

April 4, 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 receive and file this report.

DISCUSSION

On February 7 the Commission directed staff to re-notice the protest hearing for this annexation, provide additional information to the public and extend the protest period.

The staff is in the process of renoticing the public hearing and extending the time for landowners and voters to submit protests against the annexation.

On March 14 the Board of Trustees of the Vector Control District adopted the enclosed resolution that responds to concerns raised by the Taxpayers Association and others regarding the District imposing assessments on properties within annexation area with due process.

Please contact the LAFCO office if you have any questions.

Sincerely,

BOB BRAITMAN
Executive Officer

TRANSCRIPTION OF ORIGINAL DOCUMENT

Resolution 02-01

A Resolution of the Board of Trustees of the Santa Barbara Coastal Vector Control District Making a Determination and Establishing Procedures Regarding the Levy of Assessments in Pending and Future Annexations

Whereas, on August 09, 2001, the Board of Trustees of the Santa Barbara Coastal Vector Control District herein known as the "District" filed an application of annexation with the Santa Barbara Local Agency Formation Commission herein referred to as "LAFCO" requesting the annexation of the entire unincorporated territory not already in the District, and;

Whereas, on September 18, 2001, the Santa Barbara County Board of Supervisors consented to the annexation of unincorporated territory to the District and approved a property tax exchange agreement to partially fund vector control services in the proposed annexation area, and;

Whereas, on November 8, 2001, LAFCO approved the annexation request, its terms and conditions, and subsequently, as required by law, mailed approximately 27,600 notices to landowners in the proposed annexation area informing them of the annexation and their right to protest the annexation in writing, and;

Whereas, approximately 600 (2%) written annexation protests resulting from the mailing have been officially received by LAFCO to date, the preponderance of which were from property owners residing in the northern portions of Santa Barbara County, and;

Whereas, after reviewing personal editorials in local newspapers, receiving public testimony from the Santa Barbara County Taxpayer Association, the Coalition of Labor, Agriculture and Business, private citizens concerning the compliance with Proposition 218, the recommendation of District legal counsel, and the District Manager's report, the District Board of Trustees has weighed all the facts, heard the testimony, and;

Whereas, the Board of Trustees has the authority to exercise its powers pursuant to California State Health and Safety Code Sec. 2200 et. seq. to make a determination to levy future benefit assessments as a part of pending and future annexations, and;

Now, therefore, be it resolved, the Board of Trustees does hereby declare that the following be adopted and approved:

1. Any District assessments as part of any pending or future annexations shall be consistent with the requirements of Proposition 218 unless future adjudication, direction on the matter from the courts, or other significant finding proves otherwise.
2. The District Manager or his designee shall be authorized to make factual presentations to community groups, homeowner associations, public and private agencies, and other groups on the services that the District provides.
3. The District Manager or his designee shall be delegated the task of evaluating, compiling data, and determining future assessment areas, zones and service levels as well as type of election, either parcel owner or registered voter, all of which shall be presented before the District Board of Trustees for approval.

Passed and approved at a regular meeting of the Trustees on the 14th day of March, 2002 but the following vote:

Ayes: ALLEN, HURD, MAC GILLVRAY, RAJALA, RUTTEN, VAN WINGERDEN

Nays:

Abstains:

Abent: WINANT

/S/ Walter Hurd for

President of the Board of Trustees
Santa Barbara Coastal Vector Control District