

AGENDA

Special Meeting

VENTURA LOCAL AGENCY FORMATION COMMISSION

Hall of Administration, Board of Supervisors' Hearing Room

800 S. Victoria Avenue, Ventura, CA 93009-1850

9:00 A.M. Wednesday, December 6, 2006

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Roll Call**

ANNOUNCEMENTS

4. **Commission Presentations and Announcements**

COMMENTS FROM THE PUBLIC

5. **Public Comment**

This is an opportunity for members of the public to speak on items not on the agenda.

(The Ventura Local Agency Formation Commission encourages all interested parties to speak on any issue on this agenda in which they have an interest, or on any matter subject to LAFCO jurisdiction. It is the desire of LAFCO that its business be conducted in an orderly and efficient manner. All speakers are requested to fill out a Speakers Card and submit it to the Clerk before the item is taken up for consideration. All speakers are requested to present their information to LAFCO as succinctly as possible. Members of the public making presentations, including oral and visual presentations, may not exceed five minutes unless otherwise increased or decreased by the Chair, with the concurrence of the Commission, based on the complexity of the item and/or the number of persons wishing to speak. Speakers are encouraged to refrain from restating previous testimony).

COMMISSIONERS AND STAFF

COUNTY: Linda Parks, Chair Kathy Long <i>Alternate:</i> Steve Bennett	CITY: Don Waunch John Zaragoza <i>Alternate:</i> Janice Parvin	SPECIAL DISTRICT: Ted Grandsen Dick Richardson <i>Alternate:</i> George Lange	PUBLIC: Kenneth M. Hess, Vice Chair <i>Alternate:</i> Louis Cunningham
EXECUTIVE OFFICER: Everett Millais	DEPUTY EXEC OFFICER Kim Uhlich	OFFICE MGR/CLERK: Debbie Schubert	LEGAL COUNSEL: Leroy Smith

CONSENT ITEMS

6. Minutes of the Ventura LAFCO September 20, 2006 regular meeting

RECOMMENDED ACTION: Approval

7. Minutes of the Ventura LAFCO November 9, 2006 Special meeting

RECOMMENDED ACTION: Approval

8. 2007 LAFCO Meeting calendar

RECOMMENDED ACTION: Approval

9. LAFCO 06-14 City of San /Buenaventura Reorganization – Green

To annex two parcels to the City of San Buenaventura for the purpose of providing City services. Addresses: 4775 & 4795 Foothill Road, Ventura. APNs 078-0-071-255; 078-0-071-240

RECOMMENDED ACTION: Approval

10. LAFCO 06-16 Ventura County Waterworks District No. 19 Annexation – Sunshine - To annex a total of 7 parcels to Waterworks District No. 19 for the purpose of providing water service. The Proposal area is addressed as 4506 Donlon Road, Somis, APN 110-0-050-010

RECOMMENDED ACTION: Approval

11. End of the Year Financial Reports FY 2005-2006

RECOMMENDED ACTION: Approval (A & B)

12. Budget Report – 1st Quarter FY 2006-2007

RECOMMENDED ACTION: Receive and File

13. Agricultural Mitigation Policies Workshop: Follow-up Report

Informational update regarding the Ventura LAFCO-sponsored workshop held November 9 at the Oxnard Performing Arts Center

RECOMMENDED ACTION: Receive and File

PUBLIC HEARING ITEMS

- 14. Ventura County Waterworks District No. 16 - Rico**
- a. **LAFCO 06-17S Ventura County Waterworks District No. 16 Sphere of Influence Amendment – Rico**
 - b. **LAFCO 06-17 Ventura County Waterworks District No. 16 Annexation – Rico**

To amend the sphere of influence of Ventura County Waterworks District No. 16 by adding one parcel and to annex the same parcel to the Waterworks District for the purpose of providing sanitary sewer service. The proposal area is addressed as 2852 E. Telegraph Rd., Piru. APN 055-0-180-295

RECOMMENDED ACTION: Approval

ACTION ITEMS

- 15. Draft Agricultural Mitigation Policies**
Consideration of the draft agricultural mitigation policies

RECOMMENDED ACTIONS:

- a. Receive public comments
- b. Determine if the Commission wishes to proceed with consideration of any or all of the draft agricultural mitigation policies
- c. If determined to proceed with further consideration, direct staff to make any changes to the draft agricultural mitigation policies as appropriate
- d. If determined to proceed with further consideration, continue action until January 17, 2007

- 16. Resolution of Appreciation** to the City of Oxnard for providing the venue and video taping at the LAFCO Draft Agricultural Mitigation Policy workshop held at the Oxnard Performing Arts Center November 9, 2006.

RECOMMENDED ACTION: Approval

CLOSED SESSION: Pursuant to Government Code Section 54957, it is the intention of the Ventura LAFCO to meet in Closed Session to consider the following item:

Public Employee Performance Evaluation – Title: LAFCO Executive Officer

ACTION ITEMS (Continued)

17. Compensation of Executive Officer

Consideration of granting a merit increase for the LAFCO Executive Officer, and if granted, consideration of the effective date of the increase.

Materials will be available at the meeting.

EXECUTIVE OFFICER'S REPORT

A. Next LAFCO Meeting is January 17, 2007

COMMISSIONERS' COMMENTS

ADJOURNMENT

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

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

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

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

MINUTES

Agenda Item 6

LAFCO REGULAR MEETING

Wednesday September 20, 2006, 9:00 A.M.
Board of Supervisors' Hearing Room, Hall of Administration
800 S. Victoria Avenue, Ventura, Ca 93009-1850

1. CALL TO ORDER

Chair Parks called the September 20,2006 meeting to order at 9:00 A.M.

2. PLEDGE OF ALLEGIANCE

Commissioner Long led the Pledge of Allegiance.

3. ROLL CALL

The Clerk called the roll. The following commissioners and alternates were present:

- Commissioner Grandsen
- Commissioner Hess
- Commissioner Long
- Commissioner Parks
- Commissioner Waunch
- Commissioner Zaragoza
- Alternate Commissioner Lange
- Alternate Commissioner Cunningham
- Alternate Commissioner Parvin

Alternate Commissioner Lange represented Special Districts in the absence of Commissioner Richardson.

ANNOUNCEMENTS

4. Commission Presentations and Announcements

Commissioner Zaragoza congratulated Everett Millais for being the recipient of the Outstanding Member award, and Ted Grandsen for being the recipient of the Outstanding Commissioner award at the CALAFCO Annual Conference held in San Diego September 5-7

COMMISSIONERS AND STAFF

COUNTY: Linda Parks, Chair Kathy Long <i>Alternate:</i> Steve Bennett	CITY: Don Waunch John Zaragoza <i>Alternate:</i> Janice Parvin	SPECIAL DISTRICT: Dick Richardson Ted Grandsen <i>Alternate:</i> George Lange	PUBLIC: Kenneth M. Hess, Vice Chair <i>Alternate:</i> Louis Cunningham
EXECUTIVE OFFICER: Everett Millais	LAFCO ANALYST: Kim Uhlich	OFFICE MANAGER/CLERK: Debbie Schubert	LEGAL COUNSEL: Leroy Smith

COMMENTS FROM THE PUBLIC

5. Public Comment

CONSENT ITEMS

6. **Minutes of the Ventura LAFCO Special Meeting held July 19, 2006**
7. **LAFCO 06-10 Ojai Valley Sanitary District Annexation – Culbertson**
8. **LAFCO 06-11 Ojai Valley Sanitary District Annexation – Hatfield (Parcels A-D)**
9. **LAFCO 06-12 Camarillo Valley Sanitary District Annexation – Salinas (Parcels A and B)**
10. **LAFCO 06-13 Camarillo Valley Sanitary District Annexation – Schatz**

MOTION: Approval (for all) as recommended: Waunch
SECOND: Long
FOR: Grandsen, Hess, Lange, Long, Parks, Waunch and Zaragoza
AGAINST: None
ABSTAIN: None
MOTION PASSED 7/0/0

ACTION ITEMS

11. **Ojai Valley Sanitary District - Teen Challenge**
 - a. **LAFCO 06-09S Ojai Valley Sanitary District Sphere of Influence Amendment – Teen Challenge**
 - b. **LAFCO 06-09 Ojai Valley Sanitary District Annexation – Teen Challenge**

MOTION: Approval of A & B as recommended: Long
SECOND: Hess
FOR: Grandsen, Hess, Lange, Long, Parks, Waunch and Zaragoza
AGAINST: None
ABSTAIN: None
MOTION PASSED 7/0/0

12. Cancel the October 18 and the November 15, 2006 Regular Meetings and Schedule a Special Meeting for Wednesday, December 6 at 9 A.M.

MOTION: Cancel the October 18 and November 15 regular meetings and schedule Special Meetings for November 9 and December 6 at 9 A.M.: Long
SECOND: Lange
FOR: Grandsen, Hess, Lange, Long, Parks, Waunch and Zaragoza
AGAINST: None
ABSTAIN: None
MOTION PASSED 7/0/0

INFORMATIONAL ITEMS

13. Agricultural Mitigation Policies Workshop: Status Report

Commissioner Zaragoza announced that the Oxnard Performing Art & Convention Center's Ventura room is available for November 9 and the Commission agreed on that location for the workshop. Commissioner Zaragoza also stated that he would ask the Oxnard's PR group if they would volunteer to video tape the event at no cost. The Commission held a discussion about the following: Video taping the event or posting a summary report on the LAFCO web site, the invitation list, the breakfast buffet and weather or not to charge guests, and to be sure to include a Comment Form in the packet of materials given to the guests. As a result of a discussion by the Commission, the following was determined: The workshop will be held November 9 at the Oxnard Performing Arts & Convention Center in the Ventura room, the workshop would be videotaped if the City of Oxnard volunteers to do it at no cost to LAFCO, Commissioners, elected officials, school Superintendents, city staff and others were to receive invitations, and there would be no charge for the breakfast buffet for those who RSVPd.

