will work collaboratively with County EHS to develop new, tailored requirements within the County LAMP that address conditions specific to Los Olivos Community Services District Area property owners during the period of transition from septic to sewer. This LAMP amendment will include standards and policies that provide clear guidance on OWTS matters including operations of conventional systems, routine maintenance, management of existing low and high-risk systems within the community, dwelling expansion, system failure, requirements and need for installation of an advanced treatment system and requirements for connection to a community collection and treatment system.

County EHS will be charged with administering the RWQCB-approved Los Olivos-specific LAMP requirements; permitting and enforcement of the LAMP will also remain with County EHS.

The creation of Los Olivos-specific requirements within the County LAMP benefits residents by enabling the District to seek out project grants and low interest loans, competitive procurement of select vendors, and consortium-based pricing from service providers.

## 2. IDENTIFY FINANCIAL ASSISTANCE

The District - having held Public Community Workshops reviewed potential project alternatives, and developed a project approach and Project Description - is now able to seek Local, State and Federal funding mechanisms to minimize property owners and business economic impacts associated with implementing the defined Program.

With this well-defined Project Description, the District will pursue available grants and funding for all elements and components of the Program.

Every potential source of funds will be explored to minimize any assessment. Assessments must be established in accordance with State Law (Proposition 218), and as required by the Local Agency Formation Commission (LAFCO).

The District will also seek additional sources to limit these economic impacts that may include: to public-private partnerships (P3), identifying matching fund opportunities, Program Privatization, and commercial/private financing alternatives.

A public-private partnership (P3) is a cooperative arrangement between two or more public and private sector entities, typically long-term in nature. They are primarily used for infrastructure provision, such as the building and equipping of schools, hospitals, transport systems, water and sewer systems.

## 3. IMPLEMENT A LOCAL GROUNDWATER MONITORING PROGRAM

The District is committed to proactively working with Los Olivos property owners, the regulatory community and other stakeholders to develop an economically acceptable, technically feasible and timely solution to the potential impacts of OWTS density in our community.

A basic component of this approach is to develop and implement a comprehensive groundwater monitoring program. Historical assessments, plans and feasibility studies developed specifically for Los Olivos validate the need for further groundwater characterization in order to:

- Determine the nature and extent of impacts associated with OWTS on groundwater and around Los Olivos,

- Investigate known upgradient sources impacting groundwater quality in Los Olivos,
- Provide information to address data gaps associated with site specific conditions and critical modeling considerations including infiltration rates, permeability and other geological, hydrological and geotechnical parameters not currently available, and
- Establish baseline conditions that can be utilized to monitor the effectiveness of treatment and mitigation measures implemented in Los Olivos.

The District is working closely with County EHS and the RWQCB to develop and finance a groundwater monitoring work plan that establishes the number, type and locations for monitoring locations, a suite of analytical and geotechnical sampling parameters, along with frequency and reporting requirements.

Once the work plan is approved, installation of monitoring points and ongoing monitoring will occur. The results of the initial and ongoing monitoring will be used to inform treatment phases, if necessary, within the District.

The analytical and geotechnical data obtained during groundwater monitoring point installation, will also be used to identify and site locations favorable for aquifer recharge and existing contaminant mitigation.

#### 4. DESIGN, PERMIT AND BUILD PHASED ALL-DISTRICT COLLECTION AND TREATMENT FACILITY

The District will design, site, permit, gain property owner approval through the Proposition 218 assessment vote, construct and manage a Los Olivos Wastewater Reclamation Facility to include the associated collection and transport infrastructure required to provide economically viable wastewater treatment and reclamation solution to District property owners. This facility and associated infrastructure may be built on a phased basis depending on project costs, timing and financing factors. This system will address public health needs while also meeting the regulatory requirements of the RWQCB.

##### Potential Phasing:

Historic documentation establishes the fact that there are a large number of small to very small lots in the Los Olivos Commercial Core, areas of high OWTS density and historic records of system failures. These factors may contribute to groundwater impacts from nitrate migration from OWTS.

The Commercial Core is the area of highest density, use (volume) and nitrate loading and has been recommended for action in multiple reports specific to OWTS impacts in Los Olivos. Subsequent phases into adjacent high-density areas will be determined by the results of groundwater monitoring.

The Commercial Core area is easily defined by Zoning (C-2), easily expanded, centrally located and its topological nature allows for the least complex Program implementation.

Adjacent properties outside the C-2 zone and within the District boundaries will be included in the initial project phase to the greatest extent possible, subject to final project design, cost and financing constraints, including property owner hook-up financing and ability to pay.

The proposed Treatment Facility will be consistent with the polices and development standards of the Santa Barbara County Comprehensive Plan, including the Santa Ynez Valley Community Plan and the Santa Barbara County Land Use and Development Code.

The system will be designed for potential future expansion and to provide treatment that improves wastewater quality before it is reused, recycled or discharged to the environment. Reclaimed wastewater would be treated to levels compliant with California Code Regulation (CCR), Title 22 discharge requirements to allow for:

- Beneficial reuse through underground infiltration
- Groundwater recharge
- Strategic flushing of existing nitrate/contaminates
- Local irrigation as site conditions allow

Because the project will generate in excess of 10,000 gallons per day, exceeding the 10,000 gallons per day County EHS limit, it will be under the jurisdiction of the Central Coast Regional Wastewater Quality Control Board, who would be the lead regulator agency, review the system and issue all appropriate permits.

The treatment facility will be comprised of a high-efficiency, low odor, expandable Membrane Bioreactor (MBR) package plant sized to serve Phase I needs and sited to accommodate modular expansion should further study warrant a facility expansion. The facility will be operated by a California licensed and properly trained wastewater treatment plant operator, who will be responsible for ensuring proper operation and maintenance of plant equipment as well as required reporting.

The architectural style will be consistent with the historical architectural details of Los Olivos. Roof materials will consist of earth tone colors and landscaped to blend in locally to reduce visual impacts.

### Collection System

Subject to final, approved design, the collection system will include a subsurface wastewater collection structure consisting of gravity pipelines, lift stations as required, and effluent handling facilities returning drinking water quality reclaimed water to customers or the groundwater basin for beneficial reuse.

The collection system “backbone” will consist of underground gravity sewer pipe that will be strategically placed under community streets and alleys to allow for the closest possible connection to parcels in the high-density water use areas of the downtown C-2 Commercial Core and small-lot residential parcels near the downtown core.

Maintenance holes and an “end of the line” lift station will be provided, with an associated force-main (pressure main) to move the wastewater to the MBR package plant for treatment, as necessary.

Structures will be connected to the District-owned collection system via privately owned laterals. Existing septic systems and leach fields will be abandoned as required by local codes. Certain laterals may be successfully connected with gravity flow while many may require small private grinder pumps to move the sewage into the collection system.

District participation in lateral, grinder pump and septic abandonment costs would depend on grant and funding sources.

Potential expansion of the collection system, as with the treatment system, will be determined based on results of the groundwater monitoring and in coordination with the

## Operations and Maintenance

The collection and treatment systems will be operated and maintained initially by contract system operators. System costs will be shared in an equitable manner by those connected to and benefitting from the facility. The District will review and consider established formulas for this participation that may include zoning, water-use, fixture unit counts, etc.

Parcels not connected initially will be subject to the District's LAMP and will contribute to the cost of management, inspection and enforcement of this plan and operating costs of the District.

Ongoing monitoring and reporting will occur in accordance with operating and discharge permits required by the Board.

## Treatment Facility Siting

The District will procure a site for the package plant. Siting factors will include:

- Availability of land,
- Surface and subsurface suitability
- Economics of procurement,
- Proximity to the collection system and effluent discharge locations, and
- Local, state and federal requirements.

Location and siting of the facility remains under examination. Given the above siting factors, the District prefers that the location be within District boundaries and south of State Route 154. Currently, potential locations include:

- County parcels
- County Right of Ways
- Institutional parcels including churches and schools
- Commercial parcels, and
- Private land

## Construction Implementation and Timing

Construction will generally consist of the following phases:

- a. Project planning, preliminary design, environmental documentation preparation and review, and permitting.
- b. Preliminary design, budgeting, and initiation of the Proposition 218 assessment process.
- c. Final Design, including preparation of plans, specifications and estimates. The package plant will be a "design build" component.
- d. Advertising and bidding of the various components. The District will procure professional and construction services in accordance with the State Contracting Code. The package plant will be built offsite, most other components will be built by contractors on-site.

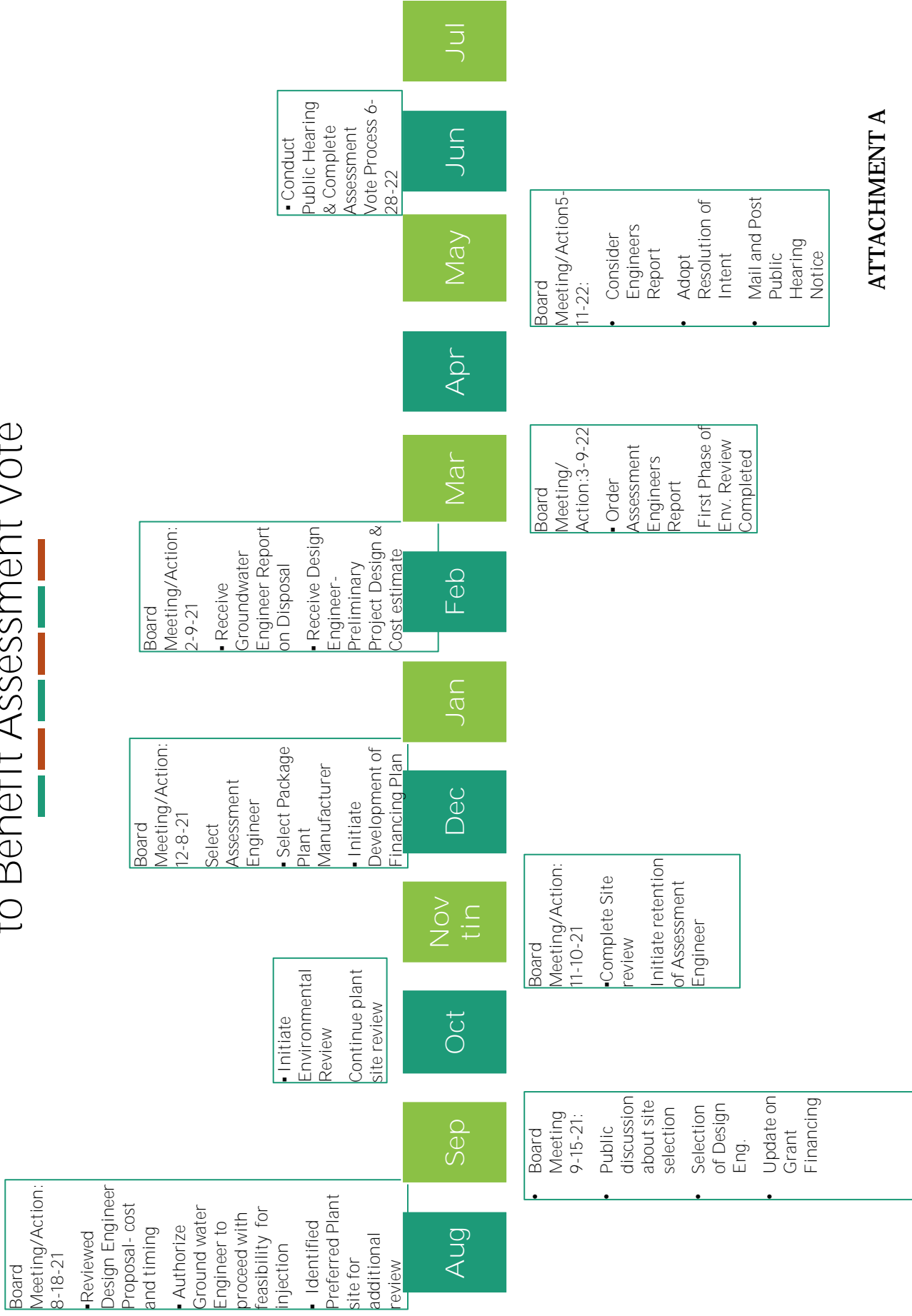


- e. Service lateral connections will be coordinated with and completed in conjunction with sewer trunk-main installation.
- f. Package plant start-up.
- g. System Operation and Maintenance.

