



STAFF REPORT

Meeting Date: October 19, 2005

**LAFCO CASE
NAME & NO.**

- A. LAFCO 05-17 S1 Ventura County Waterworks District No. 1 Sphere of Influence Amendment – Waters Road Domestic Users
- B. LAFCO 05-17 S2 Ventura County Waterworks District No. 19 Sphere of Influence Amendment – Waters Road Domestic Users
- C. LAFCO 05-17 Ventura County Waterworks District No. 1 Annexation– Waters Road Domestic Users

PROPOSAL

- A. LAFCO 05-17 S1 Ventura County Waterworks District No. 1 Sphere of Influence Amendment – Waters Road Domestic Users: To add 20 parcels and a portion of Waters Road to the Sphere of Influence of Waterworks District No. 1 to provide for the area to be annexed to Waterworks District No. 1.
- B. LAFCO 05-17 S2 Ventura County Waterworks District No. 19 Sphere of Influence Amendment – Waters Road Domestic Users: To remove 10 parcels and a portion of Waters Road from the Sphere of Influence of Waterworks District No. 19 to provide for the area to be annexed to the Waterworks District No. 1.
- C. LAFCO 05-17 Ventura County Waterworks District No. 1 Annexation– Waters Road Domestic Users: To annex 20 parcels and a portion of Waters Road to Waterworks District No. 1 to provide water service to the parcels.

SIZE

- A. LAFCO 05-17 S1 Ventura County Waterworks District No. 1 Sphere of Influence Amendment – Waters Road Domestic Users: Approx. 310 acres
- B. LAFCO 05-17 S2 Ventura County Waterworks District No. 19 Sphere of Influence Amendment – Waters Road Domestic Users: Approx. 166 acres.
- C. LAFCO 05-17 Ventura County Waterworks District No. 1 Annexation– Waters Road Domestic Users: Approx. 310 acres.

LOCATION

The general location of the Sphere of Influence Amendments and the Change of Organization proposal area is west of the City of Moorpark along the northern half of Waters Road. The area is unincorporated but within the City of Moorpark’s Area of Interest.

COMMISSIONERS AND STAFF

COUNTY:
Linda Parks, Vice Chair
Kathy Long
Alternate:
Steve Bennett

CITY:
Don Waunch
John Zaragoza
Alternate:
Janice Parvin

SPECIAL DISTRICT:
Dick Richardson, Chair
Ted Grandsen
Alternate:
George Lange

PUBLIC:
Kenneth M. Hess

Alternate:
Louis Cunningham

EXECUTIVE OFFICER:
Everett Millais

LAFCO ANALYST:
Kim Uhlich

OFFICE MANAGER/CLERK:
Debbie Schubert

LEGAL COUNSEL:
Leroy Smith

ASSESSOR'S PARCEL INFORMATION

A. LAFCO 05-17 S1 Ventura County Waterworks District No. 1 Sphere of Influence Amendments – Waters Road Domestic Users:

APN #	Street Address	APN #	Street Address
108-0-161-015	8570 Waters Road	108-0-162-015	8430 Waters Road
108-0-161-025	8575 Waters Road	108-0-162-035	8420 Waters Road
108-0-161-035	8570 Waters Road	108-0-162-055	10055 Stockton Road
108-0-161-045	8469 Waters Road	108-0-162-105	8410 Waters Road
108-0-161-055	8450 Waters Road	108-0-162-115	8406 Waters Road
108-0-161-065	8525 Waters Road	108-0-162-125	8400 Waters Road
108-0-161-075	8415 Waters Road	108-0-162-155	8400 Waters Road
108-0-161-085	8333 Waters Road	108-0-162-165	8300 Waters Road
108-0-161-095	8215 Waters Road	108-0-162-175	8300 Waters Road
108-0-161-105	8241 Waters Road	108-0-162-185	8404 Waters Road

B. LAFCO 05-17 S2 Ventura County Waterworks District No. 19 Sphere of Influence Amendment – Waters Road Domestic Users:

APN #	Street Address	APN #	Street Address
108-0-161-015	8570 Waters Road	108-0-161-065	8525 Waters Road
108-0-161-025	8575 Waters Road	108-0-161-075	8415 Waters Road
108-0-161-035	8570 Waters Road	108-0-161-085	8333 Waters Road
108-0-161-045	8469 Waters Road	108-0-161-095	8215 Waters Road
108-0-161-055	8450 Waters Road	108-0-161-105	8241 Waters Road

C. LAFCO 05-17 Ventura County Waterworks District No. 1 Annexation – Waters Road Domestic Users:

APN #	Street Address	APN #	Street Address
108-0-161-015	8570 Waters Road	108-0-162-015	8430 Waters Road
108-0-161-025	8575 Waters Road	108-0-162-035	8420 Waters Road
108-0-161-035	8570 Waters Road	108-0-162-055	10055 Stockton Road
108-0-161-045	8469 Waters Road	108-0-162-105	8410 Waters Road
108-0-161-055	8450 Waters Road	108-0-162-115	8406 Waters Road
108-0-161-065	8525 Waters Road	108-0-162-125	8400 Waters Road
108-0-161-075	8415 Waters Road	108-0-162-155	8400 Waters Road
108-0-161-085	8333 Waters Road	108-0-162-165	8300 Waters Road
108-0-161-095	8215 Waters Road	108-0-162-175	8300 Waters Road
108-0-161-105	8241 Waters Road	108-0-162-185	8404 Waters Road

PROPONENT Ventura County Board of Supervisors, by Resolution.

NOTICE The Sphere of Influence Amendments have been noticed as PUBLIC HEARINGS as required by law.

