

May 5, 2011 (Agenda)

Local Agency Formation Commission

105 East Anapamu Street

Santa Barbara CA 93101

**La Cumbre Mutual Water Company Annexation to the
Goleta Sanitary District - LAFCO 10-5**

Dear Members of the Commission:

Recommendation

It is recommended the Commission approve the La Cumbre Mutual Water Company Annexation to the Goleta Sanitary District subject to terms and conditions set forth in the enclosed Executive Officer Report dated March 3, 2011.

Background

On March 3 the Commission continued the hearing on this matter to this date and directed staff to investigate the full extent of any needed permits for the water treatment facility that had been constructed on the property.

Since that meeting the La Cumbre MWC has obtained all necessary permits and this property is now in compliance with all County permitting requirements.

Required and Approved Permits

After the March 3 meeting we corresponded with County Fire, County Building & Safety and County Planning & Development asking if there are any outstanding permits, their status and any other requirements for the facility.

- County Fire Department

On March 21 Fire Captain Glenn Fidler notified General Manager Mike Alvarado "The La Cumbre Mutual Water Company is in compliance with the requirements of the Santa Barbara County Fire Department regarding the project at 430 Nogal Drive."

On file in the LAFCO Office are the Regulated Materials Annual Permit (Business Plan, State Facility Oversight and Electronic Reporting Surcharge) and Knox Box Installation Approval.

- County Building and Safety

On March 16 County Interim Building Official Philip Oates wrote to Mike Alvarado stating the County's intention “. . . to resolve any potential safety concerns though an inspection and issuance of appropriate permits based on the results of that inspection.”

We have received an April 20 letter from Mr. Oates to Mr. Alvarado stating the buildings and tank foundations at the Nogal Treatment Facility have been inspected and approved.

The four permits that were issued are on file in the LAFCO office: Building #1 – New Mechanical/Electrical Building; Building #2 – New Chemical Building; Building #3 – Raw Water Tank and Building #4 – New Backwash Reclaim Tank.

County Planning & Development

Supervising Planner Peter Imhof is the supervisor of LAFCO reportbacks. In my latest conversation with Mr. Imhof on April 21 I was informed that all permitting requirements and other issues have been resolved for this project.

Based on the foregoing information we recommend the Commission approve the La Cumbre MWC Annexation to the Goleta Sanitary District subject to the terms and conditions set forth in the enclosed March 3 staff report.

Please contact the LAFCO office if you have any questions.

Sincerely,



BOB BRAITMAN
Executive Officer

SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT

March 3, 2011 (Agenda)

LAFCO 10-5 La Cumbre Mutual Water Company Annexation to Goleta Sanitary District

PROPONENT: Board of Directors of the Goleta Sanitary District, by resolution.

ACREAGE &
LOCATION Approximately one acre located within and on both sides of Nogal Drive,
between Nueces Drive and Viega Drive, Goleta Valley

PURPOSE: To annex a water processing facility that is already receiving service from
the District pursuant to an out-of-agency service agreement.

GENERAL ANALYSIS:

Background Information – Out of Agency Service Agreement

This proposal was scheduled for hearing on October 14 and November 4 but was continued both times at the request of County Planning and Development staff who raised specific issues they felt should be addressed.

The LAFCO staff convened a meeting on November 17 with representatives of the District, the La Cumbre Mutual Water Company (MWC) and the County Departments of Building & Safety, Fire Protection and Planning & Development at the MWC water treatment facility.

It was explained the water treatment facility was constructed by the MWC in response to State requirements to remove contaminants from its water supply. The facility has been constructed and is ready to go “on line” by connecting to the District wastewater treatment system.

None of the County staff present at the meeting expressed concern with LAFCO allowing connection to the sewer to activate the treatment plant. We noted, however, that the Commission was not scheduled to meet until February 2011, and it would be at least 30 days after that before an annexation could be recorded.

We discussed the fact that an out-of-agency service agreement could shorten the process since the Commission has delegated to its Chair authority to approve such agreements when justified. It was agreed an out-of-agency service agreement would be an acceptable way to get the facility on-line and operational with additional delay.

Chair Bob Short toured the facility on December 2 with representatives of the District and the MWC and shortly thereafter approved the out-of-agency service agreement. The treatment facility is operational having been connected to the District waste disposal system.

