



Ventura
Local Agency Formation Commission

MUNICIPAL SERVICE REVIEW

VENTURA COUNTY SERVICE AREA NO. 34

Prepared By

Ventura Local Agency Formation Commission
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Accepted by the Commission
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I. EXECUTIVE SUMMARY

A county service area (CSA) is a type of local government which is similar to a special district and governed by the County Board of Supervisors. Typically, CSAs are formed to provide one or more enhanced or extended services that a county does not provide to the same extent on a countywide basis. This report addresses CSA No. 34

CSA 34 was formed in 2005 in order to construct, operate, and maintain a sanitary sewer collection system for the unincorporated communities of El Rio and Strickland Acres north of the City of Oxnard. In 1999, the California Regional Water Quality Control Board determined that septic systems in the area were contaminating groundwater and, as a result, imposed prohibitions on new private septic systems and on the continued use of existing septic systems beginning January 1, 2008. The CSA was formed to provide property owners with public sewer service.

The law governing Local Agency Formation Commissions (“LAFCo”) requires LAFCo to carry out its responsibilities for planning and shaping the logical and orderly development of local governmental agencies by determining the sphere of influence of each local agency in the county. A sphere of influence is defined as a plan for the probable physical boundaries and service area of a local agency. No sphere of influence was established for CSA 34 when it was formed. In order for LAFCo to establish a sphere of influence, it must conduct a comprehensive service review. However, because the CSA did not provide any services upon formation (the sewer collection system was not yet constructed), no service review could occur. Thus, establishment of the sphere of influence was delayed until services were provided. The CSA began construction of the wastewater collection system in March, 2005. As of the date of this report, the sewer collection system is approximately 80 percent complete. Remaining phases are scheduled to be completed in 2011. Now that the CSA is providing service, a comprehensive service review can occur and a sphere of influence established.

The service review report must include an analysis of the issues and written determinations for each of following:

- Growth and population projections for the affected area
- Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs and deficiencies
- Financial ability of agencies to provide services
- Status of, and opportunities, for shared facilities
- Accountability for community services needs, including governmental structure and operational efficiencies
- Any other matter related to effective and efficient service delivery, as required by commission policy

The service review process for the CSA began in late 2009. A multi-part questionnaire was sent to the CSA requesting data on quantitative, qualitative, and boundary issues. Additional information was obtained via meetings, e-mail exchanges and phone conversations between LAFCo and CSA staff.

If trends over the past 20 years continue, population growth within the CSA is expected to be relatively flat. Based on the County General Plan, residential development potential is limited. However, industrial, commercial, and institutional development potential is substantial.

A preliminary Feasibility Study prepared in 2001 estimated that the service area would generate a total of approximately 1 million gallons of wastewater per day upon completion of construction. Now that portions of the collection system are complete and flow volume can be measured, the actual

volume is well below that estimated in the feasibility study. Revised estimates based on measured flow are approximately 490,000 gallons per day.

If future wastewater flows should increase to the levels anticipated in the feasibility study, it appears that the CSA's infrastructure would not have the capacity to accommodate anticipated growth within the CSA boundary. If ultimate flows remain at approximately 490,000 gallons per day, the infrastructure is anticipated to be adequate to accommodate future growth.

The CSA discharges its wastewater into the City of Oxnard's collection system where it is conveyed to the City's treatment plant. The City charges the CSA fees for conveyance and treatment of the wastewater. These fees are determined by the volume of wastewater that the CSA discharges into the City's system. At the anticipated rate of approximately 490,000 gallons per day, revenue from user fees will be adequate to cover costs. However, if volume exceeds approximately 530,000 gallons per day, revenues will not be adequate to cover CSA costs and user fees will likely need to be increased or the level of service reduced.

No significant issues regarding the sharing of facilities, governmental structure, and operational efficiencies were noted. With one exception, the sphere of influence should be established coterminous with the CSA boundaries. The exception is a parcel owned by the United Water Conservation District (United), the primary use of which is groundwater recharge pits. The parcel contains a cluster of ancillary buildings that are served by four septic systems. Concerned about groundwater quality, United desires annexation to the CSA in order to receive public sewer service to enable the removal of the septic systems. Including this parcel in the sphere of influence would allow for future annexation.

II. INTRODUCTION

The law governing Local Agency Formation Commissions (“LAFCo”) requires LAFCo to carry out its responsibilities for planning and shaping the logical and orderly development of local governmental agencies by determining the sphere of influence of each local agency in the county. A sphere of influence is defined as a plan for the probable physical boundaries and service area of a local agency. No sphere of influence can be prepared or 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 six factors:

1. Growth and population projections for the affected area
2. Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs and deficiencies
3. Financial ability of agencies to provide services
4. Status of, and opportunities, for shared facilities
5. Accountability for community services needs, including governmental structure and operational efficiencies
6. Any other matter related to effective and efficient service delivery, as required by commission policy

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 six factors.
- Not applicable to counties (except for special districts governed by a county board of supervisors), and not applicable to private providers of public services, such as private for profit or non-profit health care providers or private companies regulated by the Public Utilities Commission. This is because service reviews are based on the preparation or review and 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 municipal service review mandate.

The process used to prepare this service review report involved a multi-part questionnaire that the agency was requested to complete. The application focused on general information about the agency (contact information, governing body, financial, etc.) and on service specific data. The questionnaire was the basis for much of the information in the service review report. Additional information was obtained via meetings, e-mail exchanges, and phone conversations between LAFCo and CSA staff.

III. SERVICE REVIEW

A. Background

General

A county service area (CSA) is a type of local government which is similar to a special district and governed by the County Board of Supervisors. CSAs are formed and operate pursuant to the County Service Area Law (Government Code Section 25210 et seq.). Typically, CSAs are formed to provide one or more enhanced or extended services that a county does not provide to the same extent on a countywide basis. CSAs can be formed to include unincorporated territory and, with the consent of an affected city, territory within the boundaries of a city.

Subject to LAFCo approval, CSAs may provide any governmental services and facilities within the CSA which the county is authorized to perform and which the county does not perform to the same extent on a countywide basis, including, but not limited to: police protection, fire protection/emergency services, park and recreation services, library services, water supply, sewer services, road maintenance and sweeping, street landscaping/lighting services, solid waste collection/disposal, animal control, transportation, garbage/refuse collection, emergency medical services, and weed and rubbish abatement. Within CSAs the Board of Supervisors can levy special taxes, assessments, and property based fees.

Formation

County Service Area No. 34 (CSA 34) was formed in 2005 in order to construct, operate, and maintain a sanitary sewer collection system for the communities of El Rio and Strickland Acres near the City of Oxnard. The impetus for the formation of CSA 34 was a determination by the California Regional Water Quality Control Board (RWQCB) in 1999 that the underlying groundwater basin, known as the Oxnard Forebay, was being contaminated by pathogens and nitrogen compounds due to the on-going use of individual sewage disposal systems. Pursuant to a RWQCB Resolution adopted the same year, new septic systems on lots under five acres in size are prohibited and discharges from existing septic systems on lots under five acres were prohibited beginning January 1, 2008.

