

**Santa Barbara
Local Agency Formation Commission**

Santa Barbara



*Commissioner Roger Aceves, Chair
Commissioner Craig Geyer
Commissioner Joan Hartmann, Alternate
Commissioner Judith Ishkanian, Alternate
Commissioner Steve Lavagnino
Commissioner Jeff Moorhouse
Commissioner Jim Richardson
Commissioner Shane Stark, Alternate
Commissioner Etta Waterfield, Alternate
Commissioner Roger Welt, Vice-Chair
Commissioner Janet Wolf*

Minutes
Thursday, April 13, 2017
1:00 PM

**BOARD OF SUPERVISORS HEARING ROOM
JOSEPH CENTENO BETTERAVIA GOVERNMENT CENTER
511 EAST LAKESIDE PARKWAY, SANTA MARIA**

Meetings, Agendas, Supplemental Materials and Minutes of the Local Agency Formation Commission are available on the Internet: www.sblafco.org

1:00 P.M. Convened to Regular Session**Roll Call**

Present: 11 – Commissioner Aceves, Commissioner Geyer, Commissioner Hartmann, Commissioner Ishkanian, Commissioner Lavagnino, Commissioner Moorhouse, Commissioner Richardson, Commissioner Stark, Commissioner Waterfield, Commissioner Welt and Commissioner Wolf

Pledge of Allegiance**Approval of Minutes of the March 2, 2017 Meeting and the March 13, 2017 Special Meeting**

A motion was made by Commissioner Richardson, seconded by Commissioner Geyer, to approve the Minutes.

The motion carried by the following vote:

Ayes: 5 – Commissioner Aceves, Commissioner Geyer, Commissioner Hartmann, Commissioner Lavagnino and Commissioner Richardson

Abstain: 2 – Commissioner Moorhouse and Commission Welt

Public Comment Period

There were no requests to speak.

Consent Calendar

- 1) Receive and file a report on Disbursements for February and March, 2017.
- 2) Receive and file the Third Quarter Report.
- 3) Approve a two (2) year contract extension with Paul Hood to provide Executive Officer services to the Commission.

A motion was made by Commissioner Welt, seconded by Commissioner Lavagnino, to approve the Consent Calendar.

The motion carried by the following vote:

Ayes: 7 – Commissioner Aceves, Commissioner Geyer, Commissioner Hartmann, Commissioner Lavagnino, Commissioner Moorhouse, Commissioner Richardson and Commissioner Welt

Changes of Organization and Reorganization

- 1) Consider recommendations regarding LAFCO application 17-03 for the Beach Club Drive Annexation to the Carpinteria Sanitary District and consider adoption of a Resolution that will take the following actions:
 - a) Determine the Class 19 Categorical Exemption, California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15319, approved by the Carpinteria Sanitary District as lead agency, is adequate for the annexation;
 - b) Approve the proposal, known as the Beach Club Drive Annexation to the Carpinteria Sanitary District, subject to the following conditions:
 - i) The territory shall be liable for any existing or authorized taxes, charges, fees or assessments comparable to properties presently within the District;
 - ii) Find the subject territory is uninhabited, all affected landowners have given written consent and the annexing agency has given written consent to the waiver of conducting authority proceedings; and
 - iii) Waive the conducting authority proceedings and direct the staff to complete the proceeding.

A motion was made by Commissioner Lavagnino, seconded by Commissioner Geyer, that this matter be withdrawn from the Agenda. Directed staff to return to the Commission in June 2017.

The motion carried by the following vote:

Ayes: 7 – Commissioner Aceves, Commissioner Geyer, Commissioner Hartmann, Commissioner Lavagnino, Commissioner Moorhouse, Commissioner Richardson and Commissioner Welt

- 2) Consider recommendations regarding LAFCO application 17-04 for La Cumbre Golf and Country Club Annexation to the Goleta Sanitary District and consider adoption of a Resolution that takes the following actions:
 - a) Determine the proposal to be Categorically Exempt (Class 19) from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15319; and
 - b) Approve the proposal, known as the La Cumbre Country Club Annexation to the Goleta Sanitary District, subject to the following conditions:
 - i) The territory shall be liable for any existing or authorized taxes, charges, fees or assessments comparable to properties presently within the District;

- ii) Find the subject territory is uninhabited, all affected landowners have given written consent and the annexing agency has given written consent to the waiver of conducting authority proceedings; and
- iii) Waive the conducting authority proceedings and direct the staff to complete the proceeding.

A motion was made by Commissioner Richardson, seconded by Commissioner Welt, that this matter be acted on, as follows:

a) and b) Approved and Adopted.

