

RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA BARBARA

RESOLUTION NO. _____

CONSIDERATION TO ALTER THE ORCUTT COMMUNITY FACILITIES DISTRICT NO. 2002-1 TO
DETACH RICE RANCH "LOT F"

WHEREAS, the Board of Supervisors (the "Board of Supervisors") of the County of Santa Barbara (the "County") has formed Orcutt Community Facilities District No. 2002-1 (the "Community Facilities District"), under and pursuant to the Mello-Roos Community Facilities Act of 1982 (the "Act"); and,

WHEREAS, the Community Facilities District, which includes the unincorporated area of northwestern Santa Barbara County that is generally located South of Clark Avenue and between State Highway 135 and U.S. Highway 101, was formed on October 8, 2002 as a special financing entity to pay for the cost of providing certain County services (fire and sheriff protection services, maintenance of parks, parkways and open space, and flood and storm protection services) to the Orcutt area through the annual levying of a special tax rate on developed and graded property located within the boundaries of the Community Facilities District; and,

WHEREAS, the Board of Supervisors, as the legislative body of the Community Facilities District, is authorized under the Act to determine that the public convenience and necessity require any changes to alter the types of public facilities or services to be financed by the district, to levy a new special tax or special taxes, or to alter the rate or method of apportionment of the special tax; and,

WHEREAS, there is a twenty acre parcel on APN 101-380-004 known as "Lot F," ("Property") which is Lot F of Tract 14,636, Section 23, Township 9 North, Range 34 West, San Bernardino Base and meridian, County of Santa Barbara, State of California, according to Tract Map of Tract 14,636 recorded September 29, 2005 in Book 200 of Maps, Page 93-99 of Santa Barbara County, State of California, and which is located within the boundaries of the Orcutt Community Facilities District No. 2002-1; and,

WHEREAS, Section 1.2 of the Rice Ranch Specific Plan and Condition 1M of the Conditions of Approval for Tract Map 14,636 anticipated that the Property would ultimately be reconveyed by the current owner to the prior owner of the Property. Such reconveyance could only be completed once the Property was created as a separate legal parcel in accordance with the provisions of the California Subdivision Map Act. At the time of recordation of the Notice of the Special Tax Lien, the Property was not yet a separate legal parcel and therefore could not be excluded from the legal description of the property encumbered by the lien of the special tax described in the Notice of Special Tax Lien. Once the Property was legally created, it would no longer be subject to the lien of the special tax described in the Notice of Special Tax Lien;

WHEREAS, now that the Property is a separate legal parcel, it wishes to detach from the boundaries and requirements of the Community Facilities District; and,

WHEREAS, the Property is considered open space and not subject to an annual tax levy; and,

WHEREAS, the proposed detachment of the Property would change the boundaries of the Community Facilities District, but would neither change the public facilities and services provided by the Community Facilities District nor the rate and method of apportionment of the existing special tax; and,

WHEREAS, a special election is required in which the registered voters within the Community Facilities District must approve the detachment of the Property by a two-thirds majority;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Santa Barbara as follows:

1. The Board of Supervisors hereby finds and determines that public convenience and necessity require that Property known as "Lot F" detached from the Community Facilities District.
2. The alteration of the Community Facilities District is its boundary. The services financed and the special tax levy remains unchanged.
3. The Board of Supervisors hereby fixes January 23, 2007 at 9:00 a.m., or as soon thereafter as the Board of Supervisors may reach the matter, at County Board of Supervisors Hearing Room at the County Administration Building, 4th Floor at 105 East Anapamu Street, Santa Barbara, California as the time and place when and where the Board of Supervisors will conduct a public hearing on the proposed detachment of Property from the Community Facilities District.
4. The detachment of said Property shall be subject to two-thirds approval of the qualified electors of the Community Facilities District at a special election. The proposed voting procedure shall be by mailed postcard ballots among the registered voters within the Community Facilities District, with each voter having one vote.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 19th day of December, 2006, by the following votes:

AYES:
NOES:
ABSENT:
ABSTAIN:

Joni Gray, Chair, Board of Supervisors
County of Santa Barbara

ATTEST:
CLERK OF THE BOARD
MICHAEL J. BROWN

By _____
Deputy Clerk

APPROVED AS TO FORM:
STEPHEN S. STARK
COUNTY COUNSEL

APPROVED AS TO FORM:
ROBERT W. GEIS
AUDITOR-CONTROLLER

By _____
Deputy Counsel

By _____
Deputy