EXECUTIVE OFFICER'S REPORT

Everett Millais told the Commission that the CALAFCO Annual Conference in San Diego September 5-7 was the best attended of all the CALAFCO Conferences. At the CALAFCO business meeting held at the Conference, the new dues structure was approved. He also reviewed the latest legislative report about bills being tracked by CALAFCO. Commissioner Long also noted that CALAFCO took a position opposing Proposition 90.

COMMISSIOENR COMMENTS

Commissioner Lange asked, referencing the Braitman Report, if LAFCO needed to take any action regarding the City of Port Hueneme and the Oxnard Harbor District. Everett Millais responded that there was no need for any action at this time.

ADJOURNMENT

Chair Parks adjourned the meeting at 10:00 AM



**MINUTES
SPECIAL MEETING**

Agenda Item 7

Thursday, November 9, 2006
Oxnard Performing Arts & Convention Center
800 Hobson Way, Oxnard, CA
LAFCO DRAFT AGRICULTURAL POLICY WORKSHOP

- 8:15 Oxnard City Council Member and LAFCO Commissioner John Zaragoza welcomed everyone to the workshop
- Linda Parks, LAFCO Chair called Meeting to Order at 8:17 A.M.
- 8:30 Everett Millais and Kim Uhlich presented an overview of LAFCO agricultural mitigation policies
- 8:45 Whitman F. Manley, Partner, Remy, Thomas, Moose and Manley, LLP. gave a presentation on CEQA Requirements Pertaining to Impacts on Agricultural Resources and Mitigation Feasibility Analysis
- 9:15 Walter Kieser, Managing Principal, Economic & Planning Systems gave a presentation on How to Prepare a Feasibility Analysis to Address Potential Mitigation for Significant Impacts Associated with Conversion/Loss of Agricultural Land
- 9:45 Break
- 10:00 Charles Tyson, Manager, Farmland Conservancy Program, California Department of Conservation gave a presentation on Agricultural Conservation Easements and Other Means to Mitigate for Loss of Agricultural Land & Potential State/Federal Funding Sources
- 10:30 Taro Echiburú, Environmental Planning Manager, City of Elk Grove Planning Department gave a presentation on a case study: City of Elk Grove Agricultural Mitigation Requirements
- 11:00 There was a brief question and comment period.
- Commissioner Parks adjourned the meeting at 11:45 A.M.



STAFF REPORT

Meeting Date: December 6, 2006
Consent

Agenda Item 8

TO: LAFCO Commissioners
FROM: Everett Millais, Executive Officer
SUBJECT: Calendar for 2007 Meetings

RECOMMENDATION:

Approve the 2007 calendar for meetings of the Ventura LAFCO.

DISCUSSION:

Attached is a recommended calendar for meetings of the Ventura LAFCO for 2007. Adoption is recommended for scheduling and public information purposes. The calendar is consistent with the Commission’s By-laws, including no regular meetings in August and December and that the June meeting to be on the second Wednesday of the month rather than the third Wednesday.

Government Code Section 56381(a) requires the Commission to adopt a final budget by June 15 every year and typically June 15 occurs before the third Wednesday of the month. In 2007, June 15 is the third Friday of the month. Thus, the calendar recommended for 2007 proposes that the Commission meet on the second Wednesday, June 13.

This calendar is for information purposes only. No action canceling any meeting or setting any special meetings is proposed at this time. If any special meetings need to be held or any regular meetings need to be cancelled, such actions will be scheduled for Commission action in the future. Once approved, this informational 2007 meeting calendar will be posted on the Ventura LAFCO web site and otherwise made publicly available.

COMMISSIONERS AND STAFF

COUNTY: Linda Parks, Chair Kathy Long <i>Alternate:</i> Steve Bennett	CITY: Don Waunch John Zaragoza <i>Alternate:</i> Janice Parvin	SPECIAL DISTRICT: Ted Grandsen Dick Richardson <i>Alternate:</i> George Lange	PUBLIC: Kenneth M. Hess, Vice Chair <i>Alternate:</i> Louis Cunningham
EXECUTIVE OFFICER: Everett Millais	DEPUTY EXEC OFFICER: Kim Uhlich	OFFICE MGR/CLERK: Debbie Schubert	LEGAL COUNSEL: Leroy Smith



2007 MEETING CALENDAR

January 2007 1

S	M	T	W	Th	F	Sa
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November 2007 11

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December 2007 12

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STAFF REPORT

Meeting Date: December 6, 2006
CONSENT

Agenda Item 9

**LAFCO CASE
NAME & NO:**

LAFCO 06-14 City of San Buenaventura Reorganization – Green

PROPOSAL:

To annex an area comprised of two parcels to the City of San Buenaventura and to detach the same area from the Ventura County Fire Protection District and the Ventura County Resource Conservation District in order to provide city services.

SIZE:

Approximately 1.01 acres

LOCATION:

4775 and 4795 Foothill Road, Ventura. The proposal area is within the Sphere of Influence of the City of San Buenaventura. The area is also within the boundaries of the United Water Conservation District.

**PARCEL
INFORMATION:**

078-0-071-260 and 078-0-071-270

PROPONENT:

City of San Buenaventura by resolution.

NOTICE:

This matter has been noticed as prescribed by law.

PROPONENTS FOR PURPOSES OF THE CALIFORNIA POLITICAL REFORM ACT (FPPC):

Timothy and Anna Green
2419 Harbor Boulevard #67
Ventura, CA 93001

COMMISSIONERS AND STAFF

COUNTY:

Linda Parks, Chair
Kathy Long
Alternate:
Steve Bennett

CITY:

Don Waunch
John Zaragoza
Alternate:
Janice Parvin

SPECIAL DISTRICT:

Ted Grandsen
Dick Richardson
Alternate:
George Lange

PUBLIC:

Kenneth M. Hess, Vice Chair
Alternate:
Louis Cunningham

EXECUTIVE OFFICER:

Everett Millais

DEPUTY EXEC OFFICER

Kim Uhlich

OFFICE MGR/CLERK:

Debbie Schubert

LEGAL COUNSEL:

Leroy Smith

RECOMMENDATION

Adopt the attached resolution (LAFCO 06-14) making determinations and approving the City of San Buenaventura Reorganization – Green.

GENERAL ANALYSIS

1. Land Use

Site Information

	Land Use	Zone District Classification	General Plan Designation
Existing	<p>4775 Foothill Road: Undeveloped</p> <p>4795 Foothill Road: Single Family Dwelling</p>	<p>County: Both Parcels: OS – 10 (Open Space, 10 acre minimum)</p> <p>City: NA</p>	<p>County (Both Parcels): Open Space/Urban Reserve</p> <p>City: Both Parcels: Neighborhood Low (0-8 dwelling units/Acre)</p>
Proposed	<p>4775 Foothill Road: The property owner proposes to construct a single family dwelling</p> <p>4795 Foothill Road: Single Family Dwelling</p>	<p>County: Both Parcels: Upon annexation, County zoning will not be applicable.</p> <p>City: Both Parcels: Pre-Zoned to R-1-20 (Single Family Residential, 20,000 sq.ft. minimum)</p>	<p>County: Both Parcels: Upon annexation, County General Plan designations will not be applicable.</p> <p>City: Both Parcels: Neighborhood Low (0-8 dwelling units/Acre)</p>

Surrounding Land Uses and Zoning and General Plan Designations

The area to the north of the proposal area consists of undeveloped hillsides and is designated for Open Space use by the County Zoning Ordinance and General Plan. The areas to the east and west are also designated for Open Space uses

by the County Zoning Ordinance and General Plan and are developed with single family homes. The area to the south of the proposal area, which is developed with single family homes, is within the City boundaries and the City's zoning and general plan designations reflect this type of land use. Therefore, the residential zoning, land use and general plan designations for the proposal area is consistent with those of the surrounding land uses.

Conformity with Plans

The proposal area is within the Spheres of Influence of the City of San Buenaventura and the United Water Conservation District. As such, the City's General Plan land use designation for the area takes precedence pursuant to LAFCO policies. The City's General Plan designation is "Neighborhood Low (0-8 dwelling units/acre). Prior to initiating a reorganization request, the City rezoned the site for residential use. The existing and proposed single-family residential use of the project area is therefore consistent with the City's Comprehensive Plan and zoning designations.

The Ventura County General Plan land use designation for the site is Open Space/Urban Reserve. As such, the site would be subject to the County SOAR Ordinance as long as it remains under County jurisdiction.

Upon annexation, the proposal area would not be subject to either the City of San Buenaventura SOAR ordinance or the Ventura Hillside Voter Participation Ordinance. The City SOAR ordinance would not apply because the site is designated Neighborhood Low (0-8 dwelling units/acre) in the City's Comprehensive Plan. The Ventura Hillside Voter Participation Ordinance allows for City voters to participate in the review of certain development projects proposed within designated areas of the City as indicated on the Hillside Voter Participation Area (HVPA) map. Based on the HVPA map, the proposal area is not located within the HVPA and is therefore not subject to the Ventura Hillside Voter Participation Ordinance.

Topography, Natural Features and Drainage

The proposal area consists of one developed residential parcel and one undeveloped parcel. The area is gradually sloping and drains southerly toward Foothill Road. The area is landscaped with non-native species and there are no significant natural features on the site.

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

Agricultural Land and Agriculture

The proposal area is zoned for residential use. There are no agricultural uses within the proposal area, and there are no adjoining agricultural uses.

The parcel within the proposal area is not subject to a Land Conservation Act contract or a Farmland Security Zone agreement, and the proposal area is not located within a greenbelt.

Open Space

The Ventura County General Plan land use designation for the proposal area is "Open Space/Urban Reserve". According to LAFCO policies, however, the City's General Plan land use designation of "Neighborhood Low" for the area takes precedence because it is within the City of San Buenaventura Sphere of Influence. Therefore, the proposal area is no longer considered open space pursuant to Government Code Sections 56059 and 65560 and thus open space lands would not be impacted.

3. Population

According to the County Registrar of Voters, there are two registered voters in the proposal area. As such, the annexation proposal area is considered to be uninhabited under the provisions of LAFCO law relating to protest proceedings.

