

SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION
MINUTES OF MEETING

September 3, 2009

Board of Supervisors Hearing Room
Santa Barbara, CA

1. Chair Bob Orach called the meeting to order at 2:05 p.m.
2. The Pledge of Allegiance was recited.
3. Present were Commissioners Centeno, Mariscal, Orach, Schlottmann, Wilson and Wolf, voting Alternate Commissioner Armendariz, nonvoting Alternate Commissioners Farr, Fox and Short, Executive Officer Bob Braitman and Legal Counsel Bill Dillon.
4. Upon motion by Mariscal, second by Wolf, the minutes of the July 2, 2009 meeting were approved as submitted.

Ayes: Armendariz, Mariscal, Orach, Schlottmann, Wilson, Wolf

Noes: None

Abstain: Centeno

5. Public Comment Period - There were no comments from the public
6. 09-4 - Expand the Sphere of Influence of the City of Carpinteria and Green Heron Springs Annexation to the City of Carpinteria

09-5 - Expand the Sphere of Influence of the Carpinteria Sanitary District and Green Heron Springs (Ellinwood) Annexation to the Carpinteria Sanitary District

Upon motion by Wolf, second by Armendariz, the Commission continued these items to the October 1 meeting.

Ayes: Armendariz, Centeno, Mariscal, Orach, Schlottmann, Wilson, Wolf

Noes: None

7. Policy Regarding Extending Urban Utility Services to Agricultural Parcels

The Executive Officer presented the ad hoc committee's recommendation to adopt the policy and an addendum to the staff report dated September 3, 2009.

Legal Counsel Bill Dillon submitted a modified version of the recommended policy to provide non substantive wording changes regarding the actions taken by LAFCO.

Testimony was provided by Kamil Azoury representing the Goleta Sanitary District, Craig Murray representing the Carpinteria Sanitary District, Marc Chytilo representing the Naples Coalition and Gaviota Coast Conservancy, Derek Johnson representing the County of Santa Barbara and Christina McGinnis representing the O.P.E.N. Project/ Environmental Defense Center.

Letters were received from John McInnes, County of Santa Barbara (August 27, 2009), Christina McGinnis, Open Space Preservation Education Network (August 27, 2009) and Kamil Azoury, Goleta Sanitary District (August 28, 2009).

After due consideration, Commissioner Wolf moved, and Commissioner Armendariz seconded denial of the staff recommendation. The motion failed with the following vote:

Ayes: Wilson, Wolf
Noes: Armendariz, Centeno, Mariscal, Orach, Schlottmann

Commissioner Armendariz moved, and Commissioner Wolf seconded continuing this matter to the October 1 meeting. The motion failed with the following vote:

Ayes: Armendariz, Wolf
Noes: Centeno, Mariscal, Orach, Schlottmann, Wilson

Upon motion by Commissioner Mariscal, second by Commissioner Schlottmann the Commission adopted the proposed policy to read as follows:

It is the policy of the Commission to protect and preserve agriculture by avoiding the extension of potable water or wastewater services (sewers) to agriculturally zoned land because this fosters uses other than agriculture.

Any LAFCO approval of a change of organization or out of agency service agreement that allows the extension of potable water or wastewater services to a parcel zoned for agricultural use will only be approved, if at all, if the approval is limited to that portion of the parcel that includes an approved use that needs potable water or wastewater services provided the use does not compromise agricultural viability.

This policy shall not be construed as indicating the Commission will approve proposals that lead to non-agricultural uses on agricultural parcels but rather indicates that should such approval be granted it is to be restricted to the specific area in which an approved land use requiring potable water or wastewater services is to occur.

The motion was adopted and staff was directed to file a Notice of Exemption with the following vote:

Ayes: Centeno, Mariscal, Orach, Schlottmann
Noes: Armendariz, Wilson, Wolf

8. Extension of staffing contract with Braitman & Associates

The Commission received the ad hoc committee report. After removing the words “on payroll” in the title of Paragraph 5, upon motion by Schlottmann, second by Centeno, the Commission approved the staff services contract as presented.

Ayes: Armendariz, Centeno, Mariscal, Orach, Schlottmann, Wilson, Wolf
Noes: None

9. After due consideration, upon motion by Wolf, second by Mariscal, the Commission ratified the operating expenses for July and August 2009.

Ayes: Armendariz, Centeno, Mariscal, Orach, Schlottmann, Wilson, Wolf
Noes: None

10. Informational Items

The Commission received and filed the Executive Officer report on correspondence to Giovanni Cargasacchi regarding Lakeview Estates.

11. Commissioner or Staff announcements.

The Executive Officer noted a letter of appreciation was received from the County Public Works Department for allowing the use of the LAFCO office on Fridays for the Summer Youth Program.

Chair Orach directed the Executive Officer to prepare an appropriate resolution for the October 1 meeting to recognize contributions of deceased Commissioner Dick DeWees and encouraged members of the Commission to provide any ideas for the resolution.

12. The Commission recessed to closed session at 3:25 and resumed in open session at 3:32. Legal Counsel reported that in closed session a motion was made by Commissioner Centeno, second by Mariscal, and carried to appeal the trial court attorneys fee award.

Ayes: Armendariz, Centeno, Mariscal, Orach, Schlottmann, Wilson, Wolf
Noes: None

13. The meeting was adjourned in memory of Commissioner Dick DeWees at 3:35 PM.

Final Minutes Approved by the Commission
on October 1, 2009

By _____
Martin Mariscal, Vice Chair