

**Santa Barbara
Local Agency Formation Commission**

Santa Barbara



Commissioner Cynthia Allen, Alternate

Commissioner Jay Freeman

Commissioner Craig Geyer

Commissioner Joan Hartmann

Commissioner James Kyriaco, Alternate

Commissioner Bob Nelson, Alternate

Commissioner Jenelle Osborne

Commissioner Alice Patino

Commissioner Jim Richardson, Alternate

Commissioner Shane Stark

Commissioner Das Williams

Minutes

Thursday, May 4, 2023

1:00 PM

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

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 Kyriaco, Commissioner Nelson, Commissioner Patino, Commissioner Richardson, Commissioner Stark, and Commissioner Williams

Absent: 1 – Commissioner Osborne

*Commissioner Kyriaco voted in Commissioner Osborne’s absence. Commissioner Nelson voted in place of Commissioner Williams until he arrived at the meeting at 1:07 p.m.

Pledge of Allegiance**Approval of Minutes of the April 6, 2023 Regular Meeting**

A motion was made by Commissioner Stark, seconded by Commissioner Kyriaco to approve the minutes with the following revision:

Approval of March 2, 2023 Minutes- (6) ayes

***Commissioner Hartmann was listed twice**

The motion carried by the following vote:

Ayes: 7 – Commissioner Freeman, Commissioner Geyer, Commissioner Kyriaco, Commissioner Patino, Commissioner Stark, Commissioner Nelson and Commissioner Hartmann

Public Comment Period

Comments made by E. Planet Thunderstriker regarding a World’s Citizen Organization

Consent Calendar

1) Receive and file a report on Disbursements for March and April, 2023.

A motion was made by Commissioner Williams, seconded by Commissioner Kyriaco to receive and file reports on Disbursements for March and April 2023.

The motion carried by the following vote:

Ayes: 7 – Commissioner Freeman, Commissioner Geyer, Commissioner Kyriaco, Commissioner Patino, Commissioner Stark, Commissioner Williams, and Commissioner Hartmann

Out of Agency Service Agreement

- 1) Consider recommendations regarding LAFCO application file No. 23-01 for the 4 Sunrise Hill Lane Out-of-Agency Service Agreement for the City of Santa Barbara to provide potable water and sewer service to an undeveloped residential parcel (APN 128-093-013). The Commission will consider approval of a Resolution that includes the following actions and determinations:
 - a) CEQA determination. Pursuant to California Environmental Quality Act (CEQA) find the project categorically exempt per CEQA Guidelines Section 15303(d); Section 15303(a) new construction of a single-family residence or second dwelling in a residential zone; Section 15320 change in organization of local agencies; and Section 15061(b)(3) the “common sense” exemption;
 - b) The Commission finds the service request to be in the best interests of the affected area;
 - c) The landowner and City shall 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 to the City, which agreement shall inure to and bind all successors in interest to the property; and
 - d) Said Out-of-Agency Service Agreement is for water and sewer service only and shall remain in effect until such time as an annexation is approved by the Commission.

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

a) through d) Approved and adopted.

RESOLUTION NO. 23-09

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

The motion carried by the following vote:

Ayes: 7 – Commissioner Freeman, Commissioner Geyer, Commissioner Kyriaco, Commissioner Patino, Commissioner Stark, Commissioner Williams, and Commissioner Hartmann

Changes of Organization

- 1) Consider Resolution that will approve LAFCO application 22-08 for annexation of a 5.83-acre property located at southwest corner of Highway 101 and Clark Avenue intersection (portion of “Key Site 2,” Assessor’s Tract Map 14,824), to the North County Lighting District and County Service Area 5 (Park and Open Space Services) and will take the following actions:
 - a) Find that the Commission has reviewed and considered Environmental Impact Report (EIR) No. 95-EIR-01 prepared and certified by the CEQA lead agency County of Santa Barbara on November 19, 2019, and Addendum, for the Orcutt Gateway Retail Commercial Center project. The Addendum and EIR are available at LAFCO’s Santa Barbara office and at www.sblafco.org;
 - b) Approve the reorganization proposal, known as the portion of Key Site 2, TM 14,824 Reorganization: Annexation to the North County Lighting District and Annexation to County Service Area No. 5, as stated in the proposed Resolution;
 - c) 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
 - d) Waive conducting authority proceedings, direct staff to file the CEQA Notice of Determination and complete the proceedings.