Construction timing will be affected by many factors, including funding process, environmental process, and construction duration. Lateral connection is anticipated to require significant property owner participation and cooperation.

**Agenda Item 8c. Attachment**

# Los Olivos CSD 2021/22 Working Timeline to Benefit Assessment Vote



## Rohrer

2411 Alamo Pintado Road • Los Olivos, CA 93441 • (805) 691-9236

September 13, 2021

Board of Directors  
Los Olivos Community Services District  
PO Box 345, Los Olivos CA 93441

### **Re: September 15 Board Agenda Matter 6**

Dear Honorable Board of Directors:

As aware as we are that not everyone thinks it is a joy to meet two more lawyers, we are delighted to be your neighbors, and we are sincere in our strong support of the Los Olivos Community Services District (LOCSD) and its efforts to maintain local control of important decisions affecting the community. In particular, we want to support the LOCSD in creating and controlling its own sewer system for its downtown businesses and residents. To that end, we have continued to research the relevant law in an effort to understand the options available to the LOCSD.

Because we have no interest in burying the lead, here is a summary of our legal position, which is explained a bit more fully below:

- (1) The LOCSD does not have authority to place a sewage treatment facility outside of its boundaries;
- (2) LAFCO has not granted and cannot grant the LOCSD an exemption from the requirement that it locate its sewage treatment facility within its boundaries;
- (3) The power to purchase property outside a CSD's jurisdictional boundaries does not confer a right to operate a sewage treatment facility on such property;
- (4) The public hearing noticed for 6:00 pm this coming Wednesday, September 15, cannot and will not cure defects in the site selection process to date; and
- (5) The LOCSD should remove the Littlecreek site, and any other extraterritorial properties, from consideration, and focus its resources on properly identifying and securing an appropriate site within district boundaries.

### **The LOCSD does not have authority to place a sewage treatment facility outside of its boundaries**

Last month, when we first learned from our neighbor that the LOCSD was planning to designate the Littlecreek property on Alamo Pintado Road as "the preferred site" for its sewage treatment facility, both Paul and I had an initial "gut reaction" that a CSD would not have authority to construct and operate a sewage treatment facility outside of its boundaries. This was one of the concerns Paul raised in his initial, August 13, 2021, letter to your Board. Our research has confirmed that hunch.

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As you are aware, CSDs like yours are created pursuant to enabling legislation that circumscribes the scope of their authority.<sup>1</sup> The statutory source of a CSD’s authority limits your power to operations within your jurisdictional boundaries: “**Within its boundaries**, a district may do any of the following: . . . (b) **Collect, treat, or dispose of sewage**, wastewater, recycled water, and storm water, in the same manner as a sanitary district, formed pursuant to the Sanitary District Act of 1923, Division 6 (commencing with Section 6400) of the Health and Safety Code. In the case of any conflict between that division and this division, the provisions of this division shall prevail.”<sup>2</sup>

An understanding of the scope of this grant of authority is also reflected in your founding documents, which include the Santa Barbara County LAFCO’s Resolution 17-05, articulating LAFCO’s approval of the formation of the LOCSD “for the purpose of providing a funding mechanism for the building and operation of facilities to collect, treat, and *dispose of sewage*, wastewater, recycled water, and storm water *in* the unincorporated territory known as the Los Olivos Community,”<sup>3</sup> the geographic boundaries of which were specific by LAFCO at the time of the LOCSD’s formation and remain unchanged today.<sup>4</sup> Moreover, your voters were expressly asked to approve, and did approve, precisely the entity and boundaries approved in the LAFCO Resolution.<sup>5</sup>

As a result, the LOCSD is authorized to collect, treat, or dispose of sewage within its boundaries. This is all the LOCSD was authorized to do when the Board was considering and selecting a preferred site for a sewage treatment facility.

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<sup>1</sup> Cal. Gov’t Code § 56036 (“‘District’ or ‘special district’ are synonymous and mean an agency of the state, formed pursuant to general law or special act, for the local performance of governmental or proprietary functions within limited boundaries and in areas outside district boundaries when authorized by the commission pursuant to Section 56133.” (emphasis added)); *cf. Cty. of Fresno v. Malaga Cty. Water Dist.*, 100 Cal. App. 4th 937, 944 (2002) (“As a district of limited powers, Malaga’s authority is restricted to those powers expressed and implied in its enabling act.”).

<sup>2</sup> Cal. Gov’t Code § 61100 (emphasis added); *see also City of Hesperia v. Lake Arrowhead Cmty. Servs. Dist.*, 37 Cal. App. 5th 734, 741 (2019) (“Although community services districts may be authorized to provide various governmental services (e.g., water, trash, street lighting, fire protection, parks and recreation, etc. (§ 61100)), the District is authorized only to provide water and wastewater treatment services within its boundaries. . . .” (emphasis added)).

<sup>3</sup> **Exhibit A at p. 1** (Santa Barbara **LAFCO Resolution No. 17-05** (page 37 in LOCSD’s July 14, 2021 Agenda Packet)) (emphasis added).

<sup>4</sup> **Exhibit A at pp. 2-4** (pages 38-40 in LOCSD’s July 14, 2021 Agenda Packet (specifying the geographic boundaries of the LOCSD)); **Exhibit B**: Map of LOCSD’s district and sphere of influence boundaries ([available on the LOCSD website](#)).

<sup>5</sup> **Exhibit A at p. 5** (page 41 in LOCSD’s July 14, 2021 Agenda Packet (**Ballot Question**)).

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Because the Littlecreek site is located outside the LOCS D’s district and sphere of influence boundaries,<sup>6</sup> absent some exception or prior authorization, the LOCS D does not have authority to construct or operate its sewage treatment facility at that site.

### **LAFCO has not granted and cannot grant the LOCS D an exemption from the requirement that it locate its sewage treatment facility within its boundaries**

LAFCO has not granted the LOCS D permission to construct or operate a sewage treatment facility outside of its jurisdictional boundaries.

To the extent that the Board is under the impression that it could request from LAFCO an exception that will permit the LOCS D to construct and operate a sewage treatment facility outside of its existing boundaries, we assume that belief likely is based on California Government Code section 61101, which provides that districts may seek LAFCO permission for extraterritorial public service extensions in limited sets of circumstances.<sup>7</sup> We note, however, that **none of the limited exceptions that permit public entities like the LOCS D to extend their areas of service beyond their existing boundaries have (nor are they intended to have) the effect of simply permitting a CSD to “export” the most odious and offensive burdens – not to mention all of the environmental impacts – of their sewer system beyond their jurisdictional boundaries.**

The first of the possible exceptions requires that, if a special district wishes to “provide new or extended services by contract or agreement outside its jurisdictional boundary,” it might be granted permission to do so, but “only if it first requests and receives written approval from the [LAFCO].”<sup>8</sup> This exception is wholly inapplicable here. The LOCS D (a) is not proposing to provide services to anyone outside its jurisdictional boundaries, (b) would not be endeavoring to provide such extraterritorial services via contract or agreement, and (c) has neither sought nor received prior written approval from LAFCO.

The second possible exception is similarly inapplicable. It would apply only if the LOCS D were attempting to provide new or extended services outside of the district boundaries but within the district’s sphere of influence.<sup>9</sup> Here again, the LOCS D is not proposing to provide services to anyone outside its jurisdictional boundaries. Moreover, the exception applies only if a district is

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<sup>6</sup> **Exhibit C** (WTP Siting Study map, reflecting the Littlecreek site (site 17) was the sole extraterritorial site considered by the Board (page 73 in LOCS D’s July 14, 2021 Agenda Packet)).

<sup>7</sup> Cal. Gov’t Code § 61101 (“A district may provide the facilities and services authorized by Section 61100 outside its boundaries, subject to Section 56133 [Cortese–Knox–Hertzberg Local Government Reorganization Act of 2000].”).

<sup>8</sup> Cal. Gov’t Code § 56133(a).

<sup>9</sup> Cal. Gov’t Code § 56133(b) (“The commission may authorize a city or district to provide new or extended services outside its jurisdictional boundary but within its sphere of influence in anticipation of a later change of organization.”).

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attempting to expand within its sphere of influence,<sup>10</sup> but the Littlecreek site is located outside of the LOCSD's sphere of influence.<sup>11</sup>

The final limited exception permitting extraterritorial public service extensions applies only when a district moves to extend its services in response to “an existing or impending threat to public health or safety” to people outside of the district boundaries and, even then, only after proper documentation and notice are provided.<sup>12</sup> None of the requirements are, or can be, satisfied here. This is, we appreciate, not immediately apparent from a first (or, perhaps, even a second) reading of the statutory language, but we have the benefit of legislative history to illuminate the purpose of this provision,<sup>13</sup> which is meant to apply “if an existing or impending threat to the health or safety of the public or residents of some territory that it outside the jurisdictional boundary and sphere of influence of an agency is determined” by LAFCO.<sup>14</sup> Here again, the LOCSD is not proposing to provide services to anyone outside its jurisdictional boundaries. Moreover, the LOCSD has not, and cannot, make the requisite showing that placing a sewage treatment facility at the Littlecreek site is or would be done in response to an existing or impending threat to the health or public safety of those of us living outside the LOCSD's sphere of influence.