RECOMMENDATIONS

- A. Certify that the Commission has reviewed and considered the information contained in the CEQA Notice of Exemption prepared by the Ventura County Waterworks District No. 1 as lead agency, dated June 28, 2005, and determine that the change of organization is exempt under Section 15319 of the CEQA Guidelines for both the Sphere of Influence amendments and the Change of Organization proposal.
- B. Adopt the attached resolution (LAFCO 05-17 S1) making determinations and approving the Ventura County Waterworks District No. 1 Sphere of Influence Amendment – Waters Road Domestic Users (Attachment 2).
- C. Adopt the attached resolution (LAFCO 05-17 S2) making determinations and approving the Ventura County Waterworks District No. 19 Sphere of Influence Amendment – Waters Road Domestic Users (Attachment 3).
- D. Adopt the attached resolution (LAFCO 05-17) making determinations and approving the Ventura County Waterworks District No. 1 Annexation – Waters Road Domestic Users (Attachment 4).

GENERAL ANALYSIS

1. Land Use

A. Site Information

	Land Use	Zone District Classification	General Plan Designation
Existing	Small Ranchettes - Equestrian and/or Agricultural	County: OS - 10 (Open Space 10 acre lots minimum); OS – 20 (Open Space 20 acre lots minimum); and OS – 20/MRP (Open Space – 20 acre lots minimum/ mineral resources protection overlay) City: NA	County: Open Space City: NA
Proposed	No Change	County: No change City: NA	County: No change City: NA

No changes are proposed to the land use, zoning or general plan designations for any of the Parcels.

B. Conformity with Plans

Ten of the twenty parcels are within the Sphere of Influence, but not the boundary, of Ventura County Waterworks District No. 19 (VCWD No. 19). None are receiving service from VCWD No. 19. None are in the Sphere of Influence of Ventura County Waterworks District No. 1 (VCWD No. 1) or of any city (see Attachment 1).

The Sphere of Influence amendment areas and the Change of Organization proposal area are covered by the County of Ventura General Plan. The existing land uses are consistent with the County General Plan land use designations for each parcel.

All of the parcels are subject to the County's SOAR ordinance based on their Open Space designation by the County General Plan. However, no change in this land use designation is anticipated or necessary for the proposed sphere

amendments or annexation. Therefore no SOAR changes are required. As such, the proposal is consistent with the County General Plan.

C. Surrounding Land Uses and Zoning and General Plan Designations

The proposal will have no effect on surrounding land uses, zoning or general plan designations.

D. Topography, Natural Features and Drainage

The proposal area's topography is generally hilly with slopes ranging from 0 to 15 percent that drain to Long Canyon Creek. Vegetation types in the area are predominantly those associated with agricultural and residential use. Natural features in the area include various drainage channels that typically host riparian plant/animal species and serve to carry intermittent storm flows during the rainy season.

2. Impact on Prime Agricultural Land, Agriculture and Open Space

A. Agricultural Land and Agriculture

Parts of the Sphere of Influence Amendments and the Change of Organization proposal area are considered as prime agricultural land, farmland of statewide significance, farmland of local importance or unique farmland. There are agricultural uses on some of the parcels within the proposal area and on surrounding properties to the south and the east. However, the existing rural residential uses in the area are not considered to be incompatible with agricultural uses.

None of the proposal areas are subject to a Land Conservation Act contract or a Farmland Security Zone agreement.

None of the proposal areas are within a greenbelt.

B. Open Space

All of the Sphere of Influence Amendment areas and all of the Change of Organization proposal area are considered open space pursuant to Government Code Sections 56059 and 65560.

However, the existing rural residential uses in the area are not considered to be incompatible with open space uses, and no changes in the current Open Space land use designation is proposed.

3. Population

According to the County of Ventura Registrar of Voters, there are 25 registered voters within the proposal area. Because there are 12 or more registered voters within the proposal area, the area is considered as “inhabited” in terms of LAFCO proceedings. As such, this proposal has been noticed as a public hearing. Further discussion about the law, notice and protest proceedings is contained in the Special Analysis section of this report.

4. Services and Controls – Need, Cost, Adequacy and Availability

With the exception of three parcels, the owners of the lots within the proposal area (known as the Waters Road Domestic Users Group, Inc.) originally received water through membership in the Balcom Bixby Mutual Water Company. In 1991, VCWD No. 1 provided a surplus water service connection to supplement these parcels during periods when Balcom Bixby was unavailable. In November of 2003 the Ventura County Environmental Health Department terminated authorization for the use of water from the Balcom Bixby Mutual Water Company due to water quality issues. Since the termination order was issued, the connection to VCWD No. 1 has provided the sole source of water to these parcels.

The owners of the parcels with street addresses of 8215 Waters Road, 8241 Waters Road and 10055 Stockton Road (Assessor parcels: 108-0-161-095, 108-0-161-105, and 108-0-162-055) have asked to be included in the proposal to provide for the option of receiving future water service from VCWD No. 1. These lots current rely on water from private wells.

Upon annexation, the Waters Road Domestic Users Group, Inc. will continue to operate as a mutual water company to purchase water from the VCWD No. 1. This arrangement has been formalized through a Water Supply Agreement, which will require payment of a capital improvement fee, procurement of Fox Canyon Groundwater Management Agency (GMA) groundwater extraction allocations, and dedication of the existing ten-inch water line within the Stockton Road public right-of-way between the existing water meter and the intersection of Waters Road. Expenses related to maintenance and operation of the water

delivery facilities located downstream of the District water meter and any capital improvements will be financed by the Users Group.

No assessment districts are proposed.

No change to any other existing services will result from this proposal.

5. Boundaries and Lines of Assessment

The boundaries are definite and certain. There are no conflicts with lines of assessment or ownership.

6. Assessed Value, Tax Rates and Indebtedness

The Ventura County Assessor has indicated that all of the parcels in the proposal area are currently within tax rate area 67013. Once the change of organization is finalized, the proposal area will be assigned to a new tax rate area. These areas have yet to be determined.

The VCWD No. 1 has indicated that the proposal area will not be subject to any District indebtedness upon annexation.

7. Environmental Impact of the Proposal

Ventura County Waterworks District No. 1 is the lead agency for this proposal and found it to be categorically exempt under Section 15319 (a) (annexation to a special district of areas containing existing structures developed to the density allowed by the current zoning) of the California Environmental Quality Act Guidelines. As the proposal area consists of currently developed parcels and requires no expansion of the current uses, a categorical exemption is appropriate for this proposal.

