

LAFCO

Santa Barbara Local Agency Formation Commission

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November 6, 2008 (Agenda)

Local Agency Formation Commission
105 East Anapamu Street
Santa Barbara CA 93101

Santa Ynez River Water Conservation District Improvement District No. 1

Dear Members of the Commission

RECOMMENDATION

It is recommended the Commission receive this report and accept any public testimony.

DISCUSSION

Some time ago the Commission legal counsel issued an opinion that the SYRWCD Improvement District No. 1 (hereafter District), and also known as the Santa Ynez Water District, is a special district within LAFCO's jurisdiction. This is true both for regulating its boundaries and as an obligation for the District to contribute annually to support LAFCO's budget.

The District did not always concur with this view and for many years argued that it was not a "special district" as defined in the Cortese-Knox-Hertzberg Act but rather was an "improvement district" that is not subject to LAFCO jurisdiction.

To remove any doubt about the status of the District, Assemblymember Pedro Nava introduced legislation in Sacramento, at the District's request to dissolve the District and establish a new independent special district in its place.

The Commission supported the legislation, AB 2686 (Nava). After the bill was approved by both houses of the Legislature the Governor vetoed the bill.

Interestingly, the Governor signed two similar bills to dissolve special districts and establish new districts in their place. These were SB 1276 (Ashburn) and SB 1117 (Cox).

The veto of AB 2686 maintains the status quo. It is our view that the District is subject to LAFCO jurisdiction. We do not know if the District continues to oppose this position.

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Hopefully the District's support for AB 2686 indicates its Board of Directors and staff are not opposed to having the District treated like other districts in the County with respect to LAFCO.

It should be noted that the District has paid its share of financial support to the Commission for the current fiscal year. Please see the enclosed October 8, 2008 letter from the Santa Ynez River Water Conservation District transmitting a check for \$5,978.00 as the pro rata share of LAFCO's budget "paid by ID No. 1 through our District."

This indicates that there is still a relationship between the SYRWCD as the "parent district" and ID #1 as the "child district." The bill introduced by Assemblymember Nava and supported by the Commission would have made it clear that ID #1 is a separate, independent special district.

After the bill was vetoed the staff discussed this matter with representatives of the District. It has not been determined whether to pursue similar legislation in the future. The staff does not feel that any action by the Commission is necessary at this time.

Please contact the LAFCO office if you have any questions.

Sincerely,

BOB BRAITMAN
Executive Officer

cc: Assemblymember Pedro Nava
Alexandra Barnhill, Esq., Brownstein, Hyatt, Farber & Schreck
Chris Dahlstrom, General Manager, SYRWCD Improvement District No. 1
Bruce Wales, General Manager, Santa Ynez River Water Conservation District