

March 6, 2025 (Agenda)

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

Authorize Out-of-Agency Services to Santa Maria Bonita Elementary School

Dear Members of the Commission,

RECOMMENDATION

(Continued from the December 12, 2024 Meeting with direction to staff to return with Resolution for approval with terms and conditions) - It is recommended that the Commission review and adopt the attachment Resolution for application file No. 24-04 for an Out-of-agency Service Agreement for the City of Santa Maria to provide potable water service to Santa Maria Bonita Elementary School site located at 2715 West Main Street, Santa Maria, in unincorporated area of Santa Barbara County west of the City of Santa Maria, CA. 93458 (APN 113-050-007. The Commission will consider approval of a Resolution that includes the following actions and determinations:

- a) Find that the Commission has considered the Final Mitigated Negative Declaration prepared by the Santa Maria Bonita School District as Lead Agency under the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq., for the Bonita Elementary School Drinking Water Improvement Project SP2024-010761;
- b) The Commission finds the service request to be in the best interests of the affected area. The Commission finds that the new potable water service to be provided responds to an existing threat to the health or safety of the public or residents of the affected territory;
- c) The landowner shall comply with all terms and conditions set forth in the Commission's resolution of approval, including the landowners shall execute and record an agreement approved by the Executive Officer that consents to any future annexation of the territory, which agreement shall enure to and bind all successors in interest to the property; and

- d) Said Out-of-Agency Service Agreement is for potable water service only and shall remain in effect for the useful life of the project until such time as the Commission may reconsider the agreement or an annexation is approved by the Commission.

DISCUSSION

At the December 12, 2024 meeting, after consideration of all testimony and materials that were submitted the Commission took a conceptual motion to approve the proposal and have staff return with the item at the January 9, 2025 meeting.

The matter was placed on the January 9, 2025 meeting for consideration. However, the Santa Maria Bonita School District requested the item be pulled to address concerns related to the 10-year terms and conditions being acceptable to secure federal funding for this project.

A letter from Matt Cameron with Santa Maria Bonita School District has outlined their concerns and request for revising the condition.

Attachments

Attachment A – Draft Resolution for approval of File 24-04 Bonita School OASA

Attachment B – Letter from Santa Maria Bonita School District

Please contact the LAFCO office if you have any questions.

Sincerely,



Mike Prater
Executive Officer

LAFCO 25-xx

AUTHORIZATION BY THE SANTA BARBARA COUNTY LOCAL AGENCY
FORMATION COMMISSION FOR THE CITY OF SANTA MARIA TO PROVIDE OUT-
OF-AGENCY SERVICES TO PROPERTY LOCATED AT 2715 WEST MAIN STREET
(SANTA MARIA BONITA ELEMENTARY SCHOOL)

WHEREAS, the property owner, with the consent of the City of Santa Maria, has filed a proposal with the Executive Officer of the Santa Barbara County Local Agency Formation Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act (Section 56000 et seq. of the Government Code) for the City to provide services outside of its boundaries to the property located at 2715 West Main Street, 93458, in the unincorporated area of Santa Barbara County, APN 113-050-007, LAFCO Application No. 24-04 (the "Property"); and

WHEREAS, pursuant to Government Code section 56133(c), the Commission may authorize a city or district to provide new or extended services outside its jurisdictional boundary only if the property is to respond to an existing or impending threat to the health or safety of the public or the residents of the affected territory.

WHEREAS, the City and Santa Maria Bonita School District have documented a health and safety threat concerning nitrate levels exceeding the State-mandated maximum contaminant level (MCL), upper secondary MCLs for total dissolved solids, and has been cited by Santa Barbara County Environmental Health Services (SBC EHS) for noncompliance. The State Water Resources Control Board has identified the Santa Maria Bonita Elementary School in need of meeting regulatory compliance and has identified the system as a public health threat. The Compliance Order requires a plan to SBC EHS for approval consisting of an out-of-agency domestic water service agreement that would best allow the school to connect to the City of Santa Maria's water supply to mitigate the water violations.