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

The City has represented that it has the ability and capacity to serve the parcel. The existing residence is currently receiving water service from the City and the proposed residence will be connected to the existing water and sewer main lines upon completion of construction. The existing residence will be required to connect to the sewer if the existing septic system fails or new development is proposed.

On-going maintenance and operational costs will be financed through residential user fees.

5. Boundaries and Lines of Assessment

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

The map and legal description for this proposal have been forwarded to the County Surveyor and have been certified as being accurate and sufficient for the preparation of a Certificate of Completion pursuant to Government Code Section 57201 and for filing with the State Board of Equalization.

6. Assessed Value, Tax Rates and Indebtedness

According to the County Assessor, the proposal area takes in tax rate area 91054 and will be assigned to existing tax rate area 05003 upon completion of proceedings. However the current tax rate of \$1.049200 per \$100 of assessed valuation will remain the same upon annexation.

The assessed land value of the proposal area per the 2005 - 2006 tax roll is \$710,892.

7. Environmental Impact of the Proposal

Staff has determined the proposal to be categorically exempt under Section 15319(a) & (b) [Annexation to a special district of areas containing existing structures developed to the density allowed by the current zoning and Annexations of individual small parcels of the minimum size for facilities exempted by Section 15303, New Construction or Conversion of Small Structures] of the California Environmental Quality Act Guidelines. As the annexation is to provide city services to a existing lots developed to the density allowed by the current zoning or of the minimum size for facilities exempted by Section 15303, a categorical exemption is appropriate for this proposal.

8. Regional Housing Needs

According to the California Housing and Community Development Department the City of Ventura adopted an updated General Plan Housing Element on April 20, 2004 and completed State review for compliance on July 30, 2004. The annexation proposal area is fully developed consistent with the City's General Plan. Therefore, the proposal will have no effect on the fair share of the regional housing needs for the City of Ventura.

9. Landowner and Annexing Agency Consent

The City has provided written consent to the subject proposal from the property owner. Any subject agency that wishes to reserve its right to protest a LAFCO decision (for those decisions subject to protest proceedings) must submit written opposition to the waiver (GC § 56663). The subject agencies associated with the subject proposal are the City of San Buenaventura, the Ventura County Fire Protection District and the Ventura County Resource Conservation District. LAFCO has received no written opposition to a waiver of protest proceedings from these agencies as of the date of this Staff Report.

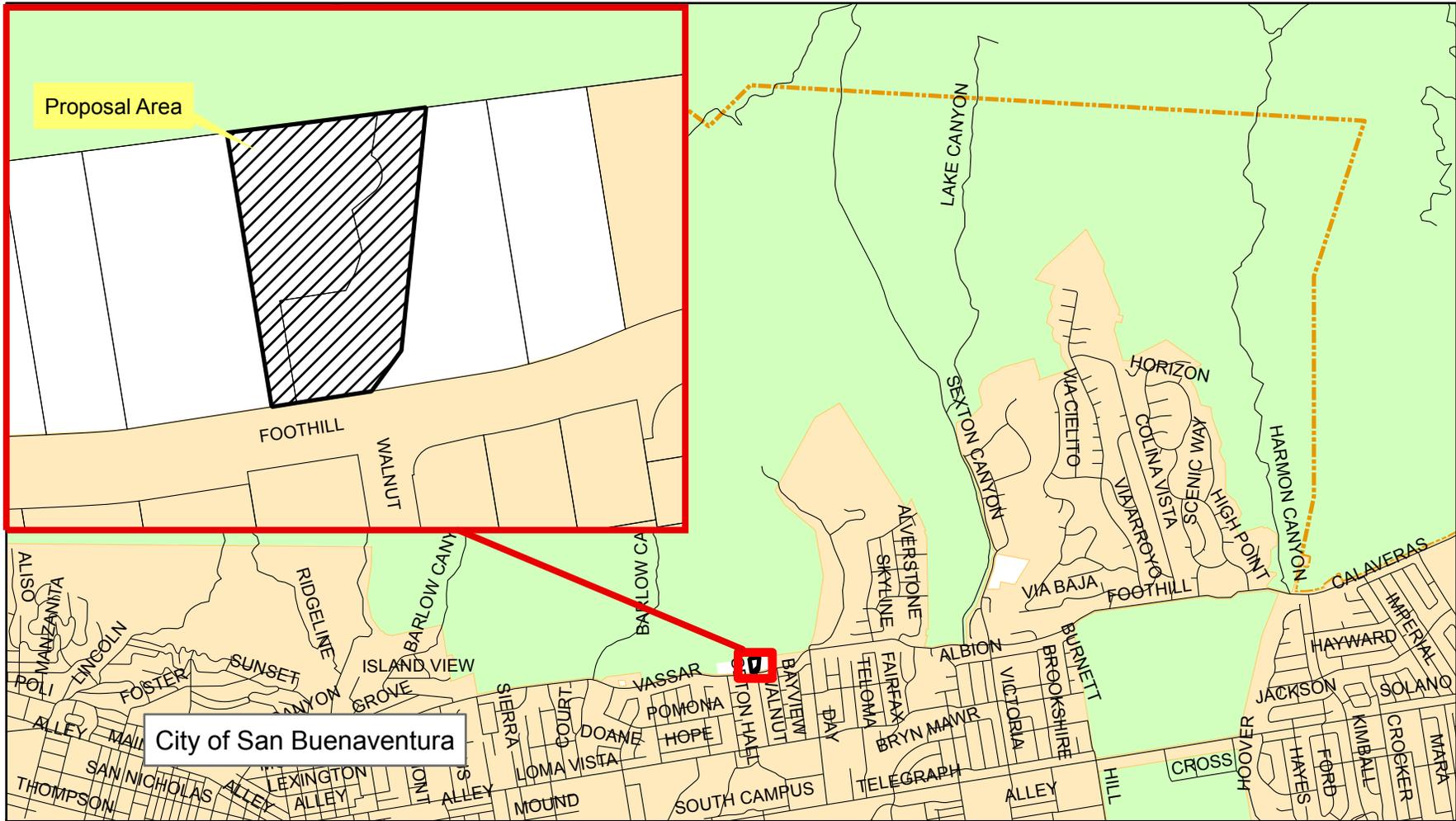
ALTERNATIVE ACTIONS AVAILABLE:

- A. If the Commission, following public testimony and review of the materials submitted, determines that further information is necessary, a motion to continue the proposal should state specifically the type of information desired and specify a date certain for further consideration.
- B. If the Commission, following public testimony and review of materials submitted, wishes to deny or modify this proposal, a motion to deny or modify should include direction that the matter be continued to the next meeting and that staff prepare a new report consistent with the evidence submitted and the anticipated decision.

BY: _____
Kim Uhlich, Deputy Executive Officer

Attachments: (1) Vicinity Map *
(2) LAFCO 06-14 Resolution

* LAFCO makes every effort to offer legible map files with the online- and printed versions of our reports, however sometimes the need to reduce oversize original maps and/or other technological/software factors can compromise readability. Original maps are available for viewing at the LAFCO office by request.



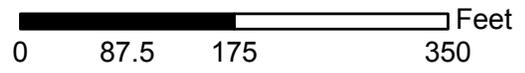
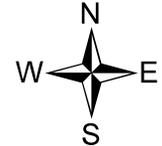
Proposal Area

City of San Buenaventura

Legend

-  Annexation Area - Green
-  City of San Buenaventura Boundary
-  City of San Buenaventura Sphere of Influence Boundary
-  City of Ventura SOAR/HVPA

Ventura LAFCO Vicinity Map
 LAFCO 06-14 City of San Buenaventura
 Reorganization - Green



LAFCO 06-14

**RESOLUTION OF THE VENTURA LOCAL AGENCY
FORMATION COMMISSION MAKING DETERMINATIONS
AND APPROVING THE CITY OF SAN BUENAVENTURA
REORGANIZATION – GREEN; ANNEXATION TO THE
CITY OF SAN BUENAVENTURA, DETACHMENT FROM
THE VENTURA COUNTY RESOURCE CONSERVATION
DISTRICT AND THE VENTURA COUNTY FIRE
PROTECTION DISTRICT**

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 gave notice of the proposal as required by law; and

WHEREAS, the proposal was duly considered on December 6, 2006; 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 Staff Report and recommendation, the environmental determination, Sphere of Influence and applicable General and Specific Plans; 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 less than 12 registered voters and is considered uninhabited; and

WHEREAS, the Local Agency Formation Commission finds the proposal to be in the best interest of the landowners and present and future inhabitants within the City of San Buenaventura and within the affected territory, and the organization of local governmental agencies within Ventura County.

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

- (1) The LAFCO Staff Report and Recommendation for approval of the proposal dated December 6, 2006, is adopted.
- (2) The Reorganization, consisting of an annexation to the City of San Buenaventura and a detachment from the Ventura County Resource Conservation District and Ventura County Fire Protection District, is hereby approved and the boundaries are established generally as set forth in the attached Exhibit A.
- (3) The affected territory is uninhabited as defined by Government Code §56046.
- (4) The subject proposal is assigned the following distinctive short form designation: **LAFCO 06-14 CITY OF SAN BUENAVENTURA REORGANIZATION– GREEN.**
- (5) In accordance with the Executive Officer's determination that the subject proposal is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15319(a) and (b) of the CEQA Guidelines, the Commission hereby finds the reorganization to be categorically exempt under Section 15319(a) & (b).
- (6) The Commission directs staff to file a Notice of Exemption under Section 15062 of the California Environmental Quality Act Guidelines.
- (7) The Commission, consistent with California Government Code Section 56663(c), hereby waives protest proceedings entirely.
- (8) **This reorganization shall not be recorded until all LAFCO fees have been paid and until fees necessary for filing with the State Board of Equalization have been submitted to the Executive Officer.**

This resolution was adopted on December 6, 2006.