Description of Project

Annexation will include in the District a water treatment facility owned by La Cumbre Mutual Water Company. The facility has already been connected to the District collection and disposal system by means of an out-of-agency service agreement to provide improved domestic water quality for a large portion of Hope Ranch and nearby areas.

Project Information

1. Land Use, Planning and Zoning - Present and Future:

The site is within the District Sphere of Influence and is contiguous to the District.

Existing uses consist of a water filtration plant, storage/maintenance yard and well site. No land use changes are proposed.

The County General Plan designates the site as Residential, 1.8 units per acre and the property is zoned Residential (20-R-1)

Surrounding uses are the Vieja Valley School to the east and south, residential to the west and south and residential and equestrian facilities to the north.

2. Topography, Natural Features and Drainage Basins

The site and surrounding area slope gently from southeast to northwest. No significant natural boundaries affect the proposal.

3. Population:

There are no dwelling units within the proposal area. None are proposed.

4. Governmental Services and Controls - Need, Cost, Adequacy and Availability:

The initiating agency's "Plan for Providing Services Within the Affected Territory" is on file in the LAFCO office as required by the Government Code.

5. Impact on Prime Agricultural Land, Open Space and Agriculture:

The project site is not agricultural land.

6. Assessed Value, Tax Rates and Indebtedness:

The assessed value and tax rate for the property will not be affected by this change. The proposal is presently within tax rate area 69018. The assessed value is \$9,974.

The proponent reports that the subject territory, upon annexation, shall be liable for payment of its share of existing indebtedness to be repaid by user charges.

7. Environmental Impact of the Proposal:

The County found the underlying project to be Categorically Exempt pursuant to CEQA Guidelines Section 15301. The corresponding exemption for the Commission is Section 15319 (Class 19) the annexation of existing facilities and lots for exempt facilities.

8. Landowner and Annexing Agency Consent:

The proponent certifies that the property owner has given written consent. The annexing district consents to the waiver of conducting authority proceedings.

9. Boundaries, Lines of Assessment and Registered Voters:

There are no conflicts with lines of assessment or ownership. The property is contiguous to the District. The site is uninhabited; namely, there are fewer than 12 registered voters.

The boundaries are definite and certain. A map sufficient for filing with the State Board of Equalization has been received from the proponent.

ALTERNATIVES FOR COMMISSION ACTION

After reviewing this report and any testimony or materials that are presented, the Commission can take one of the following actions:

OPTION 1 – APPROVE the proposal as submitted.

- A. Find the proposal to be categorically exempt.
- B. Adopt this report and approve the proposal, to be known as the La Cumbre Mutual Water Company Annexation to the Goleta Sanitary District, subject to the condition the territory shall be liable for any existing or authorized taxes, charges, fees or assessments comparable to properties presently within the District.

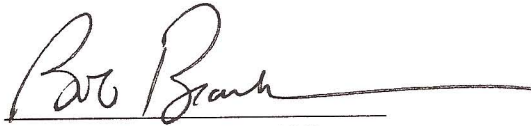
- C. Find: 1) the subject territory is uninhabited, 2) all affected landowners have given written consent to the annexation and 3) the annexing agency has given written consent to the waiver of conducting authority proceedings.
- D. Waive the conducting authority proceedings and direct the staff to complete the proceeding.

OPTION 3 – Adopt this report and deny the proposal.

