

# LAFCO

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**Santa Barbara Local Agency Formation Commission**

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December 6, 2012 (Agenda)

Local Agency Formation Commission

105 East Anapamu Street

Santa Barbara CA 93101

## **Inventory of Mutual Water Companies**

Dear Members of the Commission:

### RECOMMENDATION

This is an informational report; no Commission action is needed other than to receive and file.

### DISCUSSION

Background - In January of this year we notified the Commission that Senate Bill 54 (Solario) had been signed into law. It adds Corporations Code Section 14301.1 (Exhibit A) requiring each mutual water company that operates a public water system to provide LAFCO with a map depicting the approximate boundaries of the property that is being served.

It also requires mutual water companies to provide information regarding the operation of its public water system that can be used by the Commission when it prepares Municipal Service Areas and updates Spheres of Influence for local agencies. The statute states a mutual water company can comply by submitting to LAFCO the same information it submitted to the State Department of Public Health.

That bill also amends Government Code Section 56375 regarding LAFCO's review of city or special districts annexations of territory that happens to be served by a mutual water company.

In March David Brummond of the County Environmental Health Department provided the Commission with an explanation of mutual water companies. He subsequently provided a list of the mutual water companies in Santa Barbara County.

Current Status - In July we wrote to each mutual water company that operates a public water system in Santa Barbara County informing them of the new legal requirements and requesting a map of their service area and information relating to the operation of their public water system.

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**Commissioners:** Jeff Moorhouse, Chair ♦ Lupe Alvarez ♦ Doreen Farr ♦ Craig Geyer ♦ Bob Orach ♦ Bob Short  
Janet Wolf ♦ Roger Aceves ♦ John Fox ♦ Steve Lavagnino ♦ Roger Welt

**Executive Officer:** Bob Braitman

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Since then we have received responses from 19 of the 31 mutual water companies. In some cases follow up letters were needed to obtain the information we requested.

We recently sent a second request to the mutual water companies who have yet to respond to our initial request for information.

Attached as Exhibit B are lists of mutual water companies who have responded and those from which we are still waiting to hear.

Please let me know if you have any questions.

Sincerely,



BOB BRAITMAN  
Executive Officer

cc: County Environmental Health Director

Corporations Code changes that became law on January 1, 2012

Section 14301.1 is added to the Corporations Code and reads:

(a) No later than December 31, 2012, each mutual water company that operates a public water system shall submit to the local agency formation commission for its county a map depicting the approximate boundaries of the property that the mutual water company serves.

(b) A mutual water company that operates a public water system shall respond to a request from a local agency formation commission, located within a county that the mutual water company operates in, for information in connection with the preparation of municipal service reviews or spheres of influence pursuant to Chapter 4 (commencing with Section 56425) of Part 2 of Division 3 of Title 5 of the Government Code within 45 days of the request.

The mutual water company shall provide all reasonably available nonconfidential information relating to the operation of the public water system. The mutual water company shall explain, in writing, why any requested information is not reasonably available.

The mutual water company shall not be required to disclose any information pertaining to the names, addresses, or water usage of any specific shareholder. This subdivision shall not be interpreted to require a mutual water company to undertake any study or investigation.

A mutual water company may comply with this section by submitting to the local agency formation commission the same information that the mutual water company submitted to the State Department of Public Health.

In addition, Government Code Section 56375 is amended by adding the following subsection:

(r) To approve with or without amendment, wholly, partially, or conditionally, or disapprove pursuant to this section the annexation of territory served by a mutual water company formed pursuant to Part 7 (commencing with Section 14300) of Division 3 of Title 1 of the Corporations Code that operates a public water system to a city or special district. (Emphasis added)

Any annexation approved in accordance with this subdivision shall be subject to the state and federal constitutional prohibitions against the taking of private property without the payment of just compensation.

This subdivision shall not impair the authority of a public agency or public utility to exercise eminent domain authority.

The following Mutual Water Companies have responded to our request for information:

Alegria MWC, 3000 Hollister Ranch, Gaviota CA 93117  
Bobcat Springs MWC, P.O. Box 1033, Santa Ynez, CA 93460  
Cuyama MWC, 3045 Highway 166, Cuyama, CA 93254  
El Capitan MWC, 11500 Calle Real, Goleta, CA 93117  
Ellwood MWC, 1332 De La Vina, Santa Barbara, CA 93101  
La Cumbre MWC, 695 Via Tanquilla, Santa Barbara CA 93110  
Lincolnwood MWC, 3749 Lincoln Road, Santa Barbara, CA 93110  
Lingate Lane MWC, 1332 De La Vina, Santa Barbara, CA 93101  
Meadowlark Ranches MWC, P.O. Box 627, Santa Ynez, CA 93460  
Montecito Sea Meadows MWC, 59 Eucalyptus Lane, Santa Barbara, CA 93108  
Oak Trail Ranch MWC, PO Box 1056, Santa Ynez, CA. 93460  
Rancho Marcelino MWC, P.O. box 141, Solvang, CA 93463  
San Augustin MWC, 3000 Hollister Ranch, Gaviota CA 93117  
San Marcos MWC, 50 Trout Club Road, Santa Barbara, CA 93105  
Santa Anita MWC, 3000 Hollister Ranch, Gaviota, CA 93117  
Santa Ynez Rancho Estates MWC, P.O. BOX 297, Santa Ynez, CA 93460  
Vieja MWC, 1034 Vista de la Mesa, Santa Barbara, CA 93110  
Vista Hills MWC, 5423 Campbell Road, Lompoc, CA 93436  
Walking M MWC, P.O. BOX 495, Solvang, CA 93463

The following Mutual Water Companies have not yet responded to our request for information:

East Valley Farms MWC, 3027 Sand Hill Road, Santa Maria CA 93454  
Foster Road MWC, 245 East Foster Road, Santa Maria, CA 93455  
Las Positas MWC, 3575 Modoc Road, Santa Barbara, CA 93105  
Mesa Hills MWC, 141 West Dana, #101, Nipomo, CA 93444  
Oak Trail Estates MWC, 3200 Long Canyon Road, Santa Ynez, CA 93460  
Painted Cave MWC, 4800 Lookout Road, Santa Barbara CA 93105

Rancho Ynecita MWC, 680 Alamo Pintado, Solvang, CA 93463

Rolling Hills MWC, 5828 Telephone Road, Santa Maria, CA 93455

Rosario Park MWC, 285 Rosario Park Road, Santa Barbara, CA 93105

Santa Rita MWC, P.O. BOX 954, Lompoc, CA 93438

Skyline Park MWC, P.O. Box 415, Santa Ynez, CA 93460

Woodstock Prop Owners MWC, P.O. Box 446, Santa Ynez, CA 93460