8. Regional Housing Needs

According to the California Housing and Community Development Department the County of Ventura adopted an updated General Plan Housing Element on June 19, 2001 and completed State review for compliance on October 18, 2001. The annexation proposal area is fully developed consistent with the County's General Plan. Therefore, the proposal will have no effect on the fair share of the regional housing needs for the County of Ventura.

9. Landowner and Annexing Agency Consent

All the landowners in the proposal area have given their written consent for the Sphere of Influence Amendment and the Change of Organization proposal. Further discussion about protest proceedings is contained in the Special Analysis section of this report.

SPECIAL ANALYSIS

1. Sphere of Influence Determinations

The proposed Change of Organization cannot proceed until the entire area involved is within the VCWD No. 1 Sphere of Influence. The VCWD No. 1 is requesting that LAFCO amend the existing Sphere of Influence of VCWD No. 19 by removing approximately 166 acres, and to amend the existing Sphere of Influence of VCWD No. 1 by adding approximately 310 acres.

Government Code §56425 (e) requires that in determining the Sphere of Influence of each local agency the Commission shall consider and prepare a written statement of its determinations with respect to certain factors prior to making a decision:

The present and planned uses in the area, including agricultural and open space lands.

The entirety of the approximately 310 acres proposed to be added to the VCWD No. 1 Sphere of Influence is designated as Open Space lands. However, the existing rural residential uses in the area are not considered to be incompatible with open space uses, and no changes in the current Open Space land use designation is proposed.

The entirety of the approximately 166 acres are proposed to be removed from the VCWD No. 19 Sphere of Influence is designated as Open Space lands. The purpose of removing this area from the sphere of influence of VCWD No. 19 is to amend the sphere of influence of VCWD No. 1 and to annex the same territory into VCWD No. 1. Although this will result in the addition of approximately 166 acres of Open Space lands to the sphere of influence of VCWD No. 1, the existing residential uses are not incompatible with Open Space uses and no changes in the Open Space land use designation is proposed.

Describe the present and probable need for public facilities and services in the area.

The proposal area receives no water service from VCWD No. 19, and part of the proposal area is currently receiving water service from VCWD No. 1 as a result of a prior order by the Ventura County Health Department to terminate the use of the previous water supply from a private mutual water company. As such, VCWD No. 1 is the logical public water provider to the area both presently and in the future based on the existing availability of water connections and the poor quality of the local private water supply.

Police services are currently provided by the Ventura County Sheriff's Department and fire protection/paramedic services are provided by the Ventura County Fire Protection District. The County also provides street, drainage and recreation services.

There will be no change in any other existing service providers upon annexation.

At this time, there is no foreseeable need for additional services beyond what are currently provided.

The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

The VCWD No. 1 has indicated that it has the present capacity and adequate facilities to serve the proposal area and, as noted, has been serving the area with the original intent to serve as a supplemental water supply that ultimately evolved into an emergency, primary supply.

The existence of any social or economic communities of interest in the area that the Commission may determine are relevant to the agency.

The subject Sphere of Influence Amendment does not affect any social or economic community of interest.

2. Protest Proceedings

When 100% of the affected landowners consent to a change of organization, such as an annexation, the law provides that the Commission may conduct proceedings without notice, hearing, or an election. In this instance, however, even though all the property owners have consented to the annexation, there are 12 or more registered voters residing in the proposal area (25 in this case). In these cases, the law allows the Commission to waive protest proceedings only if all registered voters and landowners within the affected area have been provided written notice of the LAFCO

proceedings, including the fact that further protest proceedings may be waived, and only if before the conclusion of the meeting no landowner or registered voter files written opposition to the proposal.

Written notice to all landowners and registered voters within the proposal area has been provided for the hearing on this matter.

The recommendation to approve this proposal and to waive protest proceedings is based on the assumption that no landowner or registered voter within the proposal area will file a written objection before the conclusion of the October 19 meeting. If any landowner or any registered voter within the proposal area files a written protest before the conclusion of the October 19 meeting, then subsequent protest proceedings must be held and the attached recommended resolution will need to be modified accordingly to direct that such proceedings occur. Subsequent protest proceedings will involve further notice and at least an administrative protest hearing. Such additional actions require several months to complete. As is the case for all changes of organization and reorganizations, if a majority protest occurs all proceedings will be terminated.

If no landowner and no registered voter from within the proposal area submits a written objection prior to the conclusion of the October 19 meeting, then the Commission can proceed as recommended. That is, the Commission can adopt the attached recommended resolutions and waive all further protest proceedings (including any further notice). Should the Commission choose this option, the annexation can be finalized after the conclusion of the 30 day reconsideration and CEQA posting periods.

ALTERNATIVE ACTIONS AVAILABLE

- A. If the Commission, following public testimony and the review of the materials submitted, determines that further information is necessary, a motion to continue either the Sphere of Influence Amendment proposal or the Change of Organization proposal, or both, should state specifically the type of information desired and specify a date certain for further consideration. It should be noted that if the Sphere of Influence Amendment proposal is continued, the Change of Organization proposal cannot be approved.
- B. If the Commission, following public testimony and the review of the materials submitted, determines that the boundaries of either the Sphere of Influence Amendment proposal or the Change of Organization proposal, or both, should be modified, or that either proposal should be approved subject to any changes or

additions to the terms and conditions recommended, a motion to approve should clearly specify any boundary changes and/or any changes or additions to the terms and conditions of approval.

- C. If the Commission, following public testimony and review of materials submitted with the proposals wishes to deny the Sphere of Influence Amendment proposal or the Change of Organization proposal, or both, a motion to deny should include certification that the Commission has reviewed and considered the information contained in the CEQA Notice of Exemption and include the adoption of this Report and all referenced materials as part of the public record. It should be noted that if the Commission denies the Sphere of Influence proposal, the Change of Organization proposal cannot be approved.