AYES: Commissioners Hess, Long, Parks, Waunch, Zaragoza, and Alternate
Commissioner Lange

NOES: None

ABSTAINS: None

Dated: _____
Chair, Ventura Local Agency Formation Commission

Attachments: Exhibit A

Copies: City of San Buenaventura
Ventura County Assessor
Ventura County Auditor
Ventura County Surveyor
Ventura County Planning
Ventura County Elections-Registrar of Voters
Southern California Gas Co.
Southern California Edison Co.
Ventura County Sheriff – EOC
Ventura County Fire Protection District
Ventura County Resource Conservation District



STAFF REPORT

Meeting Date: December 6, 2006
CONSENT

Agenda Item 10

**LAFCO CASE
NAME & NO:**

LAFCO 06-16 Ventura County Waterworks District No. 19
Annexation – Sunshine Agriculture

PROPOSAL:

To annex one parcel to the Ventura County Waterworks District No. 19 in order to provide domestic water service.

SIZE:

Approximately 499.61 acres

LOCATION:

4506 Donlon Road, Somis. The proposal area is within the Sphere of Influence of Waterworks District No. 19, and within the boundaries of Calleguas Municipal Water District and the Fox Canyon Groundwater Management Agency.

**PARCEL
INFORMATION:**

110-0-050-010

PROPONENT:

Ventura County Board of Supervisors by resolution.

NOTICE:

This matter has been noticed as prescribed by law.

PROPONENTS FOR PURPOSES OF THE CALIFORNIA POLITICAL REFORM ACT (FPPC):

Sunshine Agriculture
Attn: Capital Agricultural Properties
7108 N. Fresno Street, #401
Fresno, CA

COMMISSIONERS AND STAFF

COUNTY:

Linda Parks, Chair
Kathy Long
Alternate:
Steve Bennett

CITY:

Don Waunch
John Zaragoza
Alternate:
Janice Parvin

SPECIAL DISTRICT:

Ted Grandsen
Dick Richardson
Alternate:
George Lange

PUBLIC:

Kenneth M. Hess, Vice Chair

Alternate:
Louis Cunningham

EXECUTIVE OFFICER:

Everett Millais

DEPUTY EXEC OFFICER

Kim Uhlich

OFFICE MGR/CLERK:

Debbie Schubert

LEGAL COUNSEL:

Leroy Smith

RECOMMENDATION

Adopt the attached resolution (LAFCO 06-16) making determinations and approving the Ventura County Waterworks District No. 19 Annexation – Sunshine Agriculture.

GENERAL ANALYSIS

1. Land Use

Site Information

	Land Use	Zone District Classification	General Plan Designation
Existing	Four Farmworker Dwellings	County: OS-160 ac (Open Space, 160-acre minimum lot area); AE-40 ac (Agricultural Exclusive, 40-acre minimum lot area) City: NA	County: Gen. Plan: Open Space; Agriculture City: NA
Proposed	No Change	No Change	No Change

No changes to the land use, zoning or County General Plan designations are required as part of the proposal.

Surrounding Land Uses and Zoning and General Plan Designations

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

Conformity with Plans

The proposal area is within the Sphere of Influence of Waterworks District No. 19 and within the boundaries of the Fox Canyon Groundwater Management Agency and the Calleguas Municipal Water District, which serves as a wholesale water purveyor to Waterworks District No. 19.

The existing agricultural, residential and open space land uses within the proposal area are consistent with the County of Ventura General Plan designations.

The Ventura County General Plan land use designation for one portion of the proposal area is “Agriculture” and “Open Space” for the other. As such, the area is subject to the County’s SOAR Ordinance. However, no changes with regard to the existing land use or the General Plan land use designations are necessary to provide domestic water service to existing dwellings.

Topography, Natural Features and Drainage

The proposal area consists of an agricultural lot with slopes ranging from 0 to 20 percent. Portions of the Puerta Zuela Barranca and Sand Canyon Creek traverse the site.

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

Agricultural Land and Agriculture

The proposal area includes lands designated as “Prime” farmland, “Unique” farmland, Farmland of “Statewide Importance” and “Grazing” by the Important Farmlands Inventory system. Some adjoining lands are also considered as “Prime” farmland. However, no impacts to on-site or adjacent agricultural land or agricultural uses are anticipated to result from approval of the proposal.

The proposal area is subject to a Land Conservation Act contract, but no changes to the contract or to existing agricultural uses within the proposal are anticipated to result from the annexation.

The proposal area is not subject to a Farmland Security Zone agreement and is not located within a greenbelt.

Open Space

A majority of the land within the proposal area is designated as “Open Space” by the County of Ventura General Plan. However, the existing land use and the current General Plan designation will remain unchanged and thus the annexation would not impact open space lands.

3. Population

According to the County Registrar of Voters, there are no registered voters in the proposal area. As such, the annexation proposal area is considered to be uninhabited under the provisions of LAFCO law relating to protest proceedings.

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

The District has represented that it has the ability and capacity to serve the parcel. The proposal area will be served via a new lateral line connected to the existing water main line in Old Balcom Canyon Road. On-going maintenance and operational costs will be financed through user fees. There will be no change to any other existing services.

5. Boundaries and Lines of Assessment

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

The map and legal description for this proposal have been forwarded to the County Surveyor but have not yet been certified as being accurate and sufficient for the preparation of a Certificate of Completion pursuant to Government Code Section 57201 and for filing with the State Board of Equalization. As such, the attached Resolution includes a condition that predicates recordation of the proposal upon the approval of a map and legal description by the County Surveyor.

6. Assessed Value, Tax Rates and Indebtedness

According to the County Assessor, the proposal area takes in tax rate area 85002 and will be assigned to tax rate area 85005 upon completion of proceedings. However the current tax rate of \$1.028100 per \$100 of assessed valuation will remain the same upon annexation.

The assessed land value of the lot per the 2006 - 2007 tax roll is \$3,818,147.

7. Environmental Impact of the Proposal

Staff has determined the proposal 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 annexation is to provide water service to an existing lot developed to the density allowed by the current zoning, 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

The property owner has provided written consent for the subject proposal to the Waterworks District. Any subject agency that wishes to reserve its right to protest a LAFCO decision (for those decisions subject to protest proceedings) must submit written opposition to the waiver (GC § 56663). The only subject agency associated with the proposal is the applicant, Ventura County Waterworks District No. 19, thus no opposition to waiver of protest proceedings is anticipated.

ALTERNATIVE ACTIONS AVAILABLE:

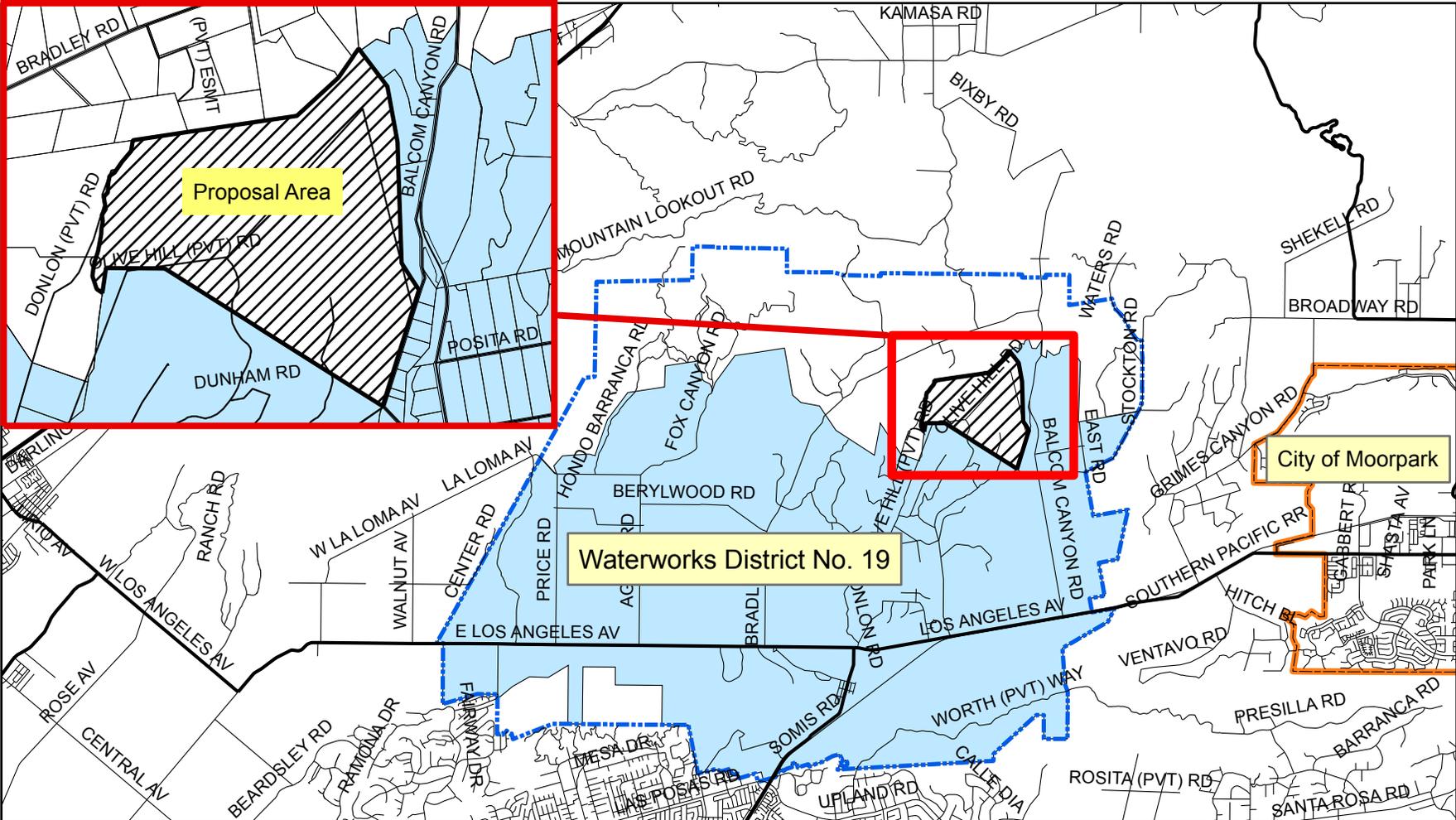
- A. If the Commission, following public testimony and review of the materials submitted, determines that further information is necessary, a motion to continue the proposal should state specifically the type of information desired and specify a date certain for further consideration.

