

PUBLIC HEARING ITEMS

9. Lake Sherwood Community Services District Sphere of Influence Amendment and Annexation
- A. Adopt resolution LAFCo 12-09S making determinations and approving the Lake Sherwood Community Services District Sphere of Influence Amendment – Annexation No. 2.
 - B. Adopt resolution LAFCo 12-09 making determinations and approving the Lake Sherwood Community Services District Annexation – Annexation No. 2 (Parcels A - G).

RECOMMENDED ACTION: Continue to an Unspecified Date

10. Municipal Service Reviews – Nine Ventura County Cities
- A. Accept the Municipal Service Reviews – Nine Ventura County Cities report, with any corrections and revisions accepted at the public hearing, authorize the Executive Officer to make other minor, non-substantive changes, and direct staff to prepare and distribute a final Municipal Service Reviews – Nine Ventura County Cities report, including determinations adopted by the Commission.
 - B. Adopt separate resolutions for each of the following nine cities making findings that the actions are exempt under the “general rule” exemption of the California Environmental Quality Act (CEQA) Guidelines (§15061(b)(3)), accepting the municipal service reviews and approving the statements of determinations as required by Government Code §56430:
 - City of Camarillo
 - City of Fillmore
 - City of Moorpark
 - City of Ojai
 - City of Oxnard
 - City of San Buenaventura
 - City of Santa Paula
 - City of Simi Valley
 - City of Thousand Oaks

RECOMMENDED ACTION: Approval (A and B)

11. City Sphere of Influence Reviews/Updates
- A. Subject to the recommended action on Agenda Item 10, review the following spheres of influence and determine that no updates are necessary:
 - City of Moorpark
 - City of Ojai
 - City of Oxnard
 - City of Thousand Oaks
 - B. Subject to the recommended action on Agenda Item 10, review the sphere of influence for the City of Camarillo and adopt Resolution 12-11S updating the sphere.

RECOMMENDED ACTION: Approval (A and B)

12. Review and Update the Sphere of Influence for the Fillmore-Piru Memorial District

Review the sphere of influence for the Fillmore-Piru Memorial District and adopt attached resolution LAFCo 12-10S making determinations and updating the sphere of influence for the Fillmore-Piru Memorial District by applying a provisional sphere.

RECOMMENDED ACTION: Approval

13. Review and/or Update the Sphere of Influence for the El Rancho Simi Cemetery District

RECOMMENDED ACTION: Continue to the January 16, 2013 meeting

14. Review and/or Update the Sphere of Influence for the Piru Cemetery District

RECOMMENDED ACTION: Continue to the January 16, 2013 meeting

15. Review and/or Update the Sphere of Influence for the City of Fillmore and the City of San Buenaventura

RECOMMENDED ACTION: Continue to the January 16, 2013 meeting

ACTION ITEMS

16. Update on Oxnard Union High School District’s Proposed High School in Camarillo (Oral report)

RECOMMENDED ACTION: Direct Staff as Appropriate

EXECUTIVE OFFICER’S REPORT

COMMISSIONER COMMENTS

ADJOURNMENT

WEB ACCESS:
LAFCo Agendas, Staff Reports
and Adopted Minutes can be found at:
www.ventura.lafco.ca.gov

Written Materials - Written materials relating to items on this Agenda that are distributed to the Ventura Local Agency Formation Commission within 72 hours before they are scheduled to be considered will be made available for public inspection at the LAFCo office, 800 S. Victoria Avenue, Administration Building, 4th Floor, Ventura, CA 93009-1850, during normal business hours. Such written materials will also be made available on the Ventura LAFCo website at www.ventura.lafco.ca.gov, subject to staff's ability to post the documents before the meeting.

Public Presentations - Except for applicants, public presentations may not exceed five (5) minutes unless otherwise increased or decreased by the Chair, with the concurrence of the Commission. Any comments in excess of this limit should be submitted in writing at least ten days in advance of the meeting date to allow for distribution to, and full consideration by, the Commission. Members of the public who wish to make audio-visual presentations must provide and set up their own hardware and software. Set up of equipment must be complete before the meeting is called to order. All audio-visual presentations must comply with the applicable time limit for oral presentations and thus should be planned with flexibility to adjust to any changes to the time limit established by the Chair. For more information about these policies, please contact the LAFCo office.

Quorum and Voting – The bylaws for the Ventura LAFCo Commissioner's Handbook provide as follows:

1.1.6.1 Quorum: Four (4) members shall constitute a quorum for the transaction of business, but a lesser number may adjourn from time to time.

1.1.6.2 Voting: Unless otherwise provided by law or these By-Laws, four affirmative votes are required to approve any proposal or other action. A tie vote, or any failure to act by at least four affirmative votes, shall constitute a denial.

Americans with Disabilities Act - In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the LAFCo office (805) 654-2576. Notification 48 hours prior to the meeting will enable LAFCo to make reasonable arrangements to ensure accessibility to this meeting.

Disclosure of Campaign Contributions - LAFCo Commissioners are disqualified and are not able to participate in any proceeding involving an "entitlement for use" if, within the 12 months preceding the LAFCo decision, the Commissioner received more than \$250 in campaign contributions from the applicant, an agent of the applicant, or any financially interested person who actively supports or opposes the LAFCo decision on the matter. Applicants or agents of applicants who have made campaign contributions totaling more than \$250 to any LAFCo Commissioner in the past 12 months are required to disclose that fact for the official record of the proceeding.

Disclosures must include the amount of the contribution and the recipient Commissioner and may be made either in writing to the Clerk of the Commission prior to the hearing or by an oral declaration at the time of the hearing.

The foregoing requirements are set forth in the Political Reform Act of 1974, specifically Government Code, section 84308.



VENTURA LOCAL AGENCY FORMATION COMMISSION

MEETING MINUTES

Agenda Item 6

Wednesday September 19, 2012

Hall of Administration, Board of Supervisors Hearing Room

800 S. Victoria Avenue, Ventura

1. Call to Order
Chair Parvin called the meeting to order at 9:00 AM
2. Pledge of Allegiance
Chair Parvin led the pledge of allegiance.
3. Roll Call
The clerk called the roll. The following Commissioners were present:

Commissioner Cunningham	Commissioner Pringle
Commissioner Freeman	Alternate Commissioner Dandy
Commissioner Long	Alternate Commissioner Ford-McCaffrey
Commissioner Parks	
Commissioner Parvin	
4. Commission Presentations and Announcements
Commissioner Freeman announced that she would be leaving the meeting at 10:30.

PUBLIC COMMENTS

5. This is an opportunity for members of the public to speak on items not on the agenda.
There were no public comments

CONSENT ITEMS

6. Minutes of the Ventura LAFCo July 18, 2012 Regular Meeting
7. 2013 Meeting Calendar
MOTION: Approval of Items 6 and 7 as recommended: Long
SECOND: Cunningham
AYES: Cunningham, Freeman, Long, Parks, Parvin, Pringle
NOES: None
ABSTAINED: None
MOTION PASSES 6/0/0

COMMISSIONERS AND STAFF

<u>COUNTY</u>	<u>CITY</u>	<u>DISTRICT</u>	<u>PUBLIC</u>
Kathy Long	Carl Morehouse	Elaine Freeman	Lou Cunningham
Linda Parks	Janice Parvin, Chair	Gail Pringle, Vice Chair	
<i>Alternate:</i>	<i>Alternate:</i>	<i>Alternate:</i>	<i>Alternate:</i>
Steve Bennett	Carol Smith	Bruce Dandy	Linda Ford-McCaffrey
Executive Officer:	Dep. Exec. Officer	Office Mgr/Clerk	Legal Counsel
Kim Uhlich	Kai Luoma, AICP	Debbie Schubert	Michael Walker

ACTION ITEM

8. Cancel the October 17 and November 21, 2012 Meetings and Schedule a Special Meeting for November 14, 2012

MOTION: Approval as recommended: Pringle
SECOND: Parvin
AYES: Cunningham, Freeman, Long, Parks, Parvin, Pringle
NOES: None
ABSTAINED: None
MOTION PASSES 6/0/0

PUBLIC HEARING ITEM

9. Lake Sherwood Community Services District Sphere of Influence Amendment and Annexation

Kim Uhlich recommended that the Commission continue the item to its November 14, 2012 meeting.

MOTION: Continue the item to the November 14, 2012 meeting as recommended: Parvin
SECOND: Parks
AYES: Cunningham, Freeman, Long, Parks, Parvin, Pringle
NOES: None
ABSTAINED: None
MOTION PASSES 6/0/0

ACTION ITEMS (Continued)

10. A Request from the City of San Buenaventura to amend LAFCo Handbook Policy 3.2.5

Kim Uhlich presented the staff report. Jeff Lambert, Community Development Director, City of San Buenaventura, gave a presentation to the Commission. The following persons gave public comments: Charles Vanoni, property owner; Vince Daily, property owner representative; Rosemary Rowan, representing County of Ventura, RMA Planning Division.

MOTION: Amend Commissioner's Handbook Section 3.2.5 as follows:
"Except for proposals authorized pursuant to Government Code Section 56375.3, LAFCo will not approve a proposal for an annexation from a city involving territory greater than ~~40~~ 28 acres if that territory is contiguous to either the Nyeland Acres or Saticoy community...": Cunningham
SECOND: Freeman
AYES: Cunningham, Freeman, Long, Parvin, Pringle
NOS: Parks
ABSTAINED: None
MOTION PASSES 5/1/0

11. Proposed Memorandum of Agreement with Los Angeles LAFCo to Transfer Principal County Status for Sphere of Influence Changes for Multicounty Special Districts

Kim Uhlich presented the staff report. There were no public speakers.

MOTION: Direct Staff to request LA LAFCo to re-draft the Memorandum of Agreement to resolve issues identified by Ventura LAFCo staff and Counsel, clarify to include specifics including but not limited to multi-county timing and cost issues, provide for advance notification of affected districts, and return to Commission for subsequent review and consideration: Pringle

SECOND: Cunningham

AYES: Cunningham, Freeman, Long, Parks, Parvin, Pringle

NOS: None

ABSTAINED: None

MOTION PASSES 6/0/0

Note: Commissioner Freeman left the meeting and Alternate Commissioner Dandy sat as a voting Special District member for the remainder of the meeting.

12. Expiration of Term of Office for Public Member and Alternate Public Member

Kim Uhlich presented the staff report. There were no public speakers.

MOTION: Appoint Lou Cunningham to a new four-year term as the alternate Public Member beginning January, 2013, and appoint Linda Ford-McCaffrey to a new four-year term as the regular Public Member beginning January 13, 2013: Cunningham

SECOND: Parvin

AYES: Dandy, Long, Parks, Parvin, Pringle

NOS: None

ABSTAINED: Cunningham

MOTION PASSES 5/0/1

13. Professional Services Agreement for Audit Services – Vavrinek, Trine, Day & Co., LLP

Kim Uhlich presented the staff report.

MOTION: Approval as recommended: Pringle

SECOND: Long

AYES: Cunningham, Dandy, Long, Parks, Parvin, Pringle

NOES: None

ABSTAINED: None

MOTION PASSES 6/0/0

14. CALAFCO Board of Directors Election – Voting Delegates

Kim Uhlich presented the staff report.

MOTION: Appoint Commissioner Long as the voting delegate: Cunningham,
Appoint Alternate Commissioner Ford-McCaffrey as the alternate
voting delegate: Parvin

SECOND: Long

AYES: Cunningham, Dandy, Long, Parks, Parvin, Pringle

NOES: None

ABSTAINED: None

MOTION PASSES 6/0/0

EXECUTIVE OFFICER’S REPORT

Kim Uhlich indicated that the next scheduled LAFCo meeting on November 14 would entail a full agenda including Municipal Service Reviews (MSRs) for cities and several sphere of influence reviews and/or updates, and asked that the commission plan for a longer than usual meeting. She also informed the Commission of the efforts of some other LAFCos to change the mandate for sphere reviews/updates from every five years to every eight years. She also reported that she will be attending a meeting with staff from the Oxnard Union High School District and from the City of Camarillo on September 28 to discuss the list of sites to be included in the District’s comprehensive alternative sites analysis.

COMMISSIONER COMMENTS

Commissioner Long provided comments on the Oxnard Union High School District school siting process.

ADJOURNMENT

Upon a motion by Commissioner Dandy and Seconded by Commissioner Pringle, Chair Parvin adjourned the meeting at 11:10 a.m.

These Minutes were approved on November 14, 2012.

Motion:

Second:

Ayes:

Nos:

Abstains:

Date: Chair, Ventura Local Agency Formation Commission



VENTURA LOCAL AGENCY FORMATION COMMISSION

STAFF REPORT

Meeting Date: November 14, 2012

(Consent)

Agenda Item 7

TO: LAFCo Commissioners

FROM: Kim Uhlich, Executive Officer *KU*

SUBJECT: Unaudited Year End Financial Reports for FY 2011-12

RECOMMENDATION:

Receive and file the Unaudited Year End Financial Reports for Fiscal Year 2011-12.

DISCUSSION:

The following unaudited financial reports for fiscal year 2011-12 have been prepared (Attachments 1 through 3):

- Balance Sheet as of June 30, 2012
- Statement of Revenues, Expenditures and Changes in Fund Balance for Year Ended June 30, 2012
- Budget to Actual for Year Ended June 30, 2012.

At the end of a fiscal year, if there are funds in excess of what is needed, State law provides that the Commission can retain this fund balance and calculate it into the following fiscal year's budget. (Gov. Code §56381(c)) Doing this basically offsets LAFCo's costs for the County, the cities and the independent special districts in subsequent years. For FY 2011-12 both revenues and expenditures were less than budgeted. Projected revenues were \$610,285 and actual revenues were \$615,059.97, a difference of \$4,774.97. Projected expenditures were \$647,907 and actual expenditures were \$609,678.61, a difference of \$38,227.39. The combination of these two differences (\$43,002.36), which represents the difference between the projected Fund Balance and actual Fund Balance (excess fund balance), will be classified as "unassigned" in the General Fund (account 5395) pursuant to Section 2.3.2.2 of the Commissioner's Handbook ("Appropriate Level of Unassigned Fund Balance in the General Fund", Attachment 4). The amount in Unassigned Fund Balance is not constrained for any

COMMISSIONERS AND STAFF

COUNTY: Kathy Long Linda Parks <i>Alternate:</i> Steve Bennett	CITY: Carl Morehouse Janice Parvin, Chair <i>Alternate:</i> Carol Smith	DISTRICT: Elaine Freeman Gail Pringle, Vice Chair <i>Alternate:</i> Bruce Dandy	PUBLIC: Lou Cunningham <i>Alternate:</i> Linda Ford-McCaffrey
Executive Officer: Kim Uhlich	Dep. Exec. Officer Kai Luoma, AICP	Office Mgr/Clerk Debbie Schubert	Legal Counsel Michael Walker

specific purpose and is therefore available for appropriation in the event of revenue shortfalls or unanticipated expenditures other than those for which a committed fund balance classification has been established (such as that for unanticipated litigation expenses).

Attachments:

1. Balance Sheet as of June 30, 2012
2. Statement of Revenues, Expenditures and Changes in Fund Balance for Year Ending June 30, 2012
3. Budget to Actual for Year Ended June 30, 2012
4. Commissioner's Handbook Section 2.3.2.2

LOCAL AGENCY FORMATION COMMISSION (LAFCO)
BALANCE SHEET
June 30, 2012
(Unaudited)

ASSETS

Cash & Investments with Treasurer ⁽¹⁾	\$	396,826
Interest Receivable		1,063
Total Assets	\$	397,889

LIABILITIES

Accounts Payable	\$	570
Accrued Payroll Liabilities		9,110
Due to County of Ventura		1,997
Unearned Revenue		351
Total Liabilities		12,028

FUND BALANCE

Committed		100,000
Assigned		85,191
Unassigned		200,670
Total Fund Balance		385,861
Total Liabilities and Fund Balance	\$	397,889

(1) At fair market value.

Prepared by LAFCO and Auditor-Controller Staff

LOCAL AGENCY FORMATION COMMISSION (LAFCO)
STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE
For the Year Ended June 30, 2012
(Unaudited)

REVENUES:	
General revenue:	
Interest	\$ 3,337
Program revenue:	
Charges for services:	
Apportionments from Other Governmental Units	570,285
Filing fees	40,684
Total Revenues	614,306
EXPENDITURES	
Salaries and Wages	354,532
Retirement Benefits, various	87,898
Employee Group Insurance	27,864
Workers' Compensation Insurance	2,509
Other Benefits	10,197
Total Contract Services	483,000
Communications	3,050
Insurance	2,008
Maintenance-Building & Improv	14,419
Membership	6,271
Miscellaneous Expense	22,107
Office Expense	7,504
Professional and Specialists	33,540
Publications and Legal Notice	3,500
Rents and Leases - Equipment	320
Small Tools and Instruments	365
Special Department Expense - Services	17,344
Transportation and Travel	16,252
Total Services and Supplies	126,680
Total Expenditures	609,680
Excess of revenues over expenditures	4,626
<u>Fund Balance July 1, 2011</u>	<u>381,235</u>
<u>Fund Balance June 30, 2012</u>	<u>\$ 385,861</u>

Includes the fair market value adjustment at June 30, 2012.



VENTURA LOCAL AGENCY FORMATION COMMISSION

BUDGET TO ACTUAL FY 2011-12 YEAR TO DATE ENDING JUNE 30, 2012 (100.0% of year) Fund 7920, Organization 8950

Summary	Budget	Adj. Budget	To Date
Estimated Sources	766,598	766,598	737,873
Appropriations	766,598	766,598	609,680

Account Number	Title	BUDGET			ACTUAL YTD				
		Budget	Proposed Adjustments	Adjusted Budget	Actual	Encumbered	Total Revenue/Obligation		
FUND BALANCE									
	Beginning Balance	379,838		379,838	379,838.44		379,838.44		0.00
5331	Committed	100,000		100,000	100,000.00		100,000.00		0.00
5395	Unassigned	157,025		157,025	157,025.44		157,025.44		0.00
5395	Unassigned - Appropriated	122,813		122,813	122,813.00		122,813.00		0.00
REVENUE									
8911	Interest Earnings	8,000		8,000	4,090.83		4,090.83	(3,909.17)	51%
9372	Other Governmental Agencies	570,285		570,285	570,285.00		570,285.00	0.00	100%
9772	Other Revenue - Miscellaneous	65,500		65,500	40,684.14		40,684.14	(24,815.86)	62%
	Total Revenue	643,785	0	643,785	615,059.97		615,059.97	(28,725.03)	96%
	TOTAL SOURCES	766,598	0	766,598	737,872.97	0.00	737,872.97	(28,725.03)	96%
EXPENDITURES									
1101	Regular Salaries	337,000		337,000	332,390.98		332,390.98	4,609.02	99%
1106	Supplemental Payments	13,000		13,000	12,402.49		12,402.49	597.51	95%
1107	Term/Buydown	17,000		17,000	9,738.52		9,738.52	7,261.48	57%
1121	Retirement Contribution	66,000		66,000	62,660.18		62,660.18	3,339.82	95%
1122	OASDI Contribution	20,000		20,000	18,375.79		18,375.79	1,624.21	92%
1123	FICA - Medicare	5,200		5,200	5,135.60		5,135.60	64.40	99%
1124	Safe Harbor	1,750		1,750	1,726.79		1,726.79	23.21	99%
1141	Group Insurance	27,100		27,100	26,218.42		26,218.42	881.58	97%
1142	Life Ins/Dept. Heads & Mgmt.	400		400	178.44		178.44	221.56	45%
1143	State Unempl	700		700	674.82		674.82	25.18	96%
1144	Management Disability Ins.	2,400		2,400	791.82		791.82	1,608.18	33%
1165	Worker Compensation Ins	2,600		2,600	2,509.20		2,509.20	90.80	97%
1171	401K Plan	13,000		13,000	10,196.79		10,196.79	2,803.21	78%
	Salaries and Benefits	506,150	0	506,150	482,999.84	0.00	482,999.84	23,150.16	95%
2033	Voice/Data ISF	5,000		5,000	3,050.35		3,050.35	1,949.65	61%
2071	General Insurance Alloca - ISF	2,500		2,500	2,008.00		2,008.00	492.00	80%
2125	Facil/Matts Sq. Ft. Alloc. - ISF	17,000		17,000	14,419.00		14,419.00	2,581.00	85%
2128	Other Maint	500		500	0.00		0.00	500.00	0%
2141	Memberships & Dues	6,300		6,300	6,271.00		6,271.00	29.00	100%
2154	Education Allowance	2,000		2,000	2,000.00		2,000.00	0.00	100%
2158	Indirect Cost Recovery	20,107		20,107	20,107.00		20,107.00	0.00	100%
2172	Books & Publications	700		700	439.53		439.53	260.47	63%
2174	Mail Center - ISF	3,000		3,000	1,961.37		1,961.37	1,038.63	65%
2176	Purchasing Charges - ISF	500		500	122.47		122.47	377.53	24%
2177	Graphics Charges - ISF	5,500		5,500	485.87		485.87	5,014.13	9%
2178	Copy Machine Charges - ISF	400		400	483.24		483.24	(83.24)	121%
2179	Miscellaneous Office Expense	7,000	(1,764)	5,236	4,004.04		4,004.04	1,231.96	76%
2181	Stores ISF	50		50	7.00		7.00	43.00	14%
2191	Board Members Fees	5,000		5,000	2,600.00		2,600.00	2,400.00	52%
2192	Information Technology - ISF	13,500		13,500	2,150.10		2,150.10	11,349.90	16%
2195	Specialized Services/Software	1,850		1,850	736.25		736.25	1,113.75	40%
2197	Public Works - Charges	6,000		6,000	2,286.93		2,286.93	3,713.07	38%
2199	Other Prof & Spec Service	9,000	1,764	10,764	10,764.00		10,764.00	0.00	100%
2203	Accounting and Auditing Services	5,000		5,000	0.00		0.00	5,000.00	0%
2205	GSA Special Services ISF	100		100	0.00		0.00	100.00	0%
2214	County GIS Expenses	25,000		25,000	15,003.15		15,003.15	9,996.85	60%
2261	Public & Legal Notices	5,000		5,000	3,500.02		3,500.02	1,499.98	70%
2283	Records Storage Charges	250		250	319.65		319.65	(69.65)	128%
2293	Computer Equipment <5000	3,500		3,500	364.80		364.80	3,135.20	10%
2304	County Legal Counsel	25,000		25,000	17,343.75		17,343.75	7,656.25	69%
2521	Transportation Charges ISF	1,000	(1,000)	0	0.00		0.00	0.00	0%
2522	Private Vehicle Mileage	6,500		6,500	5,415.53		5,415.53	1,084.47	83%
2523	Conf. & Seminars Expense	13,000		13,000	10,041.56		10,041.56	2,958.44	77%
2526	Conf. & Seminars Expense ISF	500		500	378.00		378.00	122.00	76%
2528	Motorpool ISF	0	1,000	1,000	417.16		417.16	582.84	42%
	Services and Supplies	190,757	0	190,757	126,679.77	0.00	126,679.77	64,077.23	66%
6101	Contingency	69,691		69,691	0.00		0.00	69,691.00	0%
	TOTAL EXPENDITURES	766,598	0	766,598	609,679.61	0.00	609,679.61	156,918.39	80%

Note: Revenue amounts with "()" in the ACTUAL column reflect FY12 accruals less than budgeted revenue to date.
Expenditure amounts with "()" in the ACTUAL column reflect FY12 accruals in excess of budget expenditures to date.



SECTION 2.3.2 FUND BALANCE POLICIES

2.3.2.2. Appropriate Level of Unassigned Fund Balance in the General Fund:
The Commission will maintain an unassigned fund balance in the General Fund of approximately 60 days working capital. Excess fund balance remaining over and above the committed and assigned fund balances should be classified as “unassigned” in the General Fund. Should Unassigned Fund Balance fall below 45 days working capital it should be addressed in the next fiscal year budget.



VENTURA LOCAL AGENCY FORMATION COMMISSION

STAFF REPORT

Meeting Date: November 14, 2012

(Consent)

Agenda Item 8

TO: LAFCo Commissioners

FROM: Kim Uhlich, Executive Officer *KU*

SUBJECT: FY 2012-13 Budget to Actual Reports – July, August and September 2012

RECOMMENDATION:

Receive and file Budget to Actual reports for July, August and September 2012.

DISCUSSION:

Pursuant to the Commissioner’s Handbook policies, the Executive Officer is to provide monthly budget reports to the Commission as soon as they are available. The attached reports, which have been prepared with the assistance of the County Auditor-Controller staff, reflect revenue and expenditures for July, August and September of the 2012-2013 Fiscal Year.

- Attachments:
- 1) Budget to Actual Report: July 2012
 - 2) Budget to Actual Report: August 2012
 - 3) Budget to Actual Report: September 2012

COMMISSIONERS AND STAFF

COUNTY: Kathy Long Linda Parks <i>Alternate:</i> Steve Bennett	CITY: Carl Morehouse Janice Parvin, Chair <i>Alternate:</i> Carol Smith	DISTRICT: Elaine Freeman Gail Pringle, Vice Chair <i>Alternate:</i> Bruce Dandy	PUBLIC: Lou Cunningham <i>Alternate:</i> Linda Ford-McCaffrey
Executive Officer: Kim Uhlich	Dep. Exec. Officer Kai Luoma, AICP	Office Mgr/Clerk Debbie Schubert	Legal Counsel Michael Walker



**BUDGET TO ACTUAL FY 2012-13
YEAR TO DATE ENDING July 31, 2012 (8.3% of year)
Fund 7920, Organization 8950**

Summary	Budget	Adj. Budget	To Date
Estimated Sources	659,706	659,706	518,794
Appropriations	659,706	659,706	54,730

Account Number	Title	BUDGET			ACTUAL YTD			Variance Favorable (Unfavorable)	
		Budget	Proposed Adjustments	Adjusted Budget	Actual	Encumbered	Total Revenue/Obligation		
FUND BALANCE									
	Beginning Balance	385,219		385,219	385,218.80		385,218.80	0.00	
5331	Committed	100,000		100,000	100,000.00		100,000.00	0.00	
5395	Unassigned	200,028		200,028	200,027.80		200,027.80	0.00	
5395	Unassigned - Appropriated	85,191		85,191	85,191.00		85,191.00	0.00	
REVENUE									
8911	Interest Earnings	4,000		4,000	(622.33)		(622.33)	4,622.33	-16%
9372	Other Governmental Agencies	550,515		550,515	431,375.00		431,375.00	119,140.00	78%
9772	Other Revenue - Miscellaneous	20,000		20,000	2,850.00		2,850.00	17,150.00	14%
	Total Revenue	574,515	0	574,515	433,602.67		433,602.67	140,912.33	75%
	TOTAL SOURCES	659,706	0	659,706	518,793.67	0.00	518,793.67	140,912.33	79%
EXPENDITURES									
1101	Regular Salaries	323,550		323,550	17,861.56		17,861.56	305,688.44	6%
1106	Supplemental Payments	12,400		12,400	677.77		677.77	11,722.23	5%
1107	Term/Buydown	22,500		22,500	14,165.30		14,165.30	8,334.70	63%
1121	Retirement Contribution	72,000		72,000	6,182.90		6,182.90	65,817.10	9%
1122	OASDI Contribution	18,300		18,300	2,053.50		2,053.50	16,246.50	11%
1123	FICA - Medicare	5,000		5,000	475.05		475.05	4,524.95	10%
1124	Safe Harbor	0		0	(33.02)		(33.02)	33.02	#DIV/0!
1141	Group Insurance	21,400		21,400	1,136.50		1,136.50	20,263.50	5%
1142	Life Ins/Dept. Heads & Mgmt.	150		150	6.90		6.90	143.10	5%
1143	State Unempl	700		700	24.07		24.07	675.93	0%
1144	Management Disability Ins.	820		820	43.77		43.77	776.23	5%
1165	Worker Compensation Ins	2,850		2,850	276.64		276.64	2,573.36	10%
1171	401K Plan	12,000		12,000	608.36		608.36	11,391.64	5%
	Salaries and Benefits	491,670	0	491,670	43,479.30	0.00	43,479.30	448,190.70	9%
2033	Voice/Data ISF	3,500		3,500	0.00		0.00	3,500.00	0%
2071	General Insurance Alloca - ISF	2,250		2,250	0.00		0.00	2,250.00	0%
2125	Facil/Matls Sq. Ft. Alloc. - ISF	15,500		15,500	0.00		0.00	15,500.00	0%
2128	Other Maint	500		500	0.00		0.00	500.00	0%
2141	Memberships & Dues	6,500		6,500	5,816.00		5,816.00	684.00	89%
2154	Education Allowance	1,350		1,350	0.00		0.00	1,350.00	0%
2158	Indirect Cost Recovery	3,000		3,000	0.00		0.00	3,000.00	0%
2172	Books & Publications	500		500	342.87		342.87	157.13	69%
2174	Mail Center - ISF	3,000		3,000	0.00		0.00	3,000.00	0%
2176	Purchasing Charges - ISF	500		500	0.00		0.00	500.00	0%
2177	Graphics Charges - ISF	4,000		4,000	0.00		0.00	4,000.00	0%
2178	Copy Machine Charges - ISF	1,000		1,000	0.00		0.00	1,000.00	0%
2179	Miscellaneous Office Expense	6,000		6,000	0.00		0.00	6,000.00	0%
2181	Stores ISF	50		50	0.00		0.00	50.00	0%
2191	Board Members Fees	5,000		5,000	350.00		350.00	4,650.00	7%
2192	Information Technology - ISF	3,000		3,000	0.00		0.00	3,000.00	0%
2195	Specialized Services/Software	1,500		1,500	0.00		0.00	1,500.00	0%
2197	Public Works - Charges	5,000		5,000	0.00		0.00	5,000.00	0%
2199	Other Prof & Spec Service	9,000		9,000	0.00		0.00	9,000.00	0%
2203	Accounting and Auditing Services	5,500		5,500	0.00		0.00	5,500.00	0%
2205	GSA Special Services ISF	100		100	0.00		0.00	100.00	0%
2214	County GIS Expenses	25,000		25,000	0.00		0.00	25,000.00	0%
2261	Public & Legal Notices	5,000		5,000	100.00		100.00	4,900.00	2%
2283	Records Storage Charges	350		350	0.00		0.00	350.00	0%
2293	Computer Equipment <5000	4,000		4,000	0.00	3,711.32	3,711.32	288.68	93%
2304	County Legal Counsel	22,500		22,500	0.00		0.00	22,500.00	0%
2522	Private Vehicle Mileage	7,000		7,000	711.37		711.37	6,288.63	10%
2523	Conf. & Seminars Expense	13,000		13,000	219.60		219.60	12,780.40	2%
2526	Conf. & Seminars Expense ISF	500		500	0.00		0.00	500.00	0%
2528	County Motor Pool	1,000		1,000	0.00		0.00	1,000.00	0%
	Services and Supplies	155,100	0	155,100	7,539.84	3,711.32	11,251.16	143,848.84	7%
6101	Contingency	12,936		12,936	0.00		0.00	12,936.00	0%
	TOTAL EXPENDITURES	659,706	0	659,706	51,019.14	3,711.32	54,730.46	604,975.54	8%

0.00

Note: Amounts with "()" in the ACTUAL column reflect FY12 accruals in excess of actual expenditures to date



BUDGET TO ACTUAL FY 2012-13
YEAR TO DATE ENDING August 31, 2012 (16.7% of year)
Fund 7920, Organization 8950

Summary	Budget	Adj. Budget	To Date
Estimated Sources	659,706	659,706	562,244
Appropriations	659,706	659,706	97,502

Account Number	Title	BUDGET			ACTUAL YTD			Variance Favorable (Unfavorable)	
		Budget	Proposed Adjustments	Adjusted Budget	Actual	Encumbered	Total Revenue/Obligation		
FUND BALANCE									
	Beginning Balance	385,219		385,219	385,218.80		385,218.80	0.00	
5331	Committed	100,000		100,000	100,000.00		100,000.00	0.00	
5395	Unassigned	200,028		200,028	200,027.80		200,027.80	0.00	
5395	Unassigned - Appropriated	85,191		85,191	85,191.00		85,191.00	0.00	
REVENUE									
8911	Interest Earnings	4,000		4,000	(311.16)		(311.16)	4,311.16	-8%
9372	Other Governmental Agencies	550,515		550,515	469,264.00		469,264.00	81,251.00	85%
9772	Other Revenue - Miscellaneous	20,000		20,000	8,100.00		8,100.00	11,900.00	41%
	Total Revenue	574,515	0	574,515	477,052.84		477,052.84	97,462.16	83%
	TOTAL SOURCES	659,706	0	659,706	562,243.84	0.00	562,243.84	97,462.16	85%
EXPENDITURES									
1101	Regular Salaries	323,550		323,550	42,264.74		42,264.74	281,285.26	13%
1106	Supplemental Payments	12,400		12,400	1,607.73		1,607.73	10,792.27	13%
1107	Term/Buydown	22,500		22,500	14,165.30		14,165.30	8,334.70	63%
1121	Retirement Contribution	72,000		72,000	11,061.79		11,061.79	60,938.21	15%
1122	OASDI Contribution	18,300		18,300	3,619.15		3,619.15	14,680.85	20%
1123	FICA - Medicare	5,000		5,000	841.21		841.21	4,158.79	17%
1124	Safe Harbor	0		0	(33.02)		(33.02)	33.02	#DIV/0!
1141	Group Insurance	21,400		21,400	2,774.50		2,774.50	18,625.50	13%
1142	Life Ins/Dept. Heads & Mgmt.	150		150	17.28		17.28	132.72	12%
1143	State Unempl	700		700	61.39		61.39	638.61	0%
1144	Management Disability Ins.	820		820	103.55		103.55	716.45	13%
1165	Worker Compensation Ins	2,850		2,850	478.47		478.47	2,371.53	17%
1171	401K Plan	12,000		12,000	1,402.95		1,402.95	10,597.05	12%
	Salaries and Benefits	491,670	0	491,670	78,365.04	0.00	78,365.04	413,304.96	16%
2033	Voice/Data ISF	3,500		3,500	333.66		333.66	3,166.34	10%
2071	General Insurance Alloca - ISF	2,250		2,250	0.00		0.00	2,250.00	0%
2125	Facil/Matls Sq. Ft. Alloc. - ISF	15,500		15,500	0.00		0.00	15,500.00	0%
2128	Other Maint	500		500	0.00		0.00	500.00	0%
2141	Memberships & Dues	6,500		6,500	5,816.00		5,816.00	684.00	89%
2154	Education Allowance	1,350		1,350	0.00		0.00	1,350.00	0%
2158	Indirect Cost Recovery	3,000		3,000	0.00		0.00	3,000.00	0%
2172	Books & Publications	500		500	342.87		342.87	157.13	69%
2174	Mail Center - ISF	3,000		3,000	1,188.58		1,188.58	1,811.42	40%
2176	Purchasing Charges - ISF	500		500	9.70		9.70	490.30	2%
2177	Graphics Charges - ISF	4,000		4,000	0.00		0.00	4,000.00	0%
2178	Copy Machine Charges - ISF	1,000		1,000	0.00		0.00	1,000.00	0%
2179	Miscellaneous Office Expense	6,000		6,000	138.35		138.35	5,861.65	2%
2181	Stores ISF	50		50	0.00		0.00	50.00	0%
2191	Board Members Fees	5,000		5,000	350.00		350.00	4,650.00	7%
2192	Information Technology - ISF	3,000		3,000	209.10		209.10	2,790.90	7%
2195	Specialized Services/Software	1,500		1,500	0.00		0.00	1,500.00	0%
2197	Public Works - Charges	5,000		5,000	0.00		0.00	5,000.00	0%
2199	Other Prof & Spec Service	9,000		9,000	0.00		0.00	9,000.00	0%
2203	Accounting and Auditing Services	5,500		5,500	0.00		0.00	5,500.00	0%
2205	GSA Special Services ISF	100		100	0.00		0.00	100.00	0%
2214	County GIS Expenses	25,000		25,000	2,054.00		2,054.00	22,946.00	8%
2261	Public & Legal Notices	5,000		5,000	102.00		102.00	4,898.00	2%
2283	Records Storage Charges	350		350	29.49		29.49	320.51	8%
2293	Computer Equipment <5000	4,000		4,000	3,710.15		3,710.15	289.85	93%
2304	County Legal Counsel	22,500		22,500	588.25		588.25	21,911.75	3%
2522	Private Vehicle Mileage	7,000		7,000	1,086.37		1,086.37	5,913.63	16%
2523	Conf. & Seminars Expense	13,000		13,000	3,148.60		3,148.60	9,851.40	24%
2526	Conf. & Seminars Expense ISF	500		500	0.00		0.00	500.00	0%
2528	County Motor Pool	1,000		1,000	29.94		29.94	970.06	0%
	Services and Supplies	155,100	0	155,100	19,137.06	0.00	19,137.06	135,962.94	12%
6101	Contingency	12,936		12,936	0.00		0.00	12,936.00	0%
	TOTAL EXPENDITURES	659,706	0	659,706	97,502.10	0.00	97,502.10	562,203.90	15%

0.00

Note: Amounts with "()" in the ACTUAL column reflect FY12 accruals in excess of actual expenditures to date