### **The power to purchase property outside a CSD's jurisdictional boundaries does not confer a right to operate a sewage treatment facility on such property**

We thank you for sharing District Counsel's statement regarding utilizing property outside of the District for location of a sewage treatment facility: “District Counsel has confirmed that the District has the legal authority to acquire and use property outside the boundaries of the District, as stated in Government Code section 61060, subsections (d) and (e). Further, the District can apply to LAFCO to annex any property acquired outside of the District for inclusion in the District, a process made simpler with the consent of the owners of the affect property or properties—which coincides with one of the above criteria. More information on LAFCO actions available to the District are available[.]”<sup>15</sup>

We agree that a CSD's general powers include a power to acquire property outside of its boundaries. Beyond that, however, we find Counsel's analysis to be both misleading and incomplete.

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<sup>10</sup> Cal. Gov't Code § 56076.

<sup>11</sup> **Exhibit C.**

<sup>12</sup> Cal. Gov't Code § 56133(c).

<sup>13</sup> *See United States v. Lewis*, 67 F.3d 225, 228–29 (9th Cir.1995) (explaining that statutory phrases must be “construed in light of the overall purpose and structure of the whole statutory scheme”).

<sup>14</sup> **Exhibit D at page 2:** Apr. 30, 2019, CALIFORNIA COMMITTEE REPORT, 2019 CA A.B. 1822.

<sup>15</sup> [Agenda Packet for September 15, 2021 LOCSD Meeting](#) at p. 5 (page 2 of R. Perrault memo).

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The code sections Counsel cites concern a CSD’s authority to acquire and hold property outside of its district boundaries.<sup>16</sup> Nothing in those statutory provisions setting forth those general powers confers a right to “use” such extraterritorial property in any particular way, let alone to use it to build or operate a sewage treatment facility. Counsel’s proffered interpretation is both unduly expansive (adding language the legislature did not include) and inconsistent with the statutory scheme created by the legislature to govern the functioning of CSDs, which is summarized above.<sup>17</sup>

Additionally, Counsel refers to the availability of forms on LAFCO’s website “to annex any property acquired outside of the District for inclusion in the District,” but we note that the LOCSD has neither applied to LAFCO, nor received approval from LAFCO, to alter its jurisdictional reach. Relatedly, nothing in the record to date reflects that the LOCSD **(a)** could make the necessary showings to have such a request granted under these circumstances, or **(b)** even considered prior to its August 13, 2021 vote to designate the Littlecreek site as the preferred site the procedure, time, and showings that would be required to have such a request granted.

It follows that the omission of these material consideration reflects that, **at the time it took its August 13, 2021 vote**, the LOCSD was operating under the misapprehension that it already had authority, or did not need to seek LAFCO approval, to locate a sewage treatment facility outside its existing jurisdictional boundaries. The record is devoid of evidence of any awareness – let alone contemporaneous consideration – of the considerable administrative burdens imposed, discretionary approvals required, and environmental clearances that would need to be obtained in order to be granted a boundary change for the sole and express purpose (as is abundantly clear from the existing record) of placing a sewage treatment facility outside of the LOCSD’s jurisdictional boundaries, on agricultural land, and adjacent to a historic landmark. Further, as recently as August 2021, the District’s timeline for this project is devoid of reference to any requirement to seek LAFCO permission for any aspect of proceeding with this course of action.<sup>18</sup>

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<sup>16</sup> Cal. Gov’t Code § 61060(d), (e) (“A district shall have and may exercise all rights and powers, expressed and implied, necessary to carry out the purposes and intent of this division, including, but not limited to, the following powers: . . . (d) **To acquire** any real or personal property within or outside the district, by contract or otherwise, **to hold, manage, occupy, dispose of, convey, and encumber** the property, and **to create a leasehold interest** in the property for the benefit of the district., (e) **To acquire** by eminent domain any real or personal property within or outside the district. If a district acquires real or personal property of a public utility by eminent domain. . . .” (emphases added)).

<sup>17</sup> See, e.g., *Prang v. Los Angeles Cty. Assessment Appeals Bd. No. 2*, 54 Cal. App. 5th 1, 16 (2020) (explaining that courts “interpret statutory language in the context of the statutory framework as a whole” (internal quotation marks and citations omitted)); *Tuolumne Jobs & Small Bus. All. v. Superior Ct.*, 59 Cal. 4th 1029, 1037 (2014) (“Our primary task in interpreting a statute is to determine the Legislature’s intent, giving effect to the law’s purpose. We consider first the words of a statute, as the most reliable indicator of legislative intent. Words must be construed in context, and statutes must be harmonized, both internally and with each other, to the extent possible. Interpretations that lead to absurd results or render words surplusage are to be avoided. (internal quotation marks and citations omitted)).

<sup>18</sup> **Exhibit E**: Los Olivos CSD 2021/22 Working Timeline to Benefit Assessment Vote (located at page 47 of LOCSD’s August 18, 2021 Agenda Packet).



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The administrative burdens, time considerations, and environmental showings that would be required are far more salient – for the Board and its constituency – with regard to time and money than many of the factors the Board relied on as selection criteria. Unfortunately, even if these considerations are added to the Agenda Packet for the Board’s September 15, 2021 meeting, it will constitute the first time, to our knowledge, that the Board has considered the issue of obtaining LAFCO approval in connection with this course of action.

### **The public hearing noticed for 6:00 pm this coming Wednesday, September 15, cannot and will not cure defects in the site selection process to date**

As the above discussion begins to illustrate, the Board’s actions taken in connection with considering and designating the Littlecreek site as the preferred site exceed the scope of the LOCSD’s statutory authority because the District does not currently have the right to place a sewage treatment facility outside its jurisdictional boundaries, and it had not considered (let alone taken) any action to obtain LAFCO permission to do so. **As a result, no amount of review or explanation offered at the September 15 meeting can cure actions that were taken ultra vires and, thus, void.**<sup>19</sup> Moreover, we note that, it logically follows that any permits issued for the property selected on the basis of ultra vires actions would necessarily be invalid and would not support a vested right to build or complete the project at that site.<sup>20</sup> We mention this because it means that this incredibly important project could remain indefinitely open to lengthy and expensive challenges in the courts.

Finally, as we mentioned in our August 18 letter to the Board, and as Paul mentioned when he addressed the Board at its August 18, 2021 meeting, our review of your agenda packets from just the last several months give rise to not inconsiderable concerns the Board may not have properly and transparently considered all the relevant factors in making its determination that the Littlecreek site should be designated as “the preferred site.”<sup>21</sup>

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<sup>19</sup> See, e.g., *Turlock Irrigation Dist. v. Hetrick*, 71 Cal.App.4th 948, 951 (1999); *Allen v. Hussey*, 101 Cal.App.2d 457, 472 (1950).

<sup>20</sup> See *Attard v. Bd. of Supervisors of Contra Costa County*, 14 Cal. App. 5th 1066, 1078v(2017) (concluding thus based on noncompliance with Gov. Code § 56133).

<sup>21</sup> Cal. Gov’t Code § 61006 (Actions and judicial review; law governing); Cal. Code Civ. Pro. § 1084 (Writ of mandamus denominated writ of mandate); Cal. Code Civ. Pro. § 1094.5 (concerning review of administrative orders or decisions); see *City of Hesperia v. Lake Arrowhead Cmty. Servs. Dist.*, 37 Cal. App. 5th 734, 748 (2019) (“For purposes of this analysis in the present appeal, an abuse of discretion is established ‘if the [agency] has not proceeded in the manner required by law’ or ‘if the court determines that the findings are not supported by substantial evidence in the light of the whole record’” (internal citations omitted)); cf. also *Carrancho v. California Air Res. Bd.*, 111 Cal. App. 4th 1255, 1265 (2003) (explaining that a reviewing court “ ‘must ensure that an agency has adequately considered all relevant factors, and has demonstrated a rational connection between those factors, the choice made, and the purposes of the enabling statute.’” (internal citations omitted)).

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We appreciate that the Board scheduled for its meeting this coming Wednesday, September 15, 2021, time to “review the methodology used in the selection” of the Littlecreek site as the “preferred site” for a sewage treatment facility, but we hope that the foregoing review of the applicable law helps to explain that, whatever methodology the Board employed in June, July and August, that methodology was incurably flawed because it failed to consider **(a)** whether the LOCSD would be acting within the scope of its authority if it selected an extraterritorial site or **(b)** the effect on the project timeline and the additional resources the District would need to commit in support of pursuing seeking LAFCO approval for this course of action.

Additionally, as we previously mentioned to the Board, just a review of the publicly available documents on the LOCSD’s website gives rise to at least an inference that the Board may have selected and “reverse engineered” a justification for its selection of the Littlecreek site without regard to all the relevant factors. For example, after receiving from UPC, the consulting firm engaged to study and rank the site options, a matrix identifying and assigning numerical scores to 17 potential sites, the Board accepted Director Ross’s offer to unilaterally re-weigh the various sites outside of public view. On August 11, in a non-public hearing, a committee, identified as the Project Management Committee, accepted Director Ross’s revised matrix and selected a primary site and an alternative site for recommendation to this Board.<sup>22</sup>

Even a cursory comparison of the matrix prepared for the Board by UPC and the revised matrix on which the Board’s decision is purportedly based readily supports at least a strong inference that the weighting system was revised to justify selection of the Littlecreek site as the preferred site.<sup>23</sup>

As an initial matter, neither chart includes “inside vs. outside jurisdictional boundaries” as a factor. Beyond that, a comparison of the two charts reveals, for example, that the total score assigned to the Littlecreek site more than doubled, from the UPC siting matrix total of 57 points,<sup>24</sup> which gave Littlecreek the 6<sup>th</sup> highest score on the matrix, to a total 128.5 points that shot the Littlecreek site to the 1<sup>st</sup> place position on the “revised” matrix, based on changes that include but are not limited to: **(a)** an unexplained increase in the “access” score from 1 on the UPC matrix to a score of 10 on the revised matrix, **(b)** an unexplained and seemingly insupportable increase in the “commercial zone proximity” score from a 1 on the UPC matrix to a score of 5 on the revised matrix (for the only property located at least 1 full mile outside of the

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<sup>22</sup> **Exhibit F at p. 3** (Item 8.C.1 in Minutes of the LOCSD Board of Directors July 14, 2021 Regular Meeting); **Exhibit G** (August 18, 2021 Memo from Bob Perrault, General Manager, to LOCSD Board of Directors, at page 25 of the LOCSD’s August 18, 2021 Agenda Packet).

<sup>23</sup> **Exhibit H (UPC siting matrix (dated 6/4/2021))** at page 74 of the LOCSD’s July 14, 2021 Agenda Packet; **“revised” matrix (dated 8/10/2021)** at page 19 of the LOCSD’s August 18, 2021 Agenda Packet).

<sup>24</sup> General Manager’s September 15, 2021 memo appears to misstate this fact, characterizing the list provided by UPC as “not prioritized.” Compare [Agenda Packet for September 10, 2021 LOCSD Meeting](#) at p. 5 (R. Perrault memo, stating: “During the initial Board review the UPC list of sites was not prioritized. This was left to the Project Management Committee . . .”), with **Exhibit H** at p. 1 (UPC siting matrix, which includes a “point total” column for the sites under consideration).

