

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

**RESOLUTION CALLING AN ELECTION
AND PROVIDING NOTICE OF
ELECTION FOR THE PURPOSES OF
DETERMINING WHETHER THE ISLA
VISTA COMMUNITY SERVICES
DISTRICT SHALL BE FORMED, AND
WHETHER A UTILITY USER TAX TO
BE IMPOSED BY THE DISTRICT AT
THE RATE OF 8% SHALL BE
APPROVED, AND CONSOLIDATING
THE ELECTION WITH THE
NOVEMBER 8, 2016 GENERAL
ELECTION, AND DIRECTING COUNTY
OFFICIALS TO CONDUCT THE
NECESSARY ELECTIONS ON BEHALF
OF THE PROPOSED DISTRICT AND
PLACE THE ITEMS ON THE BALLOT**

RESOLUTION NO.

WHEREAS, the proposed formation of the Isla Vista Community Services District (“District”) was initiated by Assembly Bill 3 signed into law on October 7, 2015; and

WHEREAS, pursuant to Government Code Section 61250(c), the Santa Barbara Local Agency Formation Commission (“LAFCO”) on April 7, 2016, adopted a resolution ordering the formation of the District subject to a majority vote of the registered voters residing within the boundaries of the proposed District; and

WHEREAS, on April 7, 2016, LAFCO also adopted a resolution setting the utility user tax rate for the proposed District; and

WHEREAS, pursuant to Government Code Section 61250(c)(4), LAFCO shall direct the Santa Barbara County Board of Supervisors to direct County officials to conduct the necessary elections on behalf of the proposed District and place the items on the ballot including District approval, candidates for the District’s board, and the utility user tax pursuant to Government Code Section 61250(c)(2)(A) at the next countywide election, as provided in Government Code Section 61014(f).

WHEREAS, Government Code Section 61014(f) states that if LAFCO orders the formation of a district, LAFCO shall direct the Board of Supervisors in the affected county to direct county officials to conduct the necessary elections on behalf of the proposed district; and

WHEREAS, Government Code Section 61250(f) states that the proposed District boundaries shall be contiguous with the area known as County Service Area No. 31 within the

County of Santa Barbara and shall exclude any property owned by the Regents of the University of California within those boundaries;

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

1. The Board of Supervisors of the County of Santa Barbara, State of California, hereby directs County officials to conduct the necessary elections on behalf of the proposed District and place the items on the ballot including District approval, candidates for the District’s board, and the utility user tax pursuant to Government Code Section 61250(c)(2)(A) at the November 8, 2016 election.

2. The Board of Supervisors hereby calls and gives notice of an election for November 8, 2016 for the purpose of submitting to the registered voters residing within the boundaries of the proposed District the items described above, and the Board of Supervisors requests and orders that this election be consolidated with the general election to be held on that date.

3. The Board of Supervisors acknowledges that the consolidated election will be held and conducted in the manner prescribed in Elections Code Section 10418.

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 separate questions to the registered voters within the proposed District:

FORMATION OF THE ISLA VISTA COMMUNITY SERVICES DISTRICT.

Shall the formation of the Isla Vista Community Services District pursuant to Government Code Section 61250 with a provisional appropriations limit of \$640,000 be approved?

Yes ___
No ___

UTILITY USER TAX. If the Isla Vista Community Services District is formed, shall a utility user tax to be imposed by the District on the utilities of gas, water, electricity, sewage, and/or garbage disposal services at the rate of 8% of the total cost of an individual’s service charge for the utility being taxed be approved?

Yes ___
No ___

5. Pursuant to Government Code Section 61250(e), the election on November 8, 2016 shall include an election for five members of the District’s board of directors elected at large from within the District as follows:

- (i) For the first election of the board of directors of the District, two members shall be elected for a term of two years and two members shall be elected for a term of four years.
- (ii) One member shall be elected for a term of two years.

6. Pursuant to Government Code Section 61250(e)(2)(B), the qualification of candidates for the initial board of directors shall be conducted pursuant to the Uniform District Election Law (Part 4 (commencing with Section 10500) of the Elections Code).

7. 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 County will incur the cost for the printing of the candidates' statements in the voter pamphlets provided to registered voters 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.

8. The proposed utility user tax is a special tax that, if approved, may be used by the District for the specific purposes allowed by Government Code Section 61250. The proceeds of the utility user tax shall be applied only to such purposes.

9. It is currently anticipated by the County that the utility user tax, if approved, would be collected on the applicable utility bills; however, it is anticipated that the District may establish further collection procedures. The proceeds of the utility user tax shall be deposited into an account created for such proceeds.

10. If the utility user tax is approved, the District shall file an annual report pursuant to Government Code Section 50075.3.

11. Pursuant to Government Code Section 61250(c), if a majority of voters within the boundaries of the District vote in favor of the District, the District shall be formed.

12. The utility user tax measure passes if it is approved by a two-thirds vote in accordance with Section 2 of Article XIII C of the California Constitution.

13. 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.

14. 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.

15. The County Clerk is further directed to take the necessary and appropriate actions to provide the necessary election officers, polling places, and voting precincts.

16. 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 for the holding of general elections.

17. Notice of time and place of holding said election, together with any other notices required by law, shall be given by the County Clerk.

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

AYES:
NOES:
ABSENT:
ABSTAIN:

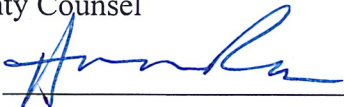
ATTEST:
Mona Miyasato
Clerk of the Board

Peter Adam, Chair
Board of Supervisors

BY: _____

APPROVED AS TO FORM:
Michael Ghizzoni
County Counsel

APPROVED AS TO ACCOUNTING FORM:
Theodore A. Fallati, CPA
Auditor-Controller

BY:  _____

BY:  _____