In 2001, the County of Ventura prepared the *El Rio Area Sewer Collection and Disposal System Project Feasibility Report* which concluded that the most feasible and preferred project to provide sanitary sewer service to the communities was a gravity sewer collection system connected to the City of Oxnard's wastewater collection and treatment system. Given the opposition of community residents to the idea of annexing their lots to the City of Oxnard, the County requested approval from LAFCo to form a CSA that would provide for construction and operation, as well as the financing, of a sewer collection system. To provide for treatment of the wastewater, the City of Oxnard and the County entered into an agreement for the CSA collection system to connect to the City's nearest sewer trunk line in order to transport flow to the City's wastewater treatment facility. Based on a determination that annexation to the City was not feasible at any point in the near future, LAFCo approved both the formation of CSA 34 (LAFCo 05-19) and the service agreement between the City and County (LAFCo 05-20) on October 19, 2005.

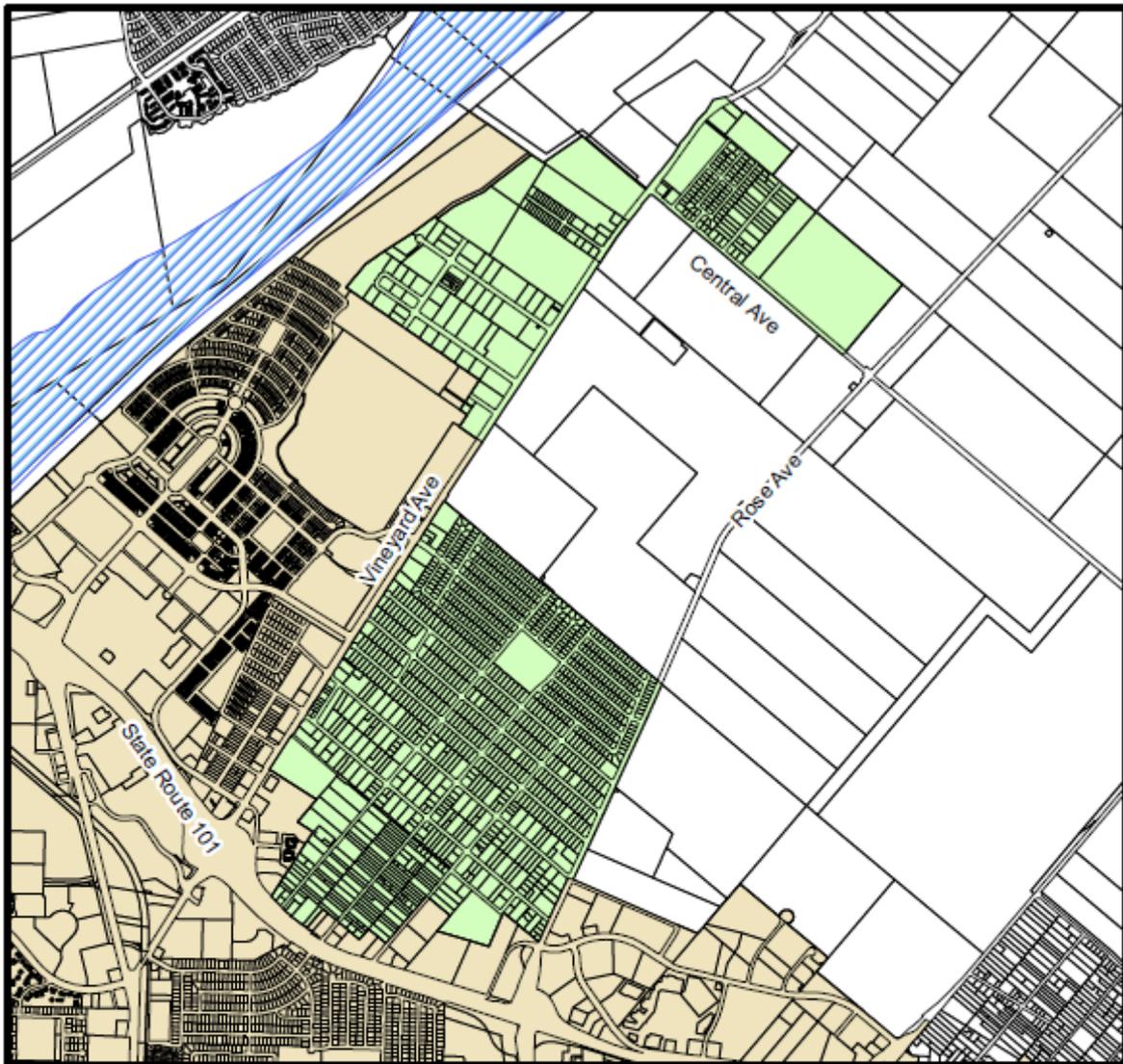
Service Area Boundaries

The CSA serves three distinct unincorporated areas north of the City of Oxnard (see Map 1). The largest of the three areas is the El Rio community, which is bounded by the City of Oxnard to the south, Vineyard Avenue to the west, Rose Avenue to the east, and groundwater recharge ponds and agricultural lands to the north. The second area is the Strickland Acres community bordering Central Avenue and Strickland Drive east of Vineyard Avenue, including Rio Mesa High School. The third area is located west of Vineyard Avenue in the industrial area near Montgomery Avenue, Lambert Street and Beedy Street, and includes the Ventura County Juvenile Facilities Complex.

Sphere of Influence

No sphere of influence was created at the time the CSA was formed. The reason for this was that LAFCo is required to conduct a municipal service review “before, or in conjunction with, but no later than the time it is considering an action to establish a sphere of influence” (Government Code Section 56430(c)). MSR’s are comprehensive reviews of an agency’s service capabilities. CSA 34 had no service capabilities when it was formed because the wastewater collection infrastructure had not yet been constructed. As such, there would have been little information available upon which to base a MSR. The CSA has since constructed much of its collection system, with the remaining phase currently under construction and due to be completed in mid 2011. Now that the CSA is nearing completion of its service infrastructure, its current and future service capabilities are known and the preparation of a MSR and establishment of a sphere of influence is warranted.