BUDGET TO ACTUAL FY 2012-13
YEAR TO DATE ENDING September 30, 2012 (25.0% of year)
Fund 7920, Organization 8950

Summary	Budget	Adj. Budget	To Date
Estimated Sources	659,706	659,706	587,833
Appropriations	659,706	659,706	138,346

Account Number	Title	BUDGET			ACTUAL YTD			Variance Favorable (Unfavorable)	
		Budget	Proposed Adjustments	Adjusted Budget	Actual	Encumbered	Total Revenue/Obligation		
FUND BALANCE									
	Beginning Balance	385,219		385,219	385,218.80		385,218.80	0.00	
5331	Committed	100,000		100,000	100,000.00		100,000.00	0.00	
5395	Unassigned	200,028		200,028	200,027.80		200,027.80	0.00	
5395	Unassigned - Appropriated	85,191		85,191	85,191.00		85,191.00	0.00	
REVENUE									
8911	Interest Earnings	4,000		4,000	0.00		0.00	4,000.00	0%
9372	Other Governmental Agencies	550,515		550,515	489,592.00		489,592.00	60,923.00	89%
9772	Other Revenue - Miscellaneous	20,000		20,000	13,050.00		13,050.00	6,950.00	65%
	Total Revenue	574,515	0	574,515	502,642.00		502,642.00	71,873.00	87%
	TOTAL SOURCES	659,706	0	659,706	587,833.00	0.00	587,833.00	71,873.00	89%
EXPENDITURES									
1101	Regular Salaries	323,550		323,550	66,667.91		66,667.91	256,882.09	21%
1106	Supplemental Payments	12,400		12,400	2,537.69		2,537.69	9,862.31	20%
1107	Term/Buydown	22,500		22,500	14,165.30		14,165.30	8,334.70	63%
1121	Retirement Contribution	72,000		72,000	15,940.68		15,940.68	56,059.32	22%
1122	OASDI Contribution	18,300		18,300	4,921.43		4,921.43	13,378.57	27%
1123	FICA - Medicare	5,000		5,000	1,207.36		1,207.36	3,792.64	24%
1124	Safe Harbor	0		0	(33.02)		(33.02)	33.02	#DIV/0!
1141	Group Insurance	21,400		21,400	4,412.50		4,412.50	16,987.50	21%
1142	Life Ins/Dept. Heads & Mgmt.	150		150	27.66		27.66	122.34	18%
1143	State Unempl	700		700	98.71		98.71	601.29	0%
1144	Management Disability Ins.	820		820	163.33		163.33	656.67	20%
1165	Worker Compensation Ins	2,850		2,850	680.30		680.30	2,169.70	24%
1171	401K Plan	12,000		12,000	2,197.54		2,197.54	9,802.46	18%
	Salaries and Benefits	491,670	0	491,670	112,987.39	0.00	112,987.39	378,682.61	23%
2033	Voice/Data ISF	3,500		3,500	612.56		612.56	2,887.44	18%
2071	General Insurance Alloca - ISF	2,250		2,250	0.00		0.00	2,250.00	0%
2125	Facil/Matls Sq. Ft. Alloc. - ISF	15,500		15,500	3,708.00		3,708.00	11,792.00	24%
2128	Other Maint	500		500	0.00		0.00	500.00	0%
2141	Memberships & Dues	6,500		6,500	5,816.00		5,816.00	684.00	89%
2154	Education Allowance	1,350		1,350	0.00		0.00	1,350.00	0%
2158	Indirect Cost Recovery	3,000		3,000	0.00		0.00	3,000.00	0%
2172	Books & Publications	500		500	342.87		342.87	157.13	69%
2174	Mail Center - ISF	3,000		3,000	1,188.58		1,188.58	1,811.42	40%
2176	Purchasing Charges - ISF	500		500	9.70		9.70	490.30	2%
2177	Graphics Charges - ISF	4,000		4,000	0.00		0.00	4,000.00	0%
2178	Copy Machine Charges - ISF	1,000		1,000	0.00		0.00	1,000.00	0%
2179	Miscellaneous Office Expense	6,000		6,000	243.71		243.71	5,756.29	4%
2181	Stores ISF	50		50	0.00		0.00	50.00	0%
2191	Board Members Fees	5,000		5,000	650.00		650.00	4,350.00	13%
2192	Information Technology - ISF	3,000		3,000	449.45		449.45	2,550.55	15%
2195	Specialized Services/Software	1,500		1,500	0.00		0.00	1,500.00	0%
2197	Public Works - Charges	5,000		5,000	0.00		0.00	5,000.00	0%
2199	Other Prof & Spec Service	9,000		9,000	0.00		0.00	9,000.00	0%
2203	Accounting and Auditing Services	5,500		5,500	0.00		0.00	5,500.00	0%
2205	GSA Special Services ISF	100		100	0.00		0.00	100.00	0%
2214	County GIS Expenses	25,000		25,000	2,728.00		2,728.00	22,272.00	11%
2261	Public & Legal Notices	5,000		5,000	430.34		430.34	4,569.66	9%
2283	Records Storage Charges	350		350	29.49		29.49	320.51	8%
2293	Computer Equipment <5000	4,000		4,000	3,710.15		3,710.15	289.85	93%
2304	County Legal Counsel	22,500		22,500	678.75		678.75	21,821.25	3%
2522	Private Vehicle Mileage	7,000		7,000	1,581.97		1,581.97	5,418.03	23%
2523	Conf. & Seminars Expense	13,000		13,000	3,148.60		3,148.60	9,851.40	24%
2526	Conf. & Seminars Expense ISF	500		500	0.00		0.00	500.00	0%
2528	County Motor Pool	1,000		1,000	29.94		29.94	970.06	0%
	Services and Supplies	155,100	0	155,100	25,358.11	0.00	25,358.11	129,741.89	16%
6101	Contingency	12,936		12,936	0.00		0.00	12,936.00	0%
	TOTAL EXPENDITURES	659,706	0	659,706	138,345.50	0.00	138,345.50	521,360.50	21%

0.00

Note: Amounts with "()" in the ACTUAL column reflect FY12 accruals in excess of actual expenditures to date



VENTURA LOCAL AGENCY FORMATION COMMISSION
STAFF REPORT

Meeting Date: November 14, 2012

Agenda Item 9

TO: LAFCo Commissioners

FROM: Kim Uhlich, Executive Officer *KU*

SUBJECT: A. LAFCo 12-09S Lake Sherwood Community Services District Sphere of Influence Amendment – Annexation No. 2
B. LAFCo 12-09 Lake Sherwood Community Services District Annexation – Annexation No. 2 (Parcels A - G)

RECOMMENDATION:

Continue action to an unspecified date.

BACKGROUND:

This item was originally scheduled to be considered by the Commission at the September 19, 2012 meeting. The Commission continued it to the November 14 meeting to accommodate a request from the Lake Sherwood Community Association to postpone consideration until they are provided with written assurances from the Ventura County Water and Sanitation Department that such annexation will not make them liable for additional fees to support the Lake Sherwood Community Services District beyond their current monthly water charges.

Following the September meeting, staff received a letter from the Lake Sherwood Community Association expressing opposition to the annexation proposal requesting a meeting with various members of the Association Board, Supervisor Parks and LAFCo staff (Attachment 1). At the meeting, which was also attended by Reddy Pakala, Director of the County Public Works Agency Water and Sanitation Department and representative of the Lake Sherwood Community Services District, it was agreed that Mr. Pakala would send a letter to LAFCo requesting a further continuance of up to 6 months to allow additional time for all parties to meet and address the remaining concerns. Mr. Pakala's letter is attached (Attachment 2).

COMMISSIONERS AND STAFF

COUNTY: Kathy Long Linda Parks <i>Alternate:</i> Steve Bennett	CITY: Carl Morehouse Janice Parvin, Chair <i>Alternate:</i> Carol Smith	DISTRICT: Elaine Freeman Gail Pringle, Vice Chair <i>Alternate:</i> Bruce Dandy	PUBLIC: Lou Cunningham <i>Alternate:</i> Linda Ford-McCaffrey
Executive Officer: Kim Uhlich	Dep. Exec. Officer Kai Luoma, AICP	Office Mgr/Clerk Debbie Schubert	Legal Counsel Michael Walker

DISCUSSION:

In lieu of continuing the item to a specific future date, LAFCo staff recommends that the item be continued to an unspecified date and scheduled for Commission consideration upon future request from the Lake Sherwood Community Services District.

- Attachments: (1) October 24, 2012 letter from Robert P. Liberman to Supervisor Linda Parks, Mr. Damon Wing and Ms. Kim Uhlich
(2) October 31, 2012 letter from R.R. Pakala to Kim Uhlich requesting, and consenting to, a further continuance of the Commission's consideration of LAFCo 12-09S and LAFCo 12-09

Robert Paul Liberman, M.D.

528 Lake Sherwood Drive

Lake Sherwood, CA 91361

rpl@ucla.edu 805-379-5714

Date: October 24, 2012

To: Supervisor Linda Parks, Mr. Damon Wing and LAFCO Executive Director Ms. Kim Uhlich

From: Robert Paul Liberman, M.D.
President, Lake Sherwood Community Association

Subject: Opposition to the annexation of 159 developed and 60 undeveloped parcels in the "old tracts" of the Lake Sherwood community into the Lake Sherwood Community Services District

The following concerns and views were presented by me to the meeting of the Citizen's Advisory Committee to the Lake Sherwood Community Services District on October 24, 2012 and are the substance of our request for a meeting as soon as possible with County Supervisor Linda Parks and Ms. Kim Uhlich, Executive Officer of the Ventura Local Agency Formation Commission. Those attending the meeting from our Community Association will be Dick Hibma (Vice President) and Michael Frankfurter (Board member) and myself. We respectfully request a meeting on Monday or Tuesday, November 1st or 2nd at a time and location convenient to your group of officers representing Ventura County.

After receiving notice of a September 19, 2012 hearing by LAFCO to consider approval to annex the developed and undeveloped properties of the "old" tracts of Lake Sherwood (which were subdivided in the early 1920's) our Community Association requested a postponement of that public hearing to better understand the issues, implications and potential consequences of annexation. The hearing was for the LAFCO to vote on annexation of the "old tracts" (or "islands" of properties outside of the Murdock development) into the Lake Sherwood Community Services District. Our request was approved and the hearing on annexation was postponed to a LAFCO meeting on November 14th. Several officers and board members of our Community Association engaged in considerable research and discussion of state, county and legal documents—as well as the history of the exclusion of the "old" tracts from annexation in 2001 and presented our concerns to the Citizens Advisory Board of the Lake Sherwood CSD on October 24th.

After reviewing past documents and the current justification of the annexation, it is respectfully requested that no annexation of the 159 developed parcels (i.e., existing homes of the members of our Association) and the 60 undeveloped parcels within the "old tracts" be carried out. The following issues and concerns clarify our opposition to annexation. We are requesting a meeting to discuss our concerns and opposition to annexation with Supervisor Linda Parks, Ms. Kim Uhlich (Executive Director of LAFCO) and possibly Mr. R. Reddy Pakala (Director of the Water & Sanitation Department of the County Public Works Agency).

- At the time of the General Plan Amendment proposed for the Sherwood Valley development by David Murdock and his LSR Inc. (now Sherwood Development Company) more than 25 years ago, our Community Association supported the GPA with the proviso—agreed to by Mr. Murdock and the County of Ventura—that we would receive connection to municipal water and sewers without fees beyond modest ones related to the sewer hook-ups for some homes

situated at the lakeside. An out-of-agency services agreement was made so that the Community Services District would provide water to the residents in homes located in the “old tracts” without the owners of those properties being included in the CSD. “Old tracts” are described by LAFCO and the Lake Sherwood CSD as “islands” adjacent to the Sherwood Valley Homeowners Association established by Murdock’s development.

- It was agreed that the Lake Sherwood CSD would include the developed and undeveloped properties in Murdock’s new, Sherwood Valley development. This was done so that the residents of the “old tracts” would be absolved of paying fees for the installation of the water system except for some minor “hook-up” fees to the main transmission system. This arrangement was approved by Mr. Murdock in the mid-1980’s in exchange for our supporting his GPA for the Sherwood Valley development. Owners of homes in the “old tracts” have resolutely paid their water bills for the past decades and currently have representation on the Citizen’s Advisory Board of the Lake Sherwood CSD.
- When the Lake Sherwood Community Services District was being formed in 2000-2001 to provide water services to the new development, we advocated strongly and successfully with the Board of Supervisors and the developer that the parcels in the “old tracts” (established in the 1920’s) not be included in the Community Services District. We were concerned that we would be liable to payment of fees for bond issues and other costs beyond payment for the water services—which would have violated our agreement earlier to support the GPA. An “out of agency service agreement” enabled this to be accomplished and was supported by the developer, LAFCO and the Board of Supervisors.
- Phone and written communications during September 2012 with the Directors of the Lake Sherwood CSD and LAFCO focused on the rationale for the proposed annexation of our developed and undeveloped parcels into the CSD. I was assured that this action was a “bureaucratic nicety” to “tie up loose ends” in accord with state policy. Further, we were assured that there would not be any future fees assessed to us if our homes were annexed to the CSD. As noted below, we have concerns related to future, unanticipated consequences and fees that may accrue to members of the CSD if, as is possible under state law, the CSD assumes additional responsibilities beyond the purveyance of water. If the proposed action to annex developed and undeveloped properties within the “old tracts” is being implemented solely to “clear up bureaucratic niceties”, why is it necessary for us to be annexed to the Lake Sherwood CSD? There appears to be the possibility for the same “out of agency agreement” that permits the currently developed properties in the “old tracts” to receive water service to cover water service to any currently undeveloped property within the “old tracts” whose owner initiates construction requiring water service.
- One major concern stems from our review of the “Declaration of Restrictions and Reservation of Easements at Lake Sherwood” (recorded in the official records of Ventura County on 13 July 1990). In this document, it is stated that the “conveyance of equitable title of the real property comprising PU 10 (i.e., the lake, Maid Marian Park and the land on which Murdock’s new community is being built) would ultimately be made to the Lake Sherwood Community Service District or to the Sherwood Valley Homeowner’s Association or to a proposed special assessment district which would acquire PU 10 and, in turn, convey it to the District.” This would suggest the prospect that a future Lake Sherwood CSD would have a much greater scope and authority for setting fees and assessments to members of the Lake Sherwood CSD. A scenario could eventuate that a *majority of the members of the CSD* (which would consist of

homeowners within the new Murdock properties since they far outnumber those of us in the “old tracts”) might choose to increase the scope of authority and responsibility of the CSD beyond water purveyance to include other services and maintenance dues and fees. If we homeowners within the “old tracts” were members of the CSD, it would be incumbent upon us to pay those fees and assessments. This is a prospect that is daunting, unwanted and that upends our original agreement to support Mr. Murdock’s GPA in exchange for obtaining water and sewer services without any further costs.

- Despite assurances from SVHOA, LAFCO and the CSD, we are concerned that in the future—if our homes were included in the CSD—we might be liable to contribute to currently unanticipated fees for maintenance of the Lake, use of the Reserve Strip surrounding the lake, access to the lake through easements agreed upon by the previous owner of PU 10 (Dayton Realty Co.) and our Association’s members in the “Bruder Agreement” of June 14, 1968. Already, those homeowners with lake use rights under the Bruder Agreement have been assailed by the SVHOA with a license agreement that would have the effect of impeding our future lake rights, superseding the Bruder Agreement. We vigorously opposed this proposed license and it has at least temporarily been tabled.
- If we were under the imprimatur of the CSD, there could very well be in the future other possible fees and costs levied by a CSD with expanded authorities, responsibilities and costs that would require payment by those property owners in the “old tracts”. Such an eventuality would violate the very agreements made more than 20 years ago with the developer, LAFCO and the Ventura County Board of Supervisors.
- A key element in our concern over being annexed to the CSD comes from our attachment and identification with the “old” community (the bureaucratically denoted “islands” in the PU 10 area) that has different traditions, values and identification with the Lake Sherwood area than those newer residents currently in the CSD who live in Murdock’s new development. To repeat for emphasis, *if we accede to be annexed to the CSD, sometime in the future we could find ourselves bound to pay fees and other assessments that were desired by the majority of residents and leadership of the CSD—comprising homeowners in the new development—that were not in accord with our values and attachment to the environment that we have known and cherished for many decades. It is conceivable that we could lose the privileges, assurances and easements to use the lake and be taxed for additional services (e.g., security, roads, street lights, maintenance of cluster docks) if the majority of the CSD (comprising residents in the new, Murdock development) set fees and assessments for all members of the CSD that would include those of us living and/or owning developed and undeveloped properties in the “old tracts”.*

Thus, without being able to obtain reasonable certainty that our basic rights to water service without the prospect of future, unanticipated fees required by a more expansive CSD, we will request that LAFCO deny the proposed annexation of the homes and undeveloped properties of our members that lie within the “islands” previously excluded from the CSD. We recognize that this option may require LAFCO to obtain an *out of agency service agreement*.

Subsequent to this requested meeting with Supervisor Parks and Ms. Kim Uhlich, I will bring the relevant information and clarifications to the Board of Directors of our Lake Sherwood Community Association so that our Association can formulate and present an approved statement to the November 14th LAFCO meeting reflecting our position, needs, values and concerns.

county of ventura

PUBLIC WORKS AGENCY
JEFF PRATT
Agency Director

Representing:

County Service Area No. 29 (North Coast)
County Service Area No. 30 (Nyeland Acres)
County Service Area No. 34 (El Rio)
Lake Sherwood Community Services District
Camarillo Airport
Todd Road Jail

Water & Sanitation Department

R. Reddy Pakala
Director

Anne Dana
Administration

Cefe Munoz
Engineering

October 31, 2012

ATTACHMENT 2

Kim Uhlich, Executive Officer
Ventura Local Agency Formation Commission
800 S. Victoria Avenue, L# 1850
Ventura, CA 93009-1850

Subject: LAFCo 12-09S and 12-09 LSCSD
Sphere of Influence Amendment and Annexation No. 2

Dear Ms. Uhlich:

Lake Sherwood Community Services District (LSCSD) has requested annexation of 219 parcels in our application for the subject annexation.

As you are aware, certain property owners, connected to the water system prior to January 1, 2001, have expressed concerns with the proposed annexation. To allow more time to address their concerns, LSCSD consents to a further continuance extending 90 days beyond the application acceptance date for this annexation proposal. It is anticipated that certain property owners' concerns will be addressed in a maximum of six months. We anticipate to request your Commission to activate the annexation application within the next six months.

Should you have any questions, you may contact me at (805) 378-3005.

Very truly yours,



R. R. Pakala, Director
Water and Sanitation Department

RRP:ec

cc: Eric J. Keller, Water and Sanitation Department





VENTURA LOCAL AGENCY FORMATION COMMISSION
STAFF REPORT

Meeting Date: November 14, 2012

Agenda Item 10

TO: LAFCo Commissioners
FROM: Kai Luoma, Deputy Executive Officer
SUBJECT: Municipal Service Reviews - Nine Ventura County Cities

RECOMMENDATION:

- A. Accept the Municipal Service Reviews - Nine Ventura County Cities report, with any corrections and revisions accepted at the public hearing, authorize the Executive Officer to make other minor, non-substantive changes, and direct staff to prepare and distribute the final Municipal Service Reviews – Nine Ventura County Cities report, including determinations adopted by the Commission.
- B. Adopt separate resolutions for each of the following nine cities making findings that the actions are exempt under the “general rule” exemption of the California Environmental Quality Act (CEQA) Guidelines (§15061(b)(3)), accepting the municipal service reviews and approving the statements of determinations as required by Government Code §56430:

City of Camarillo
City of Fillmore
City of Moorpark
City of Ojai
City of Oxnard
City of San Buenaventura
City of Santa Paula
City of Simi Valley
City of Thousand Oaks

DISCUSSION:

Background:

COMMISSIONERS AND STAFF

COUNTY: Kathy Long Linda Parks <i>Alternate:</i> Steve Bennett	CITY: Carl Morehouse Janice Parvin, Chair <i>Alternate:</i> Carol Smith	DISTRICT: Elaine Freeman Gail Pringle, Vice Chair <i>Alternate:</i> Bruce Dandy	PUBLIC: Lou Cunningham <i>Alternate:</i> Linda Ford-McCaffrey
Executive Officer: Kim Uhlich	Dep. Exec. Officer Kai Luoma, AICP	Office Mgr/Clerk Debbie Schubert	Legal Counsel Michael Walker

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (California Government Code §56000 et seq.) mandates that each LAFCo conduct municipal service reviews (MSRs) prior to or in conjunction with sphere of Influence (SOI) updates. LAFCos are also required to review, and as necessary, update the SOI for all agencies not less than once every five years.

In May 2008, the Commission approved a schedule for initiating service reviews and sphere of influence reviews/updates for 2008-2013, referred to as the “work plan”. According to the work plan, the MSRs and sphere updates for all of the cities (with the exception of Port Hueneme) were to be completed by mid 2012. However, the completion of the draft MSRs was hindered until late 2012 due to delays in receiving information from some of the cities, primarily due to city staffing reductions in recent years.

The Report and Actions by the Commission

The report (provided under separate cover) contains nine separate MSRs, one for each of the nine cities. Each MSR addresses each of the seven mandatory factors for which the Commission is required to adopt written determinations within the context of the services provided by each of the cities. While the report itself contains a substantial amount of information, the recommended determinations are, in essence, the municipal service review for each city. Formal adoption of the report itself is not required.

A separate resolution is recommended for each of the nine cities covered in the report. Each resolution contains the written determinations for each required factor. Once the resolutions are approved, the municipal service review process will be complete for all the cities in the County.

It is important to note that the actions recommended at this time relate only to municipal service reviews. No sphere of influence review is a part of any of the recommended actions. Once the service reviews are completed for the nine cities, sphere of influence reviews and, as necessary, update actions for each city will be individually considered for Commission action.

CEQA

The Ventura LAFCo is the lead agency under CEQA for municipal service reviews. The Commission must therefore address CEQA requirements before taking any action. In staff's opinion it could easily be argued that the municipal service review actions being recommended are not a project under CEQA in that the actions will not result in a direct or reasonably foreseeable indirect physical change in the environment. Such a determination, however, would not result in any further public CEQA notice of action and potentially could be challengeable over an extended period of time. Thus, a more

conservative approach of having the Commission determine that the municipal service review determinations being made are exempt from CEQA is recommended. This will result in the filing of a Notice of Exemption with the County Clerk and, significantly, a 30-day period for anyone to challenge the CEQA determination. If no challenge to the CEQA determination is filed by the end of the 30-day period, the Commission's actions on the municipal service reviews are not subject to subsequent CEQA challenge.

Staff reviewed both the CEQA Guidelines and the CEQA discussion in the State Guidelines for Municipal Service Reviews. Based on this review it is recommended that the Commission find that each of the recommended municipal service review determinations is exempt from CEQA under what is referred to as the "general rule" exemption. Specifically, CEQA Guidelines §15061(b)(3) provides that a project (each individual service review) is exempt from CEQA if:

"The activity is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA."

Each of the recommended resolutions contains a finding that the action is exempt from CEQA based on this "general rule" exemption.

Public Hearing Notice

There are no special notice or public hearing requirements for actions on MSR's. Notwithstanding this fact, the entire service review process is intended to be public and the State Municipal Service Review Guidelines recommend taking action on service reviews at a noticed public hearing. Thus, actions relating to the Municipal Service Reviews – Nine Ventura County Cities report and the determinations for each of the nine cities have been noticed and scheduled as a public hearing. Notices were published on October 21, 2012 in the Ventura County Star, posted on the Ventura LAFCo website, and posted at the County Government Center. The complete Public Review Draft of the Municipal Service Reviews – Nine Ventura County Cities report was posted on the Ventura LAFCo web site on November 2. Copies of the Public Review Draft of the report have been distributed to each of the nine cities and to other interested agencies and individuals.

Changes, Corrections and Additions

Each of the nine cities addressed in this service review report provided substantial information that greatly assisted in its preparation. In addition, each city was provided

with an administrative draft before the Public Review Draft was prepared. At that time most of the cities provided changes, corrections and additions. This assistance was welcomed and appreciated.

Following release of the Public Review Draft, staff identified changes to the written determinations that would provide clarifications or updated information. In addition, the City of Oxnard has requested changes to the written determinations. The recommended and requested changes, which are reflected in the attached resolutions for the Cities of Camarillo, Oxnard, and Simi Valley, are as follows:

- City of Camarillo - Written Determinations. The following recommended amendment to the written determination regarding growth and population projections is intended to better reflect the text of the MSR and clarify the actual annual population growth rate over the previous 12 years:

A. Growth and population projections for the affected area.

According to the State Department of Finance, the City's population as of January 1, 2012 was estimated to be 66,407. From 2000 to 2012, the City grew by an estimated 9,330 people, or 16.3 percent. This growth rate over 12 years equates to an estimated average annual growth rate of 1.36 percent. If the ~~16.3 percent~~ average annual growth rate of the past 12 years continues, population projections for the City are...

- City of Oxnard – Written Determinations. In a letter from the City of Oxnard, dated November 5, 2012 (Attachment 1), the City requested that the written determinations for the City's recreation and parks services be amended and an additional determination be added. LAFCo staff concurs that the requested amendment would better reflect the City's parkland conditions and recommends that the determination be amended pursuant to the City's request. The recommended amended determination is as follows:

C. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies

Recreation and parks services:

- Once development of Campus Park, College Park, and Sports Park are completed, it appears that the City will meet its neighborhood and community parkland goal of 3 acres per 1,000 residents.

The City also requested that an additional determination be added to reflect that City residents have access to a variety of other recreational amenities and facilities that total over 3,000 acres. However, the 3,000 acres includes lands that are not owned

or operated by the City and that are not within City limits and are, thus, not recreation or parks services provided by the City. For instance, the 3,000 acres includes County and State beaches and the water areas of Channel Islands Harbor, which are under County jurisdiction. Including such a written determination would be inconsistent with the purposes of the MSR, which is to analyze the services provided by the cities. LAFCo staff recommends that the requested determination, as proposed, not be included. Instead, LAFCo staff recommends the addition of the following determination to reflect the additional recreation facilities owned by the City:

The City provides approximately 540 acres of developed and anticipated park facilities, 62 acres of City-owned beaches, approximately 135 acres of undeveloped area owned by the City near Ormond Beach, and a portion of the channels in the Channel Islands Harbor.

LAFCo staff also recommends that the discussion of the City's recreation and park services in the MSR (pages 64-65) be amended to include a reference that the River Ridge Golf Course contains two public golf courses.

- City of Simi Valley – Written Determinations. The following recommended amendments reflects that passage of Proposition N on November 6, 2012, which limits the number of residential building permits that can be issued by the City to 292 per year:

A. Growth and population projections for the affected area.

In 2004, City voters approved a measure that limits the number of residential building permits that can be issued by the City to 292 per year through 2012. Measure N, which was approved by City voters on November 6, 2012, extends ~~would extend~~ the 292-unit restriction through 2022. ~~will be considered by voters on November 6, 2012.~~ The following population projections are based on the construction of 292-units per year and 3.02 people per household through 2030...

LAFCo staff also recommends that the discussion of Proposition N contained in the Growth and Population Projections section (page 120) be amended to reflect passage of the proposition.

As indicated, these recommended changes to the written determinations are reflected in the attached resolutions. If approved by the Commission, they will be reflected in the Final MSR. In addition to the aforementioned recommended changes, various non-

substantive changes to correct typographical and formatting errors will be reflected in the Final MSR.

There may be additional changes, corrections and additions found between the drafting of this staff report and the close of the public hearing on November 14. It is recommended that any such changes that the Commission finds appropriate also be included as a part of the action to accept the service review report and included as necessary in the resolutions adopting the determinations for each city. After action by the Commission a final report will be prepared reflecting the changes, corrections and additions noted, plus any minor, non-substantive changes the Executive Officer is authorized to make (corrections of typos, etc.).

Attachments:

- 1) Letter from the City of Oxnard, dated November 5, 2012
- 2) Resolution Accepting the Municipal Service Review and Approving Statements of Determination for the City of Camarillo
- 3) Resolution Accepting the Municipal Service Review and Approving Statements of Determination for the City of Fillmore
- 4) Resolution Accepting the Municipal Service Review and Approving Statements of Determination for the City of Moorpark
- 5) Resolution Accepting the Municipal Service Review and Approving Statements of Determination for the City of Ojai
- 6) Resolution Accepting the Municipal Service Review and Approving Statements of Determination for the City of Oxnard
- 7) Resolution Accepting the Municipal Service Review and Approving Statements of Determination for the City of San Buenaventura
- 8) Resolution Accepting the Municipal Service Review and Approving Statements of Determination for the City of Santa Paula
- 9) Resolution Accepting the Municipal Service Review and Approving Statements of Determination for the City of Simi Valley
- 10) Resolution Accepting the Municipal Service Review and Approving Statements of Determination for the City of Thousand Oaks

Matthew Winegar, ACIP
Director



Development Services

214 South C Street
Oxnard, CA 93030
(805) 385-7430
Fax (805) 385-7595
www.ci.oxnard.ca.us

November 5, 2012

Kim Uhlich, Executive Director
Ventura Local Agency Formation Commission
800 S. Victoria Avenue
Ventura, CA 93009-1850

RE: 2012 Draft Municipal Service Review (MSR) for the City of Oxnard

Dear Ms Uhlich:

The City is in receipt of the 2012 Draft MSR for Nine Ventura County Cities and commends you and your staff for this difficult undertaking every five years.

With regards to the description of the City's Recreation and Park Services on pages 64 and 65, the MSR correctly cites the amount of neighborhood and community park acreage that includes three parks (College Park, Campus Park, and Sports Park) in various stages of planning and development. However, no mention of the City and County beaches (62 and 111 acres, respectively), the City's two golf courses (386 acres), the Channel Islands harbor and channels (285 acres) on which recreational boating and kayaking is available, and other passive open spaces such as McGrath State Beach and the Ormond Beach wetlands. These areas and facilities are public and readily accessible to Oxnard residents. A November 11, 2011 memorandum to the Oxnard City Council listing these resources was provided to your office by e-mail on October 29, 2012 by Principal Planner Dr. Chris Williamson.

We respectfully request that the Recreation and Park Services profile be amended to note these resources, and that the Recreation and Park Services Determination on page 71 be amended by modifying the first bullet statement and adding a third bullet phrase as follows:

- Once development of Campus Park, *College Park*, and Sports Park are completed, it appears the City will meet its *neighborhood and community* parkland goal of 3 acres per 1,000 residents.
- Oxnard residents also have easy access to City, County, and State beaches, two public golf courses, harbor and waterway recreational areas, and passive open spaces totaling about 3,000 acres within the Oxnard Planning Area.

Ventura Local Agency Formation Commission
November 5, 2012
Page 2 of 2

We note that the general plans of other Ventura Counties cities take into account local and state beaches as well as city, count, and state hillside parks and open spaces. The statistics for Oxnard recreational facilities and opportunities should be expressed in comparable terms.

Thank you for your consideration of this request. If you have any question, please feel free to contact me at (805) 385-7877.

Sincerely,

A handwritten signature in black ink, appearing to read 'Matthew Winegar', is written over a horizontal line. The signature is stylized and somewhat illegible.

Matthew Winegar, ACIP
Director, Development Services

Attachment

Cc: Mayor and City Council
Karen Burnham, Interim City Manager



MEMORANDUM

November 11, 2011

TO: City Council

FROM: Christopher Williamson, Principal Planner *CW*

SUBJECT: City Parks and Other Recreational Facilities Available to Oxnard Residents

Below is a cumulative compilation of Oxnard parks and other recreational facilities readily available to Oxnard residents by size, type, and operating agency. The ratio of recreational acreage per 1,000 population increases to just under 12.5 acres/1,000 residents with the addition of open space and planned recreational areas to the year 2030.

<u>Oxnard Parks and Beaches</u>	<u>Acres</u>
Existing City parks and completion of College Park	488
New parks (Campus and Sports)	50
<u>Oxnard beaches (5th Street to Sunset Lane)</u>	<u>62</u>
<i>Ratio per 1,000 residents = 3.0</i>	600
 <u>Add: County beaches (Hollywood, Silver Strand, Fifth St. to McGrath SB)</u>	 <u>111</u>
<i>Ratio per 1,000 residents s = 3.5</i>	711
 <u>Add: McGrath State Beach (within City limits)</u>	 <u>312</u>
<i>Ratio per 1,000 residents = 5.1</i>	1,032
 <u>Add: Parks required as part of future development</u>	 <u>135</u>
<u>New parks in the 2030 General Plan</u>	<u>70</u>
<i>Ratio per 1,000 with future residents = 5.1</i>	1,228
 <u>Add: Oxnard Open Spaces and Recreational Areas</u>	
• River Ridge golf course	386
• Ormond Beach wetlands and Mandalay dunes	1,086
• Channel Island water areas (north of C.I. bridge)	143
• <u>Channel Island harbor water area (south of C.I. bridge)</u>	<u>142</u>
<i>Ratio per 1,000 with future residents = 12.4</i>	2,985
 <u>Other nearby park and recreation facilities</u>	
Naval Base Ventura Golf Course	
Channel Islands National Park	
Point Mugu State Park	
Santa Monica National Recreation Area	
City of Port Hueneme	

Note: 2010 population is approximately 200,000.
Beaches are based on average 300 feet in width.

2030 population projection projected at 240,000.
Oxnard parks listed on attachment.

CITY OF OXNARD PARKS	ADDRESSES	ACREAGE
Existing Oxnard City parks		488
(Old) Del Sol Park	1500 Camino Del Sol	4
Beck Park	600 West Kamala Street	9
Borchard Oak Park	Roble Lane	1
Cabrillo Park	1600 Ebony Drive	6
Carty Park	3900 South "F" Street	5
Central Park	3200 N. Oxnard Blvd.	5
Channel View	Harbor Blvd. & Ocean Dr.	1
College Estates Park	1400 Gary Drive	7
College Park	3250 South Rose Avenue	76
Colonia Park	170 No. Juanita Avenue	10
Community Center East	800 Hobson Way	11
Community Center West	801 Hobson Way	4
Connelly Park	2101 Bevra	3
Del Sol Park	1500 Camino Del Sol	14
Durley Park	800 W. Hill Street	11
East Park	351 Indus Pl.	4
Eastwood Park	1401 North "F" Street	4
Fremont Tot Park	1130 North "M" Street	2
Garden City Acres Park	5302 Cypress Road	6
Gateway Park	Forrest Park Blvd/River Park Blvd.	3
Johnson Creek Park	501 East Johnson Road	9
Kohala Park	Kohala Street	1
Lathrop Park	600 East Guava Street	3
Lemonwood Park	2055 East San Mateo Place	10
Linear Park	Hemlock St. @Pearl Way	3
Marina West Park	1300 South Novato Drive	6
Neptune Square	Neptune Square	0
Orchard Park	2130 Edelweiss Street	13
Oxnard Beach Park	1601 South Harbor Boulevard	62
Peninsula Park	3333 South Peninsula Road	4
Pfeiler Park	C/O Cesar Chavez Dr. & Pinata	3
Plaza Park	500 South "C" Street - 5th St. & "C" St.	2
Pleasant Valley Park	4501 Justin Way	10
Rio del Mar Elementary	3150 Thames River Drive	9
Rio Lindo Park	841 Blanca Street	9
Rio Vista Middle School	3050 Thames River Drive	16
Sea Air Park	2011 Ninth Street	9
Sea View Park	1001 Offshore Street	6
Seabridge Parks	3900 LMD W. Wooley	17
Sierra Linda Park	1040 Indigo Place	6
South Bank Park	2610 Woodside Place	6
South Winds Park	455 W. Clara Street	8
Southwest Community Park	2500 W. Fifth Street	26
Southwest Community Park Ext.	2500 W. Fifth Street	6
Sports Park	Entrada and MLK	4
Swim Beach Harbor	Victoria	4
Thompson Park	201 N Imperial St	3
Via Marina Park	3301 Keel Way	12
Village Green Park	3002 Moss Landing	1
Vineyard Park	2790 Smokey Mt	7
West Channel		12
West Village	1501 Cesar Chavez	6
Westport	4352 W Wooley	5
Wilson Park	350 N C Street	5
Windrow Park	802 Owens River	5
Oxnard City parks under construction		50
Sports Park	Entrada and Gonzales	20
Campus Park	309 K Street	30
Oxnard City parks part of future development		135
Collections	Town Square	2
Children's Park	Riverpark	1
Crescent Park	Riverpark	3
Launch Ramps	Victoria Ave in harbor	21
Riverpark Trail system	Riverpark perimeter	9
Southshore	adopted specific plan	78
Wagon Wheel (The Village)	adopted specific plan	21
Oxnard City parks part of future development		70
East Village Annexation park	2030 General Plan	30
Gateway Park	2030 General Plan	10
Teal Club	2030 General Plan	30

**RESOLUTION OF THE VENTURA LOCAL AGENCY
FORMATION COMMISSION ACCEPTING THE
MUNICIPAL SERVICE REVIEW AND APPROVING THE
STATEMENTS OF DETERMINATION FOR THE CITY OF
CAMARILLO**

WHEREAS, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (California Government Code §56000 et seq.) requires each Local Agency Formation Commission (LAFCo or Commission) to conduct municipal service reviews prior to or in conjunction with sphere of influence studies and updates; and

WHEREAS, LAFCOs are also required, as necessary, to review and update the spheres of influence for all agencies not less than once every five years; and

WHEREAS, the Ventura LAFCo has approved a work plan to conduct municipal service reviews and sphere of influence updates and the municipal service review for the City of Camarillo is a part of that work plan; and

WHEREAS, the Ventura LAFCo has prepared a report titled “Municipal Service Reviews – Nine Ventura County Cities” that includes the City of Camarillo; and

WHEREAS, the “Municipal Service Reviews – Nine Ventura County Cities” report contains draft statements of determinations as required by California Government Code §56430 for the City of Camarillo; and

WHEREAS, the Ventura LAFCo Executive Officer gave notice of a public hearing by the Commission to consider the “Municipal Service Reviews – Nine Ventura County Cities” report and the statements of determinations necessary to comply with California Government Code §56430 for the City of Camarillo; and

WHEREAS, the Ventura LAFCo Executive Officer has recommended that the municipal service review for the City of Camarillo be determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to §15061(b)(3) of the CEQA Guidelines; and

WHEREAS, the municipal service review for the City of Camarillo and the related recommended statements of determination were duly considered on November 14, 2012, as specified in the notice of hearing; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony for and against the recommended exemption from CEQA, the municipal service review and the written determinations for the City of Camarillo, including, but not limited to, the “Municipal Service Reviews – Nine Ventura County Cities” report and the Executive Officer’s report and recommendations;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Ventura Local Agency Formation Commission as follows:

- (1) The service review for the City of Camarillo as contained in the Municipal Service Reviews – Nine Ventura County Cities report, together with the related statements of determination, are determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to §15061(b)(3) of the CEQA Guidelines.
- (2) The Commission directs staff to file a Notice of Exemption as the lead agency under Section 15062.
- (3) The Commission accepts the “Municipal Service Reviews – Nine Ventura County Cities” report as presented to the Commission on November 14, 2012, including any corrections and revisions accepted at the public hearing and authorizes the Executive Officer to make other minor, non-substantive revisions to this report for accuracy and completeness.
- (4) The Executive Officer’s staff report recommending acceptance of the municipal service review report for the City of Camarillo, dated November 14, 2012, is hereby adopted.
- (5) Pursuant to California Government Code §56430 the following statements of determination are hereby approved for the City of Camarillo:

A. Growth and population projections for the affected area

According to the State Department of Finance, the City’s population as of January 1, 2012 was estimated to be 66,407. From 2000 to 2012, the City grew by an estimated 9,330 people, or 16.3 percent. This growth rate over 12 years equates to an estimated average annual growth rate of 1.36 percent. If the average annual growth rate of the past 12 years continues, population projections for the City are:

	2012	2015	2020	2025	2030
City Population	66,407	69,153	73,986	79,155	84,686

According to City staff, amendments to the General Plan have increased the projected population at buildout to 71,931. However, based on the City’s practice of amending the General Plan population projection on a project by project basis, it appears that this population projection may not be a reliable indicator of future population.

B. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

As defined by Section 56033.5 of the Government Code, a “Disadvantaged Unincorporated Community” (DUC) is a community with an annual median household income that is less than 80 percent of the statewide annual median household income. There are no DUCs within or contiguous to the City sphere of influence.

C. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies

Police services:

- The City’s current ratio is 1 sworn officer per 1,235 residents.
- The City’s average police response time for both emergency and non-emergency calls did not meet response time goals over the past two years. Response time goals for emergency calls were met 54 percent of the time over the last two years. Response time goals for non-emergency calls were met 68 percent of the time.

Solid waste services:

- The City contracts with a refuse collection company for solid waste collection and disposal services.

Streets and highways:

- The City provides street construction and maintenance and landscaping maintenance directly and via contract. It also provides street sweeping and street lighting service is via contract.

Potable water:

- The City provides potable water to most areas within the City. The majority of the City’s water supply, approximately 60 percent, is from imported water. The remaining approximately 40 percent is from groundwater.
- The City’s current water supply is adequate to meet current demands.
- The City anticipates that by 2020, approximately 95% of its water supply will be obtained from groundwater as a result of construction of the Camarillo Regional Groundwater Desalter. The increased volume of groundwater pumping will require approval of a new groundwater allocation from Fox Canyon Groundwater Management Agency. Insufficient information is available at this time to determine if such a request will be approved.

D. Financial ability of agencies to provide services

- At present, it appears that the City has the financial ability to provide a full range of municipal services.

E. Status of, and opportunities for, shared facilities

- No obvious additional opportunities for shared facilities were noted.

F. Accountability for community service needs, including governmental structure and operational efficiencies

- The City is locally accountable through an elected legislative body, adherence to applicable government code sections, open and accessible meetings, dissemination of information, and encouragement of public participation.
- The City maintains a website that includes basic information about the City, a basic directory of City services, current and recent City Council and Planning Commission agendas, and current and past budgets. However, the City could improve its website for the purpose of accountability by posting City Council agendas, reports and minutes from past years.
- The City achieves operational efficiencies through contracts or franchise agreements with various service providers, including police, animal control, and solid waste. Regarding operational efficiencies for storm water quality purposes, the City is covered under the County's National Pollutant Discharge Elimination System permit.

G. Any other matter related to effective or efficient service delivery, as required by Commission policy

- No other matters were identified.

This resolution was adopted on November 14, 2012.

	AYE	NO	ABSTAIN	ABSENT
Commissioner Cunningham	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Long	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Freeman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Morehouse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Parks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Parvin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Pringle	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Bennett	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Dandy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Smith	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Ford-McCaffrey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date

Chair, Ventura Local Agency Formation Commission

Cc: City of Camarillo

**RESOLUTION OF THE VENTURA LOCAL AGENCY
FORMATION COMMISSION ACCEPTING THE
MUNICIPAL SERVICE REVIEW AND APPROVING THE
STATEMENTS OF DETERMINATION FOR THE CITY OF
FILLMORE**

WHEREAS, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (California Government Code §56000 et seq.) requires each Local Agency Formation Commission (LAFCo or Commission) to conduct municipal service reviews prior to or in conjunction with sphere of influence studies and updates; and

WHEREAS, LAFCos are also required to, as necessary, review and update the spheres of influence for all agencies not less than once every five years; and

WHEREAS, the Ventura LAFCo has approved a work plan to conduct municipal service reviews and sphere of influence updates and the municipal service review for the City of Fillmore is a part of that work plan; and

WHEREAS, the Ventura LAFCo has prepared a report titled “Municipal Service Reviews – Nine Ventura County Cities” that includes the City of Fillmore; and

WHEREAS, the “Municipal Service Review – Nine Ventura County Cities” report contains draft statements of determinations as required by California Government Code §56430 for the City of Fillmore; and

WHEREAS, the Ventura LAFCo Executive Officer gave notice of a public hearing by the Commission to consider the “Municipal Service Reviews – Nine Ventura County Cities” report and the statements of determinations necessary to comply with California Government Code §56430 for the City of Fillmore; and

WHEREAS, the Ventura LAFCo Executive Officer has recommended that the municipal service review for the City of Fillmore be determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to §15061(b)(3) of the CEQA Guidelines; and

WHEREAS, the municipal service review for the City of Fillmore and the related recommended statements of determination were duly considered on November 14, 2012, as specified in the notice of hearing; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony for and against the recommended exemption from CEQA, the municipal service review and the written determinations for the City of Fillmore, including, but not limited to, the “Municipal Service Reviews – Nine Ventura County Cities” report and the Executive Officer’s report and recommendations;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Ventura Local Agency Formation Commission as follows:

- (1) The service review for the City of Fillmore as contained in the Municipal Service Reviews – Nine Ventura County Cities report, together with the related statements of determination, are determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to §15061(b)(3) of the CEQA Guidelines.
- (2) The Commission directs staff to file a Notice of Exemption as the lead agency under Section 15062.
- (3) The Commission accepts the “Municipal Service Reviews – Nine Ventura County Cities” report as presented to the Commission on November 14, 2012, including any corrections and revisions accepted at the public hearing and authorizes the Executive Officer to make other minor, non-substantive revisions to this report for accuracy and completeness.
- (4) The Executive Officer’s staff report recommending acceptance of the municipal service review report for the City of Fillmore, dated November 14, 2012, is hereby adopted.
- (5) Pursuant to California Government Code §56430 the following statements of determination are hereby approved for the City of Fillmore:

A. Growth and population projections for the affected area

According to the US Census, from 2000 to 2010, the City increased in population from 13,643 to 15,002. The California Department of Finance estimates the City’s population to be 15,145 as of January 1, 2012. Thus, from 2000 to 2012, the City grew by an estimated 1,502 people, or 11 percent. This 11 percent growth rate over 12 years equates to an estimated average annual growth rate of 0.92 percent. The following table reflects the City’s projected population in 5-year increments based on this estimated rate of growth:

	2012	2015	2020	2025	2030
City Population	15,145	15,567	16,296	17,060	17,859

The City updated its General Plan in 2003. The General Plan Land Use Element estimates that buildout of the City would result in a population of 22,693, though it does not specify a year by which buildout would occur. It appears that this population projection was based on development project densities which have since been reduced. For instance, the North Fillmore Specific Plan’s nearly 700 residential units were reduced by City voters to a maximum of 350 units. The General Plan also assumes development of various properties located outside the current City sphere of influence. Thus, it appears that the General Plan’s buildout population projection may be an overestimate of actual growth capacity.

B. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

As defined by Section 56033.5 of the Government Code, a “Disadvantaged Unincorporated Community” (DUC) is a community with an annual median household income that is less than 80 percent of the statewide annual median household income. There are no DUCs within or contiguous to the City sphere of influence.

C. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies

Fire services:

- The City operates one fire station.
- The City relies almost exclusively on volunteers to staff and operate the Fire Department. This has resulted in an effective Fire Department at a relatively modest cost.

Library services:

- Library services are provided by the Ventura County Library System. The City provided \$3,500 in funding for the library this fiscal year.

Police services:

- The City provides police services via a contract with the Ventura County Sheriff’s Office.
- Over the last two fiscal years, four sworn officer positions have been eliminated and funding for the Chief position has been reduced, resulting in a 27 percent reduction in the number of sworn officers. Over the last two fiscal years, the ratio of officers per residents has decreased from 1 officer per 1,009 residents to 1 officer per 1,392 residents, which is considered to be a significant adverse impact to police service by the City’s own standard.

Recreation and park services:

- The City provides 3 acres of parkland per 1,000 residents.
- Due to budget constraints and staffing reductions, the City must rely on volunteers to dispose of trash in City parks and the donation of pool chemicals for the aquatics center. The City is also considering reducing park hours and the indefinite closure of restrooms in City parks unless an outside entity takes over restroom maintenance at a no-cost basis.

Solid waste services:

- The City has entered into a franchise agreement with a private refuse collection company for solid waste collection and disposal services. Customers are billed directly by the service provider for these services.
- The City funds additional solid waste-related services, including hazardous waste collection.

Streets and highways:

- The City provides street maintenance and storm drain maintenance services. Street sweeping services are provided as part of the franchise agreement with the solid waste provider. Street lighting services are provided by a private contractor.

Potable water:

- The City provides potable water to the City and to areas adjacent to the City.
- The City has not adopted an updated Urban Water Management Plan for 2010 and is therefore out of compliance with the Urban Water Management Planning Act.
- Adequate information is unavailable to assess the City's current and future water demand and supply.

Wastewater:

- The City's wastewater collection system suffers from significant inflow and infiltration during wet weather resulting in several sections of trunklines that currently have insufficient capacity. It appears that the City has not funded the recommended improvements to the collection system.
- As the Sewer Rate Stabilization Fund used to subsidize sewer operating costs is drawn down, wastewater user fees will likely need to be increased substantially.

D. Financial ability of agencies to provide services

- According to the 2012-13 adopted budget, the City is facing a minimum \$1.3 million deficit in the next fiscal year.
- The City has not allocated funding to address the existing wet-weather deficiencies in the City wastewater system
- The City anticipates revenue shortfalls for the Recreation and Parks Department next fiscal year. The City is exploring alternatives to providing these services, including having community groups take over many of the operational aspects of the Department.
- Budget constraints have resulted in elimination of over half of the City's workforce. This has resulted in substantially reduced levels of service, including:

- The City's Fire Chief is currently serving as acting City Manager and Fire Chief, and also directly oversees Public Works operations and Parks and Recreation.
- The Community Development Director and Building Official positions have been combined.
- Code Enforcement functions have not been funded for the last two years. However, according to City staff, the City recently received a \$35,000 Community Development Block Grant from the County to allow for a part-time code enforcement function.
- The City's Engineering function has been replaced with a private contractor.
- Reductions in police have resulted in a lower officer-to-resident ratio and the elimination of the school resource and gang functions.
- City Hall is closed from noon to 1:00 p.m. and at 4:00 p.m. each day. The amount allocated to maintain City Hall has dropped from over \$289,000 in 2010 to approximately \$88,000 for the current fiscal year, a decrease of 70 percent.
- The Deputy City Manager position was eliminated last fiscal year and replaced with an Assistant City Manager position, which was eliminated this fiscal year.
- If the City does not prevail in the legal challenge regarding the diversion of sales taxes described in the Profile section, it may be required to repay a portion of \$7 million in sales tax revenue that it had received prior to the State Board of Equalization withholding payments. If the portion is substantial, it is unclear how the City would be able to reimburse these funds and continue to provide services or remain solvent.

E. Status of, and opportunities for, shared facilities

- No other obvious additional opportunities for shared facilities were noted.

F. Accountability for community service needs, including governmental structure and operational efficiencies

- The City is locally accountable through an elected legislative body, open and accessible meetings, dissemination of information, and encouragement of public participation.
- The City's Community Development and Building and Safety functions are open to the public only during morning hours, Monday through Thursday.
- City Hall is closed from noon to 1:00 and at 4:00 each day.
- The City's website contains information on the current and previous City budgets, some services and programs, City happenings and activities, public meetings, and City documents. Current City Council agendas and packets are posted. Public accountability could be enhanced if past City Council agendas, agenda

packets, and minutes were accessible. In addition, given that the US Census estimates that 58.5 percent of City residents speak a language other than English at home, accountability would be enhanced if the City provided a bilingual component to the website.

- Meetings of the City Council are broadcast live by the City's cable channel.
- To achieve operational efficiencies for storm water quality purposes, the City is covered under the County's National Pollutant Discharge Elimination System permit.

G. Any other matter related to effective or efficient service delivery, as required by Commission policy

- No other matters were identified.

This resolution was adopted on November 14, 2012.

	AYE	NO	ABSTAIN	ABSENT
Commissioner Cunningham	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Long	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Freeman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Morehouse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Parks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Parvin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Pringle	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Bennett	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Dandy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Smith	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Ford-McCaffrey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date

Chair, Ventura Local Agency Formation Commission

Cc: City of Fillmore

**RESOLUTION OF THE VENTURA LOCAL AGENCY
FORMATION COMMISSION ACCEPTING THE MUNICIPAL
SERVICE REVIEW AND APPROVING THE STATEMENTS
OF DETERMINATION FOR THE CITY OF MOORPARK**

WHEREAS, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (California Government Code §56000 et seq.) requires each Local Agency Formation Commission (LAFCo or Commission) to conduct municipal service reviews prior to or in conjunction with sphere of influence studies and updates; and

WHEREAS, LAFCos are also required to, as necessary, review and update the sphere of influence for all agencies not less than once every five years; and

WHEREAS, the Ventura LAFCo has approved a work plan to conduct municipal service reviews and sphere of influence updates and the municipal service review for the City of Moorpark is a part of that work plan; and

WHEREAS, the Ventura LAFCo has prepared a report titled “Municipal Service Reviews – Nine Ventura County Cities” that includes the City of Moorpark; and

WHEREAS, the “Municipal Service Review – Nine Ventura County Cities” report contains draft statements of determinations as required by California Government Code §56430 for the City of Moorpark; and

WHEREAS, the Ventura LAFCo Executive Officer gave notice of a public hearing by the Commission to consider the “Municipal Service Reviews – Nine Ventura County Cities” report and the statements of determinations necessary to comply with California Government Code §56430 for the City of Moorpark; and

WHEREAS, the Ventura LAFCo Executive Officer has recommended that the municipal service review for the City of Moorpark be determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to §15061(b)(3) of the CEQA Guidelines; and

WHEREAS, the municipal service review for the City of Moorpark and the related recommended statements of determination were duly considered on November 14, 2012, as specified in the notice of hearing; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony for and against the recommended exemption from CEQA, the municipal service review and the written determinations for the City of Moorpark, including, but not limited to, the “Municipal Service Reviews – Nine Ventura County Cities” report and the Executive Officer’s report and recommendations;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Ventura Local Agency Formation Commission as follows:

- (1) The service review for the City of Moorpark as contained in the Municipal Service Reviews – Nine Ventura County Cities report, together with the related statements of determination, are determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to §15061(b)(3) of the CEQA Guidelines.
- (2) The Commission directs staff to file a Notice of Exemption as the lead agency under Section 15062.
- (3) The Commission accepts the “Municipal Service Reviews – Nine Ventura County Cities” report as presented to the Commission on November 14, 2012, including any corrections and revisions accepted at the public hearing and authorizes the Executive Officer to make other minor, non-substantive revisions to this report for accuracy and completeness.
- (4) The Executive Officer’s staff report recommending acceptance of the municipal service review report for the City of Moorpark, dated November 14, 2012, is hereby adopted.
- (5) Pursuant to California Government Code §56430 the following statements of determination are hereby approved for the City of Moorpark:

A. Growth and population projections for the affected area

According to the US Census, from 2000 to 2010, the City of Moorpark increased in population from 31,415 to 34,421. The California Department of Finance estimates the City’s population to be 34,826 as of January 1, 2012. Thus, from 2000 to 2012, the City increased in population by an estimated 3,411, or 10.85 percent. This 10.85 percent growth rate over 12 years equates to an estimated average annual growth rate of 0.90 percent. The following table reflects the City’s projected population in 5-year increments based on this estimated rate of growth:

	2012	2015	2020	2025	2030
City Population	34,826	35,775	37,414	39,128	40,920

The City General Plan Land Use Element estimates that a total of 12,511 dwelling units could be constructed within the planning area, which is essentially limited to the area within the existing City boundary. Using the 3.25 average number of persons per dwelling unit identified in 2010 Census for Moorpark, buildout of the current General Plan would result in approximately 40,661 residents.

B. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

As defined by Section 56033.5 of the Government Code, a “Disadvantaged Unincorporated Community” (DUC) is a community with an annual median

household income that is less than 80 percent of the statewide annual median household income. There are no DUCs within or contiguous to the City sphere of influence.

C. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies

Library services:

- The City owns the Moorpark City Library located at 699 Moorpark Avenue. The library is operated by a private company under contract with the City.

Police services:

- The City provides 26.65 sworn officers, a ratio of 1 sworn officer per 1,306 residents.
- Based on population growth rates, to maintain the current ratio of 1 officer per 1,306 residents in 2030, 31 police officers will be required.

Recreation and park services:

- The City provides a wide range of park facilities and recreation programs.
- The City's park facilities and recreation programs are open to both City and unincorporated County residents, though City residents have priority and unincorporated residents pay higher fees.
- The City's goal is to provide 5 acres of park space per 1,000 residents, or approximately 174 acres. The City currently provides approximately 152.5 acres of parkland.

Streets and highways:

- The City provides street maintenance, street light and landscaping maintenance, street sweeping, and storm drain maintenance services.
- Due to budget constraints, the City has reduced the amount of street maintenance activities and deferred other major street maintenance projects to later years.

D. Financial ability of agencies to provide services

- It appears that the City has the ability to finance each of the services it currently provides. However, due to budget constraints in recent years, the levels of various services have understandably decreased, such as street maintenance.
- To balance the 2012-13 budget, the City relied on approximately \$342,500 in General Fund reserve funds, \$290,000 in projected surplus, various service cuts, and increased fees.
- The City General Fund is subsidizing 56 percent of the special benefit conferred on properties from the park maintenance and improvement

assessment district, a total cost for fiscal year 2012-13 of approximately \$918,600. This subsidy to property owners has contributed to reductions in City services that are funded by the General Fund. The City may wish to consider increasing the assessment so that the subsidy from the General Fund is decreased or eliminated.

- The assessment revenue from several Zones of Benefit within the Citywide Lighting and Landscaping Zone and Assessment District No. 84-2 do not fully cover the costs to provide street lighting and/or landscaping services to those zones. The amount of the per lot assessment in these zones has not been changed since 1999. Any increase in the assessment would be subject to a public vote. Over the years, the gas tax revenue and the City General Fund have covered the difference. The increasing subsidy from the General Fund may create adverse effects on other city-wide services funded by the General Fund. The City may wish to consider undertaking a process to increase the assessment in these Zones of Benefit or consider reducing the level of service in those zones that are not fully funding the services that are received.

E. Status of, and opportunities for, shared facilities

- No obvious opportunities for shared facilities were noted.

F. Accountability for community service needs, including governmental structure and operational efficiencies

- The City is locally accountable through an elected legislative body, adherence to applicable government code sections, open and accessible meetings, dissemination of information, and encouragement of public participation.
- The City maintains a website that includes basic information about the City, a basic directory of City services, current City Council and Planning Commission agendas, the current budget and annual financial report. The website also provides several years of archived agendas and meeting videos. However the City could improve its website for the purpose of accountability for service needs by posting the adopted minutes for each City Council meeting, the capital improvement program, and past budgets. The City has budgeted \$25,000 for a new website design.
- The City achieves operational efficiencies through contracts or franchise agreements with various service providers, including police, animal control, and solid waste.

G. Any other matter related to effective or efficient service delivery, as required by Commission policy

- No other matters were identified.

This resolution was adopted on November 14, 2012.

	AYE	NO	ABSTAIN	ABSENT
Commissioner Cunningham	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Long	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Freeman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Morehouse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Parks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Parvin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Pringle	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Bennett	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Dandy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Smith	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Ford-McCaffrey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date

Chair, Ventura Local Agency Formation Commission

Cc: City of Moorpark

**RESOLUTION OF THE VENTURA LOCAL AGENCY
FORMATION COMMISSION ACCEPTING THE
MUNICIPAL SERVICE REVIEW AND APPROVING THE
STATEMENTS OF DETERMINATION FOR THE CITY OF
OJAI**

WHEREAS, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (California Government Code §56000 et seq.) requires each Local Agency Formation Commission (LAFCo or Commission) to conduct municipal service reviews prior to or in conjunction with sphere of influence studies and updates; and

WHEREAS, LAFCos are also required, as necessary, to review and update the spheres of influence for all agencies not less than once every five years; and

WHEREAS, the Ventura LAFCo has approved a work plan to conduct municipal service reviews and sphere of influence updates and the municipal service review for the City of Ojai is a part of that work plan; and

WHEREAS, the Ventura LAFCo has prepared a report titled “Municipal Service Reviews – Nine Ventura County Cities” that includes the City of Ojai; and

WHEREAS, the “Municipal Service Review – Nine Ventura County Cities” report contains draft statements of determinations as required by California Government Code §56430 for the City of Ojai; and

WHEREAS, the Ventura LAFCo Executive Officer gave notice of a public hearing by the Commission to consider the “Municipal Service Reviews – Nine Ventura County Cities” report and the statements of determinations necessary to comply with California Government Code §56430 for the City of Ojai; and

WHEREAS, the Ventura LAFCo Executive Officer has recommended that the municipal service review for the City of Ojai be determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to §15061(b)(3) of the CEQA Guidelines; and

WHEREAS, the municipal service review for the City of Ojai and the related recommended statements of determination were duly considered on November 14, 2012, as specified in the notice of hearing; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony for and against the recommended exemption from CEQA, the municipal service review and the written determinations for the City of Ojai, including, but not limited to, the “Municipal Service Reviews – Nine Ventura County Cities” report and the Executive Officer’s report and recommendations;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Ventura Local Agency Formation Commission as follows:

- (1) The service review for the City of Ojai as contained in the Municipal Service Reviews – Nine Ventura County Cities report, together with the related statements of determination, are determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to §15061(b)(3) of the CEQA Guidelines.
- (2) The Commission directs staff to file a Notice of Exemption as the lead agency under Section 15062.
- (3) The Commission accepts the “Municipal Service Reviews – Nine Ventura County Cities” report as presented to the Commission on November 14, 2012, including any corrections and revisions accepted at the public hearing and authorizes the Executive Officer to make other minor, non-substantive revisions to this report for accuracy and completeness.
- (4) The Executive Officer’s staff report recommending acceptance of the municipal service review for the City of Ojai, dated November 14, 2012, is hereby adopted.
- (5) Pursuant to California Government Code §56430 the following statements of determination are hereby approved for the City of Ojai:

A. Growth and population projections for the affected area

According to the US Census, from 2000 to 2010, the City decreased in population from 7,862 to 7,461. The California Department of Finance estimates the City’s population to be 7,535 as of January 1, 2012. Thus, from 2000 to 2012, the City decreased in population by an estimated 327, -4.45 percent. This -4.45 percent growth rate over 12 years equates to an estimated average annual growth rate of negative 0.37 percent. The following table reflects the City’s projected population in 5year increments based on this estimated rate of growth:

	2012	2015	2020	2025	2030
City Population	7,535	7,452	7,315	7,181	7,049

Future development

The City General Plan Land Use Element estimates that future residential development within the City would average 11 units per year (approximately 27 people), resulting in a buildout population of 9,327 by 2050. The following table reflects the City’s projected population in 5-year increments based on this estimated rate of growth beginning with the population estimate for 2012:

	2012	2015	2020	2025	2030	2035	2040	2045	2050
City Population	7,535	7,616	7,751	7,886	8,021	8,156	8,291	8,426	8,561

The General Plan Land Use Element does not identify land uses outside current City boundaries. It therefore appears that the City does not anticipate annexation of area within its sphere of influence to accommodate future development under the City's current General Plan.

B. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

As defined by Section 56033.5 of the Government Code, a "Disadvantaged Unincorporated Community" (DUC) is a community with an annual median household income that is less than 80 percent of the statewide annual median household income. There are no DUCs within or contiguous to the City sphere of influence.

C. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies.

Police services:

- The City's standard for police protection is 1.5 police officers per 1,000 residents, or 1 officer per 667 residents. Eleven officers are necessary to meet the standard for the current population of 7,535. Based on the City/Sheriff service contract it appears that the City currently meets its standard for police protection.
- Based on population growth rates identified in the City's General Plan, to meet the City's police protection goal in 2030, 12 police officers will be required.

Recreation and park services:

- The City provides a wide range of park facilities and recreation programs.
- The City's park facilities and recreation programs are open to both City and unincorporated County residents.
- The City's goal is to provide 4 acres of park space per 1,000 residents, or approximately 29 acres. It appears that the amount of available parkland within city boundaries (operated by both the City and the County) exceeds the City's parkland goal.
- The Ojai Library is part of the Ventura County library system. The operation of the Ojai Library is funded, in part, by a special tax approved by Ojai residents in 1996.

Solid waste services:

- Solid waste collection and disposal services are provided in the City via a franchise agreement with a private company. Customers are charged a fee by the service provider for these services.

Streets and highways:

- The City provides street maintenance, landscaping maintenance, and storm drain maintenance services. Street sweeping services are provided via a franchise agreement with a private company. Street lighting services are provided via contract.
- City streets suffer from deferred maintenance.

D. Financial ability of agencies to provide services

- It appears that the City has the ability to finance each of the services it currently provides. However, due to budget constraints in recent years, the levels of various services have understandably decreased, such as street maintenance services.
- The City is relying increasingly on the General Fund to cover future street improvement costs. This may impact other services and City operations that are funded by the General Fund.
- The City's goal is to maintain a contingency reserve equivalent to 50% of the General Fund expenditures, or \$3,950,000 based on the 2012-13 budget. The City anticipated \$1,258,000 in reserves at the start of the current fiscal year. Replenishment of the reserve is largely reliant on loan repayments from the City's now defunct Redevelopment Agency. However, since the dissolution of RDAs by the state, this loan repayment is uncertain. Without the RDA loan payments, City operations and/or capital projects may be adversely impacted if funds are diverted to increase the reserve amount.

E. Status of, and opportunities for, shared facilities

- A formal memorandum of understanding exists between the City and the County of Ventura for the operation of the Ojai Library, which is partially funded by the City. No other obvious additional opportunities for shared facilities were noted.

F. Accountability for community service needs, including governmental structure and operational efficiencies

- The City is locally accountable through an elected legislative body, adherence to applicable government code sections, open and accessible meetings, dissemination of information, and encouragement of public participation.

- The City maintains a web site that includes basic information about the City, a basic directory of City services, the current City Council and Planning Commission agendas, City Council meeting minutes for the previous two years, and the current and previous City budgets. However the City could substantially improve its web site for the purpose of accountability for service needs by posting the capital improvement program, certified annual financial report, and an archive of past City Council agendas with links to agenda item staff reports.
- The City is increasing accountability for community service needs by transitioning key staff from a 4 day, 36 hour work week to a 5 day work week to enable City offices to remain open to the public on Fridays.
- The City achieves operational efficiencies through contracts or franchise agreements with various service providers, including police, animal control, street lights, solid waste, and street sweeping.

G. Any other matter related to effective or efficient service delivery, as required by Commission policy.

- No other matters were identified.

This resolution was adopted on November 14, 2012.

	AYE	NO	ABSTAIN	ABSENT
Commissioner Cunningham	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Long	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Freeman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Morehouse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Parks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Parvin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Pringle	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Bennett	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Dandy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Smith	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Ford-McCaffrey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date

Chair, Ventura Local Agency Formation Commission

Cc: City of Ojai

**RESOLUTION OF THE VENTURA LOCAL AGENCY
FORMATION COMMISSION ACCEPTING THE
MUNICIPAL SERVICE REVIEW AND APPROVING THE
STATEMENTS OF DETERMINATION FOR THE CITY OF
OXNARD**

WHEREAS, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (California Government Code §56000 et seq.) requires each Local Agency Formation Commission (LAFCo or Commission) to conduct municipal service reviews prior to or in conjunction with sphere of influence studies and updates; and

WHEREAS, LAFCos are also required to, as necessary, review and update the spheres of influence for all agencies not less than once every five years; and

WHEREAS, the Ventura LAFCo has approved a work plan to conduct municipal service reviews and sphere of influence updates and the municipal service review for the City of Oxnard is a part of that work plan; and

WHEREAS, the Ventura LAFCo has prepared a report titled “Municipal Service Reviews – Nine Ventura County Cities” that includes the City of Oxnard; and

WHEREAS, the “Municipal Service Review – Nine Ventura County Cities” report contains draft statements of determinations as required by California Government Code §56430 for the City of Oxnard; and

WHEREAS, the Ventura LAFCo Executive Officer gave notice of a public hearing by the Commission to consider the “Municipal Service Reviews – Nine Ventura County Cities” report and the statements of determinations necessary to comply with California Government Code §56430 for the City of Oxnard; and

WHEREAS, the Ventura LAFCo Executive Officer has recommended that the municipal service review for the City of Oxnard be determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to §15061(b)(3) of the CEQA Guidelines; and

WHEREAS, the municipal service review for the City of Oxnard and the related recommended statements of determination were duly considered on November 14, 2012, as specified in the notice of hearing; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony for and against the recommended exemption from CEQA, the municipal service review and the written determinations for the City of Oxnard, including, but not limited to, the “Municipal Service Reviews – Nine Ventura County Cities” report and the Executive Officer’s report and recommendations;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Ventura Local Agency Formation Commission as follows:

- (1) The service review for the City of Oxnard as contained in the Municipal Service Reviews – Nine Ventura County Cities report, together with the related statements of determination, are determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to §15061(b)(3) of the CEQA Guidelines.
- (2) The Commission directs staff to file a Notice of Exemption as the lead agency under Section 15062.
- (3) The Commission accepts the “Municipal Service Reviews – Nine Ventura County Cities” report as presented to the Commission on November 14, 2012, including any corrections and revisions accepted at the public hearing and authorizes the Executive Officer to make other minor, non-substantive revisions to this report for accuracy and completeness.
- (4) The Executive Officer’s staff report recommending acceptance of the municipal service review report for the City of Oxnard, dated November 14, 2012, is hereby adopted.
- (5) Pursuant to California Government Code §56430 the following statements of determination are hereby approved for the City of Oxnard:

A. Growth and population projections for the affected area

According to the US Census, from 2000 to 2010, the City increased in population from 170,358 to 197,899. The California Department of Finance estimates the City’s population to be 200,390 as of January 1, 2012. Thus, from 2000 to 2012, the City grew by an estimated 30,032 people, or 17.63 percent. This 17.63 percent growth rate over 12 years equates to an estimated average annual growth rate of 1.47 percent. The following table reflects the City’s projected population in 5-year increments based on this estimated rate of growth:

	2012	2015	2020	2025	2030
City Population	200,390	209,357	225,205	242,251	260,588

The City adopted its 2030 General Plan in 2011. The General Plan anticipates a buildout population of up to 245,556. The 2030 General Plan projection assumes eventual annexation and development of three undeveloped unincorporated areas already within the existing Oxnard sphere of influence.

B. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

As defined by Section 56033.5 of the Government Code, a “Disadvantaged Unincorporated Community” (DUC) is a community with an annual median household income that is less than 80 percent of the statewide annual median household income. The Ventura LAFCo has determined that the community of Nyeland Acres, abutting the City to the northeast and located within the City’s current sphere of influence, is a DUC. Nyeland Acres is within Census Tract 50.02, which also includes agricultural areas to the north and east in which only a few residences are located. The following demographic information was obtained from the 2010 Census for Census Tract 50.02:

Population:	3,003
Median Household income:	\$42,043
Race:	90% Hispanic

Nyeland Acres receives wastewater services from Ventura County Service Area No. 30 (CSA). Under an agreement with the City of Oxnard, the CSA discharges wastewater to the City collection system where it is conveyed to the City treatment plant.

Water service is provided by the Garden Acres Mutual Water Company and the Nyeland Acres Mutual Water Company. Each water company obtains its water from wells. Neither company’s water system currently meets County of Ventura fire flow standards. According to the Fox Canyon Groundwater Management Agency, Garden Acres MWC has been relying on groundwater credits since 1999 to meet demand. In addition, Garden Acres MWC operates a single well with no long-term backup supply in the event of an emergency. Nyeland Acres MWC has been exceeding its groundwater allocation every year since 1996.

Law enforcement services are provided by the County Sheriff’s Office and fire protection services are provided by the Ventura County Fire Protection District and the City under a mutual aid agreement.

C. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies

Fire services:

- The City operates seven fire stations which serve the City and nearby unincorporated communities.

- The City's seven fire stations serve over 200,000 residents, a ratio of one station per more than 28,500 people. The Fire Department achieves its response time goal 62 percent of the time.
- The City has approved funding for the construction of an eighth fire station in College Park, which will reduce the ratio to 1 station per 25,000 people, and likely improve response times.
- Approved and proposed residential development would result in an additional estimated 21,600 people, increasing the fire station ratio to 1 station per 27,700 people, which would likely adversely impact any improvements to response times resulting from the addition of the aforementioned eighth fire station.

Library services:

- The City operates a main library and two branch libraries.
- The City's per capita library spending is below the national and state averages.

Police services:

- The City ratio of sworn officers to residents is among the highest when compared to the other nine cities reviewed in this report.
- Average response times for both emergency and non-emergency calls currently meet the City's goals.
- In order to maintain the current staffing ratio for the anticipated population from approved and proposed residential development, an additional 25.5 sworn officers will be required.

Recreation and parks services:

- The City provides approximately 540 acres of developed and anticipated park facilities, 62 acres of City-owned beaches, approximately 135 acres of undeveloped area owned by the City near Ormond Beach, and a portion of the channels in the Channel Islands Harbor.
- Once development of Campus Park, College Park, and Sports Park are completed, it appears that the City will meet its neighborhood and community parkland goal of 3 acres per 1,000 residents.
- The River Ridge Golf Course Enterprise Fund had been running deficits in recent years. To cover the shortfall for the current fiscal year, the Golf Course Fund received a \$1.3 million loan from water connection fees, part of the Water Fund. Water connections fees are anticipated to generate \$460,000 in 2012-13.

Solid waste services:

- The City provides solid waste collection services directly to residential, commercial, and industrial customers.

- The City provides a number of related services, including education, waste reduction programs, and hazardous waste disposal.

Streets and highways:

- The City is a direct provider of street construction and maintenance, street lighting services, street sweeping and landscape maintenance services.

Potable water:

- The City provides potable water to most of the City and to areas adjacent to the City.
- The City's ability to meet anticipated water demand is reliant on receiving several thousand acre feet per year of groundwater allocations and/or credits in exchange for providing recycled water to agricultural operations and/or injecting recycled water into groundwater.

Wastewater:

- The City provides wastewater collection and treatment services to the City and to adjacent public agencies and unincorporated areas.
- The City's collection system currently experiences capacity deficiencies. In addition, the City has identified future capacity deficiencies. It is unclear whether the City has addressed these deficiencies. It appears that no monies were allocated for this purpose in 2011-12 or 2012-13.
- The City's wastewater treatment plant has adequate capacity to accommodate current and future anticipated wastewater flows.

