

February 5, 2015

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

**Consideration of a Report on Assembly Bill 3 (Williams) regarding the Proposed
Formation of a Community Services District in Isla Vista**

Dear Members of the Commission

RECOMMENDATION

It is recommended that the Commission review the report and provide direction to staff.

DISCUSSION

Assembly Bill 3 was introduced on December 1, 2014 by Assemblyman Das Williams (**Exhibit A**). At the December 4, 2014 Commission meeting, the Commission was scheduled to consider an information item concerning the status of the proposed Isla Vista Community Services District. However, since AB 3 was introduced after the December 4, 2014, agenda packet was distributed, the Commission requested that a business item concerning the bill be scheduled for the next meeting.

After numerous public comments on the bill at the December 4th meeting, including comments by Assemblyman Williams, the Commission appointed an Ad Hoc Committee of three members consisting of Commissioner Farr, Commissioner Geyer, and Commissioner Moorhouse, with Commissioner Farr as Chair. The task of the Ad Hoc Committee was to work with the Executive Officer, Assemblyman Williams' office and additional stakeholders, as appropriate, to gather information regarding the creation of a Community Services District and/or other governance options for the Isla Vista community. In addition, the Ad Hoc Committee was directed to report back to the Commission in the form of status reports as appropriate. As mentioned above, the Commission directed that this matter be placed on the February 5, 2015 meeting agenda as a business item.

Regarding developments that have taken place since the bill was introduced on December 1, 2014, the most significant is that the Assemblyman and his staff have scheduled a series of

meetings to disseminate information on the bill, to reach out to stakeholders to determine which services and powers the proposed new Community Services District (CSD) should provide, how those services will be financed, and who will serve on the CSD Board of Directors. The meeting schedule is as follows:

Beginning January 6th, there will be a weekly community stakeholder meeting every Tuesday from 6-8pm in the conference room of the IV Clinic Building at 970 Embarcadero Del Mar. Smaller community group meetings are also taking place.

Larger town halls meetings for the whole community are scheduled for the following dates and locations:

*Thursday, February 5th; 7:00-8:30pm; SB Hillel, 781 Embarcadero Del Mar, IV
Saturday, February 21st; 1-3pm; Anisq'Oyo' Park Amphitheater, 950 Embarcadero Del Mar, IV*

Thursday, March 5th; 7:00-8:30pm; St. Michael's University Church, 6586 Picasso, IV

Ad Hoc Committee:

The Ad Hoc Committee met on December 16, 2014 with a second meeting scheduled for February 2, 2015. As a result of the December 16, 2014 meeting, the California Association of Local Agency Formation Commissions (CALAFCO) working with the SBLAFCO Executive Officer, sent a "letter of concern" to Assemblyman Williams objecting to the intent to bypass the LAFCO review process (**Exhibit B**). Members of the Ad Hoc Committee and staff have attended several of the community stakeholder meetings as well as Isla Vista property owner meetings on this matter.

Status of Assembly Bill 3:

Assembly Bill 3 has not been amended since it was introduced on December 1, 2014. The bill is pending a referral to a policy committee, most probably the Assembly Local Government Committee. Attached is the 2015 Tentative Legislative Calendar for the Commission information (**Exhibit C**).

Legislative Proposal:

The intent of AB 3 is to form the Community Services District without LAFCO approval. Although the language in the bill is generic and is not explicit in this regard, the type of district envisioned by the author is not possible under the current Community Services District Law (Government Code Section 61000 et.seq.) CSD's are registered voter districts and the board of directors must be voters with the boundaries of the district. The bill was introduced to expedite

the formation process, which would otherwise require an election and to add a hybrid board of directors to include property owners and well as registered voters.

Traditionally, CSD's in the State of California are formed as part of a LAFCO Reorganization proceeding. The special districts overlapping an area would be dissolved and a new multi-service CSD would provide the services previously provided by the dissolving districts. In the case of Isla Vista, there is an independent Recreation and Parks District, A County Service Area (CSA 31) that provides street lighting, sidewalk maintenance and street tree maintenance, the County Fire Protection District, Goleta West Sanitary District, Goleta Water District, Santa Barbara Metropolitan Transit District, and the Santa Barbara Vector Control District. A new CSD could build upon the independent Park District structure, possibly supplant CSA 31, and possibly provide other functions currently provided by the County of Santa Barbara, however, it could not provide additional levels of service without new revenues.