Map 1



County Service Area No. 34



Legend

-  CSA 34
-  City of Oxnard
-  Santa Clara River



B. Agency Profile

County Service Area No. 34	
Contact	Cefe Munoz
Mailing Address	6767 Spring Road, Moorpark, CA 93020
Site Address	6767 Spring Road, Moorpark, CA 93020
Phone Number	(805) 378-3020
Fax Number	(805) 529-7542
Email/Website	Cefe.Munoz@ventura.org
Services	
Types of Service	The CSA is authorized to construct, operate, and maintain a sanitary sewer collection system. No other service is authorized.
Governance	
Date Formed	October 19, 2005
Governing Authority	County Board of Supervisors.
Area & Size Information	
Area (approximate)	817 acres
Number of Assessor Parcels	1,486
Current Number of RUEs* Served/Assessed	800 (approx.)
Total Number of RUEs* to be Served/Assessed	1,550 (approx.)
Service Charge per RUE	\$37 per month
Estimated Population	6,193
Staff**	
Executive Management	1
Professional & Support	25
Operations	10
<p>* Residential Unit Equivalent – The equivalent of one single family residence. ** CSA 34 is operated by Ventura County Public Works Agency, Water and Sanitation Department staff. The duties associated with each of the positions listed encompass projects and facilities other than CSA 34. The work schedule associated with each position is therefore significantly fewer than 40 hours per week.</p>	

Agency Profile (continued)

Summary Financial Information				
Revenue	FY 2008-2009		FY 2009-2010	
Property Taxes	--	--	--	--
Special Tax/Assessments	\$154,232	1.7%	\$166,500	0.70%
Service Charges/Fees	\$33,472	0.4%	\$626,400	2.40%
State Aid/Grants	\$4,668,089	50.4%	\$10,000,000	39.40%
Federal Aid/Grants	\$956,569	10.3%	--	--
Penalties/interest	\$20,630	0.2%	\$13,400	0.05%
Proceeds of LT Debt	\$3,427,695	37.0%	\$14,600,000	57.50%
Other (misc)	\$983	0.0%	--	--
Total Revenue	\$9,261,670		\$25,406,300	

Expenditures	FY 2008-2009		FY 2009-2010	
Services & Supplies	\$134,064	2.0%	\$4,390,100	17.0%
Sewer Construction	\$6,768,677	97.0%	\$21,000,000	80.0%
Contingencies	--	--	\$748,166	2.5%
Other	\$90,481	1.0%	\$140,600	0.5%
Total Operating & Non-Operating Expenditures	\$6,993,222		\$26,278,866	

Total Revenue Over Total Expenditures	\$2,268,448	-\$872,566*
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* The deficit of \$872,566 in the budget pertains to the Net District Cost and is not a deficit to the overall budget. A Net District Cost relates to the amount of fund balance that will be used to cover the difference between anticipated revenues and expenditures.

C. Growth and Population Projections

Current Population

The El Rio Census Designated Place (CDP) is comprised of the communities of El Rio and Strickland Acres, as well as the agricultural area encompassed by the northern boundary of El Rio, Vineyard Avenue, Central Avenue, and Rose Avenue. Though Rio Mesa High School (adjacent to Strickland Acres) and the industrial area located west of Vineyard Avenue are within the boundaries of the CSA, they are outside of the El Rio CDP. However, as there is no residential development on either the high school property or within the industrial area, their exclusion from the CDP should not impact population projections within the CSA based on the CDP.

In 1990, the US Census Bureau estimated that the population of the EL Rio CDP was 6,419. In 2000, it estimated that there were 1,491 residential units in the CDP with a population of 6,193. In 2009, the County of Ventura Planning Division estimated the population of the unincorporated area of the County by dividing it into a series of zones. Population estimates were based on the number of residential units in each zone. The two zones in the El Rio community were estimated to contain 1,376 residential units with an average of 3.25 persons per unit. No estimate specific to Strickland Acres is available, as it was included within a different, larger zone. Using 2009 aerial photography to count residential units, there appears to be 123 residential units in Strickland Acres. The County estimated an average of 5.7 people per unit in this zone. Table III-1 below outlines recent population estimates from the U.S. Census and the County of Ventura.

**Table III-1
Census and County Estimates of the
Number of Residential Units, Average Persons
per Unit, and Population for 1990, 2000, and 2009**

Data Source	No. of Residential Units	Average No. of Persons per Household/Unit	Estimated Population
Census 1990 – El Rio CDP	Unavailable	Unavailable	6,419
Census 2000 – El Rio CDP	1,491	4.22	6,193*
County 2009			
El Rio	1,376	3.25	4,472
Strickland Acres	123	5.70	701
	Total 1,499	Average 4.48	Total 5,173

* Based on 1,467 occupied units

Based on Census estimates, the population in the El Rio CDP decreased by 3.5% between 1990 and 2000. Comparing the most recent Census population data for 2000 with those of the County of Ventura for 2009, the estimated number of residential units remained essentially unchanged. Due to differences in assumption regarding the average number of residents per households, however, the County's population estimate reflects a 16% decrease compared to the Census 2000 population estimate. The County's 2009 estimate of the number of residential units is based on that of the 2000 Census with the addition of building permits issued through 2009, and is assumed to be fairly accurate. Although somewhat unclear from the source information, the County's assumptions for average number of persons per household/unit appear to be based on a much larger geographic area than the El Rio and Strickland Acres communities. As such, the Census 2000 persons per household estimates, which are specific to the CDP, are likely to be more accurate.

Based on the County's 2009 estimate of residential units and the Census 2000 estimate of the average number of persons per household, the population within the CSA boundaries as of 2009 is estimated to be 6,326, an increase of 2% since 2000 (see Table III-2). This estimate appears to be more consistent with the population changes noted by the Census between 1990 and 2000.

Table III-2
LAFCo Estimate of the Number of Residential
Dwelling Units and Population
Within the Boundaries of CSA 34, 2009

No. of Residential Units, 2009	Census 2000 Average No. of Persons per Household/Unit	Estimated Population, 2009
1,499	4.22	6,326

Growth and Population Projections

The County of Ventura General Plan establishes and regulates land use in the unincorporated area. The County implements its General Plan in the El Rio area through the El Rio/Del Norte Area Plan, which was originally adopted in 1993. The land use designations and policies in the Area Plan therefore apply to the area within the boundaries of the CSA. The predominant land use in the CSA is residential, comprising approximately 507 gross acres. Industrial land uses, which are mainly located west of Vineyard Avenue, comprise approximately 194 gross acres. Limited commercial land uses, totaling approximately 22 acres, are located primarily in El Rio along Vineyard Avenue. In addition, the land uses within the CSA include two elementary schools, a high school, a number of churches, and the Ventura County Juvenile Justice Complex.

Residential Land Uses – Between 1990 and 2000, the estimated population within the CSA decreased by 3.5%. Between 2000 and 2009, the estimated population increased by approximately 2.1%. Over the full 20 year time period, the average population is estimated to have decreased by approximately 1.4%. If these trends continue, it appears that future population in the CSA is relatively static.

Current residential development – Table III-3 shows a detailed inventory of residential unit types, as well as the number of residential lots and number of units that are currently developed within the boundaries of the CSA.

**Table III-3
Current Residential Types, Number of
Residential Parcels and Number of Dwelling Units**

Parcels with Single Family Residential Units		
Type	Parcels	Units
Vacant residential parcel	22	0
One Single Family Residence on one lot	1,199	1,199
Two detached single family residences on one lot	55	110
Three detached single family residences on one lot	12	36
Four detached single family residences on one lot	8	32
Subtotal	1,296	1,377
Parcels with Multi-Family Residential Units		
Type	Parcels	Units
Duplexes	6	12
Duplex plus single family residence	2	6
Duplex plus two single family residences	4	16
Four detached single family residences on one lot	8	32
Apartments 5-9 units	2	16
Apartments 10 or more units	2	28
Subtotal	24	110
Total Parcels and Residential Units	1,320	1,487

Source: Ventura County Assessor

Projected residential development. Table III-4 shows the approximate acreages for the various residential land use designations established by the El Rio/Del Norte Area Plan within the CSA boundaries and the maximum number of units (excluding second units) that could, theoretically, be constructed.