PREPARED FOR THE COMMISSION BY:

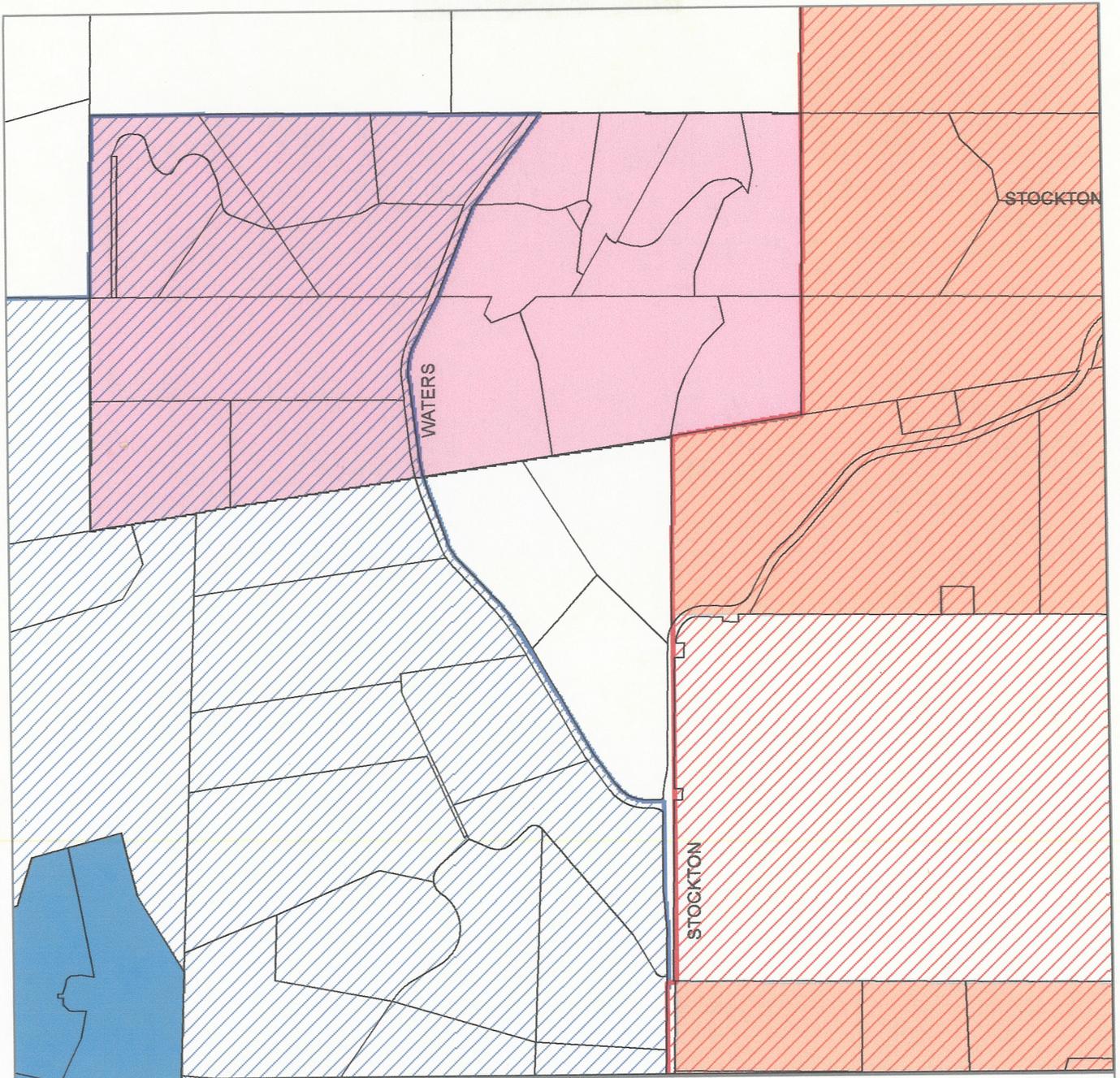


Kim Uhlich, Senior Analyst

ATTACHMENTS

- (1) Vicinity Map
- (2) LAFCO 05-17 S1 Resolution (VCWD No. 1 Sphere of Influence Amendment)
- (3) LAFCO 05-17 S2 Resolution (VCWD No. 19 Sphere of Influence Amendment)
- (4) LAFCO 05-17 Resolution (VCWD No. 1 Annexation)

ATTACHMENT 1

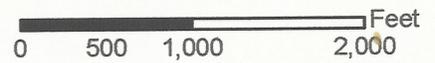


Ventura LAFCO Vicinity Map

LAFCO 05-17 S1, S2 & 05-17 Ventura County
Waterworks District Nos. 1 & 19 Sphere of Influence
Amendments/Annexation - Waters Road Domestic Users

Legend

-  Waterworks District 1
-  Waterworks District 1 Sphere
-  Waterworks District 19
-  Waterworks District 19 Sphere
-  Sphere Amendment & Annexation Area



ATTACHMENT 2

LAFCO 05-17 S1

RESOLUTION OF THE VENTURA LOCAL AGENCY FORMATION COMMISSION MAKING DETERMINATIONS AND APPROVING A SPHERE OF INFLUENCE AMENDMENT FOR THE VENTURA COUNTY WATERWORKS DISTRICT NO. 1 – WATERS ROAD DOMESTIC USERS

WHEREAS, the above referenced proposal has been filed with the Executive Officer of the Ventura Local Agency Formation Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56000 et seq.); and

WHEREAS, at the times and in the manner required by law the Executive Officer has given notice of the public hearing by the Commission on the proposal; and

WHEREAS, the proposal was duly considered on October 19, 2005, as specified in the notice of hearing; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony for and against the proposal including, but not limited to, the Executive Officer's report and recommendation and the environmental document and determination; and applicable local plans and policies; and

WHEREAS, the Local Agency Formation Commission finds the proposal to be in the best interests of the affected area and the organization of local governmental agencies within Ventura County; and

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

- (1) The Executive Officer's Staff Report and Recommendation for approval of the proposal dated October 19, 2005 is adopted.
- (2) The Commission has considered the criteria set forth in Government Code §56425(e) and determines as follows:

The present and planned uses in the area, including agricultural and open space lands.

The entirety of the approximately 310 acres proposed to be added to the VCWD No. 1 Sphere of Influence is designated as Open Space lands. However, the

existing rural residential uses in the area are not considered to be incompatible with open space uses, and no changes in the current Open Space land use designation is proposed.

