



# VENTURA LOCAL AGENCY FORMATION COMMISSION

## AGENDA

Wednesday November 19, 2014

9:00 A.M.

Hall of Administration, Board of Supervisors Hearing Room  
800 S. Victoria Avenue, Ventura CA

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Agenda Review  
Consider and approve, by majority vote, minor revisions to Commission items and/or attachments and any item added to, or removed/continued from, the LAFCo agenda and changes to the order of business to accommodate a special circumstance.
5. Commission Presentations and Announcements

### PUBLIC COMMENTS

6. 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

<b>COUNTY:</b> Linda Parks, Chair John Zaragoza <i>Alternate:</i> Steve Bennett	<b>CITY:</b> Carl Morehouse Janice Parvin <i>Alternate:</i> Carol Smith	<b>DISTRICT:</b> Bruce Dandy Vacant <i>Alternate:</i> Elaine Freeman	<b>PUBLIC:</b> Linda Ford-McCaffrey, Vice Chair  <i>Alternate:</i> Lou Cunningham
<b>Executive Officer</b> Kai Luoma, AICP	<b>Analyst</b> Andrea Ozdy	<b>Office Mgr/Clerk</b> Debbie Schubert	<b>Legal Counsel</b> Michael Walker

## CONSENT ITEMS

7. Minutes of the Ventura LAFCo September 17, 2014 Meeting
8. Approve the 2015 Calendar for Meetings of the Ventura LAFCo
9. LAFCo 14-15 City of Oxnard Reorganization - Dewey

The proposal consists of the following requested actions to allow for the replacement of an existing commercial building with a new, 5,818 square foot commercial building on a ½ acre parcel located at 2991 Ventura Boulevard, known as Assessor's Parcel Number 149-0-082-030: Annexation to the City of Oxnard, Detachment from the Ventura County Resource Conservation District, Detachment from the Ventura County Fire Protection District, and Detachment from County Service Area No. 33

10. Budget to Actual Reports: June, July, August and September 2014

RECOMMENDED ACTION: Approval Items 7-9,  
Receive and File  
Item 10

## PUBLIC HEARING ITEMS

11. Sphere of Influence Reviews/Updates (Continued from September 17, 2014)

Determine that the sphere of influence update for the Camarillo Sanitary District (CSD) is exempt from the California Environmental Quality Act (CEQA) pursuant to § 15061(b)(3) of the CEQA Guidelines, review and update the sphere of influence for the CSD pursuant to Government Code § 56425(g), adopt resolution LAFCo 14-16S making determinations and updating the sphere of influence for the CSD, and determine that no municipal service review is necessary for the CSD pursuant to Government Code § 56430(a).

RECOMMENDED ACTION: Approval

12. Sphere of Influence Reviews/Updates

Review the sphere of influence for each of the following agencies, and determine that no sphere of influence update or municipal service review is necessary pursuant to Government Code § 56430(a):

Ojai Basin Groundwater Management Agency  
Ojai Water Conservation District  
Pleasant Valley County Water District

RECOMMENDED ACTION: Approval

13. LAFCo 13-16 Lake Sherwood Community Services District - Reorganization
  - A. Divestiture of the Lake Sherwood Community Services District of the power to provide potable water service
  - B. Formation of County Waterworks District No. 38 to provide potable water service

RECOMMENDED ACTION: Disapproval

#### **ACTION ITEMS**

14. Letter to California Department of Conservation and the California Department of Food and Agriculture

Authorize the Chair to sign a letter to the California Department of Conservation and the California Department of Food and Agriculture

#### **EXECUTIVE OFFICER'S REPORT**

Special District Election Update  
All apportionment payments received  
Next LAFCo meeting January 21, 2015

#### **INFORMATIONAL ITEMS**

Correspondence:  
Letter from CALAFCO Executive Officer, Pamela Miller

Applications Received:  
LAFCo 14-17 OASA City of Oxnard – 4277 E. Hueneme Road

#### **COMMISSIONER COMMENTS**

#### **ADJOURNMENT**

**WEB ACCESS:**  
**LAFCo Agendas, Staff Reports**  
**and Adopted Minutes can be found at:**  
[www.ventura.lafco.ca.gov](http://www.ventura.lafco.ca.gov)

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

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

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

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

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

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

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

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

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



VENTURA LOCAL AGENCY FORMATION COMMISSION

MEETING MINUTES

Wednesday September 17, 2014

Hall of Administration, Board of Supervisors Hearing Room  
800 S. Victoria Avenue, Ventura CA

**Agenda Item 7**

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

Commissioner Dandy	Commissioner Zaragoza
Commissioner Ford-McCaffrey	Chair Parks
Commissioner Morehouse	Alt. Commissioner Cunningham
Commissioner Parvin	Alt. Commissioner Freeman
4. Agenda Review  
The Commission considered and approved by unanimous vote, to move Agenda Item 12 (a presentation by the Oxnard School District on School Siting) immediately following Commission action on the Consent Items.
5. Commission Presentations and Announcements  
There were no presentations or announcements.

**PUBLIC COMMENTS**

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

COMMISSIONERS AND STAFF

<b>COUNTY:</b> Linda Parks, Chair John Zaragoza <i>Alternate:</i> Steve Bennett  <b>Executive Officer</b> Kai Luoma, AICP	<b>CITY:</b> Carl Morehouse Janice Parvin <i>Alternate:</i> Carol Smith  <b>Analyst</b> Andrea Ozdy	<b>DISTRICT:</b> Bruce Dandy Vacant <i>Alternate:</i> Elaine Freeman  <b>Office Mgr/Clerk</b> Debbie Schubert	<b>PUBLIC:</b> Linda Ford-McCaffrey, Vice Chair  <i>Alternate:</i> Lou Cunningham  <b>Legal Counsel</b> Michael Walker
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## CONSENT ITEMS

7. Minutes of the Ventura LAFCo July 16, 2014 Meeting
8. Professional Services Agreement for Audit Services – Vavrinek, Trine, Day & Co., LLP  
Adopt a resolution approving a professional services agreement for audit services for fiscal year ended June 30, 2014 with Vavrinek, Trine, Day & Co., LLP for an amount not to exceed \$8,240 and authorizing the Chair to execute the agreement.
9. LAFCo 14-13 City of Camarillo Reorganization – Crestview Ranch  
A proposal to annex one approximately 19-acre parcel to the City of Camarillo and to the Camarillo Sanitary District, and detach the same parcel from the Ventura County Resource Conservation District and Ventura County Service Area No. 32 in order to subdivide the parcel into 13 residential lots for development. The proposal area is located at 275 Crestview Avenue, immediately north of the intersection of Crestview Avenue and Dominica Corte.
  1. Certify that the Commission has reviewed and considered the information contained in the Mitigated Negative Declaration (MND) prepared by the City as lead agency and the Addendum to the MND prepared by LAFCo staff.
  2. Adopt resolution LAFCo 14-13 making determinations and approving the City of Camarillo Reorganization – Crestview Ranch.

MOTION: Approve Items 7-9 as recommended: Dandy  
SECOND: Ford-McCaffrey  
AYES: Dandy, Freeman, Ford-McCaffrey, Morehouse, Parks, Parvin, Zaragoza  
NOES: None  
ABSTAINED: None  
MOTION PASSES 7/0/0

## ACTION ITEMS

12. Presentation by the Oxnard School District on School Siting  
Dr. Cesar Morales, Oxnard School District Superintendent, and Yuri Calderon, a representative of the Oxnard School District, gave the presentation.

## PUBLIC HEARING ITEMS

10. LAFCo 14-12 Oxnard Drainage District No. 1 Detachment – Detachment No. 4 (Parcels A and B)

A proposal to detach two parcels from Oxnard Drainage District No. 1.

1. Determine that the action to detach Parcels A and B is exempt under California Environmental Quality Act (CEQA) Guidelines [§ 15061(b)(3)];
2. Adopt the attached resolution LAFCo 14-12 making determinations and approving the requested detachment from Oxnard Drainage District No. 1.

Chair Parks opened the public hearing. Andrea Ozdy presented the staff report. With no public speakers, Chair Parks closed the public hearing.

MOTION: Approve as recommended: Parvin

SECOND: Zaragoza

AYES: Dandy, Freeman, Ford-McCaffrey, Morehouse, Parks, Parvin, Zaragoza

NOES: None

ABSTAINED: None

MOTION PASSES 7/0/0

11. Sphere of Influence Reviews/Updates

Review the sphere of influence for each of the following agencies, and determine that no sphere of influence update or municipal service review (MSR) is necessary pursuant to Government Code § 56430(a):

Camarillo Sanitary District  
Camrosa Water District  
Meiners Oaks Water District  
Montalvo Community Services District  
Saticoy Sanitary District  
Triunfo Sanitation District

Chair Parks opened the public hearing. Andrea Ozdy presented the staff report, and recommended that the Commission continue the hearing for the sphere of influence review/update of the Camarillo Sanitary District until the next LAFCo meeting, giving staff an opportunity to reevaluate the sphere of influence for the district due to a recent decision by the City of Camarillo City Council to terminate a project within the District's sphere. With no public speakers, Chair Parks closed the public hearing for Camrosa Water District, Meiners Oaks Water District, Montalvo Community Services District, Saticoy Sanitary District and Triunfo Sanitation District.

MOTION: 1) Continue the public hearing for the Camarillo Sanitary District sphere of influence review/update until the next LAFCo meeting; 2) Review the spheres of influence for Camrosa Water District, Meiners Oaks Water District, Montalvo Community Services District, Saticoy Sanitary District and Triunfo Sanitation District, and determine that no sphere update or MSR is necessary: Morehouse

SECOND: Dandy

AYES: Dandy, Freeman, Ford-McCaffrey, Morehouse, Parks, Parvin,  
Zaragoza  
NOES: None  
ABSTAINED: None  
MOTION PASSES 7/0/0

13. CALAFCO Board of Directors Election – Voting Delegates

Designate a voting delegate and an alternate voting delegate for the 2014 CALAFCO Board of Directors election.

MOTION: Designate Chair Parks as the Voting Delegate and Commissioner  
Dandy as the Alternate Voting Delegate: Morehouse

SECOND: Zaragoza

AYES: Dandy, Freeman, Ford-McCaffrey, Morehouse, Parks, Parvin,  
Zaragoza

NOES: None

ABSTAINED: None

MOTION PASSES 7/0/0

**CLOSED SESSION**

14. Pursuant to Government Code Section 54957, a closed session will be held to consider the following item:

Public Employee Performance Evaluation – Title: LAFCo Executive Officer

The Commission adjourned to closed session. Upon the Commission's return, Chair Parks reconvened the meeting with no announcement.

**ACTION ITEMS (Continued)**

15. Compensation of the Executive Officer

Consideration of granting a merit increase for the LAFCo Executive Officer.

MOTION: Approve a 6% merit increase for the Executive Officer: Freeman

SECOND: Zaragoza

AYES: Dandy, Freeman, Ford-McCaffrey, Morehouse, Parks, Parvin,  
Zaragoza

NOES: None

ABSTAINED: None

MOTION PASSES 7/0/0

16. Cancellation of the October 15, 2014 Regular Meeting

MOTION: Approve as recommended: Freeman  
SECOND: Ford-McCaffrey  
AYES: Dandy, Freeman, Ford-McCaffrey, Morehouse, Parks, Parvin,  
Zaragoza  
NOES: None  
ABSTAINED: None  
MOTION PASSES 7/0/0

EXECUTIVE OFFICER'S REPORT

Next LAFCo meeting is November 19, 2014

COMMISSIONER COMMENTS

Commissioner Dandy announced that he will be unable to attend the November 19 LAFCo meeting. Commissioner Zaragoza thanked Kai Luoma for doing an excellent job.

ADJOURNMENT

Chair Parks adjourned the meeting at 10:57 AM.

**These Minutes were approved on November 19, 2014.**

**Motion:**

**Second:**

**Ayes:**

**Nos:**

**Abstains:**

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**Date** \_\_\_\_\_ **Chair, Ventura Local Agency Formation Commission**



VENTURA LOCAL AGENCY FORMATION COMMISSION

STAFF REPORT

Meeting Date: November 19, 2014

(Consent)

Agenda Item 8

TO: LAFCo Commissioners

FROM: Kai Luoma, Executive Officer

SUBJECT: Meeting Calendar for 2015

**RECOMMENDATION:**

Approve the 2015 calendar for meetings of the Ventura LAFCo.

**DISCUSSION:**

Attached is a recommended meeting calendar for Ventura LAFCo for 2015. Adoption is recommended for scheduling and public information purposes. The calendar is consistent with the Commission’s by-laws, including scheduling regular meetings on the third Wednesday of the month except for June when the meeting is scheduled for the second Wednesday to accommodate adoption of the budget before June 15 pursuant to Government Code Section 56381(a). The Commission’s by-laws also state that there are no regular meetings scheduled for August and December.

No action canceling any meeting or setting any special meetings is proposed at this time. Any scheduled meeting may be cancelled by majority vote of the Commission or by the Commission Chair with the consent of the Vice Chair, if it is determined that there is insufficient business to justify the scheduled meeting. A meeting should not be cancelled less than 72 hours prior to its schedule date. Upon cancellation the Executive Officer shall give public notice of the meeting cancellation in accordance with provisions of the Government Code.

If approved, this 2015 meeting calendar will be posted on the Ventura LAFCo website and otherwise made publicly available.

COMMISSIONERS AND STAFF

**COUNTY:**  
Linda Parks, Chair  
John Zaragoza  
*Alternate:*  
Steve Bennett

**CITY:**  
Carl Morehouse  
Janice Parvin  
*Alternate:*  
Carol Smith

**DISTRICT:**  
Bruce Dandy  
Vacant  
*Alternate:*  
Elaine Freeman

**PUBLIC:**  
Linda Ford-McCaffrey, Vice Chair  
*Alternate:*  
Lou Cunningham

**Executive Officer:**  
Kai Luoma, AICP

**Analyst**  
Andrea Ozdy

**Office Mgr/Clerk**  
Debbie Schubert

**Legal Counsel**  
Michael Walker



# VENTURA LOCAL AGENCY FORMATION COMMISSION

## 2015 LAFCo Regular Meeting Schedule

January						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	<b>21</b>	22	23	24
25	26	27	28	29	30	31

February						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	<b>18</b>	19	20	21
22	23	24	25	26	27	28

March						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	<b>18</b>	19	20	21
22	23	24	25	26	27	28
29	30	31				

April						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	<b>15</b>	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

May						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	<b>20</b>	21	22	23
24	25	26	27	28	29	30
31						

June						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	<b>10</b>	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

July						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	<b>15</b>	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

August						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	<b>DARK</b>	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

September						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	<b>16</b>	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

October						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	<b>21</b>	22	23	24
25	26	27	28	29	30	31

November						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	<b>18</b>	19	20	21
22	23	24	25	26	27	28
29	30					

December						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	<b>DARK</b>	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		



VENTURA LOCAL AGENCY FORMATION COMMISSION

STAFF REPORT

Agenda Item 9

Meeting Date: November 19, 2014

(Consent)

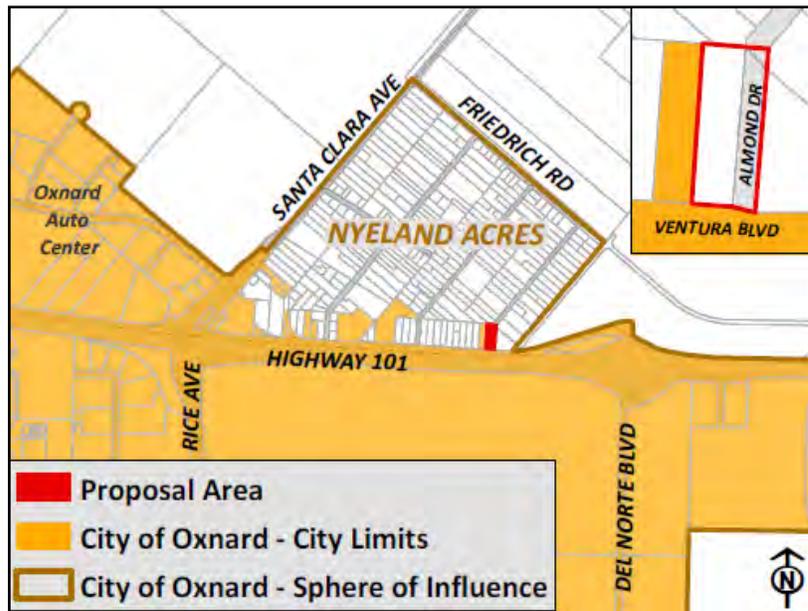
**LAFCo Case:** LAFCo 14-15: City of Oxnard Reorganization – Dewey

**Proposal:** The proposal consists of the following requested actions to allow for the replacement of an existing commercial building with a new, 5,818 square foot commercial building on a ½ acre parcel (“Dewey property”) known as Assessor’s Parcel Number 149-0-082-030:

- Annexation to the City of Oxnard
- Detachment from the Ventura County Resource Conservation District (VCRCD)
- Detachment from the Ventura County Fire Protection District (VCFPD)
- Detachment from County Service Area No. 33 (CSA 33)

**Size:** Approximately ½ acre.

**Location:** The Dewey property is located at 2991 Ventura Boulevard, at the northwest corner of the intersection of Ventura Boulevard and Almond Drive, in the Nyeland Acres community north of and abutting the City of Oxnard. The proposal area includes the Dewey property and the segment of the Almond Drive road right-of-way that is east of and contiguous to the Dewey property (see Attachments 1 and 2)



The site is within the spheres of influence of the City and all districts involved in the reorganization. It is also within the spheres and boundaries of the Calleguas Municipal

COMMISSIONERS AND STAFF

**COUNTY:**  
Linda Parks, Chair  
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*Alternate:*  
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Debbie Schubert

**Legal Counsel**  
Michael Walker

Water District (CMWD) and the Oxnard Harbor District. No sphere of influence amendments are requested or required in order to accomplish the reorganization.

**Proponent:** City of Oxnard, by resolution.

**Notice:** This matter has been noticed as prescribed by law.

**Recommendations:**

1. Determine that the action to approve the reorganization request is exempt under California Environmental Quality Act (CEQA) Guidelines § 15302; and
2. Adopt the attached resolution LAFCo 14-15 making determinations and approving the City of Oxnard Reorganization – Dewey.

**Description of Proposal:**

**Request:**

In May 2014, the City Council of the City of Oxnard approved the request to pre-zone the Dewey property, occupied by Dewey Pest Control, to General Commercial Planned Development (C-2-PD) and replace the existing commercial office building on the Dewey property. On September 3, 2014, the City of Oxnard submitted the subject application to LAFCo, requesting that the Commission approve a reorganization to allow for the proposed development.

Development of the proposed facility requires annexation to the City because the existing water purveyor for the site (Garden Acres Mutual Water Company) cannot provide sufficient water for fire suppression. In order to connect to the City's water system for fire suppression purposes, the Dewey property must be within the jurisdictional boundaries of the City. The City states that it recently completed installation of a new, 12-inch water main along Ventura Boulevard between Rice/Santa Clara Avenue and Almond Drive, and the project includes connection to the new water main.

The proposal also includes the detachment of the proposal area from the VCRCO (which provides soil and water conservation services in unincorporated County areas only); the VCFPD (which provides fire protection and paramedic services to all unincorporated areas in the County and to the Cities of Ojai, Port Hueneme, Camarillo, Thousand Oaks, Moorpark, and Simi Valley); and CSA 33 (which provides recreation and parks services in all areas outside cities and recreation and parks districts).

**General Analysis:**

Government Code § 56668 identifies several factors that the Commission must consider as part of its review of a proposal. These factors are discussed below.

**1. Land Use and Population [Government Code §§ 56668(a), 56668(g), and 56668(n)]**

*Land Area, Land Use, and Consistency with Plans*

The proposal area currently has a County General Plan land use designation of Existing Community – Urban Reserve, a County zoning designation of Limited Industrial (M2), and a City General Plan land use designation of Commercial General. The City has pre-zoned the proposal area to General Commercial Planned Development (C-2-PD). Surrounding properties are designated and zoned as follows:

	<b>Current Use</b>	<b>Jurisdiction</b>	<b>General Plan</b>	<b>Zoning</b>
<b>North</b>	Residential	County	Existing Community – Urban Reserve	RE-10,000 sq.ft. (Rural Exclusive, 10,000 square foot minimum parcel size)
<b>South</b>	Highway 101	City	N/A (Road right-of-way)	N/A (Road right-of-way)
<b>East</b>	Commercial Office	County	Existing Community – Urban Reserve	CPD (Commercial Planned Development)
<b>West</b>	Commercial Office	City	Commercial General	C-2-PD (General Commercial Planned Development)

The project site is surrounded with commercial development to the west and east along Ventura Boulevard, residential properties to the north, and the Ventura Freeway (Highway 101) immediately to the south. The subject proposal will not affect surrounding zoning or General Plan designations. The City of Oxnard establishes the allowable land uses for territory within its jurisdiction. Additionally, the proposal area is within the City Urban Restriction Boundary (CURB) of the City of Oxnard. Based on application materials submitted, it appears that the proposed development is consistent with the City’s General Plan.

*Likelihood of Growth in the Area*

The proposal area is in the Nyeland Acres community, most of which is unincorporated and all of which is within the City of Oxnard’s sphere of influence (the probable physical boundary and service area, as defined in Government Code §

56076). The proposal area has been designated for commercial development by the City's General Plan, contains a commercial facility, and is contiguous to other similarly-developed territory within the City.

### Topography, Natural Features and Drainage

The Dewey property contains a commercial office and associated parking area. According to the application materials submitted and a review of the site, the proposal area is level. The property is surrounded by residential and commercial uses on flat land in the developed community of Nyeland Acres. Several mature trees are located on the property, however no other natural features are present.

### Population

The 2012 "Nine Ventura County Cities" Municipal Service Review (MSR) accepted by the Commission documents that the City's population as of January 1, 2012 was 200,390, and that the expected population in 2015 will be 209,357. While the commercial development will support an estimated 13 employees, the Dewey property will not be used for residential purposes, and therefore will not result in any changes to the City's population.

### Regional Transportation Plan

The application materials submitted document that the proposed development would not result in the addition of any new residents within the proposal area. Instead, the development proposal involves the replacement of an existing commercial building. LAFCo staff did not identify any conflicts of the proposal related to the contents of the Regional Transportation Plan (adopted by the Southern California Association of Governments in 2012).

## **2. Services and Controls – Need, Cost, Adequacy and Availability [Government Code §§ 56668(b), 56668(j), and 56668(k)]**

The City of Oxnard established the allowable land uses for the proposal area. It appears that the proposed development is consistent with the City's General Plan. The following details are based on information contained in the 2012 MSR and the application materials submitted to LAFCo:

Fire Protection Services: The City provides fire protection services within its jurisdiction. The closest fire station to the proposal area is Station 5 located at 1450 Colonia Road (approximately 3.3 miles from the proposal area), and the average response time for fire/emergency service calls is 4 minutes for priority calls and 5 minutes for non-priority calls. Future development within the proposal area is not expected to result in increased demands for fire protection and related services, as the proposal area is within an existing developed community, and the development

consists of the replacement of an existing, operational office building with a new office building.

Law Enforcement: The City provides law enforcement services within its jurisdiction, the majority of which are financed through the City's General Fund. Using the 2012 city population estimate of 200,390, the City Police Department provided one sworn officer per 841 City residents. As stated in Section 1 of this staff report (above), development of the proposal area is not expected to increase the City's population because the proposal is commercial in nature. Additionally, the development consists of the replacement of a currently-occupied commercial office building. The average response times for service calls are 6.5 minutes for priority calls and 23 minutes for non-priority calls. In order to maintain the City's current officer-to-resident ratio and current average response time, no additional officers would be required once the Dewey property is developed.

