

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA**

**IN THE MATTER OF CALLING,
PROVIDING FOR AND
GIVING NOTICE OF A MAILED
BALLOT ELECTION ON
FEBRUARY 28, 2017 FOR THE
PURPOSES OF DETERMINING
WHETHER THE LAFCO ORDER
APPROVING THE FORMATION OF THE
CUYAMA BASIN WATER DISTRICT
SHALL BE CONFIRMED AND
AND ELECTING THE INITIAL
BOARD OF DIRECTORS OF THE
DISTRICT**

RESOLUTION NO. _____

WHEREAS, the Santa Barbara Local Agency Formation Commission (Commission) approved Resolution 16-28 to form the Cuyama Basin Water District pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act (Section 56000 et. seq. of the Cal. Government Code); and

WHEREAS, on September 1, 2016, the Commission determined and ordered that the District, if formed, shall be initially composed of a five-member elected Board of Directors, each of whom must be a holder of title to land within the district, the legal representative of a holder of title to land within the district or a representative designated by a holder of title to land within the district, if the holder has filed with the district written evidence of that designation; and

WHEREAS, the Commission determined that the District, if formed, shall have the powers and responsibilities set forth in Cal. Water Code Section 35401, namely to acquire, plan, construct, maintain, improve, operate, and keep in repair the necessary works for the production, storage, transmission, and distribution of water for irrigation, domestic, industrial and municipal purposes, and any drainage or reclamation works connected therewith or incidental thereto; and

WHEREAS, the Commission determined that the District, if formed, would cease to exist if the Proposition 218 Proceeding is not conducted and an assessment to fund the District is

Resolution Calling and Giving Notice
of an Election to Form the Cuyama Basin
Water District

not approved by April 30, 2017, or the Commission otherwise extends such deadline, or other arrangements are made for funding the District; and

WHEREAS, the Commission determined that the District, if formed, would cease to exist if it does not perform the functions for which it was established, namely, participating in the Groundwater Sustainability Agency (GSA), with the County Water Agency, and the Counties of San Luis Obispo, Ventura and Kern, and possibly, the Cuyama Community Services District; and

WHEREAS, the Commission, on October 6, 2016, approved Supplemental Resolution 16-29 that determines and orders the ballot measure question, the method of voting pursuant to Water Code Section 35003 and the candidate statement pursuant to Elections Code Section 13307; and

WHEREAS, the Commission's Executive Officer has submitted a request for the Board of Supervisors to call and give notice of an election for the formation of the District; and

WHEREAS, when the Board of Supervisors is informed that a determination has been made that requires a confirmation election, the Board of Supervisors is required pursuant to Govt. Code Section 57000(e) to direct the elections official to conduct the necessary election; and

WHEREAS, pursuant to Cal. Govt. Code Section 57126, special elections called within a landowner-voter district shall be governed by the general elections provisions of the principal act, so far as they may be applicable, and they may be conducted wholly by mailed ballot; and

WHEREAS, the elections official has authorized a special election by mailed ballot to be held on February 28, 2016;

NOW, THEREFORE, BE IT ORDERED AND RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA BARBARA that:

1. The Board of Supervisors hereby calls, provides for, proclaims and gives notice of a special election by all-mail ballots on February 28, 2017 within the boundaries of the proposed District for the purposes of determining whether or not it shall be formed and electing persons to fill the offices of the Board of Directors of the proposed District if it is formed. The area and boundaries of the proposed District are

Resolution Calling and Giving Notice
of an Election to Form the Cuyama Basin
Water District

described in Exhibit A. The name of the proposed District is the Cuyama Basin Water District.

2. The Board of Supervisors hereby directs County elections officials to conduct the necessary elections on behalf of the proposed District and place the items on the ballot including District approval and candidates for the District's board at an election by mail on February 28, 2017, and to take any other action necessary to call, provide for, and give notice of the special election and to provide for the conduct and the canvass of returns of the election, as determined by the Commission.
3. The Board of Supervisors directs the Elections Official to publish notice of the election as specified by Water Code Section 34402.
4. The Board of Supervisors directs that the full text of this Resolution shall not appear in the Voters' Sample Ballot. The election shall present the following question:

FORMATION OF THE CUYAMA BASIN WATER DISTRICT

Shall the order adopted on September 1, 2016, by the Local Agency Formation Commission of Santa Barbara County ordering the formation of a district in the territory described, known as the Cuyama Basin Water District, be approved, subject to the terms and conditions specified in LAFCO Resolution 16-28?