A motion was made by Commissioner Stark seconded by Commissioner Geyer that this item be acted on as follows:

- a) **through d) Approved and adopted with the inclusion of the Terms & Conditions requested by the Santa Barbara County Public Works Department.**

RESOLUTION NO. 23-10

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

The motion carried by the following vote:

Ayes: 7 – Commissioner Freeman, Commissioner Geyer, Commissioner Kyriaco, Commissioner Patino, Commissioner Stark, Commissioner Williams, and Commissioner Hartmann

Business Items

- 1) Consider recommendations regarding the Final Budget for Fiscal Year (FY) 2023- 2024, and consider adoption of a Resolution that takes the following actions:
 - a) Review the Final Budget for FY 2023-2024, accept all public testimony and approve the Budget with any final changes and adjustments made by the Commission;
 - b) Pursuant to Government Code Section 56381(a), find that the Final Budget is adequate for the Commission to fulfill the purpose and programs of Chapter 3 (“Powers”) of Part 2 of the Cortese Knox Hertzberg Act;
 - c) Direct staff to distribute the Final Budget to the County, Cities, and Special Districts as required by Government Code Section 56381; and
 - d) Notify the County Auditor to proceed pursuant to Government Code Section 56381(b) with apportionment of LAFCO costs among the County, Cities, and Special Districts.

A motion was made by Commissioner Kyriaco seconded by Commissioner Geyer that this item be acted on as follows:

a) through d) Approved and Directed

RESOLUTION NO. 23-11

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

The motion carried by the following vote:

Ayes: 7 – Commissioner Freeman, Commissioner Geyer, Commissioner Kyriaco, Commissioner Patino, Commissioner Stark, Commissioner Williams, and Commissioner Hartmann

- 2) Consider the adoption of a municipal service and sphere of influence review for the 33 agencies that provide water, wastewater, recycled water, and stormwater services in Santa Barbara County. Adoption of a Resolution includes the following actions:
 - a. Find, that the action is exempt from CEQA as “information collection” under Section 15306 of the State CEQA Guidelines and based on the determination that this action does not have the potential for causing a significant effect on the environment (Section 15061(b)(3)). Find that Sections 15301, 15319, and 15320 of the State CEQA Guidelines are applicable;
 - b. Determine, pursuant to Government Code Section 56425, that LAFCO is required to develop and determine a sphere of influence for the 33 affected agencies, and review and update, as necessary;

- c. Determine, pursuant to Government Code Section 56430, that LAFCO is required to conduct a municipal service review before, or in conjunction with an action to establish or update a sphere of influence; and
- d. Adopt a Resolution approving the 2022 Countywide Water, Wastewater, Recycled Water, and Stormwater Services and Sphere Review with the following terms and conditions:
 - i. Affirming the currently adopted Spheres of Influence of the Cuyama Basin Water District, San Antonio Basin Water District, Santa Maria Valley Water Conservation District, Santa Ynez River Water Conservation District, Santa Ynez River Water Conservation District Improvement District No. 1, Santa Barbara County Water Agency, Santa Barbara County Flood Control & Water Conservation, County Service Area 12 (Mission Canyon Sewer District), Casmalia Community Services District, Los Olivos Community Services District, and Vandenberg Village Community Services District, as shown on Exhibits G, J, K, L, M, N, O, P, Q, R, S and;
 - ii. Amending the Spheres of Influence of the Carpinteria Sanitary District, Goleta Sanitary District, Laguna County Sanitation District, Montecito Sanitary District, Summerland Sanitary District, Goleta Water District, Montecito Water District, and Carpinteria Valley Water District, as shown on Exhibit A, B, C, D, E, F, H, & I.

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

- a) **through d) Approved and Directed staff bring back policy amendments and consider Option #2 for Carpinteria Sanitary District Sphere of Influence revision**

RESOLUTION NO. 23-12

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

The motion carried by the following vote:

Ayes: 7 – Commissioner Freeman, Commissioner Geyer, Commissioner Kyriaco, Commissioner Patino, Commissioner Stark, Commissioner Williams, and Commissioner Hartmann

- 3) Consider issuing a Request for Proposal (RFP) – Financial Audit of Fiscal Year 2022-23. RFP to be issued on May 8, 2023, responses due June 9, 2023.

A motion was made by Commissioner Hartmann, seconded by Commissioner Williams to issue a Request for Proposal (RFP) for Financial Audit of Fiscal Year 2022-23 on May 8, 2023 with responses due on June 9, 2023.

The motion carried by the following vote:

Ayes: 7 – Commissioner Freeman, Commissioner Geyer, Commissioner Kyriaco, Commissioner Patino, Commissioner Stark, Commissioner Williams, and Commissioner Hartmann

Information Items

- 1) Receive and file a status report on Municipal Service Review Program.

No action taken.

- 2) Receive and file an update from CALAFCO and provide direction regarding CALAFCO Brown Act Survey.

No action taken.

Commissioner and Staff Announcements

- 1) Commissioner announcements and requests for future agenda items.
 - a) AG/Urban Interface Policy and establishment of an Ad Hoc Committee.

Executive Office Prater reported that staff would bring this item back to the commission in August to appoint an Ad Hoc Committee and a program for the Committee to evaluate.

- 2) Executive Officer comments.

Executive Officer Prater informed the Commission of the intent to cancel the June and July 2023 meetings in order to focus on the Transportation MSR and RFP for Auditing Services.

Adjourned at 3:00 p.m. to

Regular Meeting on June 1, 2023.**Joseph Centeno Betteravia Government Administration Building**
Board Hearing Room
511 East Lakeside Parkway
Santa Maria

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.