**Table III-4
Maximum Number of Residential Dwelling Units Allowed
Under the County General Plan and the El Rio/Del Norte Area Plan**

Area Plan Land Use Designation	Acres	Maximum Density per Acre	Maximum No. of Units
Urban Residential 1-2	227	2	454
Urban Residential 2-4	133	4	532
Urban Residential 4-6	137	6	822
Rural Residential - 5	10	0.2	2
Total	507		1,810

There are a number of non-residential uses occupying sites within these residential designations, including three public schools (30 acres), at least nine churches (13 acres), a 1.2- acre park, and a 1-acre site for utilities. Though these sites could be redeveloped for residential purposes, the likelihood is remote. Based on the land use designations of these non-residential uses, the

maximum residential build out potential within the CSA boundaries should be reduced by approximately 100 units. Acreage devoted to streets would further reduce the amount of acreage open to residential development by approximately 10%, or 181 units. Thus, maximum residential development within the CSA boundaries (excluding second units) is realistically closer to 1,530 units.

Pursuant to the County’s zoning ordinance, second units are an allowed use on residential parcels greater than 10,000 square feet in size that contain one existing detached single family residence. Parcels with more than one unit cannot have a second unit. According to County Assessor records, there are 1,320 residential parcels within the CSA boundaries. Of these parcels, 1,199 contain one single family residence. 718 of the 1,199 parcels with a single family residence are under 10,000 square feet, and cannot have a second unit. Thus, there are 481 parcels that appear to meet the requirements for a second unit, although it is unlikely that all, or even most, of these units will ultimately be constructed. However, second units are an allowed use and are encouraged by both the California Department of Housing and Community Development and the County as a means to provide affordable housing. A conservative estimate would be that 25% of the parcels, or 120, may eventually contain second units. Thus, the realistic residential build-out within the CSA’s boundaries, including second units, is projected to be approximately 1,650 residential units, which is 163 more than currently exist.

Commercial/Industrial/Other Land Uses - Table III-5 shows the approximate acreages for the commercial, industrial, and institutional land use designations within the CSA and the maximum amount of building square footages that could, theoretically, be constructed based on the General Plan.

**Table III-5
Maximum Area of Commercial, Industrial, and Institutional
Development Allowed Under the County of Ventura General Plan**

General Plan Land Use Designation	Acres*	Maximum Building Coverage	Projected Floor Area (square feet)
Commercial	22	60%	575,000
Industrial	175	50%	3,812,000
Institutions			
Church	9	60%	196,000
High School	56	60%	N/A**
Total	262		4,583,000

* Actual acreage – excludes streets

** The high school is not subject to the maximum building coverage of the General Plan. The school site is completely built-out and substantial expansion is unlikely.

The General Plan land use designations would allow approximately 4.6 million square feet of commercial, industrial, and institutional development. According to Ventura County Assessor records, approximately 1,000,000 square feet of development currently exists within the commercial and industrial designated areas and approximately 30,000 square feet within the area designated institutional.

Conclusion

Based on the current General Plan, the opportunity for additional residential growth and development within the boundaries of the CSA is limited. LAFCo staff estimate that realistic residential growth would include a total of 163 more units than currently exist (based on Assessor records). Based on an estimated 4.22 persons per household, the population would be expected to increase by 688. This would represent an 11% increase over the current population estimate of 6,326. The General Plan would allow for significant additional industrial and commercial

development (approximately 3.4 million square feet, and approximately 170,000 square feet of additional institutional development).

D. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies

Present and Planned Capacity of Public Facilities

Construction of the CSA's wastewater collection system began in 2005 and consists of ten phases, eight of which have been completed as of the date of this report. Construction on the remaining two phases of the system are underway and the final phase is expected to be completed by mid-to-late 2011. The CSA is currently serving the community of Strickland Acres (including Rio Mesa High School), the Ventura County Juvenile Facilities Complex, and part of El Rio. The CSA serves approximately 990 RUEs at the present time. (An RUE is a Residential Unit Equivalent – the equivalent of one single family residence). As future phases of construction are completed, additional lots will be connected. According to CSA staff, the system will serve approximately 1,550 RUEs upon completion with the capacity to serve 1,710 RUEs¹.

In 2001, the County prepared a report titled *Project Feasibility Report Facilities Plan for the El Rio Area Sewer Collection and Disposal System*. The Feasibility Report calculated overall demand projections to determine the capacity needs of the system. For areas within the CSA where water use records were available, the Feasibility Report based estimated sewage flow on 85% of potable water use. Water use records were obtained for Rio Mesa High School, Strickland Acres, the industrial area north of Vineyard Avenue, and the Juvenile Facilities Complex. No water use records were available for El Rio. To estimate residential flow in El Rio, the Feasibility Report based its projections on per capita daily flow from Nyeland Acres, which is a similar community with respect to demographic characteristics and land use mix.

To determine anticipated flow for commercial land uses in El Rio, the Feasibility Report estimated 0.003 cfs (cubic feet per second) per acre. Table III-6 reflects the estimated flow for these areas.

**Table III-6
Wastewater Flow Rates as Estimated in the 2001 Project
Feasibility Report Facilities Plan for the El Rio Area Sewer
Collection and Disposal System**

Service Area	Total Volume of Wastewater (gallons per day)
Rio Mesa High School	48,000
Strickland Acres	47,000
Industrial	58,000
Juvenile Facilities Complex	60,000
El Rio	768,000
Future Development	50,400
Total Flow Rate	1,031,400

Adequacy of Public Services, Infrastructure Needs and Deficiencies

Feasibility Report: Based on the Feasibility Report, the collection system infrastructure does not appear to be adequate to accommodate the full extent of future growth and development allowed under the current County General Plan. As noted in Section C, the General Plan allows for the

¹ Personal Communication with Cefe Munoz, County of Ventura Water and Sanitation Department, February 17, 2010

construction of 163 more residential units than currently exist. However, as noted previously in this section, the excess capacity of the collection system is estimated to accommodate only 160 additional RUEs. In addition, and also as noted in Section C, the County General Plan would allow up to an additional 3.6 million square feet of commercial and industrial buildings and 170,000 square feet of institutional development, resulting in tens of thousands of additional gallons of flow per day. Thus, based on assumptions of the Feasibility Report, it appears that the CSA infrastructure would not have the capacity to serve anticipated growth within the CSA boundaries.