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commercial district), and (c) a geographically questionable, unexplained, and significant reductions in the scores assigned to two County Road ROW parcels for “elevation below phase 1” and “elevation below phase 2” from UPC scores of 10 for each factor to scores of 3, 5, and 6.

We note these few examples because no justification was offered for the dramatic changes to the weighting system (or the scores assigned) at the time the changes were made. It thus appears that a determinative weighting system was unilaterally developed by one Board member and adopted by the Board without any public discussion of its methodology or merits in an arbitrary and capricious manner. Further, the Board’s decision selecting the Littlecreek site was made based on the information the Board had on hand at the time, and any explanation provided at the September 15 hearing cannot retroactively provide justification for prior decision making.<sup>25</sup>

Because it seems clear that any review or explanation offered at the September 15 meeting can function only as a post-hoc rationalization, it cannot cure any prior failure to properly or adequately consider all the relevant factors in making the determination that the Littlecreek site should be designated as “the preferred site.” Consequently, the Board’s August 18 site selection remains arbitrary and capricious.

**The LOCS D should remove the Littlecreek site, and any other extraterritorial properties, from consideration, and focus its resources on properly identifying and securing an appropriate site within its boundaries**

As a result of all the foregoing, we respectfully request that the Board remove the Littlecreek site from consideration as a potential site for the LOCS D’s sewage treatment facility. More specifically, we ask that the Board (a) not take any further action with regard to site selection or negotiating, (b) properly notice a meeting to reconsider their prior improper selection, (c) revert to the UPC-created criteria or create a set of reason-based selection criteria, and (d) then reasonably apply those criteria to selection of a site within the District.

We sincerely appreciate your willingness to maintain open communication channels with us on this aspect of the project. We hope this information is helpful and that we can be of assistance to the Board in its efforts to identify an appropriate site for its sewage treatment facility, and we will be happy to support in whatever way we can your efforts to identify and secure an appropriate site in an effective and efficient manner.

Sincerely,



Kathryn Rohrer and Paul Rohrer

cc: Santa Barbara County Local Agency Formation Commission

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<sup>25</sup> Cf. *Laurel Heights Improvement Assn. v. Regents of Univ. of California*, 47 Cal. 3d 376, 425 (1988) (“We will not accept *post hoc* rationalizations for actions already taken, particularly in light of the fact that those activities were begun in violation of CEQA, even if done so in good faith.”).

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### **EXHIBITS**

**Exhibit A:** Santa Barbara LAFCO Resolution No. 17-05 and Ballot Measure

**Exhibit B:** Map of LOCSD's district and sphere of influence boundaries

**Exhibit C:** WTPP Siting Study map

**Exhibit D:** Apr. 30, 2019, CAL. COMMITTEE REPORT, 2019 CA A.B. 1822

**Exhibit E:** Los Olivos CSD 2021/22 Working Timeline to Benefit Assessment  
Vote

**Exhibit F:** Minutes of LOCSD Board of Directors July 14, 2021 Regular Meeting

**Exhibit G:** Aug. 18, 2021 Memo from Bob Perrault, GM, to LOCSD Bd. of Dir.

**Exhibit H:** UPC siting matrix (6/4/2021) & "Revised" matrix (8/10/2021)

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**Exhibit A**

Santa Barbara LAFCO Resolution No. 17-05 and Ballot Measure

**RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION  
OF THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA**

**DIRECTING THE BOARD OF SUPERVISORS TO DIRECT COUNTY ELECTIONS TO  
CONDUCT THE NECESSARY ELECTIONS ON BEHALF OF THE PROPOSED  
LOS OLIVOS COMMUNITY SERVICES DISTRICT**

**RECITALS**

Whereas, on April 13, 2017, the Commission approved the formation of the proposed Los Olivos Community Services District for the purpose of providing a funding mechanism for the building and operation of facilities necessary to collect, treat, and dispose of sewage, wastewater, recycled water, and storm water in the unincorporated territory known as the Los Olivos Community subject to the terms and conditions specified in Commission Resolution 17-04.

Whereas, pursuant to Government Code section 57002 the Executive Officer conducted a protest hearing on June 21, 2017 regarding the formation of the proposed Los Olivos Community Services District.

Whereas, the Executive Director has caused the names on the protest forms to be compared with the voters' register in the office of the registrar of voters and ascertained the value of the protests filed and not withdrawn and found that there were 80 valid protests against the formation of the proposed Los Olivos Community Services District and that there were 488 registered voters residing in the proposed formation area at the close of business on June 21, 2017.

Whereas, on August 3, 2017, the Executive Officer reported to the Commission that a majority protest to the formation of the Los Olivos Community Services District did not exist.

*Ex. A, 1*  
**ATTACHMENT B**

**NOW, THEREFORE, THE COMMISSION HEREBY RESOLVES AS FOLLOWS:**

1. Pursuant to Government Code section 61014(e)(2)(B), the Commission hereby orders the formation of the Los Olivos Community Services District and the special tax be subject to the approval of the voters.
2. The affected territory is the unincorporated area of Santa Barbara County known as Los Olivos as approved by the Commission on April 13, 2017 and as shown on Attachment A.
3. The purpose of the special tax shall be to fund the reasonable and necessary expenses of the proposed District and such proceeds shall be applied only to such purpose.
4. The ballot question for the formation of the district and the special tax shall be approved by a two-thirds vote of the voters voting in the election on the issue. Pursuant to Government Code section 61014(c), if the voters do not approve the special tax, the proposed district shall not be formed
5. The method of tax collection shall be the regular county assessment roll.
6. The tax proceeds shall be deposited into a special account and the District shall prepare an annual report pursuant to Government Code section 50075.3.
7. The Commission hereby approves the proposed ballot question for the formation of the District and approval of the special tax as set forth in Attachment B.
8. The Commission hereby directs the Board of Supervisors to direct County Election Officials to conduct the necessary elections on behalf of the proposed Los Olivos Community Services District including election of a board of directors.

//

Santa Barbara LAFCO  
Resolution No. 17-05

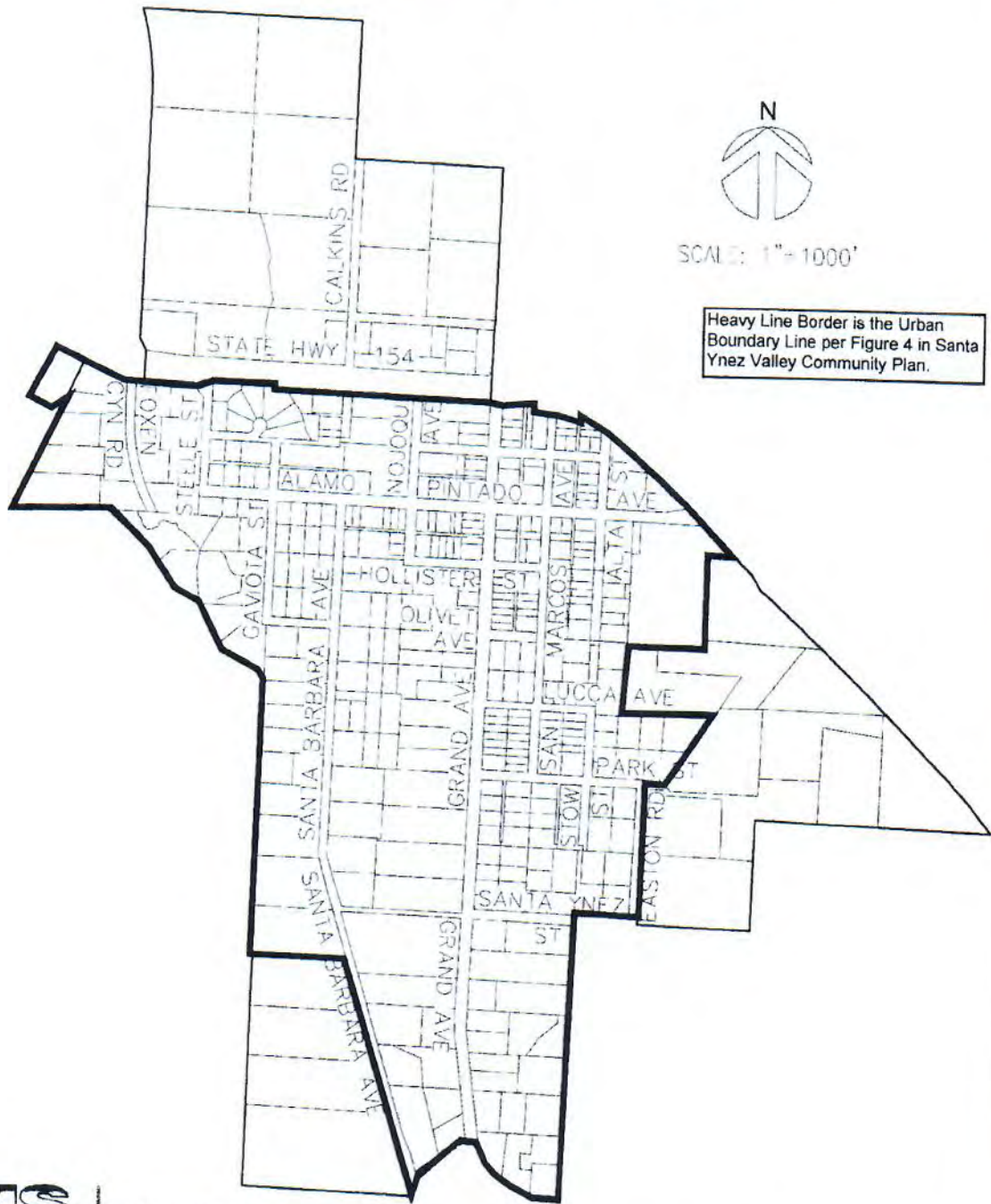
# Attachment A

Map of the Affected Territory Approved by the Commission on April 13, 2017

Ex. A, 3  
ATTACHMENT B



# Proposed Formation of the Los Olivos Community Services District



N  
  
 SCALE: 1" = 1000'

Heavy Line Border is the Urban Boundary Line per Figure 4 in Santa Ynez Valley Community Plan.

**MNS**  
ENGINEERS INC

201 N. Cole Cesar Chavez, Ste 300  
Santa Barbara, CA 93103  
805 692 6921 Phone

LOCS0160586 00 • ANX MAP.dwg • 11/16/2016 • RCS • E-FIL

ENGINEERING  
PLANNING  
SURVEYING  
CONSTRUCTION MANAGEMENT

Prepared April 11, 2017  
Number of Assessor's Parcels = 390  
Total Area within Formation Boundary = 302 Acres

*Ex. A. 4*  
**EXHIBIT A**

**ATTACHMENT B**

## Attachment B

### BALLOT QUESTION

MEASURE X2018  
LOS OLIVOS COMMUNITY SERVICES DISTRICT FORMATION

Shall the order adopted on April 13, 2017 by the Santa Barbara County Local Agency Formation Commission ordering the formation a community services district in the unincorporated territory known as Los Olivos be approved subject to such terms and conditions, including authorization of an annual special tax not to exceed \$200,000 which shall increase automatically each fiscal year thereafter by the percentage change in the Consumer Price Index, all as more particularly described and set forth in the order?

