

June 6, 2002 (Agenda)

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

**LAFCO 01-11 Countywide Unincorporated Annexation to the
Santa Barbara Coastal Vector Control District**

Dear Members of the Commission:

RECOMMENDATION

It is recommended that the Commission, as the conducting authority, adopt the enclosed resolution ordering the Countywide Unincorporated Annexation to the Santa Barbara Coastal Vector Control District without election.

DISCUSSION

Commission Action be Determined by the Number of Protests Received

The statute provides that not more than 30 days after conclusion of the conducting authority protest hearing, the Commission must make a finding regarding the value of written protests filed and not withdrawn and take one of the following actions.

1. Terminate proceedings if protests are filed by a majority of the registered voters residing in the annexation territory.
2. Order the annexation subject to confirmation by the registered voters residing within the territory if written protests are filed by either of the following:
 - At least 25 percent, but less than 50 percent, of the registered voters residing in the affected territory.
 - At least 25 percent of the number of owners of land who also own at least 25 percent of the assessed value of land within the affected territory.

3. Order the annexation without an election if written protests are filed by fewer than 25 percent of the registered voters or fewer than 25 percent of the number of owners of land owning less than 25 percent of the assessed value of land in the affected territory.

Protests Received vs. Protests Required to Call an Election

The staff has maintained detailed records of all protests that were received. As of the last day that valid protests can be received, we have a total of 1,596 protests. Of these 906 are identified as landowner protests and 633 as registered voter protests or protests that were not specific as to whether they were protesting as a voter or landowner.

The protests received are not sufficient to require or allow a confirmation election to be held.

- The County Elections Office estimates there are 48,767 registered voters residing within the annexation area. It would take 12,192 protests to require a confirmation election.
- Based on 27, 254 landowners (the number of notices we mailed) it would take 6,814 landowner protests to require a confirmation election to be held.

Therefore, even if all 1,596 protests were valid landowner or voter protests the number is far too few to require or permit the Commission to order a confirmation election.

Background

On August 9, 2001 the Santa Barbara Coastal Vector Control District Board of Trustees initiated the Countywide Unincorporated Area Annexation. The District and the County thereafter agreed on a reallocation of property taxes within the annexation area.

The proposed annexation was considered at a noticed public hearing. After considering available information and testimony the Commission on November 4 found the proposal to be exempt from CEQA, approved the annexation and directed the staff to complete the proceedings.

The Commission also serves as the “conducting authority” for the purpose of holding protest hearings, a responsibility the Commission has delegated to its Executive Officer. The results of the protest hearing are submitted to the Commission at a subsequent meeting for approval.

The staff has published, posted and mailed notices of hearing as required by law. The hearing date was February 7. At Andy Caldwell’s request the Commission extended the notice period to March 7, at

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which time the staff was directed to re-notice the hearing and provide additional information to those receiving the notice.

Notices of hearing were sent to all landowners in the annexation area. The staff mailed 27,254 notices (twice) to the list of landowners that was provided by the County Assessor.

Recommendation

For the foregoing reasons it is recommended that the Commission adopt the enclosed resolution ordering the Countywide Unincorporated Annexation to the Santa Barbara Coastal Vector Control District without a confirmation election.

Please contact the LAFCO office if you have any questions.

Sincerely,

BOB BRAITMAN
Executive Officer

cc: Santa Barbara Coastal Vector Control District

CONDUCTING AUTHORITY RESOLUTION NO. 01-11

RESOLUTION OF THE SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION
ORDERING THE COUNTYWIDE UNINCORPORATED AREA
ANNEXATION TO THE SANTA BARBARA COASTAL VECTOR
CONTROL DISTRICT WITHOUT ELECTION

WHEREAS, this resolution is adopted pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act (Section 56000 et seq. of the Government Code); and

WHEREAS, proceedings for the Countywide Unincorporated Area Annexation to Santa Barbara Coastal Vector Control District were initiated by a resolution of application adopted by the District Board of Trustees on August 9, 2001.

WHEREAS, proceedings culminated on November 8, 2001 with the adoption by the Commission of LAFCO Resolution No. 01-11 making determinations and approving the annexation.

WHEREAS, thereafter the Executive Officer acting on delegated authority from the Commission conducted properly noticed public hearings for the purpose of receiving any protests filed against the proposed annexation, and

WHEREAS, it was found, following the hearing, that fewer than 25 percent of the registered voters residing within the annexation area and fewer than 25 percent of the landowners owning land within the annexation area filed written protests against the annexation.

NOW, THEREFORE, BE IT RESOLVED DETERMINED AND ORDERED by the Santa Barbara Local Agency Formation Commission as follows:

(1) There being insufficient protests to terminate the proceedings or to require a confirmation election, the Commission hereby orders the Countywide Unincorporated Area Annexation to the Santa Barbara Coastal Vector Control District as approved by the Commission on November 8, 2001, subject to terms and conditions in the Commission's resolution of approval, and without election.

(2) The Executive Officer is ordered to make the necessary filings to complete the annexation:

This resolution was adopted on June 6, 2002 and is effective on the date signed by the Chair.

AYES:

NOES:

ABSTAINS:

Dated: _____

Chair

Santa Barbara Local Agency Formation Commission