

**Santa Barbara
Local Agency Formation Commission**

Santa Barbara



Commissioner Roger Aceves
Commissioner Cynthia Allen, Alternate
Commissioner Craig Geyer
Commissioner Joan Hartmann
Commissioner Bob Nelson, Alternate
Commissioner Jay Freeman
Commissioner Holly Sierra, Alternate
Commissioner Shane Stark
Commissioner Jim Richardson, Alternate
Commissioner Etta Waterfield
Commissioner Das Williams

Minutes

Thursday, September 1, 2022
1:00 PM

**COUNTY ADMINISTRATION BUILDING
BOARD OF SUPERVISORS HEARING ROOM, FOURTH FLOOR
105 EAST ANAPAMU STREET, SANTA BARBARA AND BY
REMOTE PARTICIPATION**

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: 10 – Commissioner Allen, Commissioner Freeman, Commissioner Geyer, Commissioner Hartmann, Commissioner Nelson, Commissioner Richardson, Commissioner Sierra, Commissioner Stark, Commissioner Waterfield, and Commissioner Williams

***Commissioner Nelson joined the meeting at 1:10 p.m. and Commissioner Sierra joined the meeting at 1:32 p.m.**

Absent: 1 – Commissioner Aceves

***Commissioner Sierra became a voting member for this meeting due to Commissioner Aceves' absence. Commissioner Nelson became a voting member toward the end of the meeting as Commissioner Williams left the meeting.**

Pledge of Allegiance**Assembly Bill 361 Determination**

A motion was made by Commissioner Waterfield, seconded by Commissioner Williams to approve Assembly Bill 361 Determination for the September 1, 2022 LAFCO meeting.

RESOLUTION NO. 22-12

(Note: Resolution number assigned by staff after the hearing)

The motion carried by the following vote:

Ayes: 6 – Commissioner Freeman, Commissioner Geyer, Commissioner Hartmann, Commissioner Waterfield, Commissioner Williams, and Commissioner Stark

Absent: 1 – Sierra

Approval of Minutes of the August 11, 2022 Meeting

A motion was made by Commissioner Hartmann, seconded by Commissioner Waterfield to approve the minutes.

The motion carried by the following vote:

Ayes: 6 – Commissioner Freeman, Commissioner Geyer, Commissioner Hartmann, Commissioner Waterfield, Commissioner Williams, and Commissioner Stark

Absent: 1 – Commissioner Sierra

Public Comment Period

No requests to speak.

Consent Calendar

- 1) Receive and file a report on Disbursements for July and August 2022.

A motion was made by Commissioner Waterfield, seconded by Commissioner Williams to approve the Consent Calendar.

The motion carried by the following vote:

Ayes: 6 – Commissioner Freeman, Commissioner Geyer, Commissioner Hartmann, Commissioner Waterfield, Commissioner Williams, and Commissioner Stark

Absent: 1 – Commissioner Sierra

Out of Agency Service Agreement

- 1) Consider recommendations regarding LAFCO application file No. 22-05 for an Out-of-Agency Service Agreement for the Santa Ynez Community Services District to provide sewer service to 2517 Janin Way, Solvang, CA 93463 (APN 139-061-005), and consider approval of a Resolution that includes the following actions and determinations:
 - a) CEQA determination. Find the proposal to be exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15301 Class 1 which exempts

operation, repair, maintenance, or minor alteration of existing structures or facilities not expanding existing uses, and 15303, Class 3 which exempts construction and location of limited numbers of new, small facilities or structures, including one single-family or a second dwelling unit in a residential zone or in urbanized areas, up to three single family residences may be constructed;

- b) Find that the proposed sewer line connection would not result in additional impacts since there will be no modification to the original development approval and no change in use. The sewer line connection would be provided solely to mitigate a threat to the health and safety of the public;
- c) Require that the landowners comply with all terms and conditions set forth in the Commission's resolution of approval, including landowner shall execute and record an agreement approved by the Executive Officer that consents to any future annexation of the territory, which agreement shall inure to and bind all successors and assigns to the property; and
- d) Said Out-of-Agency Service Agreement is for sewer service only and shall remain in effect until such time as an annexation to the Santa Ynez Community Services District is approved by the Commission and becomes final or terminated by the district.