Actual Flows: Now that much of the collection system is complete and a metering station is in place, CSA staff have collected data on actual wastewater flow rates and determined that actual flow has been significantly less than the estimated flows in the Feasibility Report. The collection system has meters at two locations which measure flow rates. The first is at the Montgomery Lift Station, which is located in the industrial area west of Vineyard Avenue. The second is at the point where the CSA collection system connects to the City of Oxnard's collection system. According to CSA staff, in May 2010, the CSA discharged approximately 224,000 gallons per day into the City's collection system.

To determine the adequacy of the infrastructure to meet demand upon completion of the collection system and that of future development within the CSA boundaries, a revised estimate of the overall demand within the CSA upon completion of the collection system using actual flow data is necessary. Flows from Rio Mesa High School, Strickland Acres, and the Juvenile Facilities Complex must pass through the Montgomery Lift Station, where the flow is metered. Thus, the flows from each of these areas/facilities can be determined by the increase in the amount of flow measured at the lift station after each area was connected to the system. The following flow rates are extrapolated using actual flow data measured at the Montgomery Lift Station:

- In 2005, the Juvenile Facilities Complex was the only facility connected to the Montgomery Lift station. At that time, average daily flow measured at the lift station was approximately 18,500 gallons.
- In 2007, the community of Strickland Acres was connected to the lift station, adding an average of approximately 36,000 gallons per day.
- In 2009, Rio Mesa High School was connected to the lift station, adding approximately 8,500 gallons per day.

Though the industrial areas west of Vineyard Avenue will also be connected to the Montgomery Lift Station, few industrial properties have been connected thus far, making estimates of actual industrial flow difficult. However, CSA staff estimates that flow from industrial uses would likely be equivalent to that generated by commercial uses². Based on the flow generated by commercial properties that have connected to the collection system, CSA staff estimates that flow from industrial and commercial uses is approximately 78 gallons per acre per day³, generating the following flows:

- There are approximately 175 acres of industrial land within the CSA's boundaries. At 78 gallons per acre per day, the industrial areas would generate an estimated daily industrial flow of approximately 14,000 gallons.
- There are approximately 23 acres of commercial land within the boundaries of the CSA. At 78 gallons per acre per day, the commercial areas would generate an estimated daily commercial flow of approximately 2,000 gallons.

² Personal communication with Satya Karra, County of Ventura Water and Sanitation Department, May 26, 2010

³ Personal communication with Satya Karra, County of Ventura Water and Sanitation Department, May 18, 2010

There are two elementary schools within the boundaries of the CSA: Rio Plaza and Rio Real. According to the Rio School District website, the schools accommodate 1,175 children. Staff is estimated to be 50. Using the per capita daily flow rates from Rio Mesa High School, CSA staff estimate that 5 gallons per day per capita is generated by the two schools², for a total of approximately 6,000 gallons per day. Based on 233 school days per year, the average daily flow from the schools is estimated at approximately 4,000 gallons.

Only parts of El Rio are currently connected to the collection system. To estimate total anticipated residential flows from El Rio, the actual per capita flows from Strickland Acres can be used. There are an estimated 519 people in Strickland acres (123 units at 4.22 people per unit) generating a total of 36,000 gallons per day, which equals approximately 70 gallons per capita per day. There are an estimated 5,807 people in El Rio, for an estimated total daily flow of approximately 407,000 gallons per day.

Table III-7 identifies the estimated total flow within CSA boundaries extrapolated from the above actual flow data.

**Table III-7
Estimated Wastewater Flow Rates
Extrapolated from Flow Data**

	Estimated Total Volume of Wastewater (gallons per day)
Juvenile Facilities Complex	18,500
Strickland Acres	36,000
Rio Mesa High School	8,500
Industrial	14,000
Commercial	2,000
Elementary Schools	4,000
El Rio Residential	407,000
Total	490,000

Conclusion

The difference between flow rates estimated in the Feasibility Report and actual flow rates is significant. Based on actual data, it appears that total flow will be approximately 490,000 gallons per day, which is less than half the 1,031,400 gallons per day estimated in the Feasibility Report. It appears that the collection system will have capacity to accommodate an additional approximately 541,400 gallons per day upon completion of the system. The collection system therefore appears to have adequate capacity to accommodate General Plan development within the boundaries of the CSA.

As noted, actual flow rates are significantly lower than the rates anticipated in the Feasibility Study. This may be due to the fact that the Feasibility Report based its assumptions on flow estimates that would typically be generated by denser development. The level and density of development within the CSA boundaries has likely been limited due to the use of septic systems. In addition, the RWQCB prohibition on the use of septic systems has limited or precluded opportunities for development and redevelopment for nearly a decade. Once public sewer becomes available, the intensity of development within the CSA may increase, eventually generating flows that are more consistent with those reflected in the Feasibility Report.

E. Financial Ability to Provide Services

Construction Costs

The total cost for construction of the wastewater collection system for CSA 34 is approximately \$35 million. State, federal and local grants have been secured for over \$26 million and a low interest loan was obtained to fund the remaining construction cost. Table III-8 identifies construction funding amounts by source.

**Table III-8
Collection System Construction
Funding Sources and Amounts**

State Grants	\$12,136,683
American Recovery And Reinvestment Act	\$ 8,000,000
Federal Grants	\$ 2,481,200
Local Grants/Contribution	\$ 3,416,734
TOTAL GRANTS	\$26,034,617
Low-Interest Loan (30 year)	\$ 8,965,383
TOTAL PROJECT COSTS	\$35,000,000

Source: January 7, 2010 Power Point presentation *El Rio Sewer Project* Phases 5A (Residential) and 6, downloaded March 23, 2010 from [www.portal.countyofventura.org/portal/page/portal/PUBLIC WORKS/WaterSanitation/currentProjectInformation/EIRioSewerProject](http://www.portal.countyofventura.org/portal/page/portal/PUBLIC_WORKS/WaterSanitation/currentProjectInformation/EIRioSewerProject)

It appears that the CSA has obtained adequate funding to cover construction costs of the sewer collection system.

On-Going Revenue and Expenditures

CSA Revenue - CSA revenue includes grants and the loan obtained to cover the costs of construction of the collection system, connection fees, and user fees paid by the customers who discharge to the collection system.

Grants/Loan

As indicated in Table III-8, the CSA obtained over \$26 million in grants and a loan of approximately \$9 million to fund the construction cost.

Connection fees

CSA customers must pay a one time connection fee to both the CSA and the City of Oxnard to connect to the sewer system. The City of Oxnard collects a connection fee to help cover the cost of its wastewater treatment plant and portion of the sewer infrastructure. Property owners are required to pay both fees to the CSA and the CSA reimburses the City for its share. Customers are given the option to pay the fees in one lump sum or pay in installments over 30 years, which are added to their tax bill to reduce the cost of billing. The connection fees collected by the CSA are used to repay the construction loan. Table III-9 shows a comparison of fees by payment option.

