



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: County Executive Office
Department No.: 012
For Agenda Of: September 14, 2021
Placement: Departmental
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Director(s) Mona Miyasato, County Executive Officer
Contact Info: Jacquelyne Alexander, Chief Deputy Clerk of the Board

SUBJECT: Appointment to the Isla Vista Community Services District Board of Directors

County Counsel Concurrence

As to form: Yes

Other Concurrence: N/A

As to form: N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

Consider recommendations regarding an appointment to the Isla Vista Community Services District (IVCSD) Board of Directors, as follows:

- a) Make the finding that this appointment will serve the best interests of Santa Barbara County and IVCSD, waive the requirements of Government Code section 24001 and appoint one Director to the Board of the IVCSD from the list of qualified candidates below to the remainder of an unexpired four-year term ending February 28, 2023:
 - i.) Carrie Topliffe;
 - ii.) Granger Brenneman; or
 - iii.) Any other qualified candidate that submits an application on or before September 10, 2021, or that presents themselves at the hearing on September 14, 2021; and

- b) Determine that the appointment of the Director to the Board of Directors of the IVCSD does not constitute a project subject to environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(5), as the actions are organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

Summary Text:

On January 24, 2017, the Board received a presentation on the next steps following voter approval of the formation of the Isla Vista Community Services District (IVCSD). As noted that day, the Board of Supervisors was authorized to appoint one person to the IVCSD Board of Directors to an initial two-year term following creation of the district. After the initial term for the Board appointed Director, the term of office for the appointee is four years. The Board of Supervisors appointment may be made of a registered voter residing within the district or a registered voter residing outside of the district with findings.

On February 28, 2017, the Board appointed Robert Geis to the Board of Directors for the IVCSD to a two-year term ending February 28, 2019. On January 29, 2019, the Board reappointed Robert Geis to the Board of Directors for the IVCSD to a four-year term ending February 28, 2023. On July 6, 2021, the Clerk of the Board received a notice of resignation from Director Robert Geis, effective July 14, 2021 (**Attachment A**). This appointment is to fill the remainder of the four-year term held by Director Geis, ending February 28, 2023.

The Clerk of the Board posted a Special Vacancy Notice on July 19, 2021. In compliance with Section 54974 of the Government Code, this appointment can be made on August 2, 2021 or thereafter. Applications were received through end of the day September 3, 2021. Clerk of the Board received two applications (**Attachments B & C**). The Board has the option to appoint an applicant that submits an application on or before September 10, 2021 or another qualified candidate that presents themselves at the Board hearing on September 14, 2021 which includes finding that the best interests of the county or district will be served and waive the requirements of Government Code Section 24001 for an appointed county or district office.

Background:

Formation of the Isla Vista Community Services District

Following the adoption of Assembly Bill (AB) 3 by the state legislature and signature by Governor Brown on October 7, 2015, the Board of Supervisors took action on July 12, 2016 to place a measure on the November 2016 ballot allowing voters to consider formation of a Community Services District in Isla Vista (later, Measure E) and a separate ballot measure allowing voters to establish a Utility User Tax (UUT) to fund services provided by the District (later, Measure F).

Measures E and F were on the November 8, 2016 General Election Ballot in Santa Barbara County. Measure E to form the Isla Vista Community Services District (IV CSD) was approved by a majority of voters. Measure F regarding a proposed 8% UUT on gas, water, electricity, sewage and garbage disposal bills was not approved by 2/3's of the voters. Two years later, on June 5, 2018 the community approved Measure R with over 82% of the vote, establishing a utility-user tax to empower the IVCSD with its own source of revenue - now raising about \$940,000/year for local services.

According to the LAFCO resolution, the official formation date of IVCS D was March 1, 2017. Five district residents were elected to initial two and four-year terms to establish a staggered pattern of elections in future election cycles.

Authorization of the Board to Appoint District Director

Establishment of IVCS D is authorized under Government Code section 61250. According to the code section, the Board of Directors includes one member appointed by the Board of Supervisors of the County of Santa Barbara for a term of two years for the first appointment following creation of the district, and for a term of four years thereafter. One member is to be appointed by the Chancellor of the University of California, Santa Barbara, for a term of four years.

AB 3 itself does not state a requirement that the member appointed by the Board of Supervisors be a resident of the district. Government Code Section 24001 states that a person is not eligible to a county or district office, unless he or she is a registered voter of the county or district in which the duties of the office are to be exercised at the time that nomination papers are issued to the person or at the time of the appointment of the person. That section also says that the Board of Supervisors may, if it finds that the best interests of the county or district will be served, waive the requirements of Government Code Section 24001 for an appointed county or district office. If the Board wishes to appoint someone who is not a registered voter of the district, staff recommends that your board comply with the finding and waiver provisions of that section.

Functions of the Isla Vista Community Services District

When LAFCO ordered formation of IVCS D subject to voter approval, LAFCO specified that IVCS D may within its boundaries have powers and responsibilities as follows: finance the operations of municipal advisory councils formed pursuant to Government Code Section 31010; create a tenant mediation program; finance the operations of area planning commissions formed pursuant to Section 65101; exercise the powers of a parking district, in the same manner as a parking district formed pursuant to the Parking District Law of 1951 (Part 4 (commencing with Section 35100) of Division 18 of the Streets and Highways Code); contract with the County of Santa Barbara or the Regents of the University of California, or both, for additional police protection services already provided by either the County or the Regents within the area of the district; acquire, construct, improve, maintain, and operate community facilities, including, but not limited to, community centers, libraries, theaters, museums, cultural facilities, and child care facilities; acquire, construct, improve and maintain sidewalks, lighting, gutters, and trees to supplement the level of service already provided by either the County of Santa Barbara or County Service Area 31 (the district shall not acquire, construct, improve, or maintain any work owned by another public agency unless that other public agency gives its written consent;) abate graffiti; and levy a utility user tax following approval by voters. It is also worth noting that other sections of Government Code (e.g. 61000-61070) cover the internal operations of CSDs.

More information regarding the Isla Vista Community Services District can be found on their website, as follows:

<https://islavistacsd.ca.gov/>

Performance Measure:

N/A

Fiscal and Facilities Impacts:

Budgeted: Yes

Special Instructions:

Please send a copy of the minute order to the Isla Vista Community Services District, as follows:
Attn: Spencer Brandt spencer.brandt@islavistacsd.com

Attachments:

Attachment A - Director Robert Geis Notice of Resignation
Attachment B - Application of Carrie Topliffe
Attachment C - Application of Granger Brenneman

Authored by:

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CC:

Joe Holland
Renee Bischof