

LAFCO RESOLUTION NO. 16-28

RESOLUTION OF THE SANTA BARBARA LOCAL AGENCY FORMATION
COMMISSION MAKING DETERMINATIONS AND APPROVING THE FORMATION OF
THE CUYAMA BASIN WATER DISTRICT AND ESTABLISHING
A COTERMINOUS SPHERE OF INFLUENCE

WHEREAS, the above-referenced proposal has been filed with the Executive Officer of the Santa Barbara Local Agency Formation Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act (Section 56000 et seq. of the Government Code); and

WHEREAS, at the times and in the manner required by law the Executive Officer has given notice of the Commission's consideration of the proposal; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony related to the proposal including, but not limited to, the Executive Officer's report and recommendation, the environmental document or determination, existing Spheres of Influence and applicable General and Specific Plans; and

WHEREAS, the Local Agency Formation Commission finds the proposal to be in the best interests of the affected area and the total organization of local governmental agencies within Santa Barbara County.

NOW, THEREFORE, BE IT RESOLVED DETERMINED AND ORDERED by the Local Agency Formation Commission of Santa Barbara County as follows:

1. Find that the formation is Categorically Exempt based on the creation of a District for the purpose of creating a funding mechanism is exempt from CEQA pursuant to CEQA Guidelines Section 15378(b)(4), or alternatively CEQA Guidelines Section 15061 (b)(3),
2. Approve the proposal, known as the Formation of the Cuyama Basin Water District, subject to the following terms and conditions:
 - a. The name of the district shall be the Cuyama Basin Water District.
 - b. The District 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.

- c. The District shall have those powers and responsibilities set forth in California 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.
- d. The District, if formed, would cease to exist if the Proposition 218 Proceeding is not conducted and an assessment to fund the District is not approved by April 30, 2017, or Santa Barbara LAFCO otherwise extends such deadline, or other arrangements are made for funding the District.
- e. The District, if formed, would cease to exist if it does not perform the functions for which it was established, namely, participating in a 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.
- f. Should the new Board of Directors levy any of the "Proceeds of Taxes," described above, it will establish an Appropriations Limit.

The effective date shall be the date that the formation is recorded.

This resolution was adopted on September 1, 2016, and is effective on the date signed by the Chair.

Santa Barbara LAFCO
LAFCO Application 16-04

AYES: Commissioner Aceves, Geyer, Moorhouse, Orach, Stark, Wolf

NOES: Commissioner Farr

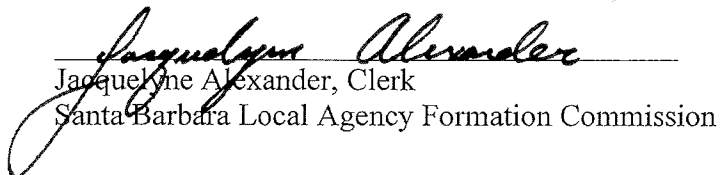
ABSTAINS:

Dated: 9/1/16



Chair
Santa Barbara Local Agency
Formation Commission

ATTEST



Jacquelyne Alexander, Clerk
Santa Barbara Local Agency Formation Commission

BALLOT MEASURE – 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?

**IMPARTIAL ANALYSIS FOR MEASURE XXX
FORMATION OF THE CUYAMA BASIN WATER DISTRICT**

This measure was placed on the ballot by the Board of Supervisors pursuant to a determination by the Local Agency Formation Commission (“LAFCO”) under Government Code section 57000(e) that the creation of the Cuyama Basin Water District (“District”) requires a landowner voter election. This ballot measure is to determine if the landowner voters in the proposed District will authorize formation. Each person owning land within the proposed District shall be entitled to cast one vote for each acre owned by the voter within the district, provided that if the voter owns less than one acre then the voter shall be entitled to one vote and any fraction shall be rounded to the nearest full acre. A “YES” vote by the majority of such votes means that the District shall be formed. A “NO” vote is a vote against formation.