D. Financial ability of agencies to provide services

- The City appears to have the financial ability to continue to provide many services at an adequate level.
- In order to maintain the current staffing ratio of 1 officer per 844 residents for the anticipated population from approved and proposed residential development, an additional 25.5 sworn officers will be required. The source of long-term funding for these additional officers is unclear.
- In regards to City streets, alleys, drainage, and storm water quality facilities, the City has indicated that revenue is significantly below that needed for maintenance.
- In regards to water and wastewater services, the City has indicated that revenue from current rates is insufficient to support needed capital replacements and capital improvements for the water and wastewater systems.

- The costs to address the current and future deficiencies identified in the City wastewater collection system are projected to exceed \$13 million through 2014. It appears that no monies were allocated for this purpose in 2011-12 or 2012-13.

E. Status of, and opportunities for, shared facilities

- No other obvious additional opportunities for shared facilities were noted.

F. Accountability for community service needs, including governmental structure and operational efficiencies

- The City is locally accountable through an elected legislative body, open and accessible meetings, dissemination of information, and encouragement of public participation.
- The City's website contains a significant amount of information on the current and previous City budget, services and programs, City happenings and activities, public meetings, development activities, and City documents. Current and past City Council agendas are accessible and agenda items are linked to staff reports.
- The City could substantially improve its web site for the purpose of local accountability and governance by posting past City budgets. In addition, due to the fact that the US Census reported that 67.9 percent of City residents speak other than English at home, the City should consider providing a bilingual format for the website. The City currently provides public notices and other City documents in Spanish and intends to translate City Council meeting broadcasts in Spanish in the near future.
- Meetings of the City Council are broadcast live on the City's cable channel. Archived videos of past meetings are available for viewing on the City's website.
- To achieve operational efficiencies for storm water quality purposes, the City is covered under the County's National Pollutant Discharge Elimination System permit.

G. Any other matter related to effective or efficient service delivery, as required by Commission policy.

- No other matters were identified.

This resolution was adopted on November 14, 2012.

	AYE	NO	ABSTAIN	ABSENT
Commissioner Cunningham	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Long	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Freeman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Morehouse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Parks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Parvin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Pringle	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Bennett	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Dandy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Smith	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Ford-McCaffrey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date

Chair, Ventura Local Agency Formation Commission

Cc: City of Oxnard

**RESOLUTION OF THE VENTURA LOCAL AGENCY
FORMATION COMMISSION ACCEPTING THE
MUNICIPAL SERVICE REVIEW AND APPROVING THE
STATEMENTS OF DETERMINATION FOR THE CITY OF
SAN BUENAVENTURA**

WHEREAS, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (California Government Code §56000 et seq.) requires each Local Agency Formation Commission (LAFCo of Commission) to conduct municipal service reviews prior to or in conjunction with sphere of influence studies and updates; and

WHEREAS, LAFCOs are also required to, as necessary, review and update the spheres of influence for all agencies not less than once every five years; and

WHEREAS, the Ventura LAFCo has approved a work plan to conduct municipal service reviews and sphere of influence updates and the municipal service review for the City of San Buenaventura is a part of that work plan; and

WHEREAS, the Ventura LAFCo has prepared a report titled “Municipal Service Reviews – Nine Ventura County Cities” that includes the City of San Buenaventura; and

WHEREAS, the “Municipal Service Review – Nine Ventura County Cities” report contains draft statements of determinations as required by California Government Code §56430 for the City of San Buenaventura; and

WHEREAS, the Ventura LAFCo Executive Officer gave notice of a public hearing by the Commission to consider the “Municipal Service Reviews – Nine Ventura County Cities” report and the statements of determinations necessary to comply with California Government Code §56430 for the City of San Buenaventura; and

WHEREAS, the Ventura LAFCo Executive Officer has recommended that the municipal service review for the City of San Buenaventura be determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to §15061(b)(3) of the CEQA Guidelines; and

WHEREAS, the municipal service review for the City of San Buenaventura and the related recommended statements of determination were duly considered on November 14, 2012, as specified in the notice of hearing; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony for and against the recommended exemption from CEQA, the municipal service review and the written determinations for the City of San Buenaventura, including, but not limited to, the “Municipal Service Reviews – Nine Ventura County Cities” report and the Executive Officer’s report and recommendations;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Ventura Local Agency Formation Commission as follows:

- (1) The service review for the City of San Buenaventura as contained in the Municipal Service Reviews – Nine Ventura County Cities report, together with the related statements of determination, are determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to §15061(b)(3) of the CEQA Guidelines.
- (2) The Commission directs staff to file a Notice of Exemption as the lead agency under Section 15062.
- (3) The Commission accepts the “Municipal Service Reviews – Nine Ventura County Cities” report as presented to the Commission on November 14, 2012, including any corrections and revisions accepted at the public hearing and authorizes the Executive Officer to make other minor, non-substantive revisions to this report for accuracy and completeness.
- (4) The Executive Officer’s staff report recommending acceptance of the municipal service review report for the City of San Buenaventura, dated November 14, 2012, is hereby adopted.
- (5) Pursuant to California Government Code §56430 the following statements of determination are hereby approved for the City of San Buenaventura:

A. Growth and population projections for the affected area.

According to the US Census, from 2000 to 2010, the City increased in population from 100,916 to 106,433. The California Department of Finance estimates the City’s population to be 107,166 as of January 1, 2012. Thus, from 2000 to 2012, the City grew by an estimated 6,250 people, or 6.19 percent. This 6.19 percent growth rate over 12 years equates to an estimated average annual growth rate of 0.52 percent. The following table reflects the City’s projected population in 5-year increments based on this estimated rate of growth. The table also reflects the annexation of the community of Montalvo to the City in 2012:

	2012	2015	2020	2025	2030
City Population	107,166	108,847	111,706	114,641	117,653
Montalvo	632	632	632	632	632
Total Population	107,798	109,479	112,338	115,273	118,285

The City updated its General Plan in 2005. The EIR prepared for the update included population projections based on an annual growth rate of 0.88 percent

(average from 1994-2004) and a 2004 population of 104,952. The projections used in the General Plan would result in an estimated 2012 population of approximately 112,500, substantially higher than the current estimate by the Department of Finance. Thus, it appears that the anticipated growth rate projected in the General Plan EIR is overestimated based on the most recent population estimate from the California Department of Finance.

According to City Planning staff, the City has approved 2,434 residential units that have not yet been constructed. Using the average 2.57 person per household identified by the US Census, development of these units would add 6,255 people to the City. If the 685 residential units that are currently being considered for approval are, in fact, approved, it would add another 1,760 people. When the total population from these units is added to the current population, it results in a population of nearly 116,000.

B. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

As defined by Section 56033.5 of the Government Code, a “Disadvantaged Unincorporated Community” (DUC) is a community with an annual median household income that is less than 80 percent of the statewide annual median household income. The Ventura LAFCo has determined that the community of Saticoy, abutting the City to the southeast and located within the City’s current sphere of influence, is a DUC. The following demographic information was obtained from the 2010 Census:

Population:	1,029
Median Household income:	\$21,343
Poverty rate:	28.4%
Race:	87% Hispanic

Saticoy receives wastewater services from the Saticoy Sanitary District, an independent special district which serves only the community of Saticoy. Potable water services are provided by the City and customers are subject to the City’s water surcharge for service provided outside of City limits. City policy generally precludes new or expanded water services greater than a ¾ inch meter, thus, limiting the amount of multi-family, commercial, and industrial development and/or redevelopment that can occur within the community. Law enforcement services are provided by the County Sheriff’s Office and fire protection services are provided primarily by City under a mutual aid agreement.

C. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies

Fire services:

- The City operates six fire stations which serve the City and nearby unincorporated communities.
- The closure of Fire Station 4 in 2010 resulted in substantial reductions in response times for emergency services to approximately the eastern half of the City. In 2011, the City obtained funding to reopen the fire station through most of 2014. However, the availability of funding for this station beyond 2014 is uncertain at this time.
- The current level of staffing does not appear to be sufficient to provide personnel adequate time to perform their duties and to maintain adequate emergency response staffing without incurring substantial overtime costs.

Library services:

- Library services are provided by two libraries, both of which are located on the west end of the City. The city has adopted a 5-year plan with the goal of improving services and constructing a new library to serve the east side of the City.
- Per capita library spending is below the national and state averages.

Police services:

- The City provides a high ratio of sworn officers to residents.
- Recent reductions in police staffing correlated to a significant increase in violent crime in the 2011. The City has budgeted for an additional five sworn police officers and plans for another two officers next fiscal year.
- In order to maintain the current ratio of sworn officers to residents for approved and proposed residential development, an additional 9.5 sworn officers will be required.

Recreation and parks services:

- The City provides a wide range of park facilities and recreation programs.
- The City's goal is to provide 10 acres of park space per 1,000 residents. To meet this goal for the current population, 1,080 acres would need to be provided.
- The City provides 589 acres of developed park facilities.

Solid waste services:

- The City has entered into franchise agreements with a refuse collection company for solid waste collection and disposal services. Customers are billed directly by the service provider for these services.

- The City funds a number of additional solid waste-related services to encourage recycling, hazardous waste collection, and community beautification and enhancement.

Streets and highways:

- The City provides street and landscaping maintenance and storm drain maintenance services. Street sweeping services are provided as part of the franchise agreements with solid waste providers. A large majority of street lighting in the City is owned and maintained by Southern California Edison and is funded by the City. The City does maintain street lights owned by the City.
- Maintenance of City streets is significantly underfunded and likely to result in continued deterioration of City streets.

Potable water:

- The City provides potable water to the City and to areas adjacent to the City.
- It appears that current demand within the City's water service areas is 88 percent of current total supply.
- It appears that the water demands from approved, but not built, development will increase demand to 94 percent of current supply.
- It appears that currently-proposed development would increase water demand to 96 percent of current supply.
- It appears that anticipated reductions in supply during drought conditions will result in current and future normal water demand exceeding supplies, requiring implementation of measures to reduce demand.

Wastewater:

- The City provides wastewater collection and treatment services to the City and to adjacent unincorporated areas.
- The City's collection system currently experiences capacity deficiencies. In addition, the City has identified short-term capacity deficiencies and deficiencies at buildout of the General Plan.
- The City's Treatment Plant has adequate capacity to accommodate current wastewater flows. Anticipated wastewater flows from buildout of the General Plan will exceed the current capacity of the City's treatment plant. Additional assessment must occur in order to demonstrate that expansion of the treatment facility is feasible.

D. Financial ability of agencies to provide services

- Long-term funding needed to keep all currently operating fire stations open beyond 2014 has not been identified.

- In order to maintain the current police officer-to-resident staffing ratios for new and proposed development, an additional 9.5 sworn officers are required. It is unclear how these positions will be funded.
- The City has identified funding shortfalls of up to \$5.7 million per year for maintenance services necessary to prevent further deterioration of City streets.
- The costs to address the current deficiencies identified in the City wastewater collection system are projected to exceed \$36 million. The source of funding and the timing of the improvements have not been identified.
- Sewer system improvements needed to accommodate near-term and ultimate future growth and development are projected to cost approximately \$38 million. The source of funding and the timing of the improvements have not yet been identified. In addition, the cost to construct the infrastructure necessary to divert wastewater for “beneficial uses” per the City’s legal settlement has not been identified.

E. Status of, and opportunities for, shared facilities

- No other obvious additional opportunities for shared facilities were noted.

F. Accountability for community service needs, including governmental structure and operational efficiencies

- The City is locally accountable through an elected legislative body, adherence to applicable government code sections, open and accessible meetings, dissemination of information, and encouragement of public participation.
- The City’s website contains a significant amount of information on the current and previous City budgets, services and programs, City happenings and activities, public meetings, development activities, and City documents. Current and past City Council minutes and agendas are posted and agenda items are linked to staff reports.
- Meetings of the City Council are broadcast live on the City’s cable channel. Archived videos of past meetings are available for viewing on the City’s website.
- To achieve operational efficiencies for storm water quality purposes, the City is covered under the County’s National Pollutant Discharge Elimination System permit.

G. Any other matter related to effective or efficient service delivery, as required by Commission policy

- No other matters were identified.

This resolution was adopted on November 14, 2012.

	AYE	NO	ABSTAIN	ABSENT
Commissioner Cunningham	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Long	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Freeman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Morehouse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Parks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Parvin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Pringle	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Bennett	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Dandy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Smith	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Ford-McCaffrey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date

Chair, Ventura Local Agency Formation Commission

Cc: City of San Buenaventura

**RESOLUTION OF THE VENTURA LOCAL AGENCY
FORMATION COMMISSION ACCEPTING THE
MUNICIPAL SERVICE REVIEW AND APPROVING THE
STATEMENTS OF DETERMINATION FOR THE CITY OF
SANTA PAULA**

WHEREAS, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (California Government Code §56000 et seq.) requires each Local Agency Formation Commission (LAFCo or Commission) to conduct municipal service reviews prior to or in conjunction with sphere of influence studies and updates; and

WHEREAS, LAFCos are also required, as necessary, to review and update the spheres of influence for all agencies not less than once every five years; and

WHEREAS, the Ventura LAFCo has approved a work plan to conduct municipal service reviews and sphere of influence updates and the municipal service review for the City of Santa Paula is a part of that work plan; and

WHEREAS, the Ventura LAFCo has prepared a report titled “Municipal Service Reviews – Nine Ventura County Cities” that includes the City of Santa Paula; and

WHEREAS, the “Municipal Service Review – Nine Ventura County Cities” report contains draft statements of determinations as required by California Government Code §56430 for the City of Santa Paula; and

WHEREAS, the Ventura LAFCo Executive Officer gave notice of a public hearing by the Commission to consider the “Municipal Service Reviews – Nine Ventura County Cities” report and the statements of determinations necessary to comply with California Government Code §56430 for the City of Santa Paula; and

WHEREAS, the Ventura LAFCo Executive Officer has recommended that the municipal service review for the City of Santa Paula be determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to §15061(b)(3) of the CEQA Guidelines; and

WHEREAS, the municipal service review for the City of Santa Paula and the related recommended statements of determination were duly considered on November 14, 2012, as specified in the notice of hearing; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony for and against the recommended exemption from CEQA, the municipal service review and the written determinations for the City of Santa Paula, including, but not limited to, the “Municipal Service Reviews – Nine Ventura County Cities” report and the Executive Officer’s report and recommendations;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Ventura Local Agency Formation Commission as follows:

- (1) The service review for the City of Santa Paula as contained in the Municipal Service Reviews – Nine Ventura County Cities report, together with the related statements of determination, are determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to §15061(b)(3) of the CEQA Guidelines.
- (2) The Commission directs staff to file a Notice of Exemption as the lead agency under Section 15062.
- (3) The Commission accepts the “Municipal Service Reviews – Nine Ventura County Cities” report as presented to the Commission on November 14, 2012, including any corrections and revisions accepted at the public hearing and authorizes the Executive Officer to make other minor, non-substantive revisions to this report for accuracy and completeness.
- (4) The Executive Officer’s staff report recommending acceptance of the municipal service review report for the City of Santa Paula, dated November 14, 2012, is hereby adopted.
- (5) Pursuant to California Government Code §56430 the following statements of determination are hereby approved for the City of Santa Paula:

A. Growth and population projections for the affected area

According to the State Department of Finance, the City’s population as of January 1, 2012 was estimated to be 29,882. If the 0.38 percent average annual growth rate of the past 12 years continues, population projections for the City are:

	2012	2015	2020	2025	2030
City Population	29,882	30,224	30,803	31,392	31,993

If all of the anticipated development projects that are identified in the General Plan were to be built, and additional approximately 8,825 residents would be added to the City.

B. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

As defined by Section 56033.5 of the Government Code, a “Disadvantaged Unincorporated Community” (DUC) is a community with an annual median household income that is less than 80 percent of the statewide annual median

household income. There are no DUCs within or contiguous to the City sphere of influence.

C. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies

Fire services:

- The City's Fire Department provides fire protection and related services within and adjacent to the City.
- The City relies on firefighter/EMT volunteers to operate two engine companies. Based on information obtained in recent budgets, without volunteers, the City's current funding would provide for only a single engine company. However, this volunteer program on which the City has relied since 2005 has enabled the City to meet its response time goals the overwhelming majority of the time.
- Additional fire protection staffing, equipment, and facilities will be required to provide services to future development anticipated in the City's General Plan. Though plans are in place to provide for adequate staffing and facilities to serve the East Area 1 and East Area 2 development projects, no plans appear to be in place to provide and fund the facilities and staffing necessary to provide adequate fire protection services to development anticipated in the Adams and Fagan Canyon Expansion Areas. Without additional fire resources to serve future development, current services may be adversely impacted.

Police services:

- The City's goal is to provide 1 sworn officer per 800 residents. The City's current ratio is 1 sworn officer per 1,150 residents. The ratio has fallen in recent years from a high of 1 officer per 912 residents. The City's decreased staffing levels have corresponded to significant increases in police response times to both emergency and non-emergency calls.
- To maintain or increase the existing ratio of 1 sworn officer to 1,150 residents as well as response times, buildout of the General Plan will require additional officers, support staff, and equipment. The fiscal analysis conducted for the East Area 1 Specific Plan demonstrated that the development would generate adequate revenue to fund additional police personnel. Information is not available at this time to determine whether other future development will provide adequate revenue to fund the additional staffing and equipment that will be needed.

Recreation and park services:

- The City provides a wide range of park facilities and recreation programs.

- The City's goal is to provide 5 acres of park space per 1,000 residents. The City operates and maintains approximately 58 acres of developed parkland and parkland equivalent, a ratio of 5 acres per approximately 2,576 residents.
- To meet the City's parkland goal for the current population, a total of 149 acres of parkland would be necessary.

Solid waste services:

- The City contracts with a refuse collection company for solid waste collection and disposal services. Customers are billed directly by the service provider for these services.
- The sale of the City's waste hauling vehicles provided one-time revenues in 2011-12 (\$575,000) and 2012-13 (\$858,875). Ongoing revenues of \$405,000 in franchise fees and rentals are anticipated.

Streets and highways:

- The City provides street maintenance, street sweeping, landscaping maintenance, and storm drain maintenance services. Street lighting services are provided by a private contractor.
- The streets maintenance function of the Public Works Department has experienced substantial staff reductions since 2009.
- Needed storm drain improvements identified in the 2008 Storm Drain Master Plan have not been funded or constructed.

Potable and recycled water:

- The City provides potable water within and adjacent to the City. The City's water supply comes exclusively from groundwater.
- The City's current groundwater allocation is adequate to meet current demands.
- The City's future water supplies appear to be adequate to meet future demands resulting from anticipated development. However, it is unclear at this time whether future development will generate sufficient revenue to cover the costs to construct, operate, and maintain the infrastructure necessary to deliver potable water, particularly to the Adams and Fagan Canyon Expansion Areas.
- The City anticipates that beginning in 2015, it will provide recycled water from the recently completed Water Recycling Facility to new development anticipated in the General Plan. However, demand projections for recycled water appear to be based on levels of future development that have since been substantially decreased. It is not clear whether it will be cost effective to install and maintain the infrastructure necessary to deliver recycled water to future development, particularly development in the Adams and Fagan Canyon Expansion Areas.

Wastewater:

- The City provides wastewater collection and treatment services to the City and to adjacent areas.
- The City entered into a contract with a private company to finance, design, build, and operate a new wastewater treatment and water recycling facility for 30 years. The new treatment facility was completed in 2010 with a treatment capacity of 4.2 million gallons per day. It appears that the facility has the capacity to provide wastewater treatment services for the City.
- Significant sections of the City's wastewater collection system are currently in poor condition and/or are over capacity and in need of replacement.
- It appears that the new wastewater treatment facility has adequate capacity to accommodate wastewater treatment demands resulting from future development anticipated in the General Plan.
- Future development anticipated in the General Plan will require substantial expansion of the City's wastewater collection system and will result in capacity deficiencies in some portions of the existing system. Information is not available at this time whether future development will generate adequate revenue to cover the costs to construct, upgrade, operate, and maintain the infrastructure necessary to provide wastewater collection, particularly to the Adams and Fagan Canyon Expansion Areas.

D. Financial ability of agencies to provide services

- At present, it appears that the City has the financial ability to provide a full range of municipal services. However, the levels of various services have decreased and service charges/rates paid by residents have increased, which is understandable due to revenue shortfalls and other budget constraints.
- According to the fiscal analysis prepared for the East Area 1 Specific Plan development, for which LAFCo approved a sphere of influence amendment and reorganization in 2011, the development will generate adequate revenue to fully fund all necessary City services.
- Due to their close proximity to existing service infrastructure, streets, and other City facilities the extension of services to the East Area 2 and West Area 2 Planning areas, as well as the Stewart Property, is likely to be cost effective. This is particularly true given that the majority of development in these areas is anticipated to be revenue-generating commercial and industrial uses.
- Given the large geographical extent of the Adams and Fagan Canyon Expansion Areas, the cost of extending, operating, and maintaining service infrastructure and facilities in these areas will likely be substantial based on the level of development anticipated in the current General Plan. Due to the fact that

planning in the way of land use, infrastructure, circulation, and financing for these areas has not yet occurred, the costs to provide services to them, as well as the sources of revenue to cover those costs, have not been identified. Given that development in each expansion area is currently limited to fewer than 500 residential units and a limited amount of revenue-generating commercial development, it is unclear whether development in these areas would be financially feasible.

- The fiscal year 2012-13 adopted budget provides \$179,052 for contingencies, or 1.6 percent of General Fund operating expenses. Thus, if actual revenues are 1.6 percent less than anticipated or actual costs are 1.6 percent greater than anticipated, funds may have to be diverted and City operations may be impacted.

E. Status of, and opportunities for, shared facilities

- The City actively cooperates with other agencies as appropriate to share facilities.
- The City has a formal joint use agreement with the Santa Paula Elementary School District for shared park and recreational facilities. Fire dispatch service is shared and provided by the Ventura County Fire Protection District.
- No other obvious additional opportunities for shared facilities were noted.

F. Accountability for community service needs, including governmental structure and operational efficiencies

- The City is locally accountable through an elected legislative body, adherence to applicable government code sections, open and accessible meetings, dissemination of information, and encouragement of public participation.
- The City's accountability to community service needs is reflected in the following objectives as described in the fiscal year 2012-13 adopted budget:
 - Traffic Safety
 - Respond within 30 minutes to all requests from dispatch regarding traffic hazards.
 - Repair/replace all damaged regulatory signs, advisory signs, and informational signs within two week of report.
 - Remove graffiti from all signs, sign posts, and signal light posts within 24 hours of report
 - Repair all City-owned street lighting fixtures within two weeks of report. Forward street lighting repair needs to Southern California Edison with 72 hours of notice.
 - Water Quality

- Respond within 30 minutes to sewage overflows; contain, report, and clean up overflow.
- Investigate all customer concerns within 30 minutes.
- Respond within 30 minutes to low-hazard spills or vehicle collision Hazmat clean up requests.
- Water Service
 - Respond within 15 minutes to all requests regarding serious system water leaks
 - Respond within 30 minutes to all daytime and after hours requests regarding water distribution.
- Wastewater
 - Keep leaks and overflows to less than 1 per month.
 - Establish a “hot spots” (problem areas) maintenance program.
- The City maintains a web site that contains basic public information and has made various improvements to it since the 2007 MSR. The City now posts current and past operating and CIP budgets and the General Plan.
- The City could substantially improve its web site for the purpose of local accountability and governance by posting staff reports linked to both City Council and Planning Commission agendas. In addition, due to the fact that the US Census reported that 59 percent of City residents speak other than English at home, the City should consider providing a bilingual format for the website. The City currently provides some public notices in Spanish and provides bilingual staff in each department. Until last year, City Council meetings were simulcast in Spanish.
- Meetings of the City Council are broadcast live by the City’s franchise cable TV operator and rebroadcast multiple times in the week following the meeting.
- To achieve operational efficiencies for storm water quality purposes, the City is covered under the County’s National Pollutant Discharge Elimination System permit.

G. Any other matter related to effective or efficient service delivery, as required by Commission policy

- No other matters were identified.

This resolution was adopted on November 14, 2012.

	AYE	NO	ABSTAIN	ABSENT
Commissioner Cunningham	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Long	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Freeman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Morehouse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Parks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Parvin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Pringle	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Bennett	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Dandy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Smith	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Ford-McCaffrey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date

Chair, Ventura Local Agency Formation Commission

Cc: City of Santa Paula

**RESOLUTION OF THE VENTURA LOCAL AGENCY
FORMATION COMMISSION ACCEPTING THE
MUNICIPAL SERVICE REVIEW AND APPROVING THE
STATEMENTS OF DETERMINATION FOR THE CITY OF
SIMI VALLEY**

WHEREAS, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (California Government Code §56000 et seq.) requires each Local Agency Formation Commission (LAFCo or Commission) to conduct municipal service reviews prior to or in conjunction with sphere of influence studies and updates; and

WHEREAS, LAFCos are also required to, as necessary, review and update the spheres of influence for all agencies not less than once every five years; and

WHEREAS, the Ventura LAFCo has approved a work plan to conduct municipal service reviews and sphere of influence updates and the municipal service review for the City of Simi Valley is a part of that work plan; and

WHEREAS, the Ventura LAFCo has prepared a report titled “Municipal Service Reviews – Nine Ventura County Cities” that includes the City of Simi Valley; and

WHEREAS, the “Municipal Service Review – Nine Ventura County Cities” report contains draft statements of determinations as required by California Government Code §56430 for the City of Simi Valley; and

WHEREAS, the Ventura LAFCo Executive Officer gave notice of a public hearing by the Commission to consider the “Municipal Service Reviews – Nine Ventura County Cities” report and the statements of determinations necessary to comply with California Government Code §56430 for the City of Simi Valley; and

WHEREAS, the Ventura LAFCo Executive Officer has recommended that the municipal service review for the City of Simi Valley be determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to §15061(b)(3) of the CEQA Guidelines; and

WHEREAS, the municipal service review for the City of Simi Valley and the related recommended statements of determination were duly considered on November 14, 2012, as specified in the notice of hearing; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony for and against the recommended exemption from CEQA, the municipal service review and the written determinations for the City of Simi Valley, including, but not limited to, the “Municipal Service Reviews – Nine Ventura County Cities” report and the Executive Officer’s report and recommendations;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Ventura Local Agency Formation Commission as follows:

- (1) The service review for the City of Simi Valley as contained in the Municipal Service Reviews – Nine Ventura County Cities report, together with the related statements of determination, are determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to §15061(b)(3) of the CEQA Guidelines.
- (2) The Commission directs staff to file a Notice of Exemption as the lead agency under Section 15062.
- (3) The Commission accepts the “Municipal Service Reviews – Nine Ventura County Cities” report as presented to the Commission on November 14, 2012, including any corrections and revisions accepted at the public hearing and authorizes the Executive Officer to make other minor, non-substantive revisions to this report for accuracy and completeness.
- (4) The Executive Officer’s staff report recommending acceptance of the municipal service review report for the City of Simi Valley, dated November 14, 2012, is hereby adopted.
- (5) Pursuant to California Government Code §56430 the following statements of determination are hereby approved for the City of Simi Valley:

A. Growth and population projections for the affected area

According to the US Census, from 2000 to 2010, the City of Simi Valley increased in population from 111,361 to 124,237. The California Department of Finance estimates the City’s population to be 125,317 as of January 1, 2012. Thus, from 2000 to 2012, the City grew by an estimated 13,956 people, or 12.5 percent. This growth rate over 12 years equates to an estimated average annual growth rate of 1.04 percent. The following table reflects the City’s projected population in 5-year increments based on this estimated annual rate of growth:

	2012	2015	2020	2025	2030
City Population	125,317	129,268	136,131	143,359	150,970

The City updated its General Plan in 2012. The General Plan Land Use Element anticipates a total of approximately 100 acres of low, medium, and moderate density residential development (350 dwelling units) outside City boundaries and within the sphere of influence. The Land Use Element provides that development shall not exceed 53,669 housing units. According to the 2010 Census, the average number of people per household in the City is 3.02. Thus, at 3.02 persons per household,

buildout of the updated General Plan would result in an estimated population of 162,080.

In 2004, City voters approved a measure that limits the number of residential building permits that can be issued by the City to 292 per year through 2012. Measure N, which was approved by City voters on November 6, 2012, extends the 292-unit restriction through 2022. The following population projections are based on the construction of 292-units per year and 3.02 people per household through 2030:

	2012	2015	2020	2025	2030
City Population	125,317	127,963	132,372	136,781	141,190

B. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

As defined by Section 56033.5 of the Government Code, a “Disadvantaged Unincorporated Community” (DUC) is a community with an annual median household income that is less than 80 percent of the statewide annual median household income. There are no DUCs within or contiguous to the City sphere of influence.

C. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies

Police services:

- The City currently provides a ratio of 1 sworn officer per 1,036 residents
- The City’s average police response time for both emergency and non-emergency calls has met response time goals 100 percent of the time.

Solid waste services:

- The City contracts with a refuse collection company for solid waste collection and disposal services. Customers are billed directly by the service provider for these services.

Streets and highways:

- The City provides street construction and maintenance both directly and via contract. Street sweeping, lighting, and landscaping are all provided via contract.

Wastewater services:

- The City provides wastewater collection and treatment services within the City and in areas adjacent to the City.

- The City's wastewater collection system appears generally adequate; however, due to the use of a pipe material that is prone to deterioration, the City is implementing a sewer rehabilitation program and adding maintenance as necessary to prevent sewer failures.
- It appears that the City's Water Quality Control Plant has adequate capacity to accommodate the increased wastewater treatment demands from anticipated growth under the current General Plan.

D. Financial ability of agencies to provide services

- At present, it appears that the City has the financial ability to provide a full range of municipal services.

E. Status of, and opportunities for, shared facilities

- No other obvious additional opportunities for shared facilities were noted.

F. Accountability for community service needs, including governmental structure and operational efficiencies

- The City is locally accountable through an elected legislative body, adherence to applicable government code sections, open and accessible meetings, dissemination of information, and encouragement of public participation.
- The City maintains a website that includes information about the City, a comprehensive directory of City services, and current and past budgets. Current and past City Council minutes and agendas are posted and agenda items are linked to staff reports. Videos of the meetings are also accessible.
- The City achieves operational efficiencies through contracts or franchise agreements with various service providers, such as solid waste. Regarding operational efficiencies for storm water quality purposes, the City is covered under the County's National Pollutant Discharge Elimination System permit.

G. Any other matter related to effective or efficient service delivery, as required by Commission policy

- No other matters were identified.

This resolution was adopted on November 14, 2012.

	AYE	NO	ABSTAIN	ABSENT
Commissioner Cunningham	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Long	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Freeman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Morehouse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Parks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Parvin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Pringle	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Bennett	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Dandy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Smith	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Ford-McCaffrey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date

Chair, Ventura Local Agency Formation Commission

Cc: City of Simi Valley

**RESOLUTION OF THE VENTURA LOCAL AGENCY
FORMATION COMMISSION ACCEPTING THE
MUNICIPAL SERVICE REVIEW AND APPROVING THE
STATEMENTS OF DETERMINATION FOR THE CITY OF
THOUSAND OAKS**

WHEREAS, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (California Government Code §56000 et seq.) requires each Local Agency Formation Commission (LAFCo or Commission) to conduct municipal service reviews prior to or in conjunction with sphere of influence studies and updates; and

WHEREAS, LAFCos are also required to, as necessary, review and update the spheres of influence for all agencies not less than once every five years; and

WHEREAS, the Ventura LAFCo has approved a work plan to conduct municipal service reviews and sphere of influence updates and the municipal service review for the City of Thousand Oaks is a part of that work plan; and

WHEREAS, the Ventura LAFCo has prepared a report titled “Municipal Service Reviews – Nine Ventura County Cities” that includes the City of Thousand Oaks; and

WHEREAS, the “Municipal Service Review – Nine Ventura County Cities” report contains draft statements of determinations as required by California Government Code §56430 for the City of Thousand Oaks; and

WHEREAS, the Ventura LAFCo Executive Officer gave notice of a public hearing by the Commission to consider the “Municipal Service Reviews – Nine Ventura County Cities” report and the statements of determinations necessary to comply with California Government Code §56430 for the City of Thousand Oaks; and

WHEREAS, the Ventura LAFCo Executive Officer has recommended that the municipal service review for the City of Thousand Oaks be determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to §15061(b)(3) of the CEQA Guidelines; and

WHEREAS, the municipal service review for the City of Thousand Oaks and the related recommended statements of determination were duly considered on November 14, 2012, as specified in the notice of hearing; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony for and against the recommended exemption from CEQA, the municipal service review and the written determinations for the City of Thousand Oaks, including, but not limited to, the “Municipal Service Reviews – Nine Ventura County Cities” report and the Executive Officer’s report and recommendations;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Ventura Local Agency Formation Commission as follows:

- (1) The service review for the City of Thousand Oaks as contained in the Municipal Service Reviews – Nine Ventura County Cities report, together with the related statements of determination, are determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to §15061(b)(3) of the CEQA Guidelines.
- (2) The Commission directs staff to file a Notice of Exemption as the lead agency under Section 15062.
- (3) The Commission accepts the “Municipal Service Reviews – Nine Ventura County Cities” report as presented to the Commission on November 14, 2012, including any corrections and revisions accepted at the public hearing and authorizes the Executive Officer to make other minor, non-substantive revisions to this report for accuracy and completeness.
- (4) The Executive Officer’s staff report recommending acceptance of the municipal service review report for the City of Thousand Oaks, dated November 14, 2012, is hereby adopted.
- (5) Pursuant to California Government Code §56430 the following statements of determination are hereby approved for the City of Thousand Oaks:

A. Growth and population projections for the affected area

According to the US Census, from 2000 to 2010, the City increased in population from 117,005 to 126,683. The California Department of Finance estimates the City’s population to be 128,031 as of January 1, 2012. Thus, from 2000 to 2012, the City grew by an estimated 11,026 people, or 9.4 percent. This 9.4 percent growth rate over 12 years equates to an estimated average annual growth rate of 0.78 percent. The following table reflects the City’s projected population in 5-year increments based on this estimated rate of growth:

	2012	2015	2020	2025	2030
City Population	128,031	131,050	136,242	141,639	147,249

According to the *City of Thousand Oaks 2012 Population and Housing* handout, the City anticipates that the ultimate population of the City will be approximately 131,000. According to City staff, this maximum population would be reached by 2030, which would equate to an average annual growth rate of approximately 0.13%. Based on discussions with City staff, this growth rate is based on population growth that occurred in recent years during the economic recession.

B. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

As defined by Section 56033.5 of the Government Code, a “Disadvantaged Unincorporated Community” (DUC) is a community with an annual median household income that is less than 80 percent of the statewide annual median household income. There are no DUCs within or contiguous to the City sphere of influence.

C. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies

Police services:

- The City contracts with the County Sheriff for police services. The City’s current ratio is 1 sworn officer per 1,377 residents. However, emergency response times have met the City’s goal 100 percent of the time over the last two years and the City enjoys a low crime rate.

Solid waste services:

- The City has entered into franchise agreements with refuse collection companies for solid waste collection and disposal services. Customers are billed directly by the service provider for these services.
- The City funds a number of additional solid waste-related services to encourage recycling, provide for hazardous waste collection, and community beautification/enhancement.

Streets and highways:

- The City provides street and landscaping maintenance and storm drain maintenance services. Street sweeping services are provided as part of the franchise agreements with solid waste providers. Street lighting services are provided by a private contractor.

Potable water:

- The City provides potable water to a portion of the City and to areas adjacent to the City. The City’s water supply comes exclusively from the Calleguas Municipal Water District.
- The City’s current and future water supply is adequate to meet current and future anticipated demands.
- The City water service area includes portions of the unincorporated areas of Kelly Estates and Ventu Park. In recent years, the City has issued “will serve letters” for water service to proposed residential development projects located outside its service area without first obtaining LAFCo approval of an out of agency service agreement, as required by state law. The City should ensure that

it obtains LAFCo approval of an out of agency service agreement prior to issuing a water will serve letter or otherwise agreeing to provide water service to any property outside its service area.

Wastewater:

- The City provides wastewater collection and treatment services to most of the City and to adjacent unincorporated areas.
- In 2002, several deficiencies in the City’s wastewater collection system were identified and several short-term, medium-term, and long-term improvements to the system were recommended. The City has completed all of the short- and medium-term improvements and is nearing completion of the all of the long-term improvements. Thus, the City’s collection system is adequate to accommodate current and anticipated future volumes of wastewater.
- The City’s Hill Canyon Treatment Plant has adequate capacity to accommodate current and anticipated future wastewater flows.
- The City wastewater service area includes portions of the unincorporated areas of Kelly Estates and Ventu Park. In recent years, the City has issued “will serve letters” for wastewater service to proposed residential development projects located outside its service area without first obtaining LAFCo approval of an out of agency service agreement, as required by state law. The City should ensure that it obtains LAFCo approval of an out of agency service agreement prior to issuing a wastewater will serve letter or otherwise agreeing to provide wastewater service to any property outside its service area.

D. Financial ability of agencies to provide services

- At present, it appears that the City has the financial ability to provide a full range of municipal services. However, the levels of various services have decreased and service charges/rates paid by residents have increased, which is understandable due to revenue shortfalls and other budget constraints.

E. Status of, and opportunities for, shared facilities

- No other obvious additional opportunities for shared facilities were noted.