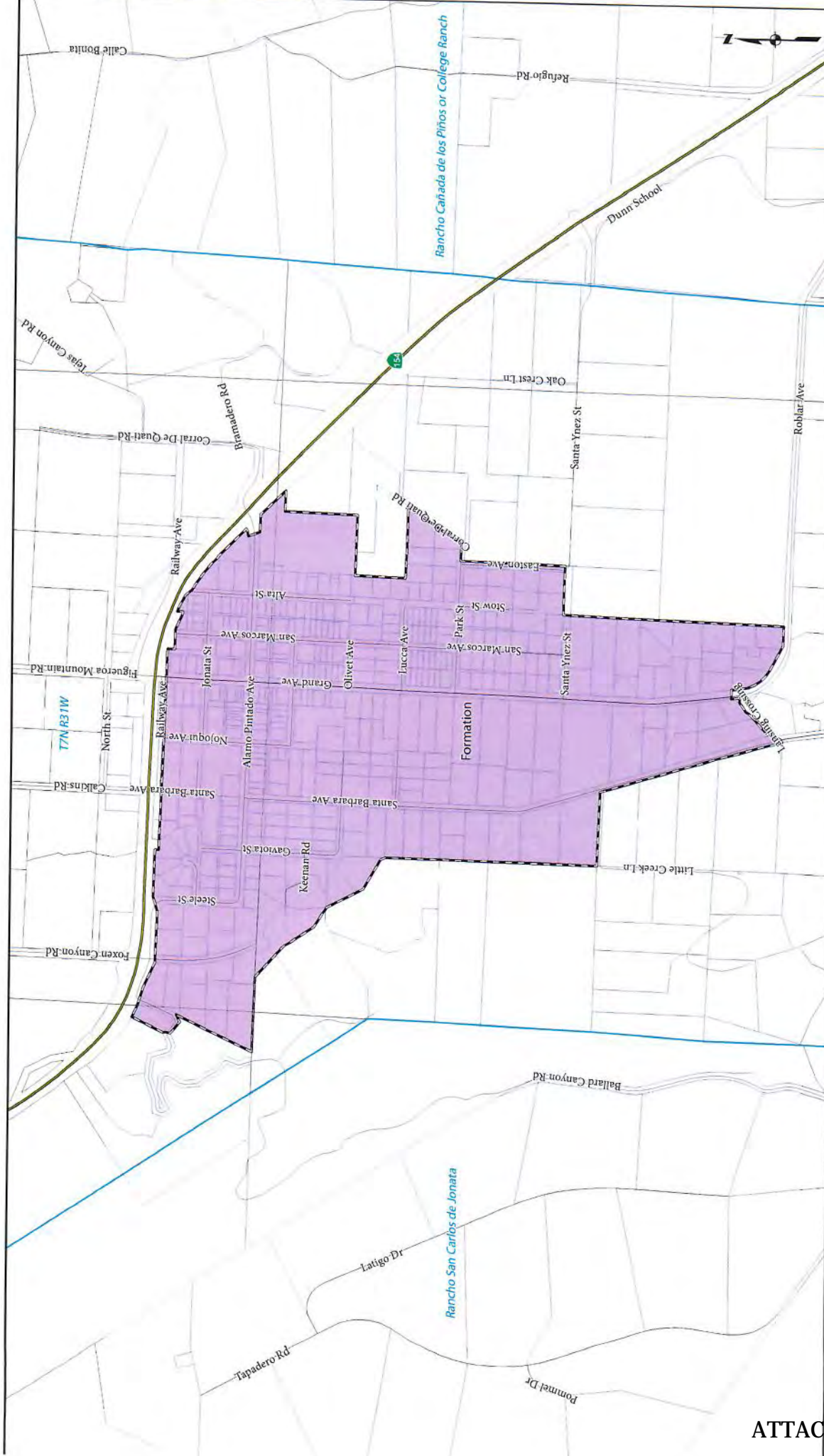
YES \_\_\_\_ NO \_\_\_\_

# **Rohrer**

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## **Exhibit B**

Map of LOCSD's district and sphere of influence boundaries



- Legend**
- Freeways
  - Highways
  - Roads
  - Ranchos and Townships
  - Sections
  - Parcels
  - Sphere of Influence Formation
  - Annexation
  - Detachment



## Los Olivos Community Services District

Compiled by the Office of the County Surveyor in January of 2020.

Formed by LAFCO Resolution 17-03, Inst. 2018-0015649 Recorded 04/18/2018.

See boundary activity table at <http://countyofsb.org/pwd/specialdistricts/sbc>

**NOTICE OF DISCLAIMER:** This data is for reference only. Although every effort has been made to assure the accuracy of information, errors and conditions originating from physical sources used to develop the database may be reflected in this data. Santa Barbara County will not be liable for any errors, omissions, or damages that result from inappropriate use of this document. No level of accuracy is claimed for the boundary lines shown herein and lines should not be used to obtain coordinate values, bearings or distances.

# Los Olivos Community Services District Boundary Activity

See map at <http://countyofsb.org/pwd/specialdistricts.sbc>

InternalNo	Title	Type	Effective	LAFCO_Res	LAFCO_No	LAFCO_Date	Instrument	Recorded
0	Los Olivos CSD Formation	Formation	4/18/2018	17-03	17-01	4/5/2018	2018-0015649	4/18/2018
	Los Olivos CSD Sphere of Influence	SOI	4/18/2018	17-03		4/5/2018	2018-0015649	4/18/2018

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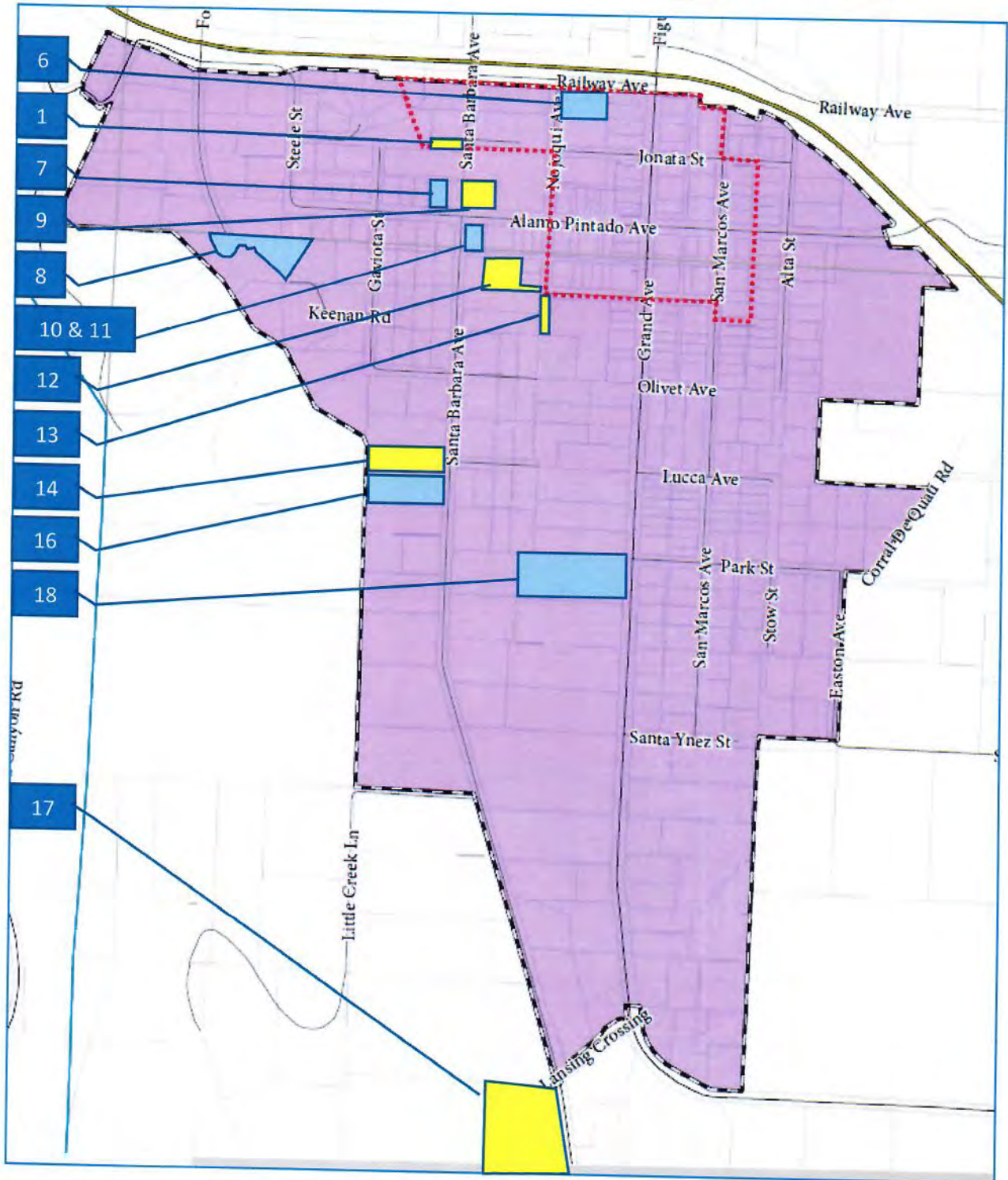
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**Exhibit C**

WTTP Siting Study map

# WWTP SITING STUDY PREFERRED SITES

- Preferred Sites
- Secondary Sites



Note: Sites North of HWY 154 Eliminated from list of secondary sites and not shown

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**Exhibit D**

Apr. 30, 2019, CAL. COMMITTEE REPORT, 2019 CA A.B. 1822



Date of Hearing: May 1, 2019

1) ASSEMBLY COMMITTEE ON LOCAL GOVERNMENT

Cecilia Aguiar-Curry , Chair

2) AB 1822 (

Committee on Local Government ) – As Amended April 8, 2019

**SUBJECT:** Local Government: omnibus.

**SUMMARY:** Makes several non-controversial changes to the local agency formation commission (LAFCO) statutes which govern local government organization and reorganization.

**EXISTING LAW:** establishes the procedures for the organization and reorganization of cities, counties, and special districts under the Cortese-Knox-Hertzberg Local Reorganization Act of 2000 (Act).

**FISCAL EFFECT:** None

**COMMENTS :**

- 1) **LAFCOs.** LAFCOs are responsible for coordinating logical and timely changes in local governmental boundaries, conducting special studies that review ways to reorganize, simplify, and streamline governmental structures, and preparing a sphere of influence for each city and special district within each county. The courts refer to LAFCOs as the Legislature's "watchdog" over local boundary changes. The Act establishes procedures for local government changes of organization, including city incorporations, disincorporations, city and special district consolidations, and annexations to a city or special district. LAFCOs regulate boundary changes through the approval or denial of proposals by other public agencies or individuals for these procedures.
- 2) **Background and Prior Legislation.** As statutes go into effect, local officials and others often discover problems or inconsistencies in the language of the law and approach the Legislature to correct them. These minor problems do not warrant separate bills, so this Committee has found that it is expeditious and relatively inexpensive to respond to multiple minor, non-controversial requests on related issues by combining them into an annual "omnibus bill." Since the major rewrite of the Act governing local agency organization and reorganization [AB 2838 (Hertzberg), Chapter 761, Statutes of 2000], the Committee has focused its omnibus bill efforts on LAFCO-related issues.