Yes _____ No _____

5. The District shall initially have a five-member elected Board of Directors, and the five Director seats shall be up for election as part of the February 28, 2017 election.
6. Pursuant to Cal. Water Code Section 34700, each director shall be one of the following:
 - (a) A holder of title to land within the district.
 - (b) The legal representative of a holder of title to land within the district in accordance with Section 34030.
 - (c) A representative designated by a holder of title to land within the district, if the holder has filed with the district written evidence of that designation.
7. The term of office of the initial Board of Directors is as described in Cal. Elections Code Section 10505(a).

Resolution Calling and Giving Notice
of an Election to Form the Cuyama Basin
Water District

8. Pursuant to Cal. Water Code Section 34403, the Board hereby prescribes the procedure for nominating candidates for the offices to be filled at that election:

A Declaration of Candidacy for director of the Cuyama Basin Water District shall be obtained at the office of the County of Santa Barbara elections official during the period of November 7, 2016 through December 2, 2016.

Declarations of Candidacy shall be filed not later than 5 p.m. on December 2, 2016 or may be filed by certified mail so that the forms reach the office of the County elections official no later than the deadline for filing in that office.

Declarations of Candidacy may be obtained at:
Santa Barbara County Elections
4440-A Calle Real, Santa Barbara, CA 93110
Monday – Friday, 8:00 a.m. to 5:00 p.m., except holidays

And by appointment only at:
Santa Maria Branch Office
511 E. Lakeside Parkway, Ste. 134, Santa Maria, CA 93455

Appointments can be made online at www.candidatefiling.acuityscheduling.com
If returning the Declaration of Candidacy by mail, mail to:
Santa Barbara County Elections
PO BOX 61510
Santa Barbara, CA 93160-1510

Or by express delivery service to:
Santa Barbara County Elections, 4440-A Calle Real, Santa Barbara, CA 93110
Landowners of the proposed district may complete a Letter of Authorization to allow another individual to pick-up and/or file his/her Declaration of Candidacy. In the case where the Declaration of Candidacy is not filed in person by the candidate, the Declaration of Candidacy must be notarized.

The form to be used for the Letter of Authorization will be available on the election official website www.sbcvote.com beginning November 7, 2016.

Resolution Calling and Giving Notice
of an Election to Form the Cuyama Basin
Water District

9. The Board hereby orders that the election called by this order shall be a mailed ballot election as provided for in the Cortese-Knox-Hertzberg Local Government Reorganization Act and the Elections Code, as applicable.
10. Pursuant to Elections Code Section 13307, each candidate may prepare a candidate's statement on a form provided by the elections official. The statement may include the name, age, and occupation of the candidate and brief description of no more than 200 words of the candidate's education and qualifications expressed by the candidate himself or herself. The statement shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement shall be filed in the office of the elections official at the time the candidate's nomination papers are filed and the statement may be withdrawn, but not changed, until 5:00 p.m. of the next working day after the close of the nomination period. The candidate shall be required to pay for the estimated cost of printing the candidate's statement in English in the voter pamphlet to be mailed to the landowners of the proposed District. Pursuant to the Federal Voting Rights Act, candidates' statements will be translated into Spanish. The County will mail separate sample ballots and voter pamphlets in Spanish to only those voters who are registered as requesting that language. The County will make the voter pamphlets in the required languages available at polling places, on the election official's website, and in the election official's office.
11. Pursuant to Cal. Water Code Section 34500, if a majority of all the votes cast favor the formation of the District, the territory shall be formed as a district.
12. The Board of Supervisors finds that these actions are not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15378(b)(4) and 15378(b)(5), because they consist of the creation of governmental funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment, or they consist of organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

Resolution Calling and Giving Notice
of an Election to Form the Cuyama Basin
Water District

13. The County Clerk is hereby authorized, instructed, and directed to provide and furnish any and all official ballots, notices, printed matter, and all supplies, equipment, and paraphernalia that may be necessary in order to properly and lawfully conduct the election.
14. The County Clerk is further directed to take the necessary and appropriate actions to provide the necessary election officers, polling places, and voting precincts.
15. The deadline for receiving ballots shall be as prescribed by Cal. Elections Code Section 4103 and other applicable law. The polls for said election shall be open during the hours required by law and said election, with respect to the foregoing ballot measure, shall be held and conducted as provided by law.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California this First day of November, 2016 by the following vote:

AYES:

NOES:

ABSTAIN:

