

LAFCO

Santa Barbara Local Agency Formation Commission
105 East Anapamu Street ♦ Santa Barbara CA 93101
805/568-3391 ♦ FAX 805/647-7647

June 4, 2009 (Agenda)

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

LAFCO 03-13 – Formation of Santa Rita Hills Community Services District

Dear Members of the Commission:

Recommendation

It is recommended the Commission order the execution of the enclosed Certificate of Completion for the Formation of the Santa Rita Hills Community Services District and direct the staff to complete the proceeding.

Discussion

The Commission resolution approving the formation of the Santa Rita Hills Community Services District was adopted on July 3, 2008. The election by registered voters within the District to confirm the formation was conducted on May 5, 2009.

The “Certification of Election Results of the Official Canvass” prepared and executed by Santa Barbara County Clerk Joe Holland is enclosed and confirms that more than two-thirds of the votes cast in the election favor the formation.

Of a total of 14 votes cast in the election, 12 votes, or 85.7%, favored the formation and two votes, or 14.3%, were opposed. Therefore the formation is approved in conformance with the terms and conditions imposed by the Commission.

Please contact the LAFCO office if you have any questions.

Sincerely,



BOB BRAITMAN
Executive Officer

Commissioners: Bob Orach, Chair ♦ Joe Centeno ♦ Dick DeWees ♦ Martin Mariscal ♦ Bob Orach ♦ Cathy Schlottmann
Larry Wilson ♦ Janet Wolf ♦ Joe Armendariz ♦ Doreen Farr ♦ John Fox ♦ Bob Short ♦ **Executive Officer:** Bob Braitman

AGENDA ITEM NO. 5

Santa Barbara County
Formation of the Santa Rita Hills Community Services District
Tuesday, May 05, 2009
Certified Election Results

Measure	A2009		Votes Cast	14
Yes		12	85.71%	
No		2	14.29%	

Santa Rita Hills Community Services District
Director

Thomas Freeman	12	85.71%
Christopher E. Marks	12	85.71%
Casey E. Marks	12	85.71%
Kristi A. Marks	11	78.57%
Dale L. Peterson	11	78.57%

Recording Requested By:

LAFCO

Santa Barbara Local Agency Formation Commission

Return to:

LAFCO

105 East Anapamu Street

Santa Barbara CA 93101

805/568-3391 FAX 805/647-7647

No Fee Per Government Code § 6103

CERTIFICATE OF COMPLETION

As Executive Officer of the Santa Barbara Local Agency Formation Commission, I hereby certify that the attached documents are complete and in accordance with the boundaries, modifications and conditions specified by the Commission in its Resolution No. 03-13 approving this action.

1. The short-form designation of the proceeding is:
LAFCO 03-13 – Formation of the Santa Rita Hills Community Services District
2. The affected territory is located entirely in Santa Barbara County.
3. The Local Agency Formation Commission's resolution of approval, adopted November 6, 2008, is made a part of this certificate by reference and sets forth the description of the boundaries of the proposal and any terms and conditions that apply.
4. The Executive Officer Determination as the conducting authority, executed on October 13, 2008 ordering the Formation of the Santa Rita Hills Community Services District subject to a confirmation election is made part of this certificate by reference.
5. The County of Santa Barbara Clerk has verified that the confirmation election conducted on May 5, 2009 was successful and in excess of two-thirds of the votes cast were in favor of the formation as approved by the Commission.
6. The Local Agency Formation Commission on June 4, 2009 ordered the execution of this Certificate of Completion.

BOB BRAITMAN
Executive Officer

Date: _____

EXECUTIVE OFFICER DETERMINATION AND ORDER NO. 03-13

DETERMINATION OF THE EXECUTIVE OFFICER OF THE SANTA BARBARA
LOCAL AGENCY FORMATION COMMISSION ORDERING THE FORMATION OF THE
SANTA RITA HILLS COMMUNITY SERVICES DISTRICT

1. This action is taken pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act (Government Code Section 56000 et seq.) and policies of the Santa Barbara Local Agency Formation Commission (hereafter Commission), and

2. The Formation of the Santa Rita Hills Community Services District was initiated by a petition of registered voters that was certified as being sufficient on September 10, 2007.