- B. If the Commission, following public testimony and review of materials submitted, wishes to deny or modify this proposal, a motion to deny or modify should include direction that the matter be continued to the next meeting and that staff prepare a new report consistent with the evidence submitted and the anticipated decision.

BY: _____
Kim Uhlich, Deputy Executive Officer

Attachments: (1) Vicinity Map *
(2) LAFCO 06-16 Resolution

* LAFCO makes every effort to offer legible map files with the online- and printed versions of our reports, however sometimes the need to reduce oversize original maps and/or other technological/software factors can compromise readability. Original maps are available for viewing at the LAFCO office by request.

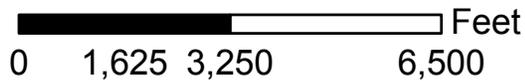


Legend

-  Annexation Area - Sunshine
-  Waterworks District No. 19 Boundary
-  Waterworks District No. 19 Sphere of Influence Boundary
-  City of Moorpark Boundary

Ventura LAFCO Vicinity Map

LAFCO 06-16 Ventura County Waterworks District Annexation - Sunshine



LAFCO 06-16

**RESOLUTION OF THE VENTURA LOCAL AGENCY
FORMATION COMMISSION MAKING DETERMINATIONS
AND APPROVING THE VENTURA COUNTY
WATERWORKS DISTRICT NO. 19 ANNEXATION –
SUNSHINE AGRICULTURE**

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 gave notice of the proposal as required by law; and

WHEREAS, the proposal was duly considered on December 6, 2006; 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 Staff Report and recommendation, the environmental determination, Sphere of Influence and applicable General and Specific Plans; 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 less than 12 registered voters and is considered uninhabited; and

WHEREAS, the Local Agency Formation Commission finds the proposal to be in the best interest of the landowners and present and future inhabitants within Waterworks District No. 19 and within the affected territory, and the organization of local governmental agencies within Ventura County.

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

- (1) The LAFCO Staff Report and Recommendation for approval of the proposal dated December 6, 2006, is adopted.

- (2) The annexation to the Ventura County Waterworks District No. 19 is hereby approved, and the boundaries are established as set forth in the attached Exhibit A.
- (3) The affected territory is uninhabited as defined by Government Code §56046.
- (4) The subject proposal is assigned the following distinctive short form designation: **LAFCO 06-16 VENTURA COUNTY WATERWORKS DISTRICT NO. 19 ANNEXATION – SUNSHINE AGRICULTURE.**
- (5) In accordance with the Executive Officer's determination that the subject proposal is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15319(a) of the CEQA Guidelines, the Commission hereby finds the change of organization to be categorically exempt under Section 15319(a).
- (6) The Commission directs staff to file a Notice of Exemption under Section 15062 of the California Environmental Quality Act Guidelines.
- (7) The Commission, consistent with California Government Code Section 56663(c), hereby waives protest proceedings entirely.
- (8) **This annexation shall not be recorded until maps and legal descriptions consistent with this approval and suitable for filing with the State Board of Equalization have been submitted to the LAFCO Executive Officer.**
- (9) **This change of reorganization shall not be recorded until all LAFCO fees have been paid and until fees necessary for filing with the State Board of Equalization have been submitted to the Executive Officer.**

This resolution was adopted on December 6, 2006.

AYES: Commissioners Hess, Long, Parks, Waunch, Zaragoza, and Alternate
Commissioner Lange

NOES: None

ABSTAINS: None

Dated: _____
Chair, Ventura Local Agency Formation Commission

Attachments: Exhibit A

Copies: Ventura County Waterworks District No. 19
Ventura County Assessor
Ventura County Auditor
Ventura County Surveyor
Ventura County Planning
Ventura County Elections-Registrar of Voters



Agenda Item 11

STAFF REPORT

Meeting Date: December 6, 2006

TO: LAFCO Commissioners
FROM: Everett Millais, Executive Officer
SUBJECT: End of Year Financial Reports FY 2005-06

RECOMMENDATION:

- A. Receive and file the End of Year Financial Reports for fiscal year 2005-06.
- B. Authorize the transfer of \$64,130 from Fund Balance to Account 5070, a "Designation for Subsequent Years Financing" account.

DISCUSSION:

The Following unaudited financial reports for fiscal year 2005-2006 have been prepared:

- Balance Sheet as of June 30, 2006
- Statement of Revenues, Expenditures and Changes in Fund Balance for Year Ending June 30, 2006
- Budget to Actual FY 2005-06 for Year Ending June 30, 2006.

Overall, LAFCO is in a sound fiscal position. The financial reports reflect that the Commission and its staff maintained fiscal prudence during FY 2005-06; revenues were \$29,012 greater than budgeted, while total expenses were only 82% of budget.

At the end of a fiscal year, if there are funds in excess of what is needed, State law provides that the Commission can retain those funds and calculate them into the following fiscal year's budget. (Gov. Code §56381(c)) Doing this basically offsets LAFCO's costs for the County, the cities and the independent special districts in subsequent years. The first quarter Budget to Actual report for FY 06-07 reflects that

COMMISSIONERS AND STAFF

COUNTY: Linda Parks, Chair Kathy Long <i>Alternate:</i> Steve Bennett	CITY: Don Waunch John Zaragoza <i>Alternate:</i> Janice Parvin	SPECIAL DISTRICT: Ted Grandsen Dick Richardson <i>Alternate:</i> George Lange	PUBLIC: Kenneth M. Hess, Vice Chair <i>Alternate:</i> Louis Cunningham
EXECUTIVE OFFICER: Everett Millais	DEPUTY EXEC OFFICER Kim Uhlich	OFFICE MGR/CLERK: Debbie Schubert	LEGAL COUNSEL: Leroy Smith

there is \$64,130 of the end of the year Fund Balance in excess of the amount needed to balance the budget for FY 2006-07.

On May 17, 2006, the Commission approved an amendment to the Commissioners Handbook, Section 2.3.2.4 "Contingency and Designation Accounts", which states that any monies in excess of the projected fund balance amount in the budget shall be deposited in an account designated for subsequent year financing. The actual fund balance at the end of FY 05-06 was \$186,667. LAFCO projected the fund balance to be \$122,538 and subsequently budgeted this amount for FY 06-07. The difference of \$64,130 will be deposited into account 5070, an account designated for subsequent years financing, in accordance with the Commission's policies. This addition will bring that "reserve" account to \$90,432, which will be set aside for future use.

Attachment: Commissioner's Handbook Section 2.3.2.4

Agenda Item 12

STAFF REPORT

Meeting Date: December 6
(Consent)

TO: LAFCO Commissioners
FROM: Everett Millais, Executive Officer
SUBJECT: Budget Report – 1st Quarter FY 2006-2007

RECOMMENDATION:

Receive and file the first quarter budget report for fiscal year 2006-2007.

DISCUSSION:

LAFCO policies and procedures require the Executive Officer to provide the Commission with quarterly budget reports.

With on-going assistance and support from the County Auditor-Controller, staff has prepared the attached report reflecting expenditures and revenues as of September 30, 2006. No adjustments or transfers between major account code series or from contingencies are necessary or recommended. Overall expenditures are below the budget (approximately 19% of budget at 25% of the fiscal year). Staff continues to closely monitor the budget in terms of actual expenditures and revenues each month.

The next quarterly budget report for fiscal year 2006-07 will be provided as soon as the information is available, probably at the February 21, 2007 meeting.

COMMISSIONERS AND STAFF

COUNTY: Linda Parks, Chair Kathy Long <i>Alternate:</i> Steve Bennett	CITY: Don Waunch John Zaragoza <i>Alternate:</i> Janice Parvin	SPECIAL DISTRICT: Ted Grandsen Dick Richardson <i>Alternate:</i> George Lange	PUBLIC: Kenneth M. Hess, Vice Chair <i>Alternate:</i> Louis Cunningham
EXECUTIVE OFFICER: Everett Millais	DEPUTY EXEC OFFICER: Kim Uhlich	OFFICE MGR/CLERK: Debbie Schubert	LEGAL COUNSEL: Leroy Smith



Agenda Item 13

STAFF REPORT

Meeting Date: December 6, 2006
INFORMATION ONLY

TO: LAFCO Commissioners
FROM: Kim Uhlich, Deputy Executive Officer
SUBJECT: Agricultural Mitigation Policies Workshop: Final Report

RECOMMENDATION:

Receive and file.

DISCUSSION:

Due in large part to the informative presentations given by our guest speakers, the Ventura LAFCO Agricultural Mitigation Policy Workshop was successful. Most importantly, cities and consultants working on behalf of cities received were given information about how they can better use the CEQA process to meet not only existing statutory requirements but also to provide LAFCO with the information necessary to make fully informed decisions about the impacts of boundary change decisions on prime agricultural land as required by LAFCO law.

A total of 74 people attended the Workshop representing staff from six cities, the County of Ventura, five environmental consulting firms, property owners, the development industry, private land trusts and other non-profit organizations.

Below is a chart depicting the projected and final budget numbers. The total Workshop cost was \$4,349, which exceeds the projected cost range by \$649 to \$1,149. The cost overrun is largely a result of a larger number of attendees than projected in the preliminary budget as well as higher than anticipated printing costs.