Describe the present and probable need for public facilities and services in the area.

The proposal area receives no water service from VCWD No. 19, and part of the proposal area is currently receiving water service from VCWD No. 1 as a result of a prior order by the Ventura County Health Department to terminate the use of the previous water supply from a private mutual water company. As such, VCWD No. 1 is the logical public water provider to the area both presently and in the future based on the existing availability of water connections and the poor quality of the local private water supply.

Police services are currently provided by the Ventura County Sheriff's Department and fire protection/paramedic services are provided by the Ventura County Fire Protection District. The County also provides street, drainage and recreation services.

There will be no change in any other existing service providers upon annexation.

At this time, there is no foreseeable need for additional services beyond what are currently provided.

The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

The VCWD No. 1 has indicated that it has the present capacity and adequate facilities to serve the proposal area and, as noted, has been serving the area with the original intent to serve as a supplemental water supply that ultimately evolved into an emergency, primary supply.

The existence of any social or economic communities of interest in the area that the Commission may determine are relevant to the agency.

The subject Sphere of Influence Amendment does not affect any social or economic community of interest.

- (3) The Sphere of Influence Amendment is hereby approved as submitted and as generally depicted on Exhibit A attached hereto and made a part hereof.

(4) The subject proposal is assigned the following distinctive short form designation:

**LAFCO 05-17 S1 – VENTURA COUNTY WATERWORKS DISTRICT NO. 1
SPHERE OF INFLUENCE AMENDMENT – WATERS ROAD DOMESTIC USERS**

(5) The Commission has reviewed and considered the lead agency's determination that the sphere of influence amendment is categorically exempt under Section 15319 (a) of the California Environmental Quality Act Guidelines, and finds the sphere of influence amendment to be categorically exempt under Section 15319 (a).

(6) The Commission directs staff to file a Notice of Exemption in the same manner as a lead agency, under Section 15062 of the California Environmental Quality Act Guidelines.

This resolution was adopted on October 19, 2005.

AYES:

NOES:

ABSTAINS:

Dated: _____

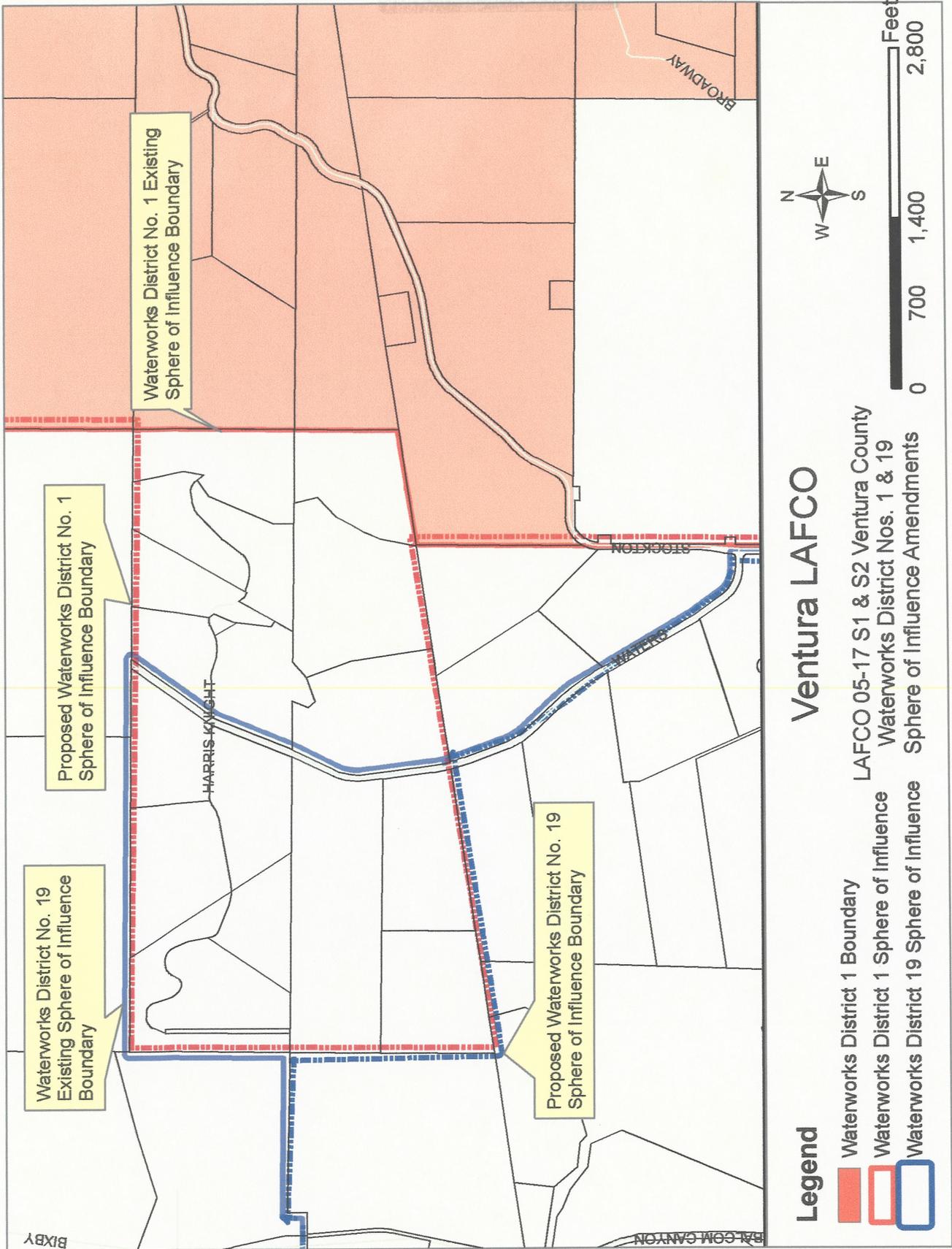
Chair, Ventura Local Agency Formation Commission

