

SA NTA BARBARA LOCAL AGENCY FORMATION COMMISSION  
EXECUTIVE OFFICER'S REPORT

December 6, 2007 (Agenda)

LAFCO 03-13: Formation of Santa Rita Hills Community Services District.

PROPONENT: Carrie Marks, *et al*, Registered Voters and Petitioners

ACREAGE & LOCATION Approximately 1,590 acres located about 4.7 miles east of the City of Lompoc at the east end of Sweeney Road, north of Santa Rosa Road (Lakeview Estates Tract).

PURPOSE: To provide a funding mechanism for governmental services to benefit land within and adjacent to the Lakeview Estates tract in the Santa Rita Hills.

PROJECT INFORMATION

Project Description

The proposal is to create a special district, governed by voters residing within the district, that may provide local governmental services to benefit property owners and residents within a large-lot agricultural subdivision in the Santa Rita Hills.

It is proposed the district be formed as a funding and governance mechanism for the construction of roads, a water system, electrical power and telecommunications services. No specific capital projects for these governmental services have been identified.

The proposal is to form a Community Services District (CSD) established and operated pursuant to Government Code Section 61000 et seq.

Background

The "Lakeview Estates" subdivision was created in 1968 by the recordation of a survey map, a process for creating lots that is no longer used. The original subdivision was comprised of 39 parcels, each slightly larger than 40 acres. The current subdivision contains 35 parcels, with three large parcels ranging from 80-120 acres. Also included in the proposed District is a 0.75 acre parcel at the southwestern edge of the Lakeview subdivision.

The proposal is within the unincorporated area of the County. The majority of the area is zoned 100-AG, with the southernmost two parcels zoned AG-II-100. The County considers all of the lots to be legal though nonconforming parcels. There will be no changes in land use designations due to creating the CSD. All development entitlements in this area are subject to review and approval by the County, regardless of whether or not the CSD is created.

Reciprocal agreements provide access to each parcel. Each parcel has a well site or easement for water well. Occupied parcels are now serviced by individual water wells and septic systems. No provisions were made when the lots were created for common improvements such as roads, a water supply and distribution system, electrical power or telecommunications. No CC&R's were recorded to create a property owners association that has or can raise the financial resources to undertake and maintain such improvements.

In order to create a publicly accountable vehicle with authority and resources to fund the potential construction and maintenance of improvements, most landowners and residents have expressed interest in creating a CSD. As proposed it would be authorized to build and maintain road access into the subdivision from the end of Sweeney Road across property outside of the subdivision as well as roads to all parcels within the subdivision. Other authorized District services will include provision of water for domestic, irrigation, fire protection and other uses and conversion and/or installation of overhead electric and communications facilities.

This proposal was initiated by submission of a valid petition and application materials to initiate the formation of the Santa Rita Hills CSD. The petition has been certified as adequate.

#### Letters of Support from Affected Landowner

The enclosed letters from most of the landowners within the proposed CSD express frustration with their inability to utilize property and express support for the CSD. A representative letter from Michael Brown (unrelated to the County Executive Office) states:

I am writing to you in regards to the property I own in what is referred to as the Lakeview estates, on Sweeney road in Lompoc.

I own Parcel #13 that I purchased in 1987 with the intentions of planting the parcel to grapes for wine under my own label. The issues surrounding these properties and our ability to develop has dragged on for nearly 20 years being held up by one or two individuals on the adjacent property. Most of the parcel owners have intentions similar to mine ie. to develop their property for agriculture and, or build a home to live in and enjoy this unique area of the central coast.

The efforts of several of the estate property owners to form a Community Services district is commendable and I support their Petition 100%. We have been paying the property taxes on our parcels but have not been allowed to fully enjoy them. It is time to resolve these issues and form a CSD.

Another letter, this from property owner Brent Harelson states:

I have own(ed) a parcel in the Lakeview Estates subdivision, on Sweeney Road for 29 years. The property owners in the subdivision have been working to resolve an external access road issue for decades now. There have been countless meetings with an owners of the land that surrounds the access road, as well as numerous meetings spanning many years, with planning officials and County staff. We support the petition for a Community Services District to complete the access road, as well as the internal roads in the subdivision.