**Table III-9
Sewer Connection Fee Payment Options**

Agency	Fee	Payment Options
City of Oxnard	\$3,539/residential MEF*	One time lump sum OR installment payments of \$11.43 per month for 30 years
	\$5,537/commercial MEF*	One time lump sum OR installment payments of \$17.88 per month for 30 years
CSA 34	\$4,876/residential RUE**	One time lump sum OR installment payments of \$15.88 per month for 30 years
	\$7,558/commercial RUE**	One time lump sum OR installment payments of \$24.21 per month for 30 years

* Meter Equivalency Factor (based on water meter size or number of plumbing fixture units used by one residence)

** Residential Unit Equivalency (equal to one residential unit)

Source: January 7, 2010 Power Point presentation *El Rio Sewer Project Phases 5A (Residential) and 6*, downloaded March 23, 2010 from

www.portal.countyofventura.org/portal/page/portal/PUBLIC_WORKS/WaterSanitation/currentProjectInformation/ElRioSewerProject

Monthly user fees

In addition to the connection fees, property owners are charged a monthly fee of \$37 per RUE. This fee was established by the County Board of Supervisors on January 24, 2006. Based on a total of 1,550 RUEs estimated to be served upon completion of the system, the monthly service charge will generate approximately \$688,000 per year.

Excluding the connection fees that will be used to pay off the loan, monthly user fees are the sole source of continuous revenue for the CSA.

CSA Expenditures - CSA expenditures include loan repayment, operations and maintenance, and fees imposed by the City of Oxnard.

Loan Repayment

As indicated in Table III-8, the CSA obtained a loan of approximately \$9 million to fund a portion of the construction of the sewer collection system. The loan is to be paid back over 30 years. Revenue from the connection fees (see Table III-9) and a portion of the monthly user fees will be used to pay the loan (see Table III-10).

Operation and Maintenance Costs

After completion of all phases of construction, CSA staff anticipate that costs for operations and maintenance will be approximately \$200,000 annually⁴. This cost is covered by monthly user fees.

City of Oxnard Regional Treatment and Disposal Facility User Charge

As previously noted, the Feasibility Report estimates an average flow of approximately 1 million gallons per day upon completion of the system. However, based on current metered flow data, total flow rate is estimated to be closer to 490,000 gallons per day upon completion of the collection system. Determining the volume of flow is critical in calculating CSA costs because the City of Oxnard imposes charges based on flow volume.

Pursuant to section 7.a. of the out of agency service agreement between the CSA and the City of Oxnard, the CSA will be charged a fee based on the City's Regional Treatment and Disposal Facility User Charge. This charge is covered by monthly user fees. Pursuant to the City of Oxnard's Ordinance 2818, effective July 1, 2010, this charge will be based on:

- Wastewater Discharge - \$343.67 per million gallons
- Biological Oxygen Demand (BOD) - \$257.87 per thousand pounds
- Suspended Solids - \$324.22 per thousand pounds

City of Oxnard Extraterritorial Charge

Pursuant to section 7.b. of the out of agency service agreement between the CSA and the City of Oxnard, effective in 2010 the CSA will be charged \$850.15 per million gallons of discharge into the City's collection system in exchange for the use of the City's rights of way. This charge is covered by monthly user fees.

Table III-10 shows the CSA's approximate annual costs based on a daily flow rate of 490,000 gallons extrapolated from current actual flow data. Table III-10 shows only the costs for which the monthly user fees are applied, as the revenue from connection fees is applied solely to repayment of the construction loan.

Table III-10
Annual Expenditure Based on a Flow Rate of
490,000 Gallons Per Day

	490,000 gpd
Operations and Maintenance	\$200,000
Loan Repayment	\$ 99,000
Regional Treatment/Disposal Fee	
- Wastewater Discharge	\$ 61,528
- Biological Oxygen Demand*	\$ 65,871
- Suspended Solids**	\$ 83,307
Extraterritorial Charge	\$152,204
Total	\$661,910

* Based on 12 month average of 171 mg/L (2/09-2/10)

** Based on 12 month average 172 mg/L (2/09-2/10)

⁴ Personal communication with Reddy Pakala, County of Ventura Water and Sanitation Department, May 5, 2010

Based on the estimated average daily flow of 490,000 gallons expected upon completion of the collection system, it appears that annual revenue from monthly user fees (\$688,000) will exceed annual costs (approximately \$662,000) by approximately \$26,000. Table III-11 shows the rate of flow at which revenue would be equal to costs.

**Table III-11
Approximate Flow Rate at which
Annual Expenditures* Equal Annual Revenues***

	530,000 gpd
Operations and Maintenance	\$200,000
Loan Repayment	\$ 99,000
Regional Treatment/Disposal Fee	
- Wastewater Discharge	\$ 66,328
- Biological Oxygen Demand*	\$ 71,176
- Suspended Solids**	\$ 90,016
Extraterritorial Charge	\$164,079
Total	\$690,599

* Does not include revenue from connection fees used to repay construction loan

The anticipated revenue would be sufficient to cover the costs associated with flows up to approximately 530,000 gallons per day, beyond which point revenue will not cover costs. Thus, the total daily flow could exceed 490,000 gallons per day by as much as 8 percent before revenues would be insufficient to cover costs.

Budget

The CSA budget is maintained as an independent operating fund within the County Budget. As such, the CSA is obligated to comply with all County policies concerning financial management and reporting. The CSA is not currently involved in any litigation that could impact its financial viability.

F. Status of, and Opportunities for, Shared Facilities

The CSA contracts with the City of Oxnard for wastewater conveyance and treatment. Through this arrangement the CSA avoids the cost of constructing its own treatment facility and ancillary infrastructure. According to the Feasibility Report, this arrangement minimizes the overall costs to property owners within the CSA. However, the City charges the CSA for the use of its rights of way and collects a surcharge for treatment of the wastewater from the CSA.

As shown in Table III-12, the monthly cost to customers within the CSA who participate in the 30-year repayment plan for the connection fees is \$64.31 for residences and \$79.09 for commercial uses.

**Table III-12
Monthly Customer Costs**

Charge/fee	Monthly Amount - Residential	Monthly Amount - Commercial
CSA connection fee	\$15.88	\$17.88
City of Oxnard connection fee	\$11.43	\$24.21
CSA user charge (one RUE)	\$37.00	\$37.00
Total	\$64.31	\$79.09

As shown in Table III-10, of the CSA's anticipated \$662,000 annual expenditures, \$299,000 covers operations/maintenance and loan repayment. The remaining \$363,000 covers the fees imposed by the City of Oxnard. Payment of the City's fees accounts for 55% of the CSA's estimated annual costs. Thus, approximately \$16.65 of the \$37 monthly user charge per RUE covers operations/maintenance and loan repayment. The remaining approximately \$20.35 of the monthly user charge is available to cover the Regional Fee and Extraterritorial Charge imposed by Oxnard.

Given that CSA No. 34 is the only provider of public sewer service in the El Rio area, no other opportunities for sharing facilities were noted beyond the existing arrangement with the City of Oxnard.

G. Accountability for Community Services Needs, Including Governmental Structure and Operational Efficiencies

Accountability for Community Service Needs

CSA 34 is governed by the Ventura County Board of Supervisors who receive no additional compensation for this responsibility. The County Public Works Agency, Water and Sanitation Department provides the staffing support necessary to manage and operate the agency.

