

Memorandum of Understanding

Between
County of Santa Barbara
and the
City of Carpinteria

THIS AGREEMENT (Agreement) is made and entered into by and between the County of Santa Barbara, a political subdivision of the State of California (herein referred to as the COUNTY) and the City of Carpinteria, a municipal corporation (herein referred to as the CITY) wherein CITY agrees to transfer a credit of fifteen housing units, or fifty percent of the total number of housing units proposed to be developed as part of the Green Heron Spring (Ellinwood) Reorganization, LAFCO Proposal No. 09-4, to the COUNTY in return for the COUNTY's agreement to approve the Green Heron Spring (Ellinwood) Reorganization.

WHEREAS, the COUNTY has a stated policy adopted by the Board of Supervisors on July 17, 2007 to include the negotiation of housing units as part of the tax exchange agreement required for annexations; and,

WHEREAS, Assembly Bill 1019, chaptered on July 30, 2007 authorizes a similar mutually acceptable agreement on a revised determination of regional housing needs if an annexation of unincorporated land to a city occurs after the council of governments, or the department for areas with no council of governments, has made its final allocation.

WHEREAS, the City of Carpinteria (CITY) and the County of Santa Barbara (COUNTY) have negotiated and reached a mutually acceptable agreement for an exchange of property tax revenue for the proposed reorganization which is commonly referred to as the Green Heron Spring (Ellinwood) Reorganization, and,

WHEREAS, the COUNTY and the CITY have negotiated and reached a mutually acceptable agreement for the transfer of housing credit for the proposed reorganization which is commonly referred to as the Green Heron Spring (Ellinwood) Reorganization.

NOW, THEREFORE, IT IS AGREED in consideration of the mutual covenants and conditions contained herein:

1. CITY shall transfer credit of fifteen housing units, , or fifty percent of the total housing units proposed to be developed as part of the Green Heron Spring (Ellinwood) Reorganization, to the COUNTY.
2. COUNTY shall allocate the credit of fifteen housing units, toward the COUNTY's overall Regional Housing Needs Allocation (RHNA) for the planning period during which the project was approved.
3. COUNTY shall agree not to object to the annexation under the terms intended to be imposed by the Local Agency Formation Agency (LAFCO), and other good and valuable consideration, the receipt of which is hereby acknowledged.

IN WITNESS WHEREOF, the Parties have executed this Agreement to be effective on the date it is fully executed.

COUNTY:
County of Santa Barbra, a Political
Subdivision of the State of California

CITY:
City of Carpinteria, a Municipal Corporation

JOSEPH CENTENO
CHAIR, BOARD OF SUPERVISORS

GREGG CARTY
MAYOR, CITY OF CARPINTERIA

BY: _____
DATE: _____

BY: _____
DATE: _____

ATTEST:

ATTEST:

MICHAEL F. BROWN
CLERK OF THE BOARD

JAYNE DIAZ
CITY CLERK

BY: _____
DATE: _____

BY: _____
DATE: _____

APPROVED AS TO FORM:
DENNIS MARSHALL
COUNTY COUNSEL

APPROVED AS TO FORM:

By: _____
Kevin Ready, Deputy County Counsel

CITY ATTORNEY

BY: _____

DATE: _____

DATE: _____

APPROVED AS TO FORM:
ROBERT W, GEIS, CPA
AUDITOR-CONTROLLER

APPROVED AS TO FORM:
JOHN THORNBERRY
ADMINISTRATIVE SERVICES
DIRECTOR

BY: _____
DATE: _____

BY: _____
DATE: _____