F. Accountability for community service needs, including governmental structure and operational efficiencies

- The City is locally accountable through an elected legislative body, adherence to applicable government code sections, open and accessible meetings, dissemination of information, and encouragement of public participation.
- The City’s website is exceptional. It is very user friendly and contains a significant amount of information on the current and previous City budgets,

services and programs, City happenings and activities, public meetings, development activities, and City documents. Current and past City Council minutes and agendas are posted and agenda items are linked to staff reports. City Council minutes, resolutions, and ordinances as far back as 1964 are accessible.

- Meetings of the City Council are broadcast live by the City's TOTV channel. Archive videos of past meetings are available for viewing on the City's website.
- To achieve operational efficiencies for storm water quality purposes, the City is covered under the County's National Pollutant Discharge Elimination System permit.

G. Any other matter related to effective or efficient service delivery, as required by Commission policy

No other matters were identified.

This resolution was adopted on November 14, 2012.

	AYE	NO	ABSTAIN	ABSENT
Commissioner Cunningham	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Long	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Freeman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Morehouse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Parks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Parvin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Pringle	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Bennett	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Dandy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Smith	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Ford-McCaffrey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date

Chair, Ventura Local Agency Formation Commission

Cc: City of Thousand Oaks



VENTURA LOCAL AGENCY FORMATION COMMISSION
STAFF REPORT

Meeting Date: November 14, 2012

Agenda Item 11

TO: LAFCo Commissioners
FROM: Kim Uhlich, Executive Officer *KU*
SUBJECT: Sphere of Influence Review and Updates
City of Moorpark
City of Ojai
City of Oxnard
City of Thousand Oaks
City of Camarillo

RECOMMENDATIONS:

- A. Subject to the recommended action on Agenda Item 10, review the spheres of influence for the following cities and determine that no update is necessary:
City of Moorpark
City of Ojai
City of Oxnard
City of Thousand Oaks
- B. Subject to the recommended action on Agenda Item 10, review the sphere of influence for the City of Camarillo and adopt attached Resolution LAFCo 12-11S making determinations and updating the sphere for the City of Camarillo.

BACKGROUND:

For each city and special district LAFCo must determine and adopt a sphere of influence. A sphere of influence is defined as a plan for the probable physical boundaries and service area of a local agency, as determined by the Commission (Government Code §56076). Effective January 1, 2001 each LAFCo is required to review and, as necessary, update the sphere of influence ("sphere" or "SOI") of each city and special district on or before January

COMMISSIONERS AND STAFF

COUNTY: Kathy Long Linda Parks <i>Alternate:</i> Steve Bennett	CITY: Carl Morehouse Janice Parvin, Chair <i>Alternate:</i> Carol Smith	DISTRICT: Elaine Freeman Gail Pringle, Vice Chair <i>Alternate:</i> Bruce Dandy	PUBLIC: Lou Cunningham <i>Alternate:</i> Linda Ford-McCaffrey
Executive Officer: Kim Uhlich	Dep. Exec. Officer Kai Luoma	Office Mgr/Clerk Debbie Schubert	Legal Counsel Michael Walker

1, 2008, and every five years thereafter (Government Code §56425(g)). Prior to updating a SOI, LAFCo is required to conduct a municipal service review (“service review” or “MSR”) (Government Code §56430). In March 2007 the Commission accepted a MSR for nine cities and subsequently updated the sphere for each city between April and July of the same year. Based on a work plan for the second round of sphere reviews adopted by the Commission in May 2008, a sphere of influence review for each of the nine cities is to be completed in 2012.

DISCUSSION:

A MSR report for nine cities in Ventura County, including the Cities of Moorpark, Ojai, Oxnard, Thousand Oaks, Camarillo and San Buenaventura, has been prepared and staff is recommending that it be accepted by the Commission as part of Agenda Item 10. The recommendations now being made are to review the spheres of influence for the Cities of Camarillo, Moorpark, Ojai, Oxnard, and Thousand Oaks and to update the sphere for Camarillo.

The process to prepare the MSR and complete the sphere reviews was initiated in February of this year and included an intensive outreach effort to each city. Introductory letters were sent to the city managers explaining the LAFCo mandate and requesting their assistance by providing preliminary data in the form of general plans, urban water management plans and water and wastewater master plans. By obtaining much of the necessary information from pre-existing documents, LAFCo staff was able to develop a much shorter MSR questionnaire compared to the form that was sent in 2006. In mid-May the streamlined questionnaire was sent to the city managers in electronic form and responses were due in late June. Despite their general responsiveness and high levels of cooperation on the part of several city staff members, it became clear that significantly more time was needed to provide the requested information. As such completion of the draft MSR was delayed by approximately two months. For this reason, staff was unable to complete all of the analysis necessary to present recommendations for all of the city sphere reviews and updates by November 14, which is the last scheduled LAFCo meeting of the calendar year. At this point, staff anticipates that the remaining sphere reviews for the Cities of Fillmore, San Buenaventura, Santa Paula and Simi Valley will be scheduled for the January 16, 2013 LAFCo meeting.

City of Moorpark

In conjunction with the 2001-2008 sphere review/update cycle, the Commission accepted a MSR report on March 21, 2007 and updated the Moorpark sphere of influence on April 18, 2007 to make minor changes. As a result, the sphere exactly matches the City’s boundary (Attachment 1).

The 2012 Draft MSR report for the City does not identify any significant deficiencies relating to the provision of urban services. The existing sphere of influence reflects the City’s probable service area and is coterminous with its General Plan land use planning area. The

sphere also coincides with the City's Urban Restriction Boundary (CURB) except for one small area that is in the City but outside of the CURB. This area is designated open space by the City's General Plan and the City is the holder of a conservation easement that prevents the development of the property. It is therefore logical for it to remain in the City's sphere.

Due to the fact that: 1) the existing sphere of influence boundary reflects the City's current service area and includes all of the area within the City's CURB; 2) the City's General Plan does not currently contemplate any urban development outside of the existing sphere; and 3) the most recent MSR report identifies no significant deficiencies which would recommend a reduction of the territory within the existing sphere, it is recommended that the Commission determine that no update to the sphere of influence for the City of Moorpark is necessary. The effect of this recommendation is that the existing sphere of influence would remain the same.

For California Environmental Quality Act (CEQA) purposes, the sphere review action by the Commission for the City of Moorpark is exempt from CEQA under Section 15061(b)(3) of the CEQA Guidelines. This is the "general rule" exemption, meaning that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

City of Ojai

In conjunction with the 2001-2008 sphere review/update cycle, the Commission accepted a MSR report on March 21, 2007 and updated the Ojai sphere of influence on May 16, 2007 to make some minor changes to align the sphere with Assessor parcel lines and to exclude areas owned by the U.S. Forest Service in the Los Padres National Forest. A map of the current sphere is attached (Attachment 2).

The 2012 Draft MSR report for the City does not identify any significant deficiencies relating to the provision of urban services which would recommend a reduction of the territory within the existing sphere. It is therefore recommended that the Commission determine that no update to the sphere of influence for the City of Ojai is necessary. The effect of this recommendation is that the existing sphere of influence would remain the same.

For California Environmental Quality Act (CEQA) purposes, the sphere review action by the Commission for the City of Ojai is exempt from CEQA under Section 15061(b)(3) of the CEQA Guidelines. This is the "general rule" exemption, meaning that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

City of Oxnard

In conjunction with the 2001-2008 sphere review/update cycle, the Commission accepted a MSR report on March 21, 2007 and updated the Oxnard sphere of influence on May 16, 2007. In addition to some minor mapping changes, the sphere was amended as follows: 1)

moved from the easterly side of the Victoria Avenue right-of-way to the westerly side and to include the full operational aspects of the Victoria Avenue/Gonzales Road intersection to facilitate future annexation; 2) expanded to include the Oxnard High School site near the corner of Gonzales Road and Victoria Avenue; and 3) expanded to include the unincorporated communities known as Hollywood Beach and Hollywood-by-the-Sea located adjacent to the Pacific Ocean and north of the entrance to the Channel Islands Harbor. A map of the current sphere is attached (Attachment 3).

As part of the 2007 sphere update it was noted that there is an area on the westerly side of Victoria Avenue, just north of Fifth Street, that is in the City but is currently outside the sphere of influence. This area is impacted by the flight path of the Oxnard Airport and is being used for agriculture. No change is proposed and it is recommended that this area remain outside the City's sphere of influence. By keeping this area outside the sphere it is an indication to the City that it should file with LAFCo to detach the area from the City boundaries at some time in the future.

The 2012 Draft MSR report for the City does not identify any significant deficiencies relating to the provision of urban services at the current time. The existing sphere of influence coincides with the City's Urban Restriction Boundary (CURB) except for the following areas which are outside of the CURB: a portion of the Edison Canal located northeast of Harbor Boulevard and West 5th Street, portions of the South Victoria Avenue and Lakeshore Court rights of way in the Hollywood-by-the-Sea community, the Oxnard High School site near the corner of Gonzales Road and Victoria Avenue and the area within the Pacific Ocean.

Due to the fact that: 1) the existing sphere of influence boundary reflects the City's current service area and includes all of the area within the City's CURB; 2) the City's General Plan does not designate any area outside of the existing sphere for urban development; and 3) the most recent MSR report identifies no significant deficiencies which would recommend a reduction of the territory within the existing sphere, it is recommended that the Commission determine that no update to the sphere of influence for the City of Oxnard is necessary. The effect of this recommendation is that the existing sphere of influence would remain the same.

For California Environmental Quality Act (CEQA) purposes, the sphere review action by the Commission for the City of Oxnard is exempt from CEQA under Section 15061(b)(3) of the CEQA Guidelines. This is the "general rule" exemption, meaning that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

City of Thousand Oaks

In conjunction with the 2001-2008 sphere review/update cycle, the Commission accepted a MSR report on March 21, 2007 and updated the Thousand Oaks sphere of influence on April 18, 2007 to make minor changes. A map of the current sphere is attached (Attachment 4).

The 2012 Draft MSR report for the City does not identify any significant deficiencies relating to the provision of urban services. The City's current sphere coincides with the City's Urban Restriction Boundary (CURB) except for the Rancho Potrero open space area in the southwestern portion of the City, which is outside of the CURB. The park is owned by the Conejo Open Space Conservation Agency (COSCA), which is a joint powers authority between the Conejo Recreation and Park District and the City of Thousand Oaks. Based on the City's desire to obtain land use control and a commitment by both the City and COSCA to maintain the area in open space use in perpetuity, LAFCo approved the City's request for a sphere amendment and annexation in 2010. The City's sphere is largely coterminous with its General Plan land use planning area except for a portion of the planning area south of the City near Potrero Road. This area is largely designated as "Existing Parks, Golf Courses, Open Space" and "Undeveloped Land". Most of it is owned by the National Park Service, though there is a limited amount of low density residential development. The Land Use Element designates approximately 20 acres within this area for "Reserve Residential" which would allow up to 2 dwelling units per acre.

Due to the fact that the existing sphere of influence boundary reflects the City's current service area and includes all of the area within the City's CURB and the most recent MSR report identifies no significant deficiencies which would recommend a reduction of the territory within the existing sphere, it is recommended that the Commission determine that no update to the sphere of influence for the City of Thousand Oaks is necessary. The effect of this recommendation is that the existing sphere of influence would remain the same.

For California Environmental Quality Act (CEQA) purposes, the sphere review action by the Commission for the City of Thousand Oaks is exempt from CEQA under Section 15061(b)(3) of the CEQA Guidelines. This is the "general rule" exemption, meaning that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

City of Camarillo

In conjunction with the 2001-2008 sphere review/update cycle, the Commission accepted a MSR report on March 21, 2007 and updated the Camarillo sphere of influence on April 18, 2007. In addition to some minor mapping corrections, the sphere was updated to include all portions of the Sterling Hills area that were within the City boundary and to remove territory along the northerly sphere boundary to achieve contiguity with property and assessor parcel lines.

The 2012 Draft MSR report for the City does not identify any significant deficiencies relating to the provision of urban services. However, a minor amendment to the sphere of influence is being recommended to align the sphere with the boundary of a large agricultural parcel located in northeastern Camarillo by removing a small area of the parcel that is currently within the sphere (Attachment 5). Although this portion of the parcel is within the CURB, removing it from the sphere would be consistent with Commissioner's Handbook Section 4.2.1 which provides the following:

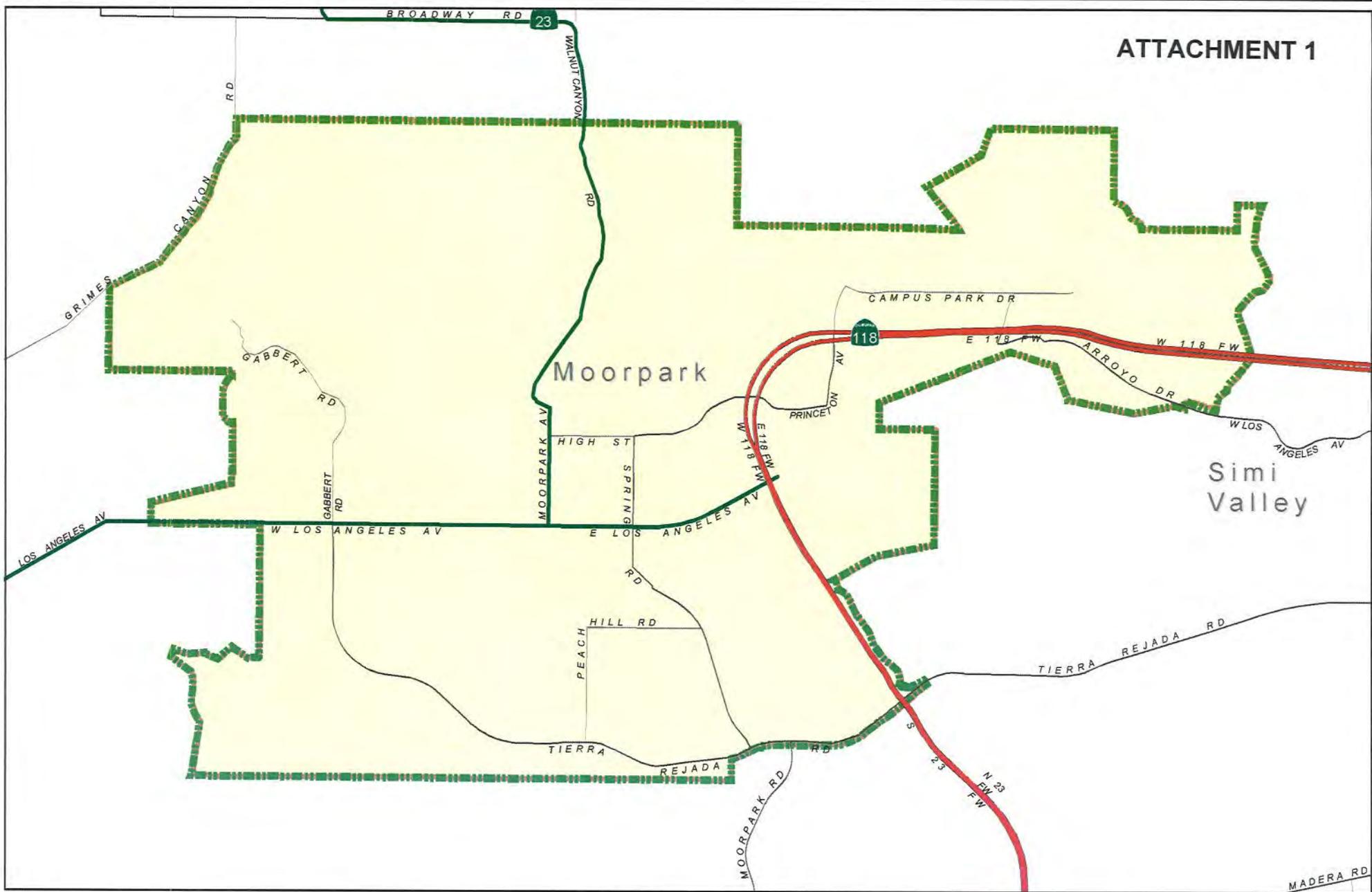
For cities that have enacted ordinances that require voter approval for the extension of services or for changing general plan designations, sphere of influence boundaries should coincide with, or cover less area than, voter approved growth boundaries.

Sphere of influence updates must occur at noticed public hearings. Accordingly, proper notice has been made as required by law. In addition, the Commission must by law consider and adopt a written statement of its determinations with respect to four factors, which are discussed in more detail in the following paragraph.

Pursuant to Government Code Section 56425(e) it is recommended that the Commission consider and adopt written statements of its determinations with respect to each of the following:

- (1) *The present and planned land uses in the area, including agricultural and open-space lands.* – The sphere of influence update for the City of Camarillo is to provide for all areas currently developed and within the City boundary to be included in the City’s sphere of influence, and to match the sphere of influence with lines of assessment in areas where the City has no plans to extend infrastructure to provide services. There will be no development, no change in land use and no adverse impact to agricultural and open space lands as a result of the sphere of influence update.
- (2) *The present and probable need for public facilities and services in the area.* – No changes in public facilities or services provided by the City will result from this sphere of influence update. The City bases its public facilities and services on the extent of its existing infrastructure and its General Plan.
- (3) *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.* – The sphere of influence update will not affect the present capacity of public facilities or the adequacy of the services provided by the City of Camarillo.
- (4) *The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.* - The sphere of influence update will not affect the social or economic communities of interest in the area.

- Attachments: (1) City of Moorpark Sphere of Influence Map
(2) City of Ojai Sphere of Influence Map
(3) City of Oxnard Sphere of Influence Map
(4) City of Thousand Oaks Sphere of Influence Map
(5) Map of the Eastern Portion of the City of Camarillo Sphere of Influence
(6) Resolution LAFCo 12-11S making determinations and updating the sphere of influence for the City of Camarillo



Legend

-  Moorpark Sphere of Influence - 7982.20 acres
-  City of Moorpark - 7981.33 acres

Ventura LAFCO

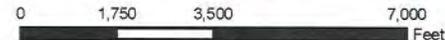
City of Moorpark Sphere of Influence
As Reviewed on April 18, 2007

Prepared by County of Ventura - IT Services Department - GIS Services

State Plane Coordinate System California Zone V - NAD 27

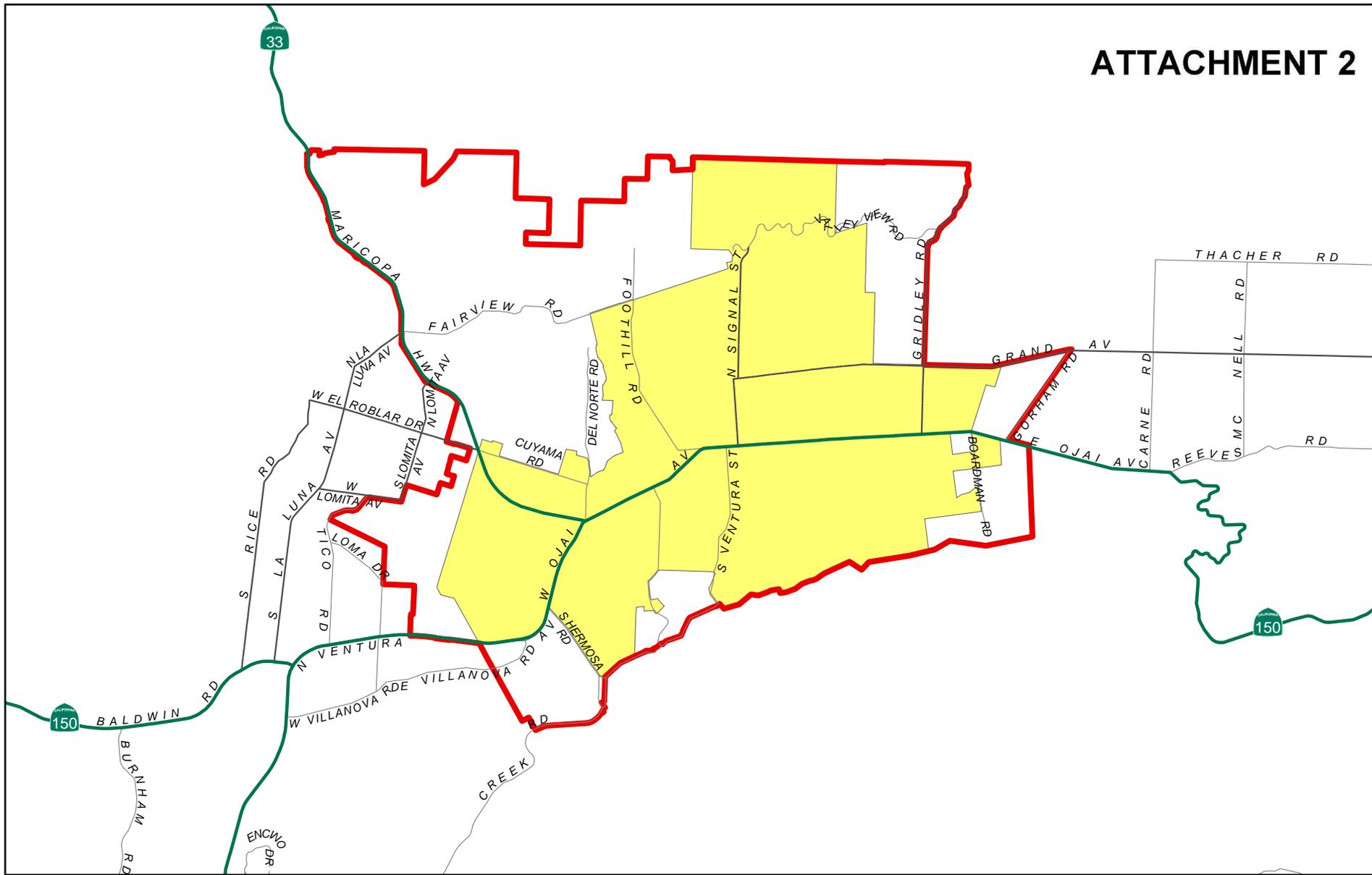
This map was compiled from records and computations

Published in August, 2007



Copyright 2007 County of Ventura. Design, maps, index and text of this map are copyrighted. It is unlawful to copy or reproduce, either in digital or paper form, any part thereof for personal use or resale.

WARNING: The information contained hereon was created by the Ventura County Geographic Information System (GIS), which is designed and operated solely for the convenience of the County and related contract entities. The County does not warrant the accuracy of this information, and no decision involving a risk of economic loss or physical injury should be made in reliance thereon.



Legend

-  **Ojai Sphere of Influence**
5,159.20 acres
-  **Ojai City Boundary**
2,794.70 acres

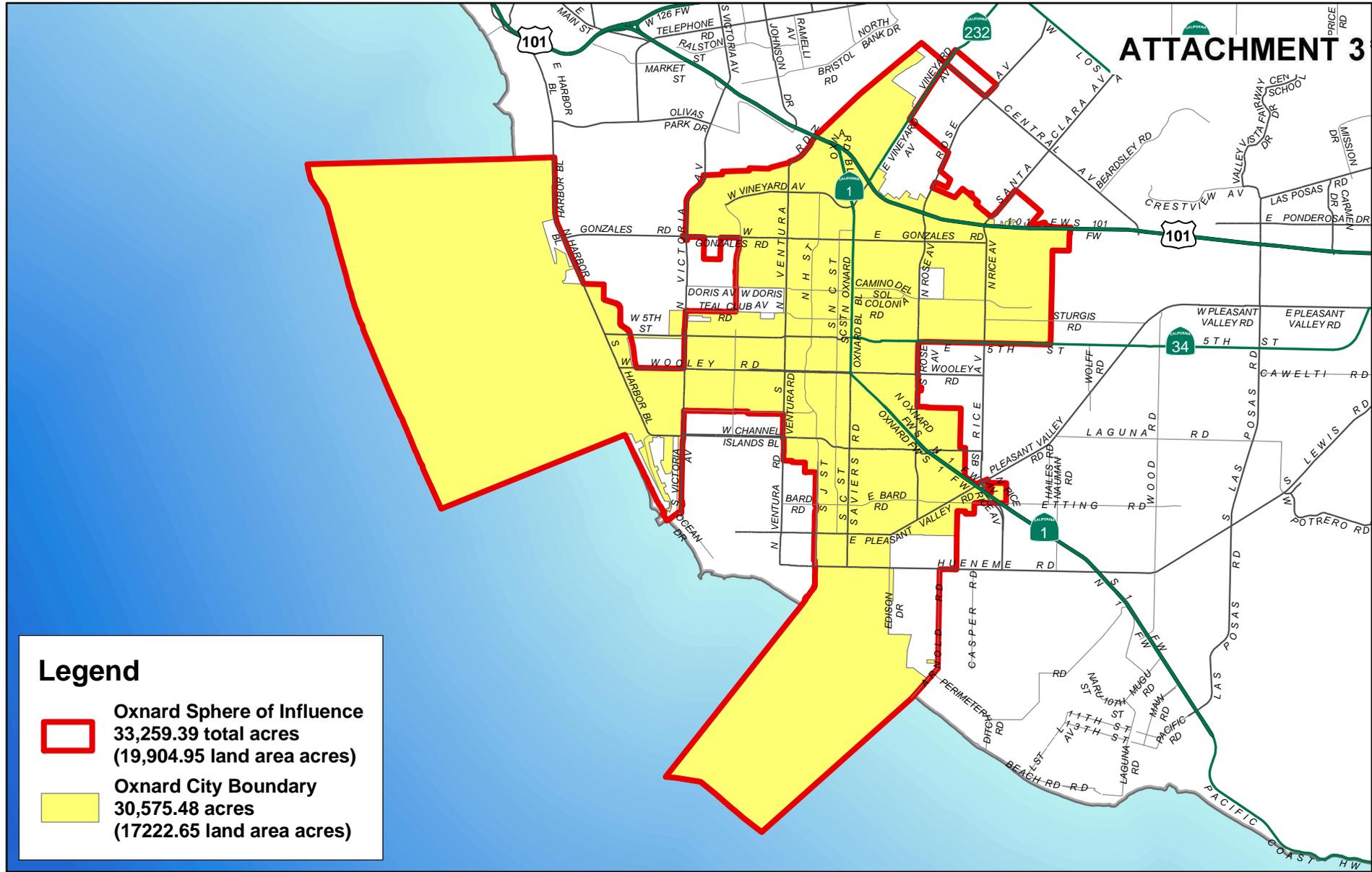
City of Ojai
Ventura LAFCO Sphere of Influence
As Updated on: May 16, 2007

Prepared by County of Ventura - Information Systems Department - GIS Division
State Plane Coordinate System California Zone V - NAD 27



Copyright 2010 County of Ventura. Design, maps, index and text of this map are copyrighted. It is unlawful to copy or reproduce, either in digital or paper form, any part thereof for personal use or resale.

WARNING: The information contained hereon was created by the Ventura County Geographic Information System (GIS), which is designed and operated solely for the convenience of the County and related contract entities. The County does not warrant the accuracy of this information, and no decision involving a risk of economic loss or physical injury should be made in reliance thereon.



Legend

-  **Oxnard Sphere of Influence**
33,259.39 total acres
(19,904.95 land area acres)
-  **Oxnard City Boundary**
30,575.48 acres
(17222.65 land area acres)

City of Oxnard

Ventura LAFCO Sphere of Influence

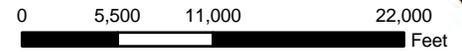
As Updated On: May 16, 2007

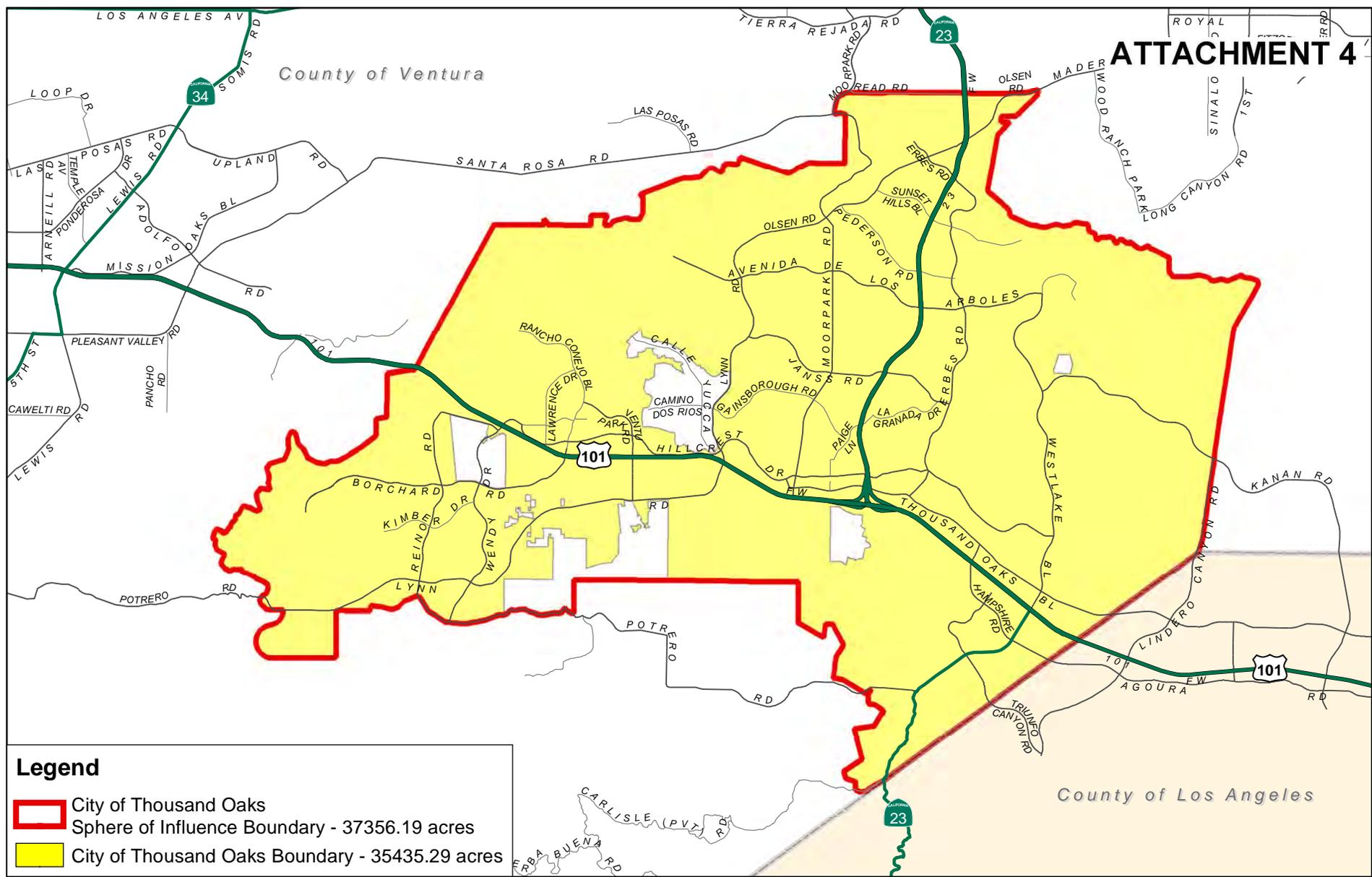
Prepared by County of Ventura - Information Systems Department - GIS Division

State Plane Coordinate System California Zone V - NAD 27

This map was compiled from records and computations

Published April, 2010





Legend

-  City of Thousand Oaks
-  Sphere of Influence Boundary - 37356.19 acres
-  City of Thousand Oaks Boundary - 35435.29 acres



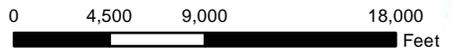
City of Thousand Oaks
 Sphere of Influence as Updated
 by the Ventura LAFCo, November 17, 2010

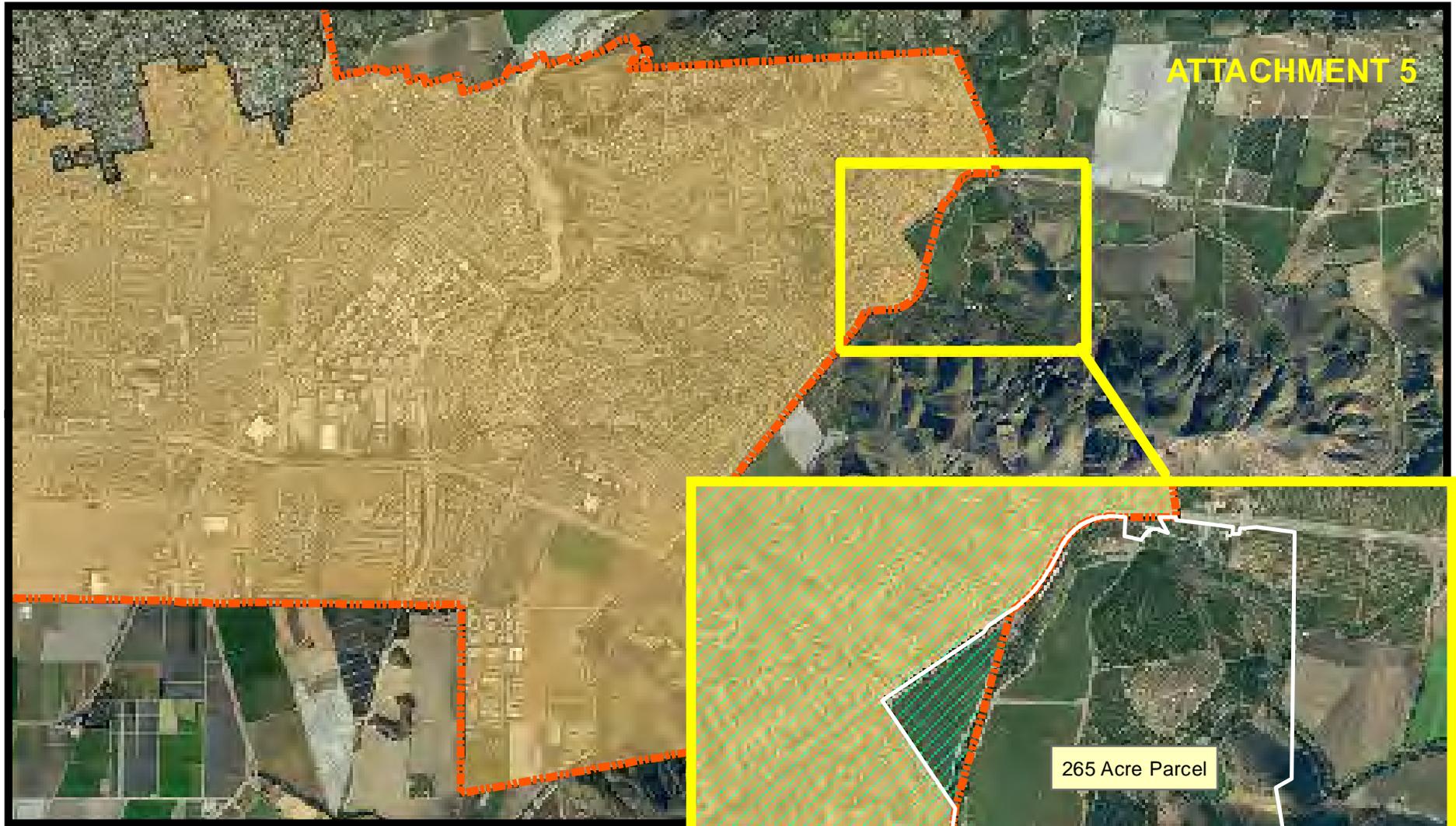
Prepared by County of Ventura - Information Systems Department - GIS Division

State Plane Coordinate System California Zone V - NAD 27

This map was compiled from records and computations

Published 100 May, 2012





Legend

-  Camarillo Sphere of Influence
-  Camarillo CURB
-  City of Camarillo

265 Acre Parcel

LAFCo 12-11S

**RESOLUTION OF THE VENTURA LOCAL AGENCY
FORMATION COMMISSION MAKING DETERMINATIONS
AND APPROVING THE UPDATE OF THE SPHERE OF
INFLUENCE FOR THE CITY OF CAMARILLO**

WHEREAS, Government Code Section 56425 et seq. requires the Local Agency Formation Commission (LAFCo or Commission) to develop and determine the sphere of influence of each local governmental agency within the County; and

WHEREAS, Government Code Section 56425(g) requires that LAFCo review and, as necessary, update the adopted sphere of influence boundaries on or before January 1, 2008 and every five years thereafter; and

WHEREAS, Government Code Section 56430 requires that a municipal service review be conducted prior to or in conjunction with a sphere of influence update; and

WHEREAS, LAFCo conducted a municipal service review of the services provided by the City of Camarillo and adopted written determinations as required by Government Code Section 56430 on November 14, 2012 for the services provided by the City; and

WHEREAS, the City staff has reviewed the changes proposed for this sphere of influence update and have no objections; and

WHEREAS, no change in regulation, land use or development will occur as a result of updating the City's sphere of influence; and

WHEREAS, at the times and in the manner required by law, the Executive Officer gave notice of the consideration of this action by the Commission; and

WHEREAS, the sphere of influence update action was duly considered at a public hearing on November 14, 2012; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony for and against the sphere of influence update including, but not limited to, testimony at the public hearing on November 14, 2012 and the LAFCo Executive Officer's staff report and recommendation;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED as follows:

- (1) The Executive Officer's Staff Report and Recommendation for approval of the sphere of influence update for the City of Camarillo, dated November 14, 2012 are adopted.

