

LAFCO

Santa Barbara Local Agency Formation Commission

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December 8, 2016 (Agenda)

Local Agency Formation Commission
105 East Anapamu Street, Room 407
Santa Barbara CA 93101

Consider a Request to Amend LAFCO Resolution 16-28, Condition 2d, to extend the deadline to conduct Proposition 218 proceedings for the Formation of the Cuyama Basin Water District from April 30, 2017 to June 14, 2017

Honorable Commissioners:

RECOMMENDATION

It is recommended that the Commission Approve the Request to Amend LAFCO Resolution 16-28, Condition 2d, to extend the deadline to conduct Proposition 218 proceedings for the Formation of the Cuyama Basin Water District from April 30, 2017 to June 14, 2017

DISCUSSION

The proponents of the Formation of the Cuyama Basin Water District have requested the Commission amend LAFCO Resolution 16-28, Condition 2d, to extend the deadline to conduct Proposition 218 proceedings from April 30, 2017 to June 14, 2017. The letter making the request is attached as **Exhibit A**. LAFCO Resolution 16-28 is attached as **Exhibit B**.

The reason for the request is to allow time to comply with the Commission's condition of approval that sets the deadline for April 30, 2017. This presents a condensed timeframe since the Commission approved the formation on September 1, 2016 and the Board of Supervisors has set the mailed ballot election for February 28, 2017.

The request for the extension of time is a logical and reasonable request and is recommended for approval.

EXHIBITS

Exhibit A Letter requesting a time extension for the Proposition 218 proceedings

Exhibit B LAFCO Resolution 16-28 Approving the Formation of the Cuyama Basin Water District

Commissioners: Craig Geyer, Chair ♦ Roger Aceves ♦ Doreen Farr ♦ Jeff Moorhouse ♦ Bob Orach ♦ Roger Welt
Janet Wolf ♦ Judith Ishkanian ♦ Steve Lavagnino ♦ Jim Richardson ♦ Shane Stark ♦ **Executive Officer:** Paul Hood

BUSINESS ITEM NO. 1

Local Agency Formation Commission
December 8, 2016 (Agenda)
Page 2

Please contact the LAFCO office if you have any questions.

Sincerely,



PAUL HOOD
Executive Officer



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Ernest A. Conant, Partner

October 14, 2016

Mr. Paul Hood, Executive Officer
Santa Barbara Local Agency Formation Commission
105 East Anapamu Street, Room 407
Santa Barbara, CA 93101

RE: Proposed Cuyama Basin Water District

Dear Mr. Hood:

This letter is being submitted on behalf of the Petitioners of the proposed Cuyama Basin Water District.

In light of the delays in processing the petition, through no fault of anyone, we find it necessary to request that the deadline for completion of the Proposition 218 Proceeding of April 30, 2017, as specified in paragraph 2.d of your Resolution 16-04, be extended 45 days to June 14, 2017.

We request that this matter be placed on your November 3, 2016, agenda for action.

Please contact me if you have any questions. Thank you for your continued cooperation and assistance.

Very truly yours,



ERNEST A. CONANT

EAC:pam

cc: Petitioners (Dale A. Jackson, James A. Wegis and Marvin Rahe)

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John Young 1913-2003 • Joseph Wooldridge 1913-1996 • A. Cameron Paulden 1927-1984

EXHIBIT A

LAFCO RESOLUTION NO. 16-28

RESOLUTION OF THE SANTA BARBARA LOCAL AGENCY FORMATION
COMMISSION MAKING DETERMINATIONS AND APPROVING THE FORMATION OF
THE CUYAMA BASIN WATER DISTRICT AND ESTABLISHING
A COTERMINOUS SPHERE OF INFLUENCE

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, existing 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. Find that the formation is Categorically Exempt based on the creation of a District for the purpose of creating a funding mechanism is exempt from CEQA pursuant to CEQA Guidelines Section 15378(b)(4), or alternatively CEQA Guidelines Section 15061 (b)(3),
2. Approve the proposal, known as the Formation of the Cuyama Basin Water District, subject to the following terms and conditions:
 - a. The name of the district shall be the Cuyama Basin Water District.
 - b. The District shall be initially composed of a five-member elected Board of Directors, each of whom must be a holder of title to land within the district, the

legal representative of a holder of title to land within the district, or a representative designated by a holder of title to land within the district, if the holder has filed with the district written evidence of that designation.

- c. The District shall have those powers and responsibilities set forth in California Water Code Section 35401, namely to acquire, plan, construct, maintain, improve, operate, and keep in repair the necessary works for the production, storage, transmission, and distribution of water for irrigation, domestic, industrial, and municipal purposes, and any drainage or reclamation works connected therewith or incidental thereto.
- d. The District, if formed, would cease to exist if the Proposition 218 Proceeding is not conducted and an assessment to fund the District is not approved by April 30, 2017, or Santa Barbara LAFCO otherwise extends such deadline, or other arrangements are made for funding the District.
- e. The District, if formed, would cease to exist if it does not perform the functions for which it was established, namely, participating in a Groundwater Sustainability Agency (GSA), with the County Water Agency, and the Counties of San Luis Obispo, Ventura and Kern, and possibly, the Cuyama Community Services District.
- f. Should the new Board of Directors levy any of the "Proceeds of Taxes," described above, it will establish an Appropriations Limit.

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

This resolution was adopted on September 1, 2016, and is effective on the date signed by the Chair.

Santa Barbara LAFCO
LAFCO Application 16-04

AYES: Commissioner Aceves, Geyer, Moorhouse, Orach, Stark, Wolf

NOES: Commissioner Farr

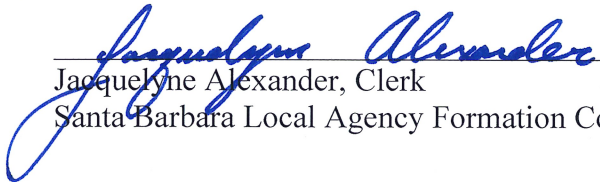
ABSTAINS:

Dated: 9/1/16



Chair
Santa Barbara Local Agency
Formation Commission

ATTEST



Jacquelyne Alexander, Clerk
Santa Barbara Local Agency Formation Commission