



VENTURA LOCAL AGENCY FORMATION COMMISSION

AGENDA

Wednesday January 21, 2015

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. Election of Officers for 2015
 - A. Chair
 - B. Vice Chair
5. 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.
6. Commission Presentations and Announcements
 - A. Introduction of Mary Anne Rooney, new Special District Alternate Member
 - B. Introduction of Richelle Beltran, LAFCo's new Office Manager / Clerk to the Commission

PUBLIC COMMENTS

7. 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

COMMISSIONERS AND STAFF

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

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.)

CONSENT ITEMS

8. Minutes of the Ventura LAFCo November 19, 2014 Meeting
9. Budget to Actual Reports: October, November and December 2014

RECOMMENDED ACTION: Approval Item 8
Receive and File
Item 9

ACTION ITEMS

10. Impartial Analysis – Formation of Ventura County Waterworks District No. 38
Consider and approve, with or without modification, the impartial analysis for the special election to form Ventura County Waterworks District No. 38.

RECOMMENDED ACTION: Approval

11. Agricultural Mitigation Policies Adopted by LAFCos
Staff will present information on agricultural mitigation measures adopted by other LAFCos throughout the state.

RECOMMENDED ACTION: Receive and File
the Information and
Direct Staff as
Appropriate

12. Cancel the February 18 Regular LAFCo Meeting
Cancel the LAFCo meeting scheduled for February 18, 2015.

RECOMMENDED ACTION: Approval

EXECUTIVE OFFICER'S REPORT

City Selection Committee
Next LAFCo meeting March 18, 2015

COMMISSIONER COMMENTS

ADJOURNMENT

WEB ACCESS:
LAFCo Agendas, Staff Reports
and Adopted Minutes can be found at:
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, 4th 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, 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
STAFF REPORT

Meeting Date: January 21, 2015

Agenda Item 4

TO: LAFCo Commissioners

FROM: Kai Luoma, Executive Officer

SUBJECT: Election of Officers for 2015

RECOMMENDATION:

- A. Elect a Chair for 2015
- B. Elect a Vice Chair for 2015

DISCUSSION:

The Commission's By-laws (Attachment 1) provide for both the Chair and Vice-Chair to serve one-year terms of office commencing on the third Wednesday of January. The By-laws provide for the officers to be rotated, "so that a member of each of the four represented groups of LAFCo serves one full year in every four-year period." For 2015 the Public Member should serve as Chair and a City Member should serve as Vice-Chair.

Vice-Chair Ford-McCaffrey, who according to your By-laws would be selected to serve as Chair for 2015, has informed staff that she likely will be resigning from the Commission at the end of January, though she is not yet certain. Vice-Chair Ford-McCaffrey's term ends on January 1, 2017. Should the public member seat become vacant, LAFCo law provides that a notice of vacancy be posted at least 21-days before the appointment of a new public member. Until a new public member is selected, the alternate public member would sit as a voting member, and the Vice-Chair would act as Chair until a new Chair is selected.

Attachment 1: Commissioner's Handbook, Chapter 1, Section 1.1.4

COMMISSIONERS AND STAFF

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



ATTACHMENT 1

SECTION 1.1.4 OFFICERS

1.1.4.1 Chair: The Chair shall be selected by the members. The Chair shall serve for one year or until his/her successor is selected at the first meeting of each calendar year or at the next regular meeting following the appointment and qualification of the requisite member to fill any expired and/or vacant terms.

The office of Chair shall be rotated so that a member of each of the four represented groups of LAFCo serves one full year in every four-year period. Commencing January of 2002, the rotation of the chair shall be in the following sequence: County, Public, City, and Special District member.

1.1.4.2 Vice-Chair: The Vice-Chair shall be selected by the members. The Vice Chair shall serve for one year or until his/her successor is selected at the first meeting of each calendar year or at the next regular meeting following the appointment and qualification of the requisite member to fill any expired and/or vacant terms. In the absence of the Chair, the Vice-Chair shall serve in place of the Chair.

The office of Vice-Chair shall be rotated so that a member of each of the four represented groups of LAFCo serves one full year in every four-year period. In January 2002, the rotation of the vice-chair shall be in the following sequence: Public, City, Special District, and County member.



VENTURA LOCAL AGENCY FORMATION COMMISSION

MEETING MINUTES

Wednesday November 19, 2014

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

Agenda Item 8

1. Call to Order
Chair Parks called the meeting to order at 9:03 A.M.
2. Pledge of Allegiance
Commissioner Morehouse led the Pledge of Allegiance.
3. Roll Call
The clerk called the roll. The following Commissioners were present:
Commissioner Ford-McCaffrey
Commissioner Morehouse
Commissioner Parvin
Chair Parks
Alt. Commissioner Cunningham
Alt. Commissioner Freeman
4. Agenda Review
The Commission considered, and approved by unanimous vote, moving Agenda Item 13 (LAFCo 13-16 Lake Sherwood Community Services District Reorganization) to immediately follow 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

COUNTY: Linda Parks, Chair John Zaragoza <i>Alternate:</i> Steve Bennett	CITY: Carl Morehouse Janice Parvin <i>Alternate:</i> Carol Smith	DISTRICT: Bruce Dandy Vacant <i>Alternate:</i> Elaine Freeman	PUBLIC: Linda Ford-McCaffrey, Vice Chair <i>Alternate:</i> Lou Cunningham
Executive Officer Kai Luoma, AICP	Analyst Andrea Ozdy	Office Mgr/Clerk Debbie Schubert	Legal Counsel 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
10. Budget to Actual Reports: June, July, August and September 2014

MOTION: Approve Items 7-9 and Receive and File Item 10 as recommended: Parvin

SECOND: Morehouse

AYES: Freeman, Ford-McCaffrey, Morehouse, Parks and Parvin

NOES: None

ABSTAINED: None

MOTION PASSES 5/0/0

PUBLIC HEARING ITEMS

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

Chair Parks opened the public hearing. Kai Luoma presented the staff report. The following persons spoke: Robert Liberman, property owner and representative of the Lake Sherwood Community Association; Steven Sandifer, representative of the Lake Sherwood Community Association. Mr. Liberman also submitted comments in writing. With no other speakers, Chair Parks closed the public hearing.