Submitting the petition to LAFCO and creating a Community Services District is the remaining solution to this decades old issue. I have been paying property taxes on these parcels for years now, some of us over 30 years, without the ability to fully utilize our property. Many of us have been taking care of our agriculture and livestock projects under very trying circumstances. Many of the original property owners have grown old and passed away during this arduous process, and a second generation is now inheriting the issue.

I am appealing to you to please help us to finally be able to use our properties for more than a picnic area.

Other letters express similar feelings and the staff is impressed by the numbers of years individuals have owned property without being able to utilize it as permitted by County zoning. Mr. Brown's letter and 26 others are enclosed for the Commission's information as part of the public record (Exhibit A).

#### Proposal Information

1. Land Use, Planning and Zoning - Present and Future:

Land within the proposed CSD is largely vacant or devoted to vineyards or grazing. Several parcels have cattle and horses grazing on natural feed and some are supplemented with hay. Four parcels have operating vineyards that produce wine grapes for local vintners. One parcel grows lavender. There are three existing single-family homes and another under construction.

The General Plan designates the area as Agricultural Commercial and Agriculture II. Of the 35 parcels, 33 are zoned 100-AG (Agricultural General, 100 acre minimum) lot size, with the southernmost two parcels zoned AG-II-100 (Agricultural General, 100 acre minimum lot size). These two parcels are within a Land Conservation Act (Williamson Act) contract. Both parcels are under Contract No. 80 - AP- 008.

Surrounding land uses, general plan designations and zoning are also Agriculture.

2. Topography, Natural Features and Drainage Basins

The area is on the south facing slopes of the Santa Rita Hills that overlook the Santa Ynez River Valley. To the north is the crest of the Santa Rita Hills, to the west and east is the continuation of the Santa Rita Hills - toward Lompoc in the west and Buellton in the east - and to the south is the Santa Ynez River.

3. Population:

There are three existing single family homes and another home is under construction. Assuming one home on each remaining parcel, 33 additional dwelling units could be built within the boundaries of the proposed CSD.

The County Office of Long Range Planning notes, "Formation of the District and related residential development, including properly permitted principal and agricultural employee housing, would support the goals contained in the County's Housing Element."

4. Governmental Services and Controls - Need, Cost, Adequacy and Availability:

The enclosed petition describes the types of services the CSD will be authorized to provide, as allowed in the CSD enabling act. The District will have those powers and responsibilities set forth in the enabling acts, which are Chapter 28 (commencing with Section 5896.1) of Part 3 of Division 7 of the Streets and Highways Code and the Municipal Water District Law of 1911, Division 20 (commencing with Section 71000) of the Water Code.

Within these authorized services, detailed decisions about capital improvements, levels of service and how services will be provided will not be known until the CSD is formed and operating and specific projects are proposed.

Actual facilities will be determined by the CSD, subject to County review and approval, once the District is formed and designs, funds and constructs the physical improvements. In addition to the access road and internal roads it may be necessary for the CSD to help improve the public portion of Sweeney Road to accommodate an increased level of traffic resulting from increased agricultural or residential activity within the district.

District capital improvements will be financed by District revenues, which are anticipated to include landowner-approved special benefit assessments and indebtedness. .

5. Voter Approval of Special Tax Concurrent with Formation

The petition requests the formation be subject to approval by voters of a special tax to finance District operations and maintenance activities not funded by other revenue sources such as grants, user charges, service fees, assessments and interest, with annual adjustments in the authorized special tax corresponding to the changes in inflation.

The requested provisions of the proposed special tax are as follows.

- A. The maximum annual special tax authorized for the District shall be Three Million Dollars (\$3,000,000) for the fiscal year 2008-2009 and shall increase automatically each fiscal year thereafter by the percentage change in the Consumer Price Index (CPI) for the Los Angeles/Long Beach area for the prior 12 months. .
- B. The actual tax to be levied for any fiscal year shall be determined by a majority vote of the board of directors of the District on the basis of the actual revenues estimated to be required by the District to pay its reasonable and necessary expenses for such year.
- C. The tax shall be applied equally to each legal lot within the District; the amount of the tax levied shall be the same for each lot.
- D. Any significant capital improvements related to infrastructure will be financed by a benefit assessments approved by the landowners within the District.