WHEREAS, the proposed domestic water connection would not result in additional impacts since there will be no modification to the original development approval and no change in use. The domestic water connection would be provided solely to mitigate a threat to the health and safety of the public. Additionally, a private water line would connect to the City's existing main line at the intersection of Black Road and West Main Street, and then

extending west to the intersection of West Main Street and Bonita School Road. Therefore, approval of this project will not result in an extension of water infrastructure services outside of the City, other than to allow Bonita Elementary School to hookup as a customer for domestic water service.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED as follows:

- (1) The Commission finds the Final Mitigated Negative Declaration prepared by the Santa Maria Bonita School District as Lead Agency under the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq., for the Bonita Elementary School Drinking Water Improvement Project SP2024-010761) is adequate.
- (2) The Commission finds the service request to be in the best interests of the affected area. The Commission finds that the new potable water service to be provided responds to an existing threat to the health or safety of the public or residents of the affected territory.
- (3) This approval is subject to the following terms and conditions:
 - a. The City's provision of water services shall be limited to the 5.01 acres located at 2715 West Main Street, Santa Maria, CA, APN 113-050-007.
 - b. This approval shall not authorize connection of the property to the City water systems until the property owner has executed and recorded a landowner consent approved by the Executive Officer that consents to future annexation of the territory, which consent shall inure to and bind all successors in interest to the property.
 - c. Said out-of-agency service agreement is for potable water service only and shall remain in effect for the useful life of the project until such time as the Commission may reconsider the agreement or an annexation is approved by the Commission.

(4) Said out-of-agency service agreement is hereby approved.

PASSED AND ADOPTED this day of March 6, 2025, in Santa Barbara, California by
the following vote.

AYES:

NOES:

ABSTAINS:

Dated: _____

Chair Patino
Santa Barbara Local Agency
Formation Commission

ATTEST

Natasha Carbajal, Clerk/Analyst
Santa Barbara Local Agency Formation Commission



**Santa Maria-Bonita
School District**
CULTIVATING BRIGHT FUTURES

SOUZA STUDENT SUPPORT CENTER
708 South Miller Street
Santa Maria, CA 93454-6230
(805) 361-8278
mattcameron@smbdsd.net

Matt Cameron
Student Housing Technician

February 5, 2025

Santa Barbara Local Agency Formation Commission
105 E Anapamu Street
Santa Barbara CA 93101

Subject: Request for Revision of 10-Year Limitation in the Bonita School OASA

Dear Chair Patino and Members of the Commission,

I am writing to follow up on the January 9, 2025, meeting regarding the Out-of-Agency Service Agreement (OASA) for potable water service to Santa Maria Bonita Elementary School (Application File No. 24-04). While I appreciate the Commission's tentative approval of this agreement to provide potable water service, I want to bring to your attention a significant issue that may jeopardize our ability to secure funding for the project. Specifically, the provision in the resolution stating that the Out-of-Agency Service Agreement shall remain in effect for a period of ten years, until such time as the Commission may reconsider the agreement or an annexation is approved, presents a major barrier to obtaining the necessary funding.

To significantly offset the cost of the project, we are working with the State Water Resources Control Board Division of Financial Assistance (SWRCB-DFA) to obtain approximately \$1,000,000 of grant funding. The DFA requires that any agreements relating to the project be valid for at least the useful life of the project, which is estimated to be 50 years. The 10-year provision disqualifies this project from consideration based upon that funding criteria. Without financial support, this project may not be feasible despite the clear and urgent health need it addresses.

I understand the reasoning of the 10-year provision is to encourage the Santa Maria-Bonita School District to re-evaluate the location of the school and potentially move it to a more appropriate location. Unfortunately this is not a realistic possibility for the foreseeable future.

The City of Santa Maria is growing and with it, our enrollment. Our schools are impacted. Our average school enrollment is over 800 students. We have three sites with over 1000 students, one of which has over 1,150 students. Compare that to neighboring districts to our north and south with average school enrollments of 400 to 500 students.

Board of Education

John Hollinshead * Ricardo Valencia * Linda Cordero * Luz Maria Cabral * Ricky Lara

ATTACHMENT B

We are fortunate that our recent bond measure passed. Funds from this bond will be used to construct two schools. I wish I could say that these schools will help us drive down our average site enrollment in a significant way, but that isn't the case. These schools will house students resulting from the construction of the large Blosser Ranch and Betteravia Plaza residential developments. They will have limited capacity to house existing students. Should we ever catch up with our enrollment growth, our priority will switch to reducing our average school size. Only when we've reached school size parity with our neighboring districts will we be in a position to consider closing or relocating an existing campus.

In light of this, I respectfully request that the Commission:

1. Remove the 10-year limitation to allow for a long-term service agreement, or
2. State that the resolution is to remain valid for the useful life of the project.

Ensuring reliable, long-term potable water access for Bonita Elementary School is critical for the health and safety of students and staff. I urge the Commission to reconsider this provision so that we can move forward in securing funding and implementing this essential project. I would appreciate the opportunity to discuss this matter further and explore potential solutions. Please let me know if there is any additional information I can provide.

Thank you for your time and consideration.

Sincerely,



Matthew Cameron

Board of Education

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ATTACHMENT B