The Board of Supervisors generally meets each Tuesday at 8:30 a.m. The Board is regularly briefed about the Brown Act and other public meeting requirements. Meeting notices are posted on bulletin boards in advance of any public hearing at three locations, are published in local newspapers and posted on the County's web site. The County also maintains a website on which reports, agendas, budget and other documents are posted.

El Rio Municipal Advisory Council (MAC) - The Board created the El Rio Municipal Advisory Council in 1975 to provide direct input to the Board of Supervisors on matters that may affect the El Rio and Strickland Acres communities. The Council is authorized to review matters of public health, safety, welfare, public works, and planning, including significant environmental reports, that relate to the Council area. The Council is advisory to the Board of Supervisors for the subject matters. The El Rio Municipal Advisory Council is composed of nine members, representing each of the nine neighborhoods in the El Rio/Nyeland Acres/Strickland community. The appointments are made by the 5th District Supervisor with concurrence of the Board of Supervisors, based upon recommendations of the citizens in the area. The terms of the appointments are four years. CSA staff have conducted multiple meetings with the El Rio MAC throughout the construction process as a means to keep residents informed.

No issues were noted regarding local accountability for CSA No. 34

Governmental Structure

Alternatives to the current government structure for the CSA are limited given its relatively small size and the limited service it provides. In general, CSAs can be reorganized as independent agencies, consolidated with other CSAs, merged with cities or dissolved.

If the CSA chose to reorganize as an independent special district, it would be required to provide its own management. This would effectively eliminate the efficiencies that are achieved through County management.

Another governmental option would be to consolidate CSA 34 with CSA 30, which provides sewer collection services to the nearby community of Nyeland Acres. However, CSA staff have indicated a preference to keep the two CSAs separate for accounting purposes. CSA 34 has received millions of dollars in grants and loans specifically for purposes of constructing CSA 34's collection system and CSA staff desires to keep the financial affairs of each CSA separate.

Another potential restructuring option would be to merge the CSA with the City of Oxnard which would require the City to take over ownership and operation of the CSA's facilities. However, at least 70% of the CSA's land area and 70% of the registered voters within the CSA must be located within the boundaries of the City for such a merger to be approved by LAFCo (Government Code Section 57105). No part of the CSA is located within the City's boundaries, thus merger with the City is not an option.

Another government structure option is to dissolve the CSA and annex the area to the City of Oxnard. However, given that the CSA was created primarily because many residents and property owners do not favor annexation to the City, this option is unlikely to occur in the near future.

Operational Efficiencies

The CSA achieves management efficiencies through the consolidation of administration and operations with the other six sewer systems managed by staff of the County of Ventura Public Works Agency, Water and Sanitation Department.

Sphere of Influence

As noted in Section A, no sphere of influence was established at the time that the CSA was formed. A sphere of influence is defined under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56000 et seq.) as, "a plan for the probable physical boundaries and service area of a local agency, as determined by the [LAFCo]." The CSA boundary abuts the City of Oxnard boundary to the southwest. The CSA boundaries include the developed areas within the unincorporated communities of El Rio and Strickland Acres, along with the industrial area west of Vineyard Avenue. With one notable exception discussed below, the remaining unincorporated areas surrounding the CSA are used for agricultural purposes and are designated agricultural by the County's General Plan and zoning ordinance. All are outside the City of Oxnard's City Urban Restriction Boundary and are subject to the County SOAR ordinance. As such, these areas do not currently, or for the foreseeable future, need urban services, including sewer. They do not, therefore, represent the probable service area of the CSA and should not be included in the sphere.

The one exception is a 120-acre parcel that abuts El Rio to the north owned by the United Water Conservation District (UWCD). All but approximately 3 acres of the parcel contain groundwater recharge pits with the balance of the property containing ancillary structures. A relatively small area, approximately 2 acres in size and located at the southeast corner of the property is developed with a pump building, a shop, a lunch room and two employee residences. Four septic systems currently serve these structures. Staff from UWCD have expressed concerns about the affect that the

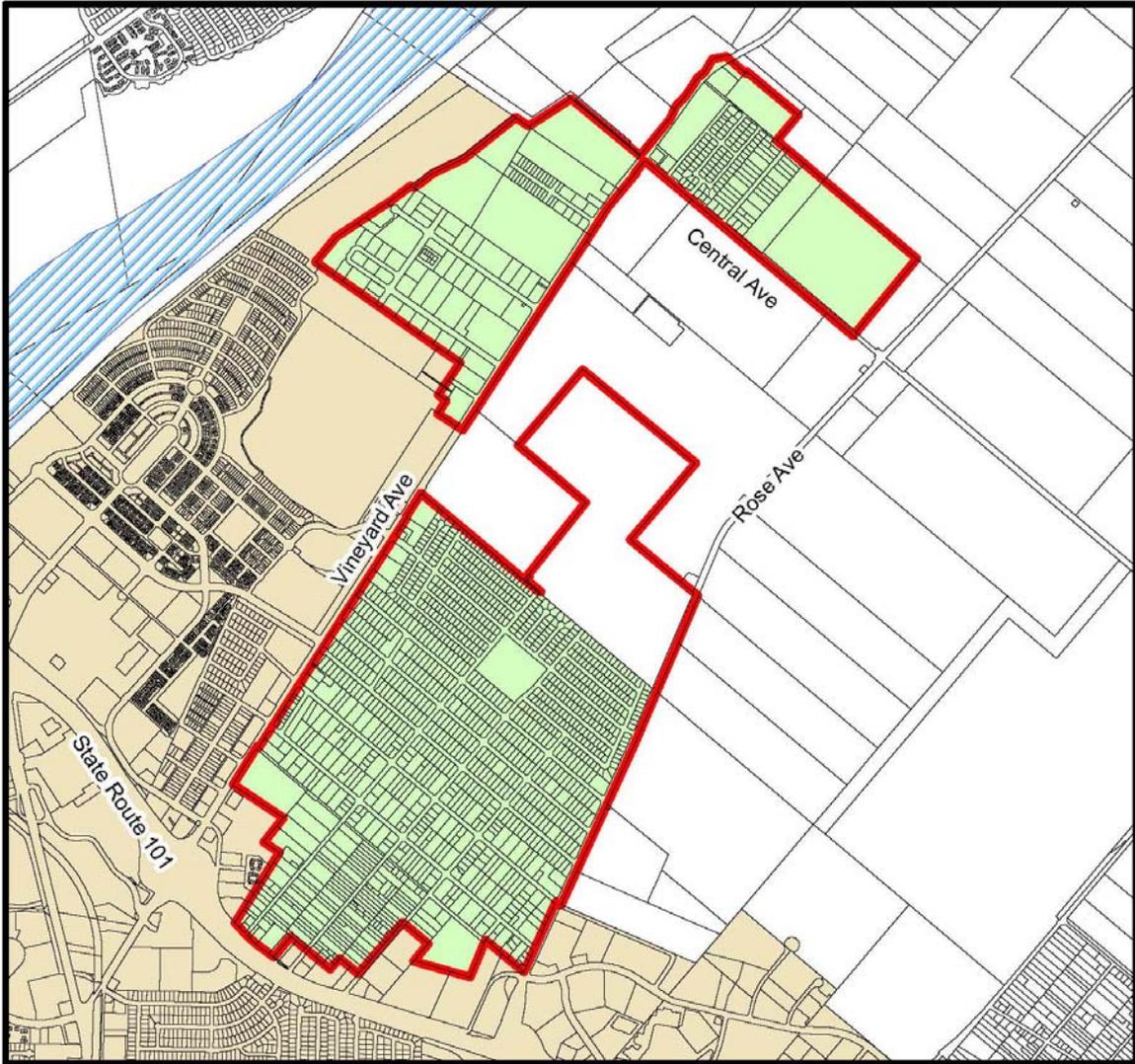
continued use of the septic systems may have on groundwater quality and, therefore, wish to abandon the septic systems and annex the parcel to the CSA.

