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Subject: Amending Sphere of Influence for Santa Rita Hills Community Services District
Date: Wednesday, March 6, 2024 9:16:48 AM

Santa Barbara Local Agency Formation Commission.

Mike Prater, Executive Officer.

Mr. Prater,

Could you please add my letter to the March 7 LAFCO meeting packet for Business Item # 1 regarding the Santa Rita Hills CSD?

I am one of three Lakeview landowners with a permitted residence. I am opposed to any extension of any power of any kind to the defunct Santa Rita Hills Community Services District. I believe that now that the Courts have ruled that the agreed upon, private access road is to be used for access to Lakeview from Sweeney Road, all that needs to be done is to build that road. I am and have been ready to do my part to get that done.

From 2009 through 2013 I frequently attended meetings of SRHCSD when it was governed by the mandatory 5 member Board of Directors, even though several directors did not actually reside in Lakeview as the formation documents required.

For years SRHCSD collected money through taxes on my property and the others, money that was supposed to be spent improving the roads that are within the District. By the terms of the District's formation, it cannot be involved in the access road, which has long been agreed to in the form of the private "Memorandum of Agreement and Easement Location Document" (often called the MOA) recorded against my Lakeview lots and every other Lakeview lot in 1990.

From 2009 to 2013 the District spent over \$327,407 tax dollars but has never improved any internal road like it was formed to do. Almost all of the tax money was spent with lawyers and "consultants" (including John Wallace who later was arrested and then pleaded guilty to conflict of interest charges involving a different district) trying to condemn an access road, even though the District's formation document clearly says that the District cannot condemn an access road, or have anything to do with an access road.

Expanding the District's "sphere of influence" to include the place where the MOA, a private road, is to be built might easily be understood to allow that condemnation, and creation of a public road, even though the formation documents do not allow it.

The law that Das Williams got passed to allow the District to change to a 3 member board of directors never was implemented. The required petition, noticed meetings, and vote of the 5 member board to reduce to a 3 person board, and other required processes, never took place. I am told that the Board of Supervisors appointed three members, but I never received notice they were going to do that, and the rule is there must be 5 members at all times, which there has not been since at least 2013, eleven years ago.

I attended one of the 3 person board meetings in 2021, and once again, nothing was done to

improve the internal roads, only more discussion of the access road. Hardly anyone attended but the 3 people who claimed to be the board. As far as I am concerned, nothing the three people who claimed to be the board decided was legal, or has anything to do with the District, because the District's and state's laws don't allow for only a 3 member Board of Directors.

To try to get the access road he wanted built predominantly for his property, Henry Blanco sued me for \$1,000,000, but had to dismiss those claims. He also sued me demanding that the court give him the right to build on the existing traveled way, instead of building the MOA road. He lost his case. The trial Judge, Judge Staffel, ruled that if Blanco wants a road, he has to build the MOA road as detailed in the MOA. The plans recently approved by the County of Santa Barbara are not for the MOA road, so that approval is under appeal.

There is no reason to get a CSD, that has been defunct and powerless for a decade, and that never has even tried to do any of the things it was created to do, involved in something its own formation documents prevent it from being involved with. The access to Lakeview is easily solved, as the courts recognized: build the MOA road. As Judge Staffel ruled, "an assessment district need not be established as a precursor or as condition for construction" of the access road, so there is no need to get the SRHCSD involved, even if it had the right to be involved, which it does not.

I am not the only person who believes the CSD is defunct and does not represent the landowners. In the past 10 days another Lakeview owner, Mario Moreno, who once was on the CSD board, told me he does not support the efforts by Marty New and Henry Blanco to get the CSD restarted and involved in the MOA road. Dale Petersen, who also served on the original CSD board, told me recently that he is opposed to Blanco's road, and avoids contact with Marty New, who claims to be the president of the CSD. My neighbor across the road in Lakeview, LeRoy Grossini, told me he is not interested in any changes to the current access road. The Commission should take note that very few of the 39 parcels have supported any changes to the CSD, and a few, like me, openly oppose it.

Please vote to keep things the way they are until the issues with getting the MOA road built, now pending before the County Planning Commission are straightened out.

Thank you.

Peter Cargasacchi