Attachment: Exhibit A

Copies: Ventura Co. Waterworks District
Ventura Co. Assessor
Ventura Co. Auditor
Ventura Co. Surveyor
Ventura Co. Planning
Ventura County Elections-Registrar of Voters

LAFCO 05-17 S1 Resolution of Approval
Ventura County Waterworks District No. 1 Sphere of Influence Amendment – Waters
October 19, 2005
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EXHIBIT A



ATTACHMENT 3

LAFCO 05-17 S2

RESOLUTION OF THE VENTURA LOCAL AGENCY FORMATION COMMISSION MAKING DETERMINATIONS AND APPROVING A SPHERE OF INFLUENCE AMENDMENT FOR THE VENTURA COUNTY WATERWORKS DISTRICT NO. 19 – WATERS ROAD DOMESTIC USERS

WHEREAS, the above referenced proposal has been filed with the Executive Officer of the Ventura Local Agency Formation Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56000 et seq.); and

WHEREAS, at the times and in the manner required by law the Executive Officer has given notice of the public hearing by the Commission on the proposal; and

WHEREAS, the proposal was duly considered on October 19, 2005, as specified in the notice of hearing; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony for and against the proposal including, but not limited to, the Executive Officer's report and recommendation and the environmental document and determination and applicable local plans and policies; and

WHEREAS, the Local Agency Formation Commission finds the proposal to be in the best interests of the affected area and the organization of local governmental agencies within Ventura County; and

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

- (1) The Executive Officer's Staff Report and Recommendation for approval of the proposal dated October 19, 2005 is adopted.
- (2) The Commission has considered the criteria set forth in Government Code §56425(e) and determines as follows:

The present and planned uses in the area, including agricultural and open space lands.

The entirety of the approximately 166 acres proposed to be removed from the VCWD No. 19 Sphere of Influence is designated as Open Space lands. The purpose of removing this area from the sphere of influence of VCWD No. 19 is to

amend the sphere of influence of VCWD No. 1 and to annex the same territory into VCWD No. 1. Although this will result in the addition of approximately 166 acres of Open Space lands to the sphere of influence of VCWD No. 1, the existing residential uses are not incompatible with Open Space uses and no changes in the Open Space land use designation is proposed.

Describe the present and probable need for public facilities and services in the area.

The proposal area receives no water service from VCWD No. 19, and part of the proposal area is currently receiving water service from VCWD No. 1 as a result of a prior order by the Ventura County Health Department to terminate the use of the previous water supply from a private mutual water company. As such, VCWD No. 1 is the logical public water provider to the area both presently and in the future based on the existing availability of water connections and the poor quality of the local private water supply.

Police services are currently provided by the Ventura County Sheriff's Department and fire protection/paramedic services are provided by the Ventura County Fire Protection District. The County also provides street, drainage and recreation services.

There will be no change in any other existing service providers upon annexation. At this time, there is no foreseeable need for additional services beyond what are currently provided.

The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

The VCWD No. 1 has indicated that it has the present capacity and adequate facilities to serve the proposal area and, as noted, has been serving the area with the original intent to serve as a supplemental water supply that ultimately evolved into an emergency, primary supply.

The existence of any social or economic communities of interest in the area that the Commission may determine are relevant to the agency.

The subject Sphere of Influence Amendment does not affect any social or economic community of interest.

- (3) The Sphere of Influence Amendment is hereby approved as submitted and as generally depicted on Exhibit A attached hereto and made a part hereof.

(4) The subject proposal is assigned the following distinctive short form designation:

**LAFCO 05-17 S2 – VENTURA COUNTY WATERWORKS DISTRICT NO. 19
SPHERE OF INFLUENCE AMENDMENT – WATERS ROAD DOMESTIC
USERS**

(5) The Commission has reviewed and considered the lead agency's determination that the sphere of influence amendment is categorically exempt under Section 15319 (a) of the California Environmental Quality Act Guidelines, and finds the sphere of influence amendment to be categorically exempt under Section 15319 (a).

(6) The Commission directs staff to file a Notice of Exemption in the same manner as a lead agency, under Section 15062 of the California Environmental Quality Act Guidelines.

This resolution was adopted on October 19, 2005.

AYES:

NOES:

ABSTAINS:

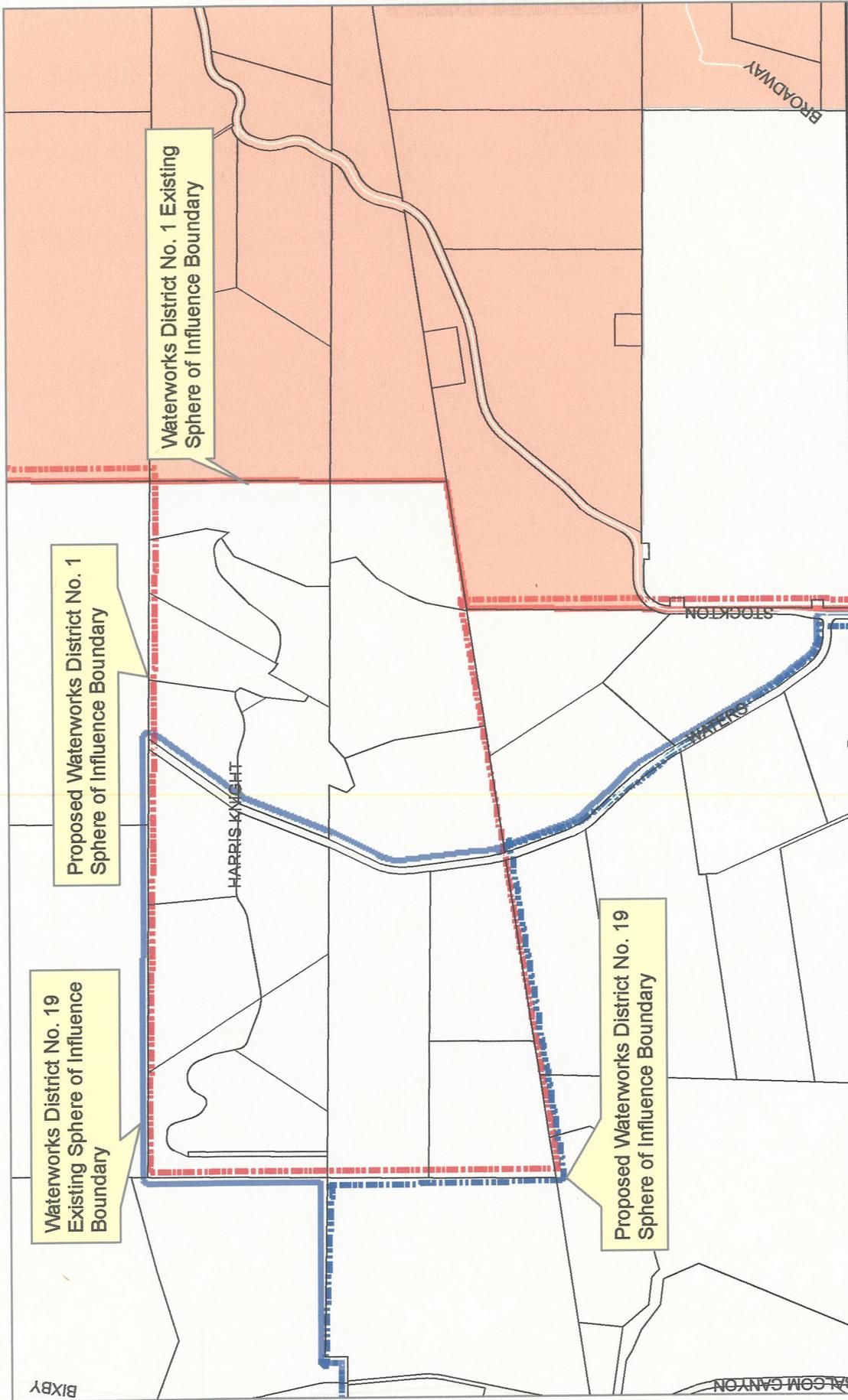
Dated: _____
Chair, Ventura Local Agency Formation Commission

Attachment: Exhibit A

Copies: Ventura Co. Waterworks District
Ventura Co. Resource Conservation District
Ventura Co. Assessor
Ventura Co. Auditor
Ventura Co. Surveyor
Ventura Co. Planning
Ventura County Elections-Registrar of Voters

LAFCO 05-17 S2 Resolution of Approval
Ventura County Waterworks District No. 19 Sphere of Influence Amendment – Waters
October 19, 2005
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EXHIBIT A



Ventura LAFCO

LAFCO 05-17 S1 & S2 Ventura County
 Waterworks District Nos. 1 & 19
 Sphere of Influence Amendments

Legend

- Waterworks District 1 Boundary
- Waterworks District 1 Sphere of Influence
- Waterworks District 19 Sphere of Influence

ATTACHMENT 4

LAFCO 05-17

**RESOLUTION OF THE VENTURA LOCAL AGENCY
FORMATION COMMISSION MAKING DETERMINATIONS
AND APPROVING THE VENTURA COUNTY
WATERWORKS DISTRICT NO. 1 ANNEXATION –
WATERS ROAD DOMESTIC USERS**

WHEREAS, the above-referenced proposal has been filed with the Executive Officer of the Ventura Local Agency Formation Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Section 56000 of the California Government Code); and

WHEREAS, at the times and in the manner required by law, the Executive Officer has given notice of the public hearing by the Commission on the proposal;

WHEREAS, the proposal was duly considered on October 19, 2005, as specified in the notice of hearing; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony for and against the proposal including, but not limited to, the LAFCO Executive Officer's Staff Report and recommendation, the environmental document and determination, and applicable local plans and policies; and

WHEREAS, all landowners within the affected territory have consented to the proposal; and

WHEREAS, proof has been given to the Commission that the affected territory has more than 12 registered voters and is considered inhabited; and

WHEREAS, prior to the conclusion of the hearing on this matter, no written opposition was received from any landowner or any registered voter within the affected territory, and

WHEREAS, the Local Agency Formation Commission finds the proposal to be in the best interest of the affected area and the organization of local governmental agencies within Ventura County.

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

- (1) The LAFCO Executive Officer's Staff Report and Recommendation for approval of the proposal dated October 19, 2005 is adopted.

- (2) The Reorganization, consisting of an annexation to the Ventura County Waterworks District No. 1, is hereby approved and the boundaries are established generally as set forth in the attached Exhibit A.
- (3) The subject proposal is assigned the following distinctive short form designation:

LAFCO 05-17 – VENTURA COUNTY WATERWORKS DISTRICT NO. 1 ANNEXATION – WATERS ROAD DOMESTIC USERS
- (4) The Commission has reviewed and considered the lead agency's determination that the reorganization is categorically exempt under Section 15319 (a) of the California Environmental Quality Act Guidelines, and finds the reorganization to be categorically exempt under Section 15319 (a).
- (5) The Commission directs staff to file a Notice of Exemption in the same manner as a lead agency, under Section 15062 of the California Environmental Quality Act Guidelines.
- (6) Pursuant to Government Code Section 56663(d), written notice of the Commission proceedings has been provided to all registered voters and landowners within the affected territory and no written opposition from registered voters or landowners with the affected territory has been received, and all affected agencies that will gain territory as a result of the proposal have consented in writing to the waiver of protest proceedings. The Commission hereby waives protest proceedings entirely.
- (7) **This reorganization shall not be recorded until all LAFCO fees have been paid, until fees necessary for filing with the State Board of Equalization have been submitted to the Executive Officer, and until the Ventura County Assessor provides the Executive Officer with information that all fees have been paid as required by the County of Ventura resolution establishing an assessor's fee for LAFCO filings.**

This resolution was adopted on October 19, 2005.