3. On July 3, 2008 the Local Agency Formation Commission following a properly noticed public hearing adopted Resolution No. 03-13, making determinations and approving the proposal subject to conditions.

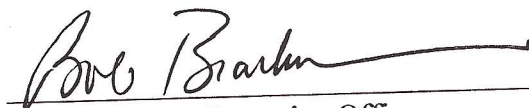
4. Acting on authority delegated by the Commission, I conducted on October 13, 2008 a properly noticed public hearing to receive protests against the proposed formation and, following conclusion of the hearing, I made the following determinations:

- a. There are 11 registered voters residing within the proposal area;
- b. Protests were submitted by two registered voters,
- c. There are 29 landowners within the proposal area, and
- d. Protests were submitted by four owners,

5. Based on the determinations above, I find that protests against the formation represent less than a majority of the registered voters residing within the proposal area and less than a majority of the landowners owning land within the proposal area.

6. Therefore, finding there are insufficient protests to terminate the proceedings, the formation should proceed subject to a confirmation election and the terms and conditions in the Commission's resolution of approval.

This order is made on and is effective from October 13, 2008.



Bob Braitman, Executive Officer,
Santa Barbara Local Agency Formation Commission

LAFCO 03-13

(As amended November 6, 2008)

RESOLUTION OF THE SANTA BARBARA LOCAL AGENCY FORMATION
COMMISSION MAKING DETERMINATIONS AND APPROVING THE FORMATION OF
THE SANTA RITA HILLS COMMUNITY SERVICES DISTRICT

WHEREAS, the above-referenced proposal has been filed with the Executive Officer of the Santa Barbara Local Agency Formation Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act (Section 56000 et seq. of the Government Code) and the Community Services District Law (Section 61000 et seq. of the Government Code); and

WHEREAS, at the times and in the manner required by law the Executive Officer has given notice of the Commission's consideration of the proposal; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony related to the proposal including, but not limited to, the Executive Officer's report and recommendation, the environmental document or determination, Spheres of Influence and applicable General and Specific Plans; and

WHEREAS, territory within the proposal is designated Agriculture on the County General Plan and zoned 100-acre minimum lot size; other than one parcel that is less than one acre in size all of the existing parcels are approximately 40 acres in size and cannot be further subdivided absent a General Plan Amendment and rezoning; and

WHEREAS, one road is planned to provide access to the Lakeview Estates parcels from the end of Sweeney Road to the tract; and

WHEREAS, the Santa Barbara County Fire Department has informed the Commission that this single access road to the Lakeview Estates subdivision will satisfy County requirements provided the subdivision maintains the original configuration as recorded.

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

(1) The Commission finds the proposal is not a “project” under the California Environmental Quality Act (“CEQA”) because it is limited to the creation a government funding mechanism that does not involve the commitment to any specific project. Pursuant to CEQA Guidelines section 15378(b)(4), a “project” under CEQA does not include the “creation of government funding mechanisms or other government fiscal activities, which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment..”

(2) The subject proposal is assigned the distinctive short-form designation:

Formation of the Santa Rita Hills Community Services District

(3) The boundaries of the affected territory are found to be definite and certain as approved and set forth in Exhibit A, attached hereto and made a part hereof.

(4) The Commission finds the proposal to be in the best interests of the affected area and the total organization of local governmental agencies within Santa Barbara County.

(5) The proposal is approved subject to the following terms and conditions:

A. In accordance with the Community Services District Law the District shall be governed by a five-member Board of Directors elected at large, each of whom shall be a voter residing within the District. Terms of office of District directors shall be four years. Of the first elected board, the terms of the three members with the largest popular votes shall be four years. Of the first elected board, the term of the two members with the smallest popular vote shall be two years. In the case of a tie, the election will be decided by lot.

B. The District shall within its boundaries have powers and responsibilities as set forth in the enabling act to acquire, construct, improve, and maintain streets, roads, rights-of-way, bridges, culverts, drains, curbs, gutters, sidewalks and any incidental works, to convert overhead electric and communications facilities to underground locations, and to install underground electric and communications facilities, with the consent of the public agency or public utility that owns the facilities pursuant to Streets and Highways Code.