Prior bills authored by the Committee include: AB 2795, Chapter 47, Statutes of 2010;  
AB 1430, Chapter 300, Statutes of 2011; AB 2698, Chapter 62, Statutes

of 2012; AB 1427, Chapter 87, Statutes of 2013; AB 2762, Chapter 112, Statutes of 2014; AB 1532, Chapter 114, Statutes of 2015; AB 2910, Chapter 165, Statutes of 2016; AB 1725, Chapter 353, Statutes of 2017; and, AB 3254, Chapter 86, Statutes of 2018.

This bill reflects the concerns of LAFCOs and other stakeholders who have brought proposals and issues to the Committee. All proposals are vetted by a large number of stakeholders. Any proposal that provokes any controversy or opposition is rejected for inclusion.

- 3) **Bill Summary.** This bill is sponsored by the California Association of LAFCOs (CALAFCO) and makes several non-controversial changes to the Act, including the following:
- a) **Definition of Service.** Government Code Section 56074 defines “service” which applies only to services provided by special districts if the LAFCO has adopted regulations under 56821 et. seq. It does not include services provided by cities or services provided by special districts if the LAFCO has not adopted such regulations. LAFCOs are no longer able to adopt (or amend) such regulations, as their ability to do so under section 56821 was repealed in 2001. The proposed definition reflects common usage by being inclusive of services provided by both cities and special districts and eliminating reference to the obsolete provisions in 56821 et. seq. If there are any LAFCOs that adopted such regulations before 2001 that remain in effect, the proposed revisions will not affect them.
  - b) **Definition of Service Review.** The term “service review” (known more commonly as “Municipal Service Review”) is not defined in the Act. Adding a definition of “service review” will clarify the importance of preparing service reviews to LAFCO’s mission. The fact that there are existing definitions of other essential LAFCO functions (i.e., change of organization, reorganization, and spheres of influence) suggests that not having a definition of service review is a glaring omission.
  - c) **Extension of Service.** Government Code Section 56133(c) is specific and clear: if an existing or impending threat to the health or safety of the public or residents of some territory that is outside the jurisdictional boundary and sphere of influence of an agency is determined, LAFCO can authorize a city or district to provide new or extended services. While a LAFCO can certainly adopt a policy that follows state law, it is not necessary to the implementation of this section of the code. Moreover, the question could be raised as to whether a LAFCO could act, pursuant to this section, if it did not adopt a specific policy. The clause is not necessary and was left in this section inadvertently when AB 402 (Dodd), Chapter 402, Statutes of 2015, was narrowed to focus on a pilot program involving Napa and San Bernardino LAFCOs. The

pilot program was eventually added into a separate section of the statute, but this clause was never deleted from 56133(c).

- d) **Protest Provisions.** Government Code Section 56663 focuses on the circumstances under which protest proceedings can be waived. The way the current language of 56663 is phrased, there is a potential assumption that the commission will approve a proposal. However, approval is not predetermined at the time of the mailed notice. The addition of these words would alleviate any assumptions and provide clarity.
  - e) **Consolidations.** In the most recent reorganization of protest proceeding statutes, city consolidations were not addressed [AB 2698 (Committee on Local Government), Chapter 62, Statutes of 2012]. The suggested addition of city consolidations into Government Code Section 57077 would address this omission. Including city consolidations in this section recognizes the potential sensitivity of such an action by directly triggering an election.
  - f) **Healthcare Districts.** Currently, there is an inconsistency in a LAFCO's authority to dissolve a healthcare district without an election. In an effort to clarify that a healthcare district can be dissolved without an election, the 2016 omnibus bill [AB 2910 (Committee on Local Government), Chapter 195, Statutes of 2016] added language to Government Code Section 57077.1(c). This proposal will place a cross reference in Government Code Section 57103 that refers back to 57077.1(c) to provide clarification regarding LAFCO's statutory authority to dissolve healthcare districts.
  - g) **Obsolete Language.** Chapter 805, Statutes of 2004, are uncodified statutes first adopted in AB 2306 (Richman), Chapter 805, Statutes of 2004, and extended by AB 1744 (Committee on Local Government), Chapter 244, Statutes of 2007. These statutes are specific to unincorporated island annexations in the City of Simi Valley and is limited to the timeframe "on or before, December 31, 2014." This proposal would delete obsolete language.
- 4) **Arguments in Support.** CALAFCO argues, "This annual bill includes technical changes to the Act which governs the work of Local Agency Formation Commissions. These changes are necessary as commissions implement the Act and small inconsistencies are found or clarifications are needed to make the law as unambiguous as possible. AB 1822 currently makes minor technical corrections to language used in the Act."
- 5) **Arguments in Opposition.** None on file.

**REGISTERED SUPPORT / OPPOSITION :**

**Support**

CALAFCO [SPONSOR]

Fruitland Ridge Fire Protection District

LAFCOs: Butte, Contra Costa, El Dorado, Fresno, Humboldt, Los Angeles,  
Napa, Nevada, Orange, Riverside, San Mateo, Sonoma, Stanislaus, and  
Yolo.

**Opposition**

None on file

**Analysis Prepared by:** Jimmy MacDonald / L. GOV. / (916) 319-3958

**Rohrer**

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**Exhibit E**

Los Olivos CSD 2021/22 Working Timeline to Benefit Assessment Vote

# Los Olivos CSD 2021/22 Working Timeline to Benefit Assessment Vote

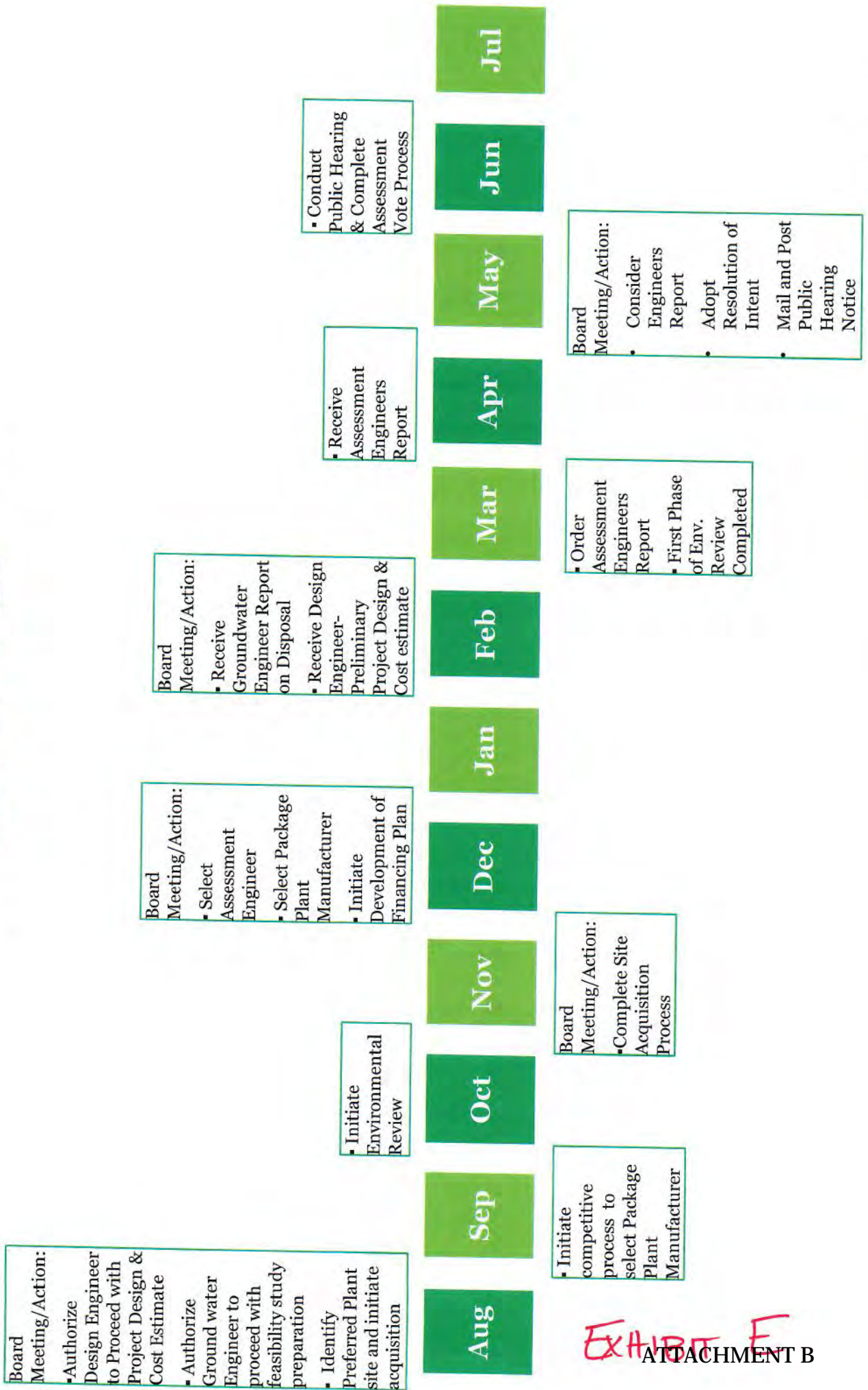


EXHIBIT F  
ATTACHMENT B

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**Exhibit F**

Minutes of LOCSD Board of Directors July 14, 2021 Regular Meeting

Lisa Palmer, President  
Tom Fayram, Vice President  
Mike Arme, Director  
Brian O'Neill, Director  
Brad Ross, Director



POSTED 7-9-21

**LOS OLIVOS COMMUNITY SERVICES DISTRICT**  
**Board of Directors Regular Meeting July 14, 2021, 6:00 p.m.**  
**Minutes**

Per Governor Newsom's Executive Orders N-25-20 and N-29-20 and N-8-21 this meeting was held electronically and was teleconferenced due to the COVID – 19 Pandemic. Members of the public were able to observe and participate as set forth below:

Topic: Los Olivos CSD Board Meeting  
Time: Jul 14, 2021 06:00 PM Pacific Time (US and Canada)

Join Zoom Meeting  
<https://us02web.zoom.us/j/87607295278?pwd=ZkFNQIVsMVA3emlIN0NTU1hmZlBhUT09>

Meeting ID: 876 0729 5278  
Passcode: 782198  
One tap mobile  
+14086380968,,87607295278#,,,,\*782198# US (San Jose)  
+16699006833,,87607295278#,,,,\*782198# US (San Jose)

Dial by your location  
+1 408 638 0968 US (San Jose)  
+1 669 900 6833 US (San Jose)  
+1 253 215 8782 US (Tacoma)

**REGULAR MEETING Minutes**

1. **CALL TO ORDER:** 6:00 PM.
2. **ROLL CALL:** Present- Director Ross, Vice President Fayram, and President Palmer. Absent- Director O' Neill and Director Arme.
3. **PLEDGE OF ALLEGIANCE:** Led by President Palmer.

