

**Santa Barbara  
Local Agency Formation Commission**

**Santa Barbara**



*Commissioner Roger Aceves  
Commissioner Craig Geyer  
Commissioner Joan Hartmann, Alternate  
Commissioner Judith Ishkanian, Alternate  
Commissioner Steve Lavagnino, Vice-Chair  
Commissioner Jim Richardson  
Commissioner, David Seymour, Alternate  
Commissioner Shane Stark, Alternate  
Commissioner Etta Waterfield, Alternate  
Commissioner Roger Welt, Chair  
Commissioner Janet Wolf*

**Minutes**

Thursday, December 6, 2018  
1:30 PM

**BOARD OF SUPERVISORS HEARING ROOM  
JOSEPH CENTENO BETTERAVIA GOVERNMENT CENTER  
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 Aceves, Commissioner Geyer, Commissioner Hartmann, Commissioner Ishkanian, Commissioner Lavagnino, Commissioner Seymour, Commissioner Stark, Commissioner Richardson, Commissioner Waterfield, Commissioner Welt, and Commissioner Wolf

**Pledge of Allegiance****Approval of Minutes of the October 11, 2018 Regular Meeting**

**A motion was made by Commissioner Geyer, seconded by Commissioner Richardson to approve the Minutes.**

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

**Ayes:** 6 – Commissioner Aceves, Commissioner Geyer, Commissioner Ishkanian, Commissioner Lavagnino, Commissioner Richardson, and Commissioner Wolf

**Abstain:** 1 - Commissioner Welt

**Presented Certificates of Appreciation to County Commissioner Janet Wolf, City Commissioner Jim Richardson, Special District Commissioner Judith Ishkanian, and Alternate Special District Commissioner David Seymour**

**Public Comment Period**

**No requests to speak.**

**Consent Calendar**

- 1) Receive and file a report on Disbursements for September, October, and November 2018.
- 2) Receive and file the 2018-2019 First Quarter report.

- 3) Approve the 2019 Santa Barbara LAFCO regular schedule of meeting dates and locations.

**A motion was made by Commissioner Wolf, seconded by Commissioner Geyer to approve the consent calendar.**

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

**Ayes:** 7 – Commissioner Aceves, Commissioner Geyer, Commissioner Ishkanian, Commissioner Lavagnino, Commissioner Richardson, Commissioner Welt, and Commissioner Wolf

### **Business Items**

- 1) Consider review of the Commission’s Agriculture and Open Space Policies and provide direction to staff.

**A motion was made by Commissioner Geyer, seconded by Commissioner Lavagnino to form an ad-hoc subcommittee that will work with staff and counsel to review the LAFCO Commission’s Agriculture and Open Space Policies.**

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

**Ayes:** 7 – Commissioner Aceves, Commissioner Geyer, Commissioner Ishkanian, Commissioner Lavagnino, Commissioner Richardson, Commissioner Welt, and Commissioner Wolf

**A motion was made by Commissioner Wolf, seconded by Commissioner Geyer to appoint Commissioner Hartmann to the ad hoc.**

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

**Ayes:** 6 – Commissioner Aceves, Commissioner Geyer, Commissioner Lavagnino, Commissioner Richardson, Commissioner Welt, and Commissioner Wolf

**Abstain:** 1 - Commissioner Ishkanian

**A motion was made by Commissioner Richardson, seconded by Commissioner Lavagnino to appoint Commissioner Waterfield to the ad hoc.**

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

**Ayes:** 6 – Commissioner Aceves, Commissioner Geyer, Commissioner Lavagnino, Commissioner Richardson, Commissioner Welt, and Commissioner Wolf

**Abstain:** 1 - Commissioner Ishkanian

**A motion was made by Commissioner Aceves, seconded by Commissioner Geyer to appoint Commissioner Aceves to the ad hoc.**

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

**Ayes:** 5 – Commissioner Aceves, Commissioner Geyer, Commissioner Lavagnino, Commissioner Richardson, Commissioner Welt