When the CSA was formed the boundaries were established to coincide with the area that is subject to a RWQCB prohibition against the use of septic systems on all parcels less than five acres in size. Due to its size, UWCD's parcel is not subject to the septic system prohibition and, thus, was not included in the boundaries of the CSA. However, given that the parcel contains four septic systems concentrated in an approximately 2 acre area, annexation to CSA 34 and removal of the septic tanks would be consistent with the intent of the RWQCB prohibition, which is to eliminate high concentrations of septic systems. As such, public sewer service to the facility appears warranted. Because the site is comprised almost entirely of groundwater recharge pits owned and operated by a public agency, future urban development of the site is not likely. Including the parcel in the sphere of influence would therefore not promote premature urban development or conversion of agriculture or open space lands to urban uses. It is recommended that the sphere of influence include this parcel to accommodate UWCD's desire to annex to CSA 34, as indicated on Map 2.

H. Other Matters Related to Effective and Efficient Service Delivery, as Required by Commission Policy

None were identified.

Map 2



County Service Area No. 34 Proposed Sphere of Influence

Legend

-  CSA 34 Boundaries
-  CSA 34 Proposed SOI
-  City of Oxnard
-  Santa Clara River



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IV. DETERMINATIONS

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

County Service Area No. 34

- **Growth and population projections for the affected area**
 1. The current population within the CSA boundaries is estimated to be 6,326 residents occupying a total of 1,499 residential units. Over the last 20 years, the average growth rate in the area is estimated to be approximately 1.4 percent.
 2. Based on the County General Plan land use and zoning designations, the population within the CSA boundaries is projected to reach is approximately 7,000 residents occupying a total of 1,650 residential units by the year 2020.
 3. Based on the County General Plan lot coverage limitations, the area within the CSA boundaries will include up to 4.6 million square feet of industrial, commercial, and institutional development by the year 2020.

- **Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs and deficiencies**
 1. Construction of the CSA's wastewater collection system began in 2005 and is scheduled to be completed in mid 2011. Existing residential, commercial, industrial, and institutional development in Strickland Acres (including Rio Mesa High School), parts of El Rio and the Ventura County Juvenile Justice Complex are currently receiving sanitary sewer service. Service to the remaining areas of El Rio is anticipated to commence within the next two years.
 2. The CSA currently serves approximately 990 Residential Unit Equivalent (RUEs). An RUE represents the equivalent of one single family residence. Once construction of the collection system is complete and the remaining areas of the CSA are connected to the sewer system, approximately 1,550 RUEs will be served.
 3. The CSA's wastewater collection system currently conveys approximately 224,000 gallons of wastewater per day (in May, 2010) to the City of Oxnard's wastewater treatment plant.
 4. Assuming that the future rate of wastewater flow does not significantly exceed 490,000 gallons per day, it appears that the CSA will have sufficient capacity to accommodate the level of growth projected in the County General Plan.

- **Financial ability to provide services**
 1. The CSA has obtained financing in the form of a state loan and various federal, state, and local grants to cover the cost of constructing its collection system.
 2. It appears that there is adequate revenue from connection fees and monthly service charges to repay the loan over 30 years.
 3. It appears that, based on an estimated wastewater flow rate of 490,000 gallons per day, the monthly service fee is adequate to cover the costs of operation and maintenance of the collection system and fees imposed by the City of Oxnard.
 4. Assuming that the rate of wastewater flow from the CSA's anticipated 1,550 RUEs into the City of Oxnard's collection system does not exceed 530,000 gallons per day, it appears that the monthly service charge of \$37 is adequate to cover annual CSA costs.
 5. Approximately 55% of the of the CSA's annual expenditures are to cover fees imposed by the City of Oxnard. This represents approximately \$20.35 of the \$37 monthly user fee per RUE.

- **Status of, and opportunities, for shared facilities**
 1. The CSA has entered into an out of agency service agreement with the City of Oxnard. Under the agreement, the wastewater from the CSA’s collection system is treated at the City’s wastewater treatment plant.
 2. There are no other agencies with which the CSA has the opportunity to share its facilities.

- **Accountability for community services needs, including governmental structure and operational efficiencies**
 1. The Ventura County Board of Supervisors acting in its capacity as the governing board for the CSA conducts regular, publicly noticed meetings with a printed agenda. Meeting facilities are in compliance with the Americans with Disabilities Act.
 2. The County Public Works Agency, Water and Sanitation Department provides the staffing support necessary to manage and operate the agency. Staff members have conducted a number of public meetings both before and during the process to construct the wastewater collection system to keep the community informed and maintain accountability for service needs.
 3. The County Supervisors receive regular reviews of the requirements of the Brown Act, the rules and regulations of the Fair Political Practices Commission and the provisions of the Public Records Act. Board members and senior staff have completed the mandatory ethics training required by AB-1234 passed in 2005 (Government Code Section 53234 et seq).
 4. The CSA’s budget is an independent operating fund of the County’s budget and, as such, the CSA is obligated to comply with all County policies concerning financial management and reporting.
 5. The County also maintains a current website which includes somewhat limited information about CSA 34. As a part of future upgrades to the County’s web site it is suggested that the CSA expand its website in order to provide the public with information about the CSA’s budget, information on rates and fees, a map of the service area, the collection system construction schedule, and a copy of the service agreement with the City of Oxnard. We also recommend that the website information (as well as other public information) be provided in Spanish.
 6. The Board of Supervisors created the El Rio Municipal Advisory Council (MAC), which is authorized to review matters of public health, safety, welfare, public works, and planning, including significant environmental reports, that relate to the Council area. The MAC is composed of nine members, representing each of the nine neighborhoods in the El Rio/Nyeland Acres/Strickland community. CSA staff coordinate with the MAC in conjunction with their regular public outreach efforts.
 7. The current management structure of CSA 34 is adequate to serve the present and future needs of the agency.
 8. There is no other more feasible government structure option for the CSA.

- **Any other matter related to effective and efficient service delivery, as required by commission policy**
 1. No other matters were identified.