Santa Barbara Chapter of California Special Districts Association Letter

Also attached is a letter dated November 6, 2014, from the President of the Santa Barbara Chapter of the California Special Districts Association addressing Isla Vista Governance and opposing bypassing the LAFCO process (**Exhibit D**).

Conclusion

The proposal to form a Community Services District as a form of local governance in Isla Vista is intended to bypass the SBLAFCO process by implementing special legislation. There is no mention of a financial feasibility study in AB 3 to determine how additional services would be financed. Traditionally, LAFCO's are the appropriate agency to review these types of district formations as established by the Cortese-Knox –Hertzberg Local Government Act of 2000. Whether or not a community services district is the appropriate form of local government for the Isla Vista community is a LAFCO decision that should not be bypassed. Community Services District have limitations on their powers and cannot provide additional levels of service without new revenues. Traditionally, revenues would be identified through a feasibility study, financed by the applicant, and would come from the dissolving districts or detachments from larger district that encompass the Isla Vista community. Other revenues sources, would be identified in the feasibility study, such as a special tax, an assessment district, or a utility users' tax. LAFCO approval could be conditioned on such tax measures being approved on the formation ballot. Lastly, it is unclear at this point how a CSD with limited revenues and powers could solve the service and governance issues in Isla Vista.

Local Agency Formation Commission
February 5, 2015 (Agenda)
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Please contact the LAFCO office if you have any questions.

Sincerely,



PAUL HOOD
Executive Officer

ASSEMBLY BILL

No. 3

Introduced by Assembly Member Williams

December 1, 2014

An act relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 3, as introduced, Williams. Isla Vista Community Services District.

Existing law authorizes the formation of the Isla Vista College Community Services District within the unincorporated area of Santa Barbara County known as Isla Vista for the performance of various services, including, but not limited, to public parks, police protection, and transportation facilities.

This bill would express the intent of the Legislature to clarify and establish the necessary authority for the creation of the Isla Vista Community Services District within the unincorporated area of Santa Barbara County, and would make legislative findings and declarations relating to that intent.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. (a) The Legislature finds and declares all of the
2 following:
3 (1) The Isla Vista community encompasses a population of over
4 20,000 residents situated within an area comprising of less than
5 one square mile of land in Santa Barbara County. It is adjacent to

1 the University of California, Santa Barbara (UCSB) campus and
2 its student population. Including university property, the area totals
3 about 1,500 acres. Isla Vista represents one of the largest urban
4 communities in California not governed as a city.

5 (2) Isla Vista faces various challenges in local governance. As
6 a university town, Isla Vista must accommodate the service needs
7 associated with its transient student population and a predominantly
8 renter-oriented community. Isla Vista’s situation is complicated
9 by its unincorporated status, which limits its local participation in
10 managing public services and providing needed public
11 improvements, such as increased lighting, sidewalk and street
12 improvements, and housing code enforcement.

13 (3) As an unincorporated area, various county agencies provide
14 services to the residents and businesses of Isla Vista. Since these
15 agencies must provide services throughout the whole county, Isla
16 Vista must compete for attention and funding for the services they
17 need. Isla Vista is represented at the county level by one of five
18 supervisors and is situated in the largest and most diverse
19 geographic district in the county. The Isla Vista Recreation and
20 Park District is the only local district providing limited services
21 exclusively to Isla Vista.

22 (4) There have been multiple attempts at achieving cityhood
23 for Isla Vista, however, insufficient tax revenue prevents cityhood
24 from being a viable solution. In 2003, the Santa Barbara County
25 Grand Jury found that establishing a community services district
26 would be the best governance option to expand and improve
27 services to Isla Vista.

28 (5) Over the last year, the Isla Vista community has been faced
29 with many challenges due to tragic events, including two violent
30 sexual assaults, a riot, and a mass shooting that has brought focus
31 to the unique needs of Isla Vista that can only be addressed by
32 direct, local governance. Following these events, a local coalition
33 was formed to determine the best direction for Isla Vista
34 self-governance and the community services district has garnered
35 much local support.