C. The District shall not have the power to provide other services including water supply or distribution nor are there plans for the District to acquire water rights or supply water within or outside of its boundaries.

D. The District shall not have the authority to provide services outside of its boundaries, including the construction of an access road, either with or without the use of eminent domain.

E. Any capital improvements or infrastructure constructed by the District must relate to the specific authorized services and any significant costs for construction will be financed by benefit assessments approved by landowners within the District.

F. A special tax shall be approved as part of the formation as follows:

(1) The maximum annual special tax authorized for the District shall be Three Million Dollars (\$3,000,000) for the fiscal year 2008-2009 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.

(2) The actual tax to be levied for any fiscal year shall be determined by a majority vote of the District board of directors on the basis of the actual revenues estimated to be required by the District to pay its reasonable and necessary expenses for such year.

(3) The special tax shall be applied equally to each legal lot within the District; the amount of the tax levied shall be the same for each lot.

G. An appropriations limit shall be approved as part of the formation of Three Million Dollars (\$3,000,000) for the fiscal year 2008-2009 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.

H. The effective date shall be the date that the formation is recorded.

(6) All subsequent proceedings in connection with this formation shall be conducted only in compliance with the approved boundaries set forth in the attachments and any terms and conditions specified in this resolution.

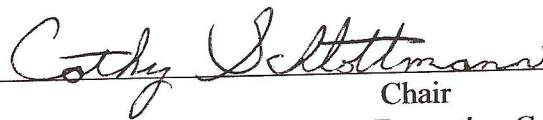
This resolution is adopted on November 6, 2008 in Santa Barbara California.

AYES: Centeno, Mariscal, Orach, Schlottmann, Wilson, Wolf

NOES: DeWees

ABSTAINS: None

Dated: 11-6-08


Chair

Santa Barbara Local Agency Formation Commission

ATTEST



Mary Everett, Clerk

Santa Barbara Local Agency Formation Commission

Exhibit "A"
Formation of the Santa Rita Hills Community Services District
LAFCO No. 03-13

Legal Description

All that certain land situated in the Rancho Santa Rosa, County of Santa Barbara, State of California, being all of Lots 1 through 38, inclusive, as shown on a Record of Survey filed November 21, 1968 in Book 84, Pages 31 through 33, inclusive, of Records of Survey in the Office of the County Recorder of said County, together with that certain parcel of land described in the Quitclaim Deed recorded December 22, 2008 as Instrument No. 2008-0070443 of Official Records in the Office of the County Recorder of said County, described as follows:

Commencing at the northeast corner of the Federal Corrections Institute Annexation No. 38 to the City of Lompoc as adopted by the Board of Supervisors of the County of Santa Barbara, State of California on December 22, 1969 as Resolution No. 69-691;

Thence, S 61°42'20" E a distance of 37,316.17 feet to the northwesterly corner of Lot 1 as shown on said Record of Survey and being the True Point of Beginning.

Thence 1st, along the northerly line of said Record of Survey, S 89°26'20" E a distance of 5,172.9 feet to an angle point therein;

Thence 2nd, continuing along said northerly line, N 89°48'10" E a distance of 2,650.4 feet to the northeasterly corner of Lot 6 as shown of said Record of Survey;

Thence 3rd, along the easterly line of said Record of Survey, S 1°23'50" W a distance of 2,662.5 feet to the southeasterly corner of said Lot 6;

Thence continuing along said easterly line the following courses and distances;

4th, N 88°58'30" W a distance of 347.5 feet to the southerly corner of said Lot 6;

5th, S 53°58'00" W a distance of 1,617.2 feet to the southeasterly corner of Lot 16 as shown on said Record of Survey;

6th, N 89°48'50" W a distance of 1305.6 feet to the northeasterly corner of Lot 17 as shown on said Record of Survey;

7th, S 0°22'30" W a distance of 1333.4 feet to the southeasterly corner of said Lot 17;

8th, S 89°48'50" E a distance of 1305.6 feet to the northeasterly corner of Lot 25 as shown on said Record of Survey;

9th, S 00°22'30" W a distance of 2573.1 feet to the southeasterly corner of Lot 26 as shown on said Record of Survey;