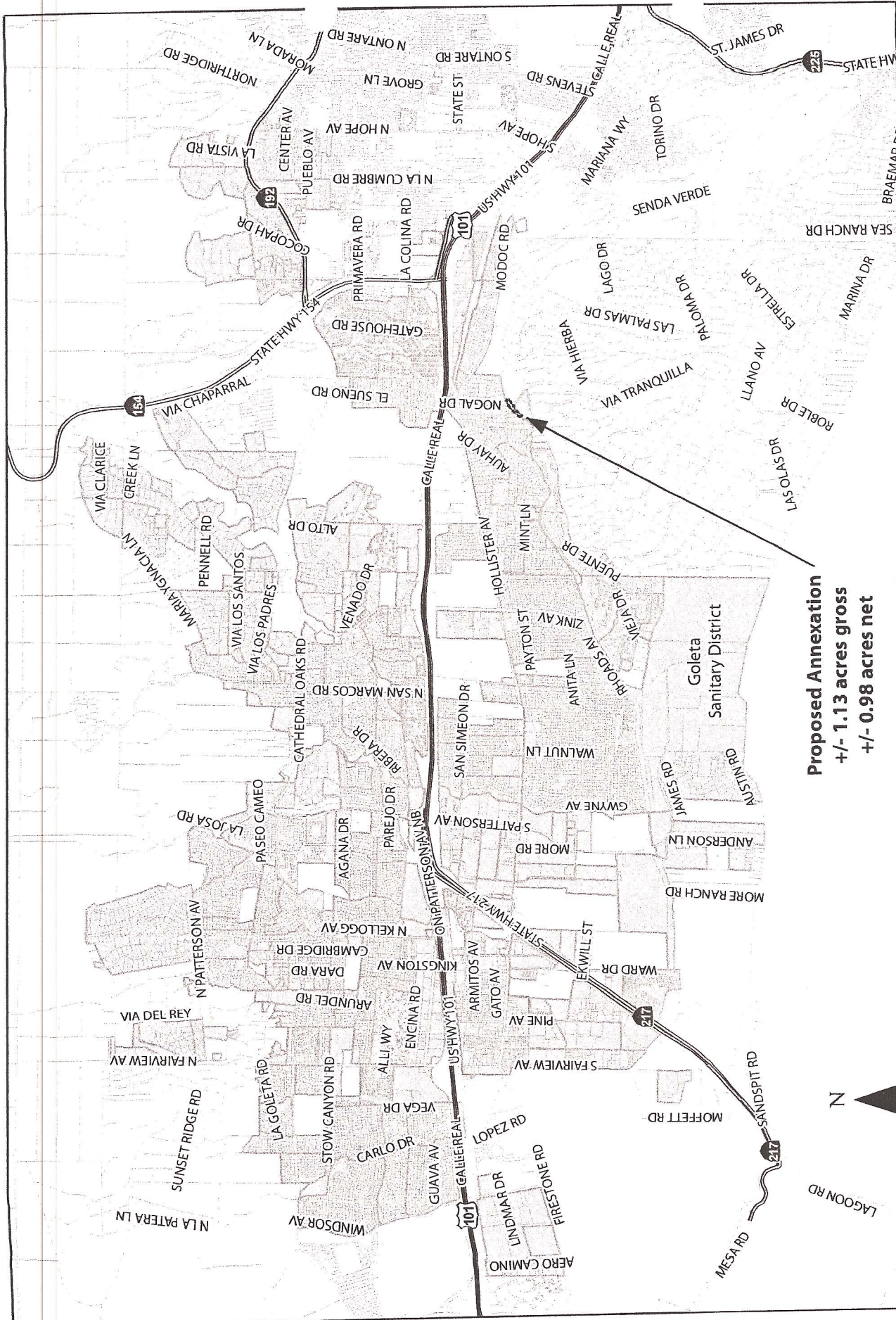
OPTION 4 - Continue the proposal to a future meeting for additional information.

RECOMMENDED ACTION:

Approve OPTION 1.



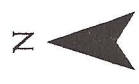
BOB BRAITMAN
Executive Officer
LOCAL AGENCY FORMATION COMMISSION



