

# Santa Barbara LAFCO

Commission Handbook Amendments  
Revisions throughout from  
Section 4 to Section 11

April 1, 2021

# Background

- LAFCO is required to have written policies
- Good practice to keep the policy document up to date and accurate
- Last revised April 7, 1994 to August 7, 2014
- Commission directed Section 4 to return for discussion – LAFCO Membership
- Commission should consider the proposed changes and provide direction

# Proposed Amendment

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Formation Commission

[Table of Contents](#)

Attachment A

[Staff Compensation](#)

Attachment B

[History of Revisions](#)

## Section 4 (A)(4) [Membership; Public Member](#) Attachment C

It is the intent of the City, County and Special District members that the position of Public Member be rotated on a regular basis to allow qualified members of the community to serve on the Commission.

Business Item No 4

# Proposed Discussion

## Section 4 (A)(5) Selection of Public Member

It is the intent that an individual not hold two consecutive four-year terms as the Public Member or as the Alternate Public Member. It is recognized that an individual may serve the remainder of an unexpired term of office as the Public Member or the Alternate Public Member before serving a full four-year term in that position.

It is the intent that an individual after serving as the Alternate Public Member be appointed to the position of Public Member. Coincident with that appointment, a new Alternate Public Member shall be selected and appointed.

# Proposed Amendment

## Section 5 (E). Municipal Service Reviews Attachment D

These studies are called Municipal Service Reviews and LAFCO in adopting a MSR is required to make a number of specific written determinations. [MSR Guidelines can be found in an appendix to this Handbook.](#)

[Amendment attaches these Guidelines as an Appendix](#)

# Proposed Amendment

## Section 5 (I). Factors That Must Be Considered **Attachment D**

The Cortese/Knox/Hertzberg Act lists specific factors that must be considered by the Commission in reaching its determinations. **These are listed as an appendix to this Handbook.** LAFCO staff reports are designed to provide information relevant to these factors.

[Amendment attaches these Factors as an Appendix](#)

# Proposed Amendment

## Section 6 (B). Selection of Officers **Attachment E**

Selection of Officers -- The members of the Commission shall elect a Chair and Vice Chair at the first meeting of the Commission of each year or as soon thereafter as practicable. The Chair and Vice Chair shall serve for one-year terms, ~~with~~ It is intended and presumed that, the Vice Chair ~~automatically assuming~~ will be appointed by the Commission as the Chair at the end of the term. Officers shall be selected from the categories of members in the following order: Public, County, Special District and City.

# Proposed Amendment

## Section 6 (E). Environmental Procedures

Section 1. The Commission hereby adopts pursuant to Section 21082 of the Public Resources Code and CEQA Guidelines section 15022(d), the State CEQA Guidelines through incorporation by reference as the local CEQA Guidelines of Santa Barbara LAFCO.

~~-as its objectives, criteria and procedures for the evaluation of projects and the preparation of environmental impact reports and negative declarations pursuant to the California Environmental Quality Act, the Guidelines for the Implementation of the California Environmental quality Act of 1970, as Amended, adopted by the Santa Barbara County Board of Supervisors on September 12, 1988.~~



# Proposed Amendment

## Section 6 (F). Conducting Authority Proceedings

Section 2. The purpose of the delegation is to increase scheduling flexibility, to avoid extending Commission meetings to conduct non-discretionary procedures and to expedite the boundary change process.

Section 3. The ~~staff~~ Executive Officer will comply with statutory requirements respecting noticing, scheduling and conducting protest hearings. The notice of hearing will be accompanied by ~~or those receiving the notice shall be directed to~~ a LAFCO standardized “protest form” which solicits all required information. The ~~enclosed protest form~~ Executive Officer may ~~be~~ periodically update the protest form modified by staff as necessary to comply with the law and ensure efficient and accurate proceedings.

# Proposed Amendment

## Section 6 (F). Conducting Authority Proceedings

Section 5. Within thirty (30) days of the hearing the Executive Officer shall, pursuant to Government Code Section 57052, ~~based on~~ determine the value of protests filed and either order the change of organization, terminate the proposal, or request the County or appropriate city to call and conduct an election. ~~After taking such action the Executive Officer shall report the action taken to the Commission at its next regularly scheduled meeting.~~

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## Section 6 (~~G~~ H). Amendment

Except as amended herein , all other provision of the Santa Barbara LAFCO Commissioner Handbook remain unchanged and shall continue in full force and effect.

~~These Rules and Procedures may be amended at a regular or special meeting on the Commission by a four-fifths vote of the members.~~

Business Item No 4

# Proposed Amendment

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## Section 7 (II). Sphere of Influence Policies – Environmental Review

### Attachment F

Under The determination of whether or not an  
Environmental Impact Report (EIR) is necessary...

~~Delete numbers 1 thru 4. LAFCO is not party to the  
MOU and has no authority regarding its approval~~

Business Item No 4

# Proposed Amendment

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## Section 8 Conflict of Interest Code Attachment G

Updates Appendix A & B Revise per Fair  
Political Practices Commission (FPPC)  
Regulation Section 18730

Business Item No 4

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## Section 10 (C). Other Commission Support Attachment H

~~The County~~ Legal Counsel ~~under separate contract~~ provides legal advice and support for LAFCO. If a conflict of interest ever occurs between LAFCO and the ~~County~~ Legal Counsel, the Commission can obtain outside counsel.

Business Item No 4

# Proposed Amendment

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## Section 11 (B). CALAFCO Board, Staff, Dues Attachment I

Amends section to reflect current CALAFCO Association structure into four regions and updates the dues formula

Business Item No 4

# Recommendation

## It is recommended that the Commission:

- Review and Discuss the attached Policies and Procedures amendments
- Provide any feedback and/or direction about the policies and procedures
- Review and Approve the proposed changes
- Find that the proposed actions are not a "project" under California Environmental Quality Act Guidelines §15378(b)(5)



# Revised Recommendation

## **It is recommended that the Commission:**

Motion: Move approval of Staff Recommendation, with the following amendments:

- Defer action on Item(b) re Staff compensation (Attachment B);
- Adopt amendments to Item(c) re selection of Public Member Commissioners (Attachment C), as approved by the Commission;
- Amend Item (e) Rules and Procedures (Attachment E) by directing staff to not publish Public Comment by Email Policies and return with revisions at a future meeting;
- Defer action on Item (g) LAFCO Conflict of Interest Code (Attachment G);