

LAFCO 04-09S 3

**RESOLUTION OF THE VENTURA LOCAL AGENCY
FORMATION COMMISSION MAKING DETERMINATIONS
AND APPROVING THE UPDATE OF THE SPHERE OF
INFLUENCE FOR THE MONTALVO MUNICIPAL
IMPROVEMENT DISTRICT**

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

WHEREAS, Government Code Section 56425(f) requires that LAFCO review and update the adopted sphere of influence boundaries, as necessary, not less than once every five years; 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 Montalvo Municipal Improvement District and adopted written determinations as required by Government Code Section 56430 on December 12, 2003; and

WHEREAS, part of the information contained in the municipal service review report for the Montalvo Municipal Improvement District noted that the District's wastewater treatment plant is located outside the District's sphere of influence and outside the District's boundary; and

WHEREAS, both the District staff and the LAFCO staff have reviewed and considered that the District's sphere of influence should be updated to include the District's wastewater treatment plant; and

WHEREAS, no change in regulation, land use or development will occur as a result of updating the District'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 May 19, 2004; 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 May 19, 2004 and the LAFCO Executive Officer's May 19, 2004 staff report and recommendation;

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

- (1) The Executive Officer's Staff Report and Recommendation for approval of the sphere of influence update for Montalvo Municipal Improvement District, dated May 19, 2004, is 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 areas included with this sphere of influence update do not affect agricultural lands. Even though the area occupied by the District's wastewater treatment plant and facilities are designed Open Space by the County General Plan because of their location in the Santa Clara River flood plain, the plant and facilities will not be changing in the foreseeable future. The District has no land use authority, and no change to the present or planned uses will result from this 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 District will result from this sphere of influence update.
 - (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 services provided by the District.
 - (d) *The existence of any social or economic community of interest in the area if the commission determines that they are relevant to the agency.*
 - The Montalvo community historically was a distinct social and economic community of interest served by the Montalvo Municipal Improvement District. The update of the sphere of influence to include the District's wastewater treatment plant does not affect the Montalvo community.
- (3) The sphere of influence for the Montalvo Municipal Improvement District is hereby updated to include 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 Public Works Agency as the official sphere of influence record for the Montalvo Municipal Improvement District updated consistent with this action.

- (5) The Commission, as lead agency for the purposes of the California Environmental Quality Act (CEQA), hereby determines that the sphere of influence update is categorically exempt from CEQA under Section 15301(b) (existing facilities) 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 May 19, 2004.

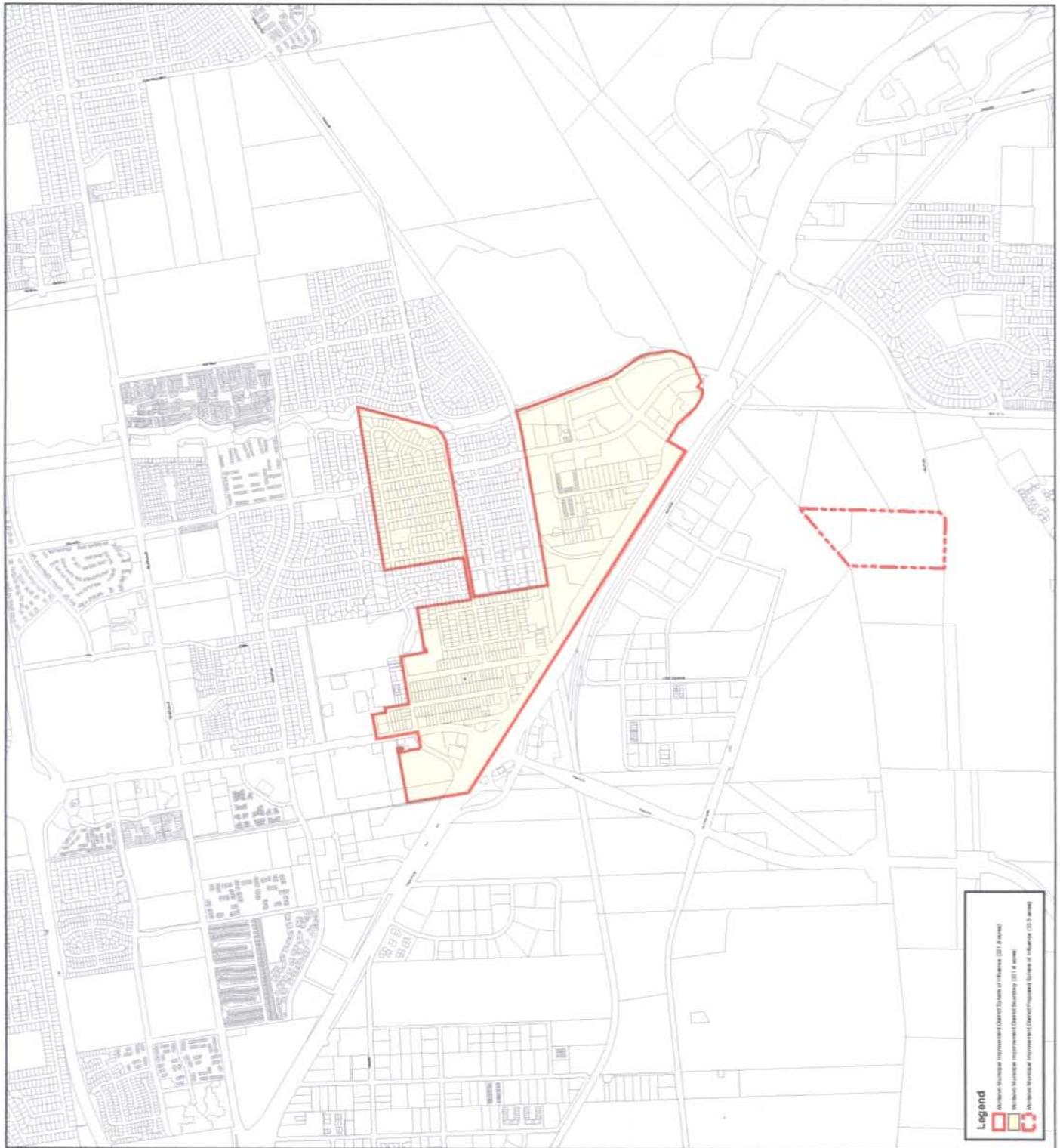
AYES:

NOES:

ABSTAINS:

Dated: _____
Chair, Ventura Local Agency Formation Commission

Copies: Ventura County Assessor
Ventura County Auditor
Ventura County Surveyor
Ventura County Planning
Montalvo Municipal Improvement District



Legend

- Montalvo Municipal Improvement District Sphere of Influence (2018 Sphere)
- Montalvo Municipal Improvement District Sphere of Influence (2014 Sphere)
- Montalvo Municipal Improvement District Proposed Sphere of Influence (2013 Sphere)

Montalvo Municipal Improvement District
Proposed Sphere of Influence Update



Map prepared by [unreadable] for the Montalvo Municipal Improvement District. All rights reserved. No part of this map may be reproduced without the written permission of [unreadable].