

SANTA BARBARA COUNTY BOARD AGENDA LETTER



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

Agenda Number:
Prepared on: 6/14/05
Department Name: County Executive
Department No.: 012
Agenda Date: 6/28/05
Placement: Administrative
Estimate Time: 15 minutes on 7/12/05
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: Michael F. Brown
County Executive Officer

STAFF CONTACT: Jason Stilwell
Project Manager, 568-3413

SUBJECT: Orcutt Community Facilities District - Fourth Supervisorial District

Recommendation(s):

That the Board of Supervisors set hearing on July 12, 2005 (15 minutes) to:

- A. Receive report on the status of Orcutt Community Facilities District and summary of expenditures for fiscal year 2004-2005;
- B. Receive Summary of Proposed Fiscal Year 2005-06 Tax Levy to incorporate an inflation increase;
- C. Adopt Resolution Levying Special Taxes within County of Santa Barbara Community Facilities District No. 2002-1 (Orcutt Community Plan).

Alignment with Board Strategic Plan:

The recommendations are primarily aligned with Goal No. 4: A Community that is Economically Vital and Sustainable.

Executive Summary and Discussion:

The purpose of the hearing will be to receive a presentation on status of the Orcutt Community Facilities District, receive a summary of the proposed Fiscal Year 2005-06 Tax Levy, and to adopt Resolution Levying Special Taxes within the District.

This item is being placed on the Board's July 12, 2005 agenda to allow the Board and public an adequate time to consider these issues before the August 10, 2004 tax levy filing deadline with the Auditor-Controller.

On October 8, 2002 a Community Facilities District (CFD) was formed within the Orcutt Planning Area, located immediately south of the City of Santa Maria. A CFD is a special financing entity through which a local government is empowered to levy special taxes and/or issue bonds authorized by a two-thirds vote of the qualified electors of such district. The special taxes may be used to finance infrastructure construction as well as certain public operations and maintenance services. The Orcutt CFD authorizes funds to be used for fire and sheriff protection services, maintenance of parks, parkways and open space, and flood and storm protection services.

Specifically, on October 8, 2002, the Board took the following action:

- A. Accepted the Community Facilities District (CFD) Modifications Impact report which modifies the Rate and Method of Apportionment adopted on July 9, 2002, and accepted the CFD Report describing public services by type that would be required to adequately meet the needs of the CFD;
- B. Adopted resolution 02-352 modifying Resolution of Intention and approving Amended and Restated Rate and Method of Apportionment;
- C. Adopted Resolution 02-353 for Formation of the CFD, Authorizing the Levy of a Special Tax Within the District and Establishing an Appropriations Limit for the District;
- D. Adopted Resolution 02-354 Calling Special Election for the CFD, and trailed the matter so that the election could be held that day and the results tallied;
- E. Adopted Resolution 02-355 Declaring the Results of Special Election and Directing Recording of Notice of Special Tax Lien;
- F. Adopted non-binding Resolution 02-356 Regarding Funding in the Orcutt area.

On July 22, 2003, the Board adopted a resolution levying special taxes within the Orcutt Community Facilities District. This levy was for the 2003-2004 tax year. On July 13, 2004, the Board adopted a resolution levying special taxes within the Orcutt Community Facilities District. This levy was for the 2004-2005 tax year. The levy must be adopted on an annual basis.

Mandates and Service Levels:

Section 53340 of the Mello-Roos Community Facilities Act of 1982 requires that a resolution to levy a special tax on a community facilities district must be filed with the county auditor on or before the 10th day of August for that tax year.

Fiscal and Facilities Impacts:

None with the action of setting this hearing. The specific financial details of the proposed change will be described in the July 12, 2005 Board letter.

Cc: Robert Geis, Auditor-Controller
Landowners of record (via fax)
Michael Ledbetter, County Counsel