

# ATTACHMENT 2

**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 SPECIAL  
MAILED BALLOT ELECTION  
ON JANUARY 30, 2018 FOR THE  
PURPOSES OF DETERMINING  
WHETHER THE LAFCO ORDER  
APPROVING THE FORMATION OF THE  
LOS OLIVOS COMMUNITY SERVICES  
DISTRICT AND A SPECIAL TAX  
SHALL BE APPROVED AND  
ELECTING THE INITIAL BOARD  
OF DIRECTORS OF THE DISTRICT  
AND DIRECTING COUNTY ELECTIONS  
OFFICIALS TO CONDUCT THE  
NECESSARY ELECTIONS ON BEHALF  
OF THE PROPOSED DISTRICT**

RESOLUTION NO. \_\_\_\_\_

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**WHEREAS**, the Santa Barbara Local Agency Formation Commission (Commission) approved Resolution 17-03 to form the Los Olivos Community Services District pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act (Section 56000 et. seq. of the Cal. Government Code); and

**WHEREAS**, on April 13, 2017, the Commission determined and ordered that the District, if formed, shall be initially composed of a five-member elected Board of Directors, elected at large; and

**WHEREAS**, the Commission determined that the District, if formed, shall have those powers and responsibilities set forth in the Community Services District Law, Government Code Section 61100(b) to:

Collect, treat, or dispose of sewage, wastewater, recycled water, and storm water, in the same manner as a sanitary district, formed pursuant to the Sanitary District Act of 1923, Division 6 (commencing with Section 6400) of the Health and Safety Code. In the case of any conflict between that division and this division, the provisions of this division shall prevail. All other powers of Community Services Districts shall be considered latent and will require LAFCO approval to become active; and

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**WHEREAS**, the Commission determined that the District, if formed, shall implement a Proposition 218 assessment within one year of the effective date as necessary to fund the wastewater treatment facilities for the area, including CEQA and other planning analysis, assessment study and necessary election. The Commission may otherwise extend such deadline, or approve other arrangements for funding such construction; and

**WHEREAS**, the Commission determined that the District, if approved by a 2/3 vote of voters voting in the election on the issue, shall levy a special tax as follows:

- a) The maximum annual special tax authorized for the District shall be Two Hundred Thousand (\$200,000) and shall increase automatically each fiscal year thereafter by the percentage change in the Consumer Price Index (CPI) for the Los Angeles/Long Beach area for the prior 12 months.
- b) The actual tax to be levied for any fiscal year shall be determined by a majority vote of the board of directors of the District on the basis of the actual revenues estimated to be required by the District to pay its reasonable and necessary expenses for such year.
- c) The tax shall be applied equally to each legal lot within the District, except that unimproved property may be taxed at a lower rate than improved property; and
- d) The District's authority to levy the tax shall terminate once the District successfully adopts an assessment pursuant to Article XIII D Section 6 of the California Constitution (Proposition 218) to generate revenue sufficient to fund its administrative costs through charges other than the tax.

**WHEREAS**, the Commission determined that should the new Board of Directors levy any of the "Proceeds of Taxes" described above, it will establish an Appropriations Limit. The "provisional appropriations limit of the district" should be set at \$250,000. This assumes the maximum special tax levy of \$200,000, plus a 25% buffer. Pursuant to sub-section (c), the permanent appropriations limit of the district shall be set at the first district election that is held following the first full year of operation.

**WHEREAS**, the Commission, on September 7, 2017, approved Resolution 17-05, which among other things, approved the ballot measure question and directed the Board of Supervisors to direct County Election Officials to conduct the necessary elections on behalf of the proposed Los Olivos Community Services District; and

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**WHEREAS**, the Commission resolved that:

- a) The purpose of the special tax shall be to fund the reasonable and necessary expenses of the proposed District and such proceeds shall be applied only to such purpose.
- b) The ballot question for the formation of the district and the special tax shall be approved by a two-thirds vote of the voters voting in the election on the issue. Pursuant to Government Code section 61014(c), if the voters do not approve the special tax, the proposed district shall not be formed.
- c) The method of tax collection shall be the regular county assessment roll.
- d) The tax proceeds shall be deposited into a special account and the District shall prepare an annual report pursuant to Government Code Section 50075.3.