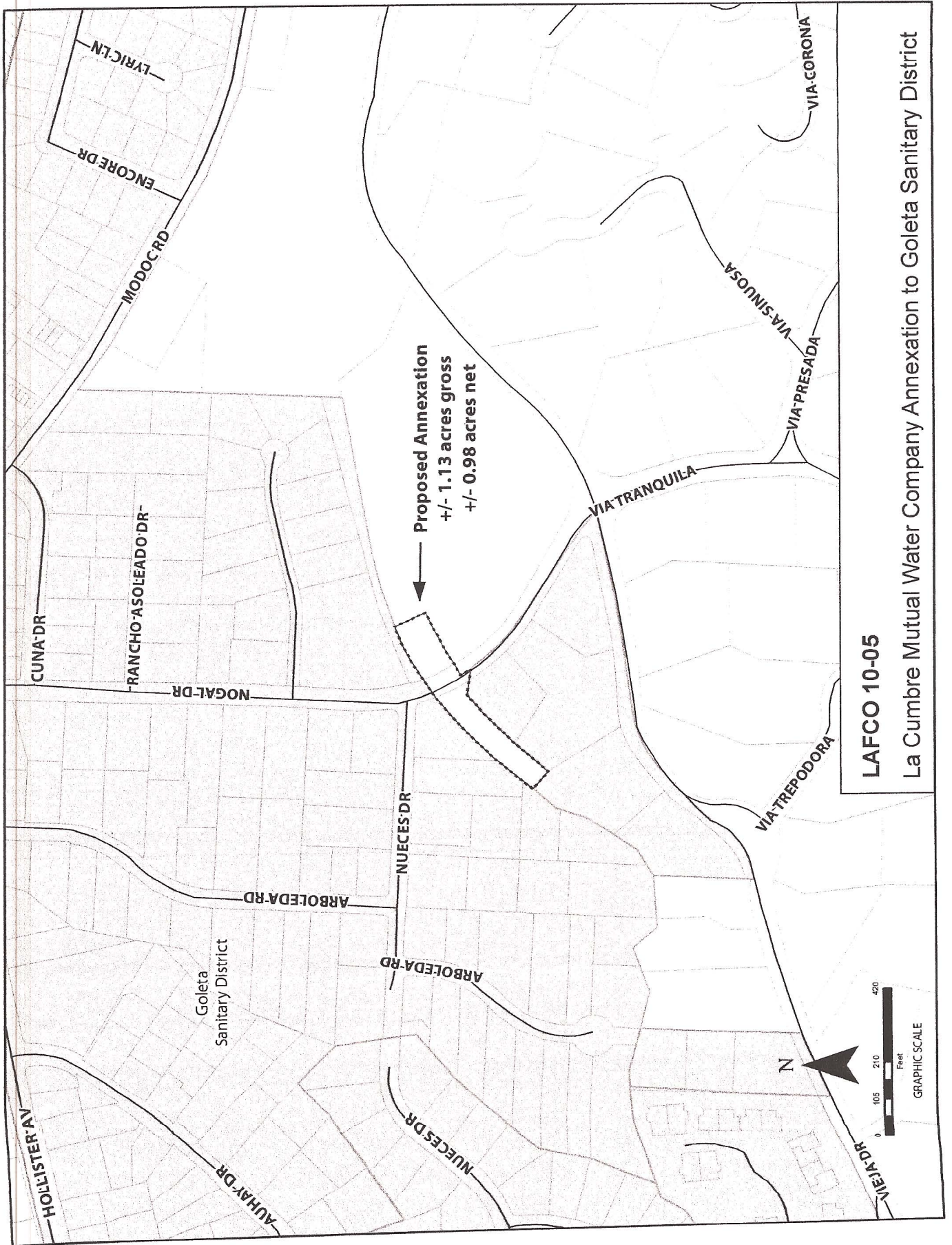
Proposed Annexation
 +/- 1.13 acres gross
 +/- 0.98 acres net

LAFCO 10-05

La Cumbre Mutual Water Company Annexation to Goleta Sanitary District



Feet
 GRAPHIC SCALE



LAFCO 10-05

La Cumbre Mutual Water Company Annexation to Goleta Sanitary District

LAFCO 10-5

RESOLUTION OF THE SANTA BARBARA LOCAL AGENCY FORMATION
COMMISSION MAKING DETERMINATIONS AND APPROVING THE LA CUMBRE
MUTUAL WATER COMPANY ANNEXATION TO THE GOLETA SANITARY 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

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, the Local Agency Formation 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.

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

(1) The Goleta Sanitary District is the lead agency. The proposal has been found to be Categorically Exempt from the California Environmental Quality Act.

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

LA CUMBRE MUTUAL WATER COMPANY ANNEXATION TO THE
GOLETA SANITARY DISTRICT

(3) Said territory is found to be uninhabited.

(4) 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.

(5) Satisfactory proof having been given that the subject area is uninhabited, all landowners within the affected territory have given their written consent to the proposal and the

annexing agency has given written consent to the waiver of conducting authority proceedings, said conducting authority proceedings are hereby waived.

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

(a) The subject territory shall be liable for its pro rata share of the existing bonded indebtedness of the Goleta Sanitary District.

(b) The subject territory shall be liable for all taxes, charges, fees or assessments that are levied on similar properties within the current District boundaries.

(7) All subsequent proceedings in connection with this annexation 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 was adopted on May 5, 2011 and is effective the date signed by the Chair.

AYES:

NOES:

ABSTAINS:

Dated: _____

Chair
Santa Barbara Local Agency Formation Commission

ATTEST

Mary Everett, Clerk
Santa Barbara Local Agency Formation Commission