A motion was made by Commissioner Waterfield, seconded by Commissioner Nelson that this item be acted on as follows:

- a) through d) **Approved and adopted with changes to attachments as noted below:**

Attachment: Resolution

- **Third paragraph of the resolution strike the word "potable".**
- **Title: Strike "City of"**

Attachment: Agreement

- **Edit the owners name to Randolph Pace**

RESOLUTION NO. 22-13

(Note: Resolution number assigned by staff after the hearing)

The motion carried by the following vote:

Ayes: 6 – Commissioner Freeman, Commissioner Geyer, Commissioner Hartmann, Commissioner Waterfield, Commissioner Williams, and Commissioner Stark

Absent: 1 – Commissioner Sierra

Changes of Organization

- 1) Consider approval of LAFCO application File No. 22-04 for the 806 Toro Canyon Road sphere of influence amendment and annexation to Montecito Water District (Annexation No. 25). Adoption of a Resolution includes the following actions:
 - a) Find the proposal to be exempt from the CEQA pursuant to CEQA Guidelines section 15319(b), Class 19 Annexation of Individual Small Parcels for Facilities Exempt by Section 15303, and section 15061(b)(3) common-sense rule;
 - b) Amend the Spheres of Influence of the annexing agency to include 806 Toro Canyon Road;
 - c) Condition approval upon the annexed territory being liable for any existing indebtedness and authorized taxes, charges, fees and assessments of the Montecito Water District;
 - d) 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;
 - e) Waive the conducting authority proceedings and direct the staff to complete the proceeding.

A motion was made by Commissioner Williams, seconded by Commissioner Waterfield that this item be acted on as follows:

a) through e) Approved and adopted.

RESOLUTION NO. 22-14

(Note: Resolution number assigned by staff after the hearing)

The motion carried by the following vote:

Ayes: 6 – Commissioner Freeman, Commissioner Geyer, Commissioner Hartmann, Commissioner Waterfield, Commissioner Williams, and Commissioner Stark

Absent: 1 – Commissioner Sierra

Business Items

- 1) Consider approval of a Resolution and Memorandum of Understanding authorizing an application between Special District Risk Management Authority “SDRMA” and Santa Barbara LAFCO for ancillary health benefits including dental and vision.

A motion was made by Commissioner Waterfield, seconded by Commissioner Hartmann to approve a Resolution and Memorandum of Understanding and application between Special District Risk Management Authority “SDRMA” and Santa Barbara LAFCO for ancillary health benefits including dental and vision.

RESOLUTION NO. 22-15

(Note: Resolution number assigned by staff after the hearing)

The motion carried by the following vote:

Ayes: 7 – Commissioner Sierra, Commissioner Freeman, Commissioner Geyer, Commissioner Hartmann, Commissioner Waterfield, Commissioner Williams, and Commissioner Stark

- 2) Consider approval of a Resolution and Memorandum of Understanding authorizing an application between Special District Risk Management Authority “SDRMA” and Santa Barbara LAFCO for workers compensation liability insurance agreement.

A motion was made by Commissioner Waterfield, seconded by Commissioner Nelson to approve a Resolution and Memorandum of Understanding authorizing an application between Special District Risk Management Authority “SDRMA” and Santa Barbara LAFCO for workers compensation liability insurance agreements.

RESOLUTION NO. 22-16**RESOLUTION NO. 22-17**

(Note: Resolution number assigned by staff after the hearing)

The motion carried by the following vote:

Ayes: 7 – Commissioner Sierra, Commissioner Freeman, Commissioner Geyer, Commissioner Hartmann, Commissioner Waterfield, Commissioner Nelson, and Commissioner Stark

- 3) Consider amendments to the Commissioner Handbook and CEQA determination regarding:
- a) Section 3, Role of the Commissioner, Sub-Section F “Ethics Training”;
 - b) Section 6, Rules and Procedures, Sub-Section C “Agendas” adding request by Commissioners for future agenda items subject to Commission vote
 - c) Section 8, Conflict of Interest, add introduction regarding “Political Reform Act” adding designated position of “Commission Clerk/Analyst”;
 - d) Section 13, Employee Handbook, Section 5.1 (C)(2) “Employee code of conduct” revising “Administrative Code” with “Commissioner Handbook”; and
 - e) Find that the proposed actions are not a "project" under CEQA Guidelines §15378(b)(5) in that these are organizational or administrative activities of the government that will not result in direct or indirect physical changes to the environment.

A motion was made by Commissioner Nelson, seconded by Commissioner Freeman that the amendments to the Commissioner Handbook and CEQA determination as outlined be approved.

The motion carried by the following vote:

Ayes: 7 – Commissioner Sierra, Commissioner Freeman, Commissioner Geyer, Commissioner Hartmann, Commissioner Waterfield, Commissioner Nelson, and Commissioner Stark

- 4) Consider making nominations to the 2022-2023 CALAFCO Board of Directors and Select voting delegates for the 2022 CALAFCO Elections.

No action taken.

Information Items

- 1) Receive and file a report on pending Santa Barbara LAFCO applications

No action taken.

- 2) Receive and file a report on the CALAFCO Legislative Committee meetings held on July 29, 2022 and CALAFCO August 2022 Quarterly Report.

No action taken.

- 3) Receive and file a report on Santa Barbara LAFCO Website.

No action taken.

Commissioner and Staff Announcements

- 1) Commissioner announcements and requests for future agenda items.
- 2) Executive Officer comments.

Adjourn to

October 6, 2022

County Administration Building
Board of Supervisors Hearing Room
105 East Anapamu Street, Fourth Floor
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 on the Commission website at: <http://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, 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 805-568-2240 or by email at lafco@sblafco.org.