**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**, the elections official has authorized a special election by mailed ballot to be held on January 30, 2018;

**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 January 30, 2018 within the boundaries of the proposed District for the purposes of determining whether or not it shall be formed and the special tax imposed 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 described in Exhibit A. The name of the proposed District is the Los Olivos Community Services 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

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including District formation and special tax approval and candidates for the District's board at an election by mail on January 30, 2018, 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 that the full text of this Resolution shall not appear in the Voters' Sample Ballot. The election shall present the following question as specified by the Commission:

MEASURE X2018

LOS OLIVOS COMMUNITY SERVICES DISTRICT FORMATION

Shall the order adopted on April 13, 2017 by the Santa Barbara County Local Agency Formation Commission ordering the formation a community services district in the unincorporated territory known as Los Olivos be approved subject to such terms and conditions, including authorization of an annual special tax not to exceed \$200,000 which shall increase automatically each fiscal year thereafter by the percentage change in the Consumer Price Index, all as more particularly described and set forth in the order?

YES \_\_\_\_\_ NO \_\_\_\_\_

4. The District shall be governed by a five-member Board of Directors elected at large. Terms of office of the District directors shall be as set forth in the Community Services District Law, Government Code section 61000 et seq. and the five Director seats shall be up for election as part of the January 30, 2018 election.

5. The term of office of the initial Board of Directors is as described in Cal. Elections Code Section 10505(b).

6. 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 Los Olivos Community Services District shall be obtained at the office of the County of Santa Barbara elections official during the period of October 9, 2017 through November 3, 2017.

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Declarations of Candidacy shall be filed not later than 5 p.m. on November 3, 2017 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 Bárbara, CA 93110

Monday – Friday, 8:30 a.m. to 4:00 p.m., except holidays

Appointments can be made online at [www.candidatefiling.acuityscheduling.com](http://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

Registered voters 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](http://www.sbcvote.com) beginning October 9, 2017.

7. 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.

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8. 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 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.

9. The formation of the district and imposition of a special tax shall be approved if two-thirds of the voters voting in the election on the measure vote "yes" in support of the formation and imposition of the tax.

10. 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.

11. The County elections official is hereby authorized, instructed, and directed to provide and furnish any and all official ballots, notices, printed matter, and all supplies,

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equipment, and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

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

13. 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 Third day of October, 2017 by the following vote:

AYES:

NOES:

ABSTAIN:

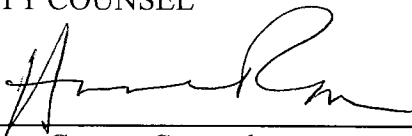
ABSENT:

