

LAFCO

Santa Barbara Local Agency Formation Commission

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November 1, 2012 (Agenda)

Local Agency Formation Commission
105 East Anapamu Street, Room 403
Santa Barbara CA 93101

Carpinteria Sanitary District - Sphere of Influence Update

Dear Members of the Commission:

RECOMMENDATION

It is recommended the Commission, following a public hearing, approve the attached Municipal Service Review and adopt the attached resolution confirming the existing Sphere of Influence of the Carpinteria Sanitary District.

It is further recommended the staff be directed to present to the Commission for its consideration any proposed modification of the District Sphere of Influence when submitted by the District.

DISCUSSION

Introduction

There is a statutory deadline for LAFCOs to periodically review and update Spheres of Influence not less than every five years. To comply with mandate staff recommends that the Commission adopt the enclosed resolution verifying the existing Sphere of Influence.

At the last Commission meeting the District was invited to submit a proposal to amend its Sphere to include additional territory. When a request is received from the District the staff will place the matter on the Commission agenda for its consideration

Background

In 1963 the legislature created a Local Agency Formation Commission (LAFCO) in each county to regulate local government boundaries.

Commissioners: Jeff Moorhouse, Chair ♦ Lupe Alvarez ♦ Doreen Farr ♦ Craig Geyer ♦ Bob Orach ♦ Bob Short
Janet Wolf ♦ Roger Aceves ♦ John Fox ♦ Steve Lavagnino ♦ Roger Welt **Executive Officer:** Bob Braitman

AGENDA ITEM NO. 7

In 1971 the law was amended to require the Commission to plan the future organization of local agencies by adopting a “sphere of influence” for each city and special district. A Sphere of Influence (SOI) is defined in the Government Code as “...a plan for the probable physical boundaries and service area. . .” of each local agency.

Government Code §56425 lists the written statements LAFCO must prepare in adopting Spheres and the need for Spheres to list the types of services provided by special districts. (Exhibit A)

In 2001 the law was amended to require that LAFCO periodically update SOIs. It states that “On or before January 1, 2008, and every five years thereafter, the commission shall, as necessary, review and update each sphere of influence.” (Emphasis added)

Another 2001 amendment added §56430; it directs LAFCO to prepare a Municipal Service Review (MSR) to help inform decisions regarding Spheres. (Exhibit B)

Santa Barbara LAFCO Approach to Updating Spheres with MSRs

When the law was enacted in 2001, Santa Barbara LAFCO undertook a comprehensive program to review and update all SOIs in the County in conjunction with preparing MSRs. Many local agencies were studied by geographical areas. Others were studied based the type of service, i.e. cemetery districts. Still others were reviewed on a “stand alone” basis.

A large amount of data was gathered and analyzed. The cooperation of all local agencies was necessary for the success of this project and was very much appreciated.

Public hearings to consider MSRs and Update SOIs occurred over a number of months. The updated SOIs provide a “snapshot” of local governmental agencies in Santa Barbara County including expectations for future growth or development and the need for adequate public services presently being provided or planned for the future.

Carpinteria Sanitary District Sphere of Influence

Following is a chronology of events concerning the Carpinteria Sanitary District Sphere.

- In November 1995 the Commission, following a public hearing, verified the then existing Carpinteria Sanitary District Sphere of Influence.
- In April 2005, as part of the Commission program to update all SOIs, we asked the District “Are there areas that your agency desires or plans to serve that are not now within its boundaries or its sphere of influence?” The District provided the following response:

The District is responding to requests for service from several beach communities in the Carpinteria area that currently use on-site septic systems for wastewater management. These areas are located outside of the District's existing service area and would need to be annexed prior to connection. The District certified a Final EIR in 2004 that evaluated extension of sewers to five beach communities (Rincon Point, Sandyland Cove, Sand Point Road, Padaro Lane and Beach Club Road). Currently the District is responding to a legal challenge in this manner.

The District's existing service area boundary has expanded in a piecemeal manner. There are "islands" within the existing service area that should logically be part of the District. There are also developed residential areas that are contiguous with the District's existing service area that the District can reasonably anticipate to serve in the future.

At this time, District's Sphere of Influence (SOI) is contiguous with its service area boundary. When prospective customers propose to annex to the District, the District must also modify its SOI. It is the District's position that its SOI should be redrawn to incorporate those parcels within the Carpinteria Valley that can reasonably be expected to require sanitary service in the future.

A single modification to the SOI, as part of or subsequent to the Municipal Service Review process, that is consistent with area land use and zoning designations would help the District plan for regional growth. Going forward, it would streamline the approval process and would not trigger MSR level review when applicants desiring service approach the District and LAFCO.

- On November 3, 2005, after conducting a MSR for local agencies within the Eastern South Coast Area, the Commission adopted a resolution updating but making no changes in the boundaries of the District's then-existing Sphere. The minutes of the November 3, 2005 LAFCO meeting report the following:

Testimony was provided by Craig Murray, General Manager of the Carpinteria Sanitary District and interested citizens Doug While and Giti White.

After due consideration, upon motion by Orach, second by Rose, the Commission approved Municipal Service Review determinations as recommended and affirmed the current Sphere of Influence.

Further, staff was directed to work with the District and local school district to annex school "islands" within the District and to work with the District and other

local agencies in the area to identify a sphere of influence expansion to include parcels that can reasonably be expected to require sanitary sewer service.

- There have been many amendments to the District Sphere since 1995. These are listed in Exhibit C and many are related to specific annexations.

Notable is the August 2, 2007 Sphere expansion for LAFCO 07-5 - South Coast Annexation to the Carpinteria Sanitary District which included the five beach communities noted earlier.


- A map of the District with a table of all annexations since its formation is Exhibit D.
- In February 2010, in conjunction with the five-year cycle to update spheres of influence, the staff asked the District to review the November 2005 Sphere of Influence. The response from General Manager Craig Murray, P.E. dated February 18, 2010 is attached. (Exhibit E)
- On May 24, 2010 the staff wrote in response stating the best procedure to move this forward would be for the District to prepare and submit an application to amend the Sphere of Influence. At that time we provided a “Questionnaire for Amending a Sphere of Influence” and sample transmittal letter (Exhibits F and G)

Since that time there have been numerous discussions and site visits involving LAFCO staff and representatives of the District, culminating in the September 6 LAFCO meeting, but thus far the District has not submitted a formal application to amend its Sphere.

At the September 6 meeting members of the Commission invited the District to submit a specific proposal to expand its sphere with supporting testimony. When that is received we will prepare our analysis and present the matter to the Commission.

Please contact the LAFCO staff if you have any questions.

Very truly yours,



BOB BRAITMAN
Executive Officer

cc: Craig Murray, General Manager, Carpinteria Sanitary District

Local Agency Formation Commission
Carpinteria Sanitary District – Sphere of Influence
November 1, 2012 (Agenda)
Page 5 of 5

- Exhibit A - Government Code §56425
- Exhibit B - Government Code §56430
- Exhibit C – History of Carpinteria Sanitary District Sphere Amendments since 1995
- Exhibit D - Carpinteria Sanitary District map and table of annexations
- Exhibit E – Craig Murray letter dated February 18, 2010
- Exhibit F – Staff response to Craig Murray dated May 24, 2010
- Exhibit G – Questionnaire for Amending a Sphere of Influence
- Exhibit H – Sample transmittal letter for Application to Amend a Sphere
- Exhibit I - Municipal Service Review
- Exhibit J - Resolution Verifying Existing Sphere of Influence