

Lenzi, Chelsea

From: Peter Cargasacchi <petercargasacchi@gmail.com>
Sent: Monday, November 13, 2017 4:46 PM
To: Adam, Peter
Cc: Nelson, Bob; sbcob; Lavagnino, Steve; Wolf, Janet; Hartmann, Joan; Williams, Das
Subject: Santa Rita Hills CSD - Agenda Item A-13
Attachments: A-13.Nov.14.2017.docx

Re: BoS Administrative Agenda Item A-13, Nov. 13, 2017

November 14, 2017--County of Santa Barbara Board of Supervisors Agenda.

To the Clerk of the Board and Santa Barbara County Board of Supervisors,

I would like to request that the matter on the Board of Supervisors administrative agenda for November 14, 2017, Item A-13, "**recommendations regarding Santa Rita Hills Community Services District Director Appointments**" be removed from the administrating agenda. This matter should be the subject of due process and a public hearing. It should be moved to a public hearing at a future date, with notice to all affected parties.

1. The Board of Supervisors does not have jurisdiction to appoint officials that are required to be elected, except under circumstances which do not exist here. The proposed action is a violation of California Government and Elections Codes. The Board of Supervisors is not authorized to call for an election.

The jurisdiction of Government Code 1780 under which the matter was brought to the Board of Supervisors is only for the purpose of filling the balance of an unexpired term.

Government Code 1780 (a) Notwithstanding any other provision of law, a vacancy in any elective office on the governing board of a special district, other than those specified in Section 1781, shall be filled as provided in this section.... "The person elected to fill the vacancy shall fill the balance of the unexpired term."

2. There are bad faith representations regarding property ownership by the County of Santa Barbara that is affecting and motivating eminent domain machinations, directly underlying the proposed unlawful revival of the CSD. The voiced raison d'etre is that the CSD needs to form a Bridge and Highway District with eminent domain powers to build a public road. This is reflected in CSD documents purporting to establish the value of the alleged County interest in prospective eminent domain proceedings, and in County of Santa Barbara documents. And proposed by County officials.
3. The change of roadway standards between private road construction vs a public road under the Bridge and Highway district, that the CSD has clearly voiced as its reason for continued existence and its intent

to pursue across the Cargasacchi ranch. This stated purpose for continuing the CSD will indirectly create physical changes in the environment, per CEQA guidelines.

4. The County of Santa Barbara has a conflict of interest. The subject matter of the proposed access road for the CSD, has been alleged to be a County owned right of way. Despite the County Board of Supervisors having previously established "that no public access exists." The subject matter of the CSD access road is a presently existing (fabricated) controversy that the County of Santa Barbara has created in bad faith. Including the apparent unlawful concealment of information by County Counsel.

By not complying with public records request and failing to provide the 2013 County surveyors letter to the Cargasacchis, while circulating the incorrect surveyors letter to LAFCO board members, County Counsel and the CSD mischaracterized the underlying circumstances of the right of way and deceptively maligned the factual basis of the Cargasacchi concerns to LAFCO.

5. The claim of residency for voter registration by the prospective CSD directors is a de facto CEQA violation. Recognition of the proposed candidacy of the tendered directors as having residency is a CEQA violation on its face because of County zoning restrictions. The CEQA violation is red flagged by the fact that the CSD area is in a County of Santa Barbara Special Problems Area, consisting of undeveloped agricultural parcels without approved residences. Is the County complicit?
6. Proposed directors are unfit. The proposed directors have significant, established conflicts of interest with other owners and are participants in ongoing real property disputes. Proposed directors have taken adversarial positions to other owners regarding easement right of ways within the CSD boundaries.
7. County of Santa Barbara employee and department head, Dr. Angelo Salvucci was a primary proponent of the CSD creation. In apparent violation of the Brown act, Dr. Salvucci seems to have been directing the CSD Board in its activities, including into its final days of legal existence?
8. The CSD board lacked authority long before the last director resigned. Dale Petersen and other directors were not validly and legally authorized CSD directors as they did not have residences in the CSD. CSD directors represented in public documents that they were residing in locations other than the CSD. This was brought to the attention of the County of Santa Barbara and the County for some reason(?) chose not to uphold its legal obligations and enforce the law. Raising the question of Dr. Salvucci's position within the County Government amongst his colleagues in oversight of these matters?

Item A-13 on the November 14, 2017 administrative agenda should be calendared for a future public hearing before the Board of Supervisors. Because of the extensive problems, conflicts of interest and disputed law and facts, a duly noticed public meeting is required.

Thank you for your help.

Peter Cargasacchi

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