\_\_\_\_\_  
Chair, Board of Supervisors  
County of Santa Barbara

ATTEST:  
MONA MIYASATO  
CLERK OF THE BOARD

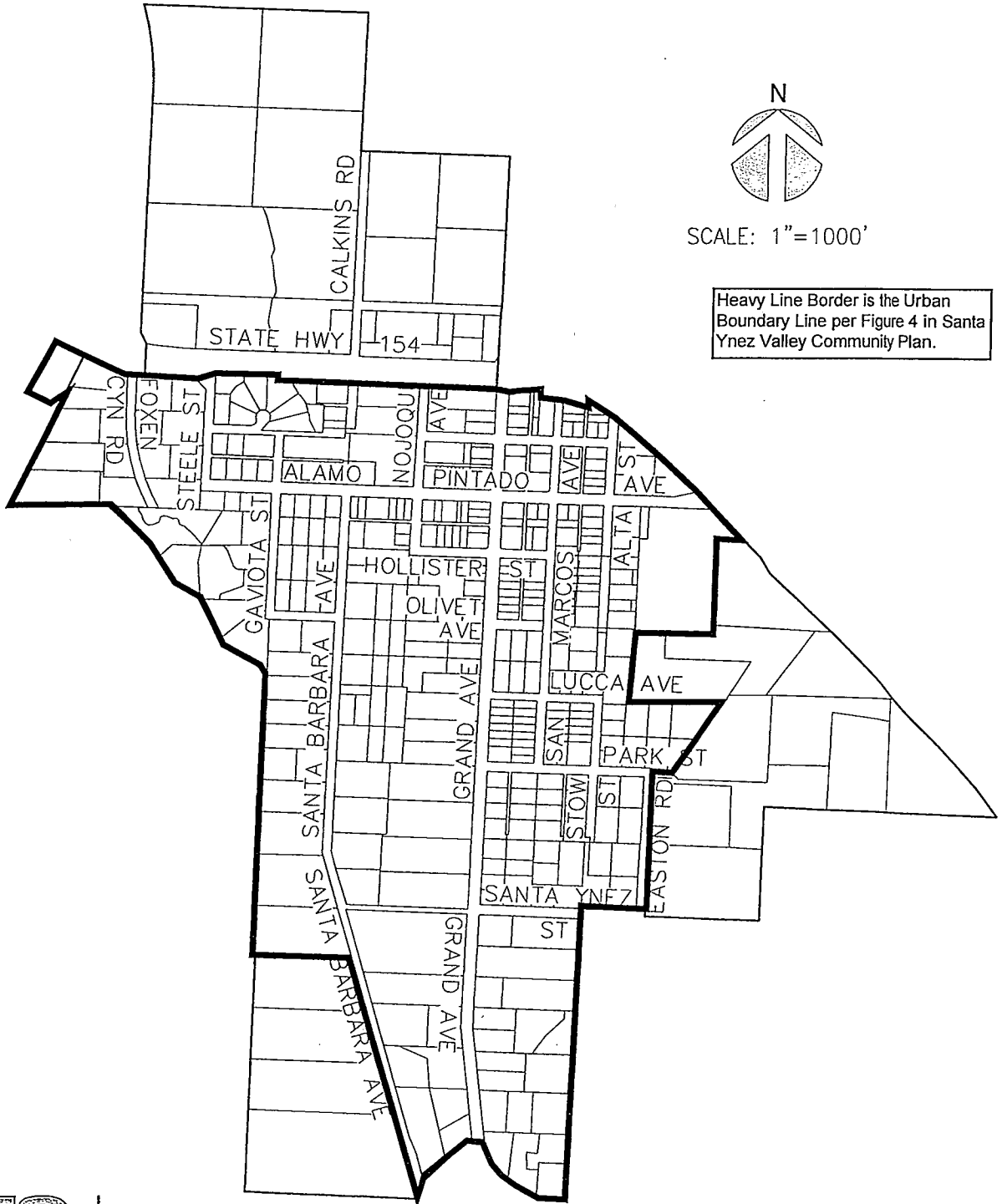
APPROVED AS TO FORM:  
MICHAEL C. GHIZZONI  
COUNTY COUNSEL

By \_\_\_\_\_  
Deputy

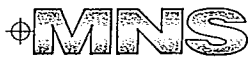
By  \_\_\_\_\_  
Deputy County Counsel



# Proposed Formation of the Los Olivos Community Services District



Heavy Line Border is the Urban Boundary Line per Figure 4 in Santa Ynez Valley Community Plan.



201 N. Calle Cesar Chavez, Ste 300  
Santa Barbara, CA 93103  
805.692.6921 Phone

ENGINEERING  
PLANNING  
SURVEYING  
CONSTRUCTION MANAGEMENT

LOCS.D.160586.00 \* ANX MAP.dwg \* 11/16/2016 \* RCS \* E-FILE

Prepared April 11, 2017  
Number of Assessor's Parcels = 390  
Total Area within Formation Boundary = 302 Acres