

**Santa Barbara
Local Agency Formation Commission**

Santa Barbara



*Commissioner Roger Aceves
Commissioner Cynthia Allen, Alternate
Commissioner Craig Geyer
Commissioner Joan Hartmann
Commissioner Steve Lavagnino
Commissioner Jay Freeman
Commissioner Holly Sierra, Alternate
Commissioner Shane Stark, Alternate
Commissioner Etta Waterfield
Commissioner Vacant
Commissioner Das Williams, Alternate*

Minutes

Thursday, October 7, 2021
1:00 PM

**JOSEPH CENTENO BETTERAVIA GOVERNMENT
ADMINISTRATION BUILDING, BOARD HEARING ROOM
511 EAST LAKESIDE PARKWAY
SANTA MARIA**

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: 9 – Commissioner Aceves, Commissioner Allen, Commissioner Freeman, Commissioner Geyer, Commissioner Hartmann, Commissioner Sierra, Commissioner Stark, Commissioner Waterfield, and Commissioner Williams

Absent: 1 – Commissioner Lavagnino

Pledge of Allegiance**Approval of Minutes of the September 2, 2021 Meeting**

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

The motion carried by the following vote:

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

Public Comment Period

No requests to speak.

Consent Calendar

1) Receive and file a report on Disbursements for August and September 2021.

A motion was made by Commissioner Aceves, seconded by Commissioner Stark to approve the Consent Calendar.

The motion carried by the following vote:

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

Changes of Organization

- 1) Consider approval of LAFCO application File No. 21-03 for the 1020 La Vista Road Annexation to Goleta Sanitary District (Annexation No. 382). Adoption of a Resolution includes the following actions:
 - a) Find the proposal to be exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15319, Class 19 Annexation of Existing Facilities and Lots for Exempt Facilities;
 - b) Condition approval upon the annexed territory being liable for any existing indebtedness and authorized taxes, charges, fees and assessments of the Goleta Sanitary District;
 - 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 the conducting authority proceedings and direct the staff to complete the proceeding.

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

- a) through d) Approved and adopted.

RESOLUTION NO. 21-13

The motion carried by the following vote:

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

- 2) Consider approval of LAFCO application File No. 21-04 for the 5965 & 5970 La Goleta Road Annexation to Goleta Sanitary District (Annexation No. 383). Adoption of a Resolution includes the following actions:
 - a) Find the proposal to be exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15303(d), Class 3 New Construction or Conversion of Small Structures;
 - b) Condition approval upon the annexed territory being liable for any existing indebtedness and authorized taxes, charges, fees and assessments of the Goleta Sanitary District;
 - 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 the conducting authority proceedings and direct the staff to complete the proceeding.

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

- a) through d) Approved and adopted.**

RESOLUTION NO. 21-14

The motion carried by the following vote:

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

Business Items

- 1) Consider selection of a replacement Vice Chair for 2021.

No action taken.

- 2) Consider approval of Section 218 Agreement Final Resolution and Application Agreement.

A motion was made by Commissioner Hartmann, seconded by Commissioner Aceves to approve the Section 218 Agreement Final Resolution and Application Agreement.

The motion carried by the following vote:

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

- 3) Receive an oral staff report and set a public hearing for December 9, 2021 in order to consider accepting the service and sphere review for Fire, Law Enforcement, Safety & Crime, and Emergency Medical Services.

A motion was made by Commissioner Aceves, seconded by Commissioner Stark to set a public hearing for December 9, 2021.

The motion carried by the following vote:

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

- 4) That the Commission:

- a) Receive a briefing on Assembly Bill 361 (Rivas), signed by the Governor on September 16, 2021, as urgency legislation, concerning amendments to the Brown Act for use of teleconferencing at meetings of legislative bodies of local agencies during a proclaimed state of emergency; and
- b) Determine whether as a result of a proclaimed state of emergency, future Commission meetings would present imminent risks to health and safety of attendees and, therefore, such meeting should be conducted pursuant to requirements of Government Code section 54953(e)(2) for teleconferencing.

A motion was made by Commissioner Geyer, seconded by Commissioner Aceves to find that the grounds required by Government Code section 54953(1)(A) and (C) have been met and that Commission hearings may be held pursuant to the teleconferencing requirements of Assembly Bill 361. This finding is based on evidence set forth in the staff report for this agenda item, which includes:

- (a) **The County Health Officer continues to recommend measures to promote social distancing at indoor activities as a means to reduce the spread of Covid-19; and**
- (b) **Evidence cited in County Health Order No. 2021-10.4, dated September 5, 2021, shows that the declared state of emergency for Covid-19 continues to directly impact the ability of the members of the public and public officials to safely attend Commission hearings in person.**

The motion carried by the following vote:

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

Information Items

- 1) Receive and file a status report from the Los Olivos CSD regarding the wastewater treatment project.

No action taken.

Closed Session

- 1) PUBLIC EMPLOYEE PERFORMANCE REVIEW (Gov. Code Sec. 54957(b)(1).)

Title: LAFCO Executive Officer, Mike Prater

No reportable action taken.

Commissioner and Staff Announcements

- 1) Commissioner announcements and requests for future agenda items.

No action taken.

- 2) Executive Officer comments.

No action taken.

Adjourned at 2:29 PM

Adjourned to

November 4, 2021

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.

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