(2) The Commission has considered the criteria set forth in Government Code §56425(e) and determines as follows:

- a) *The present and planned land uses in the area, including agricultural and open-space lands.* – The sphere of influence update for the City of Camarillo is to provide for all areas currently developed and within the City boundary to be included in the City’s sphere of influence, and to match the sphere of influence with lines of assessment in areas where the City has no plans to extend infrastructure to provide services. There will be no development, no change in land use and no adverse impact to agricultural and open space lands as a result of the sphere of influence update.
- b) *The present and probable need for public facilities and services in the area.* – No changes in public facilities or services provided by the City will result from this sphere of influence update. The City bases its public facilities and services on the extent of its existing infrastructure and its General Plan.
- c) *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.* – The sphere of influence update will not affect the present capacity of public facilities or the adequacy of the services provided by the City of Camarillo.
- d) *The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.* - The sphere of influence update will not affect the social or economic communities of interest in the area.

(3) The sphere of influence for the City of Camarillo is hereby updated to be the area shown as “proposed sphere of influence”, as generally depicted on Exhibit A attached hereto.

- (4) The Commission directs staff to have the official sphere of influence geographic information system data maintained for the Ventura LAFCo by the Ventura County Information Technology Department as the official sphere of influence record for the City of Camarillo updated consistent with this action.
- (5) In accordance with the Executive Officer's determination, the Commission, as lead agency for the purposes of the California Environmental Quality Act (CEQA), hereby determines that the sphere of influence update for the City of Camarillo is exempt pursuant to Section 15061(b)(3) of the CEQA Guidelines.
- (6) The Commission directs staff to file a Notice of Exemption as lead agency under Section 15062 of the CEQA Guidelines.

This resolution was adopted on November 14, 2012.

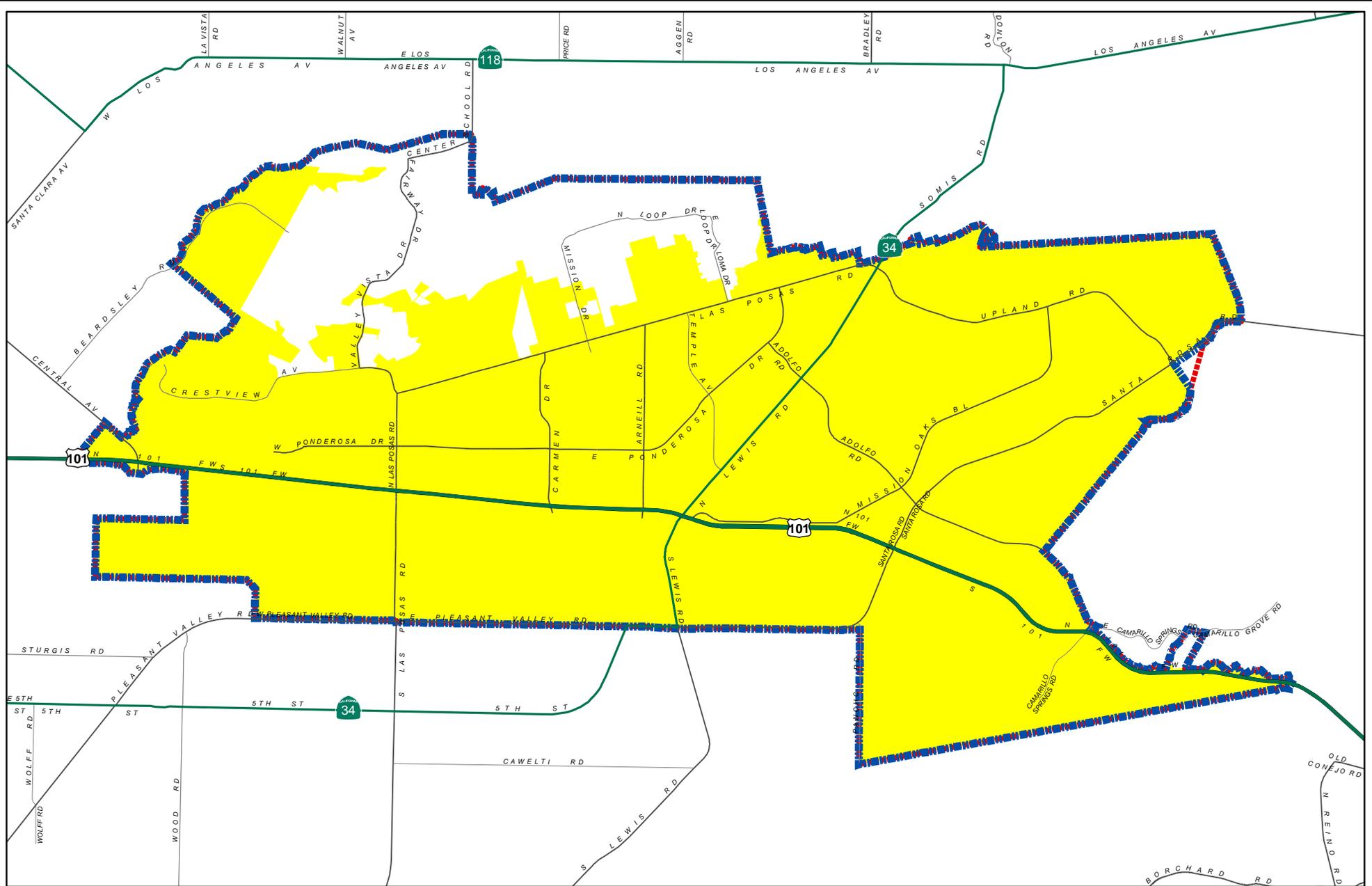
	AYE	NO	ABSTAIN	ABSENT
Commissioner Cunningham	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Long	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Freeman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Morehouse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Parks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Parvin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Pringle	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Bennett	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Dandy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Smith	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Ford-McCaffrey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Dated: _____
Chair, Ventura Local Agency Formation Commission

Attachments: Exhibit A

Copies: City of Camarillo
Ventura County Surveyor
Ventura County Geographic Information Systems Officer
Ventura County Planning Department

Resolution - Sphere of Influence Update
City of Camarillo
November 14, 2012
Page 4 of 4

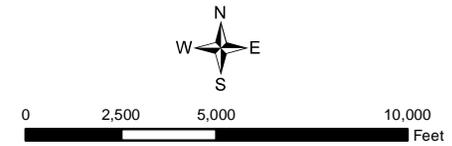


Legend



-  Camarillo Existing Sphere of Influence
14660.14 acres
-  Camarillo Proposed Sphere of Influence
14642.65 acres
-  City of Camarillo - 14071.85 acres

City of Camarillo
 LAFCo Sphere of Influence Update
 Proposed Sphere of Influence, November 14, 2012
 Prepared by County of Ventura - IT Services Department - GIS Services



State Plane Coordinate System California Zone V - NAD 27
 This map was compiled from records and computations

WARNING: The information contained herein was created by the Ventura County Geographic Information System (GIS), which is designed and operated solely for the convenience of the County and related contract entities. The County does not warrant the accuracy of this information, and no decision involving a risk of economic loss or physical injury should be made in reliance thereon.



VENTURA LOCAL AGENCY FORMATION COMMISSION
STAFF REPORT

Meeting Date: November 14, 2012

Agenda Item 12

TO: LAFCo Commissioners
FROM: Kim Uhlich, Executive Officer *KU*
SUBJECT: Sphere of Influence Review and Update for the Fillmore-Piru Memorial District

RECOMMENDATION:

Review and update the sphere of influence for the Fillmore-Piru Memorial District, and adopt attached resolution LAFCo 12-10S making determinations and updating the sphere of influence for the Fillmore-Piru Memorial District by applying a provisional sphere.

BACKGROUND:

Pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Govt. Code §56000 et seq.), LAFCo must determine and adopt a sphere of influence for each city and special district on or before January 1, 2008. Every five years thereafter, LAFCo must review, and as necessary, update each sphere of influence (Govt. Code §56425(g)).

Memorial districts are formed under and operate pursuant to the provisions of Division 6, Chapter 1 of the Military and Veterans Code of the State of California, Section 1170 *et seq.* In general, memorial districts have the authority to provide and maintain halls and meeting places and indoor and outdoor recreational facilities for both the general public and veterans.

Formed in 1950, the Fillmore-Piru Memorial District is an independent special district that owns and operates a memorial hall in the City of Fillmore. The District's service area includes the City of Fillmore, the unincorporated community of Piru and other unincorporated areas in the east-central portion of Ventura County as shown on Attachment 1. The District has no employees, but has an agreement with the City of Fillmore for the provision of all administrative, operational and maintenance services.

COMMISSIONERS AND STAFF

COUNTY: Kathy Long Linda Parks <i>Alternate:</i> Steve Bennett	CITY: Carl Morehouse Janice Parvin, Chair <i>Alternate:</i> Carol Smith	DISTRICT: Elaine Freeman Gail Pringle, Vice Chair <i>Alternate:</i> Bruce Dandy	PUBLIC: Lou Cunningham <i>Alternate:</i> Linda Ford-McCaffrey
Executive Officer: Kim Uhlich	Dep. Exec. Officer Kai Luoma, AICP	Office Mgr/Clerk Debbie Schubert	Legal Counsel Michael Walker

A Municipal Service Review (MSR) report for the Fillmore-Piru Memorial District was accepted by the Ventura LAFCo on October 17, 2007 (Attachment 2). The report included several determinations pertaining to governance, management efficiencies, financing constraints and accountability. More specifically, the MSR noted that no significant infrastructure deficiencies were identified and the District was found to be in compliance with all budgeting, audit and financial reporting requirements. The MSR also determined that the District achieves management efficiencies by partnering with the City of Fillmore for administrative support services to operate the memorial hall. Further, it was noted that there had been no elections for the District's board of directors since at least 1990, which led to a determination that there was a lack of candidate and voter participation in the District's governance. Citing the fact that board member elections occurred on an odd-year election cycle, the MSR recommended that the District work with the City of Fillmore and the County of Ventura to change the election cycle to even-numbered years.

It was also noted in the MSR that the District board had not completed the mandatory ethics training required by AB 1234 enacted in 2005 (Government Code §53234 *et seq*). According to City representatives, the City determined that the ethics training mandate does not apply because the District board does not receive compensation. However, Government Code §53235 (a) states:

“If a local agency provides any type of compensation, salary, or stipend to a member of a legislative body, or provides reimbursement for actual and necessary expenses incurred by a member of a legislative body in the performance of official duties, then all local agency officials shall receive training in ethics pursuant to this article.”

The Military and Veterans Code relating to Memorial Districts provides that District board members serve without compensation, but are entitled to actual and necessary expenses incurred in the performance of duties (Military and Veterans Code §1197). Thus, to the extent District board members may at any time receive reimbursement for expenses, the MSR concluded that the District board must comply with the mandatory ethics training requirements.

While the MSR acknowledged that the District is currently financially stable and has no debt, it emphasized the fact that the District is constrained in its ability to generate other sources of financing beyond property taxes, facility use fees and special assessment revenue. It was thus recommended that the District, the City of Fillmore and the County of Ventura consider the possibility of jointly initiating proceedings to dissolve the District in the next five years contingent on the following three criteria:

- The cost savings of dissolution equal or exceed the amount of the \$5 per parcel tax that now exists. This special tax would essentially “go away” if the District were to be dissolved.
- The City of Fillmore and the County of Ventura reached agreement on a new or revised property tax sharing agreement that would provide for the transfer of all or a substantial portion of the property tax now going to the District to the City.

- The District, the City and the County are willing and can agree that dissolution would be in the best interests of the residents and taxpayers in the area now served by the District.

In conjunction with accepting the MSR, the Ventura LAFCo adopted a sphere of influence update, which reduced the area of the District's sphere of influence by removing territory located in the Los Padres National Forest and nearby lands owned by the federal government.

In June 2008 the Ventura County Grand Jury released a report titled *Fillmore-Piru Memorial District Reorganization* (Attachment 3). Largely based on the LAFCo MSR, the Grand Jury recommended that the District be reorganized as a subsidiary district of the City of Fillmore through the State legislative process. In a letter of response, the Commission noted that the District had progressed in its efforts to resolve certain issues since LAFCo completed the MSR (Attachment 4). Most significant was the fact that the District took action to shift its election cycle from odd-numbered years to even-numbered years corresponding with the date of the statewide general election. This shift was subsequently approved by the County Board of Supervisors and became effective for the 2010 election. In acknowledgment of the District's efforts to permanently decrease their election-related costs, the Commission indicated that it may be appropriate to postpone consideration of any restructuring options if the District can demonstrate the following: that it is conducting regular elections beginning in 2010; a sufficient number of candidates participate in the elections; and the District board members initiate and maintain compliance with AB1234 ethics training.

DISCUSSION:

Based on the MSR Work Plan approved by the Commission in May 2008, a sphere of influence review for the Fillmore-Piru Memorial District is scheduled for completion in 2012.

Earlier this year, staff from LAFCo and the City of Fillmore met to discuss any changes that have occurred since 2007 with regard to the District's services or operations. In addition, staff reviewed copies of the District's meeting agendas and minutes for 2012, the most recent budget, audited financial statements for the fiscal year ended 2011, fee schedule for rental of the veterans memorial hall, and results from the election of District board members in 2010. According to the information reviewed, the District is conducting regular meetings and, for the most part, annual budgets and audits are being completed in a timely manner. Two of the District's five board seats were up for election in November 2010 and three candidates qualified for the ballot. Based on information provided by City staff, no changes have occurred since 2007 with respect to District board member compensation or ethics training: board members do not receive any stipend or expense reimbursement for their participation and have not completed any ethics training.

As indicated in the Background section, Government Code §53235(a) essentially provides, in part, that officials of local agencies which bestow any type of compensation, salary, or stipend to a member of a legislative body, or provide reimbursement for expenses incurred

by a member of a legislative body in the performance of official duties must receive training in ethics. Although it is outside the scope of LAFCo's authority to determine whether or not local agencies are operating in compliance with the ethics training law and it may be that the Fillmore-Piru Memorial District would be considered as being in compliance because its board members do not receive any compensation or reimbursement for their participation, it nevertheless seems appropriate to repeat previous LAFCo recommendations for the District board to go beyond the strict letter of the law by initiating a regular ethics training program.

In consideration of the fact that the District has resolved the election cycle issue identified in the 2007 MSR, staff believes that the recommendation to change the current governance structure of the District is less urgent. However, the District's options for generating other sources of revenue are limited and thus the ability of the District to finance the operation and management of an independent unit of local government over the long term is uncertain. It is therefore recommended that the Commission apply a provisional sphere of influence. The primary function of applying a provisional sphere would be to encourage the District, the City of Fillmore and the County to discuss and agree on a plan for dissolution and designation of a successor agency to take over operation and maintenance of the veterans memorial hall.

Commissioner's Handbook Section 4.2.2 (Attachment 5) provides for the adoption of a provisional sphere of influence to delineate territory within which the Commission determines that a service provider should pursue restructuring or reorganization options as recommended in the most recent MSR report prepared by LAFCo. In part, Section 4.2.2.1 further provides as follows:

- (a) LAFCo encourages agencies with a provisional sphere of influence designation to discuss alternatives to existing service provision or reorganization options and to return to LAFCo with the results of their discussions and/or studies.
- (b) If, pursuant to the process outlined in subsection (a), any change of organization or reorganization is determined to be warranted, the subject agency, an affected agency, or LAFCo should consider initiation of such proceedings except as otherwise prohibited by law.

One of the advantages of applying a provisional sphere is that it can serve as an additional incentive for the subject agency to take the necessary actions to address LAFCo's restructuring recommendations. For example, Handbook Section 4.2.2.2 provides that annexations to any agency with a provisional sphere designation are to be discouraged unless the purpose of the proposal is to resolve the issues that prompted the provisional sphere of influence designation. A provisional sphere of influence would not affect the District's current boundary or the services in any manner.

Pursuant to Government Code Section 56425(e) it is recommended that the Commission consider and adopt written statements of its determinations with respect to each of the following:

- (1) *The present and planned land uses in the area, including agricultural and open-space lands.* – The sphere of influence update to apply a provisional

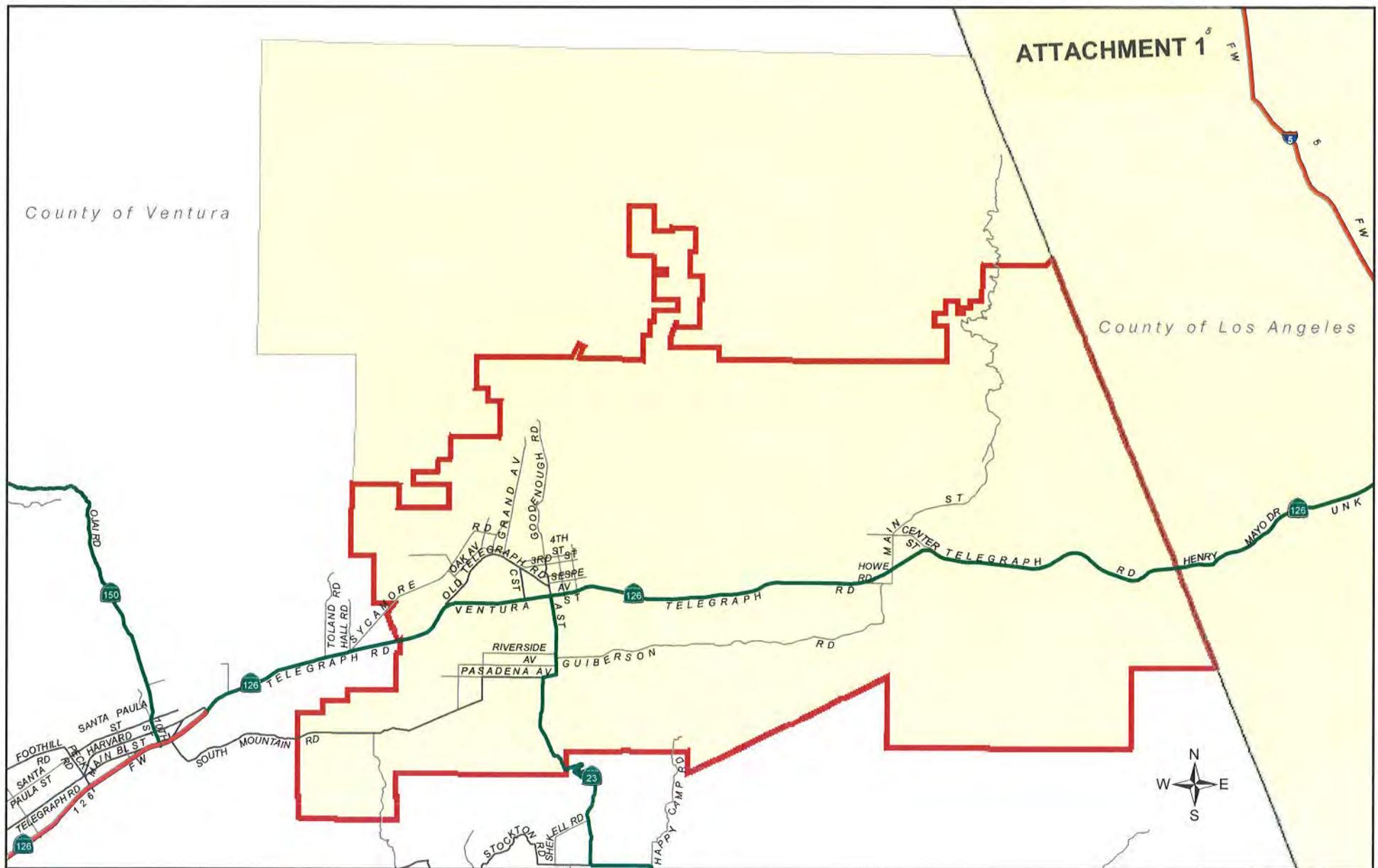
sphere for the Fillmore-Piru Memorial District would have no impact on the present and planned land uses in the area. There would be no changes with respect to land use and no impact to agricultural and open-space lands as a result of the sphere of influence update.

- (2) *The present and probable need for public facilities and services in the area.* – The basis for the recommended sphere of influence update to apply a provisional sphere for the Fillmore-Piru Memorial District is to provide for the eventual dissolution of the District and designation of a successor agency with adequate long-term financial resources to operate and maintain the veterans memorial hall located in the City of Fillmore. This will help to ensure that the veterans memorial hall will continue to exist and thereby provide residents in and around the Fillmore community with a public meeting place.
- (3) *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.* – The basis for the recommended sphere of influence update to apply a provisional sphere for the Fillmore-Piru Memorial District is to provide for the eventual dissolution of the District and designation of a successor agency with adequate long-term financial resources to operate and maintain the veterans memorial hall located in the City of Fillmore. This will help to ensure that the veterans memorial hall will continue to be adequately maintained for the public's use as a meeting place.
- (4) *The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.* – Ensuring the long-term viability of the veterans memorial hall as a public meeting place would likely assist Fillmore in maintaining its identity as a unique community.

The Ventura LAFCo is the lead agency under CEQA for sphere of influence updates. The Commission must therefore address CEQA requirements before taking any action on any sphere of influence update. In staff's opinion it could easily be argued that the sphere of influence update being recommended is not a project under CEQA in that the action will not result in a direct or reasonably foreseeable indirect physical change in the environment. Such a determination, however, would not result in any further public CEQA notice of action and potentially could be challengeable over an extended period of time. Thus, it is recommended that the Commission take a more conservative approach by determining that the sphere of influence update is exempt from CEQA under the "general rule" exemption. Specifically, CEQA Guidelines §15061(b)(3) provides that a project is exempt from CEQA if: "The activity is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA."

The recommended sphere of influence update would not affect the boundary of the Fillmore-Piru Memorial District and would have no impact on the District's service area or ability to provide services. The recommended resolution relating to the Fillmore-Piru Memorial District sphere of influence update (Attachment 6) contains a finding that the action is exempt from CEQA based on the "general rule" exemption.

- Attachments:
- (1) Fillmore-Piru Memorial District Sphere of Influence Map
 - (2) Municipal Service Review: Fillmore-Piru Memorial District, October 17, 2007
 - (3) *Fillmore-Piru Memorial District Reorganization*, Ventura County Grand Jury, 2007-08
 - (4) Letter dated July 16, 2008 from the Ventura LAFCo to the Grand Jury
 - (5) Commissioner's Handbook Section 4.2.2 – Provisional Sphere of Influence
 - (6) Resolution LAFCo 12-10S making determinations and updating the sphere of influence for the Fillmore-Piru Memorial District



ATTACHMENT 1

County of Ventura

County of Los Angeles

Ventura LAFCO

Fillmore/Piru Memorial District

Sphere of Influence as updated on October 17, 2007



Legend

- District Boundary - 151,305.24 acres
- District Sphere - 86,465.30 acres



1 inch equals 15,000 feet



Copyright 2005 County of Ventura. Design, maps, index and text of this map are copyrighted. It is unlawful to copy or reproduce, either in digital or paper form, any part thereof for personal use or resale.

Prepared by County of Ventura - IT Services Department - GIS Services
 State Plane Coordinate System California Zone V - NAD 27

This map was compiled from records and computations
 Published: November, 2007

WARNING: The information contained hereon was created by the Ventura County Geographic Information System (GIS) which is designed and operated solely for the convenience of the County and related contract entities. The County does not warrant the accuracy of this information, and no decision involving a risk of economic loss or physical injury should be made in reliance thereon.



MUNICIPAL SERVICE REVIEW

FILLMORE-PIRU MEMORIAL DISTRICT

Prepared By

Ventura Local Agency Formation Commission
800 South Victoria Ave.
Ventura, California 93009-1850

Accepted October 17, 2007

This Page Intentionally Left Blank

TABLE OF CONTENTS

I.	EXECUTIVE SUMMARY	1
II.	INTRODUCTION.....	3
III.	FILLMORE-PIRU MEMORIAL DISTRICT SERVICES	5
	A. Background	5
	General	5
	Ventura County	5
	B. Agency Profile	7
	Fillmore-Piru Memorial District	7
	C. Infrastructure Needs and Deficiencies	9
	D. Growth and Population	9
	Population Estimates & Forecasts	9
	E. Financing Constraints and Opportunities/Cost Avoidance Opportunities and Rate Restructuring	9
	F. Government Structure Options/Opportunities for Shared Facilities	11
	Sphere of Influence	12
	G. Evaluation of Management Efficiencies	15
	H. Local Accountability and Governance	15
IV.	DETERMINATIONS	18
	Fillmore-Piru Memorial District	18

List of Maps

Map 1 - Fillmore-Piru Memorial District	6
Map 2 - Fillmore-Piru Memorial District – National Forest.....	14

List of Tables

Table 1 - Existing & Projected Population	9
Table 2 - District Board Members/Terms of Office	15

Appendix

Appendix 1 - 2 nd Amended Agreement – City of Fillmore/Fillmore Piru Memorial District.....	21
--	----

This Page Intentionally Left Blank

I. EXECUTIVE SUMMARY

In creating Local Agency Formation Commissions (LAFCo) the state legislature recognized, "...that the logical formation and determination of local agency boundaries is an important factor in promoting orderly development and in balancing that development with sometimes competing state interests of discouraging urban sprawl, preserving open-space and prime agricultural lands, and efficiently extending governmental services."¹ One of the statutory requirements for each LAFCo is to establish spheres of influence for cities and special districts. A sphere of influence may be separate from an agency's boundary and is defined as a plan for the probable physical boundaries and service area of a local agency, as determined by LAFCo. The legislature now requires the LAFCo in each county in the state to, as necessary, review and update each sphere of influence on or before January 1, 2008 and every five years thereafter. In order to prepare and to update a sphere of influence, however, LAFCo must conduct a service review of the municipal services provided and prepare a written statement of its determinations with respect to each of the following:

1. Infrastructure needs or deficiencies
2. Growth and population projections for the affected area
3. Financing constraints and opportunities
4. Cost avoidance opportunities
5. Opportunities for rate restructuring
6. Opportunities for shared facilities
7. Government structure options, including advantages and disadvantages of consolidation or reorganization of service providers
8. Evaluation of management efficiencies
9. Local accountability and governance

This municipal service review (MSR) is for the Fillmore-Piru Memorial District. Formed in 1950, the Fillmore-Piru Memorial District is an independent special district that serves the City of Fillmore, the unincorporated community of Piru and other unincorporated areas in the east-central portion of Ventura County. It is the only special district of its type in Ventura County. The District is governed by a five member board of directors elected at-large to staggered four year terms of office by the voters within the District's boundary.

Municipal service reviews should be considered as studies, not investigative reports. LAFCos have no investigative authority. In reviewing this study, the reader is encouraged to focus on the recommended determinations contained in Section IV. The most significant of the recommended determinations for the Fillmore-Piru Memorial District reflect that the District is heavily dependent on property tax revenue and almost totally dependent on the City of Fillmore for functioning. Approximately two thirds of the District's property tax revenue is, and will continue to be, derived from the territory within the City of Fillmore. Because of these facts, and because there has not been a contested election for the District's board of directors since at least 1990, the most significant determination is that the District, together with the City of Fillmore and the County of Ventura should consider and possibly jointly initiate proceedings for the dissolution of the District within the next

¹ *CA Government Code §56000, et seq, known as the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, is the primary law governing LAFCos. All references to LAFCo law and mandates refer to this statute.*

five years. Such an action would result in the disposition of the District's sole asset, the Memorial Hall and related property at 511 2nd Street in Fillmore, possibly to the City of Fillmore. Dissolution would provide for a more logical and orderly governmental structure and better local accountability and governance.

II. INTRODUCTION

The law governing Local Agency Formation Commissions (“LAFCo”) was substantially changed effective January 1, 2001. Among the changes is the requirement that LAFCos, as necessary, review and update the sphere of influence of each city and special district by January 1, 2008, and every five years thereafter. No sphere of influence can be updated, however, unless the LAFCo first conducts a municipal service review. California Government Code §56430 provides that municipal service reviews (“service reviews” or “MSRs”) consist of written determinations relating to the following nine factors:

1. Infrastructure needs or deficiencies
2. Growth and population projections for the affected area
3. Financing constraints and opportunities
4. Cost avoidance opportunities
5. Opportunities for rate restructuring
6. Opportunities for shared facilities
7. Government structure options, including advantages and disadvantages of consolidation or reorganization of service providers
8. Evaluation of management efficiencies
9. Local accountability and governance

It is important to note that municipal service reviews are:

- The written determinations adopted by a LAFCo for the services provided by cities and special districts. LAFCo service review reports are essentially only studies with recommended determinations for each of the nine factors.
- Not applicable to counties, except for special districts governed by a county board of supervisors. They are also not applicable to private providers of public services, such as investor owned water companies regulated by the Public Utilities Commission, or private mutual benefit corporations. This is because service reviews are required for the update of spheres of influence and LAFCos do not establish spheres of influence for counties or private service providers.
- Not investigations. While authorized to prepare studies relating to their role as boundary agencies, LAFCos have no investigative authority.

As required by Government Code §56430, the Governor’s Office of Planning and Research (OPR) adopted advisory guidelines for municipal service reviews. Because of the timing of the issuance of the guidelines and widely varying local circumstances, each LAFCo in the state is following its own process and procedures for meeting the sphere of influence update and related municipal service review mandate.

The Ventura LAFCo’s municipal service review process is being completed in three phases based on a work plan that has been periodically updated and is available on the Ventura LAFCo web site (www.ventura.lafco.ca.gov). The process used to prepare all service review reports to date involved a four-part questionnaire that each affected agency was requested to complete. The first part collected general information about the agency (contact information, governing body, financial etc.), the second part asked for service specific data, the third part included both questions and a map relating

to boundary issues and the fourth part was a signature page. The questionnaire was the basis for most of the information in the service review reports and was designed to ensure the efficient transfer of information into a database designed to provide a base of information for future service reviews.

This MSR for the Fillmore-Piru Memorial District is part of the third and final phase of the Ventura LAFCo work plan. Various public agencies provide public meeting facilities and recreation services, but the Fillmore-Piru Memorial District is the only special district of its type in Ventura County.

III. FILLMORE-PIRU MEMORIAL DISTRICT SERVICES

A. Background

General

Memorial districts are formed under and operate pursuant to the provisions of Division 6, Chapter 1 of the Military and Veterans Code of the State of California, Section 1170 *et seq.* In general, memorial districts have the authority to provide and maintain halls and meeting places and indoor and outdoor recreational facilities for both the general public and veterans. Memorial districts may perform these functions by either owning their own facilities or leasing facilities from other public entities such as counties, cities and/or schools. There are only twenty seven memorial districts in California.¹

Memorial districts are governed by a five member board of directors elected at-large by voters within the district's boundaries. At least three of the seats on the board of directors are designated for veterans. Board members are elected to four year, alternating terms of office. Elections are held in odd-numbered calendar years. Seats unfilled on the district board by the election process are appointed by the County Board of Supervisors. Board members may not receive any compensation for their service, but are entitled to actual and necessary expenses incurred in the performance of board duties.

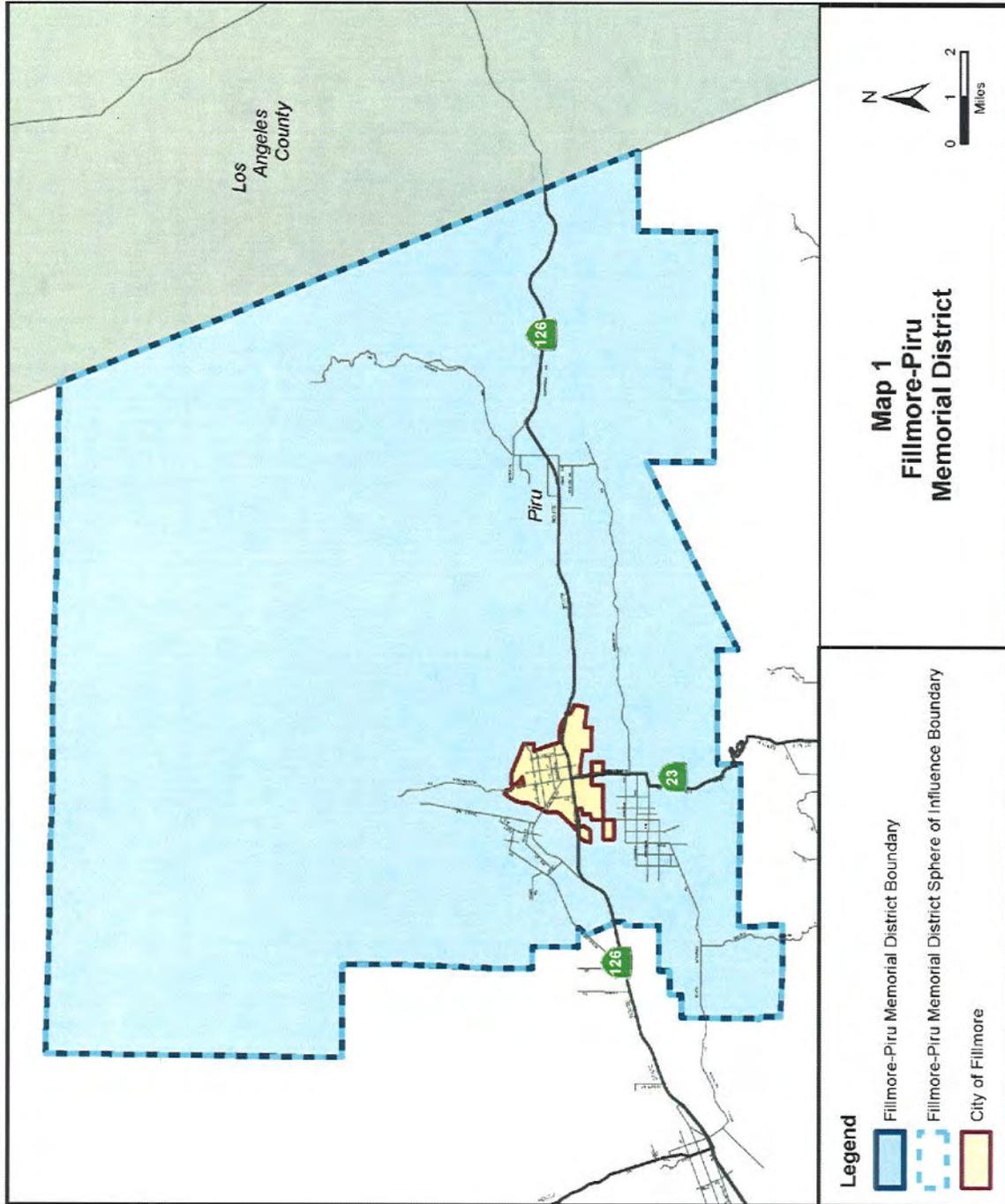
Ventura County

The Fillmore-Piru Memorial District is an independent special district that serves the City of Fillmore, the unincorporated community of Piru and other unincorporated areas in the east-central portion of Ventura County as shown on Map 1. It is the only special district of its type in Ventura County.

The Fillmore-Piru Memorial District was formed in 1950. The District owns and operates a memorial hall at 511 2nd Street in the City of Fillmore (northeasterly corner of the intersection of 2nd Street and Shiells Drive) on approximately 1.12 acres of property (48,807 sq. ft.). This property and facility are the District's sole assets. The maintenance and operation of this building and property, consistent with the provisions of the Military and Veterans Code, is the sole service provided by the District. The District has no employees, but has an agreement with the City of Fillmore for the provision of all administrative, operational and maintenance services (Appendix I).

¹ Source: CA State Controller *Special Districts Annual Report Fiscal Year 2004 - 2005*

Map 1 – Fillmore-Piru Memorial District



B. Agency Profile

Fillmore-Piru Memorial District	
Contact	Annette Cardona, Community Services Supervisor, City of Fillmore
Mailing Address	250 Central Avenue, Fillmore CA 93015-1907
Site Address	511 2 nd Street, Fillmore, CA 93015
Phone Number	805-524-1500, ext. 216
Fax Number	805-524-5707
Email	<i>acardona@ci.fillmore.ca.us</i>
Website	None
Services	
Types of Services	Owns, operates and maintains a memorial hall consistent with the provisions of the Military and Veterans Code.
Governance	
Date Formed	September 1950
Board of Directors	Five member board of directors elected at large, or appointed, to alternating four year terms; elections are held every two years in odd numbered years. The board of directors regularly meets on the third Wednesday of each month at the District's memorial hall at 511 2 nd Street, Fillmore, CA.
Area & Size Information	
Area in District Boundary (approximate)	151,304.6 acres (236.4 sq. mi.) ¹
Number of Assessor Parcels in District	5,917
Estimated Population	18,894 (2005 forecast) ²
Staff	
Executive & Management	0
Professional & Support	0
Operational	0

¹ Approximate area based on geographic information system calculations

² Source: Ventura County & Council of Governments -2005 population forecast for the Fillmore and Piru Areas

Fillmore-Piru Memorial District Profile (continued)

Financial Information				
Revenue	FY 2003-2004¹		FY 2004-2005²	
Property Taxes (all)	\$58,387	40.06%	\$60,219	40.32%
Special Property Assessments	25,994	17.84%	26,247	17.57%
Licenses/Permits	\$2,700	1.85%	\$2,700	1.81%
Interest	\$78	0.05%	\$488	0.33%
Rents/Concessions	\$58,474	40.14%	\$55,763	37.34%
Intergovernmental	\$91	0.06%	\$3,930	2.63%
Total Revenue	\$145,724		\$149,347	
Expenditures				
Salaries & Benefits ³	\$72,174	50.29%	\$67,126	51.85%
Services & Supplies	\$59,809	41.67%	\$54,497	42.10%
Long Term Debt Pmt	\$11,538	8.04%		
Fixed Assets			\$7,828	6.05%
Total Expenditures	\$143,521		\$129,451	
Revenue Over Expenditures	\$2,203		\$19,896	

¹ Source: CA State Controller *Special Districts Annual Report Fiscal Year 2003 – 2004*

² Source: CA State Controller *Special Districts Annual Report Fiscal Year 2004 – 2005*

³ The District has no employees and, therefore, does not directly pay for any salaries and benefits; the CA State Controller listing is presumably for contract services provided by others.