COMMISSIONERS AND STAFF

COUNTY: Linda Parks, Chair Kathy Long <i>Alternate:</i> Steve Bennett	CITY: Don Waunch John Zaragoza <i>Alternate:</i> Janice Parvin	SPECIAL DISTRICT: Ted Grandsen Dick Richardson <i>Alternate:</i> George Lange	PUBLIC: Kenneth M. Hess, Vice Chair <i>Alternate:</i> Louis Cunningham
EXECUTIVE OFFICER: Everett Millais	DEPUTY EXEC OFFICER Kim Uhlich	OFFICE MGR/CLERK: Debbie Schubert	LEGAL COUNSEL: Leroy Smith

LAFCO Agricultural Mitigation Policy Workshop Budget

EXPENSES	COSTS	
	PROJECTED	ACTUAL
Meeting Room	\$0	\$0
PA System	\$0	\$0
Speaker Expenses (travel, accommodations)	\$1,500	\$1,183
Food/Beverages/Serving ware/Service Staff/Linens/Set Up & Clean Up	\$1,000	\$1,700
Video Taping & DVD Production	\$500-\$1,000	\$0
Printing/Mailing	\$100	\$1,129
Supplies (name badges, binders, thank-you notes, etc.)	\$100	\$337
TOTAL	\$3,200 - \$3,700	\$4,349
BUDGETED AMOUNT	\$2,000	

We have reviewed the Workshop evaluation forms and are pleased to report that the comments were quite positive overall. A comment summary sheet is attached.

For anyone who missed the Workshop or any attendees who wish to have a DVD copy of the event, copies are available upon request by contacting the LAFCO office.



Agenda Item 14

STAFF REPORT

Meeting Date: December 6, 2006

**LAFCO CASE
NAME & NO:**

- A. LAFCO 06-17S Ventura County Waterworks District No. 16
Sphere of Influence Amendment – Rico Family
- B. LAFCO 06-17 Ventura County Waterworks District No. 16
Annexation – Rico Family

PROPOSAL:

- A. LAFCO 06-17S Ventura County Waterworks District No. 16
Sphere of Influence Amendment – Rico Family: To add 1 parcel
and a portion of the Telegraph Road (Highway 126) right of way
to the Sphere of Influence of Waterworks District No. 16 to
provide for the area to be annexed to Waterworks District No.
16.
- B. LAFCO 06-17 Ventura County Waterworks District No. 16
Annexation– Rico Family: To annex 1 parcel and a portion of
the Telegraph Road (Highway 126) right of way to Waterworks
District No. 16 to provide sanitary sewer service to the parcel.

SIZE:

Approximately 15.3 acres

LOCATION:

2852 E. Telegraph Road, Piru. The proposal area is within the
Spheres of Influence of Waterworks District No. 16 and within the
boundaries of the United Water Conservation District.

**PARCEL
INFORMATION:**

055-0-180-295

PROPONENT:

Ventura County Board of Supervisors, by Resolution.

COMMISSIONERS AND STAFF

COUNTY: Linda Parks, Chair Kathy Long <i>Alternate:</i> Steve Bennett	CITY: Don Waunch John Zaragoza <i>Alternate:</i> Janice Parvin	SPECIAL DISTRICT: Ted Grandsen Dick Richardson <i>Alternate:</i> George Lange	PUBLIC: Kenneth M. Hess, Vice Chair <i>Alternate:</i> Louis Cunningham
EXECUTIVE OFFICER: Everett Millais	DEPUTY EXEC OFFICER Kim Uhlich	OFFICE MGR/CLERK: Debbie Schubert	LEGAL COUNSEL: Leroy Smith

NOTICE

The Sphere of Influence Amendment has been noticed as a PUBLIC HEARING as required by law.

PROPONENTS FOR PURPOSES OF THE CALIFORNIA POLITICAL REFORM ACT (FPPC):

Yolanda Christmann
11550 Wildflower Court/14492 E. Purdue Street
Moorpark, CA

RECOMMENDATIONS

- A. Adopt the attached resolution (LAFCO 06-17S) making determinations and approving the Ventura County Waterworks District No. 16 Sphere of Influence Amendment – Rico Family (Attachment 2).
- B. Adopt the attached resolution (LAFCO 06-17) making determinations and approving the Ventura County Waterworks District No. 16 Annexation – Rico Family (Attachment 3).

GENERAL ANALYSIS

1. Land Use

Site Information

	Land Use	Zone District Classification	General Plan Designation
Existing	Single Family Dwelling/Agriculture	County: AE-40ac (Agricultural Exclusive, 40 acre minimum); AE-40ac/MRP(Agricultural Exclusive, 40 acre minimum/Mineral Resource Protection Overlay) City: NA	County: Agriculture City: NA
Proposed	One Additional Single Family Dwelling	No Change	No Change

No changes to the land use, zoning or County General Plan designations are required as part of the proposal.

Surrounding Land Uses and Zoning and General Plan Designations

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

Conformity with Plans

The proposal area is within the boundaries of the United Water Conservation District.

The existing agricultural and residential land uses within the proposal area are consistent with the County of Ventura General Plan designations.

The Ventura County General Plan land use designation for the proposal area is "Agriculture". As such, the area is subject to the County's SOAR Ordinance. However, no changes with regard to the existing land use or the General Plan land use designation are necessary to provide sanitary sewer service to the existing and the one proposed new dwelling.

Topography, Natural Features and Drainage

The proposal area consists of an agricultural parcel with slopes of less than five percent. There are no natural features on the site.

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

Agricultural Land and Agriculture

The proposal area is designated as "Prime" farmland by the Important Farmlands Inventory system. With the exception of the Rancho Sespe residential development adjacent to the easterly boundary of the proposal area, adjoining lands are also considered as Prime farmland. However, no impacts to on-site or adjacent agricultural land or agricultural uses are anticipated to result from approval of the proposal.

The proposal area is not subject to a Land Conservation Act contract or a Farmland Security Zone agreement, but is located within the Fillmore-Piru

Greenbelt. However, no changes to the existing agricultural use within the proposal area are anticipated to result from the annexation.

Open Space

No part of the proposal area is considered open space pursuant to Government Code Sections 56059 and 65560.

3. Population

According to the County Registrar of Voters, there are no registered voters in the proposal area. As such, the annexation proposal area is considered to be uninhabited under the provisions of LAFCO law relating to protest proceedings.

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

The District has represented that it has the ability and capacity to serve the proposal area. The proposal area will be served via an existing lateral line in Telegraph Road (Highway 126). On-going maintenance and operational costs will be financed through user fees. There will be no change to any other existing services.

5. Boundaries and Lines of Assessment

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

The map and legal description for this proposal have been forwarded to the County Surveyor but have not yet been certified as being accurate and sufficient for the preparation of a Certificate of Completion pursuant to Government Code Section 57201 and for filing with the State Board of Equalization. As such, the attached Resolution includes a condition that predicates recordation of the proposal upon the approval of a map and legal description by the County Surveyor.

6. Assessed Value, Tax Rates and Indebtedness

According to the County Assessor, the proposal area takes in tax rate area 62009 and will be assigned to a new tax rate area upon completion of

proceedings. However the current tax rate of \$1.110125 per \$100 of assessed valuation will remain the same upon annexation.

The assessed land value of the lot per the 2006 - 2007 tax roll is \$447,913.

7. Environmental Impact of the Proposal

Staff has determined the proposal to be categorically exempt under Section 15319(b) [Annexations of individual small parcels of the minimum size for facilities exempted by Section 15303, New Construction or Conversion of Small Structures] of the California Environmental Quality Act Guidelines. As the annexation is to provide sanitary sewer service to an existing lot of the minimum size for facilities exempted by Section 15303, 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

The property owner has provided written consent for the subject proposal to the Waterworks District. Any subject agency that wishes to reserve its right to protest a LAFCO decision (for those decisions subject to protest proceedings) must submit written opposition to the waiver (GC § 56663). The only subject agency associated with the proposal is the applicant, Ventura County Waterworks District No. 16, thus no opposition to waiver of protest proceedings is anticipated.

SPECIAL ANALYSIS

Sphere of Influence Determinations

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 proposal involves annexation to the Waterworks District No. 16 (WWD) so that the property owners can build a second dwelling unit and connect to the District's wastewater collection and treatment system.

Based on LAFCO staff's understanding of the County Codes and regulations, property owners are prohibited from expanding an existing septic system or installing a new system if the structure to be served (not the property served) is within 200 feet of an existing public sewer line. Such a line currently exists for the purpose of serving the adjacent Rancho Sespe development, which is sited on the adjacent parcel to the east. County approval to construct the proposed second dwelling unit within the proposal area is thus predicated on the ability to connect to the WWD sewer line in Telegraph Road.

The entirety of the approximately 15 acres proposed to be added to the WWD Sphere of Influence is designated as "Prime" agricultural land. However, the limited residential uses allowed to be developed by right within the proposal area are not considered to be incompatible with agricultural uses, and no change in the current "Agriculture" General Plan land use designation is proposed.

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

The WWD is the logical public provider of sewage treatment and collection services to the area both presently and in the future. As existing septic systems fail or as new systems are required within proximity to the main public sewer line running between the Piru wastewater treatment facility and the Rancho Sespe development, there will be limited future need for additional connections.

Domestic water for the proposal area is currently supplied via a private on-site well.

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

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

The WWD has indicated that they have the present capacity and adequate facilities to serve the Sphere of Influence Amendment proposal area.

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

The only social or economic communities of interest that are relevant to the Sphere of Influence Amendment proposal area is the Piru Community. The Sphere of Influence Amendment does not affect any other social or economic community of interest.