The staff recommends the formation of the CSD be conditioned upon and subject to voter approval of this special tax measure in insure the District has funds to operation. The last paragraph states that any significant capital improvements related to infrastructure would be financed by benefits assessments that require approval of the landowners, as compared to registered voters, within the District. It is assumed that benefit assessments will be predicated upon a formula for spreading the costs equitably.

6. Assessed Value, Tax Rates and Indebtedness:

The proposal is presently within tax rate area 77003. The overall ad valorem tax rate will not be affected by this change. Approval of the CSD as proposed may result in the levy of a special tax on properties within its boundaries to fund District operations.

Formation of the CSD may in future lead to assessments approved by landowners within the District to fund future capital improvements such as common roadways.

7. Environmental Impact of the Proposal:

The creation of a CSD for the purpose of creating a funding mechanism is exempt from CEQA pursuant to CEQA Guidelines Section 15378(b)(4), which provides.

The creation of government funding mechanisms or other government fiscal activities, which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

The enclosed County memorandum concurs with this conclusion, stating "No specific physical changes are proposed at this time. Therefore, establishment of the District as a potential funding mechanism to plan and install a roadway or other infrastructure improvements is categorically exempt from the definition of a CEQA 'project' under §15378(b)(4) of the CEQA Guidelines."

Moreover, the area within the District is subdivided to the extent allowed by the existing zoning. No further subdivision can occur without a zoning change, which would require environmental review by the County. Should there be a proposal to construct roadways or other improvements, environmental documentation at the time the project is known may be required.

The enclosed letter from Naomi Kovacs, Executive Director of the Citizens Planning Association (11/13/07), urges the Commission to adhere to the requirements of CEQA. (Exhibit D)

8. Boundaries, Lines of Assessment and Registered Voters:

The boundaries are definite and certain. There are no conflicts with lines of assessment or ownership.

The proposed boundaries are recorded in (A) the Record of Survey recorded November 21, 1968, in Book 84, pages 31 through 33, which defined the original "Lakeview Estates" subdivision, and (B) Santa Barbara County Records instrument # 66-37365.

The District includes the Lakeview subdivision created in 1968 and an adjacent 0.75 acre parcel (APN 099-20-12), known as "Rancho Del Mundos."

The Rancho Del Mundos parcel was created in 1966 and, though not part of the Lakeview Estates tract, in 1990 it was added to the list of Dominant Tenements and granted the identical access easement as properties in the tract. (Memorandum of

Agreement and Easement Location Document, Santa Barbara County Records 90-017789). Moreover this parcel was included in the 1986 "Lakeview Assessment District Preliminary Study for Santa Barbara County" as prepared by J.B. Dixon Engineering & Surveying, Inc.

The territory is uninhabited; fewer than 12 registered voters reside in the affected territory.

### GENERAL ANALYSIS

#### Creation of a Responsible, Local Public Agency

The Santa Rita Hills CSD would become the seventh CSD in Santa Barbara County: Existing CSDs are in Casmalia, Cuyama, Los Alamos, Mission Hills, Santa Ynez and Vandenberg Village

The application submitted to form the Santa Rita Hills CSD states:

"The parcels within Lakeview Estates have existed for almost 40 years and no alternative to provide the necessary services has been identified or proposed.

"Santa Barbara County Planning and Development has been involved in the 'Lakeview Problem' for more than 35 years. There have been numerous staff reports and memoranda regarding the situation, without a satisfactory resolution.

"Formation of a CSD will create a locally governed public agency to address and resolve problems associated with the lack of planning for infrastructure when the original subdivision was made."

The CSD will be a locally accountable public agency. It can address issues such as street access and water supply to the extent supported by affected residents and property owners. Without a local agency, individual landowners are on their own in trying to address community-wide needs. This approach has not been successful.

Creating a CSD would establish a public agency for local residents and landowners to collectively address public service needs. The residents and landowners of the District, rather than the County will be responsible to govern the new district and finance and manage its operations. Public agencies routinely provide access, water or other public services, as compared to individual landowners acting on their own to obtain such services.

Until the CSD is formed and operating it is not possible to predict actions it may take, other than to note all decisions would be constrained by the authorized services in the formation process and District actions must be consistent with all applicable State laws, County land use decisions, water allocations and other "facts of life" within which special districts must operate.

- Access and Roads

A primary purpose of the CSD is to provide a mechanism supported by affected property owners to provide dependable access to existing parcels within the tract.