C. Infrastructure Needs and Deficiencies

The Fillmore-Piru Memorial District does not own or operate basic infrastructure such as roads or utilities. The District does, however, own and operate a memorial hall at 511 2nd Street in Fillmore. The memorial hall is located on approximately 1.12 acres of land owned by the District. The memorial hall and related property are the District's sole assets. The memorial hall contains meeting, recreation and office facilities for use by veterans, community groups and the general public. As a part of the LAFCo service review questionnaire and follow-up meetings with City of Fillmore staff, no infrastructure needs or deficiencies were identified. The memorial hall building, while reflective of its age, appears to be reasonably maintained. No critical deferred maintenance issues were identified.

D. Growth and Population

The Fillmore-Piru Memorial District does not attempt to forecast population growth within the District boundary, and no other agency determines or forecasts population for the District. Given the District's boundary, the closest approximation of current and projected population in the District is to combine the population information for both the Fillmore area and the Piru area as determined by Ventura County through the Ventura Council of Governments (VCOG). Table 1 provides comparison population data for the combined Fillmore and Piru areas as defined by Ventura County and VCOG.

Table 1
Population Estimates & Forecasts

	2000 Census (4-1-2000)	2005 VCOG Forecast	2010 VCOG Forecast	2020 VCOG Forecast
Fillmore Area	15,145	16,534	18,068	23,038
Piru Area	2,300	2,360	2,596	3,070
Total	17,445	18,894	20,664	26,108

VCOG is currently in the process of updating its population forecasts and the forecasts in Table 1 will change in the near future based on the growth projected by the current City of Fillmore General Plan and pending changes to the County of Ventura's Piru Area Plan (part of the County's General Plan). Little growth is expected outside the City of Fillmore and the Piru community. Requests for use of the District's memorial hall will likely increase as the population within the District increases.

E. Financing Constraints and Opportunities/Cost Avoidance Opportunities and Rate Restructuring

The Fillmore-Piru Memorial District is financially stable. As shown in the "Agency Profile" financial information table on page 8, the District's primary sources of revenue are a share of the 1% property tax based on pre-Proposition 13 levels of taxation as of 1976 (40.32% of total revenue in 2004-2005), rents and fees charged for the use of the District's memorial hall (37.34% of total revenue in 2004-2005), and special property assessments (17.57% of total revenue in 2004-2005). The special property

assessments are a result special tax of \$5 per parcel approved, according to City of Fillmore staff, sometime in 1981 or 1982. This special assessment is applied to all taxable parcels in the District.

Based on information from the County Auditor-Controller the 2005 - 2006 fiscal year apportionment rate (the portion of the 1% property tax assigned to the District) for the Fillmore-Piru Memorial District was .0001204315. Thus, for every \$1,000 in property tax collected within the District's boundaries the District received approximately \$0.12. For the 2005 -2006 fiscal year this amounted to \$103,517.97.

According to information provided to the State Controller, the District borrowed \$60,000 in 1994 for construction and repair purposes. This debt obligation was paid in full by the end of the 2003 - 2004 fiscal year and the District currently has no long term debt.

Approximately two thirds (over 65% in FY 2006 – 2007) of the District's property tax and special property assessment revenue are derived from the City of Fillmore. As most of the growth within the District's boundary is expected to occur within the City of Fillmore, the proportion of property tax and special property assessment revenue the District receives from territory within the City of Fillmore in comparison to the rest of the territory in the District is expected to increase in the future.

The District's dependency on property taxes and limited sources of other revenue is considered a constraint. The voter approval requirements to increase taxes and the lack of growth in most of the territory in the District means the District is primarily dependent on growth and the increase in property tax values within the City of Fillmore for increases in revenue. The other major source of revenue, rents and fees for facility use, is also constrained by the ability of users to pay increased service charges or fees, the desire of the District to maintain reasonable rates and, in some instances, competition with other agencies (e.g. schools) and others (e.g. churches) that may also provide space for community groups. The District's \$5 per parcel special assessment revenue is a fixed amount that does not have any mechanism for adjustment to keep pace with inflation and, therefore, its relative value decreases over time. This portion of the District's revenue only increases when new parcels or subdivisions occur, primarily in the City of Fillmore.

The District has entered into an agreement with the City of Fillmore for administrative, operational and maintenance services (Appendix 1). Based on this agreement, the City is responsible for annually formulating and proposing to the District Board a rate schedule for fees. This annual review by both the City and District provides a mechanism for rate restructuring to occur within the constraints identified.

Due to the small amount of total revenue available, the District does not have any employees. The District's agreement with the City of Fillmore is basically for cost avoidance purposes as it would be more costly for the District to have to perform administrative, operational and maintenance services on its own with its own employees. Based on the District's agreement with the City, the City provides the District with general liability and property insurance through the Southern California Joint Powers Insurance Authority, and the City provides the District with all required financial reporting, including a comprehensive annual financial report (audit). In recognition of both this support by the City and the District's dependence on property tax revenue from the City of Fillmore, the District's board of directors annually holds joint budget workshop meetings with the City of Fillmore City Council. Except for furthering this relationship with the City, there are few opportunities for cost avoidance.

The District has noted that a substantial cost avoidance opportunity would be to change the election cycle for the election of board members from odd-numbered years to even-numbered years. Currently the Military and Veteran's Code (Section 1195) requires that elections for board members be held in odd-numbered years, however, most local, state and federal elections are held in even-numbered years. The result is that the District must pay for the full cost of an election rather than sharing election costs with many other agencies. The District estimates that the cost of holding an election in an odd-numbered year as required by current law costs approximately \$25,000 while the cost of holding an election in an even-numbered year would be approximately \$2,500. This issue can only be remedied by a change in state law. To do this District will need the cooperation and staff support of the City of Fillmore and the County.

F. Government Structure Options/Opportunities for Shared Facilities

In the context of this service review and LAFCo terminology, government structure options include:

- Annexation or detachment of territory (increasing or decreasing the amount of territory within an agency's boundaries).
- Consolidations (the uniting or joining of two or more special districts into a single new special district).
- Mergers (the extinguishment of a special district by combining the special district with a city).
- Establishment of subsidiary districts (a special district continues to exist as a legal entity, but a city council is designated as the ex officio board of directors of the special district), and
- Dissolutions (the extinguishment of a special district and the cessation of all the special district's powers).

Each of these structural changes is considered a change of organization or a reorganization if combined with other structural changes (e.g. an annexation and a detachment), and each requires approval by LAFCo.

The government structure options for the Fillmore-Piru Memorial District are quite limited. The District's existing sphere of influence is coterminous with the District's boundary. Since territory can only be annexed into a city or district if it is within the agency's sphere of influence, no annexation of additional territory into the District can occur unless the District's sphere of influence is expanded. Expansion of the sphere of influence to expand the District's service area would only be practical if the District were to receive some tax revenue related to the service expansion. It is highly unlikely that any taxing agency would agree to a shift of existing tax revenue to the District for this purpose. It is also considered unlikely that at least two thirds of the voters in an area to be annexed would agree to an increase in property taxes to fund the District's potential expansion of services.

Consolidation is not a feasible alternative. There is no other district in the area served by the Fillmore-Piru Memorial District that performs similar functions. Even though United Water Conservation District does provide some recreation services at Lake Piru, such services are not a primary function of the United Water Conservation District and the Fillmore-Piru Memorial District and United Water Conservation District were formed under different principal acts.

A merger with the City of Fillmore or making the District a subsidiary district of the City of Fillmore is not feasible. For both a merger or the establishment of a subsidiary district the law requires that the area in the city equal at least 70% of the area within the District boundary. The area within the boundary of the Fillmore-Piru Memorial District is much larger than the area within the City of Fillmore. Thus, unless the District were to detach the majority of the territory within its boundary, a merger with, or making the District a subsidiary district of, the City of Fillmore is not legally possible.

Dissolution of the Fillmore-Piru Memorial District is a feasible alternative. Dissolution proceedings could be initiated by the District, LAFCo or any "affected local agency." An affected local agency is any local government agency which contains, or whose sphere of influence contains, any territory that is also within the boundary of the District. Thus, the County and the City of Fillmore are both affected local agencies for the Fillmore-Piru Memorial District, as are several other special districts.

A recommended determination is that the Fillmore-Piru Memorial District, together with the City of Fillmore and the County of Ventura, consider and possibly jointly initiate proceedings for the dissolution of the District. As noted, the District has revenue constraints and no real opportunity for expansion of its current services or service area. All of the District's administrative, operational and maintenance functions are being done by the City of Fillmore and it is doubtful that the District could, by itself, meet the on-going requirements and mandates for local governmental agencies. Further, and as noted in Section H of this report relating to local accountability and governance, no elections for the District board have been held since at least 1990. This lack of candidate and voter participation in the District's governance, combined with the District's financial constraints and total administrative reliance on the City of Fillmore for the provision of District services, calls into question the basic reasons and need for the District's continued existence as a separate unit of local government.

Dissolution of the Fillmore-Piru Memorial District would only be possible if, at minimum, each of the following criteria is met:

- The cost savings of dissolution equal or exceed the amount of the \$5 per parcel tax that now exists. This special tax would essentially "go away" if the District were to be dissolved.
- The City of Fillmore and the County of Ventura reached agreement on a new or revised property tax sharing agreement that would provide transfer all or a substantial portion of the property tax now going to the District to the City.
- The District, the City and the County are willing and can agree that dissolution would be in the best interests of the residents and tax payers in the area now served by the District.

Because of the Districts' reliance on the City of Fillmore for administrative, operational and maintenance services, it can be stated that the District shares facilities, programs and service provision with the City. No other opportunities for shared facilities were noted.

Sphere of Influence

As part of the service review process, the Fillmore-Piru Memorial District was given a LAFCo-generated map of its jurisdictional and sphere of influence boundaries. The District was asked to note on the map:

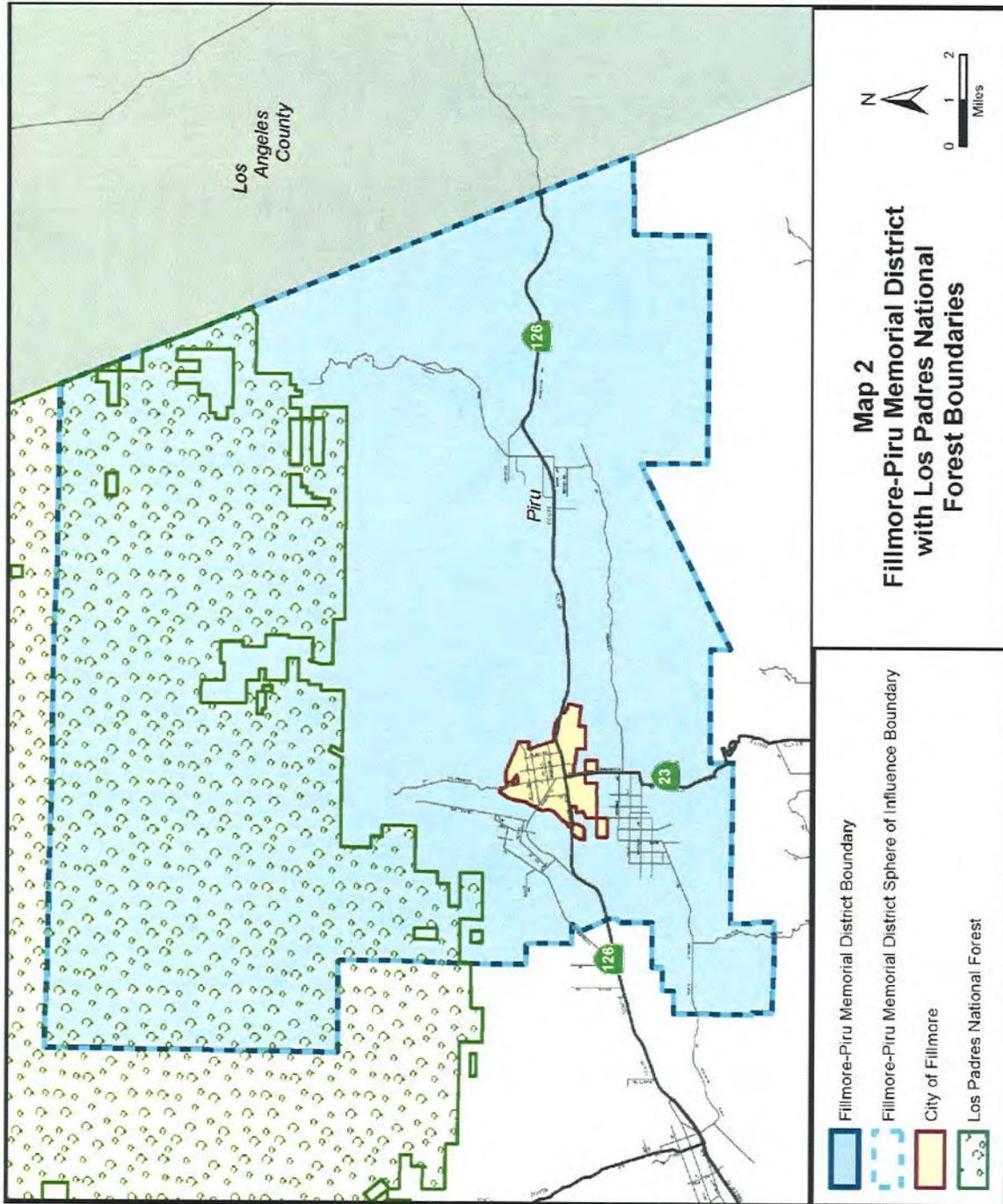
- Areas of duplication of planned or existing facilities with another agency
- Areas better served by another agency

- Areas better served by the responding agency
- Areas outside the agency's boundaries which currently receive service
- Areas difficult to serve or with illogical boundaries

No areas noted above were identified by the District.

As noted, the District's boundary and sphere of influence are coterminous. A substantial portion of the area within the District's boundary and sphere is, however, within the Los Padres National Forest as shown on Map 2. The District provides no services to and receives no tax revenue from these federally controlled areas. It is therefore recommended that the territory within the boundary of the Los Padres National Forest be removed from the District's sphere of influence as a part of the sphere update following this municipal service review. To the extent the District is not dissolved in the future, the District board should take subsequent steps to detach all areas outside the District's sphere of influence from the District. Further, if the District continues in existence without change, a zero sphere of influence should be considered as a part of any future sphere of influence updates.

Map 2 – Fillmore-Piru Memorial District – National Forest



G. Evaluation of Management Efficiencies

The City of Fillmore provides management services to the Fillmore-Piru Memorial District pursuant to the administrative, operational and maintenance services agreement with the City (Appendix I). The City provides an efficient management structure for the District. No other management structure would likely be as efficient.

Based on recommendations from the City, the District annually adopts a budget. The City serves as fiscal agent for the District and prepares or causes the preparation of all mandatory financial reports, and prepares, administers and manages grants. The District's most recent audit was for the 2005 – 2006 fiscal year and was unqualified.

The District does not have a capital improvement program, currently has no long term debt, and does not have any reserve or contingency accounts or funds.

The District is not currently involved in any litigation, nor has the District been the subject of any Grand Jury investigations at least during the last twenty years.

H. Local Accountability and Governance

The Fillmore-Piru Memorial District is governed by a five member Board of Directors. The Board of Directors must be residents of the District. Pursuant to law board members are elected, or selected, at-large to staggered four-year terms of office. Information about the current Board of Directors is shown in Table 2.

Table 2
FILLMORE-PIRU MEMORIAL DISTRICT
BOARD MEMBERS AND TERMS OF OFFICE

BOARD MEMBER	TITLE	MOST RECENT ELECTION OR APPOINTMENT	EXPIRATION OF TERM
Jim Herbert	President	November 2003	November 2007
William L. Morris III	Vice President	November 2005	November 2009
Dwight Magness	Treasurer	November 2003	November 2007
Don Gunderson	Secretary	November 2003	November 2007
Gene Wren	Director	November 2005	November 2009

No elections for the District board have been held since at least 1990. This means that no one during the last seventeen years has filed to challenge any incumbent board member at an election. Thus, during this time, as the four year terms of office of incumbent board members expire, existing District board members are reappointed or new District board members are appointed by the County Board of Supervisors in lieu of an election, pursuant to the Military and Veterans Code. This reflects a substantial lack of candidate and voter participation in the District's governance. District board members have noted, however, that due to the high cost of being required to hold elections in odd-

numbered years incumbent board members have in the past tried to time vacancies so that they can easily be filled by appointed members in order to save the costs of an election.

The Board of Directors typically meets monthly on the 3rd Wednesday of each month at 7 PM in the District's memorial hall at 511 2nd Street, Fillmore. District directors serve without compensation, but are entitled to actual and necessary expenses incurred in the performance of duties.

The City of Fillmore ensures that the District's meetings are publicly noticed in compliance with the Brown Act and indicates that the District's meeting location and facilities are in compliance with the Americans with Disabilities Act.

The District board receives legal advice, as necessary, about the Brown Act, the rules and regulations of the Fair Political Practices Commission and the Public Records Act from the Ventura County Counsel who serves as legal counsel for the District. No special or periodic reviews of these Acts or regulations were noted.

Information provided by the City of Fillmore indicates that the District board has not completed the mandatory ethics training required by AB-1234 passed in 2005 (Government Code Section 53234 *et seq*). City representatives indicated that because the District board does not receive compensation it was the City's interpretation that the ethics training mandate does not apply. However, Government Code 53235 (a) states:

"If a local agency provides any type of compensation, salary, or stipend to a member of a legislative body, or provides reimbursement for actual and necessary expenses incurred by a member of a legislative body in the performance of official duties, then all local agency officials shall receive training in ethics pursuant to this article."

The Military and Veterans Code relating to Memorial Districts provides that District board members serve without compensation, but are entitled to actual and necessary expenses incurred in the performance of duties (Military and Veterans Code Section 1197). Thus, to the extent District board members may at any time receive reimbursement for expenses, the District board must comply with the mandatory ethics training requirements. Arguably, the District board is now out of compliance with this requirement and the board should review this matter with its legal counsel.

The District does not have a web site and provision of such a service is not a specified part of the District's service agreement with the City of Fillmore. Given the District's constrained financial resources and the limited services provided by the District, establishing and maintaining a web site is not considered a priority.

This Page Intentionally Left Blank

IV. DETERMINATIONS

Determinations are based on data provided by the District and information from other publicly available sources.

Fillmore – Piru Memorial District

- **Infrastructure needs or deficiencies**
 1. No significant infrastructure needs were identified for the Fillmore-Piru Memorial District.
- **Growth and population projections for the affected area**
 1. Based on population projections for the Fillmore area and the Piru Area, there will be continuing population growth within the Fillmore-Piru Memorial District, however, the majority of the growth in population will occur within the City of Fillmore.
- **Financing constraints and opportunities**
 1. The Fillmore-Piru Memorial District is financially stable.
 2. The Fillmore-Piru Memorial District has no debt.
 3. The Fillmore-Piru Memorial District is dependent on property taxes and special assessment revenue and approximately two thirds of the District's property tax and special assessment revenue is derived from the territory within the City of Fillmore.
 4. The Fillmore-Piru Memorial District is constrained in its ability and opportunities for other sources of financing beyond property taxes, facility use fees and the existing, fixed special assessment revenue.
- **Cost avoidance opportunities**
 1. The Fillmore-Piru Memorial District has entered into an agreement with the City of Fillmore for administrative, operational and maintenance services. Based on this agreement all District services are provided by the City of Fillmore.
 2. The District has noted that a substantial cost avoidance opportunity would be to change the election cycle for the election of board members from odd-numbered years to even-numbered years. Currently the Military and Veteran's Code (Section 1195) requires that elections for board members be held in odd-numbered years, however, most local, state and federal elections are held in even-numbered years. The result is that the District must pay for the full cost of an election rather than sharing election costs with many other agencies. The District estimates that the cost of holding an election in an odd-numbered year as required by current law costs approximately \$25,000 while the cost of holding an election in an even-numbered year would be approximately \$2,500. This issue can only be remedied by a change in state law. To do this District will need the cooperation and staff support of the City of Fillmore and the County.
- **Opportunities for rate restructuring**
 1. The Fillmore-Piru Memorial District annually reviews its rates based on recommendations made by the City of Fillmore.
 2. The Fillmore-Piru Memorial District has limited opportunities for rate restructuring as the rates for the District's Memorial Hall are constrained by the ability of users to pay increased charges, the desire of the District to maintain reasonable rates and the prevailing rates charged by other agencies for use of similar facility space.
- **Opportunities for shared facilities**
 1. The Fillmore-Piru Memorial District relies exclusively on the City of Fillmore for administrative, operational and maintenance services and, thus, shares facilities, programs

and the provision of services with the City. No other opportunities for shared facilities were noted.

- **Government structure options, including advantages and disadvantages of the consolidation or reorganization of service providers**

1. The only feasible government structure option for the Fillmore-Piru Memorial District is dissolution. The District, together with the City of Fillmore and the County of Ventura should consider and possibly jointly initiate proceedings for the dissolution of the District within the next five years. Without the on-going administrative, operational and maintenance support by the City of Fillmore it is unlikely that the District would be able to operate as an independent entity. Most of the District's revenue is derived from property taxes and the future growth from the City of Fillmore. Since the District board has not had a contested election since at least 1990, dissolution would provide for better local accountability and governance of the District's sole asset.
2. Dissolution of the Fillmore-Piru Memorial District would only be possible if, at minimum, each of the following criteria is met:
 - The cost savings of dissolution equal or exceed the amount of the \$5 per parcel tax that now exists. This special tax would essentially "go away" if the District were to be dissolved.
 - The City of Fillmore and the County of Ventura reached agreement on a new or revised property tax sharing agreement that would provide transfer all or a substantial portion of the property tax now going to the District to the City.
 - The District, the City and the County are willing and can agree that dissolution would be in the best interests of the residents and tax payers in the area now served by the District.

- **Evaluation of management efficiencies**

1. The City of Fillmore provides all management services for the Fillmore-Piru Memorial District. No other management structure would be more efficient.
2. The Fillmore-Piru Memorial District has no employees.
3. The Fillmore-Piru Memorial District is in compliance with all budgeting, audit and financial reporting requirements. The District's most recent audit was unqualified.
4. The Fillmore-Piru Memorial District is not involved in any litigation.

- **Local accountability and governance**

1. There have been no elections for the Fillmore-Piru Memorial District's board of directors since at least 1990. This means that incumbent board members are routinely re-appointed or, if vacancies occur, new board members are appointed by the County Board of Supervisors pursuant to the provisions of the Military and Veterans Code. This lack of elections reflects a substantial lack of candidate and voter participation in the District's governance. District board members have noted, however, that due to the high cost of being required to hold elections in odd-numbered years incumbent board members have in the past tried to time vacancies so that they can easily be filled by appointed members in order to save the costs of an election.
2. The Fillmore-Piru Memorial District typically meets monthly. The City of Fillmore ensures that there is public notice of District board meetings as required by law. Meeting facilities are in compliance with the American's Disabilities Act.
3. The Fillmore-Piru Memorial District board of directors serve without compensation, but are entitled to actual and necessary expenses incurred in the performance of duties.
4. The Fillmore-Piru Memorial District receives advice about the Brown Act, the rules and regulations of the Fair Political Practices Commission (FPPC) and the Public Records Act, as

necessary from the Ventura County Counsel who serves as legal counsel for the District. No special or periodic reviews of these Acts or regulations were noted.

5. The City of Fillmore indicates that the Fillmore-Piru Memorial District board of directors has not completed the mandatory ethics training required by AB-1234 passed in 2005 (Government Code Section 53234 *et seq*). To the extent District board members may at any time receive reimbursement for expenses, the District must comply with the mandatory ethics training requirements. Arguably, the District board is now out of compliance with this requirement and the board should review this matter with its legal counsel.
6. The Fillmore-Piru Memorial District does not have a web site but, given the District's constrained financial resources and limited services, establishing and maintaining a web site is not considered a priority.

APPENDIX I

2nd AMENDED AGREEMENT FOR CITY OF FILLMORE
TO PERFORM CERTAIN ADMINISTRATIVE,
OPERATIONAL AND MAINTENANCE SERVICES
FOR THE FILLMORE-PIRU MEMORIAL DISTRICT

THIS AMENDED AGREEMENT is made and entered into this ~~2nd~~ day of *June* 2002, by and between the FILLMORE-PIRU MEMORIAL DISTRICT ("District"), and the CITY OF FILLMORE, CALIFORNIA ("City").

WITNESSETH:

WHEREAS, District desires to contract with City for the performance of certain services and functions for the administration, operation and maintenance of the Fillmore-Piru Veterans' Memorial Building (the "Building") and its grounds, located at 511 Second Street, Fillmore, California, and limited maintenance of the Fillmore Branch Library, located at 502 Second Street, Fillmore, California; and

WHEREAS, City agrees to so contract with District and to perform such services and functions on the terms and conditions hereinafter set forth; and

WHEREAS, the performance by City for District of the services and functions referenced herein will require City to incur certain costs and expenses, including, but not limited to, costs and expenses for public liability insurance coverage for the negligent or wrongful acts or omissions occurring in the performance of this Agreement; and

WHEREAS, it is the intent of the parties to this Agreement that City provide insurance coverage to District through City's membership in the Southern California Joint Powers Insurance Authority (SCJPIA) said insurance costs to be paid for by District; and

WHEREAS, it is the intent of the parties to this Agreement that City assume certain costs and expenses, including, but not limited to, the costs and expenses of said public liability insurance coverage; and

WHEREAS, said contract is authorized and provided for by Chapter 5, Division 7, Title 1, Sections 6500, et seq., of the Government Code of the State of California and by Section 2, Chapter 1, Division 6 of the Military and Veterans Code of the State of California; and

WHEREAS, the parties entered into an Agreement for Administrative Services on January 6, 1993, and it is the intent and desire of the parties to amend said Agreement.

NOW, THEREFORE, the parties hereto agree the January 6, 1993 Agreement as amended May 28, 1999, is hereby restated and further amended to read in its entirety as follows:

1. Subject to all of the terms and conditions of this Agreement, including, but not limited to, any additional terms and conditions contained in any Exhibit hereto, City shall perform, and District shall be entitled to have City perform, such services and functions for District as are set forth hereinbelow.

2. All persons employed in the performance of such services and functions for City shall be employees of City. Persons employed by City hereunder shall be subject to the personnel rules, regulations and terms of condition of employment of City according to their employee classification. City shall make direct payment of any salary or wages to any employee performing services hereunder.

3. No officer, employee or department of City shall perform for District any service or function not coming within the scope of the duties of such officer, employee or department in performing services or functions for City.

4. District, its officers and employees, by this Agreement, shall not assume any liability for the negligent or wrongful acts or omissions of City, nor of any officer or employee. City shall hold District and its officers harmless and indemnify and defend District, its officers and employees, against any and all costs, expenses, claims, suits and liability for bodily and personal injury to or death of any person and for injury to or loss of any property resulting therefrom or arising out of or in any way connected with any negligent or wrongful acts or omissions of City, its officers and employees, in performing or authorizing the performance of or in failing to perform or authorize the performance of any work, services or functions provided for, referred to in or in any way connected with any work, services or functions to be performed under this Agreement.

5. City, its officers, employees and Council, by this Agreement shall not assume any liability for the negligent or wrongful acts or omissions of District, nor of any officials thereof. District shall hold City and its officials, employees and Council persons harmless and indemnify and defend City, its officials, employees and Council persons, against any and all costs, expenses, claims, suits and liability for bodily and personal injury to or death of any person and for injury to or loss of any property resulting therefrom or arising out of or in any way connected with any negligent or wrongful acts or omissions of District, its officials and employees, in performing or authorizing the performance of or in failing to perform or authorize the performance of any work, services or functions provided for, referred to in or in any way connected with any work, services or functions to be performed under this Agreement.

6. Each City officer, employee or department performing any service or function for District provided for herein shall keep reasonably itemized and detailed work or job records covering the cost of all services performed, including salary, wages, benefits and other labor-related costs, supervision and planning, plus overhead, the reasonable rental value of all City-owned machinery and equipment, rental paid by City for all rented machinery and equipment, together with the cost of an operator thereof when furnished with said machinery or equipment, the cost of all machinery and supplies furnished by City, reasonable handling charges, public liability insurance and workers' compensation costs and all additional items of expense incidental to the performance of such function or service.

7. District, as a part of its annual budgeting process as set forth in Paragraph 11(c) of this Agreement, shall authorize certain budget line item expenditures, including, but not limited to, expenditures for salaries, accounting services, insurance, building and ground maintenance, grants administration, general administration, etc., which reflect the cost of services provided by City to District. District shall pay City for those authorized and budgeted services on a monthly basis as a part of District approval of monthly warrant lists prepared by City.

8. City to include insurance coverage to District through the Southern California Joint Powers Insurance Authority (SCJPIA) for general liability insurance and property insurance, said insurance costs to be paid for by District as set forth in Paragraph 7 of this Agreement. District may also request and pay for additional insurance coverage that is available to City through the SCJPIA.
9. City shall perform the following services and functions for District:
- (a) Routine maintenance of building and grounds, including watering of grounds and general cleaning of facility and grounds (see attached Exhibit "A");
 - (b) Limited maintenance of the library as set forth in the current agreement between the District and the County of Ventura (see attached Exhibit "B");
 - (c) Pursuant to District and City policies and direction, administration and management of use of Building, inclusive of all uses authorized by law;
 - (d) Act as District's fiscal agent to establish and maintain a separate fund for the accounting of all income and expenditures relating to the Building and its grounds;
 - (e) Prepare and submit for District approval and/or ratification monthly warrant lists;
 - (f) Prepare and submit to District Board on a monthly basis various financial and building activity reports as specified in Exhibit "C" attached hereto;
 - (g) Receive and submit to District Board for filing all annual reports as required by law.
 - (h) Prepare, administer and manage grant programs;
 - (i) Administer contracts for any operating maintenance or capital expenditure programs approved by District; and
 - (j) City shall prepare and submit job descriptions, including any revisions thereto, to the District Board for review and/or comment, with respect to establishing the position of Veteran's Memorial Building Coordinator/Manager or such other title as may be recommended by City and/or any additional job position deemed necessary by District to provide services to District pursuant to this Agreement. It is expressly understood that any person holding such a position may perform other duties for City besides those connected with District; and
 - (k) Provide staff support necessary to perform the duties set forth in Paragraph 9 of this Agreement and as authorized in the District budget adopted pursuant to Paragraph 11 (c) of this Agreement.
10. It shall be the responsibility of City to annually in March of each year formulate and propose to the District Board the following:
- (a) A rate schedule for fees to be charged for the various uses of the Building;

- (b) Policies covering the operation of the Building with respect to its uses;
and
- (c) Proposed operating fiscal year budget for the most cost efficient operation, maintenance and capital improvements of the Building and its grounds, including, but not limited to, direct City Services, contract services or volunteer services.
11. The District Board shall discharge the following duties:
- (a) Establish general policies regarding the use of the Building and its grounds, including, but not limited to, policies regarding the sale and use of liquor, security guard requirements and days and hours of operation of the Building;
- (b) Approve or otherwise take action with respect to items proposed by City, including, but not limited to, the Building's operational policies, the rate schedule for uses of the Building, execution of necessary documents relating to grant applications, and review and comment on job descriptions proposed pursuant to Paragraph 9 (j) above;
- (c) Adopt, as required by law, the operating and capital improvement fiscal year budget for maintenance and operation of the Building and its grounds; and
- (d) Approve as necessary filing of appropriate annual reports, assessments or other financial reporting requirements necessary to maintain District status and eligibility for receipt of all funds to which District is now or will be entitled, including, but not limited to, property taxes and parcel assessments.
12. This Agreement shall become effective on the date first above written and shall continue in full force and effect until terminated by either party pursuant to the provisions of Paragraphs 12 and 13 below.
13. Either party may terminate this Agreement as of the first day of July of any year upon notice in writing to the other party not less than one hundred eighty (180) days prior to the date of such termination or at any other date mutually agreed upon in writing by the parties.
14. Notwithstanding the provisions of Paragraph 12 and 13 above, if District does not make payment to City as required in Paragraph 7 above, or is otherwise in default, City may serve District with notice of default and an opportunity to cure said default within thirty (30) days of service of said notice. In the event any such default is not cured within the time provided, City may terminate this Agreement immediately. If the City is in default, District may serve City with a notice of default and an opportunity to cure said default within thirty (30) days of service of said notice. In the event any such default is not cured within the time provided, District may terminate this Agreement immediately.
15. Any notice required to be given pursuant to this Agreement shall be effective only if in writing and delivered personally or by mail. If given by mail, such notice must be sent by registered or certified mail, postage prepaid, mailed to the parties at the addresses set forth below or at such other addresses as the parties may designate from time to time by written notice:

(a) If to City: 250 Central Avenue, Fillmore, California 93015, Attention: City Clerk.

(b) If to District: c/o City of Fillmore, 250 Central Avenue, Fillmore, California 93015, Attention: Chairman.

Notices delivered personally shall be deemed communicated as of the date of actual receipt, mailed notices shall be deemed communicated as of the date of mailing.

16. This Agreement may be reviewed from time to time by the parties hereto.

IN WITNESS WHEREOF, District has, by order of its Board of Directors, caused these presents to be subscribed by the Chairman of said Board and the seal of said Board to be affixed and attested by the Clerk thereof; and City has, by order of the City Council, caused these presents to be subscribed by the presiding officer of City and the seal of City to be affixed and attested by the Clerk thereof on the day and year first above written.

CITY OF FILLMORE, CALIFORNIA

By: Bob Anderson
Mayor

ATTEST:

Steve McLean
City Clerk (DEPUTY)

"City"

FILLMORE-PIRU MEMORIAL DISTRICT

By: (6) W. Hanson
Chairman, Board of Directors

ATTEST:

Barbara Smith
Clerk

"District"

Fillmore-Piru Memorial District Reorganization

Summary

In October 2007, the Ventura County Local Agency Formation Commission's (LAFCo) Municipal Services Review (MSR) determined the Fillmore-Piru Memorial District (District) should be dissolved. As a result, the 2007-2008 Ventura County Grand Jury (Grand Jury) opened an investigation of the District.

The Grand Jury found that the District has no employees; the City of Fillmore (Fillmore) provides all administrative, operational, and maintenance services for the Memorial Hall on the District's 1.12 acre property. The District's Board of Directors (Board) consists of five elected officials (the majority veterans) who receive no compensation but are reimbursed for reasonable expenses. There has not been an election of Directors since prior to 1990 nor has the Board received mandatory ethics training as required by California Assembly Bill 1234 (AB1234). The District has three sources of revenue: approximately 40% from hall rentals, 40% from allocated property taxes, and 20% from a \$5.00 per parcel special assessment.

The Grand Jury concludes that reliance on Fillmore for all services, a lack of local accountability and governance, and no Board elections since before 1990, have created a situation where the public would be best served by the District either being dissolved, or reorganized.

The Grand Jury recommends that instead of dissolution, the District should be reorganized. In conjunction with Fillmore and the County of Ventura (County), the District should propose State of California (State) legislation to become a subsidiary district of Fillmore. The City Council could become the Board of Directors (the present Board could become an honorary or advisory board), and the District's total revenues could transfer to Fillmore. Additionally, the District's boundaries and real property (including the Memorial Hall) could be assumed by Fillmore.

Background

The District is an independent special district formed in 1950 to serve Fillmore, the unincorporated community of Piru, and other unincorporated areas in the east-central portion of Ventura County. The District owns and operates the Memorial Hall at 511 2nd Street in Fillmore on approximately 1.12 acres. These are the sole assets of the District. The extensively used Memorial Hall provides meeting places as well as indoor and outdoor recreational facilities for the public and Veterans. The District has no employees and entered into a Joint Powers Agreement with Fillmore to provide all administrative, operational, and maintenance services.

The District is governed by a five-member Board. The Board is elected at-large by voters within the District's boundaries to four-year alternating terms of office

in odd-numbered calendar years. Board elections have not been held since prior to 1990, and the County Board of Supervisors (BOS) appoints members.

The District's, MSR is a study incorporating nine municipal services provided by the District. After analysis, LAFCo determined the District should be dissolved.