ALTERNATIVE ACTIONS AVAILABLE:

- A. If the Commission, following public testimony and review of the materials submitted, determines that further information is necessary, a motion to continue either the Sphere of Influence Amendment proposal or the Annexation 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 Annexation proposal cannot be approved.
- B. If the Commission, following public testimony and review of the materials submitted, determines that the boundaries of either the Sphere of Influence Amendment proposal or the Annexation 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 wishes to deny or modify the Sphere of Influence Amendment proposal or the Annexation proposal, or both, a motion to deny should include direction that the matter be continued to the next meeting and that staff prepare a new report consistent with the evidence submitted and the anticipated decision. It should be

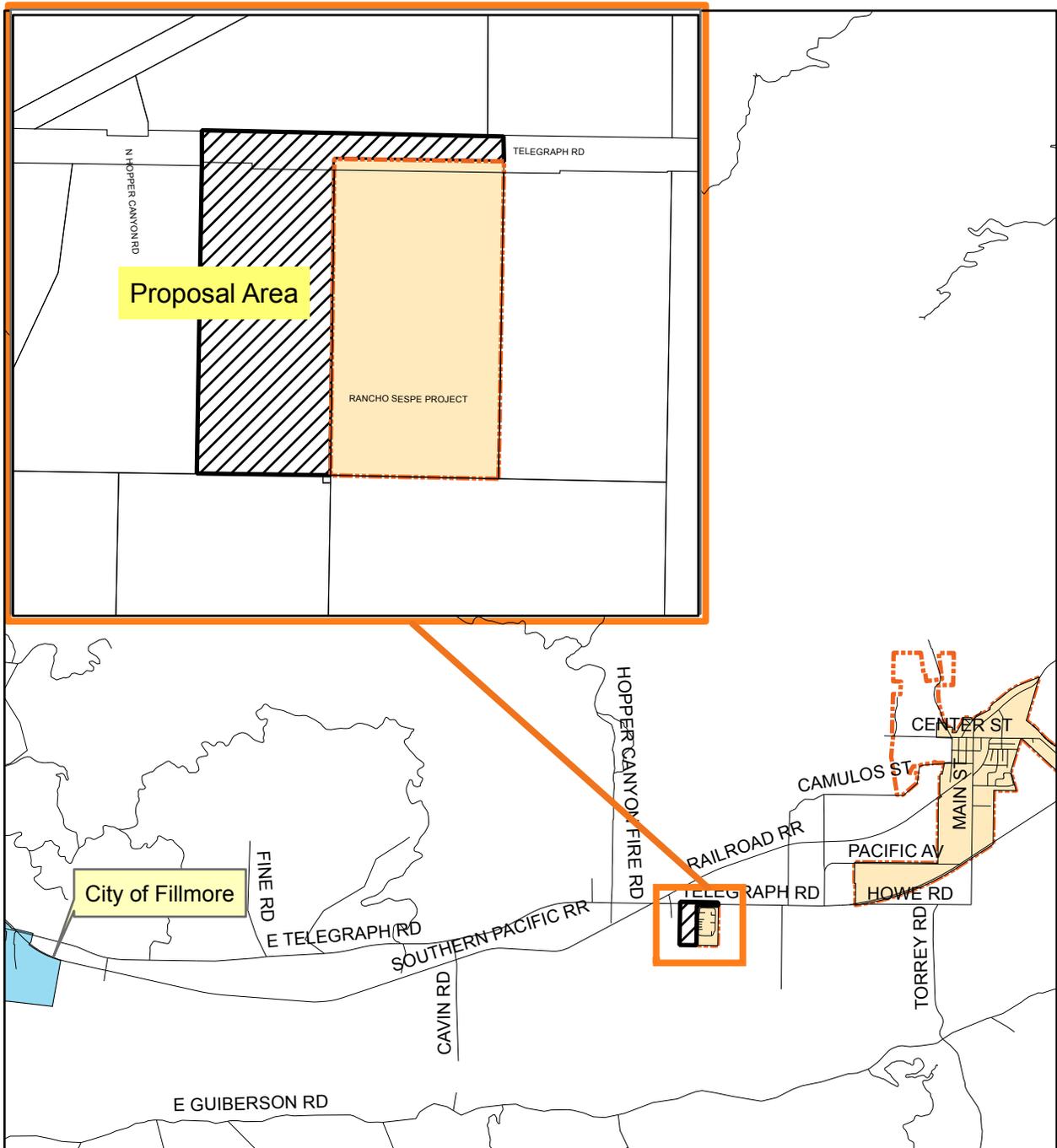
noted that if the Commission denies the Sphere of Influence proposal, the Annexation proposal cannot be approved.

BY: _____
Kim Uhlich, Deputy Executive Officer

Attachments: (1) Vicinity Map *
(2) LAFCO 06-17S Resolution (Sphere of Influence Amendment)
(3) LAFCO 06-17 Resolution (Annexation)

* LAFCO makes every effort to offer legible map files with the online- and printed versions of our reports, however sometimes the need to reduce oversize original maps and/or other technological/software factors can compromise readability. Original maps are available for viewing at the LAFCO office by request.

ATTACHMENT 1



Ventura LAFCO Vicinity Map

LAFCO 06-17S & 06-17 Ventura County
 Waterworks District No.16 Sphere of Influence
 Amendment/Annexation - Rico Family

Legend

-  Rico Family Sphere Amendment & Annexation Area
-  Waterworks District No. 16 Boundary
-  Waterworks District No. 16 Sphere of Influence Boundary



LAFCO 06-17S

**RESOLUTION OF THE VENTURA LOCAL AGENCY
FORMATION COMMISSION MAKING DETERMINATIONS
AND APPROVING A SPHERE OF INFLUENCE
AMENDMENT FOR THE VENTURA COUNTY
WATERWORKS DISTRICT NO. 16 – RICO FAMILY**

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 December 6, 2006, 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 Staff Report and recommendation and the environmental determination, Sphere of Influence and applicable local plans and policies; and

WHEREAS, the Local Agency Formation Commission finds the proposal to be in the best interest of the landowners and present and future inhabitants within Waterworks District No. 16 and within the affected territory, and the organization of local governmental agencies within Ventura County.

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

- (1) The LAFCO Staff Report and Recommendation for approval of the proposal dated December 6, 2006 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 proposal involves annexation to the Waterworks District No. 16 (WWD) so that the property owners can build a second dwelling unit and connect to the District's wastewater collection and treatment system.

Based on LAFCO staff's understanding of the County Codes and regulations, property owners are prohibited from expanding an existing septic system or installing a new system if the structure to be served (not the property served) is within 200 feet of an existing public sewer line. Such a line currently exists for the purpose of serving the adjacent Rancho Sespe development, which is sited on the adjacent parcel to the east. County approval to construct the proposed second dwelling unit within the proposal area is thus predicated on the ability to connect to the WWD sewer line in Telegraph Road.

The entirety of the approximately 15 acres proposed to be added to the WWD Sphere of Influence is designated as "Prime" agricultural land. However, the limited residential uses allowed to be developed by right within the proposal area are not considered to be incompatible with agricultural uses, and no change in the current "Agriculture" General Plan land use designation is proposed.

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

The WWD is the logical public provider of sewage treatment and collection services to the area both presently and in the future. As existing septic systems fail or as new systems are required within proximity to the main public sewer line running between the Piru wastewater treatment facility and the Rancho Sespe development, there will be limited future need for additional connections.

Domestic water for the proposal area is currently supplied via a private on-site well. There will be no change in any other existing service providers upon annexation.

The present capacity of public facilities and adequacy of public services that the

agency provides or is authorized to provide.

The WWD has indicated that they have the present capacity and adequate facilities to serve the Sphere of Influence Amendment proposal area.

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

The only social or economic communities of interest that are relevant to the Sphere of Influence Amendment proposal area is the Piru Community. The Sphere of Influence Amendment does not affect any other 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 06-17S – VENTURA COUNTY WATERWORKS NO. 16 SPHERE OF INFLUENCE AMENDMENT – RICO FAMILY
- (5) In accordance with the Executive Officer's determination that the subject proposal is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15319(b) of the California Environmental Quality Act Guidelines, the Commission hereby finds the annexation to be categorically exempt under Section 15319(b).

This resolution was adopted on December 6, 2006.

AYES: Commissioners Hess, Long, Parks, Waunch, Zaragoza, and Alternate
Commissioner Lange

NOES: None

ABSTAINS: None

Dated: _____
Chair, Ventura Local Agency Formation Commission

Attachment: Exhibit A

Copies: Ventura County Waterworks District No. 19
Ventura Co. Assessor
Ventura Co. Auditor
Ventura Co. Surveyor
Ventura Co. Planning
Ventura County Elections-Registrar of Voters

LAFCO 06 - 17

**RESOLUTION OF THE VENTURA LOCAL AGENCY
FORMATION COMMISSION MAKING DETERMINATIONS
AND APPROVING THE VENTURA COUNTY
WATERWORKS DISTRICT NO. 16 ANNEXATION – RICO
FAMILY**

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 gave notice of the consideration by the Commission on the proposal;

WHEREAS, the proposal was duly considered on December 6, 2006; 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 Staff Report and recommendation, the environmental determination, Sphere of Influence and applicable local plans and policies; and

WHEREAS, proof has been given to the Commission that the affected territory is considered uninhabited pursuant to Government Code §56046; and

WHEREAS, proof has been given to the Commission that all property owners in the affected territory have consented to the proposal; and

WHEREAS, the Local Agency Formation Commission finds the proposal to be in the best interest of the landowners and present and future inhabitants within Waterworks District No. 16 and within the affected territory, 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 Staff Report and Recommendation for approval of the proposal dated December 6, 2006 is adopted.
- (2) The Annexation to the Ventura County Waterworks District No. 16 is hereby approved, and the boundaries are established generally as set forth in the attached Exhibit A.

- (3) The affected territory is uninhabited as defined by Government Code §56046.
- (4) The subject proposal is assigned the following distinctive short form designation:
LAFCO 06-17 – VENTURA COUNTY WATERWORKS DISTRICT NO. 16 ANNEXATION – RICO FAMILY
- (5) In accordance with the Executive Officer's determination that the subject proposal is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15319(b) of the California Environmental Quality Act Guidelines, the Commission hereby finds the annexation to be categorically exempt under Section 15319(b).
- (6) The Commission directs staff to file a Notice of Exemption under Section 15062 of the California Environmental Quality Act Guidelines.
- (7) The The Commission, consistent with California Government Code Section 56663(c), hereby waives protest proceedings entirely.
- (8) **This annexation shall not be recorded until maps and legal descriptions consistent with this approval and suitable for filing with the State Board of Equalization have been submitted to the LAFCO Executive Officer.**
- (9) **This change of reorganization shall not be recorded until all LAFCO fees have been paid and until fees necessary for filing with the State Board of Equalization have been submitted to the Executive Officer.**

This resolution was adopted on December 6, 2006.