A related question is access to and from Sweeney Road. The Memorandum of Agreement and Easement Location Document (Santa Barbara County Records 90-017789) is an easement agreement between the Lakeview Estates owners and the owner of the parcel through which an access road will be constructed and maintained.

Without forming the CSD the ability of landowners to fund, improve and maintain an access road is highly questionable. The Memorandum of Agreement requires that "before the road is constructed" a mechanism be formed "to insure that funds will be available to pay the costs of construction and maintenance of the road."

- Water Supply

The petition proposes the CSD be authorized to provide or supply water for domestic, irrigation, fire protection and other uses. Forming the District does not create or transfer any existing water rights to the affected parcels or other properties within the region.

The issue of securing and distributing improved or dependable water supply is based on a number of factors. Creating the CSD will establish a mechanism whereby local landowners can act in concert if necessary and permitted.

- Compliance with Fire Department Access Standards

Compliance with road standards for Lakeview Estates access is not a new issue. Exhibit E is a Board of Supervisors minute order (8/22/88) approving County staff recommendations with respect to exceptions to standard private road conditions for construction of access roads to the Lakeview Estates area. Related correspondence includes letters to the Board of Supervisors from the County Public Works Director (8/16/88); to attorney Rosanne Coit from the County Fire Chief and County Public Works Director (6/30/88) and to County Fire Chief from Ms. Coit (4/6/88) representing property owners in the Lakeview Estates tract.

More recently the LAFCO staff facilitated a discussion with the County Fire Department staff and proponents of the CSD to confirm that forming the District is acceptable to the County Fire Department and would facilitate construction of access to serve Lakeview Estates.

#### Issues Raised by Peter Cargasacchi

The issue of access to the Lakeview Estates tract from the end of Sweeny Road has been a matter of significant contention for many years. Several considerations are involved, such as (1) an access easement granted to landowners within the proposed District, (2) errors made many years ago by a title company in describing an easement on deeds of certain properties in the tract and payment to the property owner where the easement is located to settle the matter, (4) the mapped location of the easement and (5) the extent to which the owner of the land where the easement is located feels that land owners within the tract can utilize the easement.

Exhibit F is a letter from Peter Cargasacchi (11/15/07) that raises issues such as unlawful seizure of private property to provide subdivision access and corruption in government activities.

It appears part of the problem may stem from what might have been a 1914 Board of Supervisors resolution with respect to a public road or easement that may have crossed property now owned by the Cargasacchi family.

Exhibit G is correspondence from Senior Deputy County Counsel Kevin Ready that responds to this issue; it includes letters to Peter Cargasacchi dated 1/28/04 and 3/28/06.

While we have provided this information as background, the staff does not feel these issues are pertinent to this proposal. Forming the CSD does not alter any of the legal rights of landowners or other participants with respect to access easements or other property issues.

The District will provide land owners within its boundaries a funding mechanism, subject to State laws, through which they can act collectively to raise funds and bring about improvements needed for the full use of their properties in accordance with County zoning and building codes.

#### Issues Raised by José Baer

The enclosed letter from José Baer on Rancho La Vina letterhead (9/19/07) raises certain issues the staff feels deserve response (Exhibit H).

- Subdivision is an "historical accident" - As noted, the Lakeview Estates subdivision was created in 1968 by recording a survey map, a process for creating lots that is no longer used.

If the map were approved today conditions would be imposed to ensure adequate access, potable water to each lot and other standard requirements.

The anticipated dam was not built and there is no lake to view, but the subdivision is not “a historical accident.” The parcels were created legally, and, regardless of its origin, the tract is a reality. Lots in the tract are legal lots.

- Discouragement of Urban Sprawl – Mr. Baer’s letter includes the following excerpt from our brochure “Understanding and Working with the Santa Barbara LAFCO.”

LAFCO’s statutory purposes include discouraging urban sprawl, preserving agricultural land, encouraging orderly boundaries based on local circumstances and conditions and promoting adequate public services.

He states, “It will be hard to defend a decision that will lead to single family dwellings sprinkled out over 40 acre parcels when you are charged with prevention of urban sprawl.”

The term “urban sprawl” while frequently used is not statutorily defined. It leaves the interpretation to LAFCOs. The term “urban” itself is a state of art, not science. Most definitions relate urban to density, suggesting an urban area is densely developed. In some locales density of one unit per acre is considered rural and not truly urban. In this case, however, the lots are primarily 40 acres in size.