Methodology

The MSR for the District was studied and became a major source of facts and findings. The District's audited financial statements dated June 30, 2006 and June 30, 2007, were examined, and a profile of financial information was developed. Articles from the *Ventura County Star* and *The Fillmore Gazette* were reviewed. Interviews were conducted with LAFCo staff, Fillmore officials and a District board member. The District's County Supervisor and State Assembly representative were also interviewed. Legal opinions of the County Counsel were solicited. [Att-01] [Ref-02]

Findings

- F-01.** Memorial districts are formed under and operate pursuant to the provisions of the Military and Veterans Code of the State of California. [Ref-05]
- F-02.** The District was formed in 1950 as an independent special district that serves Fillmore, the unincorporated community of Piru, and other unincorporated areas in the east-central portion of Ventura County. Civic, religious, and educational organizations are allowed to use various portions of the buildings and facilities for a nominal fee. There is no user fee for Veterans' organizations or other organizations the Board designates. [Ref-02]
- F-03.** The District's sources of revenue are a share of the property tax, hall rental, fee charges, and a special District property assessment of \$5.00 per parcel. [Ref-02]
- F-04.** Approximately two-thirds of the District's property tax and special property assessment revenues are derived from private property within the incorporated boundaries of Fillmore. [Ref-02]
- F-05.** Registered voters usually elect an independent district's board of directors. Dependent districts are governed by existing legislative bodies such as a city council or county board of supervisors. [Ref-01]
- F-06.** The Directors of the District receive no compensation but are entitled to reasonable expenses in the performance of Board duties. [Ref-01]
- F-07.** The Military and Veterans Code §1195 requires that elections for board members of memorial districts be held in odd-numbered years and that at least three seats be designated for Veterans [Ref-05]
- F-08.** Elections held in conjunction with regular elections cost an estimated \$2,500. Memorial district elections held in odd-numbered years are estimated to cost \$25,000. [Ref-02]

- F-09.** The District has not held an election since before 1990. In lieu of an election the BOS reappoints incumbents and/or appoints new members. [Ref-02]
- F-10.** LAFCo has no investigative authority. LAFCo MSR's are studies not investigations. [Ref-02]
- F-11.** The MSR's major determinations are its dependence on Fillmore, the majority of its revenue coming from property taxes and special parcel assessment, and no contested elections since before 1990. LAFCo determined that the District should be dissolved. [Ref-02]
- F-12.** LAFCo would likely support the distribution of the District's assets to Fillmore as the logical successor agency if the District were to dissolve.
- F-13.** The Board has not completed the mandatory ethics training required by AB1234 passed in 2005. [Ref-02, Ref-04]
- F-14.** The District currently includes 151,305 acres within its boundaries. [Att-02] [Ref-02]
- F-15.** Fillmore provides all administrative, operational, and maintenance services for the District through a Joint Powers Agreement. The District has no employees. [Ref-02]
- F-16.** The District received \$208,932 during FY2005-2006 and FY2006-2007 from the Federal Housing and Urban Development Department (HUD) as a County of Ventura Community Development Block Grant. The funds were used for maintenance, new fixtures, and to improve the facilities in the memorial buildings. [Att-01]
- F-17.** According to the District's audited financial statements, revenues exceeded expenditures by \$120,657 for FY2003-2004 through FY2006-2007. [Att-01]
- F-18.** The County Supervisor for District 3, in which the Fillmore-Piru Memorial District is located, supports any reorganization that simplifies government.
- F-19.** There are four options that could be considered by the District:
- special legislation by the State to reorganize the District into a subsidiary district of Fillmore
 - reorganization of the District into a subsidiary district of Fillmore using the "70% requirement method"
 - compliance by the Board regarding ethics training and elections
 - dissolution
- F-20.** The District could reorganize through special State legislation whereby the District becomes a subsidiary district of Fillmore; the new district could maintain the same boundaries, real property, and revenues.
- F-21.** Special State legislation requires approval by both houses of the Legislature.

- F-22.** An alternate method to reorganize the District into a subsidiary district and not require State legislation is the "70% requirement method". Sufficient territory would have to be detached from the District so that Fillmore comprises at least 70% of the new district. As an example, adding part of the unincorporated area of Bardsdale (881 acres) to Fillmore's 2,069 acres would bring the total area to 2,950 acres, thus meeting the "70% method". The loss of revenue to the new District from the property tax allotment would be approximately \$22,000. [Ref-02]
- F-23.** There are 5,980 parcels in the District, with approximately 3,944 parcels in Fillmore. If the unincorporated area of Bardsdale was included, approximately 110 parcels would be added for an approximate total of 4,054 parcels. The loss of revenue to the new district from the \$5.00 per parcel special assessment in this example is estimated at \$10,000.
- F-24.** Dissolution of the District could cause a loss of revenue from the District's portion of the property tax and the \$5.00 parcel special assessment. These two sources of revenue totaled \$99,772 in FY2006-2007. [Att-01]

Conclusions

- C-01.** If the District is dissolved, Fillmore with the support of LAFCo would likely assume the assets of the District. (F-12)
- C-02.** Dissolution of the District will result in no revenues to Fillmore from the \$5.00 per parcel special assessment and possibly from property taxes. (F-24)
- C-03.** The District is currently not in compliance with California State Law in regard to elections and ethics training. (F-09, F-13)
- C-04.** Under the "70% requirement method," the Grand Jury estimates that the City of Fillmore could lose approximately \$10,000 in revenue from the \$5.00 per parcel special assessment, and \$22,000 from the loss of property tax revenues for an estimated total revenue loss of \$32,000 per year. This could impact the District's administrative, maintenance, and operating budget. (F-22, F-23)
- C-05.** If the existing District became a subsidiary district of Fillmore, through special State legislation, it could maintain the same boundaries, real property (including the Memorial Hall), and revenues. The Fillmore City Council could become the Board of Directors for the new district and the current Board could become an advisory or honorary board of directors. (F-05, F-20, F-21)

Recommendations

- R-01.** The Grand Jury recommends that the District be reorganized as a subsidiary district of Fillmore through the State legislative process. (C-01, C-05)

- R-02.** The Grand Jury recommends that the Fillmore City Council become the Board of Directors for the new subsidiary district. (C-03, C-05)
- R-03.** The Grand Jury recommends that the Board complete AB1234, mandatory ethics training, regardless of a decision to reorganize the District. (C-03) [Ref-04]
- R-04.** The Grand Jury recommends that the District comply with the Military and Veterans Code §1195 regarding elections for board members, unless there is a decision to reorganize the District. (C-03) [Ref-05]

Responses

Response Required:

Board of Directors, Fillmore–Piru Memorial District (R-01 through R-04)

Responses Requested:

City Council, City of Fillmore (R-01 through R-04)

Board of Supervisors, County of Ventura (R-01, R-02)

Ventura County LAFCo (R-01)

References

- Ref-01 "What's So Special About Special Districts?" *A Citizen's Guide to Special Districts in California*, Third Edition, by Kimia Mizany & April Manatt, February 2002.
- Ref-02 LAFCo Municipal Service Review of the Fillmore-Piru Memorial District, October 17, 2007.
- Ref-03 County of Ventura Fillmore-Piru Memorial District Financial Statements, June 30, 2006 & 2007, compiled by Moss, Levy & Hartzheim, LLP, Certified Public Accountants.
- Ref-04 California Fair Political Practices Commission, AB1234 Ethics Training for Local Officials.
- Ref-05 California Military and Veterans Code §1195.

Attachments

- Att-01 Fillmore-Piru Memorial District Profile Financial Information
- Att-02 Fillmore-Piru Memorial District Area Map

(This page intentionally blank)

Attachment-01

Fillmore-Piru Memorial District Profile Financial Information

(This page intentionally blank)

**Fillmore-Piru Memorial District Profile
Financial Information**

<u>Revenue</u>	<u>FY 2003-2004</u>		<u>FY 2004-2005</u>		<u>FY 2005-2006 *</u>		<u>FY 2006-2007 *</u>	
Property Taxes (all)	\$58,387	40.07%	\$60,219	40.32%	\$66,156	24.60%	\$69,785	25.85%
Special Property Assessments	\$25,994	17.84%	\$26,247	17.57%	\$26,071	9.69%	\$29,987	11.11%
Licenses/Permits	\$2,700	1.85%	\$2,700	1.81%	\$0	0.00%	\$0	0.00%
Interest	\$78	0.05%	\$488	0.33%	\$879	0.33%	\$1,553	0.58%
Rents/Concessions	\$58,474	40.13%	\$55,763	37.34%	\$53,153	19.76%	\$55,022	20.38%
Intergovernmental	\$91	0.06%	\$3,930	2.63%	\$13,769	5.12%	\$13,579	5.03%
* Grant - RDA/CDBG	\$0	0.00%	\$0	0.00%	\$108,932	40.50%	\$100,000	37.05%
Total Revenue	\$145,724		\$149,347		\$268,960		\$269,926	
 <u>Expenditures</u>								
Salaries & Benefits	\$72,174	50.29%	\$67,126	51.85%	\$74,707	31.57%	\$72,456	35.58%
Services & Supplies	\$59,809	41.67%	\$54,497	42.10%	\$49,011	20.71%	\$45,955	22.56%
Long Term Debt Payment	\$11,538	8.04%		0.00%	\$0	0.00%	\$0	0.00%
Fixed Assets			\$7,828	6.05%	\$0	0.00%	\$0	0.00%
* Grant-Capital Outlay	\$0	0.00%	\$0	0.00%	\$0	0.00%	\$67,254	33.02%
* Grant - Repairs & Maintenance	\$0	0.00%	\$0	0.00%	\$112,945	47.72%	\$18,000	8.84%
Total Expenditures	\$143,521		\$129,451		\$236,663		\$203,665	
Revenue Over Expenditures	\$2,203		\$19,896		\$32,297		\$66,261	

* \$208,932 Federal Government grant over 2 years - Redevelopment Agency/Community Block Grant

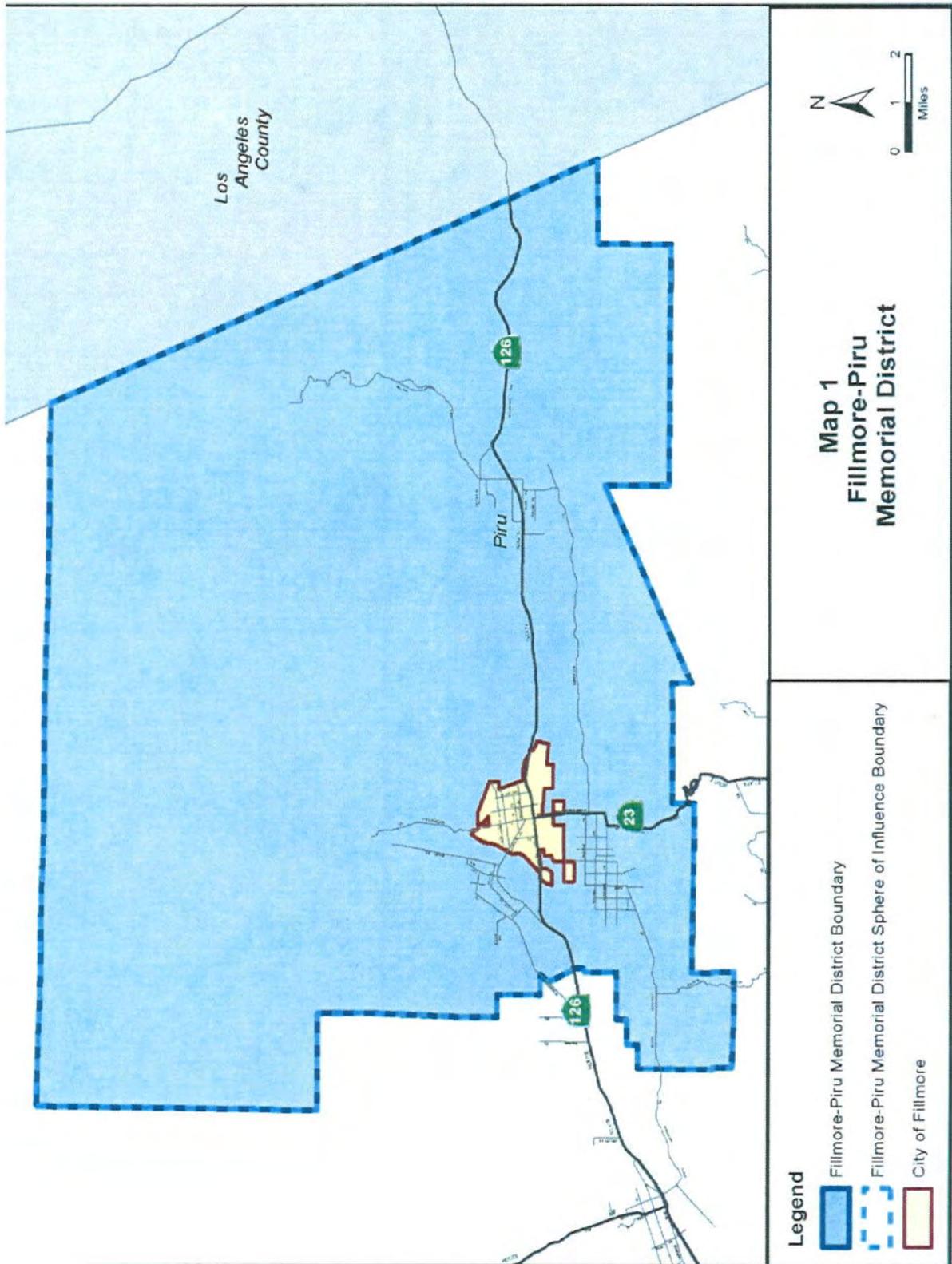
Sources: LAFCo "Fillmore-Piru Memorial District Municipal Service Review October 17, 2007"
Fillmore-Piru Memorial District Audited Financial Statements June 30, 2006 & 2007

(This page intentionally blank)

Attachment-02

Fillmore-Piru Memorial District Area Map

(This page intentionally blank)



(This page intentionally blank)



July 16, 2008

Ventura County Grand Jury
800 S. Victoria Avenue, L#3751
Ventura, CA 93009

Honorable Colleen Toy White, Presiding Judge
Superior Court of California, Ventura County
Hall of Justice, #2120
800 S. Victoria Avenue
Ventura, CA 93009

RE: Response to 2007-2008 Ventura County Grand Jury report entitled *Fillmore-Piru Memorial District Reorganization*

Dear Presiding Judge White and Members of the 2007-2008 Grand Jury:

The Ventura Local Agency Formation Commission (LAFCO) has reviewed the 2007-2008 Ventura County Grand Jury report entitled *Fillmore-Piru Memorial District Reorganization*. The report was discussed at the July 16, 2008 meeting when the Commission formally authorized me to file this response.

The Grand Jury requested that LAFCO respond to recommendation R-01 from their report. The recommendation and LAFCO's response follows:

R-01. The Grand Jury recommends that the District be reorganized as a subsidiary district of Fillmore through the State legislative process.

As largely conveyed in the Grand Jury report, LAFCO's October 17, 2007 municipal service review (MSR) report for the Fillmore-Piru Memorial District questioned the need for the District's continued existence as a separate unit of local government and determined that the District, together with the City of Fillmore and the County of Ventura should consider initiating proceedings for the dissolution of the District within the next five years. Under State law, dissolution is defined as the "...disincorporation, extinguishment, and termination of the existence of a district and the cessation of all its corporate powers, except as... [LAFCO] may otherwise provide...for the purpose of winding up the affairs of the district" (Cal. Govt. Code Sec. 56035).

LAFCO's recommendation to dissolve the District was based on a number of determinations regarding the District's potential long term financial viability, governance issues, and provisions of state law concerning the cessation of special district powers. Although LAFCO determined that the District is financially stable at this point in time, the District's dependency on property taxes and limited sources of other revenue is considered a constraint. The voter approval requirements to increase taxes and the lack of growth in most of the territory in the District means the District is primarily dependent on growth and the increase in property tax values within the City of Fillmore for increases in revenue. The other major source of revenue, rents and fees for facility use, is also constrained by the ability of users to pay increased service charges or fees, the desire of the District to maintain reasonable rates and, in some instances, competition with other agencies (e.g. schools) and others (e.g. churches) that may also provide space for community groups. The District's \$5 per parcel special assessment revenue is a fixed amount that does not have any mechanism for adjustment to keep pace with inflation and, therefore, its relative value decreases over time. This portion of the District's revenue only increases when new parcels or subdivisions occur, primarily in the City of Fillmore. Due to the small amount of total revenue available, the District does not have any employees. All of the District's administrative, operational and maintenance functions are performed by the City of Fillmore and it is doubtful that the District could, by itself, meet the on-going requirements and mandates for local governmental agencies.

With regard to accountability and governance, there has been a chronic lack of candidate and voter participation regarding election of District board members due to the fact that no elections have been held since at least 1990. The Grand Jury report correctly notes that board member elections pose a significant cost for the District's because the District's governing act requires that elections be held in odd-numbered years. Since most local, state and federal elections are held in even-numbered years, the District must pay for the full cost of an election rather than sharing election costs with other agencies. LAFCO's MSR indicates that this issue can only be remedied by a change in state law.

Under existing State law, the MSR concluded that there are relatively few options for restructuring the District. Consolidation, which is the joining of two or more special districts into a single new special district, is infeasible because there is no other district in the area served by the Fillmore-Piru Memorial District that performs similar functions. Likewise, a merger with the City of Fillmore or making the District a subsidiary district of the City of Fillmore is not feasible. For both a merger and the establishment of a subsidiary district, the law requires that the area in the city equal at least 70% of the area within the District boundary (the "70% requirement method" referred to in the Grand Jury report). The area within the boundary of the Fillmore-Piru Memorial District encompasses an area of approximately 151,300 acres and the area within the City of Fillmore includes approximately 2,100 acres. Thus, unless approximately 98% of the territory within the District's boundary is detached, a merger with, or making the District

a subsidiary district of, the City of Fillmore would not be legally possible. Moreover, and as noted in the Grand Jury report, the detachment of the necessary number of parcels from the District to achieve a minimum 70% overlap with the City of Fillmore would significantly reduce the District's revenues from property tax and the parcel-based special assessment.

Based on the above factors, LAFCO determined that the only potentially feasible government structure option for the Fillmore-Piru Memorial District is dissolution subject to several conditions, including, at a minimum, the following:

- The cost savings of dissolution equal or exceed the amount of the \$5 per parcel tax that now exists. This special tax would essentially "go away" if the District were to be dissolved.
- The City of Fillmore and the County of Ventura reached agreement on a new or revised property tax sharing agreement that would provide transfer all or a substantial portion of the property tax now going to the District to the City.
- The District, the City and the County are willing and can agree that dissolution would be in the best interests of the residents and tax payers in the area now served by the District.

Since the release of the Grand Jury report, LAFCO has learned that the information in the MSR indicating that a shift in the election year cycle can only be remedied by a change in state law is incorrect. In fact, we have recently learned that the state Elections Code provides the authority for a special district board that elects members of its governing body in odd-numbered years to require its elections to be held on the same day as the statewide general election subject to approval by the County Board of Supervisors and voter notification. It is our understanding that the Fillmore-Piru Memorial District Board has already initiated this action and has been advised by the County Elections Division that the change will take effect for the 2010 election.

With regard to the Grand Jury's recommendation that the District be reorganized as a subsidiary district of the City of Fillmore through the state legislative process, we concur that this is a potentially feasible option. However, it is beyond LAFCO's purview to determine the legal feasibility of crafting of special legislation to reorganize the District as a subsidiary district such that it does not impact the District's current level of tax and assessment revenue. Likewise, it would not be appropriate for LAFCO to comment on the political feasibility of the recommendation except to note that the cooperation of local state legislators, the District, the City of Fillmore, the County and LAFCO would be necessary. We should also note that it is the policy of the statewide organization of LAFCOs known as "CALAFCO" to oppose grants of special status to any individual agency or proposal to circumvent the LAFCO process.

Given the District's recent efforts to consolidate its board member elections with other elections during even-numbered years, the shift in election year cycles and combined with the resultant cost savings may merit a "wait and see approach" at this point. If the

District can demonstrate that: (1) it is conducting regular elections required by law beginning in 2010; (2) a sufficient number of candidates participate in the elections; and (3) the District board members initiate and maintain compliance with AB1234 ethics training, it may be appropriate to postpone any governmental restructuring recommendations for the time being. Based on current state mandates, LAFCO is required to again review and, if necessary, update the sphere of influence for the Fillmore-Piru Memorial District by 2013, at the latest. In conjunction with the sphere of influence review, we will likely need to update the municipal service review report. By then, the District will have had an opportunity to complete at least one election process and we will have additional financial data that might provide a clearer picture of the District's long term financial viability.

Respectfully,



John Zaragoza, Chair
Ventura Local Agency Formation Commission

c: Supervisor Kathy Long
City of Fillmore
Fillmore-Piru Memorial District Board of Directors



DIVISION 4 – SPHERES OF INFLUENCE

CHAPTER 2 – SPECIFIC POLICIES

SECTION 4.2.2 PROVISIONAL SPHERE OF INFLUENCE

4.2.2.1 Purpose: A provisional sphere of influence is intended to delineate territory within which the subject service provider should pursue restructuring or reorganization options as recommended in the most recent MSR prepared by LAFCo.

(a) LAFCo encourages agencies with a provisional sphere of influence designation to discuss alternatives to existing service provision or reorganization options and to return to LAFCo with the results of their discussions and/or studies.

(b) If, pursuant to the process outlined in subsection (a), any change of organization or reorganization is determined to be warranted, the subject agency, an affected agency, or LAFCo should consider initiation of such proceedings except as otherwise prohibited by law.

4.2.2.2 Changes of Organization or Reorganizations Within a Provisional Sphere of Influence: Annexations to any agency with a provisional sphere designation shall be discouraged unless the purpose of the proposal is to resolve the issues that prompted the provisional sphere of influence designation.

4.2.2.3 Basis for Adopting a Provisional Sphere of Influence: The designation of a provisional sphere for an agency should be based exclusively on the determinations in the most recent MSR prepared for that agency.

4.2.2.4. Reconsideration: The provisional status of a sphere of influence should be reconsidered if the Commission determines that the agency has adequately addressed the deficiencies and/or issues that led to the provisional designation. Removal of the provisional designation may occur:

- (a) During the quinquennial review of the agency's sphere of influence; or
- (b) At the request of the agency's legislative body; or
- (c) At any time that the Commission deems it to be warranted.

LAFCo 12-10S

**RESOLUTION OF THE VENTURA LOCAL AGENCY
FORMATION COMMISSION MAKING DETERMINATIONS
AND APPROVING THE UPDATE OF THE SPHERE OF
INFLUENCE FOR THE FILLMORE-PIRU MEMORIAL
DISTRICT BY APPLYING A PROVISIONAL SPHERE**

WHEREAS, Government Code Section 56425 et seq. requires the Local Agency Formation Commission (LAFCo or Commission) to develop and determine the sphere of influence of each local governmental agency within the County; and

WHEREAS, Government Code Section 56425(g) requires that LAFCo review, and as necessary, update the adopted sphere of influence boundaries on or before January 1, 2008 and every five years thereafter; and

WHEREAS, Government Code Section 56430 requires that a municipal service review be conducted prior to or in conjunction with a sphere of influence update; and

WHEREAS, LAFCo conducted a municipal service review of the services provided by the Fillmore-Piru Memorial District and adopted written determinations as required by Government Code Section 56430 on October 17, 2007 for the services provided by the District; and

WHEREAS, no change in regulation, land use or development will occur as a result of updating the District's sphere of influence;

WHEREAS, at the times and in the manner required by law, the Executive Officer gave notice of the consideration of this action by the Commission; and

WHEREAS, the sphere of influence update action was duly considered at a public hearing on November 14, 2012; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony for and against the sphere of influence update including, but not limited to, testimony at the public hearing on November 14, 2012 and the staff report and recommendation;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED as follows:

- (1) The Staff Report and Recommendation for approval of the sphere of influence update for the Fillmore-Piru Memorial District, dated November 14, 2012, are adopted.
- (2) The Commission has considered the criteria set forth in Government Code §56425(e) and determines as follows:
 - a) *The present and planned land uses in the area, including agricultural and open-space lands.* – The sphere of influence update to apply a provisional sphere for the Fillmore-Piru Memorial District would have no impact on the present and planned land uses in the area. There would be no changes with respect to land use and no impact to agricultural and open-space lands as a result of the sphere of influence update.
 - b) *The present and probable need for public facilities and services in the area.* – The basis for the recommended sphere of influence update to apply a provisional sphere for the Fillmore-Piru Memorial District is to provide for the eventual dissolution of the District and designation of a successor agency with adequate long-term financial resources to operate and maintain the veterans memorial hall located in the City of Fillmore. This will help to ensure that the veterans memorial hall will continue to exist and thereby provide residents in and around the Fillmore community with a public meeting place.
 - c) *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.* – The basis for the recommended sphere of influence update to apply a provisional sphere for the Fillmore-Piru Memorial District is to provide for the eventual dissolution of the District and designation of a successor agency with adequate long-term financial resources to operate and maintain the veterans memorial hall located in the City of Fillmore. This will help to ensure that the veterans memorial hall will continue to be adequately maintained for the public's use as a meeting place.

- d) *The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.* – Ensuring the long-term viability of the veterans memorial hall as a public meeting place would likely assist Fillmore in maintaining its identity as a unique community.
- (3) The sphere of influence for the Fillmore-Piru Memorial District is hereby updated such that the area shown as “Service Area Sphere of Influence,” as generally depicted on Exhibit A attached hereto, shall be known as a Provisional Sphere of Influence pursuant to Section 4.2.2 of the Ventura LAFCo Commissioner’s Handbook.
- (4) The Commission directs staff to have the official sphere of influence geographic information system data maintained for the Ventura LAFCo by the County of Ventura as the official sphere of influence record for the Fillmore-Piru Memorial District updated consistent with this action.
- (5) In accordance with the Executive Officer’s determination, the Commission, as lead agency for the purposes of the California Environmental Quality Act (CEQA), hereby determines that the sphere of influence update for the District is exempt pursuant to Section 15061(b)(3) of the CEQA Guidelines.
- (6) The Commission directs staff to file a Notice of Exemption as lead agency under Section 15062 of the CEQA Guidelines.

This resolution was adopted on November 14, 2012.

	AYE	NO	ABSTAIN	ABSENT
Commissioner Cunningham	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Long	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Freeman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Morehouse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Parks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Parvin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Pringle	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Bennett	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Dandy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Smith	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Ford-McCaffrey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Dated: _____
Chair, Ventura Local Agency Formation Commission

Attachments: Exhibit A

c: Fillmore-Piru Memorial District
City of Fillmore
Ventura County Surveyor
Ventura County Geographic Information Officer
Ventura County Planning Department

Resolution – LAFCo 12-10S - Sphere of Influence Review/Update
Fillmore-Piru Memorial District
November 14, 2012
Page 4 of 4

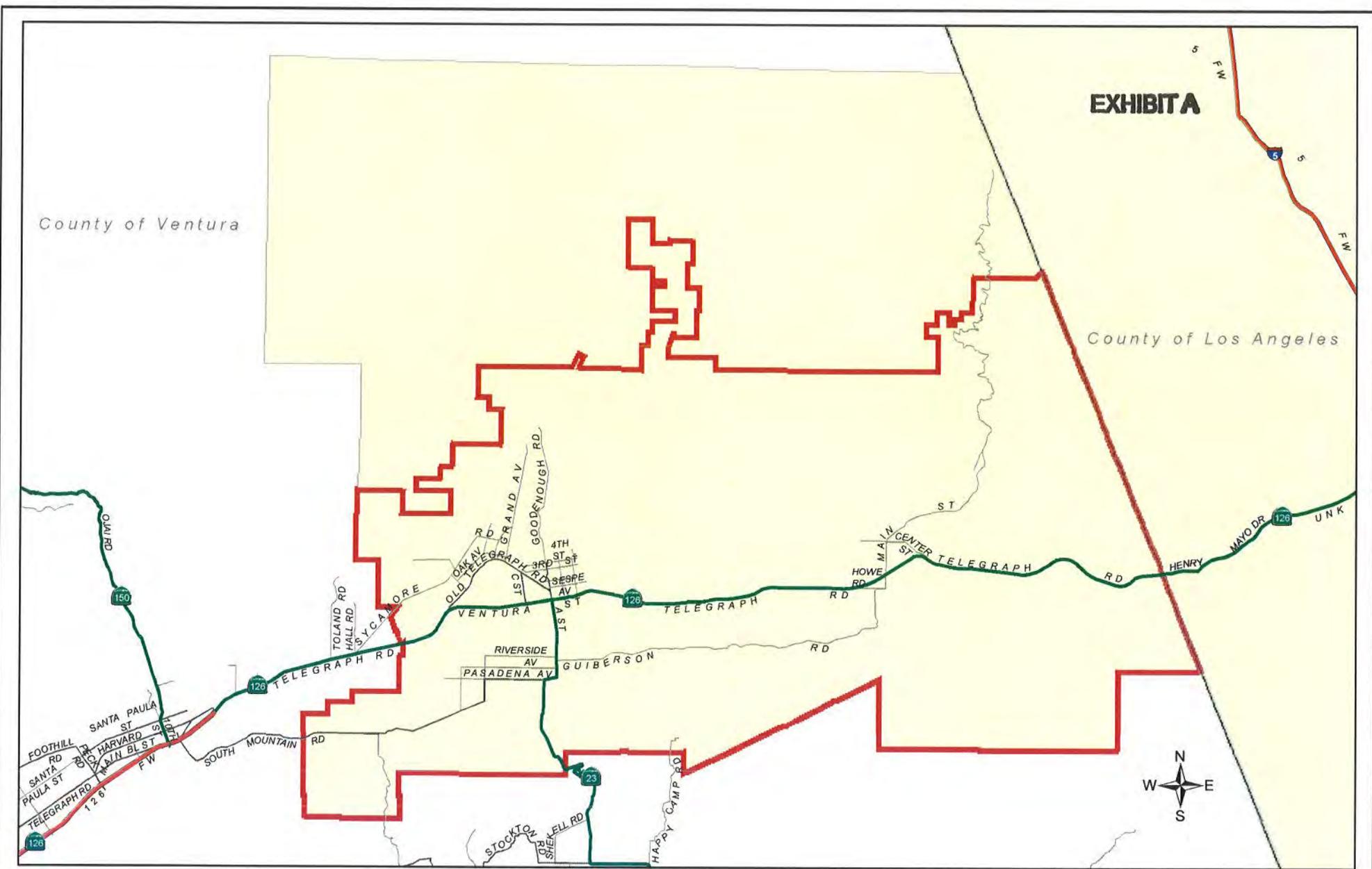


EXHIBIT A

County of Ventura

County of Los Angeles

Ventura LAFCO

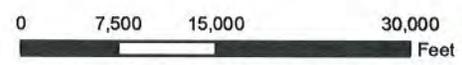
Fillmore/Piru Memorial District

Sphere of Influence as updated on October 17, 2007



Legend

- District Boundary - 151,305.24 acres
- District Sphere - 86,465.30 acres



1 inch equals 15,000 feet



Copyright 2005 County of Ventura. Design, maps, index and text of this map are copyrighted. It is unlawful to copy or reproduce, either in digital or paper form, any part thereof for personal use or resale.

Prepared by County of Ventura - IT Services Department - GIS Services
 State Plane Coordinate System California Zone V - NAD 27
 This map was compiled from records and computations
 Published: **166** November, 2007

WARNING: The information contained hereon was created by the Ventura County Geographic Information System (GIS), which is designed and operated solely for the convenience of the County and related contract entities. The County does not warrant the accuracy of this information, and no decision involving a risk of economic loss or physical injury should be made in reliance thereon.



VENTURA LOCAL AGENCY FORMATION COMMISSION

STAFF REPORT

Meeting Date: November 14, 2012

Agenda Item 13

TO: LAFCo Commissioners

FROM: Kim Uhlich, Executive Officer *KU*

SUBJECT: El Rancho Simi Cemetery District Sphere of Influence Review/Update

RECOMMENDATION:

Continue to January 16, 2013 LAFCo meeting.

DISCUSSION:

Staff initiated the sphere of influence review for the El Rancho Simi Cemetery District in December 2011. Based on some of the information received, LAFCo staff determined that, while the District has addressed some of the deficiencies identified by LAFCo in the 2007 Municipal Service Review for the Ventura County Cemetery Districts, further progress needs to be made with regard to financial and operational record keeping. For example, the District has not yet completed a five-year audit for fiscal years ended June 30, 2010. Given that some of the deficiencies identified by LAFCo in 2007 related to the District's lack of current financial reporting data, LAFCo staff decided to postpone the sphere review until the audit results become available.

Although the District Board has indicated that they are currently in the process of preparing their final responses to the audit, it is not clear at this point when the audit report will be completed and available. It is therefore being recommended that this matter be continued to the January 16, 2013 meeting. Due to the fact that the hearing was publically noticed for November 14, it must be on the November 14 agenda and formal action to continue the hearings is necessary.

COMMISSIONERS AND STAFF

COUNTY: Kathy Long Linda Parks <i>Alternate:</i> Steve Bennett	CITY: Carl Morehouse Janice Parvin, Chair <i>Alternate:</i> Carol Smith	DISTRICT: Elaine Freeman Gail Pringle, Vice Chair <i>Alternate:</i> Bruce Dandy	PUBLIC: Lou Cunningham <i>Alternate:</i> Linda Ford-McCaffrey
Executive Officer: Kim Uhlich	Dep. Exec. Officer Kai Luoma, AICP	Office Mgr/Clerk Debbie Schubert	Legal Counsel Michael Walker



VENTURA LOCAL AGENCY FORMATION COMMISSION
STAFF REPORT

Agenda Item 14

TO: LAFCo Commissioners
FROM: Kim Uhlich, Executive Officer *KU*
SUBJECT: Piru Cemetery District Sphere of Influence Review/Update

RECOMMENDATION:

Continue to January 16, 2013 LAFCo meeting.

DISCUSSION:

Staff initiated the sphere of influence review for the Piru Cemetery District in December 2011. At that time, staff discovered that certain governance issues were preventing the District from making progress toward resolving many of the deficiencies identified by LAFCo in the 2007 Municipal Service Review for the Ventura County Cemetery Districts. For example, the District had still not completed the five-year audit for fiscal years ended June 30, 2003.

Upon consultation with staff from Supervisor Kathy Long's office, LAFCo staff determined that the best course of action would be to postpone the sphere review process to provide additional time for the Supervisor to work with the District Board of Trustees to address the governance issue. By July of this year, the issue was generally resolved except that the FY 1998 – 2003 audit was not yet completed. Given that a number of the deficiencies identified by LAFCo in 2007 related to the District's financial condition and viability, LAFCo staff decided to further postpone the sphere review until the audit results become available. Based on the most recent communication between LAFCo staff and the Board Treasurer, the audit report will be publically available on November 13. As such, it was not possible to schedule the sphere review for the November 14 LAFCo meeting.

Prior to learning that the audit report would not be available until mid-November, staff published a public hearing notice for the sphere review and/or update for the District for November 14. Thus, this matter must be on the November 14 agenda and formal action to continue the hearings is necessary. It is therefore being recommended that the matter be continued to the January 16, 2013 meeting.

COMMISSIONERS AND STAFF

COUNTY: Kathy Long Linda Parks <i>Alternate:</i> Steve Bennett	CITY: Carl Morehouse Janice Parvin, Chair <i>Alternate:</i> Carol Smith	DISTRICT: Elaine Freeman Gail Pringle, Vice Chair <i>Alternate:</i> Bruce Dandy	PUBLIC: Lou Cunningham <i>Alternate:</i> Linda Ford-McCaffrey
Executive Officer: Kim Uhlich	Dep. Exec. Officer Kai Luoma, AICP	Office Mgr/Clerk Debbie Schubert	Legal Counsel Michael Walker



VENTURA LOCAL AGENCY FORMATION COMMISSION

STAFF REPORT

Meeting Date: November 14, 2012

Agenda Item 15

TO: LAFCo Commissioners

FROM: Kim Uhlich, Executive Officer *KU*

SUBJECT: Sphere of Influence Review/Update for the Cities of Fillmore and San Buenaventura

RECOMMENDATION:

Continue to January 16, 2013 LAFCo meeting.

DISCUSSION:

In October, staff initiated discussions with the staff of Fillmore and San Buenaventura regarding proposed changes to each city's sphere of influence. Based on feedback received from City staff, LAFCo staff determined that more time is necessary to discuss the changes. It is therefore being recommended that the matter be continued to the January 16, 2013 meeting.

Due to the fact that the hearing was publically noticed for November 14, it must be on the November 14 agenda and formal action to continue the hearings is necessary.

COMMISSIONERS AND STAFF

COUNTY: Kathy Long Linda Parks <i>Alternate:</i> Steve Bennett	CITY: Carl Morehouse Janice Parvin, Chair <i>Alternate:</i> Carol Smith	DISTRICT: Elaine Freeman Gail Pringle, Vice Chair <i>Alternate:</i> Bruce Dandy	PUBLIC: Lou Cunningham <i>Alternate:</i> Linda Ford-McCaffrey
Executive Officer: Kim Uhlich	Dep. Exec. Officer Kai Luoma, AICP	Office Mgr/Clerk Debbie Schubert	Legal Counsel Michael Walker