AYES: Commissioners Hess, Long, Parks, Waunch, Zaragoza, and Alternate
Commissioner Lange

NOES: None

ABSTAINS: None

Dated: _____
Chair, Ventura Local Agency Formation Commission

Attachment: Exhibit A

Copies: Ventura County Waterworks District No. 16
Ventura Co. Assessor
Ventura Co. Auditor
Ventura Co. Surveyor
Ventura Co. Planning
Ventura County Elections-Registrar of Voters



STAFF REPORT

Meeting Date: December 6, 2006

Agenda Item 15

TO: LAFCO Commissioners
FROM: Kim Uhlich, Deputy Executive Officer
SUBJECT: Draft Agricultural Mitigation Policies

RECOMMENDATION:

1. Receive public comments.
2. Determine if Commission wishes to proceed with consideration of any or all of the draft agricultural mitigation policies.
3. If the Commission wishes to consider the potential adoption of any or all of the draft agricultural mitigation policies, direct staff to make any changes as appropriate.
4. If the Commission wishes to further consider the potential adoption of any or all of the draft agricultural mitigation policies, continue this item to the January 17, 2007 Commission meeting.

DISCUSSION:

Attached are all written comments received as of November 28 regarding the draft agricultural mitigation policies that have been received as of the date this report went to print. A copy of the draft policies is also attached. The majority of the comments express opposition to the draft policies based on a fundamental misunderstanding of their scope and content. Contrary to many of the comments, and as the Commission is aware, the draft agricultural mitigation policies do not provide for LAFCO imposition of agricultural mitigation requirements on any proposal subject to LAFCO review.

Each of the letters received has been forwarded to LAFCO Counsel for review. Counsel will be prepared to address questions from the Commission at the December 6 meeting.

COMMISSIONERS AND STAFF

COUNTY: Linda Parks, Chair Kathy Long <i>Alternate:</i> Steve Bennett	CITY: Don Waunch John Zaragoza <i>Alternate:</i> Janice Parvin	SPECIAL DISTRICT: Ted Grandsen Dick Richardson <i>Alternate:</i> George Lange	PUBLIC: Kenneth M. Hess, Vice Chair <i>Alternate:</i> Louis Cunningham
EXECUTIVE OFFICER: Everett Millais	DEPUTY EXEC OFFICER: Kim Uhlich	OFFICE MGR/CLERK: Debbie Schubert	LEGAL COUNSEL: Leroy Smith

As a further effort to clarify misperceptions about the draft policies, staff prepared a "Frequently Asked Questions" document (attached) which has been sent to all parties who submitted written comments as well as other individuals who asked to be included on LAFCO's mailing list for information about the draft policies. As an additional means by which to provide clarification to concerned parties, LAFCO staff are making themselves available to speak at meetings of interested community members and stakeholder groups. Thus far, we have attended an Oxnard South Revitalization meeting on November 15 and are scheduled to attend the November 28 meeting of the Oxnard City Council as requested by Commissioner Zaragoza, and a meeting of the Government Affairs Committee of the Greater L.A./Ventura Chapter of the Building Industry Association on December 5.

In addition to clarifying misperceptions about the draft policies, staff intends to emphasize the fact that the policies are in DRAFT form at this time. As such, it will be made clear that the Commission has yet to decide whether to adopt the policies in current form, revised form or no form whatsoever. Staff thus recommends that, after taking public comment at the December 6 meeting, the Commission's first action be to determine whether to continue consideration of the draft agricultural mitigation policies.

If the Commission decides to continue consideration, staff recommends that policies be reworded to better reflect the fact that they do not represent formal legal requirements. As such, staff recommends that all references to the word "shall" be replaced with the word "should" or "may", as appropriate to the grammatical context.

With regard to Draft Policy No. 4, further review by staff and legal counsel has raised serious legal questions regarding potential implications regarding unequal implementation of CEQA. Questions such as these are the basis for staff's recommendation to continue consideration of the draft policies to the January 17, 2007 meeting. This will allow time for LAFCO counsel to complete a thorough legal analysis of the draft policy language.

Staff recommends that should the Commission wish to continue its consideration of the draft policies, any action be postponed and the meeting continued to the January 17, 2007 meeting for the reason stated in the previous paragraph and to allow staff to post a formal public notice in a general circulation newspaper for the purpose of soliciting further public comment. At the January meeting, staff will bring back revised language as necessary according to direction received at the December meeting as well as a recommendation regarding an effective date.

List of Attachments:

1. Draft LAFCO Agricultural Mitigation Policies
2. Correspondence and other written comments concerning Draft Agricultural Mitigation Policies
3. Draft Agricultural Mitigation Policies: Frequently Asked Questions



**DRAFT LAFCO POLICIES TO ADDRESS MITIGATION FOR IMPACTS TO
AGRICULTURAL LAND RESOURCES**

Revised 5/17/06

1. Environmental documents associated with projects that require LAFCO approval that identify potential impacts to agricultural resources shall disclose the degree of impact according to the definition of prime agricultural land as defined by Government Code Section 56064.
2. If the intent of a project, program or plan is to accommodate discretionary development that would result in a potentially significant loss of prime agricultural land as defined by Government Code Section 56064, project-specific environmental document (or the program EIR in the case of 'tiered' EIRs) shall include an analysis of potentially feasible mitigation measures to minimize the loss of agricultural lands. Such measures may include, but need not be limited to: the acquisition and dedication of farmland, development rights, open space and conservation easements to permanently protect adjacent and other agricultural lands within the County; participation in programs involving transfer of development rights; and in lieu payments to recognized government or non-profit organizations for purchase of agricultural lands within the County. The lack of a pre-adopted lead agency agricultural mitigation policy or program shall not constitute an exemption from this Policy.
3. A land's current zoning, pre-zoning, general plan land use designation or location relative to any locally adopted growth boundary shall not automatically exempt it from the provisions of LAFCO's polices regarding mitigation. Existing conditions shall be considered as the CEQA "baseline" for the purpose of analysis.
4. Changes of organization or contracts for service to accommodate farmworker housing projects on agricultural land would not be subject to LAFCO's polices regarding mitigation. Only those projects devoted exclusively to provision of farm worker housing shall be exempted from these policies.
5. Annexation for land uses that would conflict with an existing agricultural preserve (Williamson Act) contract shall be strongly discouraged, unless the Commission finds that it meets all the following criteria:
 - 1) The area is within the annexing agency's sphere of influence.
 - 2) The Commission makes findings required by Government Code Section 56856.5.
 - 3) The parcel or parcels are included in an approved city specific plan.

- 4) The soil is not categorized as prime.
 - 5) Mitigation for the loss of agricultural land has been secured by the granting of a farmland conservation easement, a farmland deed restriction or other farmland conservation mechanism based on a ratio of at least one acre of like agricultural land preserved for every acre of agricultural land converted to a nonagricultural use.
 - 6) There is a pending, or approved, rescission for the property that has been reviewed by the local jurisdictions and the Department of Conservation. The property has been non-renewed if still awaiting rescission approval.
6. If the intent of a project is to accommodate the development of discretionary, non-agricultural land uses adjacent to land designated as 'agricultural' in the applicable general plan, the CEQA document shall include an analysis of the feasibility of imposing an agricultural buffer. When a buffer requirement is determined to be feasible, the lead agency shall adopt a buffer requirement. All buffers shall be consistent with applicable buffer ordinances or general plan policies. For those jurisdictions that have not adopted buffer ordinances/policies, buffers shall be consistent with the current recommendations of the Ventura County Agricultural Commission's Office.

**OF THE VENTURA LOCAL AGENCY FORMATION COMMISSION
COMMENDING AND EXPRESSING APPRECIATION TO
THE CITY OF OXNARD**

WHEREAS, on May 27, 2006 the Ventura Local Agency Formation Commission (LAFCO) decided to hold a public workshop to present and review Draft Agricultural Mitigation Policies to interested public agencies and members of the public, and

WHEREAS, that workshop took place on November 9, 2006 at the Oxnard Performing Arts & Convention Center, and

WHEREAS, the City of Oxnard graciously offered the Oxnard Performing Arts & Convention Center as the venue for the Workshop, and

WHEREAS, the City of Oxnard also volunteered to provide staff services to videotape the Workshop to LAFCO, and

WHEREAS, because of the ability to use the Oxnard Performing Arts & Convention Center and the contribution of City staff services, the Workshop was well attended and considered a success by both participants and the Ventura LAFCO, and

WHEREAS, the Ventura LAFCO would like to commend and express its sincere appreciation to the City of Oxnard for the City's generosity, and the time, effort and extra expenses incurred by the City on behalf of LAFCO,

NOW, THEREFORE, BE IT RESOLVED,

that the Ventura Local Agency Formation Commission hereby commends and extends its sincere appreciation to the City of Oxnard, LAFCO Commissioner and Oxnard Councilmember John Zaragoza, City Manager Edmond Sotelo, and the City staff for the facilities and support that helped make the LAFCO Draft Agricultural Mitigation Policy Workshop a success.

PASSED AND ADOPTED this 6th Day of December, 2006

Linda Parks, Chair



STAFF REPORT

Meeting Date: December 6, 2006

Agenda Item 17

TO: LAFCO Commissioners
FROM: Everett Millais, Executive Officer
SUBJECT: Compensation of Executive Officer

RECOMMENDATION:

Consideration of granting a merit increase for the LAFCO Executive Officer, and if granted, consideration of the effective date of the increase.

DISCUSSION:

	<u>Annual</u>	<u>Monthly</u>	<u>Bi-Weekly</u>
Range	\$97,716 - \$139,594	\$8,143 - \$11,633	\$3,758 - \$5,369
Current	\$126,742	\$10,562	\$4,875
+ 5%	\$133,079	\$11,090	\$5,118
Difference	\$6,337	\$528	\$244

Additional Benefits Cost

<u>Annual</u>	<u>Monthly</u>	<u>Bi-Weekly</u>
\$5,876	\$4,901	\$226

The County's payroll system indicates the Annual Merit Increase Date to be September 24, 2006.

Motion: Grant a 7% merit increase to be effective September 24, 2006: Long
Second: Hess
For: Hess, Lange, Long, Parks, Waunch and Zaragoza
Against: None
Abstain: None
MOTION PASSES 6/0/0

Certified 12/7/06

Deborah Schubert/Clerk to the Commission