Library Services: The City of Oxnard provides library services within the City and operates three public libraries throughout the City. Library operations are funded through the City's General Fund, which allocated \$4,272,386 for the 2012-2013 fiscal year. As stated in Section 1 of this staff report (above), development of the proposal area is not expected to increase the City's population, and therefore would not increase demands on the City's library system.

Recreation and Parks Services: The City provides recreation and park services within its jurisdiction, the majority of which are financed through the City's General Fund. The City currently has a parkland ratio of 2.44 acres per 1,000 residents, and a parkland goal of 3.0 acres per 1,000 residents. As discussed above in this report, the development is commercial in nature and will not result in a change in the City's population or an increased demand in recreation and parks services.

Schools: The proposal area is located within the Rio Elementary School District and the Oxnard Union High School District. As discussed in this staff report, the development is commercial in nature and will not result in an increased demand in school facilities.

Flood Control Services: The submitted application materials state that the property will be served by storm drain facilities that are operated and maintained by the City, and that existing infrastructure can accommodate the proposed development. The developer is responsible for complying with standard City requirements pertaining to protection of the new development from inundation during a 100-year storm.

Street Maintenance: The proposal does not include the addition of any new streets. Ventura Boulevard is currently, and would continue to be, maintained by the City. As discussed above in this report, the segment of Almond Drive that is immediately east of the project site is included within the proposal area. If the proposal is approved, the City would assume street maintenance from the County for the 300-

foot long annexed segment of Almond Drive. Therefore, the City would be responsible for new road maintenance services.

Wastewater: CSA 30 provides and will continue to provide wastewater collection and treatment services to the proposal using existing infrastructure. System maintenance will continue to be provided by CSA 30, funded through monthly sewer service payments. CSA 30 has a treatment capacity of 0.48 million gallons per day (mgd), with average daily flows of approximately 0.14 mgd. Build-out of the project will generate approximately 0.0007 mgd, and existing capacity can accommodate all existing and approved but as-of-yet unbuilt development projects within the District. Therefore, it appears that the District's treatment plant has adequate capacity to serve development within the proposal area.

Water: The Garden Acres Mutual Water Company currently provides domestic water service to the proposal area. As discussed above in the project description, the City would provide potable water to the new development on the Dewey property. The City is a water retailer that receives water wholesale from the CMWD (CMWD is the regional member agency of the Metropolitan Water District). City water would be provided through a new lateral line extended 13 feet from the existing mainline in Ventura Boulevard. The City plans to assume water service to the Dewey property and surrounding properties in early 2015, once the new infrastructure is operational. The application materials submitted and the analysis of the anticipated water supply and demand indicate that the City has sufficient long-term water supply to serve the proposal area with the estimated necessary 1.5 acre feet per year (AFY) to support the proposed development.

At the time of building permit issuance, the developer will be responsible for financing the installation of the lateral line for water service improvements to the Dewey property. Ongoing maintenance and service of the water line within the development will be financed through user fees.

### **3. Effect of Proposed Action and Alternative Actions [Government Code § 56668(c)]**

Staff has not identified any effects of the proposal on adjacent areas, mutual social and economic interests, or the local government structure of the County.

### **4. Conformity with Adopted Commission Policies [Government Code § 56668(d)]**

The proposal is consistent with all the Commission policies for changes of organization that are contained in the LAFCo Commissioner's Handbook ("Handbook"), including Handbook Section 3.2.1 which provides that "cities shall annex entire roadway sections adjacent to territory proposed to be annexed and shall include complete intersections." While the City Council resolution of application to LAFCo does not specifically state that the proposal includes a portion of the

Almond Drive road right-of-way, the materials submitted in the City's application to LAFCo document that the City wishes to annex the segment of Almond Drive located immediately east of the Dewey property.

**5. Impact on Prime Agricultural Land and Agriculture and Open Space [Government Code §§ 56668(d), 56668(e), and 56377]**

*Prime Agricultural Land and Agriculture*

In evaluating impacts to agricultural resources, LAFCo must apply the definition of prime agricultural land found in LAFCo law (Government Code § 56064), which includes standards relating to the value of agriculture products and the soils classification determined by the Natural Resources Conservation Service (NRCS). The proposal area is not irrigated, does not support livestock or crops, and is not rated by the NRCS as prime agricultural land. Therefore, the proposal area does not meet the definition of prime agricultural land provided in LAFCo law.

*Open Space*

In evaluating impacts to open space land, LAFCo must utilize the definition of open space found in LAFCo law (Government Code § 56059). The proposal area is not designated by either the County or the City as open space, and therefore does not meet the definition of open space provided in LAFCo law.

**6. Boundaries and Lines of Assessment [Government Code § 56668(f)]**

*Map Review by County Surveyor*

County Surveyor review and certification of the map and legal description are required in order to record the Certificate of Completion (pursuant to Government Code § 57201) and to file the statement of boundary change with the State Board of Equalization (pursuant to Government Code § 57204). As such, the attached Resolution (Attachment 3) includes a condition that predicates recordation of a Certificate of Completion upon the approval of a map and legal description by the County Surveyor. As of the date of this staff report, review of the map and legal description is in progress but has not yet been completed.

*Legal Lot and Lines of Assessment*

Handbook Sections 3.1.4.2 and 3.1.4.3 provide that the boundaries of a proposal shall follow lines of assessment or ownership, and that a proposal shall involve only legal lots. The proposal boundaries follow lines of assessment and ownership, and staff has no information to indicate that the lot was not legally created. These provisions do not apply to roads within the public road network.

## **7. Applicable Spheres of Influence [Government Code § 56668(h)]**

All of the territory included in the proposed reorganization is located within the sphere of influence of the City. Therefore, an amendment to the City's sphere is not required in order to accomplish the proposed reorganization. The proposal area is also within the spheres of influence of VCRCD, VCFPD, and CSA 33. The spheres of these districts encompass the entire County (in general), and therefore no sphere amendments for these districts are required. The proposal area is also within CMWD's sphere and service area. No other spheres of influence would be affected by the proposal.

## **8. Regional Housing Needs [Government Code § 56668(l)]**

The proposal does not involve the creation of any parcels for residential use. Pursuant to the application materials submitted, the City's General Plan Housing Element does not identify the site as one needed in order for the City to meet its regional housing needs obligation.

## **9. Environmental Justice [Government Code § 56668(o)]**

The proposal area is located in the Nyeland Acres community, which is one of the two communities that the Commission determined met the definition of a disadvantaged unincorporated community (DUC) (Handbook Section 3.2.5). LAFCo will generally not approve an annexation of 28 acres or more of land contiguous to a DUC unless a request to annex the DUC has been filed with the LAFCo Executive Officer. Because the proposal involves the annexation of territory within a DUC to the City and does not involve the annexation of 28 acres or more contiguous to the DUC, the proposal is consistent with LAFCo law and the Handbook. Therefore, the proposal would not result in the unfair treatment of any person based on race, culture or income with respect to the provision of municipal services to the proposal area.

## **10. Comments and Additional Information [Government Code §§ 56668(i) and 56668(m)]**

As of the date of this report, no information or comments have been submitted by any affected local agency or other public agency, landowners, voters, or residents of the affected territory, except for correspondence from the County Water and Sanitation Department confirming CSA 30 as the sewer service provider for the proposal area.

### **California Environmental Quality Act (CEQA):**

When the Oxnard City Council approved the proposed development on the Dewey property, it determined that the project was exempt from CEQA. This reorganization is

also subject to CEQA. The Commission must therefore determine the appropriate environmental document for the proposed action. LAFCo staff recommends that the Commission find that the requested reorganization to accommodate the replacement of an office building is exempt from CEQA pursuant to CEQA Guidelines § 15302. The draft resolution contains a finding that the proposed action is exempt from CEQA, as described above.

### **Commission Proceedings – Process Considerations:**

Pursuant to Govt. Code § 56662(a), the Commission may make determinations on the proposal without notice and a hearing and can waive protest proceedings entirely if the following criteria are met:

- (1) The territory is uninhabited.
- (2) An affected local agency has not submitted a written demand for notice and hearing during the 10-day period following the issuance of the notice of Receipt of Application.
- (3) The proposal is accompanied by proof, satisfactory to the Commission, that all the owners of land within the affected territory have given their written consent to the proposal.

According to the County Registrar of Voters, there are no registered voters who reside in the proposal area. As such, the proposal area is considered by LAFCo to be uninhabited (Government Code § 56046). No affected agency has submitted a written demand for notice and hearing. The property owner of the land within the proposal area is the proponent of the development and the annexation. Staff recommends that the Commission consider the proposal without notice and a hearing, and waive protest proceedings entirely. The resolution approving the reorganization contains the appropriate language to waive protest proceedings.

### **Alternative Actions Available:**

- A. If the Commission, following public testimony and review of the materials submitted, determines that further information is necessary, an action to continue the hearing should include the specific information desired and specify a date certain for further consideration.
- B. If the Commission, following public testimony and review of the materials submitted, determines that the proposal should be approved subject to any changes or additions to the terms and conditions recommended, an action to approve should clearly specify 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 reorganization proposal, the action should include

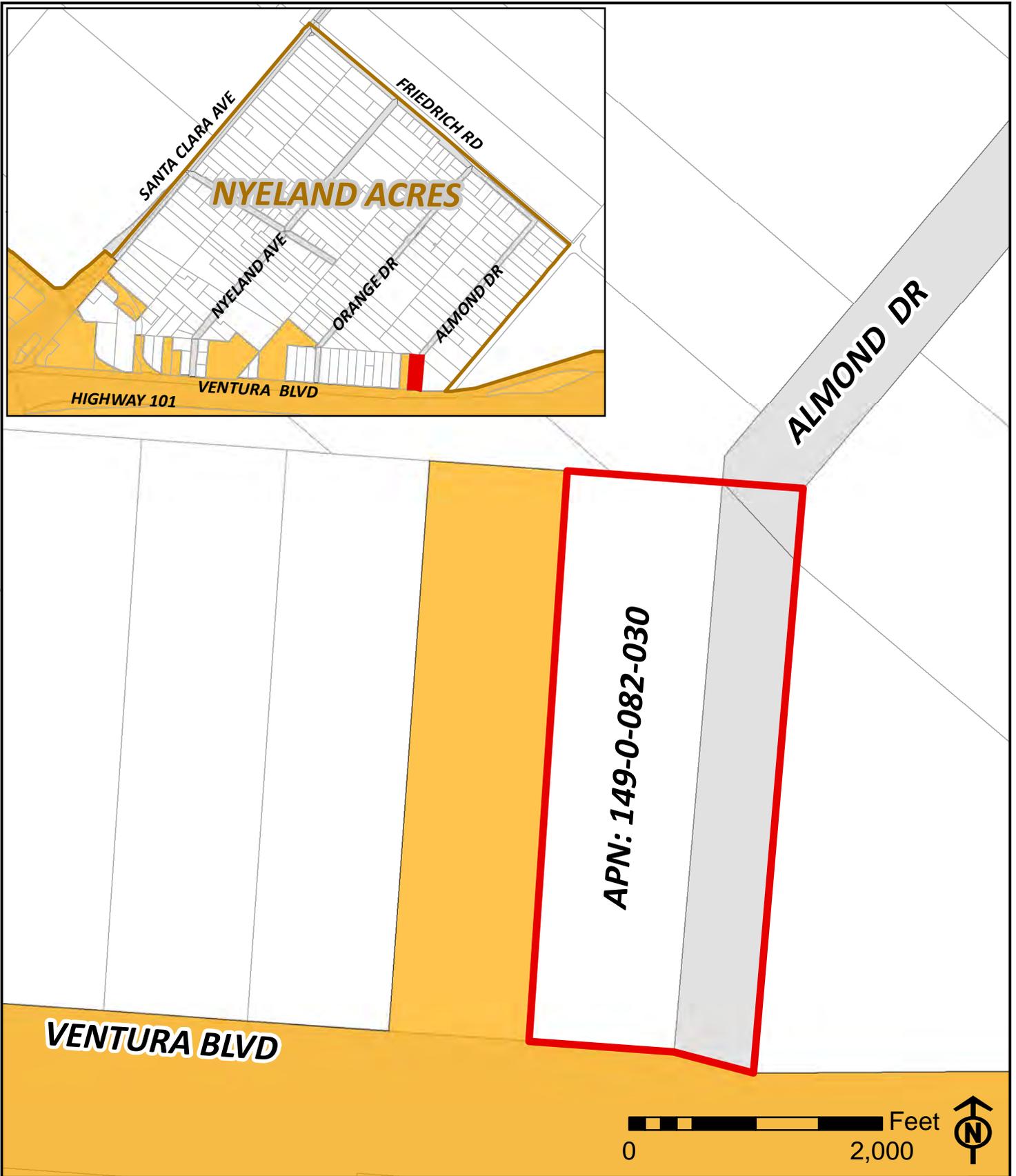
direction that the matter be continued to the next meeting and that staff prepare a new report consistent with the evidence submitted and the anticipated decision.

BY: Andrea Ozdy  
Andrea Ozdy  
Analyst

Attachments:

1. Proposal Area Map/Vicinity Map
2. Aerial Photo of Proposal Area
3. LAFCo 14-15 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 Oxnard
-  City of Oxnard Sphere of Influence
-  Road Rights-of-Way
-  Assessor's Parcels

LAFCo 14-15  
 City of Oxnard Reorganization - Dewey  
 November 19, 2014  
 Attachment 1





- Proposal Area
- City of Oxnard
- Road Rights-of-Way
- Assessor's Parcels

LAFCo 14-15  
 City of Oxnard Reorganization - Dewey  
 APN: 149-0-082-030  
 Attachment 2



**LAFCO 14-15**

**RESOLUTION OF THE VENTURA LOCAL AGENCY FORMATION COMMISSION MAKING DETERMINATIONS AND APPROVING THE CITY OF OXNARD REORGANIZATION – DEWEY; ANNEXATION TO THE CITY OF OXNARD AND DETACHMENT FROM THE VENTURA COUNTY RESOURCE CONSERVATION DISTRICT, VENTURA COUNTY FIRE PROTECTION DISTRICT, AND COUNTY SERVICE AREA NO. 33**

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

WHEREAS, notice was provided at the times and in the manner required by law; and

WHEREAS, the proposal was duly considered on November 19, 2014; 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 (which contains the recommendations and a discussion of applicable spheres of influence and local plans and policies); and

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

WHEREAS, the affected territory has fewer than twelve registered voters and is considered uninhabited; and

WHEREAS, information satisfactory to the Commission has been presented that no subject or affected agencies have submitted written opposition to the proposal; and

WHEREAS, the Commission finds the proposal to be in the best interest of the landowners and present and future inhabitants within the City of Oxnard (City) 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 dated November 19, 2014 and recommendation for approval of the proposal are adopted.
- (2) The reorganization is hereby approved, and the boundaries are established as generally set forth in the attached Exhibit A.
- (3) The boundaries of the proposal are found to be definite and certain as approved.
- (4) The subject proposal is assigned the following distinctive short form designation:  
**LAFCO 14-15 CITY OF OXNARD REORGANIZATION – DEWEY.**
- (5) In accordance with staff's recommendation that the subject proposal is exempt from the California Environmental Quality Act (CEQA) pursuant to § 15302 of the CEQA Guidelines, the Commission hereby finds the reorganization to be categorically exempt.
- (6) The Commission directs staff to file a Notice of Exemption under § 15062 of the CEQA Guidelines.
- (7) The Commission determines that the project is in compliance with Government Code § 56741 as the territory to be annexed to the City is located within one county and is contiguous with the boundaries of the City.
- (8) The affected territory is uninhabited as defined by Government Code § 56046.
- (9) Pursuant to Government Code § 56662(a), the territory is uninhabited, no affected local agency has submitted a written demand for notice and hearing, and all the owners of land within the affected territory have given their written consent to the proposal. The Commission hereby makes determinations upon the proposal without notice and hearing, and waives protest proceedings entirely.
- (10) The affected territory shall be liable for all taxes, charges, fees or assessments that are levied on similar properties within the City.
- (11) **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 LAFCo Executive Officer.**

(12) **This reorganization shall not be recorded until a map and legal description consistent with this approval and suitable for filing with the State Board of Equalization have been submitted to the LAFCo Executive Officer.**

This resolution was adopted on November 19, 2014.

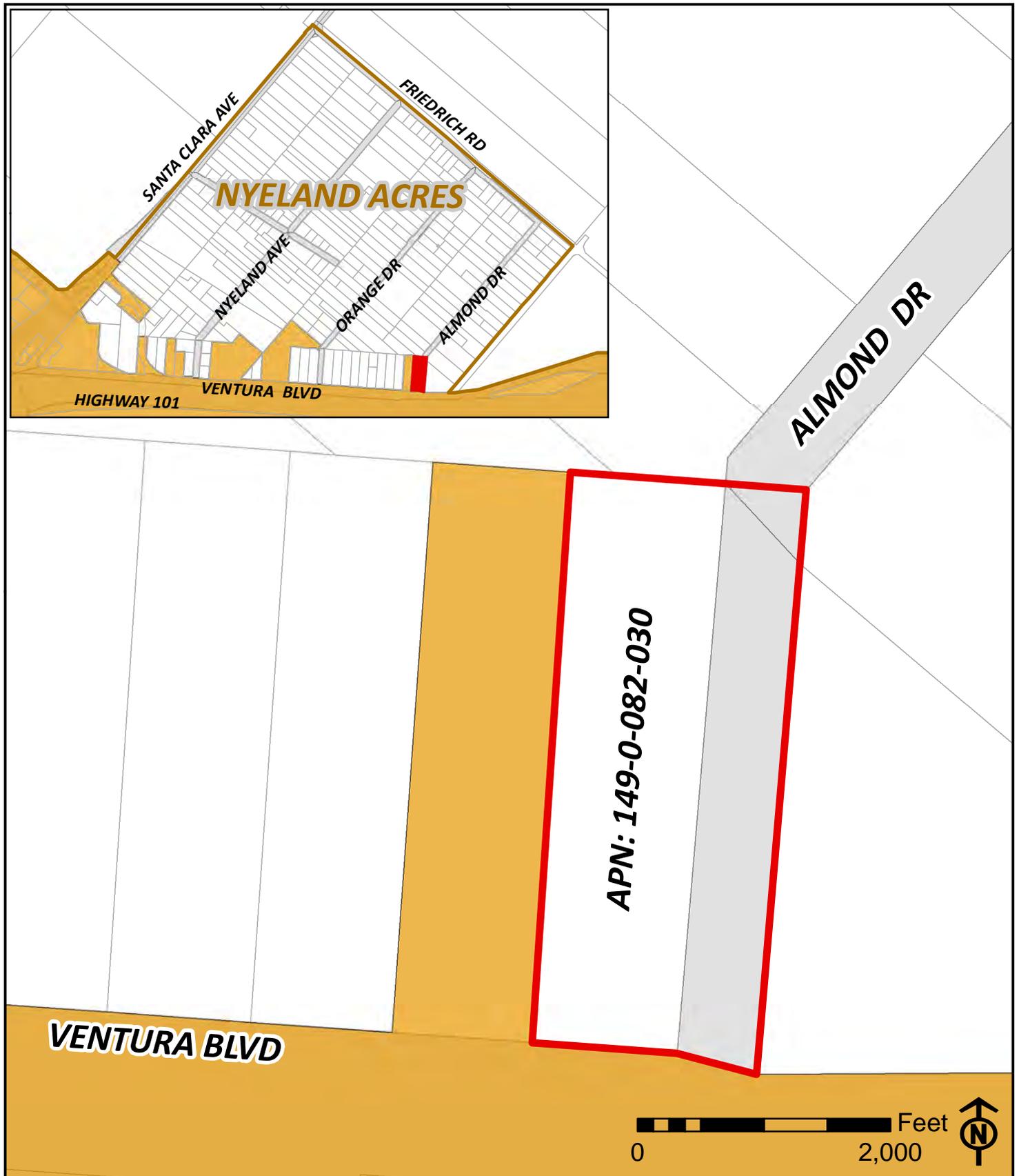
	<b>AYE</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Commissioner Dandy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Ford-McCaffrey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner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

Dated: \_\_\_\_\_  
 \_\_\_\_\_  
 Chair, Ventura Local Agency Formation Commission

Attachments: Exhibit A

Copies: City of Oxnard  
 Oxnard Harbor District  
 Calleguas Municipal Water District  
 Ventura County Fire Protection District  
 Ventura County Service Area No. 33  
 Ventura County Planning Division  
 Ventura County Resource Conservation District  
 Southern California Edison  
 Sempra Energy/Gas Company  
 Ventura County Watershed Protection District  
 Ventura County Assessor  
 Ventura County Auditor/Controller  
 Ventura County Elections-Registrar of Voters  
 Ventura County Sheriff – EOC  
 Ventura County Surveyor  
 Ventura County GIS Officer

LAFCo 14-15 City of Oxnard Reorganization – Dewey  
 Resolution of Approval  
 November 19, 2014  
 Page 3 of 3



-  Proposal Area
-  City of Oxnard
-  City of Oxnard Sphere of Influence
-  Road Rights-of-Way
-  Assessor's Parcels

LAFCo 14-15  
 City of Oxnard Reorganization - Dewey  
 November 19, 2014  
 Exhibit A





VENTURA LOCAL AGENCY FORMATION COMMISSION  
STAFF REPORT

Meeting Date: November 19, 2014  
(Consent)

**Agenda Item 10**

**TO:** LAFCo Commissioners

**FROM:** Kai Luoma, Executive Officer

**SUBJECT:** Budget to Actual Reports – June, July, August and September 2014

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**RECOMMENDATION:**

Receive and file the Unadjusted Budget to Actual Report for June 2014 of the 2013-2014 Fiscal Year, and the Budget to Actual Reports for July, August and September 2014 of the 2014-2015 Fiscal Year.

**DISCUSSION:**

Pursuant to the Commissioner’s Handbook policies, the Executive Officer is to provide monthly budget reports to the Commission as soon as they are available. The attached reports have been prepared with the assistance of the County Auditor-Controller staff. The June 2014 report for the 2013-2014 Fiscal Year is “Unadjusted” as it does not include all the year-end accruals and adjustments. Financial Statements for the 2013-2014 are not yet available. The July, August and September reports reflect revenue and expenditures for the first quarter of the 2014-2015 Fiscal Year. Staff is not recommending any budget adjustments at this time.