36 (6) Additionally, following these events, many trustees on the
37 UC Santa Barbara Foundation Board expressed a strong desire to
38 support the chancellor and the university in efforts to create change
39 in Isla Vista, to ensure a safer and more enhanced community for
40 students. The UC Santa Barbara Foundation Trustees’ Advisory

1 Committee on Isla Vista Strategies was formed to analyze the
2 conditions and dynamics of Isla Vista and develop mid- and
3 long-term recommendations to establish a viable, safe, and
4 supportive environment. Among their recommendations is that the
5 State of California create a Community Services District/Municipal
6 Improvement District in Isla Vista with potential powers of
7 infrastructure, utilities, garbage, police services, parks, recreation,
8 cultural facilities, fire, security, and roads.
9 (b) It is the intent of the Legislature to enact legislation that will
10 clarify and establish the necessary authority for the creation of the
11 Isla Vista Community Services District within the unincorporated
12 area of Santa Barbara County.

O

2014 DEC 23 PM 3:30
COUNTY OF SANTA BARBARA
CLERK OF THE
BOARD OF SUPERVISORS

2014-2015
Board of Directors

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Santa Cruz LAFCo

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DAVID CHURCH
Deputy Executive Officer

PAUL NOVAK
Deputy Executive Officer

JENI TICKLER
Executive Assistant

20 December 2014

Assembly Member Das Williams
California State Assembly
State Capitol Room 4005
Sacramento, CA 95814

RE: AB 3 – Letter of Concern

Dear Assembly Member Williams;

The California Association of Local Agency Formation Commissions (CALAFCO) is aware of your bill, AB 3, which declares the intent of the Legislature to clarify and establish the necessary authority for the creation of the Isla Vista Community Services District within the unincorporated area of Santa Barbara County, and would make legislative findings and declarations relating to that intent.

While we appreciate the intent of the bill is to provide assistance to the community of Isla Vista, we have concerns about the intended language.

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH) provides that the Local Agency Formation Commission (LAFCo) have jurisdiction over a Community Services District (CSD) and that the organization or reorganization of such a district be subject to LAFCo proceedings. This means that, in the case of the formation of a new CSD to serve Isla Vista, the proceedings to initiate the formation of this district would go through the normal LAFCo review process, once the LAFCo receives the proper petition or resolution initiating that district formation. This process allows for the comprehensive review of the viability of the proposed district and services to be provided.

It appears that in its current form, AB 3 intends to bypass this process, which is of great concern to CALAFCO and our 58 member LAFCos throughout the state. We respectfully encourage you to reconsider this approach as you explore options to support the community of Isla Vista.

We are happy to work with you and your staff on finding solutions to the issues that Isla Vista faces that work for everyone. We thank you for taking our concerns into consideration and look forward to the opportunity to work with you and your staff on amendments to AB 3 that create logical and workable solutions for all.

Yours sincerely,



Pamela Miller
Executive Director

1215 K Street, Suite 1650
Sacramento, CA 95814

Voice 916-442-6536
Fax 916-442-6535

www.calafco.org

Cc: Mr. Paul Hood, Executive Officer, Santa Barbara LAFCo
Santa Barbara LAFCo Commission
Ms. Misa Lennox, Associate Consultant, Assembly Local Government Committee

EXHIBIT B

2015 TENTATIVE LEGISLATIVE CALENDAR
 COMPILED BY THE OFFICE OF THE ASSEMBLY CHIEF CLERK
 Revised 10-21-14

DEADLINES

JANUARY							
	S	M	T	W	TH	F	S
					1	2	3
Wk. 1	4	5	6	7	8	9	10
Wk. 2	11	12	13	14	15	16	17
Wk. 3	18	19	20	21	22	23	24
Wk. 4	25	26	27	28	29	30	31

FEBRUARY							
	S	M	T	W	TH	F	S
Wk. 1	1	2	3	4	5	6	7
Wk. 2	8	9	10	11	12	13	14
Wk. 3	15	16	17	18	19	20	21
Wk. 4	22	23	24	25	26	27	28