The 2004 Edition of “A Guide to the Farmland Mapping and Monitoring Program,” published by California Department of Conservation, Division of Land Resource Protection defines urban as “land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel.”

Mr. Baer’s citation also includes the need to promote “adequate public services.” While the Commission did not participate in creating the existing parcels, given the current situation the question before LAFCO is how best to provide adequate public services to existing legal lots so they can realize their full potential.

- Financial value of the parcels – Mr. Baer comments that Lakeview Estates parcels have been purchased at a “tremendous discount” when compared to similar sized parcels due to poor access and water, and concludes that those who have purchased the properties cannot claim they are being denied the “right to build a residence” since they knew the circumstances when they bought. The parcels are zoned 100-acre minimum and “are priced accordingly.”

This recognition of “poor access and water” for Lakeview Estates reflects the motivation for the formation of the CSD. Clearly owners purchased their properties with the expectation

that access and water issues would be resolved. Responses to Mr. Baer's view are evident in some of the enclosed correspondence from property owners.

While the Lakeview Estates parcels are smaller than 100-AG zoning, all of the parcels are legal lots and according to enclosed letters of support were purchased with this understanding.

### Eminent Domain

A land owner near the proposed CSD has presented a concern to staff that the District through "eminent domain" will have the power to acquire property without consent of the owner. This is true. Similar to cities, counties and many other public agencies, CSDs have the authority, under proper procedures and fair compensation to the owner, to acquire property necessary to fulfill public purposes.

The CSD law at Government Code Section 61060 states:

A district shall have and may exercise all rights and powers, expressed and implied, necessary to carry out the purposes and intent of this division, including, but not limited to, the following powers:

(e) To acquire by eminent domain any real or personal property within or outside the district. If a district acquires real or personal property of a public utility by eminent domain, the district shall also pay for the cost of the removal, reconstruction, or relocation of any structure, railways, mains, pipes, conduits, wires, cables, or poles that must be moved to a new location.

It is not possible to know until a CSD is formed and operating whether it will choose to exercise this authority and if so for what purposes, in what location and at what expense.

### Forming a Community Services District

The process of forming a Community Services District consists of these basic steps:

#### 1. Initiation of proceedings

The formation of a CSD may in be initiated by either a petition of voters or by a resolution of application adopted by an affected local agency.

A voter petition was examined and certified as sufficient. The petition and Certificate of Sufficiency are enclosed. The petition requests various terms and conditions to govern

the formation including the authorized purposes, composition of the board of directors and a proposed special tax to finance the administration of the new agency.

2. Review and Approval by LAFCO

The Commission, after a public hearing to receive testimony, can either approve or deny the formation. Government Code Section 61014 specifies that LAFCO cannot approve the formation of a CSD unless it determines the proposed District will have sufficient revenues to carry out its purposes.

In approving the formation LAFCO may impose terms and conditions including voter authorization of a special tax to finance authorized services.

3. Approval by Voters within the District

If LAFCO approves formation, the Board of Supervisors is required to call a confirmation election and registered voters residing within the proposed CSD are authorized to vote.

Initially this will be a small number since there are only a few homes in the proposed CSD. It is assumed with improved access the number of homes on existing parcels will increase over time thereby expanding the pool of voters eligible to participate in elections and serve on the District Board of Directors

If the required number of votes are cast to approve the CSD, it will come into existence on the "effective date" established by LAFCO. The initial governing board will be chosen in the same election.

ALTERNATIVES FOR COMMISSION CONSIDERATION

After reviewing this report and any testimony or materials that are presented, the Commission can take one of the following actions:

OPTION 1 – APPROVE the proposal as submitted.