AYES:

NOES:

ABSTAINS:

Dated: _____
Chair, Ventura Local Agency Formation Commission

Attachment: Exhibit A

Copies: Ventura Co. Waterworks District
Ventura Co. Resource Conservation District
Ventura Co. Assessor
Ventura Co. Auditor
Ventura Co. Surveyor
Ventura Co. Planning
Ventura County Elections-Registrar of Voters

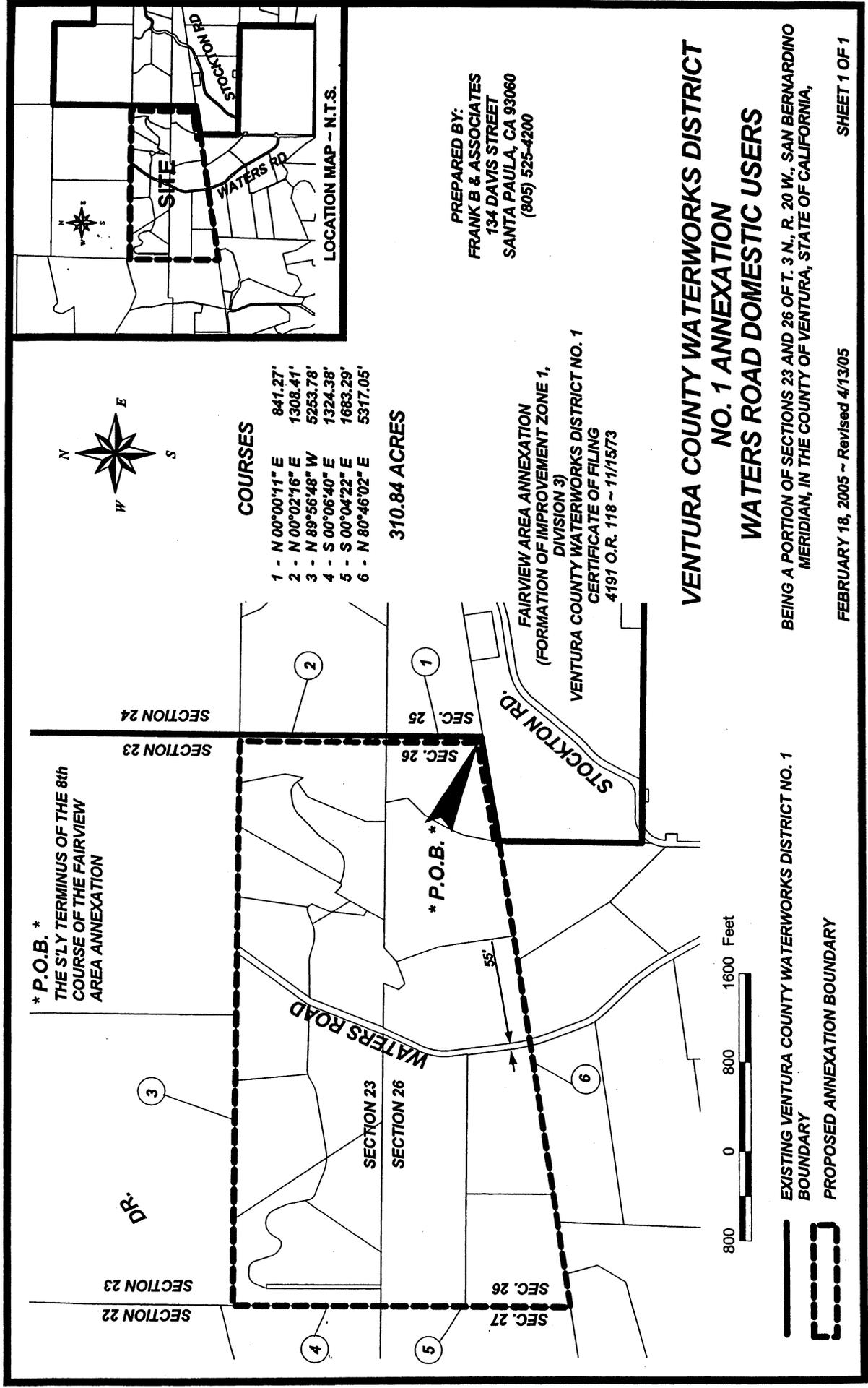
The Ventura County Surveyor's office of the Public Works Agency certifies this map and legal description to be definite and certain.

Certified by: *Zell Rawshin*

Date: *8-22-05*

05-17

EXHIBIT A



BEING A PORTION OF SECTIONS 23 AND 26 OF T. 3 N., R. 20 W., SAN BERNARDINO MERIDIAN, IN THE COUNTY OF VENTURA, STATE OF CALIFORNIA,

FEBRUARY 18, 2005 ~ Revised 4/13/05

SHEET 1 OF 1

05-17

EXHIBIT A

**VENTURA COUNTY WATERWORKS DISTRICT NO. 1 ANNEXATION
WATERS ROAD DOMESTIC USERS**

Those portions of Sections 23 and 26, Township 3 North, Range 20 West, San Bernardino Meridian, in the County of Ventura, State of California, described as follows:

Beginning at the southeasterly corner of said Section 26, said corner also being the southerly terminus of the 8th course of the Fairview Area Annexation (Formation of Improvement Zone 1 of Division 3) to the Ventura County Waterworks District No. 1 as shown and described in the Certificate of Filing recorded in the office of the County Recorder of said County on November 15, 1973 in Book 4191, Page 118 of Official Records; thence, along the east line of said Section 26 by the following course, and along the existing boundary of said Ventura County Waterworks District No. 1 by the following two courses:

- 1st - North 00°00'11" East 841.27 feet to the southeast corner of said Section 23; thence, along the east line of said Section 23,
- 2nd - North 00°02'16" East 1308.41 feet to the north line of the south half of said Section 23; thence, along said north line,
- 3rd - North 89°56'48" West 5253.78 feet to the west line of said Section 23; thence, along said west line,
- 4th - South 00°06'40" East 1324.38 feet to the northwest corner of said Section 26; thence, along the boundary of said Section 26 by the following two courses:
- 5th - South 00°04'22" East 1683.29 feet; thence,
- 6th - North 80°46'02" East 5317.05 feet to the point of beginning and containing 310.84 acres.

The Ventura County Surveyor's office of the Public Works Agency certifies this map and legal description to be definite and certain.

Certified by:

Zell Rawlston

Date:

8-22-05