**4. DIRECTOR COMMENTS:** No Director reports were given. General Manager advised the Board he would like to pull Item 8 D, " Authorization to enter into and agreement with Urban Planning Concepts" from the Agenda due to the fact that members of the Technical Committee were not present and could not participate in the discussion. It was the consensus of the Board to pull the item from the agenda. President Palmer suggested that Item 8 c be heard before the scheduled Public Hearing. With the Consensus of the Board the Agenda was reordered accordingly.

**5. PUBLIC COMMENTS:** There were no comments from members of the public.



## 6. ADMINISTRATIVE AGENDA

All matters listed hereunder constitute a consent agenda and will be acted upon by a single roll call vote of the Board. Matters listed on the Administrative Agenda will be read only on the request of a member of the Board or the public, in which event the matter shall be removed from the Administrative Agenda and considered as a separate item.

### A. MEETING MINUTES

1. Approve Minutes of June 9-21 Regular Meeting

### B. INVOICE PAYMENT

Approve Payment of the following Invoices as reviewed and recommended for approval by the Finance Committee:

1. -June 3-2021 Aleshire and Wynder 1245 Legal Services (May) \$1,840.00.
2. -June 15,2021 Robert Perrault General Management Services (May 15-6-15) \$3,130.00.
3. -April 7,2021 Urban Planning Concepts Invoice 988.1 Siting Study \$2,136.25.
- 4.- June 15,2021 MNS Engineering Invoice #78031 Management and Engineering Support (May) \$3188.75.
5. June 7,2021 GSI Water Solutions Invoice #876-001-05 Groundwater Management Services (May) \$8,696.25
- 6.- June 3, 2021 SDRMA Public Liability Remainder Payment Invoice #70650 \$161.79.

*Discussion : General Manager Perrault noted a scheduled Finance Committee Meeting did not occur due to technical difficulties. The General Manager noted he had solicited questions from the individual Committee members and had received no questions.*

*Motion made to approve Administrative Agenda Items : Vice President Fayram, Second : Director Ross , Approved 3-0 with Directors Arme and O'Neill absent.*

## 8 C. Consideration of a Proposal from Stantec for Design Services

1. At the request of the District, Stantec Design Services Inc. has submitted a proposal to the District entitled: Project Design Services Task Order No.2 .Once completed the work outlined in Task Order No.2 will provide the District with a design sufficient to estimate costs and timing of the project. Final Design with plans and specifications would follow. The Board will consider the Staff Report, review the Proposal and provide direction to Staff. Representatives from Stantec will be available to respond to Board questions and comments

**Recommendation- Authorize the District to enter into an agreement with Stantec provided direction to Staff is satisfactorily completed.**

*General Manager Perrault provided a staff report. Project Manager Autumn Glaeser from Stantec gave a brief presentation. Following the presentation Director Ross and Vice President Fayram asked questions regarding: schedule, site identification, team members and project phasing versus completing preliminary design for entire project and costs. Project Manager Glaeser responded to Questions. Board discussion focused on completing preliminary design for entire project. Public member Hilary Hauser was recognized , representing Heal the Ocean. Ms Hauser noted her organization prefers having the project designed and completed all at once. President Palmer led an additional Board discussion. At the conclusion of Board discussion the Board Directed staff to work with Stantec to revise proposal to reflect completion of preliminary design for the entire project and to return the revised proposal to the Board as soon as possible.*

## 7. PUBLIC HEARING: CONSIDERATION OF PROPOSED FY 21-22 BUDGET

In keeping with Board Direction the General Manager has developed a proposed budget for Board consideration. The Board will:

- Receive the report of the General Manager
- Open Public Hearing to receive Public Hearing
- Close the Public Hearing
- Deliberate on the Budget

**Recommendation: Adopt the Budget for FY 2021-22**

*General Manager provided staff report. President Palmer opened the Public Hearing at 7:09 P. M. No public members addressed the Board. President Palmer closed the Public Hearing at 7:10 P.M. Board member Ross asked a question regarding the authorized practice of adjusting Assessment Revenue by Consumer Price Index (CPI). District Counsel Trindle clarified authority.*

*Motion Made by Vice President to adopt FY 2021-22 Budget, Second provided by Director Ross. Motion was approved by a vote of 3-0 with 2 members absent.*

**8. BUSINESS ITEMS: Discussion and Action on the following:**

**B. County Assessment Authorization**

1. Through the Budget Review Process, the Board previously directed that the CPI Increase be applied to assessments for FY 2021-22 Exempt parcels remain exempt.
2. Consider and Pass, or modify and pass, RESOLUTION NO. 21-07

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE LOS OLIVOS COMMUNITY SERVICES DISTRICT AUTHORIZING TAX LEVY WITH CPI INCREASE, AND PROVIDING FOR COLLECTION VIA DIRECT CHARGE BY THE SANTA BARBARA COUNTY AUDITOR-CONTROLLER VIA PLACEMENT ON THE SECURED TAX BILL OF ALL PARCELS IN THE DISTRICT, EXCLUDING EXEMPT OR PARTIALLY EXEMPT PARCELS PURSUANT TO PAST ACTION BY THE BOARD OF DIRECTORS.

*General Manager Perrault provided staff report.*

*Motion made by Vice President Fayram to approve Agenda items: 8.1 and 8.2 and adopt Resolution 21-07 by reading of title only, Second by Director Ross. Motion was approved 3-0 with 2 members absent.*

**C. Urban Planning Concepts Siting Study Review**

1. During the Board meeting of June 9th the Board completed an initial review of Urban Planning Concepts (UPC) Siting Study which identified several sites that could be appropriate for the location of the Wastewater Treatment Plant. Staff is requesting the Board further review the study and provide direction to reduce the potential sites from 18 identified in the report to 4 or fewer sites.

*General Manager provided a staff report. Director Ross volunteered to modify matrix to place scoring of sites more in line with District Goals. Vice President Fayram asked for clarification on the permitting process for the Littlecreek site if it is chosen as the preferred site since the site is outside the District. District Counsel indicated that applicable State Government Codes would permit the District to take the lead in the permitting process under certain circumstances.*

*Motion made by Vice President Fayram, second by Director Ross for the Board to continue review of options contained in the UPC Siting Study and direct the Program Management Committee to review the options in light of the modified matrix to be completed by Director Ross.*

**D. Project Development**

1. Report of Project Management Committee. Committee members and General Manager will report on the following:
  - Update on GSI Proposal
  - Update on Local Groundwater Monitoring Program.
2. Review and approval of an Update to Project Description and approval of modified Project Description.  
*General Manager Perrault gave a brief oral report.*

**9. General Managers Report**

*General Manager Report on current assignments, action items, and general District business. A brief oral report was given.*

**10. Informational Items**

1. Discussion by District Counsel on Return to In-Person Meetings.  
*District Counsel indicated that the District would need to return to in-person meetings in September*

**11. Call for Agenda Items- There were no items requested.**

**12. Next Regular Meeting:**

Wednesday, August 11, 2021, 6:00 p.m.

Via RingCentral Meeting Link to be posted in the agenda (at the Post Office Bulletin Board & CSD Website [www.losolivoscsd.com](http://www.losolivoscsd.com))

**13. ADJOURNMENT- *The meeting was Adjourned at 7:58 PM***

The Los Olivos Community Services District is committed to ensuring equal access to meetings. In compliance with the American Disabilities Act, if you need special assistance to participate in the meeting or need this agenda provided in a disability-related alternative format, please call 805.946.0431 or email to [losolivoscsd@gmail.com](mailto:losolivoscsd@gmail.com). Any public records, which are distributed less than 72 hours prior to this meeting to all, or a majority of all, of the District's Board members in connection with any agenda item (other than closed sessions) will be available for public inspection at the time of such distribution at a location to be determined in Los Olivos, California 93441.

## **Rohrer**

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### **Exhibit G**

Aug. 18, 2021 Memo from Bob Perrault, GM, to LOCSD Bd. of Dir.

Lisa Palmer, President  
Tom Fayram, Vice President  
Mike Arme, Director  
Brian O'Neill, Director  
Brad Ross, Director



**Memo to:** The Los Olivos Community Service District Board of Directors  
**From:** Bob Perrault, General Manager  
**Subject:** Consider Project Management Committee Recommendation Regarding Site identification for the Location of the Wastewater Treatment Plant.  
**Date:** August 18, 2021

During the Board's July meeting the Board received the Siting Study prepared by Urban Planning Concepts (UPC). The Siting Study included a matrix that identified a total of 17 sites that could be considered as potential locations for the Wastewater Treatment Plant. At the end of Board's discussion on the item Director Ross offered to revise the matrix to reflect a weighted rating process to assist in the identification of potential sites. The Board accepted this offer and directed the Project Management Committee to make a recommendation regarding site identification.

On August 11, 2021 the Project Management reviewed the matrix (please see attachment) as modified by Director Ross. The Committee then made a recommendation to the Board regarding a preferred site and a preferred alternative site. The Committee's recommendation identifies APN #135230028 identified as the "Littlecreek" site owned by the Herthel family as the Preferred site and APN # 135110024 located on the west side of Santa Barbara Ave. and owned by the Gott family.

The recommendation was based on the ranking contained in the matrix. The Littlecreek site received a total of 128.5 points and the Gott site received a total of 103 points. The point criteria used in the ranking is outlined in the matrix. Key factors in the criteria included: parcel location, size, elevation, site physical constraints and possible availability.

A Closed Session is a companion item to this recommendation. Staff would suggest the Board take action on the Committee's recommendation and then proceed to the Closed Session to discuss property negotiations.