MARCH							
	S	M	T	W	TH	F	S
Wk. 1	1	2	3	4	5	6	7
Wk. 2	8	9	10	11	12	13	14
Wk. 3	15	16	17	18	19	20	21
Wk. 4	22	23	24	25	26	27	28
Spring Recess	29	30	31				

APRIL							
	S	M	T	W	TH	F	S
Spring Recess				1	2	3	4
Wk. 1	5	6	7	8	9	10	11
Wk. 2	12	13	14	15	16	17	18
Wk. 3	19	20	21	22	23	24	25
Wk. 4	26	27	28	29	30		

MAY							
	S	M	T	W	TH	F	S
Wk. 4						1	2
Wk. 1	3	4	5	6	7	8	9
Wk. 2	10	11	12	13	14	15	16
Wk. 3	17	18	19	20	21	22	23
Wk. 4	24	25	26	27	28	29	30
No hrgs.	31						

- Jan. 1** Statutes take effect (Art. IV, Sec. 8(c)).
- Jan. 5** Legislature reconvenes (J.R. 51(a)(1)).
- Jan. 10** Budget Bill must be submitted by Governor (Art. IV, Sec. 12 (a)).
- Jan. 19** Martin Luther King, Jr. Day observed.
- Jan. 30** Last day to submit **bill requests** to the Office of Legislative Counsel.

- Feb. 16** Presidents' Day observed.
- Feb. 27** Last day for bills to be **introduced** (J.R. 61(a)(1), J.R. 54(a)).

- Mar. 26** **Spring Recess** begins upon adjournment (J.R. 51(a)(2)).
- Mar. 30** Cesar Chavez Day observed.

- Apr. 6** Legislature reconvenes from Spring Recess (J.R. 51(a)(2)).

- May 1** Last day for **policy committees** to hear and report **fiscal bills** for referral to fiscal committees (J.R. 61(a)(2)).
- May 15** Last day for **policy committees** to hear and report to the Floor **nonfiscal bills** (J.R. 61(a)(3)).
- May 22** Last day for **policy committees** to meet prior to June 8 (J.R. 61(a)(4)).
- May 25** Memorial Day observed.
- May 29** Last day for **fiscal committees** to hear and report bills to the Floor (J.R. 61(a)(5)). Last day for **fiscal committees** to meet prior to June 8 (J.R. 61(a)(6)).

*Holiday schedule subject to final approval by Rules Committee.

2015 TENTATIVE LEGISLATIVE CALENDAR

COMPILED BY THE OFFICE OF THE ASSEMBLY CHIEF CLERK

Revised 10-21-14

JUNE							
	S	M	T	W	TH	F	S
No Hrgs.		1	2	3	4	5	6
Wk. 1	7	8	9	10	11	12	13
Wk. 2	14	15	16	17	18	19	20
Wk. 3	21	22	23	24	25	26	27
Wk. 4	28	29	30				

June 1-5 Floor Session only. No committee may meet for any purpose (J.R. 61(a)(7)).

June 5 Last day to pass bills out of house of origin (J.R. 61(a)(8)).

June 8 Committee meetings may resume (J.R. 61(a)(9)).

June 15 Budget Bill must be passed by midnight (Art. IV, Sec. 12(c)(3)).

JULY							
	S	M	T	W	TH	F	S
Wk. 4				1	2	3	4
Wk. 1	5	6	7	8	9	10	11
Wk. 2	12	13	14	15	16	17	18
Summer Recess	19	20	21	22	23	24	25
Summer Recess	26	27	28	29	30	31	

July 3 Independence Day observed.

July 17 Last day for policy committees to meet and report bills (J.R. 61(a)(10)). Summer Recess begins upon adjournment, provided Budget Bill has been passed (J.R. 51(a)(3)).

AUGUST							
	S	M	T	W	TH	F	S
Summer Recess							1
Summer Recess	2	3	4	5	6	7	8
Summer Recess	9	10	11	12	13	14	15
Wk. 3	16	17	18	19	20	21	22
Wk. 4	23	24	25	26	27	28	29
No Hrgs.	30	31					

Aug. 17 Legislature reconvenes from Summer Recess (J.R. 51(a)(3)).

Aug. 28 Last day for fiscal committees to meet and report bills to the Floor (J.R. 61(a)(11)).