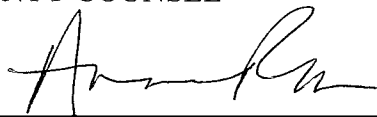
ABSENT:

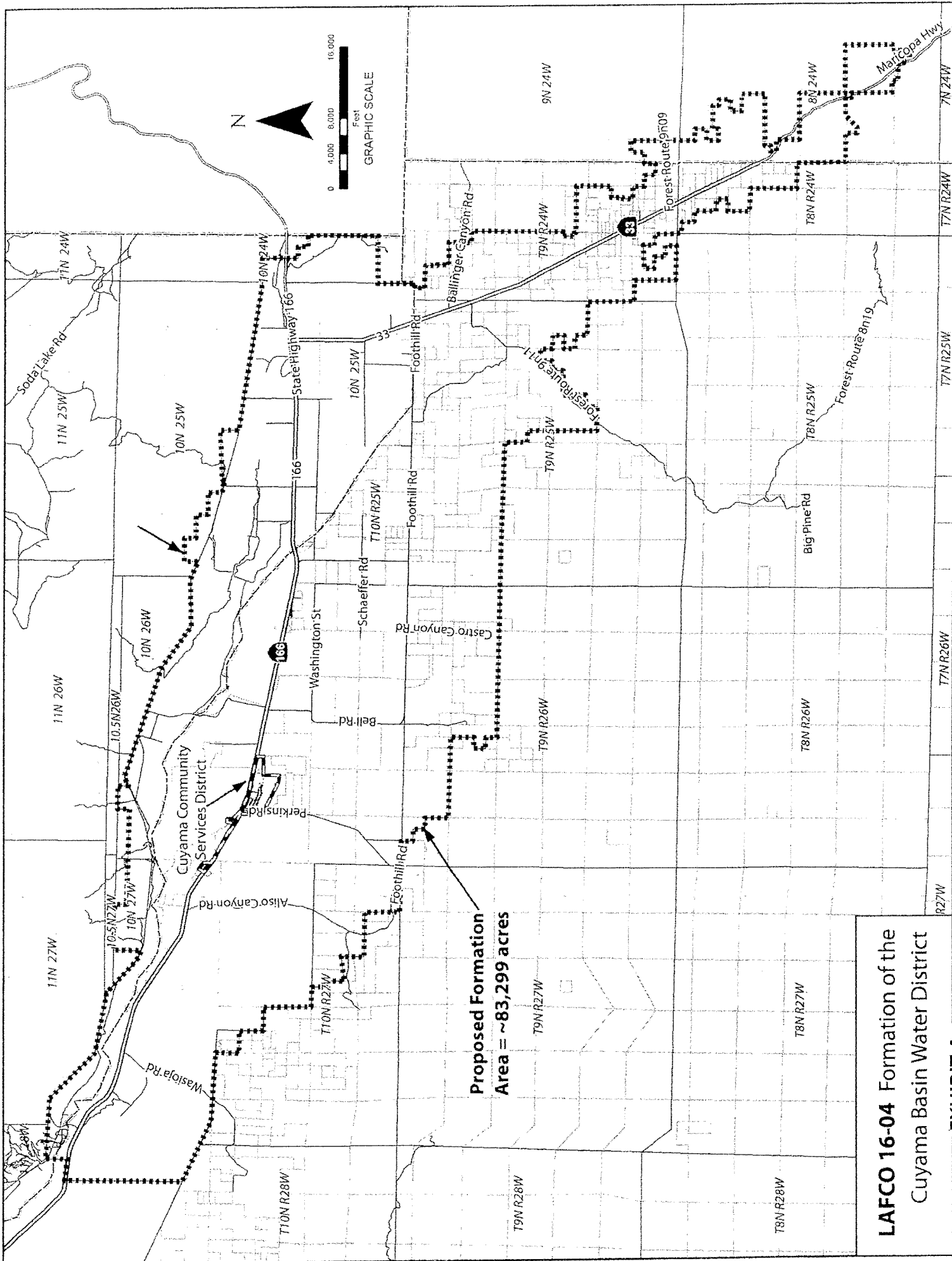
Chair, Board of Supervisors
County of Santa Barbara

ATTEST:
MONA MIYASATO
CLERK OF THE BOARD

APPROVED AS TO FORM:
MICHAEL C. GHIZZONI
COUNTY COUNSEL

By _____
Deputy

By 
Deputy County Counsel



**Proposed Formation
Area = ~83,299 acres**

**LAFCO 16-04 Formation of the
Cuyama Basin Water District**