

**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, April 6, 2023

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](http://www.sblafco.org)

**1:00 P.M. .... Convened to Regular Session****Roll Call**

**Present:** 11 – Commissioner Allen, Commissioner Freeman, Commissioner Geyer, Commissioner Hartmann, Commissioner Kyriaco, Commissioner Nelson, Commissioner Osborne, Commissioner Patino, Commissioner Richardson, Commissioner Stark, and Commissioner Williams

**Pledge of Allegiance****Approval of Minutes of the March 2, 2023 Regular Meeting**

**A motion was made by Commissioner Stark, seconded by Commissioner Geyer to approve the minutes.**

**The motion carried by the following vote:**

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

*\*Commissioner Kyriaco voted in Commissioner Osborne's place until the administering of her Oath of Office.*

**Oath of Office**

**The Oath of Office was administered to newly appointed City member Janelle Osborne, with term ending March 1, 2024.**

**Public Comment Period**

**No requests to speak.**

**Consent Calendar**

- 1) Receive and file a report on Disbursements for February and March, 2023.
- 2) Receive and file the Fiscal Year 2022-2023 Third Quarter report.

**A motion was made by Commissioner Geyer, seconded by Commissioner Williams to receive and file reports on Disbursements for February and March, 2023 and the Fiscal Year 2022-2023 Third Quarter report.**

**The motion carried by the following vote:**

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

- 3) *Continued from February 2, 2023.* Consider application LAFCO File No. 22-07 for Bailey Avenue Sphere of Influence Amendment (APNs 093-070-084, 065 (the Bailey Property) and APNs 093-111-007, -008, -009, -010, -011, & -012 (the Bodger Property), and consider EIR No. 2008081032 and addenda. Proposed Resolution is for denial of the application.

**A motion was made by Commissioner Stark, seconded by Commissioner Hartmann to approve the proposed resolution for denial of the application for File No. 22-07 for Bailey Ave Sphere of Influence Amendment (the Bailey Property & Bodger Property).**

**RESOLUTION NO. 23-06**

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

**The motion carried by the following vote:**

**Ayes:** 6 – Commissioner Freeman, Commissioner Geyer, Commissioner Patino, Commissioner Stark, Commissioner Williams, and Commissioner Hartmann

**Noes:** 1 – Commissioner Osborne

### **Out of Agency Service Agreement**

- 1) Consider recommendations regarding LAFCO application file No. 23-02 for an Out-of-Agency Service Agreement for the City of Santa Maria to provide potable water service to Ray Mutual Water Company located at Betteravia Road between Rayville Lane and A Street, in unincorporated area of Santa Barbara County west of the City of Santa Maria, CA 93456 (Betteravia Road right-of-way, APNs 111-030-005, -006, -007, -008, -009, -011, -012, -013, & 111-040-010), and consider approval of an Agreement that includes the following actions and determinations:
- a) Find that the Commission has considered the Final Mitigated Negative Declaration prepared by the City of Santa Maria as Lead Agency under the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq.,

for the Ray Water Company Consolidation Project SP2021-0008;

- 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 until such time as an annexation is approved by the Commission.

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

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

**RESOLUTION NO. 23-07**

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

**The motion carried by the following vote:**

**Ayes:** 7 – Commissioner Allen, Commissioner Geyer, Commissioner Osborne, Commissioner Patino, Commissioner Stark, Commissioner Nelson, and Commissioner Hartmann

*\*Commissioners Allen and Nelson voted in place of Commissioners Freeman and Williams*

### **Changes of Organization**

- 1) Consider recommendations regarding LAFCO File No. 22-10 for the 3025 & 3035 Lucky Lane Annexation to the Santa Ynez Community Services District. The Commission will consider adoption of a Resolution that will take the following actions:
  - a) Find the project is exempt from the CEQA pursuant to CEQA Guidelines section 15319(b) Annexation of Individual Small Parcels for Facilities Exempt by Section 15303;
  - b) Find that the territory is uninhabited, all affected landowners have given consent to the annexation and the District has consented to waive the conducting authority proceedings;

- 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 Stark seconded by Commissioner Patino that this item be acted on as follows:**

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

**RESOLUTION NO. 23-08**

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

**The motion carried by the following vote:**

**Ayes:** 7 – Commissioner Allen, Commissioner Geyer, Commissioner Osborne, Commissioner Patino, Commissioner Stark, Commissioner Nelson, and Commissioner Hartmann

*\*Commissioners Allen and Nelson voted in place of Commissioners Freeman and Williams*

**Business Items**

- 1) Consider recommendations regarding the Proposed Budget for Fiscal Year (FY) 2023- 2024, as follows:
  - a) Review the Proposed Budget for FY 2023-2024, accept all public testimony and approve the Proposed Budget as presented;
  - b) Direct staff to distribute the approved Proposed Budget to Cities, Special Districts and the County as required by Government Code Section 56381; and
  - c) Schedule a public hearing for May 4, 2023 to consider and adopt the Final Budget.

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

**a) through c) Approved and Directed**

**The motion carried by the following vote:**

**Ayes:** 7 – Commissioner Allen, Commissioner Geyer, Commissioner Osborne, Commissioner Patino, Commissioner Stark, Commissioner Nelson, and Commissioner Hartmann

*\*Commissioners Allen and Nelson voted in place of Commissioners Freeman and Williams*

- 2) Consider a request from the Los Olivos Community Services District to extend the time to successfully conduct a Proposition 218 assessment as required by Condition B (vii) in the Resolution 17-03 approving formation on April 13, 2017.

**A motion was made by Commissioner Stark seconded by Commissioner Patino to extend the time to successfully conduct a Proposition 218 assessment as required by Condition B (vii) in the Resolution 17-03 approving formation on April 13, 2017**

**The motion carried by the following vote:**

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

### **Information Items**

- 1) Receive and file a report on the CALAFCO 2023 current tracked legislation.

**No 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 3:02 p.m. to**

**Regular Meeting on May 4, 2023.**

**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.*

*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](mailto:lafco@sblafco.org).*