Aug. 31 – Sept. 11 Floor Session only. No committee may meet for any purpose except for Rules Committee and Conference Committees (J.R. 61(a)(12)).

SEPTEMBER							
	S	M	T	W	TH	F	S
No Hrgs.			1	2	3	4	5
No Hrgs.	6	7	8	9	10	11	12
Interim Recess	13	14	15	16	17	18	19
Interim Recess	20	21	22	23	24	25	26
Interim Recess	27	28	29	30			

Sept. 4 Last day to amend on the Floor (J.R. 61(a)(13), A.R. 69(e)).

Sept. 7 Labor Day observed.

Sept. 11 Last day for any bill to be passed (J.R. 61(a)(14)). Interim Study Recess begins upon adjournment (J.R. 51(a)(4)).

IMPORTANT DATES OCCURRING DURING INTERIM RECESS

2015

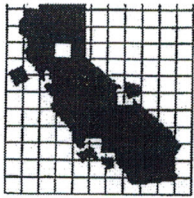
Oct. 11 Last day for Governor to sign or veto bills passed by the Legislature on or before Sept. 11 and in the Governor's possession after Sept. 11 (Art. IV, Sec.10(b)(1)).

2016

Jan. 1 Statutes take effect (Art. IV, Sec. 8(c)).

Jan. 4 Legislature reconvenes (J.R. 51(a)(4)).

*Holiday schedule subject to final approval by Rules Committee.



**Santa Barbara County Chapter of the
California Special Districts Association**

c/o Santa Maria Public Airport District
3217 Terminal Drive, Santa Maria, CA 93455
Phone: (805) 922-1726 Fax (805) 922-0677

November 6, 2014

The Honorable Das Williams
California State Assembly
State Capitol
P.O. Box 942849
Sacramento, CA 94249-0037

SUBJECT: Isla Vista Governance

Dear Assemblyman Williams,

I am writing on behalf of the Santa Barbara County Chapter of the California Special Districts Association (SBCCSDA). Our membership is comprised of 22 special districts, including four community services districts. Cumulatively, the SBCCSDA Board of Directors has decades of experience in governing and managing special districts and serving as Local Agency Formation Commission (LAFCO) commissioners.

It's our understanding that your office is supporting the formation of a community services district (CSD) for the Isla Vista (IV) community via legislative action. It is also our understanding that the intent of this action is to bypass the LAFCO review process.

We are unaware of any published proposal at this time; however, we understand the services under consideration for the CSD (street lighting, sidewalks, parks and recreation, and graffiti abatement) are currently the responsibility of, and being provided by, the County of Santa Barbara (County Service Area 31), Isla Vista Recreation & Park District, and other entities.

While we understand IV has its own set of unique challenges, we believe the same financial feasibility criteria should be applied to IV as any other proposed district. It is our strong recommendation that you encourage your constituency to use the established LAFCO application process. LAFCO was formed for the express purpose of analyzing the various and complex local issues surrounding incorporation and formation of special districts.

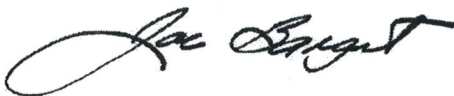
EXHIBIT D

While not always popular, we believe LAFCO is uniquely qualified to make recommendations related to the viability of a CSD. As part of the process we believe a comprehensive financial feasibility study should be completed to determine the financial feasibility of the proposed CSD, and whether other alternatives exist that would better serve the community.

Please accept this letter in the constructive spirit it is offered. As an organization, SBCCSDA is a strong supporter of special districts and local control; however, we are also acutely aware that a CSD must guarantee new or substantially improved services and sufficient funding sources to be viable.

We would welcome a copy of the text that is being proposed or other pertinent information. Please contact me if you would like to discuss this further or to provide additional information for SBCCSDA consideration.

Respectfully,



Joe Barget
Chapter President

c:

State Senator Hannah-Beth Jackson

3rd District Supervisor Doreen Farr

University of California Santa Barbara Chancellor Henry Yang

CALAFCO Executive Director Pamela Miller

✓ Santa Barbara County LAFCO Executive Director Paul Hood

California Special Districts Association Legislative Director Kyle Packham

Isla Vista Recreation & Park District Board Chairperson Jeff Bessmer