**Abstain:** 2 - Commissioner Ishkanian, and Commissioner Wolf

- 2) Consider an addition to the Commissioner Handbook for new rule 3.5 of California’s Rules of Professional Conduct for Lawyers: *Recommended Local Rule(s) for Communications with Members of the Commission Acting in an Adjudicative Capacity; and Recommended Local Rule against Gifts beyond the Limits of California’s Political Reform Act*, as follows:
- a) Adopting as local rules for communications with members of the Commission in the Santa Barbara LAFCO Commissioner Handbook, pursuant to new Rule 3.5 of California’s Rules of Professional Conduct for lawyers which became effective on November 1, 2018, that:
    - i) The Commission’s Legal Counsel, as the advisor to the Commission, may continue to provide confidential attorney-client legal advice on the merits of adjudicative matters to members of the Commission;
    - ii) All lawyers may continue to communicate with members of the Commission on the merits of adjudicative matters and those communications will be subject to *ex parte* disclosure by the member; and
    - iii) Any gifts from lawyers to members of the Commissions and/or to LAFCO employees, shall be regulated by the Political Reform Act, Government Code § 81000 *et seq*; and

- b) Find that the proposed actions are not a “project” under California Environmental Quality Act Guidelines § 15378(b)(5) in that they are organizational or administrative activities of the government that will not result in direct or indirect physical changes to the environment.

**A motion was made by Commissioner Richardson, seconded by Commissioner Geyer to approve as amended.**

**Recommendation a) ii) to read, as follows:**

**ii) All lawyers may continue to communicate with members of the Commission on the merits of adjudicative matters and those communications will be subject to ex parte disclosure by the member when ex-parte disclosures are required;**

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

**Ayes:** 7 – Commissioner Aceves, Commissioner Geyer, Commissioner Ishkanian, Commissioner Lavagnino, Commissioner Richardson, Commissioner Welt, and Commissioner Wolf

- 3) Consider a time extension request for the Los Olivos CSD to implement a Proposition 218 assessment to fund wastewater treatment facilities for the area, including California Environmental Quality Act (CEQA) and other planning analysis, assessment study and necessary election – Recommend a one-year extension from the effective date of formation.

**A motion was made by Commissioner Lavagnino, seconded by Commissioner Geyer to approve. Directed staff to return in the summer of 2019 with a Status Report.**

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

**Ayes:** 7 – Commissioner Aceves, Commissioner Geyer, Commissioner Ishkanian, Commissioner Lavagnino, Commissioner Richardson, Commissioner Welt, and Commissioner Wolf

### **Information Items**

- 1) Receive and file a report on the 2019 CALAFCO Calendar of Events.

**No action taken.**

- 2) Receive and file a report on the 2018-2019 CALAFCO Legislative Matters.

**No action taken.**

- 3) Review pending Commissioner Elections and Appointments.

**No action taken.**

### **Commissioner and Staff Announcements**

- 1) Commissioner announcements and requests for future agenda items.

**No action taken.**

- 2) Executive Officer's comments.

**No action taken.**

**Adjourned at 2:50 PM**

**Adjourned to**

**Thursday, January 3, 2019**

**County Administration Building**  
**Board of Supervisors Hearing Room, Fourth Floor**  
**105 East Anapamu Street, 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 for public inspection during normal business hours in the Santa Barbara County Clerk to the Board's Office, Fourth Floor, 105 East Anapamu Street, Santa Barbara. Such documents will also be available on the Commission website, [www.sblafco.org](http://www.sblafco.org), subject to the ability to post the documents prior to the meeting.*

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*Remote Participation. Members of the public and Commissioners may participate in person or by using the remote video testimony system located at the County Administration Building, Board Hearing Room, Fourth Floor, 105 East Anapamu Street, in Santa Barbara or at the Betteravia Government Center, Board of Supervisors' Conference Room, 511 East Lakeside Parkway, Santa Maria. Persons may address the Commission on any matter listed on the agenda by completing and delivering to the Clerk a speaker slip before the item is considered. Matters not listed on the agenda may be addressed during the public comment period at the conclusion of the administrative agenda. Further information on agenda items can be obtained in the Clerk of the Board Office, Room 407, in the County Administration Building in Santa Barbara.*