Attachments: Budget to Actual Reports – June, July, August and September 2014

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COMMISSIONERS AND STAFF

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**COUNTY:**  
Linda Parks, Chair  
John Zaragoza  
*Alternate:*  
Steve Bennett

**CITY:**  
Carl Morehouse  
Janice Parvin  
*Alternate:*  
Carol Smith

**DISTRICT:**  
Bruce Dandy  
Vacant  
*Alternate:*  
Elaine Freeman

**PUBLIC:**  
Linda Ford-McCaffrey, Vice Chair  
*Alternate:*  
Lou Cunningham

**Executive Officer:**  
Kai Luoma, AICP

**Analyst**  
Andrea Ozdy

**Office Mgr/Clerk**  
Debbie Schubert

**Legal Counsel**  
Michael Walker



**UNADJUSTED BUDGET TO ACTUAL FY 2013-14  
YEAR TO DATE ENDING JUNE 30, 2014  
Fund 7920, Organization 8950**

Summary	Budget	Adj. Budget	To Date
Estimated Sources	675,769	675,769	692,023
Appropriations	675,769	675,769	565,467

Account Number	Title	BUDGET			ACTUAL YTD			Variance Favorable (Unfavorable)	
		Budget	Proposed Adjustments	Adjusted Budget	Actual	Encumbered	Total Revenue/Obligation		
<b>FUND BALANCE</b>									
	Beginning Balance	388,453		388,453	388,452.87		388,452.87	(0.13)	
5331	Committed	100,000		100,000	100,000.00		100,000.00	0.00	
5395	Unassigned	220,320		220,320	220,319.87		220,319.87	(0.13)	
5395	Unassigned - Appropriated	68,133		68,133	68,133.00		68,133.00	(0.26)	
<b>REVENUE</b>									
8911	Interest Earnings	4,000		4,000	2,334.26		2,334.26	(1,665.74)	58%
9372	Other Governmental Agencies	573,636		573,636	573,636.00		573,636.00	0.00	100%
9772	Other Revenue - Miscellaneous	30,000		30,000	47,920.17		47,920.17	17,920.17	160%
	<b>Total Revenue</b>	<b>607,636</b>	<b>0</b>	<b>607,636</b>	<b>623,890.43</b>		<b>623,890.43</b>	<b>16,254.43</b>	<b>103%</b>
	<b>TOTAL SOURCES</b>	<b>675,769</b>	<b>0</b>	<b>675,769</b>	<b>692,023.43</b>		<b>692,023.43</b>	<b>16,254.17</b>	<b>102%</b>
<b>EXPENDITURES</b>									
1101	Regular Salaries	328,000		328,000	296,164.01		296,164.01	31,835.99	90%
1105	Overtime	0		0	0.00		0.00	0.00	0%
1106	Supplemental Payments	12,600		12,600	11,036.76		11,036.76	1,563.24	88%
1107	Term/Buydown	31,500		31,500	16,076.76		16,076.76	15,423.24	51%
1121	Retirement Contribution	77,500		77,500	69,971.28		69,971.28	7,528.72	90%
1122	OASDI Contribution	19,000		19,000	16,844.10		16,844.10	2,155.90	89%
1123	FICA - Medicare	5,100		5,100	4,645.50		4,645.50	454.50	91%
1141	Group Insurance	21,400		21,400	20,738.36		20,738.36	661.64	97%
1142	Life Ins/Dept. Heads & Mgmt.	150		150	128.38		128.38	21.62	86%
1143	State Unempl	400		400	357.19		357.19	42.81	89%
1144	Management Disability Ins.	820		820	720.80		720.80	99.20	88%
1165	Worker Compensation Ins	3,000		3,000	2,606.98		2,606.98	393.02	87%
1171	401K Plan	12,500		12,500	9,671.09		9,671.09	2,828.91	77%
	<b>Salaries and Benefits</b>	<b>511,970</b>	<b>0</b>	<b>511,970</b>	<b>448,961.21</b>	<b>0.00</b>	<b>448,961.21</b>	<b>63,008.79</b>	<b>88%</b>
2033	Voice/Data ISF	3,500		3,500	3,008.31		3,008.31	491.69	86%
2071	General Insurance Alloca - ISF	2,000		2,000	1,968.00		1,968.00	32.00	98%
2125	Facil/Matls Sq. Ft. Alloc. - ISF	15,500		15,500	14,592.00		14,592.00	908.00	94%
2128	Other Maint	500		500	320.19		320.19	179.81	64%
2141	Memberships & Dues	6,550		6,550	6,105.00		6,105.00	445.00	93%
2154	Education Allowance	0		0	0.00		0.00	0.00	0%
2158	Indirect Cost Recovery	5,500		5,500	5,351.00		5,351.00	149.00	97%
2172	Books & Publications	500		500	291.07		291.07	208.93	58%
2174	Mail Center - ISF	2,500		2,500	1,699.20		1,699.20	800.80	68%
2176	Purchasing Charges - ISF	500		500	59.89		59.89	440.11	12%
2177	Graphics Charges - ISF	2,000		2,000	0.00		0.00	2,000.00	0%
2178	Copy Machine Charges - ISF	1,000		1,000	183.03		183.03	816.97	18%
2179	Miscellaneous Office Expense	7,000		7,000	6,613.73		6,613.73	386.27	94%
2181	Stores ISF	50		50	103.85		103.85	(53.85)	208%
2191	Board Members Fees	4,500		4,500	3,250.00		3,250.00	1,250.00	72%
2192	Information Technology - ISF	3,000		3,000	1,594.18		1,594.18	1,405.82	53%
2195	Specialized Services/Software	1,500		1,500	737.50		737.50	762.50	49%
2197	Public Works - Charges	3,000		3,000	1,536.21		1,536.21	1,463.79	51%
2199	Other Prof & Spec Service	10,000		10,000	8,000.00		8,000.00	2,000.00	80%
2203	Accounting and Auditing Services	5,000		5,000	3,239.26		3,239.26	1,760.74	65%
2205	GSA Special Services ISF	100		100	56.90		56.90	43.10	57%
2214	County GIS Expenses	23,000		23,000	14,584.14		14,584.14	8,415.86	63%
2261	Public & Legal Notices	5,000		5,000	3,226.36		3,226.36	1,773.64	65%
2283	Records Storage Charges	350		350	256.04		256.04	93.96	73%
2293	Computer Equipment <5000	4,000		4,000	3,799.05		3,799.05	200.95	95%
2304	County Legal Counsel	22,500		22,500	17,296.00		17,296.00	5,204.00	77%
2521	Transportation Charges ISF	0		0	0.00		0.00	0.00	0%
2522	Private Vehicle Mileage	7,000		7,000	6,615.51		6,615.51	384.49	95%
2523	Conf. & Seminars Expense	13,000		13,000	11,779.81		11,779.81	1,220.19	91%
2526	Conf. & Seminars Expense ISF	500		500	20.00		20.00	480.00	4%
2528	County Motor Pool	1,000		1,000	219.17		219.17	780.83	22%
	<b>Services and Supplies</b>	<b>150,550</b>	<b>0</b>	<b>150,550</b>	<b>116,505.40</b>	<b>0.00</b>	<b>116,505.40</b>	<b>34,044.60</b>	<b>77%</b>
6101	Contingency	13,249		13,249	0.00		0.00	13,249.00	0%
	<b>TOTAL EXPENDITURES</b>	<b>675,769</b>	<b>0</b>	<b>675,769</b>	<b>565,466.61</b>	<b>0.00</b>	<b>565,466.61</b>	<b>110,302.39</b>	<b>84%</b>

0.00

Note: Amounts with "( )" in the ACTUAL column reflect FY13 accruals in excess of actual expenditures to date



**BUDGET TO ACTUAL FY 2014-15  
YEAR TO DATE ENDING JULY 31, 2014 (8.33% of year)  
Fund 7920, Organization 8950**

Summary	Budget	Adj. Budget	To Date
Estimated Sources:	641,949	641,949	511,209
Appropriations	641,949	641,949	29,804

Account Number	Title	BUDGET			ACTUAL YTD			Variance Favorable (Unfavorable)
		Budget	Proposed Adjustments	Adjusted Budget	Actual	Encumbered	Total Revenue/Obligation	
<b>FUND BALANCE</b>								
	Beginning Balance	446,877		446,877	446,876.69		446,876.69	0.00
5331	Committed	100,000		100,000	100,000.00		100,000.00	0.00
5395	Unassigned	256,877		256,877	256,876.69		256,876.69	0.00
5395	Unassigned - Appropriated	90,000		90,000	90,000.00		90,000.00	0.00
<b>REVENUE</b>								
8911	Interest Earnings	2,700		2,700	(436.81)		(436.81)	(3,136.81) -16%
9372	Other Governmental Agencies	519,249		519,249	418,146.00		418,146.00	(101,103.00) 81%
9772	Other Revenue - Miscellaneous	30,000		30,000	3,500.00		3,500.00	(26,500.00) 12%
	<b>Total Revenue</b>	<b>551,949</b>	<b>0</b>	<b>551,949</b>	<b>421,209.19</b>		<b>421,209.19</b>	<b>(130,739.81) 76%</b>
	<b>TOTAL SOURCES</b>	<b>641,949</b>	<b>0</b>	<b>641,949</b>	<b>511,209.19</b>		<b>511,209.19</b>	<b>(130,739.81) 80%</b>
<b>EXPENDITURES</b>								
1101	Regular Salaries	310,000		310,000	15,510.01		15,510.01	294,489.99 5%
1105	Overtime	0		0	0.00		0.00	0.00 0%
1106	Supplemental Payments	11,500		11,500	571.02		571.02	10,928.98 5%
1107	Term/Buydown	24,500		24,500	0.00		0.00	24,500.00 0%
1121	Retirement Contribution	63,000		63,000	3,138.80		3,138.80	59,861.20 5%
1122	OASDI Contribution	18,500		18,500	986.05		986.05	17,513.95 5%
1123	FICA - Medicare	4,700		4,700	230.62		230.62	4,469.38 5%
1124	Safe Harbor	0		0	0.00		0.00	0.00 0%
1126	POB Debt Service	0		0	0.00		0.00	0.00 0%
1128	Retirement Health Contribution	5,300		5,300	0.00		0.00	5,300.00 0%
1141	Group Insurance	23,000		23,000	1,162.80		1,162.80	21,837.20 5%
1142	Life Ins/Dept. Heads & Mgmt.	150		150	7.05		7.05	142.95 5%
1143	State Unempl	400		400	18.63		18.63	381.37 5%
1144	Management Disability Ins.	750		750	38.00		38.00	712.00 5%
1165	Worker Compensation Ins	2,900		2,900	127.80		127.80	2,772.20 4%
1171	401K Plan	11,500		11,500	498.01		498.01	11,001.99 4%
	<b>Salaries and Benefits</b>	<b>476,200</b>	<b>0</b>	<b>476,200</b>	<b>22,288.79</b>	<b>0.00</b>	<b>22,288.79</b>	<b>453,911.21 5%</b>
2033	Voice/Data ISF	2,500		2,500	0.00		0.00	2,500.00 0%
2071	General Insurance Alloca - ISF	2,000		2,000	0.00		0.00	2,000.00 0%
2125	Facil/Matls Sq. Ft. Alloc. - ISF	15,000		15,000	0.00		0.00	15,000.00 0%
2128	Other Maint	500		500	0.00		0.00	500.00 0%
2141	Memberships & Dues	7,100		7,100	6,039.00		6,039.00	1,061.00 85%
2154	Education Allowance	1,000		1,000	0.00		0.00	1,000.00 0%
2158	Indirect Cost Recovery	12,200		12,200	0.00		0.00	12,200.00 0%
2172	Books & Publications	300		300	0.00		0.00	300.00 0%
2174	Mail Center - ISF	2,500		2,500	0.00		0.00	2,500.00 0%
2176	Purchasing Charges - ISF	100		100	0.00		0.00	100.00 0%
2177	Graphics Charges - ISF	500		500	0.00		0.00	500.00 0%
2178	Copy Machine Charges - ISF	750		750	0.00		0.00	750.00 0%
2179	Miscellaneous Office Expense	4,000		4,000	478.77		478.77	3,521.23 12%
2181	Stores ISF	50		50	0.00		0.00	50.00 0%
2191	Board Members Fees	4,500		4,500	300.00		300.00	4,200.00 7%
2192	Information Technology - ISF	2,500		2,500	0.00		0.00	2,500.00 0%
2195	Specialized Services/Software	1,500		1,500	0.00		0.00	1,500.00 0%
2197	Public Works - Charges	3,000		3,000	0.00		0.00	3,000.00 0%
2199	Other Prof & Spec Service	10,000		10,000	0.00		0.00	10,000.00 0%
2203	Accounting and Auditing Services	4,500		4,500	0.00		0.00	4,500.00 0%
2205	GSA Special Services ISF	100		100	0.00		0.00	100.00 0%
2214	County GIS Expenses	21,500		21,500	0.00		0.00	21,500.00 0%
2261	Public & Legal Notices	5,000		5,000	102.00		102.00	4,898.00 2%
2283	Records Storage Charges	350		350	0.00		0.00	350.00 0%
2293	Computer Equipment <5000	3,100		3,100	0.00		0.00	3,100.00 0%
2304	County Legal Counsel	22,500		22,500	0.00		0.00	22,500.00 0%
2521	Transportation Charges ISF	0		0	0.00		0.00	0.00 0%
2522	Private Vehicle Mileage	7,000		7,000	490.11		490.11	6,509.89 7%
2523	Conf. & Seminars Expense	12,000		12,000	105.00		105.00	11,895.00 1%
2526	Conf. & Seminars Expense ISF	500		500	0.00		0.00	500.00 0%
2528	County Motor Pool	500		500	0.00		0.00	500.00 0%
	<b>Services and Supplies</b>	<b>147,050</b>	<b>0</b>	<b>147,050</b>	<b>7,514.88</b>	<b>0.00</b>	<b>7,514.88</b>	<b>139,535.12 5%</b>
6101	Contingency	18,699		18,699	0.00		0.00	18,699.00 0%
	<b>TOTAL EXPENDITURES</b>	<b>641,949</b>	<b>0</b>	<b>641,949</b>	<b>29,803.67</b>	<b>0.00</b>	<b>29,803.67</b>	<b>612,145.33 5%</b>

0.00

Note: Amounts with "( )" in the ACTUAL column reflect FY14 accruals in excess of actual expenditures to date



**BUDGET TO ACTUAL FY 2014-15  
YEAR TO DATE ENDING AUGUST 31, 2014 (16.67% of year)  
Fund 7920, Organization 8950**

Summary	Budget	Adj. Budget	To Date
Estimated Sources	641,949	641,949	554,379
Appropriations	641,949	641,949	66,552

Account Number	Title	BUDGET			ACTUAL YTD			Variance Favorable (Unfavorable)
		Budget	Proposed Adjustments	Adjusted Budget	Actual	Encumbered	Total Revenue/Obligation	
<b>FUND BALANCE</b>								
	Beginning Balance	446,877		446,877	446,876.69		446,876.69	0.00
5331	Committed	100,000		100,000	100,000.00		100,000.00	0.00
5395	Unassigned	256,877		256,877	256,876.69		256,876.69	0.00
5395	Unassigned - Appropriated	90,000		90,000	90,000.00		90,000.00	0.00
<b>REVENUE</b>								
8911	Interest Earnings	2,700		2,700	0.00		0.00	(2,700.00) 0%
9372	Other Governmental Agencies	519,249		519,249	456,879.00		456,879.00	(62,370.00) 88%
9772	Other Revenue - Miscellaneous	30,000		30,000	7,500.00		7,500.00	(22,500.00) 25%
	<b>Total Revenue</b>	<b>551,949</b>	<b>0</b>	<b>551,949</b>	<b>464,379.00</b>		<b>464,379.00</b>	<b>(87,570.00) 84%</b>
	<b>TOTAL SOURCES</b>	<b>641,949</b>	<b>0</b>	<b>641,949</b>	<b>554,379.00</b>		<b>554,379.00</b>	<b>(87,570.00) 86%</b>
<b>EXPENDITURES</b>								
1101	Regular Salaries	310,000		310,000	38,664.75		38,664.75	271,335.25 12%
1105	Overtime	0		0	0.00		0.00	0.00 0%
1106	Supplemental Payments	11,500		11,500	1,422.82		1,422.82	10,077.18 12%
1107	Term/Buydown	24,500		24,500	0.00		0.00	24,500.00 0%
1121	Retirement Contribution	63,000		63,000	7,506.53		7,506.53	55,493.47 12%
1122	OASDI Contribution	18,500		18,500	2,447.37		2,447.37	16,052.63 13%
1123	FICA - Medicare	4,700		4,700	572.38		572.38	4,127.62 12%
1124	Safe Harbor	0		0	0.00		0.00	0.00 0%
1126	POB Debt Service	0		0	0.00		0.00	0.00 0%
1128	Retirement Health Contribution	5,300		5,300	0.00		0.00	5,300.00 0%
1141	Group Insurance	23,000		23,000	2,872.80		2,872.80	20,127.20 12%
1142	Life Ins/Dept. Heads & Mgmt.	150		150	17.43		17.43	132.57 12%
1143	State Unempl	400		400	46.46		46.46	353.54 12%
1144	Management Disability Ins.	750		750	94.74		94.74	655.26 13%
1165	Worker Compensation Ins	2,900		2,900	310.29		310.29	2,589.71 11%
1171	401K Plan	11,500		11,500	1,229.46		1,229.46	10,270.54 11%
	<b>Salaries and Benefits</b>	<b>476,200</b>	<b>0</b>	<b>476,200</b>	<b>55,185.03</b>	<b>0.00</b>	<b>55,185.03</b>	<b>421,014.97 12%</b>
2033	Voice/Data ISF	2,500		2,500	247.06		247.06	2,252.94 10%
2071	General Insurance Alloca - ISF	2,000		2,000	0.00		0.00	2,000.00 0%
2125	Facil/Matls Sq. Ft. Alloc. - ISF	15,000		15,000	0.00		0.00	15,000.00 0%
2128	Other Maint	500		500	0.00		0.00	500.00 0%
2141	Memberships & Dues	7,100		7,100	6,039.00		6,039.00	1,061.00 85%
2154	Education Allowance	1,000		1,000	0.00		0.00	1,000.00 0%
2158	Indirect Cost Recovery	12,200		12,200	0.00		0.00	12,200.00 0%
2172	Books & Publications	300		300	0.00		0.00	300.00 0%
2174	Mail Center - ISF	2,500		2,500	1,015.72		1,015.72	1,484.28 41%
2176	Purchasing Charges - ISF	100		100	0.00		0.00	100.00 0%
2177	Graphics Charges - ISF	500		500	0.00		0.00	500.00 0%
2178	Copy Machine Charges - ISF	750		750	0.00		0.00	750.00 0%
2179	Miscellaneous Office Expense	4,000		4,000	478.77		478.77	3,521.23 12%
2181	Stores ISF	50		50	3.50		3.50	46.50 7%
2191	Board Members Fees	4,500		4,500	300.00		300.00	4,200.00 7%
2192	Information Technology - ISF	2,500		2,500	213.24		213.24	2,286.76 9%
2195	Specialized Services/Software	1,500		1,500	0.00		0.00	1,500.00 0%
2197	Public Works - Charges	3,000		3,000	59.17		59.17	2,940.83 2%
2199	Other Prof & Spec Service	10,000		10,000	0.00		0.00	10,000.00 0%
2203	Accounting and Auditing Services	4,500		4,500	0.00		0.00	4,500.00 0%
2205	GSA Special Services ISF	100		100	0.00		0.00	100.00 0%
2214	County GIS Expenses	21,500		21,500	1,907.06		1,907.06	19,592.94 9%
2261	Public & Legal Notices	5,000		5,000	102.00		102.00	4,898.00 2%
2283	Records Storage Charges	350		350	0.00		0.00	350.00 0%
2293	Computer Equipment <5000	3,100		3,100	0.00		0.00	3,100.00 0%
2304	County Legal Counsel	22,500		22,500	0.00		0.00	22,500.00 0%
2521	Transportation Charges ISF	0		0	0.00		0.00	0.00 0%
2522	Private Vehicle Mileage	7,000		7,000	865.11		865.11	6,134.89 12%
2523	Conf. & Seminars Expense	12,000		12,000	105.00		105.00	11,895.00 1%
2526	Conf. & Seminars Expense ISF	500		500	0.00		0.00	500.00 0%
2528	County Motor Pool	500		500	31.05		31.05	468.95 6%
	<b>Services and Supplies</b>	<b>147,050</b>	<b>0</b>	<b>147,050</b>	<b>11,366.68</b>	<b>0.00</b>	<b>11,366.68</b>	<b>135,683.32 8%</b>
6101	Contingency	18,699		18,699	0.00		0.00	18,699.00 0%
	<b>TOTAL EXPENDITURES</b>	<b>641,949</b>	<b>0</b>	<b>641,949</b>	<b>66,551.71</b>	<b>0.00</b>	<b>66,551.71</b>	<b>575,397.29 10%</b>

0.00

Note: Amounts with "( )" in the ACTUAL column reflect FY14 accruals in excess of actual expenditures to date



**BUDGET TO ACTUAL FY 2014-15  
YEAR TO DATE ENDING SEPTEMBER 30, 2014 (25% of year)  
Fund 7920, Organization 8950**

Summary	Budget	Adj. Budget	To Date
Estimated Sources:	641,949	641,949	620,463
Appropriations	641,949	641,949	114,191

Account Number	Title	BUDGET			ACTUAL YTD			
		Budget	Proposed Adjustments	Adjusted Budget	Actual	Encumbered	Total Revenue/Obligation	Variance Favorable (Unfavorable)
<b>FUND BALANCE</b>								
	Beginning Balance	446,877		446,877	446,876.69		446,876.69	0.00
5331	Committed	100,000		100,000	100,000.00		100,000.00	0.00
5395	Unassigned	256,877		256,877	256,876.69		256,876.69	0.00
5395	Unassigned - Appropriated	90,000		90,000	90,000.00		90,000.00	0.00
<b>REVENUE</b>								
8911	Interest Earnings	2,700		2,700	0.00		0.00	(2,700.00)
9372	Other Governmental Agencies	519,249		519,249	519,145.00		519,145.00	(104.00)
9772	Other Revenue - Miscellaneous	30,000		30,000	11,318.34		11,318.34	(18,681.66)
	<b>Total Revenue</b>	<b>551,949</b>	<b>0</b>	<b>551,949</b>	<b>530,463.34</b>		<b>530,463.34</b>	<b>(21,485.66)</b>
	<b>TOTAL SOURCES</b>	<b>641,949</b>	<b>0</b>	<b>641,949</b>	<b>620,463.34</b>		<b>620,463.34</b>	<b>(21,485.66)</b>
<b>EXPENDITURES</b>								
1101	Regular Salaries	310,000		310,000	62,284.93		62,284.93	247,715.07
1105	Overtime	0		0	0.00		0.00	0.00
1106	Supplemental Payments	11,500		11,500	2,291.74		2,291.74	9,208.26
1107	Term/Buydown	24,500		24,500	0.00		0.00	24,500.00
1121	Retirement Contribution	63,000		63,000	11,955.04		11,955.04	51,044.96
1122	OASDI Contribution	18,500		18,500	3,938.63		3,938.63	14,561.37
1123	FICA - Medicare	4,700		4,700	921.13		921.13	3,778.87
1124	Safe Harbor	0		0	0.00		0.00	0.00
1126	POB Debt Service	0		0	0.00		0.00	0.00
1128	Retirement Health Contribution	5,300		5,300	0.00		0.00	5,300.00
1141	Group Insurance	23,000		23,000	4,582.80		4,582.80	18,417.20
1142	Life Ins/Dept. Heads & Mgmt.	150		150	27.81		27.81	122.19
1143	State Unempl	400		400	74.88		74.88	325.12
1144	Management Disability Ins.	750		750	152.45		152.45	597.55
1165	Worker Compensation Ins	2,900		2,900	496.36		496.36	2,403.64
1171	401K Plan	11,500		11,500	1,814.08		1,814.08	9,685.92
	<b>Salaries and Benefits</b>	<b>476,200</b>	<b>0</b>	<b>476,200</b>	<b>88,539.85</b>	<b>0.00</b>	<b>88,539.85</b>	<b>387,660.15</b>
2033	Voice/Data ISF	2,500		2,500	438.51		438.51	2,061.49
2071	General Insurance Alloca - ISF	2,000		2,000	0.00		0.00	2,000.00
2125	Facil/Matls Sq. Ft. Alloc. - ISF	15,000		15,000	3,633.00		3,633.00	11,367.00
2128	Other Maint	500		500	0.00		0.00	500.00
2141	Memberships & Dues	7,100		7,100	6,039.00		6,039.00	1,061.00
2154	Education Allowance	1,000		1,000	0.00		0.00	1,000.00
2158	Indirect Cost Recovery	12,200		12,200	0.00		0.00	12,200.00
2172	Books & Publications	300		300	266.26		266.26	33.74
2174	Mail Center - ISF	2,500		2,500	1,239.98		1,239.98	1,260.02
2176	Purchasing Charges - ISF	100		100	0.00		0.00	100.00
2177	Graphics Charges - ISF	500		500	0.00		0.00	500.00
2178	Copy Machine Charges - ISF	750		750	0.00		0.00	750.00
2179	Miscellaneous Office Expense	4,000		4,000	922.23		922.23	3,077.77
2181	Stores ISF	50		50	45.02		45.02	4.98
2191	Board Members Fees	4,500		4,500	600.00		600.00	3,900.00
2192	Information Technology - ISF	2,500		2,500	319.86		319.86	2,180.14
2195	Specialized Services/Software	1,500		1,500	0.00		0.00	1,500.00
2197	Public Works - Charges	3,000		3,000	59.17		59.17	2,940.83
2199	Other Prof & Spec Service	10,000		10,000	0.00		0.00	10,000.00
2203	Accounting and Auditing Services	4,500		4,500	0.00		0.00	4,500.00
2205	GSA Special Services ISF	100		100	0.00		0.00	100.00
2214	County GIS Expenses	21,500		21,500	3,459.53		3,459.53	18,040.47
2261	Public & Legal Notices	5,000		5,000	1,148.28		1,148.28	3,851.72
2283	Records Storage Charges	350		350	115.85		115.85	234.15
2293	Computer Equipment <5000	3,100		3,100	0.00		0.00	3,100.00
2304	County Legal Counsel	22,500		22,500	2,530.75		2,530.75	19,969.25
2521	Transportation Charges ISF	0		0	0.00		0.00	0.00
2522	Private Vehicle Mileage	7,000		7,000	1,355.22		1,355.22	5,644.78
2523	Conf. & Seminars Expense	12,000		12,000	3,357.19		3,357.19	8,642.81
2526	Conf. & Seminars Expense ISF	500		500	0.00		0.00	500.00
2528	County Motor Pool	500		500	120.81		120.81	379.19
	<b>Services and Supplies</b>	<b>147,050</b>	<b>0</b>	<b>147,050</b>	<b>25,650.66</b>	<b>0.00</b>	<b>25,650.66</b>	<b>121,399.34</b>
6101	Contingency	18,699		18,699	0.00		0.00	18,699.00
	<b>TOTAL EXPENDITURES</b>	<b>641,949</b>	<b>0</b>	<b>641,949</b>	<b>114,190.51</b>	<b>0.00</b>	<b>114,190.51</b>	<b>527,758.49</b>

0.00

Note: Amounts with "( )" in the ACTUAL column reflect FY14 accruals in excess of actual expenditures to date



VENTURA LOCAL AGENCY FORMATION COMMISSION

STAFF REPORT

Meeting Date: November 19, 2014  
(Continued from September 17, 2014)

**Agenda Item 11**

**TO:** LAFCo Commissioners  
**FROM:** Andrea Ozdy, Analyst *Andrea Ozdy*  
**SUBJECT:** Sphere of Influence Review and Update:  
LAFCo 14-16S Camarillo Sanitary District

As discussed in detail later in this staff report, the Commission continued this item from the September 17, 2014 LAFCo meeting, to reflect a recent Camarillo City Council action that affects the Camarillo Sanitary District’s probable service area.