- A. Determine the formation to be exempt from CEQA pursuant to CEQA Guidelines section 15378(b)(4).
- B. Adopt this report and approve the formation of the proposed Community Services District subject to the following terms and conditions:

1. The name is Santa Rita Hills Community Services District.
  2. The District shall be governed by a five member Board of Directors elected at large. Terms of office of the District directors shall be four years. Of the first elected board, the terms of the three members with the largest popular votes shall be four years. Of the first elected legislative body, the term of the two members with the smallest popular vote shall be two years. In the case of a tie, the election will be decided by lot.
  3. The District shall have those powers and responsibilities set forth in the enabling acts, which are Chapter 28 (commencing with Section 5896.1) of Part 3 of Division 7 of the Streets and Highways Code and the Municipal Water District Law of 1911, Division 20 (commencing with Section 71000) of the Water Code.
  4. Approval by the voters within the District of a special tax as follows:
    - (a). The maximum annual special tax authorized for the District shall be Three Million Dollars (\$3,000,000) for the fiscal year 2008-2009 and shall increase automatically each fiscal year thereafter by the percentage change in the Consumer Price Index (CPI) for the Los Angeles/Long Beach area for the prior 12 months. .
    - (b). The actual tax to be levied for any fiscal year shall be determined by a majority vote of the board of directors of the District on the basis of the actual revenues estimated to be required by the District to pay its reasonable and necessary expenses for such year.
    - (c). The tax shall be applied equally to each legal lot within the District; the amount of the tax levied shall be the same for each lot.
    - (d). Any significant capital improvements related to infrastructure will be financed by a benefit assessments approved by the landowners within the District.
  4. The effective date shall be the date that the formation is recorded.
- C. Direct the staff to initiate and conduct subsequent proceedings in compliance with the decisions of the Commission.

OPTION 2 – Adopt this proposal and DENY this proposal.

OPTION 3 - CONTINUE this proposal to a future meeting for additional information.

RECOMMENDED ACTION:

Approve OPTION 1.

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BOB BRAITMAN  
Executive Officer  
LOCAL AGENCY FORMATION COMMISSION

Exhibits are listed on the following page.

**PLEASE CONTACT THE LAFCO OFFICE FOR A  
COPY OF THE EXHIBITS**

Exhibit A - Affected Property Owner Letters Supporting Formation of the CSD

|                                      |                 |
|--------------------------------------|-----------------|
| Anna Chen (9/12/07)                  | Parcel 1        |
| Alana Guinn (9/30/07)                | Parcels 4 & 8   |
| Angelo & Nancy Salvucci (10/1/07)    | Parcels 5 & 7   |
| Brett & Pamela Ettinger (10/1/07)    | Parcel 6        |
| Trudy Alexander (9/15/07)            | Parcel 9        |
| Etta Erdman                          | Parcel 11       |
| Ariel & Angela Lavie (10/1/07)       | Parcel 12       |
| Michael Brown                        | Parcel 13       |
| Alan Woodbury                        | Parcel 14       |
| Richard Hansen (9/19/07)             | Parcel 15       |
| Dale Petersen (10/1/07)              | Parcel 16       |
| Brent Harelson                       | Parcel 17       |
| Mario Moreno (9/27/07)               | Parcel 18       |
| Alfredo Martinez                     | Parcel 19       |
| Mr. & Mrs. Ruelas and Martinez       | Parcels 19 & 20 |
| Alfredo Martinez & Maria Ruelas      | Parcel 20       |
| Willis Skoe                          | Parcel 21       |
| Roberto Lua (10/2/07)                | Parcel 22       |
| Russell & Christa Crane (9/24/07)    | Parcel 23       |
| Ted and Gerda Knudson (10/24/07)     | Parcel 24       |
| Thomas and Mary Freeman              | Parcel 29       |
| Arria Basseur (9/17/07)              | Parcel 33       |
| Pierre LaBarge IV (11/19/07)         | Parcel 34       |
| Henry & Brenda Klehn (9/27/07)       | Parcel 35       |
| Jane Horvath (11/20/07)              | Parcel 36       |
| Carol Timiraos (10/4/07)             | Parcel 37       |
| Christopher & Krista Marks (10/1/07) | Parcel 38       |
| Donna Marks (10/2/07)                | Parcel 39       |

Exhibit B - Certificate of Sufficiency for Petition, Petition Initiating the Formation with map

Exhibit C –John McInnes, Director, County Office of Long Range Planning (11/21/07)

Exhibit D - Naomi Kovacs, Citizens Planning Association (11/13/07)

Exhibit E - Board of Supervisors minute order (8/22/88) and related correspondence

Exhibit F - Peter Cargasacchi (11/15/07)

Exhibit G – Kevin Ready (11/19/07 and related correspondence

Exhibit H – José Baer (9/19/07)

Exhibit I – Vicinity map

Exhibit J – Map of proposed District