

January 9, 2025 (Agenda)

Local Agency Formation Commission
105 East Anapamu Street
Santa Barbara CA 93101

Authorize Out-of-Agency Services to Santa Maria Bonita Elementary School

Dear Members of the Commission

RECOMMENDATION

(Continued from the December 12, 2024 Meeting with direction to staff to return with Resolution for approval with terms and conditions) - It is recommended that the Commission review and adopt the attachment Resolution for application file No. 24-04 for an Out-of-agency Service Agreement for the City of Santa Maria to provide potable water service to Santa Maria Bonita Elementary School site located at 2715 West Main Street, Santa Maria, in unincorporated area of Santa Barbara County west of the City of Santa Maria, CA. 93458 (APN 113-050-007. The Commission will consider approval of a Resolution that includes the following actions and determinations:

- a) Find that the Commission has considered the Final Mitigated Negative Declaration prepared by the Santa Maria Bonita School District as Lead Agency under the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq., for the Bonita Elementary School Drinking Water Improvement Project SP2024-010761;
- b) The Commission finds the service request to be in the best interests of the affected area. The Commission finds that the new potable water service to be provided responds to an existing threat to the health or safety of the public or residents of the affected territory;
- c) The landowner shall comply with all terms and conditions set forth in the Commission's resolution of approval, including the landowners shall execute and record an agreement approved by the Executive Officer that consents to any future annexation of the territory, which agreement shall enure to and bind all successors in interest to the property; and

- d) Said Out-of-Agency Service Agreement is for potable water service only and shall remain in effect for a period of ten-years until such time as the Commission may reconsider the agreement or an annexation is approved by the Commission.

DISCUSSION

At the December 12, 2024 meeting, after consideration of all testimony and materials that were submitted the Commission took a conceptual motion to approve the proposal and have staff return with the item at the January 9, 2025 meeting.

Attachments

Attachment A – Draft Resolution for approval of File 24-04 Bonita School OASA

Please contact the LAFCO office if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "M. Prater".

Mike Prater
Executive Officer

LAFCO 25-xx

AUTHORIZATION BY THE LOCAL AGENCY FORMATION COMMISSION FOR THE CITY OF SANTA MARIA TO PROVIDE OUT-OF-AGENCY SERVICES TO PROPERTY LOCATED AT 2715 WEST MAIN STREET (SANTA MARIA BONITA ELEMENTARY SCHOOL)

WHEREAS, the property owner, with the consent of the City of Santa Maria, has filed a proposal with the Executive Officer of the Santa Barbara Local Agency Formation Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act (Section 56000 et seq. of the Government Code) for the City to provide services outside of its boundaries to the property located at 2715 West Main Street, 93458, in the unincorporated area of Santa Barbara County, APN 113-050-007, LAFCO Application No. 24-04 (the "Property"); and

WHEREAS, pursuant to Government Code section 56133(c), the Commission may authorize a city or district to provide new or extended services outside its jurisdictional boundary only if the property is to respond to an existing or impending threat to the health or safety of the public or the residents of the affected territory.

WHEREAS, the City and Santa Maria Bonita School District have documented a health and safety treat concerning nitrate levels exceeding the State-mandated maximum contaminant level, upper secondary MCLs for total dissolved solids, and has been cited by Santa Barbara County Environmental Health Services (SBC EHS) for noncompliance. The State Water Resources Control Board has identified the Santa Maria Bonita Elementary School in need of meeting regulatory compliance and has identified the system as a public health threat. The Compliance Order requires a plan to SBC EHS for approval consisting of an out-of-agency domestic water service agreement would best allow the school to connect to the City of Santa Maria's water supply to mitigate the water violations.

WHEREAS, the proposed domestic water connection would not result in additional impacts since there will be no modification to the original development approval and no change in use. The domestic water connection would be provided solely to mitigate a threat to the health and safety of the public. Additionally, a private water line would connect to the City's existing main line at the intersection of Black Road and West Main Street, and then

extending west to the intersection of West Main Street and Bonita School Road. Therefore, approval of this project will not result in an extension of water infrastructure services outside of the City, other than to allow Bonita Elementary School to hookup as a customer for domestic water service.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED as follows:

- (1) The Commission finds the Final Mitigated Negative Declaration prepared by the Santa Maria Bonita School District as Lead Agency under the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq., for the Bonita Elementary School Drinking Water Improvement Project SP2024-010761) is adequate.
- (2) The Commission finds the service request to be in the best interests of the affected area. The Commission finds that the new potable water service to be provided responds to an existing threat to the health or safety of the public or residents of the affected territory.
- (3) This approval is subject to the following terms and conditions:
 - a. The City's provision of water services shall be limited to the 5.01 acres located at 2715 West Main Street, Santa Maria, CA, APN 113-050-007.
 - b. This approval shall not authorize connection of the property to the City water systems until the property owner has executed and recorded a landowner consent approved by the Executive Officer that consents to future annexation of the territory, which consent shall inure to and bind all successors in interest to the property.
 - c. Said out-of-agency service agreement is for potable water service only and shall remain in effect for a period of ten-years until such time as the Commission may reconsider the agreement or an annexation is approved by the Commission.

(4) Said out-of-agency service agreement is hereby approved.

PASSED AND ADOPTED this day of January 9, 2025, in Santa Barbara, California
by the following vote.

AYES:

NOES:

ABSTAINS:

Dated: _____

Chair
Santa Barbara Local Agency
Formation Commission

ATTEST

Natasha Carbajal, Clerk/Analyst
Santa Barbara Local Agency Formation Commission