**Recommendation:**

Determine that the sphere of influence update for the Camarillo Sanitary District (CSD) is exempt from the California Environmental Quality Act (CEQA) pursuant to § 15061(b)(3) of the CEQA Guidelines, review and update the sphere of influence for the CSD pursuant to Government Code § 56425(g), adopt resolution LAFCo 14-16S making determinations and updating the sphere of influence for the CSD, and determine that no municipal service review is necessary for the CSD pursuant to Government Code § 56430(a).

**Background:**

Pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code § 56000 et seq.), the Commission was required to determine and adopt a sphere of influence for each city and special district on or before January 1, 2008 (a sphere of influence is defined in Government Code § 56076 as the probable physical boundary and service area of a local agency). Every five years thereafter, the Commission must, as necessary, review and update each sphere of influence [Government Code § 56425(g)].

In 2003, the Commission accepted the municipal service review (MSR) report entitled “Water and Wastewater Municipal Service Review Report” that provided analysis regarding several special districts (including the CSD), resulting in an update to the

COMMISSIONERS AND STAFF

<b>COUNTY:</b> Linda Parks, Chair John Zaragoza <i>Alternate:</i> Steve Bennett	<b>CITY:</b> Carl Morehouse Janice Parvin <i>Alternate:</i> Carol Smith	<b>DISTRICT:</b> Bruce Dandy Vacant <i>Alternate:</i> Elaine Freeman	<b>PUBLIC:</b> Linda Ford-McCaffrey, Vice Chair  <i>Alternate:</i> Lou Cunningham
<b>Executive Officer</b> Kai Luoma, AICP	<b>Analyst</b> Andrea Ozdy	<b>Office Mgr/Clerk</b> Debbie Schubert	<b>Legal Counsel</b> Michael Walker

CSD's sphere of influence in 2004. The CSD update consisted of an expansion of the sphere to align it in two locations with the Camarillo City Urban Restriction Boundary (CURB). In 2009, the Commission again reviewed the sphere of influence for the CSD, and determined that no update to the sphere of influence boundary was necessary.

### **Discussion:**

LAFCo law requires that a MSR be conducted prior to, or in conjunction with, any sphere of influence update [Government Code § 56430(a)]. Ventura LAFCo Commissioner's Handbook Section 4.1.2(b) defines a sphere of influence update as a "comprehensive review and modification of a sphere of influence that is not associated with a concurrent proposal..." Although staff recommends that the subject sphere of influence be updated, the recommended update is limited to removal of territory from the sphere. Commissioner's Handbook Section 4.1.4(c) provides that the preparation of a MSR is not required for updates that only remove territory from a sphere.

### *CEQA*

A project is defined in CEQA Guidelines § 21065, in part, as "an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment." The subject sphere of influence update is not considered to be a project subject to CEQA because it involves a reduction to the existing sphere boundary, which if approved would reduce the area available to the expansion of sewer services. It is recommended that the Commission find that the reduction in the CSD's sphere of influence is exempt from CEQA pursuant to § 15061(b)(3) of the CEQA Guidelines, because "it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment." No change in regulation, land use, or development will occur as a result of the recommended sphere of influence update.

### *Notice of Public Hearing*

This matter has been noticed as a public hearing pursuant to Government Code § 56427. Additionally, all affected agencies have been notified of the public hearing.

### *District Information*

The CSD is a dependent special district formed in 1955 that provides (1) wastewater collection and treatment service and (2) industrial waste pretreatment service to a service area located within and surrounding the City of Camarillo. The Camarillo City Council is the governing body of the CSD. The CSD's sphere of influence covers approximately 12,104 acres (about 19 square miles) (see Attachment 1).

The CSD's sphere of influence is largely aligned with the sphere of the City of Camarillo. As noted above, in 2004, the Commission expanded the sphere in two locations to align the CSD sphere with the Camarillo CURB to include two agricultural properties. In 2010, the Commission approved a sphere amendment to include another agricultural property in order to qualify it for an Out of Agency Service Agreement (OASA) for sewer service. The areas that are outside the CSD's boundaries, but within its sphere, are either already being served by the CSD or are contemplated by the City for urban development, except for the Conejo Creek Specific Plan area (discussed below).

### *Recommended Sphere of Influence Update and Analysis*

In August 2014, LAFCo staff met with CSD staff in order to discuss whether the CSD had experienced any changes to its service needs or areas since LAFCo's 2009 sphere review, and to determine if CSD staff anticipated any changes in service that would warrant modification of the sphere boundary. As discussed in the September 17, 2014 LAFCo Sphere of Influence Review staff report that included the CSD, based on the information provided by CSD staff and LAFCo staff's comprehensive review of the existing boundary and sphere, no changes to the sphere boundary appeared to be necessary at that time. In the staff report, staff proposed to review (but not update) the CSD sphere. The sphere includes a 303-acre unincorporated area located southeast of and contiguous to the City (outside the City's sphere but within its CURB) that the City was considering for development (see Attachment 2). The development, known as the Conejo Creek Specific Plan project, would have required annexation of 303 acres to the CSD, as well as annexation of 308 acres to the City. Because the 303-acre area was in process for development, LAFCo staff did not recommend a reduction of the CSD sphere to match the City's sphere in this area.

Just prior to the September 17, 2014 LAFCo meeting, the Camarillo City Council decided to terminate the City's processing of the Conejo Creek Specific Plan project. As a result of the City's Council's action, development of the 303-acre portion of the project site that would have required sewer service from the CSD is no longer anticipated. In light of the recent City Council decision, the Commission continued the sphere review hearing for the CSD to November 19, 2014, in order to provide LAFCo staff with the opportunity to reevaluate the recommendation regarding whether an update to the CSD sphere would be necessary.

Based on the City Council's action, development of the 303-acre area is no longer imminent or foreseeable, and therefore its inclusion in the CSD sphere does not appear to be warranted. The proposed sphere of influence represents the CSD's current and probable service area (Attachment 3). The recommended change involves only the reduction of the sphere, which if approved would coincide with the City sphere of influence in this area, and would not alter the CSD's current service area. Instead, it

would align the spheres of influence of the CSD and the City of Camarillo. It should be noted that CSD staff did not identify any concerns with the proposed update.

### *Written Determinations*

Government Code § 56425(e) requires that, in determining the sphere of influence of an agency, the Commission consider and prepare a written statement of its determinations with respect to each of the following:

- (1) *The present and planned land uses in the area, including agricultural and open-space lands.* [§ 56425(e)(1)]

The entire territory proposed for removal from the CSD sphere has a County General Plan designation of Agricultural, is currently planted in agriculture, and is contiguous to Conejo Creek. Based on the County General Plan designation, this area has been planned to remain in agriculture.

- (2) *The present and probable need for public facilities and services in the area.* [§ 56425(e)(2)]

The entire territory proposed for removal from the CSD sphere is used for agriculture. There is no present need for public sewer service in this area. The area is anticipated to remain in its current land use for the foreseeable future, based on the existing County General Plan designation. Therefore, there appears to be no need for public sewer service in the foreseeable future.

- (3) *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.* [§ 56425(e)(3)]

The sphere of influence update would reduce the size of the CSD sphere. Therefore, it would not result in new demands on the CSD that would adversely impact the present capacity of public facilities and adequacy of public services that the CSD is authorized to provide.

- (4) *The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.* [§ 56425(e)(4)]

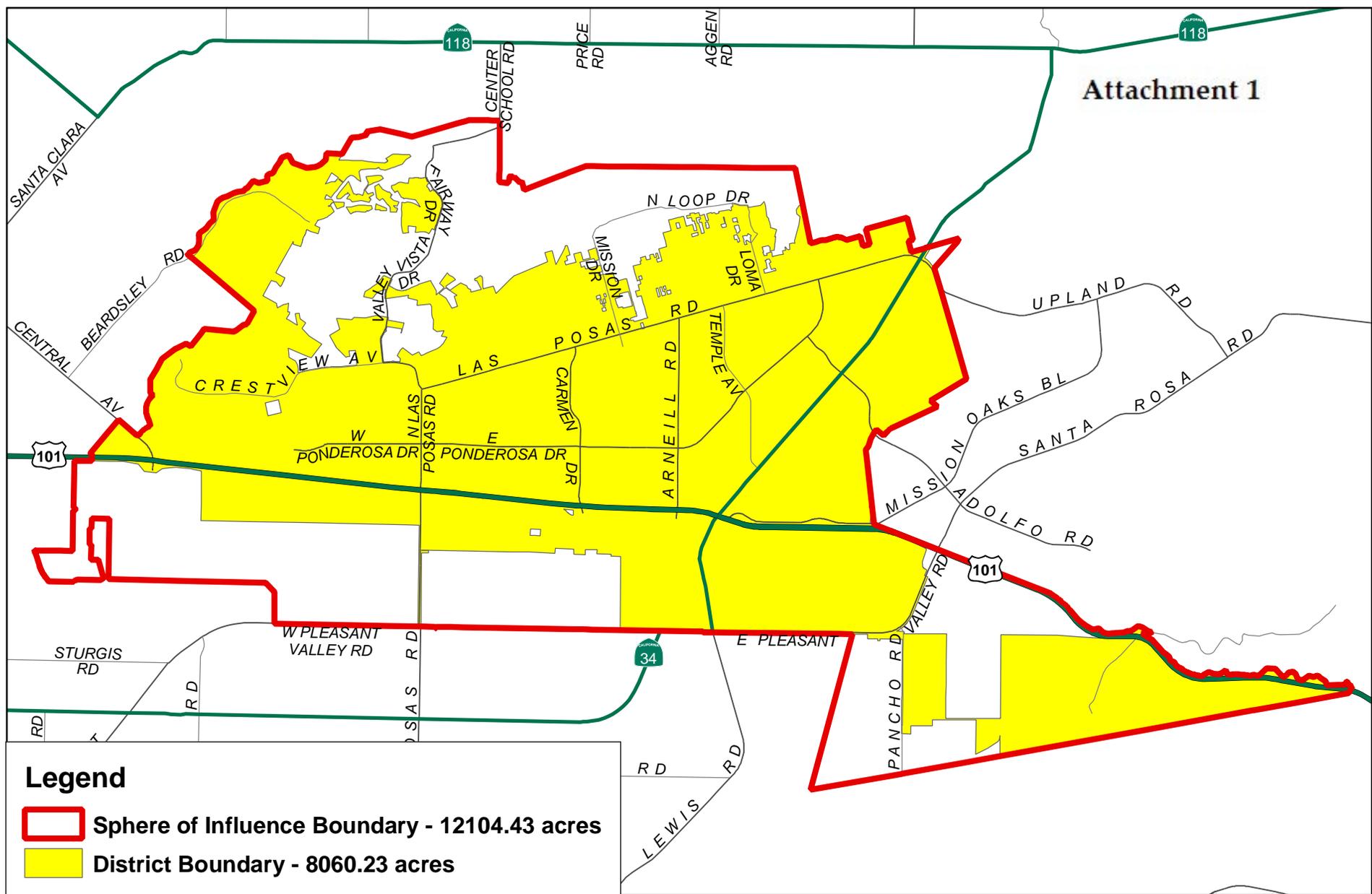
The recommended update to the CSD's sphere does not involve territory that is known to be a community of interest. Therefore, the sphere of influence update would not result in a detrimental impact to any social or economic communities of interest.

(5) *For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection. . . the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence. [§ 56425(e)(5)]*

The CSD's current sphere of influence does not include either of the two communities that the Commission determined met the definition of a disadvantaged unincorporated community (Commissioner's Handbook Section 3.2.5). Therefore, the recommended sphere update would not result in changes to available service within any disadvantaged unincorporated communities.

Attachments:

1. Sphere of Influence Map for the CSD
2. Detail Map of Proposed Sphere Update
3. Proposed Sphere of Influence Map for the CSD
4. LAFCo 14-16S Resolution



**Legend**

- Sphere of Influence Boundary - 12104.43 acres
- District Boundary - 8060.23 acres

## Camarillo Sanitary District

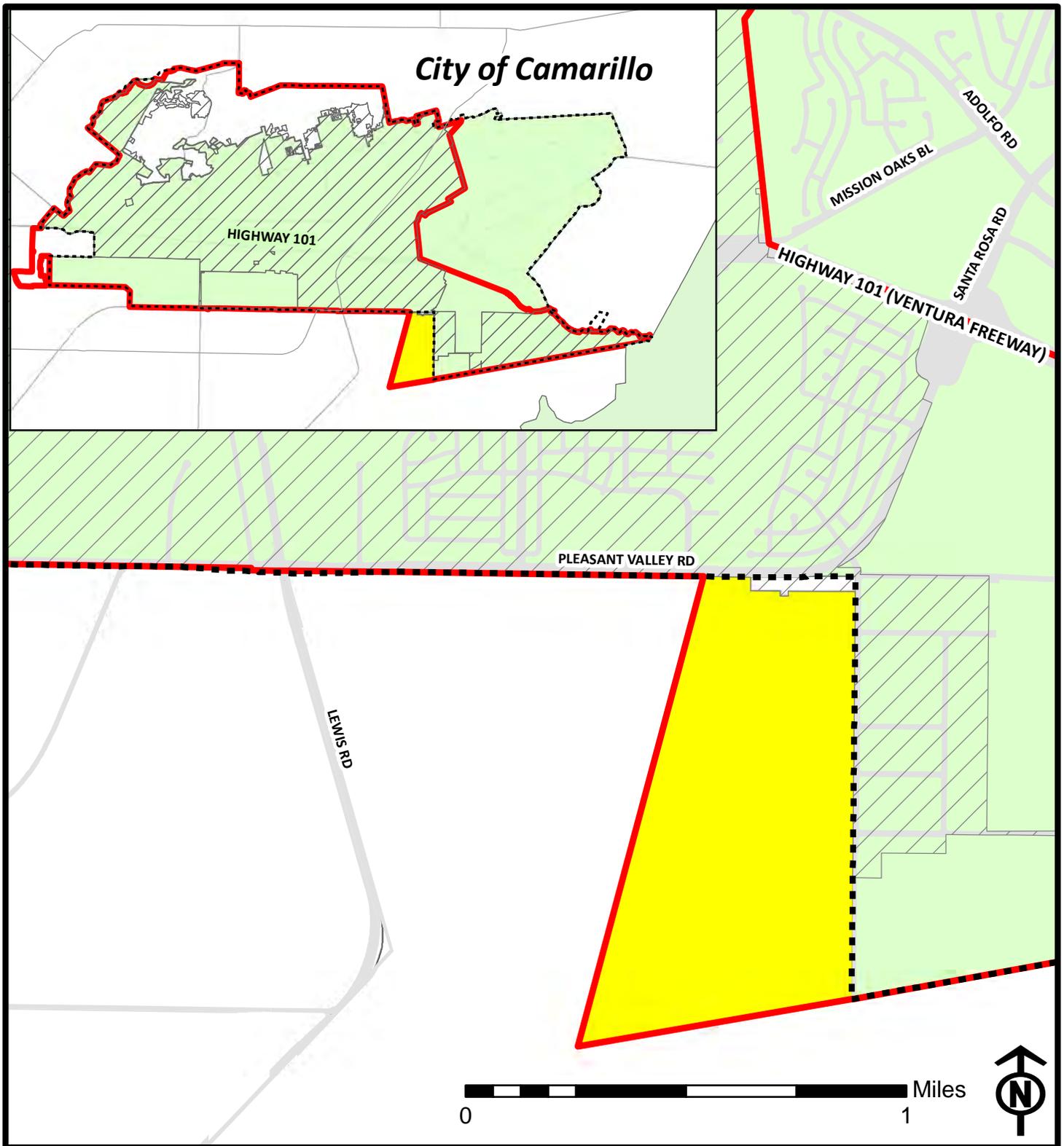
Current as of October 16, 2013

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

This map was compiled from records and computations

Published **38** April, 2014

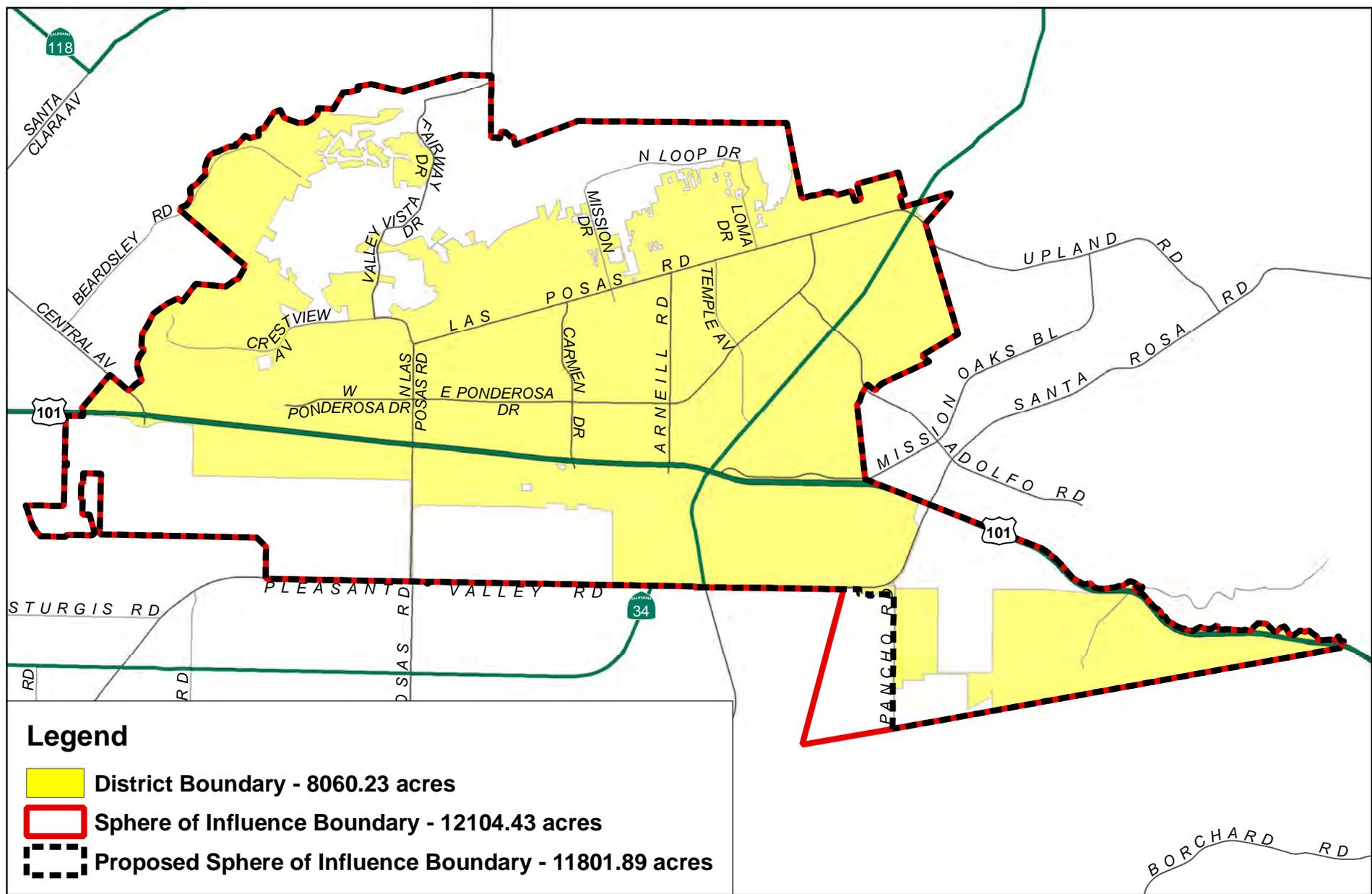




-  Area Considered for Removal from District Sphere
-  Camarillo Sanitary District - District Boundary
-  Camarillo Sanitary District - Sphere of Influence
-  City of Camarillo - City Limits
-  City of Camarillo - Sphere of Influence

Camarillo Sanitary District  
 Sphere of Influence Review/Update  
 LAFco 14-16S Detail Map  
 Attachment 2





# Camarillo Sanitary District

Proposed Sphere of Influence, November 19, 2014

## ATTACHMENT 3

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

This map was compiled from records and computations

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



LAFCO 14-16S

**RESOLUTION OF THE VENTURA LOCAL AGENCY  
FORMATION COMMISSION MAKING DETERMINATIONS  
AND UPDATING THE SPHERE OF INFLUENCE FOR THE  
CAMARILLO SANITARY DISTRICT**

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

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

WHEREAS, the Commission updated the Camarillo Sanitary District (CSD or District) sphere of influence in 2004 and reviewed the CSD sphere of influence in 2009; and

WHEREAS, the Commission desires to update the sphere of influence for the CSD; and

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

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

WHEREAS, the sphere of influence update item was duly considered at a public hearing on September 17, 2014, as specified in the notice of hearing; and

WHEREAS, on September 17, 2014, the Commission continued the public hearing to November 19, 2014; and

WHEREAS, the Commission heard, discussed, and considered all oral and written testimony for and against the sphere of influence update including, but not limited to, the LAFCo Staff Report dated November 19, 2014 and recommendations.