RESOLUTION NO. 17-02

The motion carried by the following vote:

Ayes: 7 – Commissioner Aceves, Commissioner Geyer, Commissioner Lavagnino, Commissioner Moorhouse, Commissioner Richardson, Commissioner Welt and Commissioner Wolf

- 3) Consider recommendations regarding LAFCO application 17-01 for the Formation of the Los Olivos Community Services District and consider adoption of a Resolution that takes the following actions:
 - a) Determine the formation to be exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15378(b)(4); and
 - b) Approve the formation of the proposed Community Services District subject to the following terms and conditions:
 - i) The name is Los Olivos Community Services District;
 - ii) Set the boundaries of the District as shown in Exhibit A to the Staff Report;
 - iii) The District shall be governed by a five-member Board of Directors elected at large. Terms of office of the District directors shall be as set forth in the Community Services District Law, Government Code section 61000 et seq.;
 - iv) The District shall have those powers and responsibilities set forth in the Community Services District Law, Government Code Section 61100(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. All other powers of Community Services District shall be considered latent and will require LAFCO approval to become active;

- v) Approval by the voters within the District of a special tax as follows:
- a) The maximum annual special tax authorized for the District shall be Two Hundred Thousand (\$200,000) and shall increase automatically each Fiscal Year thereafter by the percentage change in the Consumer Price Index (CPI) for the Los Angeles/Long Beach area for the prior 12 months;
 - b) The actual tax to be levied for any Fiscal Year shall be determined by a majority vote of the Board of Directors of the District on the basis of the actual revenues estimated to be required by the District to pay its reasonable and necessary expenses for such year; and
 - c) The tax shall be applied to each legal lot within the District based on assessed valuation.
- vi) Should the new Board of Directors levy any of the “Proceeds of Taxes,” described above, it will establish an Appropriations Limit. The “provisional appropriations limit of the District” should be set at \$250,000. This assumes the maximum special tax levy of \$200,000, plus a 25% buffer. Pursuant to sub-section (c), the permanent appropriations limit of the District shall be set at the first District election that is held following the first full Fiscal Year of operation; and
- vii) 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.

A motion was made by Commissioner Richardson, seconded by Commissioner Welt, that this matter be acted on, as follows:

a) and b) Approved and Adopted, amended as follows:

Paragraph B. ii) to read, as follows:

Set the boundaries of the District as shown in Exhibit A and the sphere of influence shall be coterminous with the boundaries of the District.

Paragraph B. v) (c) to read, as follows:

The tax shall be applied equally to each legal lot within the District except that unimproved property may be taxed at a lower rate than improved property.

Paragraph B. v) (d) is added, as follows:

The District's authority to levy the tax shall terminate once the District successfully adopts an assessment pursuant to Article XIII D Section 6 of the California Constitution (Proposition 218) to generate revenue sufficient to fund its administrative costs through charges other than the tax.

Paragraph B. vii) to read, 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. The Commission may extend such deadline or approve other arrangements for funding such construction.

Paragraph B. viii) to read, as follows:

The effective date of formation of the District shall be the date of recordation of the Certificate of Completion.

Last sentence of the Resolution to read, as follows:

This Resolution was adopted on April 13, 2017.

RESOLUTION NO. 17-03

The motion carried by the following vote:

Ayes: 6 – Commissioner Aceves, Commissioner Geyer, Commissioner Lavagnino, Commissioner Richardson, Commissioner Welt and Commissioner Wolf

Abstain: 1 – Commissioner Moorhouse

Business Items

- 1) Consider recommendations regarding the Proposed Budget for Fiscal Year (FY) 2017-2018, as follows:
 - a) Review the Proposed Budget for FY 2017-2018, accept all public testimony and approve the Proposed Budget as presented;
 - b) Direct staff to distribute the approved Proposed Budget to Cities, Special Districts and the County as required by Government Code Section 56381; and
 - c) Schedule a public hearing for May 4, 2017 to consider and adopt the Final Budget.

A motion was made by Commissioner Welt, seconded by Commissioner Geyer, that this matter be approved.

The motion carried by the following vote:

Ayes: 7 – Commissioner Aceves, Commissioner Geyer, Commissioner Lavagnino, Commissioner Moorhouse, Commissioner Richardson, Commissioner Welt and Commissioner Wolf

- 2) Consider pending legislation affecting CALAFCO, Santa Barbara LAFCO, and LAFCO's around the state and provide direction to staff.

No action taken.

Information Items

- 1) Receive and file a report on the 2017 CALAFCO Staff Workshop.

Received and filed.

Commissioner and Staff Announcements

- 1) Commissioner announcements and requests for future Agenda items.

No action taken.

- 2) Executive Officer's comments.

No action taken.

Adjourned at 4:35 PM

Adjourned to

Thursday, May 4, 2017

County Administration Building
Board of Supervisors Hearing Room, Fourth Floor
105 East Anapamu Street, Santa Barbara

Materials Submitted After Distribution of Packet - Materials related to an item on this agenda submitted after distribution of the agenda packet will be available for public inspection during normal business hours in the Santa Barbara County Clerk to the Board's Office, Fourth Floor, 105 East Anapamu Street, Santa Barbara. Such documents will also be available on the Commission website, www.sblafco.org, subject to the ability to post the documents prior to the meeting.

Notice of Disability Accommodations - Persons with a disability who require any disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the meeting are asked to contact the LAFCO office at least three (3) days prior to the meeting by telephone at 805-568-3391 or by email at lafco@sblafco.org.

Remote Participation. Members of the public and Commissioners may participate in person or by using the remote video testimony system located at the County Administration Building, Board Hearing Room, Fourth Floor, 105 East Anapamu Street, in Santa Barbara or at the Betteravia Government Center, Board of Supervisors' Conference Room, 511 East Lakeside Parkway, Santa Maria. Persons may address the Commission on any matter listed on the agenda by completing and delivering to the Clerk a speaker slip before the item is considered. Matters not listed on the agenda may be addressed during the public comment period at the conclusion of the administrative agenda. Further information on agenda items can be obtained in the Clerk of the Board Office, Room 407, in the County Administration Building in Santa Barbara.