10th, N 85°46'20" W a distance of 2,999.5 feet to the northeasterly corner of Lot 33 as shown on said Record of Survey;

11th, S 13°21'50" W a distance of 1,226.5 feet to an angle point therein;

12th, S 27°32'10" W a distance of 3,151.1 feet to the southeasterly corner of Lot 38 as shown on said Record of Survey;

Thence 13th, along the southerly line of said Record of Survey N 62°42'50" W a distance of 1,076.2 feet to an angle point therein;

Thence 14th continuing along said southerly line, S 85°54'10" W a distance of 2,484.7 feet to the southwesterly corner of Lot 37 as shown on said Record of Survey said point being distant S 69°29'11" E, 24,708.78 feet from the southeasterly corner of the City of Lompoc;

Thence 15th, along the westerly line of said Record of Survey, and said Quitclaim Deed, N 08°42'40" E a distance of 4055.3 feet to an angle point therein;

Thence continuing along said westerly line the following course and distance;

16th, N 11°54'15" E a distance of 7,150.3 feet to the northeasterly corner of said Lot 1 and the True Point of Beginning.

Containing 1,589.93 acres, more or less.

Prepared by:

Kenneth J. Wilson
PLS7911
License expiration
12/31/09



APPROVED AS TO FORM
AND SURVEY CONTENT

A handwritten signature in black ink, appearing to read "Michael B. Emmons".

MICHAEL B. EMMONS, PLS 5899
COUNTY SURVEYOR
LICENSE EXP. 12/31/10

A handwritten signature in black ink, appearing to read "Kenneth J. Wilson".
5-1-09

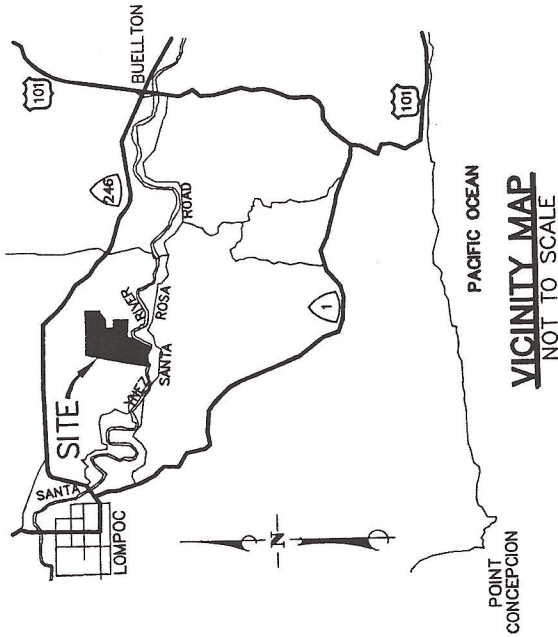
FINAL MAP/LEGAL DESCRIPTION
APPROVED BY LAFCO

By M. Everett Date 5-1-09

EXHIBIT "B"

SHEET 1 OF 4

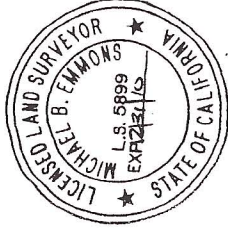
MAY 1, 2009



APPROVED AS TO FORM
AND SURVEYING CONTENT

MICHAEL B. EMONS PLS 5899
SANTA BARBARA COUNTY SURVEYOR
LICENSE EXPIRATION 12/31/2010
FINAL MAP/LEGAL DESCRIPTION
APPROVED BY LAFCO

By *M. Emons* Date *5-1-09*



SANTA RITA HILLS COMMUNITY SERVICE DISTRICT LAFCO PROJECT 03-13

ALL THAT CERTAIN LAND SITUATED IN THE RANCHO SANTA ROSA, COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, BEING ALL OF LOTS 1 THROUGH 38, INCLUSIVE, AS SHOWN ON A RECORD OF SURVEY FILED NOVEMBER 21, 1968 IN BOOK 84, PAGES 31 THROUGH 33, INCLUSIVE, OF RECORDS OF SURVEY IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, TOGETHER WITH THAT CERTAIN PARCEL OF LAND DESCRIBED IN THE QUITCLAIM DEED RECORDED DECEMBER 22, 2008 AS INSTRUMENT NO. 2008-0070443 OF OFFICIAL RECORDS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY

COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

PREPARED BY:

KENNETH J. WILSON
PLS 7911
LICENSE EXPIRATION
DATE: 12/31/09



Penfield & Smith
Engineering · Surveying · Planning
· Construction Management ·

111 East Victoria Street,
Santa Barbara, CA 93101
Phone: (805) 963-9532 Fax: (805) 966-9801
W.O. 14659.04 14659\EXHIBITS\14659-EXH_B

Kenneth J. Wilson
5-1-09

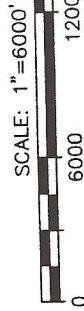


NORTHEAST CORNER OF THE FEDERAL CORRECTIONS INSTITUTE ANNEXATION NO. 38 TO THE CITY OF LOMPOC AS ADOPTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA ON DECEMBER 22, 1989 AS RESOLUTION NO. 69-691

CITY LIMIT LINE
CITY OF LOMPOC

S 61°42'20"E 37,316.17' (TIE)

S 69°29'11"E 24,708.78' (TIE)



LEGEND

— = PROPOSED SANTA RITA HILLS
COMMUNITY SERVICE DISTRICT
BOUNDARY

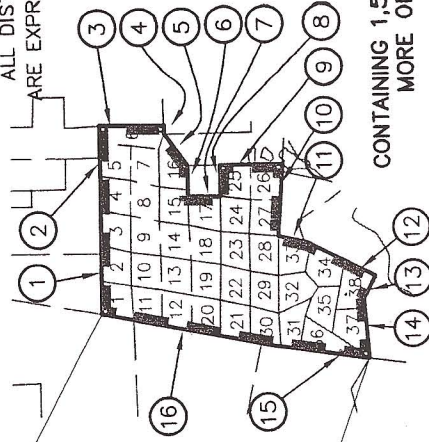
① = COURSE NUMBER IN
LEGAL DESCRIPTION

Penfield & Smith
Engineering · Surveying · Planning
· Construction Management ·

111 East Victoria Street, Santa Barbara, CA 93101
Phone: (805) 963-9532 Fax: (805) 966-9801
W.O. 14659.04 14659\EXHIBITS\14659-EXH_B

COURSE NO.	BEARING	DISTANCE
1	S 89°26'20"E	5172.9
2	N 89°48'10"E	2650.4
3	S 01°23'50"W	2662.5
4	N 88°58'30"W	347.5
5	S 53°58'00"W	1617.2
6	N 89°48'50"W	1305.6
7	S 00°22'30"W	1333.4
8	N 89°48'50"E	1305.6
9	S 00°22'30"W	2573.1
10	N 85°46'20"W	2999.5
11	S 13°21'50"W	1226.5
12	S 27°32'10"W	3151.1
13	N 62°42'50"W	1076.2
14	S 85°54'10"W	2484.7
15	N 08°42'40"E	4055.3
16	N 11°54'15"E	7150.3

ALL DISTANCES SHOWN HEREON
ARE EXPRESSED IN US SURVEY FEET



CONTAINING 1,589.93 ACRES
MORE OR LESS

**SANTA RITA HILLS
COMMUNITY SERVICE DISTRICT
LAFCO PROJECT 03-13**

EXHIBIT "B"

SHEET 2 OF 4 MAY 1, 2009

LINE TABLE

COURSE NO.	BEARING	DISTANCE
1	S 89°26'20"E	5172.9
2	N 89°48'10"E	2650.4
3	S 01°23'50"W	2662.5
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5	S 53°58'00"W	1617.2
6	N 89°48'50"W	1305.6
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10	N 85°46'20"W	2999.5
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16	N 11°54'15"E	7150.3