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

- (1) The LAFCo Staff Report dated November 19, 2014 and recommended update of the sphere of influence are adopted; and

- (2) The subject update is assigned the following distinctive short form designation: **LAFCO 14-16S CAMARILLO SANITARY DISTRICT SPHERE OF INFLUENCE UPDATE**; and
- (3) The sphere of influence update for the CSD is exempt from CEQA pursuant to § 15061(b)(3) of the CEQA Guidelines, and LAFCo staff is directed to file a Notice of Exemption as the lead agency pursuant to § 15062 of the CEQA Guidelines; and
- (4) The Commission has considered the criteria set forth in Government Code § 56425(e) and determines as follows:

**a. *The present and planned land uses in the area, including agricultural and open-space lands. [§ 56425(e)(1)]***

The entire territory proposed for removal from the CSD sphere has a County General Plan designation of Agricultural, is currently planted in agriculture, and is contiguous to Conejo Creek. Based on the County General Plan designation, this area has been planned to remain in agriculture.

**b. *The present and probable need for public facilities and services in the area. [§ 56425(e)(2)]***

The entire territory proposed for removal from the CSD sphere is used for agriculture. There is no present need for public sewer service in this area. The area is anticipated to remain in its current land use for the foreseeable future, based on the existing County General Plan designation. Therefore, there appears to be no need for public sewer service in the foreseeable future.

**c. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide. [§ 56425(e)(3)]***

The sphere of influence update would reduce the size of the CSD sphere. Therefore, it would not result in new demands on the CSD that would adversely impact the present capacity of public facilities and adequacy of public services that the CSD is authorized to provide.

**d. The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency. [§ 56425(e)(4)]**

The recommended update to the CSD's sphere does not involve territory that is known to be a community of interest. Therefore, the sphere of influence update would not result in a detrimental impact to any social or economic communities of interest.

**e. For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection. . . the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence. [§ 56425(e)(5)]**

The CSD's current sphere of influence does not include either of the two communities that the Commission determined met the definition of a disadvantaged unincorporated community (Commissioner's Handbook Section 3.2.5). Therefore, the recommended sphere update would not result in changes to available service within any disadvantaged unincorporated communities.

- (5) The sphere of influence for the CSD is hereby updated as generally depicted in Exhibit A, "Proposed Sphere of Influence, November 19, 2014," attached hereto; and
- (6) No municipal service review is necessary, pursuant to Government Code § 56430(a); and
- (7) LAFCo staff is directed to have the official Geographic Information System (GIS) sphere of influence data maintained for the Ventura LAFCo by the Ventura County Information Technology Services Department as the official sphere of influence record for the CSD updated consistent with this action.

This resolution was adopted on November 19, 2014.

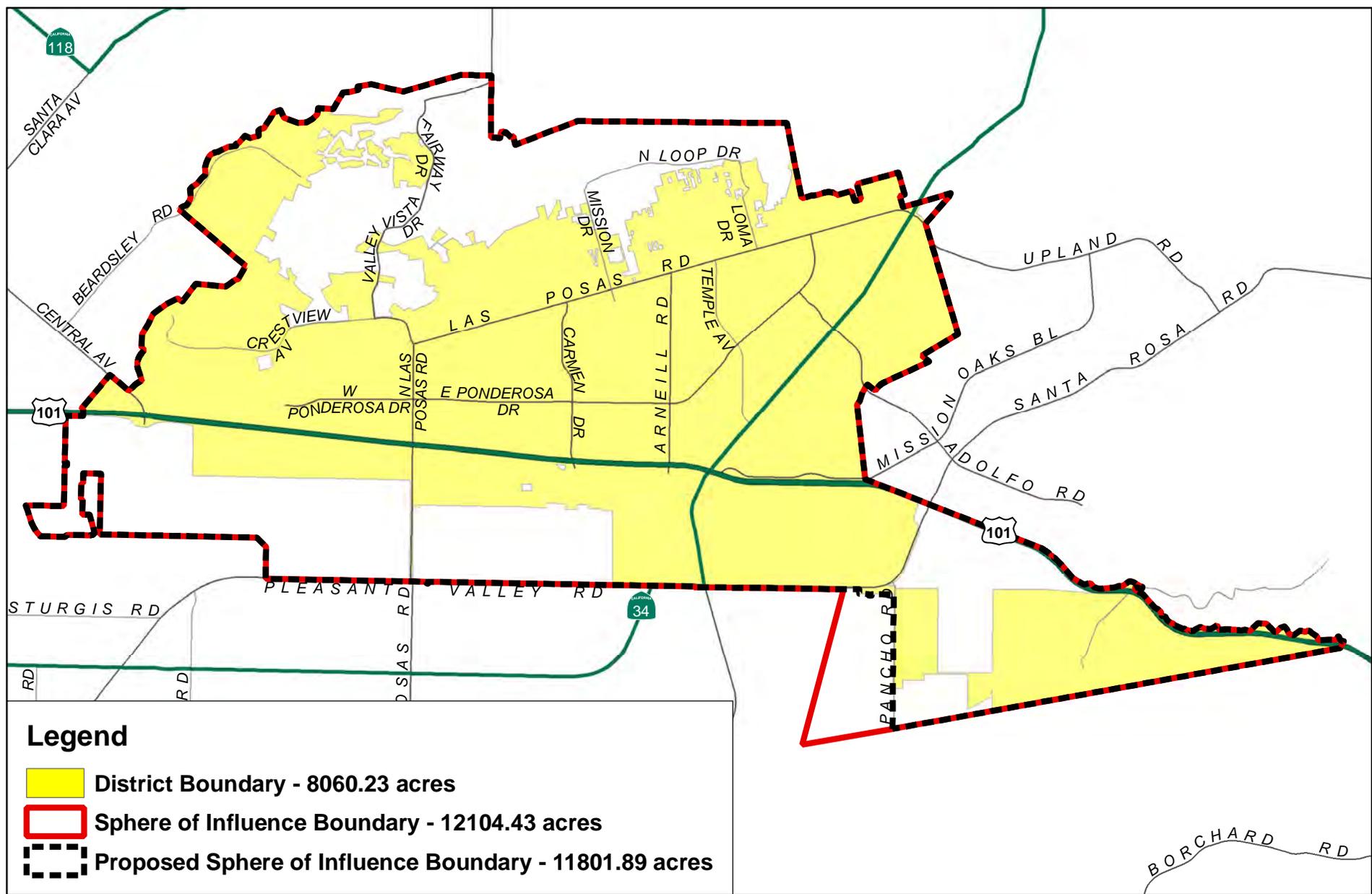
	<b>AYE</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Commissioner Dandy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Ford-McCaffrey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner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

Dated: \_\_\_\_\_

Chair, Ventura Local Agency Formation Commission

Attachments: Exhibit A

- c: Camarillo Sanitary District
- City of Camarillo
- Camrosa Water District
- Ventura County GIS Officer
- Ventura County Planning Division



# Camarillo Sanitary District

Proposed Sphere of Influence, November 19, 2014

## Exhibit A

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

This map was compiled from records and computations

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





VENTURA LOCAL AGENCY FORMATION COMMISSION  
**STAFF REPORT**

Meeting Date: November 19, 2014

**Agenda Item 12**

**TO:** LAFCo Commissioners  
**FROM:** Andrea Ozdy, Analyst *Andrea Ozdy*  
**SUBJECT:** Sphere of Influence Reviews – No Updates Necessary

**Recommendation:**

Review the sphere of influence for each of the following agencies, and determine that no sphere of influence updates or municipal service review reports are necessary pursuant to Government Code § 56430(a):

- Ojai Basin Groundwater Management Agency
- Ojai Water Conservation District
- Pleasant Valley County Water District

**Background:**

Pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code § 56000 et seq.), the Commission was required to determine and adopt a sphere of influence for each city and special district on or before January 1, 2008 (a sphere of influence is defined in Government Code § 56076 as the probable physical boundary and service area of a local agency). Every five years thereafter, the Commission must, as necessary, review and update each sphere of influence [Government Code § 56425(g)].

In 2003, the Commission accepted the municipal service review (MSR) report entitled “Water and Wastewater Municipal Service Review Report” that provided analysis for several special districts, including but not limited to the subject districts. As a result, in 2004, the Commission reviewed, but did not update, the spheres for the Ojai Basin Groundwater Management Agency and Ojai Water Conservation District. However, the Commission did update the sphere for the Pleasant Valley County Water District in 2004, reducing it by 83 acres.

COMMISSIONERS AND STAFF

COUNTY:	CITY:	DISTRICT:	PUBLIC:
Linda Parks, Chair	Carl Morehouse	Bruce Dandy	Linda Ford-McCaffrey, Vice Chair
John Zaragoza	Janice Parvin	Vacant	
<i>Alternate:</i>	<i>Alternate:</i>	<i>Alternate:</i>	<i>Alternate:</i>
Steve Bennett	Carol Smith	Elaine Freeman	Lou Cunningham
<b>Executive Officer</b>	<b>Analyst</b>	<b>Office Mgr/Clerk</b>	<b>Legal Counsel</b>
Kai Luoma, AICP	Andrea Ozdy	Debbie Schubert	Michael Walker

In 2009, the Commission again reviewed the spheres of influence for the three subject districts. At that time, LAFCo staff and staff of the districts again did not identify the need for any further changes to the spheres of influence for the Ojai Basin Groundwater Management Agency and Ojai Water Conservation District, and thus the Commission reviewed, but did not update, the spheres of these districts. The Commission did, however, again update the Pleasant Valley County Water District, reducing it by an additional 115 acres.

**Discussion:**

In October 2014, LAFCo staff consulted with the staffs of the subject districts to discuss whether they have experienced any changes to their service needs or areas since LAFCo's 2009 sphere review, and to determine if they anticipate any service changes that would warrant adjustment of the sphere boundaries. Based on LAFCo staff's comprehensive review of the existing boundaries and spheres, the existing sphere boundaries appear to accurately reflect the current and anticipated service areas for the subject districts over the next five years. Therefore, it is recommended that the Commission review, but not update, the subject spheres of influence.

LAFCo law requires that a MSR be conducted prior to, or in conjunction with, any sphere of influence update [Govt. Code §56430(a)]. If the Commission determines that sphere updates are not necessary for the subject districts, the preparation of MSRs will not be required.

*California Environmental Quality Act (CEQA)*

A project is defined in CEQA Guidelines § 21065, in part, as "an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment." A sphere of influence review is not considered to be a project subject to CEQA because it involves only a confirmation of an existing sphere boundary, without any changes to the potential service area of a district. Therefore, if the Commission determines that no updates to the subject spheres of influence are necessary, no environmental documents are required to be prepared.

*Notice of Public Hearing*

This matter has been noticed as a public hearing pursuant to Government Code § 56427. Additionally, all affected agencies have been notified of the public hearing.

## *Analysis*

The following discussion includes details about each of the subject districts and the explanations for leaving the subject spheres of influence boundaries in their current configurations.

### **Ojai Basin Groundwater Management Agency (Ojai Basin GMA)**

#### *District Information*

The Ojai Basin GMA, governed by a 5-person Board of Directors, is a dependent special district formed in 1991 that controls the extraction and use of groundwater and manages groundwater quality in the Ojai Basin, in order to protect and maintain the long-term water supply for water users within its jurisdictional area (i.e., generally, the Ojai Valley east of Del Norte Road, including most of the City of Ojai, the unincorporated east end of Ojai, the Dennison Grade, and portions of the Los Padres National Forest). The Ojai Basin GMA does not provide direct water service. The Ojai Basin GMA Act specifically prescribes that “the boundaries of the agency include that portion of the Ojai Basin watershed which lies within the boundaries of the Casitas Municipal Water District or the Ojai Water Conservation District, but do not include any land within the boundaries of the Ventura River County Water District.” The District’s sphere of influence covers approximately 10,528 acres (about 16.5 square miles), and its boundary is coterminous with its sphere of influence boundary (see Attachment 1).

#### *Sphere of Influence Review*

Based on information provided by the Ojai Basin GMA staff, the existing sphere of influence boundary continues to reflect the current and probable service area. Therefore, no changes to the sphere of influence for Ojai Basin GMA are recommended.

### **Ojai Water Conservation District**

#### *District Information*

The Ojai Water Conservation District, governed by a 7-person Board of Directors, is an independent special district (formed in 1949 as the San Antonio Water Conservation District). It monitors the use of groundwater, acquires water rights, stores and spreads water, and constructs dams or other water facilities in the Ojai Valley area, generally east of the Ojai city limits, in order to recharge underground water resources in the eastern Ojai Valley. The District does not provide direct water service. Its sphere of influence covers approximately 3,727 acres (about 6 square miles), and its boundary is coterminous with its sphere of influence boundary (see Attachment 2).

### *Sphere of Influence Review*

Based on information provided by the Ojai Water Conservation District staff, the existing sphere of influence boundary continues to reflect the current and probable service area. Therefore, no changes to the sphere of influence for Ojai Water Conservation District are recommended.

### **Pleasant Valley County Water District (PVCWD)**

#### *District Information*

The PVCWD, governed by a 5-person Board of Directors, is an independent special district formed in 1956 that operates and maintains a distribution system for irrigation water serving approximately 12,000 acres of land on both sides of Las Posas Road between Highway 101 and Highway 1. The PVCWD obtains its water from the United Water Conservation District.

The sphere of influence for the PVCWD is nearly coterminous with its service boundary, except for an area located easterly of Las Posas Road and southerly of Highway 101 which is within the service boundary but outside of the sphere of influence. As noted above, in 2004 and 2009, the Commission updated (reduced) the PVCWD's sphere to remove a total of approximately 198 acres of land within the City of Camarillo that were either already developed or planned for urban development, and therefore no longer in need of agricultural irrigation water supplied by the PVCWD. Both updates involved land that is located immediately north of the Camarillo Airport, east of W. Ventura Boulevard, south of Highway 101, and west of Las Posas Road. While this area is no longer within the PVCWD's sphere, it remains within its service area, and will likely be detached in the future. The PVCWD's sphere of influence covers approximately 11,809 acres (about 18.5 square miles) (see Attachment 3).

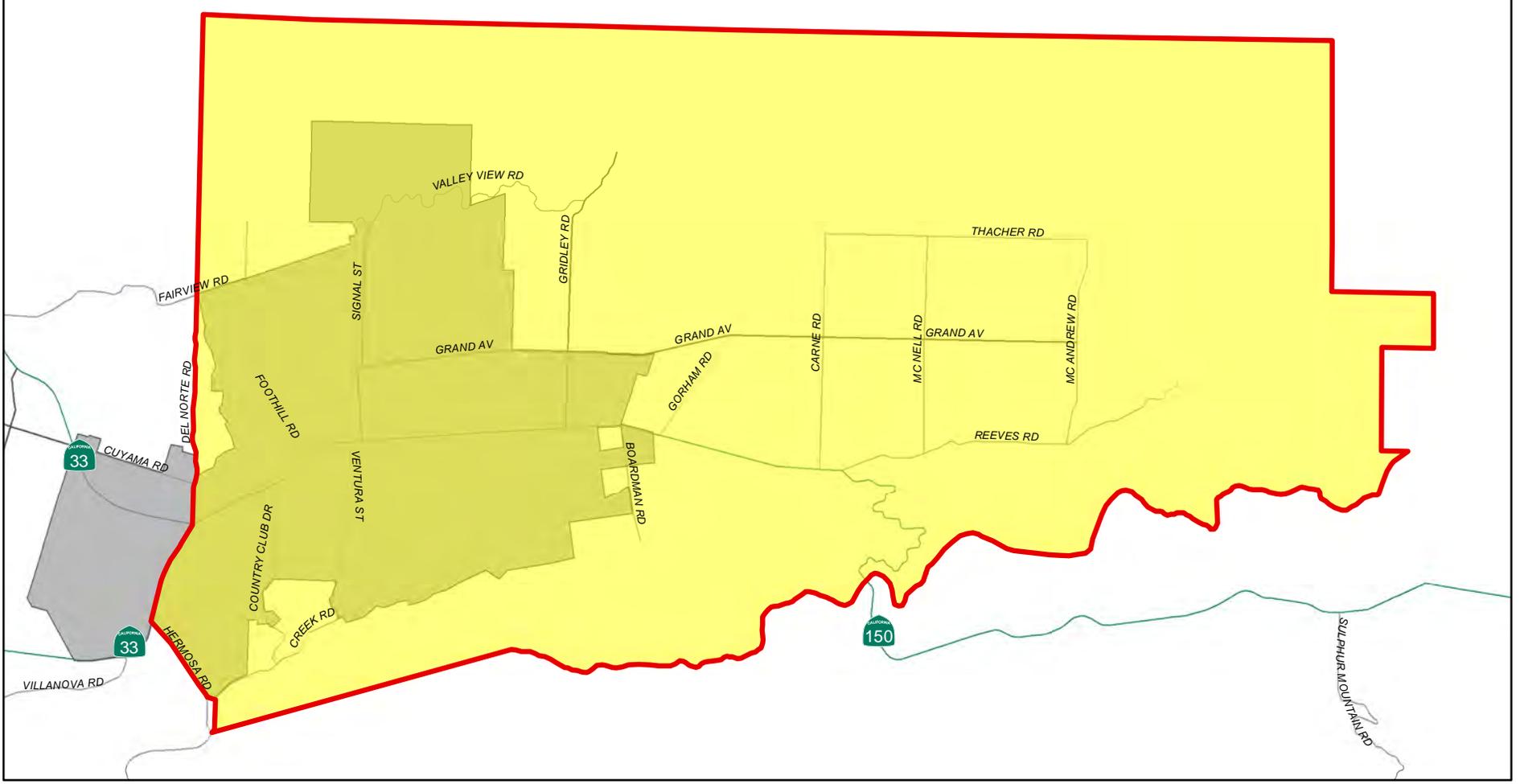
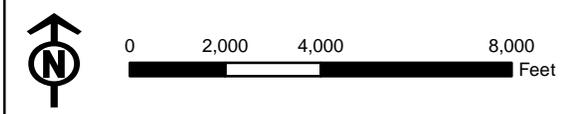
### *Sphere of Influence Review*

Based on information provided by PVCWD staff, the existing sphere of influence boundary continues to reflect the current and probable service area. Therefore, no changes to the sphere of influence for PVCWD are recommended.

#### Attachments:

1. Ojai Basin Groundwater Management Agency Sphere Review Map
2. Ojai Water Conservation District Sphere Review Map
3. Pleasant Valley County Water District Historical Sphere Review Map

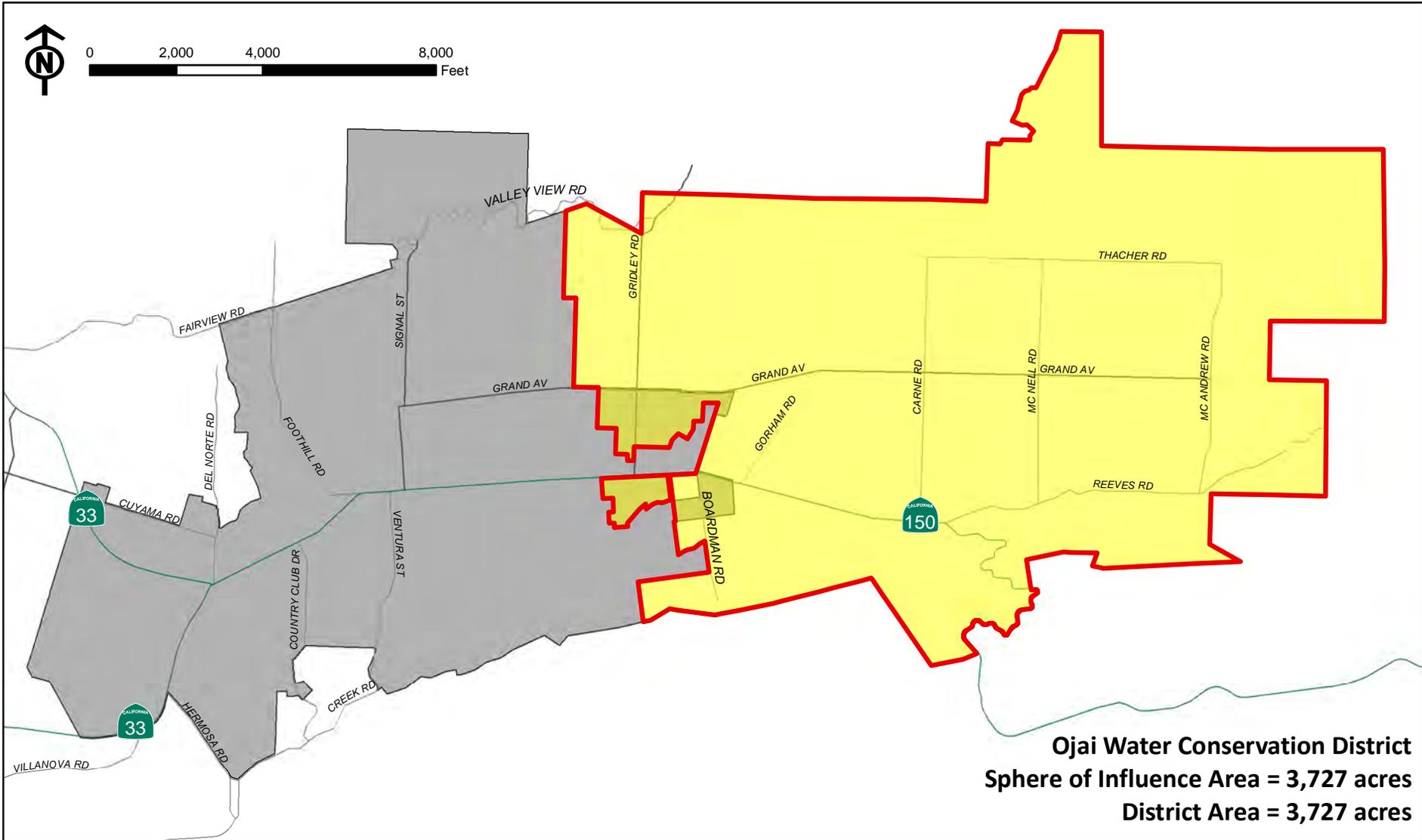
**Ojai Basin Groundwater Management Agency**  
**Sphere of Influence Area = 10,528 acres**  
**District Area = 10,528 acres**



- Ojai Basin GMA - District Boundary
- Ojai Basin GMA - Sphere of Influence Boundary
- City of Ojai - City Boundary

Ojai Basin Groundwater Management Agency  
 Sphere of Influence Review  
 November 19, 2014  
 Attachment 1