**Rohrer**

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**Exhibit H**

UPC siting matrix (6/4/2021) & “Revised” matrix (8/10/2021)

Los Olivos CSD Siting Study Matrix  
6/4/2021

APN	Address	Parcel Size	Zoning	Owner Info	Description	Lot Only?	Excess ROW?	Size?	Open/farm land where a portion could be subdivided and purchased adj. to?	Elevation Less than Commercial Zone (Phase 2)?	Elevation Less than Small Lots (Phase 2)?	Distance from Commercial Zone?	Proximity to Alamo Pintado Creek?	Unique & Expensive Environ. Challenges?	Require Recharge Crossing for Pipeline?	Easy Access/Public Access?	Proximity to Residential?	Challenging due to Physical Comments?	Offered for District Purchase by Owner?	Notes
						Y (5)-N (1)	Y (10)-N (0)	<.75 Acre (0), .75-.1.5 Acre (2), >1.5 Acre (1)	Y (5)-N (0)	Y (10)-N (1)	Y (10)-N (1)	Within CZ(00), <.5 MI(S), >.5MI (1)	<1000 (1), 1000-1500 (0), >1500 (0)	Y (0)-N (5)	Y (0)-N (5)	Y (5)-N (0)	Yes (0), No (5)	Y (10)-N (0)	POINT TOTALS	
1	County Road ROW	0.37	20-R-1	County of Santa Barbara	Excess County Road ROW access from Parcel St. @ N. Hwy 154. 13.13 Acre. Possible purchase of adjacent land?	5	10	0	0	5	10	10	10	5	5	5	1	5	0	75
2	135010054	4.4	AG-1D	MONDRI FAMILY TRU (5/28/00)	North of Hwy 154 (Colinas Rd. at North St) 4.4 Acres	5	0	1	5	1	1	5	5	5	5	5	1	5	0	44
3	135071006	0.46	RR-5	CHAMBERLIN LOS OLIVOS LLC	North of Hwy 154 (Colinas Rd. at North St) 0.46 Acres	5	0	5	5	1	1	5	5	5	5	5	1	5	0	46
4	135030042	8.39	AG-1S	CHAMBERLIN LOS OLIVOS LLC	North of Hwy 154 (Figueroa Mountain Rd. at North St) 8.39 Acres	5	0	1	5	1	1	5	1	0	5	5	1	5	0	35
5		0.50	ROW	CALTRANS	North of Hwy 154 (Figueroa Mountain Rd. at HWY 154) 0.5 Acres	5	0	5	5	1	1	5	1	5	0	5	1	5	0	39
6	135074019	0.85	C-2	STAGE STOP PLAZA	In Commercial Zone (Nogojqui Ave. at Railway Ave.) .85 Acres	5	0	2	0	10	10	5	5	0	0	5	1	5	0	48
7	135082020	0.32	15-R-1	BEREAN BAPT CHURCH OF LOS OLIVOS	In Commercial Zone (Alamo Pintado St) .32 Acres	5	0	0	0	10	10	5	5	0	0	5	1	5	0	46
8	135140012	1.28	1-E-1	BARSON ROBERT; SBANGER JENNIFER	Vacant Lot Accessible from Kewan Drive	5	0	2	0	10	10	5	1	0	0	5	1	5	0	44
9	135082022	0.62	15-R-1	BEREAN BAPT CHURCH OF LOS OLIVOS	In Commercial Zone (Alamo Pintado St) .62 Acres	5	0	5	0	10	10	5	10	0	5	5	1	5	0	61
10	135086001	0.16	15-R-1	SANTA YNEZ RIVER & WATER CONGS DI	ID 1 Parcel (Alamo Pintado Ave. at Santa Barbara Ave.) .16 Acres	1	0	0	0	10	10	5	10	5	0	5	1	5	0	52
11	135086002	0.16	15-R-1	SANTA YNEZ RIVER & WATER CONGS DI	ID 1 Parcel (Alamo Pintado Ave. at Santa Barbara Ave.) .16 Acres	1	0	0	0	10	10	5	10	5	0	5	1	5	0	52
12	135086009	0.87	7-R-1	CRUTCHER, DANIEL L; CRUTCHER, JULIE B	Vacant Lot W/ access from Hollister St or alley @ Nogojqui .87 A (4 Usable)	5	0	5	0	10	10	5	10	5	0	5	1	5	0	56
13	135122031	0.28	20-R-1	County of Santa Barbara	Excess County Road ROW access from Hollister St @ Nogojqui Ave. .28 Acres. 12 Usable Possible purchase of adjacent land?	5	10	0	0	10	10	5	10	0	5	5	1	0	10	71
14	135110023	1.47	1-E-1	GOTT CHARLES R & PATRICIA A (TRUSTEES); GOTT CHARLES & PATRICIA TRUST	Subdivisible Vacant lot On Santa Barbara Ave. 1.47 Acres	5	0	2	5	10	10	5	5	5	0	5	1	5	0	58
15	135110024	1.48	1-E-1	GOTT CHARLES R & PATRICIA A (TRUSTEES); GOTT CHARLES & PATRICIA TRUST	Subdivisible lot On Santa Barbara Ave. 1.48 Acres	1	0	2	5	10	10	5	5	5	5	5	1	5	0	59
16	135110025	1.47	1-E-1	GOTT CHARLES R & PATRICIA A (TRUSTEES); GOTT CHARLES & PATRICIA TRUST	Subdivisible Vacant lot On Santa Barbara Ave. 1.47 Acres	5	0	2	5	10	10	5	5	0	5	0	1	0	0	48
17	135240028	10.01	METHEL	METHEL	Vacant Land Offered by the Herthels	5	0	2	5	10	10	1	5	0	0	1	3	5	10	57
18	135-1100400	3.04			Open field On Grand at Park	5	0	1	5	10	10	1	10	5	5	5	3	5	0	65

Ex. A, 1  
ATTACHMENT B

Los Olivos CSD Siting Study Matrix

10-Aug-2021

Categories are sorted by weighting

APN	Address	Parcel Size	Zoning	Owner Info	Description	Weight	Owner Offered to District	Lot Size	Elevation Below Phase 1	Elevation Below Phase 2	Access	Physical Constraints	Could be Sub-Divided	Commercial Zone Proximity	Environmental Challenges	Pipe Needs Bridge	Residential Proximity	Creek Proximity	Lot Only?	Excess Right of Way	TOTAL
17	135230028	10.01		HERTEL	SB Ave x Alamo Pintado Rd southwest parcel, adjacent to district boundaries		10	10	10	10	10	10	10	5	10	0	5	5	10	0	128.5
15	135110024	1.48	1-E-1	GOTT CHARLES R & PATRICIA A	Subdivisible Lot On Santa Barbara Ave. 1.48 Acres.		5	10	10	7	5	10	10	5	10	10	0	5	0	0	103
14	135110023	1.47	1-E-1	GOTT CHARLES R & PATRICIA A	Subdivisible Vacant Lot On Santa Barbara Ave. 1.47 Acres		5	10	10	7	5	10	10	5	10	0	0	5	10	0	100
18	135180040	3.04		HERTEL	Open Field on Grand at Park		0	10	8	6	10	10	10	5	0	10	5	10	10	0	88
1	County Road ROW	0.37	20-R-1	County of Santa Barbara	Excess County Jonata Road ROW access from Jonata St @ Nojoqui Ave. .37 Acres. .13 useable Possible purchase of adjacent land?		7	0	5	3	5	10	0	10	10	10	0	10	10	10	74
16	135110025	1.47	1-E-1	GOTT CHARLES R & PATRICIA A	Subdivisible Vacant Lot On Santa Barbara Ave. 1.47 Acres		5	10	5	7	0	0	10	5	0	10	0	5	0	0	73
13	135122031	0.28	20-R-1	County of Santa Barbara	Excess County Road ROW access from Hollister St @ Nojoqui Ave. .28 Acres. .12 useable Possible purchase of adjacent land?		7	0	6	10	5	0	0	5	0	10	0	10	10	10	72.5
12	135086009	0.87	7-R-1	CRUTCHER, DANIEL L; CRUTCHER, JULIE B	Vacant Lot W/ access from Hollister St or alley @ Nojoqui. .87 A (.4 Usable)		0	10	6	5	5	10	0	5	10	0	0	10	10	0	69.5
9	135082022	0.62	15-R-1	BEREAN BAPTIST CHURCH	In Commercial Zone (Alimo Pinto St) .62 Acres		0	10	6	3	5	10	0	5	0	10	0	10	10	0	65.5
6	135074019	0.85	C-2	STAGE STOP PLAZA	In Commercial Zone (Alimo Pinto Ave at Railway Ave.) .85 Acres		0	10	3	3	5	10	0	5	0	0	0	5	0	0	51
8	135340012	1.28	1-E-1	RAISCH ROBERT; GRANGER JENIENE	Vacant Lot Accessible from Keenan Drive		0	5	5	5	5	10	0	5	0	0	0	1	0	0	47.8
10	135086001	0.16	15-R-1	SANTA YNEZ RIVER & WATER CONS DI	ID 1 Parcel (Alamo Pintado Ave. at Santa Barbara Ave.) .16 Acres		0	0	5	3	5	10	0	5	10	0	0	10	0	0	41.5
11	135086002	0.16	15-R-1	SANTA YNEZ RIVER & WATER CONS DI	ID 1 Parcel (Alamo Pintado Ave. at Santa Barbara Ave.) .16 Acres		0	0	5	3	5	10	0	5	10	0	0	10	0	0	41.5
7	135082020	0.32	15-R-1	BEREAN BAPTIST CHURCH	In Commercial Zone (Alimo Pinto St) .32 Acres		0	0	6	3	5	10	0	5	0	0	0	5	0	0	37
2	135030054	4.4	AG-I-10	MONIOT FAMILY TRU (5/28/04)	North of Hwy 154 (Calkins Rd. at North St.) 4.4 Acres		0	10	0	0	5	10	10	5	10	10	0	5	0	0	0
3	135071006	0.46	RR-5	CHAMBERLIN LOS OLIVOS LLC	North of Hwy 154 (Calkins Rd. at North St.) 0.46 Acres		0	10	0	0	5	10	10	5	10	10	0	5	10	0	0
4	135030042	8.19	AG-I-5	CHAMBERLIN LOS OLIVOS LLC	North of Hwy 154 (Figueroa Mountain Rd. at North St.) 8.19 Acres		0	0	0	0	5	10	10	5	0	10	0	1	0	0	0
5	CALTRANS ROW	0.50	ROW	CALTRANS	North of Hwy 154 (Figueroa Mountain Rd. at Hwy 154.) 0.5 Acres		7	10	0	0	5	10	10	5	10	0	0	1	0	0	0

Column H Owner is willing to work with district on sale or lease  
 Column I Size - <0.4 Acre is 0, 0.4 to 0.75 Acre is 10, 0.75 to 1.5 Acre is 5, > 1.5 Acre is 10, No is 0  
 Column J Elevation < Phase 1 - Yes is 10, No is 0 (Important to minimize lift stations)  
 Column K Elevation < Phase 2 - Yes is 10, No is 0 (Important to minimize lift stations)  
 Column L Access - Good is 10, Poor is 0  
 Column M Site Physical Constraints - High is 0, Low is 10  
 Column N Part or all of site can be purchased or leased - Yes is 10, No is 0  
 Column O Distance from Commercial Zone - Within commercial zone is 10, w/ Distance to Alamo Pintado Creek - Adjacent is 10, within 1000 feet is 5, more than 1000 feet is 0  
 Column P Environmental Challenges - High is 0, Low is 10  
 Column Q Pipe needs bridge? Yes is 0, No is 10  
 Column R Close to Residential? - <100 ft is 0, 100 to 1000 ft is 5, >1000 ft is 10 ("Not in my backyard" is more important than minimizing collection system cost)  
 Column S Good permeation? - Yes is 10, no is 0  
 Column T Lot only - Yes is 10, No is 0

EXH, 2