The proposed District is comprised of 83,095.69 acres including portions of Santa Barbara, San Luis Obispo, and Ventura Counties, as depicted in Exhibit A. The proposed District would not include the area within the Cuyama Community Services District. Formation of the District was initiated by a petition signed by the holders of title to a majority of land within the proposed boundaries. The formation is more fully described in the Commission’s resolution making determinations and setting forth the terms and conditions, which is available at the Santa Barbara LAFCO office at 105 E. Anapamu St., Santa Barbara, CA. or online here: www.sblafco.org

The proposed District would be a California Water District with the powers set forth in Water Code section 34000 et. seq. and would be eligible under the Sustainable Groundwater Management Act, Water Code section 10720 et.seq. to enter into an agreement with the counties of Santa Barbara, San Luis Obispo, Ventura, and Kern in order to form a Groundwater Sustainability Agency (“GSA”) for the Cuyama ground water basin. To form a GSA, the counties may act through their special districts, such as the Santa Barbara County Water Agency or the Ventura County Flood Control District. The Cuyama Community Services District may also be a member of the GSA.

The District board 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.

The District, if formed, would cease to exist if an assessment to fund the District is not approved by eligible landowners pursuant to a Proposition 218 proceeding by May 4, 2017, or later date approved by LAFCO otherwise extends such deadline, or other arrangements are made for funding the District.

The District, if formed, shall cease to exist if it does not enter into an agreement pursuant to the Sustainable Groundwater Management Act, for the formation of a GSA for the Cuyama groundwater basin by December 31, 2017 or later date approved by the State pursuant to the Act.

by/Paul Hood, Executive Officer
Santa Barbara LAFCO

LAFCO RESOLUTION NO. 16-29

SUPPLEMENTAL RESOLUTION OF THE
SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION
MAKING DETERMINATIONS REGARDING
THE FORMATION OF THE CUYAMA BASIN WATER DISTRICT

WHEREAS, on September 1, 2016, the Santa Barbara Local Agency Formation Commission adopted Resolution No. 16-28 approving the formation of the Cuyama Basin Water District pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act (Section 56000 et seq. of the Government Code); and

WHEREAS, the Commission wishes make additional findings and determinations related to the approval of the District regarding the conducting authority proceeding and required landowner voter confirmation election.

NOW, THEREFORE, BE IT RESOLVED DETERMINED AND ORDERED by the Local Agency Formation Commission of Santa Barbara County as follows:

1. For the landowner voter confirmation election, the question to be submitted to the voters shall be as follows:

BALLOT MEASURE – 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.

2. The ballot measure is to determine if the landowner voters in the proposed District will authorize formation. Pursuant to Water Code section 35003, each person owning land within the proposed District shall be entitled to cast one vote for each acre owned by the voter within the district, provided that if the voter owns less than one acre then the voter shall be entitled to one vote and any fraction shall be rounded to the nearest full acre. A “YES” vote by the majority of such votes means that the District shall be formed. A “NO” vote is a vote against formation.

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3. Pursuant to Elections Code Section 13307, each candidate for the District Board 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 the party affiliation of the candidate, nor membership or activity in partisan political organizations. A charge shall be levied by the elections official against the candidates for the candidates' statement sent to each voter.


PASSED AND ADOPTED this 6th day of October, 2016, by the following vote:

AYES: Commissioner Aceves, Farr, Moorhouse, Orach, Welt, Wolf and Geyer

NOES:

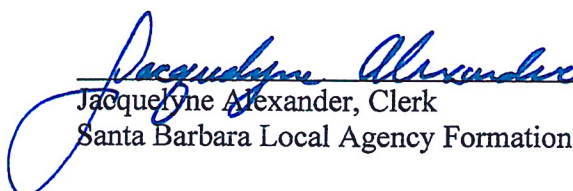
ABSTAINS:

Dated: 10/06/16



Chair
Santa Barbara Local Agency
Formation Commission

ATTEST



Jacquelyne Alexander, Clerk
Santa Barbara Local Agency Formation Commission