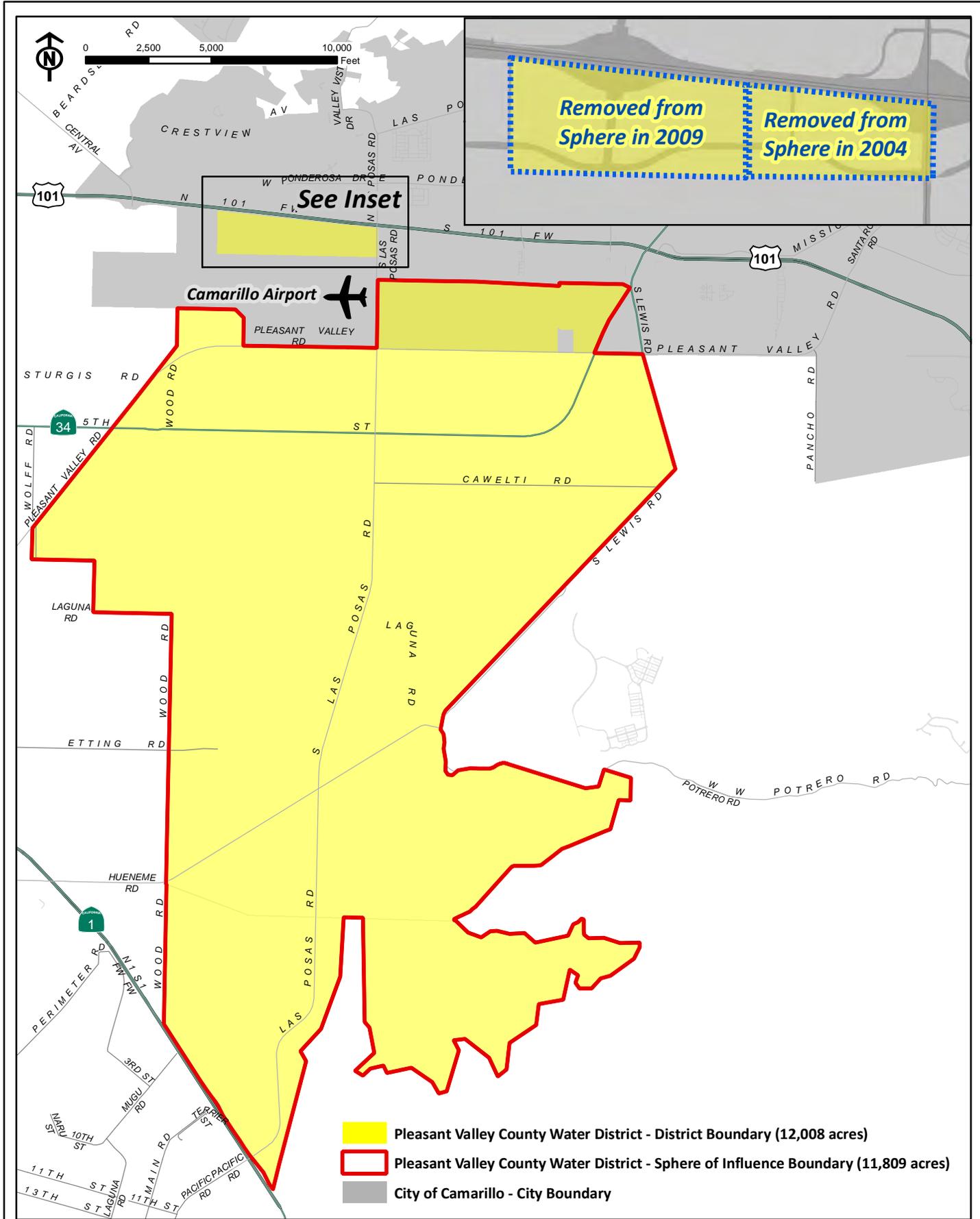




- Ojai Water Conservation District - District Boundary
- Ojai Water Conservation District - Sphere of Influence Boundary
- City of Ojai - City Boundary

Ojai Water Conservation District  
 Sphere of Influence Review  
 November 19, 2014  
 Attachment 2





**Pleasant Valley County Water District**  
**Sphere of Influence Review**  
**November 19, 2014**  
**Attachment 3**  
**52**



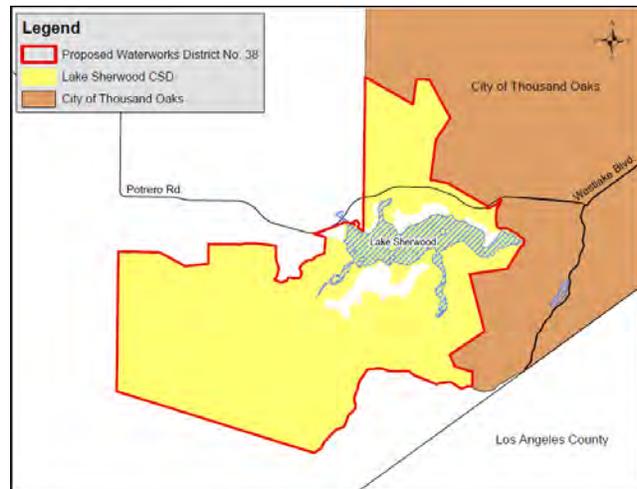


**LAFCo Case:** LAFCo 13-16 Lake Sherwood Community Services District – Reorganization

- A. Divestiture of the Lake Sherwood Community Services District of the power to provide potable water service
- B. Formation of Ventura County Waterworks District No. 38 to provide potable water service

**Proposal:** The reorganization proposal involves the following two changes of organization:

- Divestiture of the Lake Sherwood Community Services District (LSCSD) of the power to provide potable water service.
- Formation of a new county waterworks district within the unincorporated community of Lake Sherwood.



In addition to the reorganization, the proposal includes the following requested actions:

- Waiver of Ventura LAFCo Commissioner’s Handbook (Handbook) Section 3.1.5 pertaining to preferred service providers.
- Determination of a sphere of influence for the waterworks district following its formation.

**Size:** The proposed waterworks district includes approximately 2,040 acres.

**Location:** The proposal area includes the unincorporated community of Lake Sherwood south of and abutting the City of Thousand Oaks.

**Proponent:** The LSCSD by resolution. The LSCSD is a dependent district of the County for which the Board of Supervisors is the governing body.

COMMISSIONERS AND STAFF

**COUNTY:**  
Linda Parks, Chair  
John Zaragoza  
*Alternate:*  
Steve Bennett

**CITY:**  
Carl Morehouse  
Janice Parvin  
*Alternate:*  
Carol Smith

**DISTRICT:**  
Bruce Dandy  
Vacant  
*Alternate:*  
Elaine Freeman

**PUBLIC:**  
Linda Ford-McCaffrey, Vice Chair  
  
*Alternate:*  
Lou Cunningham

**Executive Officer**  
Kai Luoma, AICP

**Analyst**  
Andrea Ozdy

**Office Mgr/Clerk**  
Debbie Schubert

**Legal Counsel**  
Michael Walker

**Notice:** This matter has been noticed as prescribed by law. Additional notice beyond that required by LAFCo law has been provided as discussed later in this report.

**Recommendation:**

Staff recommends that the Commission adopt the attached resolution making determinations and disapproving the proposed reorganization and related requests (Attachment 3).

If the Commission, following public testimony and review of the materials submitted, instead determines that the proposal should be approved, the Commission may adopt the attached resolution making determinations and approving the proposed reorganization and related requests (Attachment 4).

**DESCRIPTION OF PROPOSAL:**

Request: The proposal by the LSCSD includes the following, each of which is discussed in more detail later in this report:

- *Divestiture of the LSCSD of the power to provide potable water service.*

The LSCSD currently provides potable water service to much of the unincorporated Lake Sherwood community. It is not authorized to provide any other services. Its boundary includes 805 Assessor parcels. It also provides both authorized and unauthorized water service to 163 of a total 219 parcels located outside its boundaries but within its sphere of influence. The proposed waterworks district would assume potable water service from the LSCSD, as discussed below.

The divestiture is necessary to avoid two special districts both authorized to provide potable water service in overlapping territory and would become effective only upon the successful formation of the waterworks district. Should the Commission approve the proposal and, subsequently, the formation not occur, the divestiture would not take effect.

- *Formation of a county waterworks district.*

The boundaries of the proposed waterworks district include the entire area within the boundaries of the LSCSD (approximately 1,928 acres) as well as four distinct areas (totaling approximately 96 acres) located outside the LSCSD but within its sphere of influence. These areas outside the LSCSD boundaries are referred to in this report as the “historical neighborhoods” (see Attachment 2). The proposed new waterworks district would be authorized to provide potable water service to the area currently being served by the LSCSD (the 968 Assessor parcels noted above) as well as to the additional 56 vacant parcels located in the historical neighborhoods once development on the parcels occurs. As proposed, the new waterworks district would include a total

of 1,024 Assessor parcels.

After formation, all property tax revenue allocated to the LSCSD for purposes of water service would be reallocated to the waterworks district.

- *Waiver of Ventura LAFCo Commissioner's Handbook Section 3.1.5.*

Handbook Section 3.1.5 generally provides that LAFCo prefers that new or consolidated services be provided via annexation to an existing multiple purpose special district over the formation of a new single purpose district. The LSCSD is authorized under the community services district (CSD) principal act (Govt. Code § 61000 et seq.) to provide a wide range of services, subject to LAFCo approval. Thus, it is a multiple purpose district. The proposed waterworks district is, for all intents and purposes, a single purpose district, as discussed later in this report.

- *Determination of a sphere of influence for the waterworks district following its formation.*

LAFCo law provides that the Commission may determine the sphere of influence of a proposed new district at the time that it approves the formation or within one year of the effective date of the formation. The LSCSD has requested that LAFCo determine the district sphere after the district has been formed, as discussed later in this report.

## **BACKGROUND:**

The historical neighborhoods represent the extent of original development that existed in the area before much of the surrounding area was purchased by the Murdock Development Company in 1984 and subsequently developed to its current extent. When the LSCSD was formed in 1989 to provide water service to the new development, LAFCo, the County of Ventura and the Murdock Development Company agreed to exclude the historical neighborhoods from the LSCSD boundaries. The reason for doing this was to prevent existing residents' lots from being assessed for repayment of the bonds that were sold to finance the construction of the new water system. Water infrastructure was installed throughout the community, including the historical neighborhoods. The bond debt has since been fully repaid.

In 2009, the County Planning Division approved a proposal for a single family residence outside, but contiguous to, the LSCSD service boundary and sphere of influence. The development was conditioned by LAFCo staff, requiring that the property be annexed to the LSCSD prior to occupancy of the residence. Prior to completion of construction in 2012, LAFCo staff agreed to allow LSCSD to provide service for plumbing testing purposes only, pending the required annexation. At that time, the LSCSD confirmed that it planned to pursue annexation of the subject parcel together with several other

parcels in the historical neighborhoods, and that an application to LAFCo was forthcoming.

On August 6, 2012 LAFCo received an application from the LSCSD (LAFCo 12-09S/12-09) requesting approval of a sphere of influence amendment to include 11 Assessor parcels in the LSCSD's sphere of influence and requesting approval of a proposal to annex these parcels, as well as the remaining 208 parcels within the historical neighborhoods.

On September 19, 2012, the Commission considered the proposed sphere of influence amendments and annexation. In response to public testimony, the Commission continued the matter to November 14, 2012 to allow additional time for some of the residents of the historical neighborhoods to discuss the proposal with staff from the LSCSD.

On November 14, 2012, the Commission again considered LAFCo 12-09S/12-09. In response to a letter from the Lake Sherwood Community Association opposing the proposal staff for the LSCSD requested that the matter again be continued for a period of six months to allow time for all affected parties to meet (according to its website, the Lake Sherwood Community Association is a volunteer community advocacy group – only residents of the historical neighborhoods may sit on its board of directors). The Commission agreed to the requested continuance.

On May 15, 2013, the Commission considered whether to temporarily waive some of its policies regarding out of agency service agreements (OASAs). The waiver would have allowed LAFCo to approve the LSCSD to temporarily extend water service to vacant parcels within the historical neighborhoods to allow for development while LAFCo 12-09S/12-09 was still under consideration. Instead, after considering testimony in opposition to LAFCo 12-09 from a member of the Lake Sherwood Community Association and the LSCSD Citizens Advisory Committee, the Commission directed staff to return to the Commission with a draft resolution waiving various Handbook policies pertaining to the OASAs to allow approval of the extension of water services to the parcels within the historical neighborhoods without an expiration date and without the requirement that parcel owners agree to annex in the future.

On July 17, 2013, the Commission considered and approved LAFCo 12-09S amending the LSCSD sphere of influence to include 11 parcels and took action to waive a number of its policies regarding OASAs. This action allowed for the approval of OASAs necessary for the LSCSD to provide potable water service to some of the vacant parcels located within the historical neighborhoods in order for them to be developed. The Commission's approval was contingent on the LSCSD Board of Directors adopting a resolution to initiate the formation of a waterworks district that would include these parcels within its boundaries, thereby rendering the OASAs unnecessary once the new district is formed. The Commission's approval also contained a provision that the

approved OASAs would expire in two years time (on July 17, 2015) should the formation of the waterworks district not occur.

On December 30, 2013 LAFCo staff received an application from the LSCSD to form a new waterworks district in the Lake Sherwood community (LAFCo 13-16). The application was deemed incomplete as it did not include a resolution regarding the exchange of property tax revenue adopted by the Board of Supervisors.

On February 19, 2014 the Commission considered various matters related to the proposal and took action to encourage the LSCSD to revise the proposal for formation of the waterworks district to eliminate potential inconsistencies with LAFCo law and policies. These requested revisions included the submittal of a request to divest the LSCSD of its power to provide potable water and submittal of a request to waive Commission policy regarding preferred service providers. The Commission also requested that the LSCSD provide consent for the Commission to waive protest proceedings for the formation in favor of a special election. Finally, the Commission indicated that should it approve the formation, it would likely defer the determination of a sphere of influence for the waterworks district until after formation of the district is approved by voters, but would consider imposing a condition that an application for the determination of the sphere of influence be submitted prior to finalizing the formation of the new district.

On July 21, 2014, the tax exchange resolution and requested revisions to the application were submitted to LAFCo. Soon thereafter, LAFCo 13-16 was deemed complete for processing.

### **GENERAL ANALYSIS:**

Government Code § 56668 identifies several factors that the Commission must consider as part of its review of a proposal. These factors are discussed below.

#### **1. Land Use and Population [Government Code §§ 56668(a), 56668(g), and 56668(n)]**

##### **Land Area, Land Use, and Consistency with Plans**

The area within the proposed waterworks district is comprised primarily of residential development, but also includes Lake Sherwood and the Lake Sherwood Country Club and golf course. The County's Lake Sherwood/Hidden Valley Area Plan designates the area as Urban Residential (lots ranging from 10,000 square feet to 1 acre), Rural Residential (lots ranging from 2 to 10 acres), and Open Space (lots ranging from 10 to 80 acres). Development in the territory is consistent with the Area Plan.

According to County Assessor records, there are 805 parcels within the boundaries of the LSCSD and 219 parcels within the historical neighborhoods containing the following uses:

	Parcels in LSCSD	Parcels in Historical Neighborhoods	Total Number of Parcels
Single family residential – detached	485	167	652
Single family residential - attached	56		56
Vacant single family residential	146	51	197
Country club / golf course	19		19
Private streets / utilities	8		8
Lake	2		2
Common parcels / dedicated open space	89		89
Fire station		1	1
<b>Total Number of Parcels</b>	<b>805</b>	<b>219</b>	<b>1,024</b>

(Note: the parcel uses obtained from Assessor records do not match the information provided by the LSCSD as part of the application. It can take several months for Assessor records to be updated to reflect changes in land uses. However, this inconsistency does not affect staff’s analysis of the proposal.)

Likelihood of Growth in the Area

As noted above, there are 708 parcels containing single family residences and 197 vacant single family residential parcels within the boundaries of the proposed waterworks district. It is likely that the vacant parcels will be developed in the future.

Topography, Natural Features and Drainage

The Lake Sherwood community abuts the Santa Monica Mountains and contains a variety of topography from relatively level areas to extremely steep terrain. The area drains into the Lake Sherwood.

Population

The Lake Sherwood community is a Census Designated Place that is largely coterminous with the boundaries of the proposed waterworks district. According to the US Census, in 2010 there were 593 housing units with a total population of 1,527, or approximately 2.6 persons per residence. According to Assessor records, there are currently 708 housing units within the subject area. Based on 2.6 persons per residence, the current estimated population is 1,841. The development of the 197 vacant residential parcels would increase the population by an estimated 512.

## Regional Transportation Plan

Neither the proposal to divest the LSCSD of the power to provide water service nor the formation of the waterworks district to provide water service would result in any changes or impacts to existing roads or circulation. LAFCo staff did not identify any conflicts of the proposal related to the contents of the Regional Transportation Plan (prepared by the Southern California Association of Governments).

## **2. Services and Controls – Need, Cost, Adequacy and Availability [Government Code § 56668(b), 56668(j), and 56668(k)]**

### Need for Services

Government Code § 56668(b) provides that in its review of a proposal, the Commission must consider “[t]he need for organized community services...”

As noted previously in this report, the subject territory is primarily developed with residential uses. Additional residences are expected to be constructed in the future. Thus, there is a need for potable water service within the subject territory. The LSCSD has been meeting this need following its formation in 1989.

Also as noted previously, the boundary of the proposed waterworks district includes a total of 1,024 parcels, all of which are within the LSCSD sphere of influence. Of these:

- 805 are currently within the boundaries of the LSCSD and are served by it.
- 219 are located in the historical neighborhoods. Of these;
  - 142 are being served by the LSCSD via either legal “grandfathered” service connections or LAFCo-approved OASAs;
  - 21 are being served by the LSCSD without the required LAFCo authorization.
  - 56 are undeveloped residential parcels not receiving service

The LSCSD currently provides water service to 95% (968) of the parcels within the boundaries of the proposed waterworks district. The remaining 5% of parcels not receiving service (the undeveloped 56 parcels in the historical neighborhoods) are within the LSCSD sphere of influence and are currently eligible for annexation to the LSCSD at such time that service is needed. Therefore, from a water service standpoint, there appears to be little, if any, need to form a waterworks district in order to provide water service to the Lake Sherwood community.

### Cost, Adequacy, and Availability of Service

Other considerations that are required by the Commission listed under Government Code § 56668(b) include “the present cost and adequacy of governmental services and controls in the area...” as well as the “probable future needs for those services

and controls...” Section 56668(k) requires consideration of the “[t]imely availability of water supplies adequate for projected needs...”

The LSCSD currently provides adequate water service to the community and has indicated that it has adequate long term supplies to provide service to probable future development within its boundaries and sphere of influence, including the historical neighborhoods. In addition, water mains and related infrastructure necessary to serve current and anticipated future development in the entire community, including within the historical neighborhoods, have been in place for many years. The bonds used to finance the construction of these mains/infrastructure have been paid off by the LSCSD. Thus, the on-going water-related costs to current and future customers, both within the LSCSD boundary and within the historical neighborhoods, are limited to regular service fees. According to the LSCSD, vacant parcels would be subject to one-time costs associated with the connection to the water system at the time of development. Therefore, it appears that the LSCSD has the ability to provide adequate water service to the area both within its boundaries and sphere of influence in the future.

Probable Effect of Formation of the Waterworks District

Another consideration listed under Government Code § 56668(b) is the “probable effect of the proposed...formation...and of alternative courses of action on the cost and adequacy of services and controls in the area...”

An alternative course of action to the formation of the proposed waterworks district is the annexation to the LSCSD of the 56 vacant parcels and the 21 parcels that are outside the LSCSD boundary and receiving unauthorized water service from it. The following table compares the effect on water service of formation of the waterworks district with the effect on water service if these parcels were to be annexed to the LSCSD.

	Formation of Waterworks District	Annexation to the LSCSD
805 parcels within the LSCSD	No change	No change – already in the LSCSD
142 parcels within the historical neighborhoods receiving authorized service	No change	No change
21 parcels within the historical neighborhoods receiving unauthorized service	Would legalize unauthorized service – no change to level of service	Would legalize unauthorized service – no change to level of service
56 vacant parcels within historical neighborhoods	Would allow for future connection at time of development	Would allow for future connection at time of development

Fees and costs for current and future customers	No change	No change
Water service facilities, infrastructure, and levels of service	No change	No change

It appears that the only effect that formation of the waterworks district would have from strictly a water service standpoint is to legalize the unauthorized services to the 21 parcels located within the historical neighborhoods and allow the 56 undeveloped parcels in the historical neighborhoods to be eligible for a future water service connection. As demonstrated in the table above, the alternative course of action, annexation of these parcels to the LSCSD, would accomplish the same water service objective.

Finally, approval and effectuation of the proposal will result in a CSD that receives no funding, provides no services, and is not authorized to provide services. Annexation of the 77 parcels to the LSCSD would have no effect on the authorized services currently provided by the LSCSD.

**3. Effect of Proposed Action and Alternative Actions [Government Code § 56668(c)]**

Government Code §56668(c) provides that in its review of a proposal, the Commission must consider “[t]he effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.”

The proposal will result in all of the subject territory being included within the boundaries of a new waterworks district, which would essentially continue to provide water service at the same level and cost and to the same parcels as currently provided by the LSCSD. As explained in this report, it appears the only effect of the formation from a water service standpoint would be to legalize the 21 unauthorized service connections and make the 56 undeveloped parcels within the historical neighborhoods eligible for new water service connections. An alternative action that would result in the same outcome would be annexation of these parcels to the LSCSD.

The formation of the waterworks district would result in a new governmental entity within the county governmental structure. The new waterworks district would be a dependent district with the County Board of Supervisors acting as the governing body. The County would be responsible for all aspects of the operation of the new district in a similar manner as it currently does for the LSCSD. As discussed in more detail later in this report, approval of the formation would require LAFCo to determine a sphere of influence for the new district after preparation of a municipal service review (MSR). Finally, the proposal would result in the divestiture of the

LSCSD of its only authorized power, resulting in a CSD that provides no services, owns no facilities, and receives no funding.

The alternative action, annexation to the LSCSD, would essentially have the same service result as the formation of the waterworks district, but would not require the formation and operation of a new governmental entity. Nor would it require LAFCo to prepare a MSR and determine a new sphere of influence, as no changes to the current LSCSD sphere of influence would be necessary.

#### **4. Conformity with Adopted Commission Policies [Government Code § 56668(d)]**

Govt. Code § 56668(d) provides that the Commission must consider the proposal's conformity with the Commission's adopted policies on providing planned, orderly, efficient patterns of urban development.

Division 3 of the Handbook contains the Commission's policies applicable to changes of organization and reorganizations. The proposed reorganization would not affect allowable land uses or the intensity of existing or future development within the Lake Sherwood community. It would not result in the conversion of agricultural or open space lands. Thus, it appears that the proposal would conform to those Commission policies regarding land uses and development.

However, as determined by the Commission during prior consideration of this matter, it appears that the proposal is inconsistent with the Commission's policies regarding preferred service providers. Section 3.1.5 provides:

“LAFCo shall consider, and approve, where appropriate and feasible, the provision of new or consolidated services in the following order of preference:

- (1) Annexation to an existing city.
- (2) Annexation to an existing multiple purpose special district.
- (3) Annexation to an existing single purpose district.
- (4) Consolidation of existing districts.
- (5) Annexation to a subsidiary district or County Service Area of which the Board of Supervisors is the governing body.
- (6) Formation of a new County Service Area.
- (7) Incorporation of a new city.
- (8) Formation of a new multiple purpose district.
- (9) Formation of a new single purpose district.”

CSDs are authorized under CSD law to provide a wide range of services and are considered to be multiple purpose special districts. The waterworks district would be limited to a single purpose: water service.

This policy refers specifically to the provision of “new or consolidated services”. No consolidated services are proposed. As 95% of the parcels within the proposed

waterworks district are currently receiving, or are authorized to receive, water service, the only new service proposed is water service to the 56 undeveloped parcels (it is unclear whether the unauthorized service to the 21 parcels located outside the LSCSD boundary would be considered a “new” service). Therefore, pursuant to this policy, the Commission must first consider whether it is “appropriate and feasible” for these 56 parcels (or 77 parcels if the 21 are included) to annex to the LSCSD to receive water service. Pursuant to this policy, the Commission should consider whether it is appropriate and feasible to form a new single purpose waterworks district in order to provide new water service to these 56 (or 77) parcels only after it has determined that annexation to the LSCSD is not appropriate or feasible.

As part of its application, the LSCSD requested that the Commission waive Handbook Section 3.1.5. Handbook Section 3.1.1.2 provides that the Commission’s policies “shall be given great weight”, however they are not mandatory or binding. The Commission can, based on the merits of a proposal, elect not to follow a policy so long as the reason for the specific waiver is made part of any resolution on the matter.

