

August 1, 2002 (Agenda)

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

**LAFCO 02-2 County Service Area No. 11 Reorganization: Dissolution of Summerland
Lighting District; Annexation to County Service Area No. 11**

Dear Members of the Commission:

RECOMMENDATION

It is recommended that the Commission, as the conducting authority, adopt the enclosed resolution ordering the County Service Area No. 11 Reorganization without election.

DISCUSSION

Background

On January 15, 2002 the Board of Supervisors initiated the County Service Area No. 11 Reorganization. The proposed annexation was considered by the Commission at a noticed public hearing on May 2. After considering available information and testimony the Commission found the proposal to be exempt from CEQA and approved the reorganization.

The Commission is also the “conducting authority” for the purpose of holding protest hearings, a responsibility the Commission has delegated to its Executive Officer.

Commission Action is Determined by Protests Received

The Cortese-Knox-Hertzberg Act provides that the Commission, acting as conducting authority, must make a finding regarding the value of written protests that are filed and not withdrawn and take one of the following actions.

1. Terminate proceedings if protests are filed by a majority of the registered voters residing in the annexation territory.
2. Order the reorganization subject to confirmation by the registered voters residing within the territory if written protests are filed by either of the following:
 - At least 25 percent, but less than 50 percent, of the registered voters residing in the affected territory.
 - At least 25 percent of the number of owners of land who also own at least 25 percent of the assessed value of land within the affected territory.
3. Order the reorganization without an election if written protests are filed by fewer than 25 percent of the registered voters or fewer than 25 percent of the number of owners of land owning less than 25 percent of the assessed value of land in the affected territory.

No Protests Received

The staff publicly noticed and conducted a hearing on June 11 in the Carpinteria City Hall for the purpose of receiving any written protests against the reorganization. No protests were received.

Recommendation

It is recommended that the Commission adopt the enclosed resolution ordering the County Service Area No. 11 Reorganization without a confirmation election.

Please contact the LAFCO office if you have any questions.

Sincerely,

BOB BRAITMAN
Executive Officer

CONDUCTING AUTHORITY RESOLUTION NO. 02-2

RESOLUTION OF THE SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION
ORDERING THE COUNTY SERVICE AREA NO. 11 REORGANIZATION: DISSOLUTION
OF THE SUMMERLAND LIGHTING DISTRICT AND ANNEXATION TO COUNTY
SERVICE AREA NO. 11
WITHOUT ELECTION

WHEREAS, this resolution is adopted pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act (Section 56000 et seq. of the Government Code); and

WHEREAS, proceedings for the County Service Area No. 11 Reorganization were initiated by a resolution of application adopted by the Santa Barbara County Board of Supervisors on January 15, 2002.

WHEREAS, preliminary proceedings culminated on May 2, 2002 with adoption by the Commission of LAFCO Resolution No. 02-2 making determinations and approving the reorganization.

WHEREAS, the Executive Officer with delegated authority from the Commission conducted a properly noticed public hearing for the purpose of receiving any protests filed against the proposed reorganization, and

WHEREAS, it was found, following the hearing, that no registered voters residing within the reorganization area and no landowners owning land within the reorganization area filed written protests against the reorganization.

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

(1) There being insufficient protests to terminate the proceedings or to require a confirmation election, the Commission hereby orders the County Service Area No. 11 Reorganization as approved by the Commission on May 2, 2002, subject to terms and conditions in the Commission's resolution of approval, and without election.

(2) The Executive Officer is ordered to make the necessary filings to complete the annexation.

This resolution was adopted on August 1, 2002 and is effective on the date signed by the Chair.

AYES:

NOES:

ABSTAINS:

Dated: _____

Chair

Santa Barbara Local Agency Formation Commission