CONTAINING 1,589.93 ACRES
MORE OR LESS

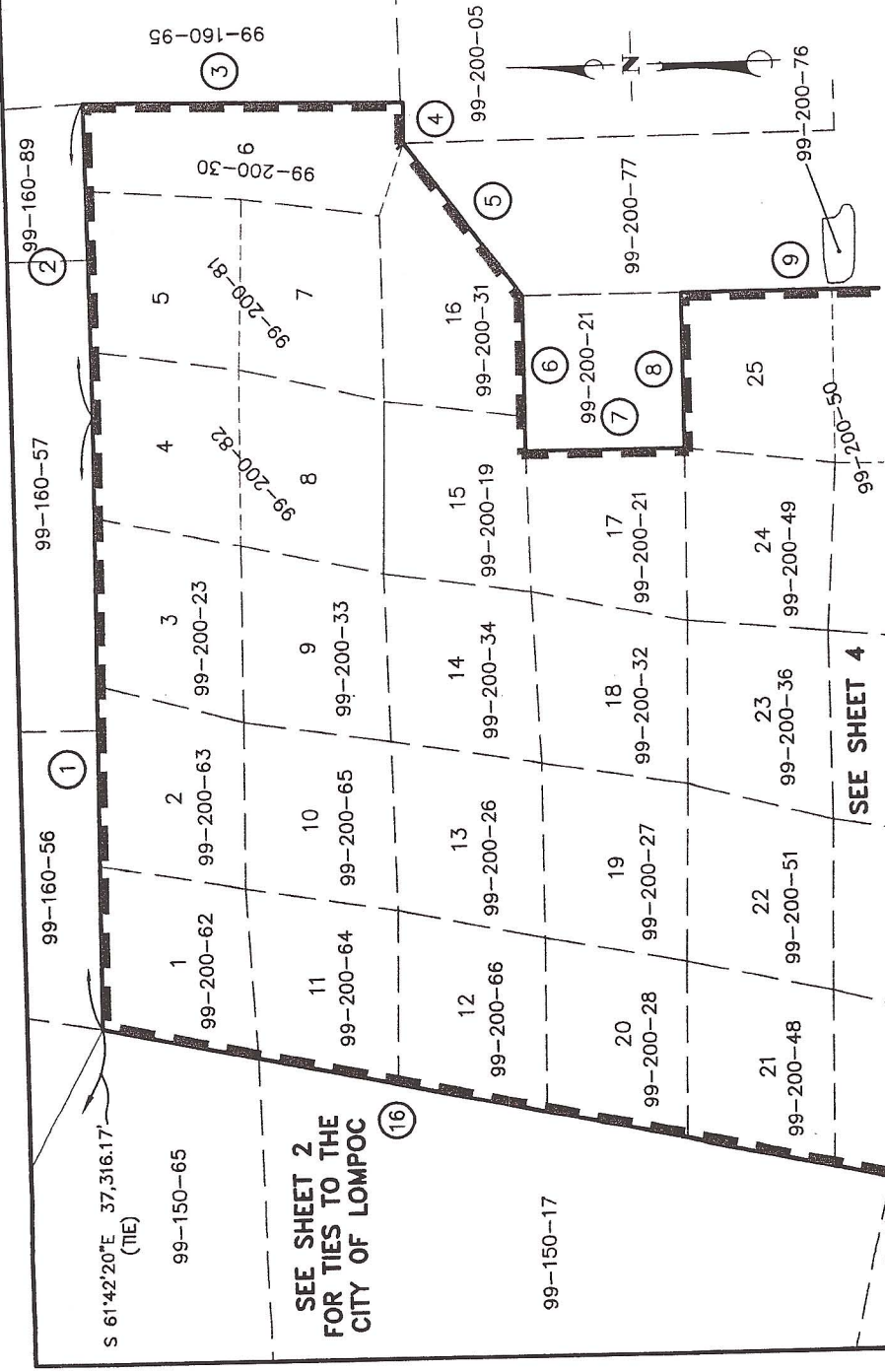
ALL DISTANCES SHOWN HEREON
ARE EXPRESSED IN US SURVEY FEET

SCALE: 1"=1200'



**SANTA RITA HILLS
COMMUNITY SERVICE DISTRICT
LAFCO PROJECT 03-13
EXHIBIT "B"**

SHEET 3 OF 4
MAY 1, 2009



SEE SHEET 2
FOR TIES TO THE
CITY OF LOMPOC

SEE SHEET 4

LEGEND

- = PROPOSED SANTA RITA HILLS COMMUNITY SERVICE DISTRICT BOUNDARY
- = COURSE NUMBER IN LEGAL DESCRIPTION

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· Construction Management ·

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