It should be noted that CSD law (Govt. Code § 61001(c)(2)) states that one of the legislature’s intents in enacting CSD law is:

“To encourage local agency formation commissions to use their municipal service reviews, spheres of influence, and boundary powers, where feasible and appropriate, to combine special districts that serve overlapping or adjacent territory into multifunction community services districts.”

The proposal to form the waterworks district and the request to waive Handbook Section 3.1.5 appear to be contrary to the legislature’s intent.

During LAFCo consideration of the proposal to annex the historical neighborhoods (LAFCo 12-09) discussed under the “Background” section of this report, some residents objected due to the possibility of being subjected to unwanted services and costs in the future should the CSD seek such services. Should the Commission wish to approve the proposal, the resolution approving the proposal (Attachment 4) contains proposed language explaining the Commission’s reason for the waiver of this policy based on these concerns.

## **5. Impact on Prime Agricultural Land and Agriculture and Open Space [Government Code §§ 56668(d), 56668(e), and 56377]**

In evaluating impacts to agricultural and open space resources, LAFCo must apply the definition of prime agricultural land found in LAFCo law (Government Code § 56064) and the definition of open space found in LAFCo law (Government Code §

56059). The subject territory contains no prime agricultural land. It does contain land designated as Open Space. Some of the open space land is retained in common ownership and is undevelopable. Some of the privately owned lots zoned as Open Space are eligible to be developed with single family residences under the Area Plan. However, the proposal will not affect existing land use designations, zoning, or development potential on land designated Open Space.

## **6. Boundaries and Lines of Assessment [Government Code § 56668(f)]**

The County Surveyor's office has reviewed and certified the maps and legal descriptions that were prepared by the applicant. As such, they may be utilized for recordation of the Certificate of Completion (pursuant to Government Code § 57201) and for filing the statement of boundary change with the State Board of Equalization (Government Code § 57204).

Handbook Sections 3.1.4.2 and 3.1.4.3 provide that the boundaries of a proposal shall follow lines of assessment or ownership, and that a proposal shall involve only legal lots. The proposal boundaries follow lines of assessment or ownership and staff has no information to indicate that any portions of the lots were not legally created.

## **7. Applicable Spheres of Influence [Government Code § 56668(h)]**

The proposed divestiture from the LSCSD of the power to provide water service affects only those properties that are currently served by the LSCSD, all of which are within the sphere of influence for the LSCSD.

Regarding the proposed formation of the waterworks district, LAFCo law § 56426.5(b) provides that "at the time when a commission approves a formation...of a district, the commission may determine the sphere of influence for the proposed new district..." This section also provides that "[t]he commission shall determine the sphere of influence for any newly formed district within one year of the effective date of the formation." Section 56430(a) provides that "[i]n order to prepare...[a] sphere[ ] of influence...the commission shall conduct a service review of the municipal services provided in the county or other appropriate area designated by the commission."

Preparation of a MSR requires extensive staff time, can cost an estimated \$10,000-\$20,000, and can take several months to complete. Due to the uncertainty that the proposed waterworks district will be formed, at the February 19, 2014 LAFCo meeting, the Commission elected to delay the determination of a sphere of influence until after the formation is approved by LAFCo and subsequently approved by voters during a special election, as discussed in more detail later in this report. The Commission also indicated that if it approves the proposed district formation, it would consider imposing a condition that, assuming voters elect to form the district, the

formation would not be finalized until an application to determine the sphere of influence for the new district is filed with LAFCo. The Commission also indicated that should such a condition be adopted, a deposit toward the preparation of a MSR would be required as part of the application, as well as applicable LAFCo application fees for the determination of the sphere of influence.

As part of its application, the LSCSD has requested that should the Commission approve the proposal, it determine a sphere of influence for the waterworks district without the preparation of a MSR. If preparation of a MSR is required by LAFCo, the LSCSD has requested that it be prepared at no cost to the LSCSD.

As noted, LAFCo law provides that a MSR is required to be prepared to determine the sphere of influence for a newly formed district. LAFCo does not have the authority to waive this requirement. Regarding the cost to prepare a MSR, Handbook Section 4.1.5 provides:

“LAFCo shall pay all costs associated with LAFCo-initiated quinquennial sphere of influence reviews, updates and any associated municipal service reviews that are required to be prepared pursuant to state law. For any sphere of influence update that is initiated by an agency other than LAFCo, the applicant shall be responsible for payment of all associated fees and costs, including the preparation of a municipal service review, if required.”

Though this policy does not specifically address costs associated with the preparation of a MSR as part of the determination of a sphere of influence for a newly-formed district, the intent appears to be that the agency initiating the need to prepare a MSR should cover the cost for its preparation. In addition, the LAFCo Fee Schedule, last updated by the Commission in April 2013, provides that, “[a]ll LAFCo staff time and legal counsel time spent on the proposal shall be billed to the applicant or petitioner...”

Should the Commission wish to approve the proposal, staff recommends that it include a condition that the formation will not be finalized until an application to determine the sphere of influence for the new district is filed with LAFCo and that all fees and costs associated with the application be borne by the applicant, including an initial deposit in an amount deemed appropriate by the Executive Officer. The draft resolution approving the proposal (Attachment 4) contains such language.

## **8. Regional Housing Needs [Government Code § 56668(I)]**

The proposal will allow for the formation of a waterworks district to provide potable water service to existing residential development and to existing residential lots that will accommodate future residential development. It will neither create nor eliminate the potential for additional housing. Therefore, the proposal will have no effect on the need or availability of housing within the County.

**9. Environmental Justice [Government Code § 56668(o)]**

The proposal will allow for the formation of a waterworks district to provide potable water service to existing residential development already receiving water service and to existing residential lots that will accommodate future residential development. Therefore, the proposal will not result in the unfair treatment of any person based on race, culture or income within the proposal area.

**10. Comments and Additional Information [Government Code §§ 56668(i) and 56668(m)]**

Section 56668 provides that the Commission shall consider comments submitted by other public agencies and “[a]ny information or comments from the landowner or landowners, voters, or residents of the affected territory.”

The Calleguas Municipal Water District (Calleguas) submitted to LAFCo preliminary comments regarding the proposal in January 2014. Calleguas, a member agency of the Metropolitan Water District, is the wholesale water provider for the LSCSD. The entirety of the territory within the boundaries of the proposed waterworks district is within Calleguas’ boundaries. Calleguas indicated no significant concerns with the proposal, but that replacing the LSCSD with the proposed waterworks district as a member agency would require an amendment to the Meter Station Agreement between Calleguas and the LSCSD or a new agreement.

As of the writing of this report, no other comments had been submitted.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):**

The proposal would result in a new waterworks district assuming the authority to provide current and future anticipated water service to existing residential lots. The proposal would not alter land use designations, zoning, or allowable uses within the affected territory. It would not allow for additional development potential in excess of that currently allowed by the County’s Area Plan. It would not result in the need to construct new or expanded water service facilities or infrastructure. Therefore, LAFCo staff believes that the proposal is exempt from CEQA pursuant to CEQA Guidelines §15061(b)(3), which states:

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

## **COMMISSION PROCEEDINGS – PROCESS CONSIDERATIONS:**

### **Public Hearing Notice:**

Pursuant to Government Code § 56658(h), the Commission's actions associated with a request for a change of organization must be taken at a public hearing. Government Code § 56156 requires that mailed notice of a hearing shall be mailed at least 21 days prior to the date of the hearing. Government Code § 56157 allows a 1/8 page advertisement to be placed in a newspaper of general circulation if the total number of mailed notices exceeds 1,000. According to the Assessor's Office and to the County Registrar of Voters, the proposal area contains over 1,000 property owners and registered voters. As the required number of mailed notices exceeds 1,000, LAFCo provided notice by means of publishing a 1/8 page notice in the Ventura County Star (a newspaper of general circulation) on October 26, 2014. The notice was posted on the Ventura LAFCo website and outside the main entrance of the Ventura County Government Center Hall of Administration. Additionally, the public notice was published in the Thousand Oaks Acorn newspaper on October 30, 2014. Finally, on November 4, 2014 a courtesy letter was sent to each parcel within the affected territory informing voters and property owners of the matter.

### **Conducting Authority:**

Should the Commission approve the proposal, the following conducting authority proceedings will apply:

*Divestiture of the LSCSD of the power to provide potable water service.*

The proposed divestiture is subject to conducting authority proceedings, otherwise known as protest proceedings (Government Code § 57000 et seq.). LAFCo must publish notice of the date and time of a protest hearing within 35 days of the Commission's hearing. Pursuant to Handbook Section 2.5.1, the Commission has "delegated the conducting authority functions and responsibilities to the Executive Officer."

As noted previously in this report, the divestiture is necessary to avoid two districts authorized to provide the same service in overlapping territory. If during conducting authority proceedings adequate protests are filed to terminate proceedings for the divestiture and thereafter the waterworks district is successfully formed, the LSCSD would continue to be authorized to provide water service to 95% of the parcels within the waterworks district. To avoid this situation, LAFCo staff recommends that the formation of the waterworks district be conditioned so that it shall only be finalized if the Commission's approval of the divestiture withstands protest proceedings. The resolution approving the proposal contains appropriate language for such a condition.

*Formation of the waterworks district*

Govt. Code § 56859 provides, in part, that “[p]roceedings for the formation of a district shall be conducted as authorized in the principal act of the district proposed to be formed...” The waterworks district principal act provides that formation of the proposed waterworks district is subject to voter approval. Should the Commission approve the formation of the new waterworks district, registered voters residing within the boundaries of the proposed district will be given the opportunity to vote on the formation during a mailed ballot special election. No protest proceedings would be required or conducted.

Under state law, in odd-numbered years, mailed ballot elections may occur on the first Tuesday after the first Monday in May or the last Tuesday in August or on any other date authorized by the county elections official. Following Commission approval, the Ventura County Board of Supervisors would be asked by the Executive Officer, pursuant to authority previously delegated by the Commission, to call for the special election by directing the elections official to conduct the election on one of these dates. The Executive Officer would then prepare an impartial analysis for review and approval by the Commission. Once approved by the Commission, the impartial analysis would be submitted to the County Elections Division.

LAFCo staff has consulted with staff from County Elections and County Water and Sanitation. Should the Commission approve the proposal, it appears that there is adequate time for the special election to occur in May 2015 (prior to the expiration of the OASAs in July 2015).

**ALTERNATIVE ACTIONS AVAILABLE:**

- A. If the Commission, following public testimony and review of the materials submitted, determines that the proposal should be approved subject to any changes or additions to the terms and conditions set forth in Attachment 4, a motion to approve should clearly specify any changes or additions to the terms and conditions of approval.
- B. If the Commission, following public testimony and review of materials submitted, wishes to modify the proposal, a motion 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.

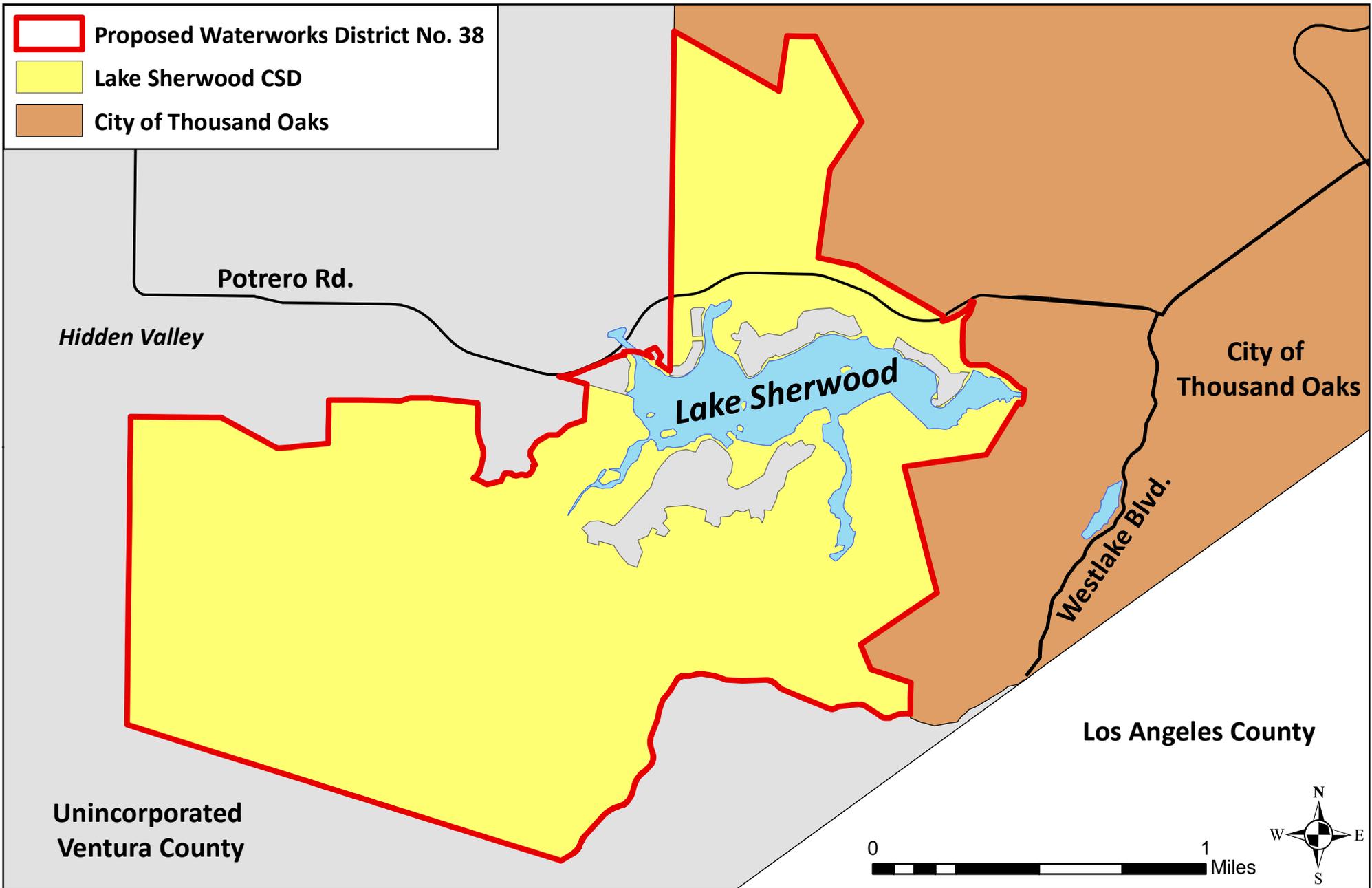
  
\_\_\_\_\_  
Kai Luoma, AICP  
Executive Officer

Attachments:

1. Map of Proposal Area
2. Map of Historical Neighborhoods
3. LAFCo 13-16 Resolution of Disapproval
4. LAFCo 13-16 Resolution of Approval

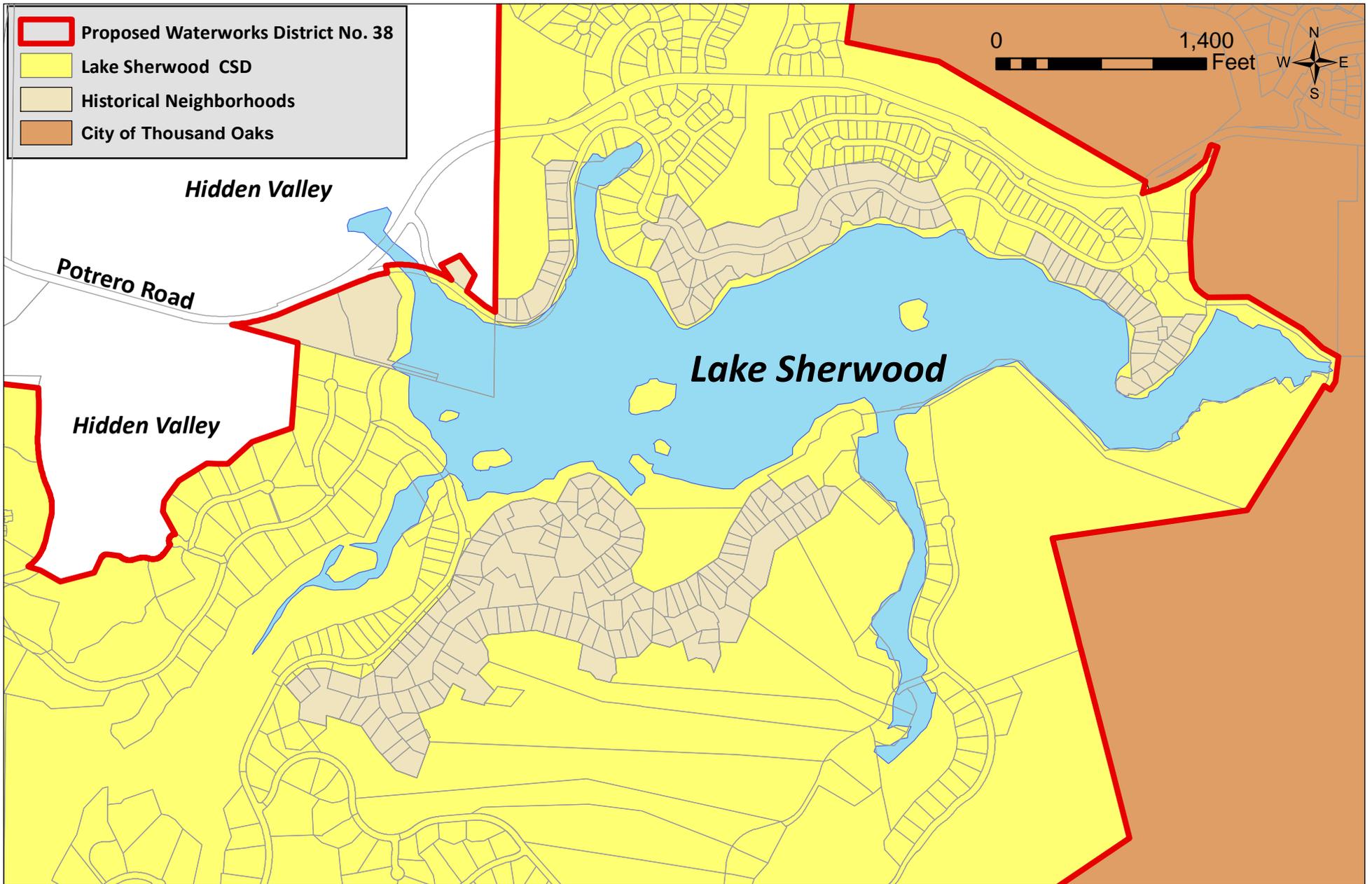
LAFCo makes every effort to offer legible map files with the online and printed versions of our reports; however, sometimes the need to reduce oversize original maps and/or other technological/software factors can compromise readability. Original maps are available for viewing at the LAFCo office by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

-  Proposed Waterworks District No. 38
-  Lake Sherwood CSD
-  City of Thousand Oaks



Lake Sherwood Community Services District  
 Reorganization (Formation/Divestiture)  
 LAFCo 13-16  
 November 19, 2014  
 Attachment 1  
 70





**LAFCO 13-16**

**RESOLUTION OF THE VENTURA LOCAL AGENCY FORMATION COMMISSION MAKING DETERMINATIONS AND DISAPPROVING LAKE SHERWOOD COMMUNITY SERVICES DISTRICT REORGANIZATION - DIVESTITURE OF THE LAKE SHERWOOD COMMUNITY SERVICES DISTRICT OF THE POWER TO PROVIDE POTABLE WATER SERVICE AND FORMATION OF VENTURA COUNTY WATERWORKS DISTRICT NO. 38 TO PROVIDE POTABLE WATER SERVICE**

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

WHEREAS, in addition to the proposal, the Lake Sherwood Community Services District (LSCSD) has requested that LAFCo waive Section 3.1.5 of the Ventura LAFCo Commissioner's Handbook regarding preferred service providers; and

WHEREAS, the LSCSD has also requested that the Commission determine a sphere of influence for Ventura County Waterworks District No. 38 after formation is complete and without the preparation of a municipal service review (MSR) and that, should a MSR be required, the MSR be prepared at no cost to the LSCSD; and

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

WHEREAS, the Commission duly considered the proposal and related matters on November 19, 2014; 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 findings, and applicable local plans and policies; and

WHEREAS, the Commission finds the proposal not to be in the best interest of the landowners and present and future inhabitants within the affected territory, and the organization of local governmental agencies within Ventura County; and

WHEREAS, the Commission finds the proposal to be inconsistent with the intent of the state legislature regarding community service districts as stated in the Govt. Code § 61001(c)(2); and

WHEREAS, alternative actions to the formation are available that would result in the provision of the potable water service to the entire community;

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

- (1) The LAFCo Staff Report dated November 19, 2014 and recommendation for disapproval of the proposal and related matters are adopted.
- (2) The divestiture of the power of the LSCSD to provide potable water service and the formation of Ventura County Waterworks District No. 38 are hereby disapproved.
- (3) The subject proposal is assigned the following distinctive short form designation: **LAFCO 13-16 LAKE SHERWOOD COMMUNITY SERVICES DISTRICT – REORGANIZATION (DIVESTITURE AND FORMATION)**

This resolution was adopted on November 19, 2014.

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

Dated: \_\_\_\_\_  
Chair, Ventura Local Agency Formation Commission

Copies: Lake Sherwood Community Services District  
Calleguas Municipal Water District  
Ventura County Elections

**LAFCO 13-16**

**RESOLUTION OF THE VENTURA LOCAL AGENCY FORMATION COMMISSION MAKING DETERMINATIONS AND APPROVING LAKE SHERWOOD COMMUNITY SERVICES DISTRICT REORGANIZATION - DIVESTITURE OF THE LAKE SHERWOOD COMMUNITY SERVICES DISTRICT OF THE POWER TO PROVIDE POTABLE WATER SERVICE AND FORMATION OF VENTURA COUNTY WATERWORKS DISTRICT NO. 38 TO PROVIDE POTABLE WATER SERVICE**

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

WHEREAS, in addition to the proposal, the Lake Sherwood Community Services District (LSCSD) has requested that LAFCo waive Section 3.1.5 of the Ventura LAFCo Commissioner's Handbook regarding preferred service providers; and

WHEREAS, the LSCSD has also requested that the Commission determine a sphere of influence for Ventura County Waterworks District No. 38 after formation is complete and without the preparation of a municipal service review (MSR) and that, further, should a MSR be required, the MSR be prepared at no cost to the LSCSD; and

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

WHEREAS, the Commission duly considered the proposal and related matters on November 19, 2014; 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, and applicable local plans and policies; and

WHEREAS, regarding the proposed divestiture of the LSCSD of the power to provide potable water service, proof has been given to the Commission that the territory within the boundaries of the LSCSD has more than 12 registered voters and is considered inhabited; and

WHEREAS, regarding the proposed formation of Ventura County Waterworks District No. 38:

- a. Government Code Section 56859 provides that the formation shall be conducted as authorized in the applicable principal act, the County Waterworks District Law (California Water Code Section 55000 et seq.), and Government Code Section 56100; and
- b. The County Waterworks District Law provides that the formation is subject to a special election of the registered voters residing within the boundaries of the proposed district; and

WHEREAS, the boundaries of the new waterworks district will include those parcels currently located outside the boundaries of the LSCSD and will allow those parcels to receive water service without any future obligation to annex to the LSCSD, thus, the Commission finds the proposal and related matters to be in the best interest of the County of Ventura 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 for the proposal and related matters dated November 19, 2014 is adopted.
- (2) The divestiture of the LSCSD of the power to provide potable water service is hereby approved subject to the following terms and conditions:
  - a. The approval is subject to conducting authority proceedings as prescribed in Government Code Sections 57000 to 57090, which the Executive Officer is hereby directed to conduct.
  - b. The divestiture shall become effective at such time that Ventura County Waterworks District No. 38 has been formed and begins providing water service.
- (3) The formation of Ventura County Waterworks District No. 38 is hereby approved subject to the following terms and conditions:
  - a. Formation of Ventura County Waterworks District No. 38 shall be subject to a special election of the registered voters residing within the affected territory.

- b. The boundaries of Ventura County Waterworks District No. 38 shall be as generally depicted on Exhibit A attached hereto and made a part hereof, with the final boundaries established via the maps and legal descriptions recorded with the certificate of completion.
  - c. This approval is limited to Ventura County Waterworks District No. 38 constructing, operating and maintaining a potable water delivery system and providing potable water service. No other service is authorized.
  - d. The regular county assessment role will be utilized for purposes of Ventura County Waterworks District No. 38.
  - e. The provisional appropriations limit of Ventura County Waterworks District No. 38 shall be \$0.00.
  - f. Formation shall not be finalized and a certificate of completion shall not be recorded if either:
    - i. The value of written protests filed and not withdrawn during the conducting authority proceedings for the divestiture of the LSCSD of the power to provide potable water service is sufficient to terminate proceedings for the divestiture or
    - ii. The value of written protests filed and not withdrawn during the conducting authority proceedings for the divestiture of the LSCSD of the power to provide potable water service is sufficient to require confirmation by the registered voters of the LSCSD and, upon an election, a majority of the registered voters voting disapprove the divestiture.
  - g. Formation shall not be finalized and a certificate of completion shall not be recorded until a complete application for the determination of a sphere of influence for the waterworks district, and all related fees and deposits, is submitted to LAFCo.
- (4) The special election to form Ventura County Waterworks District No. 38 is hereby ordered as follows:
- a. The election shall be of the registered voters residing within the affected territory as designated in Exhibit A.
  - b. The question to be submitted to the voters shall be: Shall the resolution adopted on November 19, 2014, by the Local Agency Formation

- Commission of Ventura County ordering the formation of a waterworks district in the territory described, known as Ventura County Waterworks District No. 38, be approved, subject to the terms and conditions specified in the resolution?  Yes  No
- c. The vote required for confirmation of the formation of Ventura County Waterworks District No. 38 shall be a Yes vote by a majority of those voters voting.
  - d. The vote shall be called pursuant to Government Code Section 57000 and conducted wholly by mailed ballot pursuant to Government Code Sections 57125(b) and 57132.
- (5) The waiver of Handbook Section 3.1.5 is hereby approved. Requiring parcels to annex to the LSCSD in order to obtain water service may subject the property owners to unwanted services and costs in the future, should the LSCSD seek to exercise additional powers and services.
- (6) Regarding the requests pertaining to the determination of a sphere of influence for Ventura County Waterworks District No. 38:
- a. The request to delay the determination of a sphere of influence for Ventura County Waterworks District No. 38 until after the waterworks district is formed is hereby approved.
  - b. The request to waive the preparation of a MSR is outside LAFCo authority and cannot be granted.
  - c. All costs related to the processing of an application to determine a sphere of influence for Ventura County Waterworks District No. 38, including those for the preparation of a MSR, shall be paid by the applicant. A deposit toward those costs, in an amount determined by the Executive Officer, shall be required at the time of application submittal.
- (7) The subject proposal is assigned the following distinctive short form designation: **LAFCo 13-16 LAKE SHERWOOD COMMUNITY SERVICES DISTRICT – REORGANIZATION (DIVESTITURE AND FORMATION)**
- (8) The proposal is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines and LAFCo staff is directed to file a Notice of Exemption under Section 15062 of the CEQA Guidelines; and

- (9) Proceedings for this proposal shall not be completed until all LAFCo fees have been paid and all fees necessary for filing with the State Board of Equalization have been submitted to the LAFCo Executive Officer.

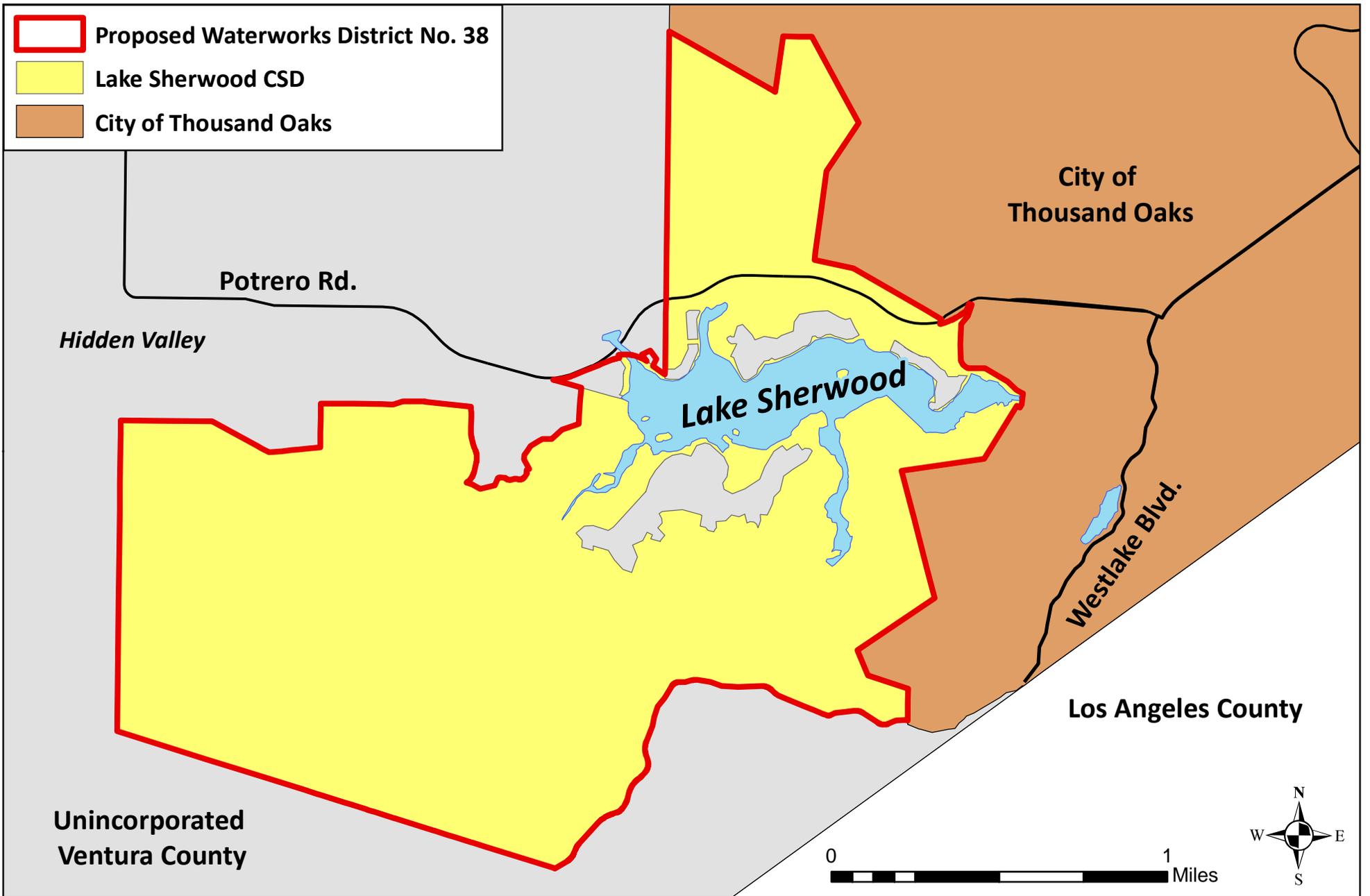
This resolution was adopted on November 19, 2014.

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

Dated: \_\_\_\_\_  
Chair, Ventura Local Agency Formation Commission

Attachments: Exhibit A

Copies: Lake Sherwood Community Services District  
Calleguas Municipal Water District  
Ventura County Surveyor  
Ventura County Assessor  
Ventura County Auditor/Controller  
Ventura County Elections-Registrar of Voters  
Ventura County Fire Protection District  
Ventura County Planning  
Ventura County Environmental Health  
Ventura County Surveyor



**Lake Sherwood Community Services District  
 Reorganization (Formation/Divestiture)  
 LAFCo 13-16  
 November 19, 2014  
 Exhibit A**





VENTURA LOCAL AGENCY FORMATION COMMISSION  
**STAFF REPORT**

Meeting Date: November 19, 2014

**Agenda Item 14**

**TO:** LAFCo Commissioners

**FROM:** Kai Luoma, AICP, Executive Officer

**SUBJECT:** Letter to California Department of Conservation and California Department of Food and Agriculture

**Recommendation**

Authorize the Chair to sign the attached letter to the California Department of Conservation (DOC) and the California Department of Food and Agriculture (CDFA) (Attachment 1).

**Discussion**

The attached draft letter was prepared at the request of Chair Parks to express appreciation to the DOC and CDFA for their efforts in identifying potential options by which impacts to agricultural lands from development in Ventura County might be mitigated.

On September 17, 2014, the DOC and the CDFA submitted the attached comment letter (Attachment 2) to the City of Camarillo regarding the draft EIR prepared for the Conejo Creek Specific Plan. The Specific Plan proposal included 2,500 residential units and 1.77 million square feet of other uses on several hundred acres of prime agricultural land both within and adjacent to the City.

Among the concerns raised in the letter from the DOC and CDFA is that the draft EIR does not adequately evaluate the possibility of mitigating the impacts to agricultural lands through the purchase of agricultural conservation easements. LAFCo staff shared this concern in comments made in September 2014 regarding the draft EIR. The DOC/CDFA letter provides a number of options that may be available for securing agricultural conservation easements in Ventura County.

COMMISSIONERS AND STAFF

<b>COUNTY:</b> Linda Parks, Chair John Zaragoza <i>Alternate:</i> Steve Bennett	<b>CITY:</b> Carl Morehouse Janice Parvin <i>Alternate:</i> Carol Smith	<b>DISTRICT:</b> Bruce Dandy Vacant <i>Alternate:</i> Elaine Freeman	<b>PUBLIC:</b> Linda Ford-McCaffrey, Vice Chair  <i>Alternate:</i> Lou Cunningham
<b>Executive Officer</b> Kai Luoma, AICP	<b>Analyst</b> Andrea Ozdy	<b>Office Mgr/Clerk</b> Debbie Schubert	<b>Legal Counsel</b> Michael Walker



## VENTURA LOCAL AGENCY FORMATION COMMISSION

COUNTY GOVERNMENT CENTER • HALL OF ADMINISTRATION

800 S. VICTORIA AVENUE • VENTURA, CA 93009-1850

TEL (805) 654-2576 • FAX (805) 477-7101

WWW.VENTURA.LAFCO.CA.GOV

## Attachment 1

November 19, 2014

Mark Nechodom, Director  
California Department of Conservation (DOC)  
801 K Street, MS 24-01  
Sacramento, CA 95814

SENT VIA E-MAIL

Karen Ross, Secretary  
California Department of Food and Agriculture (CDFA)  
1220 N. Street  
Sacramento, CA 95814

Re: Recirculated Draft Environmental Impact Report (Recirculated DEIR) – City of Camarillo Conejo Creek Specific Plan

Dear Mr. Nechodom and Ms. Ross:

The Ventura Local Agency Formation Commission (LAFCo) received a copy of the September 17, 2014 comments that the DOC and CDFA submitted jointly to the City of Camarillo regarding the subject DEIR. As you know, the proposed Specific Plan includes several project components that would allow for the planned development of residential, commercial, industrial, and open space uses within a 895-acre overall project area, the majority of which would occur on prime agricultural land. The proposal would also involve annexation of more than 300 acres of agricultural land to the City of Camarillo.

Your letter raises concerns about the DEIR's analysis of the environmental impacts resulting from the potential loss of 648 acres of agricultural land. In particular, you question the DEIR's evaluation and conclusions regarding the feasibility of establishing conservation easements to mitigate for the loss, and provide evidence that such easements may be more feasible than the analysis suggests.

One of LAFCo's primary purposes is to preserve prime agricultural land, and the Ventura LAFCo shares the concerns you expressed in the letter. We appreciate that the DOC and CDFA took the time to consider the Conejo Creek Specific Plan project and provide comments to the City.

Sincerely,

Linda Parks, Chair  
Ventura LAFCo



DEPARTMENT OF CONSERVATION  
*Managing California's Working Lands*  
 DIRECTOR'S OFFICE



CALIFORNIA DEPARTMENT OF  
 FOOD & AGRICULTURE

## Attachment 2

September 17, 2014

**Via email: [conejocreek.eircomments@cityofcamarillo.org](mailto:conejocreek.eircomments@cityofcamarillo.org)**

Mr. Dave Norman, Director of Community Development  
 City of Camarillo  
 601 Carmen Drive  
 Camarillo, CA 93010

RECIRCULATED DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE CONEJO  
 CREEK PROPERTIES SPECIFIC PLAN – SCH # 2009111020

The Department of Conservation's (Department) Division of Land Resource Protection (Division) and the California Department of Food and Agriculture (CDFA) have reviewed the Recirculated Draft Program Environmental Impact Report (R-DEIR) for the Conejo Creek Properties Specific Plan. The Division monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. The CDFA protects and promotes California's agriculture, with six divisions providing valuable services to producers, merchants, and the public, many conducted in partnership with local county offices of the agricultural commissioners and sealers. We offer the following comments and recommendations with respect to the proposed project's analysis of conservation easements and their availability to minimize impacts on agricultural land and resources.

### **Project Description**

The Conejo Creek Properties Specific Plan project consists of 740 acres and is within and adjacent to the southeastern portion of the City of Camarillo, in Ventura County. The proposed project would include up to 2,500 residential units and 1,770,000 square feet of non-residential space, including mixed use, retail commercial, institutional, and industrial space. The Specific Plan would also include 44.5 acres of parkland; 40.3 acres of lakes; and 137.9 acres of creeks, greenbelts, and open space. These uses could occur in various combinations and quantities, and development is expected to occur in several phases over the next 20 years.

The project's existing General Plan land use designations include Agriculture, Linkage (Special Treatment), Industrial, and Public land use; and existing zoning designations of

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*The Department of Conservation's mission is to balance today's needs with tomorrow's challenges and foster intelligent, sustainable, and efficient use of California's energy, land, and mineral resources. The California Department of Food and Agriculture's mission is to protect and promote California's agriculture to help produce a safe, secure supply of food, fiber, and shelter.*

Limited Manufacturing (LM), Agricultural Exclusive (AE), and Open Space (OS). The project has no parcels under Williamson Act contract. The project area has been commercially farmed for the last 50 years, and currently produces strawberries, citrus, and avocados. Implementation of the proposed project would convert this farmland to urban uses and would preclude future agricultural uses on the site.

### **Comments**

Per the 2010 Important Farmland Map for Ventura County, produced by the Farmland Mapping and Monitoring Program (FMMP), 84 percent of the planning area is designated as Prime Farmland, Farmland of Statewide Importance, and Unique Farmland. The conversion of this farmland is a material consideration for the California Environmental Quality Act (CEQA).

The Department and the CDFA are pleased to see that the City includes conservation easements as an evaluated mitigation measure in the R-DEIR. While the City has other policies in place to manage agricultural land conversion, the document explains that:

*...even with SOAR and CURB in place, there are different types of agricultural resource mitigation measures available to consider. They include conservation easements and community supported agriculture programs and facilities.<sup>1</sup>*

The Department and the CDFA would like to correct information presented in the R-DEIR's mitigation analysis. The R-DEIR states "...it is unlikely that up to 648 acres of agricultural conservation easements of like-kind important farmland in the City or County can be obtained." This conclusion was reached by reviewing the history of easement acquisition in the City and County, and by contacting local land trust organizations. Three entities of note were identified in the R-DEIR: the Ventura County Resource Conservation District (RCD), The Nature Conservancy (TNC), and the Ojai Valley Land Conservancy.

### **Ojai Valley Land Conservancy**

The R-DEIR describes areas that the Ojai Valley Land Conservancy has identified as targets for their acquisition within the next 10 years. The orchards and other cultivated farmland properties are dismissed in the environmental document because they "...are not large enough to meet the mitigation needs of the proposed project (i.e., 648

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<sup>1</sup> Conejo Creek Specific Plan Recirculated Draft EIR, Section 4.2 Agricultural Resources. City of Camarillo. July 2014. Page 4.2-11.

acres).<sup>2</sup> The Department and the CDFA are unaware of any legal requirement that would prevent mitigation from being achieved via several conservation easements, in different areas and managed by different entities. Neither the CEQA Guidelines nor case law provide any restrictions, though the CDFA and the Department would caution that each easement must be large enough to continue legitimate and productive agricultural use. In addition, the Department contacted Brian Stark, Conservation Director of the Ojai Valley Land Conservancy, regarding the R-DEIR and obtained the following response:

*...it appears that the Ag Conservation Easement option is primarily dispensed due to the apparent inability of local land trusts to get landowners to do conservation easements, and evidenced by the small number of Ag easements or other conservation easements in the area. / The Ojai Valley Land Conservancy would certainly entertain the idea of holding Ag Easements in the Ojai Valley. Conserving farmland is listed as one of our priorities, and we have identified lands in the Valley that we consider important for Ag conservation.<sup>3</sup>*

### The Nature Conservancy

The R-DEIR describes The Nature Conservancy's conservation targets and indicates that they have been unsuccessful thus far in obtaining easements on land located in the Santa Clara River floodplain and in the Tierra Rejada area of Ventura County. In addition, the analysis again dismisses smaller (20-120 acre) parcels because "...multiple agricultural conservation easements would need to be acquired to partially offset the project..."<sup>4</sup> It appears, however, that the consultants drafting the environmental document for the City did not directly contact staff at TNC. The Department did so, and received the following response from E.J. Remson, Senior Program Manager:

*As the report noted, we were in escrow on a 120 acre farmland easement in Tierra Rejada that failed because of lack [of] funding. We are currently in escrow on a 118 acre Ag easement along the Santa Clara River that is fully funded and we expect to close next month. We have negotiated a second similar easement and purchase agreement and we are working on a third. We continue to market our easement program to other farm owners. / ...we are working closely with the U.S. Navy at Ormond Beach*

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<sup>2</sup> *Id* at 4.2-14.

<sup>3</sup> E-mail from Brian Stark, Conservation Director, Ojai Valley Land Conservancy, to Larelle Burkham-Greydanus, Project Manager for California Farmland Conservancy Program, CA Department of Conservation (August 13, 2014 11:03AM and 12:25PM) (on file with recipient).

<sup>4</sup> Conejo Creek Specific Plan Recirculated Draft EIR at 4.2-14.

*to provide agricultural land buffers around the base...We have entered into a formal agreement with the Navy to acquire easements near the base. Ag easements needed for base buffering easily total in the hundreds of acres if not more.<sup>5</sup>*

### Ventura County RCD

Rincon Consultants, Inc. contacted Marty Melvin of the Ventura County RCD as part of preparing the R-DEIR. The document notes:

*Mr. Melvin indicated that the RCD does not hold any agricultural conservation easements and they are more typically involved in assisting other Ventura County land trusts with only conservation easement negotiations. Mr. Melvin suggested that the City contact other public or private land trusts within the County as an alternative to RCD.<sup>6</sup>*

When the Department contacted Mr. Melvin, however, he indicated that "...the issue here is not available land but price and working together to make it happen."<sup>7</sup>, and that the RCD is approaching a landowner who is conservation-minded and owns several thousand acres in Ventura County. In addition, E.J. Remson from TNC indicated that his organization was looking to work with the Ventura County RCD to acquire and manage conservation easements.

### Conclusions

The Department and the CDFA believe the R-DEIR is incorrect in concluding that it is unlikely conservation easements could be obtained to provide compensatory mitigation for the 648 acres of Important Farmland converted by this project. Conversations with the organizations discussed above revealed that the City has been unable to find significant agricultural conservation easements within Ventura County primarily due to land valuation issues and the historic sources of funding for conservation easements. The appraised values of Ventura County's high quality farmland are higher than in other locations in the state, making most easement projects uncompetitive for charitable or government funding. Privately purchased agricultural conservation easements, such as

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<sup>5</sup> E-mail from E.J. Remson, Senior Program Manager, The Nature Conservancy, to Larelle Burkham-Greydanus, Project Manager for California Farmland Conservancy Program, CA Department of Conservation (August 15, 2014 4:05PM) (on file with recipient).

<sup>6</sup> Conejo Creek Specific Plan Recirculated Draft EIR at 4.2-14.

<sup>7</sup> E-mail from Marty Melvin, District Manager, Ventura County Resource Conservation District, to Larelle Burkham-Greydanus, Project Manager for California Farmland Conservancy Program, CA Department of Conservation (August 18, 2014 7:31AM) (on file with recipient).

Mr. Dave Norman  
September 17, 2014  
Page 5 of 5

ones that would be used to satisfy mitigation under CEQA, are not constrained by the appraised value requirements of these external funds. The establishment of one or more easements in Ventura County is thus potentially feasible.

All three entities identified in the R-DEIR are willing and interested to participate in acquiring and managing agricultural conservation easements as part of compensatory mitigation for the Conejo Creek Specific Plan project. The CDFA and the Department recommend that the City include the purchase of agricultural conservation easements as mitigation in the Final EIR and work with these organizations toward that goal.

Thank you for giving us the opportunity to comment on the R-DEIR for the City of Camarillo's Conejo Creek Properties Specific Plan. Please provide this Department with the date of any hearings for this particular action, and any staff reports pertaining to it.

If you have questions regarding our comments, or require technical assistance or information on agricultural land conservation, please contact Heather Anderson at the Division of Land Resource Protection, Environmental Planner, at 801 K Street, MS 18-01, Sacramento, CA 95814, or by phone at (916) 324-0869.

For questions, assistance, or information from the CDFA, please contact Michele Dias, General Counsel, at 1220 N Street, Suite 400, Sacramento, CA 95814, or by phone at (916) 654-0433.

Sincerely,



Mark Nechodom, Director  
Department of Conservation



Karen Ross, Secretary  
Department of Food and Agriculture

cc: State Clearinghouse  
Ventura Local Agency Formation Commission

**2014-2015  
Board of Directors**

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Santa Cruz LAFCo

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Riverside LAFCo

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Placer LAFCo

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Contra Costa LAFCo

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ROGER WELT, PHD  
Santa Barbara LAFCo

**Staff**

PAMELA MILLER  
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MARJORIE BLOM  
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CLARK ALSOP  
Legal Counsel

STEPHEN LUCAS  
Deputy Executive Officer

DAVID CHURCH  
Deputy Executive Officer

PAUL NOVAK  
Deputy Executive Officer

JENI TICKLER  
Executive Assistant

October 28, 2014

Ventura LAFCo  
800 S. Victoria Ave.  
Ventura, CA 93009-1850



Ventura LAFCo

Dear Chair Parks and Commission:

On behalf of the California Association of Local Agency Formation Commissions (CALAFCO), I would like to thank your commission for allowing some of your members and staff the opportunity to attend the CALAFCO 2014 annual conference.

We know how lean budgets and resources are and understand that prioritizing expenditures can be difficult. Ensuring you and your staff have access to ongoing professional development and specialized educational opportunities, allows all of you the opportunity to better serve your commission and fulfill the mission of LAFCo. The sharing of information and resources among the LAFCo commissioners and staff statewide serves to strengthen the LAFCo network and creates opportunities for rich and value-added learning that is applied within each LAFCo.

Thank you again for your participation in the CALAFCO 2014 annual conference. We truly appreciate your membership and value your involvement in CALAFCO.

Yours sincerely,

Pamela Miller  
Executive Director

1215 K Street, Suite 1650  
Sacramento, CA 95814

Voice 916-442-6536  
Fax 916-442-6535

[www.calafco.org](http://www.calafco.org)