MOTION: Approve an alternative action adopting Resolution 13-16 Lake Sherwood Community Services District Reorganization – Divestiture and Formation, making determinations and approving the proposed reorganization and related requests: Parks

SECOND: Morehouse

AYES: Freeman, Ford-McCaffrey, Morehouse, Parks and Parvin

NOES: None

ABSTAINED: None

MOTION PASSES 5/0/0

11. Sphere of Influence Reviews/Updates (Continued from September 17, 2014)
LAFCo 14-16S Camarillo Sanitary District Sphere of Influence Update

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: Ford-McCaffrey

SECOND: Morehouse

AYES: Freeman, Ford-McCaffrey, Morehouse, Parks and Parvin

NOES: None

ABSTAINED: None

MOTION PASSES 5/0/0

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

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: Freeman

SECOND: Parvin

AYES: Freeman, Ford-McCaffrey, Morehouse, Parks and Parvin

NOES: None

ABSTAINED: None

MOTION PASSES 5/0/0

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

MOTION: Authorize Chair Parks to sign the letter: Morehouse

SECOND: Parvin

AYES: Freeman, Ford-McCaffrey, Morehouse, Parks and Parvin

NOES: None

ABSTAINED: None

MOTION PASSES 5/0/0

EXECUTIVE OFFICER'S REPORT

Kai Luoma updated the Commission on the on-going Independent Special District Alternate Member Election. He noted that all signed ballots must be received by 5:00 P.M. Friday, December 5 to be counted and that several ballots were still outstanding. He then reported that all the LAFCo apportionment payments due from Cities, Independent Special Districts and the County for the 2014-2015 fiscal-year have been received, and that the next LAFCo meeting is January 21, 2015.

COMMISSIONER COMMENTS

Chair Parks asked the Commission, and they agreed, to direct staff to research mitigation measures other LAFCos around the state have adopted as policy and present the results to the Commission at a regular meeting in the spring of 2015.

ADJOURNMENT

Chair Parks adjourned the meeting at 10:15 AM.

These Minutes were approved on January 21, 2015.

Motion:

Second:

Ayes:

Nos:

Abstains:

Date

Chair, Ventura Local Agency Formation Commission

DRAFT



VENTURA LOCAL AGENCY FORMATION COMMISSION
STAFF REPORT

Meeting Date: January 21, 2015
(Consent)

Agenda Item 9

TO: LAFCo Commissioners

FROM: Kai Luoma, Executive Officer

SUBJECT: Budget to Actual Reports – October, November and December 2014

RECOMMENDATION:

Receive and file the Budget to Actual Reports for October, November and December 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. No adjustments to the budget are being recommended at this time.

Attachments: Budget to Actual Reports – October, November and December 2014

COMMISSIONERS AND STAFF

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

CITY:
Carl Morehouse
Janice Parvin
Alternate:
Vacant

DISTRICT:
Bruce Dandy
Elaine Freeman
Alternate:
Mary Anne Rooney

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



BUDGET TO ACTUAL FY 2014-15
YEAR TO DATE ENDING OCTOBER 31, 2014 (33.33% of year)
Fund 7920, Organization 8950

Summary	Budget	Adj. Budget	To Date
Estimated Sources:	641,949	641,949	621,628
Appropriations	641,949	641,949	181,266

Account Number	Title	BUDGET			ACTUAL YTD			
		Budget	Proposed Adjustments	Adjusted Budget	Actual	Encumbered	Total Revenue/Obligation	Variance Favorable (Unfavorable)
FUND BALANCE								
	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
REVENUE								
8911	Interest Earnings	2,700		2,700	610.86		610.86	(2,089.14)
9372	Other Governmental Agencies	519,249		519,249	519,249.00		519,249.00	0.00
9772	Other Revenue - Miscellaneous	30,000		30,000	11,768.34		11,768.34	(18,231.66)
	Total Revenue	551,949	0	551,949	531,628.20		531,628.20	(20,320.80)
	TOTAL SOURCES	641,949	0	641,949	621,628.20		621,628.20	(20,320.80)
EXPENDITURES								
1101	Regular Salaries	310,000		310,000	100,206.11		100,206.11	209,793.89
1105	Overtime	0		0	0.00		0.00	0.00
1106	Supplemental Payments	11,500		11,500	3,719.63		3,719.63	7,780.37
1107	Term/Buydown	24,500		24,500	0.00		0.00	24,500.00
1121	Retirement Contribution	63,000		63,000	19,204.33		19,204.33	43,795.67
1122	OASDI Contribution	18,500		18,500	6,338.87		6,338.87	12,161.13
1123	FICA - Medicare	4,700		4,700	1,482.50		1,482.50	3,217.50
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	7,147.80		7,147.80	15,852.20
1142	Life Ins/Dept. Heads & Mgmt.	150		150	43.38		43.38	106.62
1143	State Unempl	400		400	120.87		120.87	279.13
1144	Management Disability Ins.	750		750	242.40		242.40	507.60
1165	Worker Compensation Ins	2,900		2,900	796.54		796.54	2,103.46
1171	401K Plan	11,500		11,500	2,443.32		2,443.32	9,056.68
	Salaries and Benefits	476,200	0	476,200	141,745.75	0.00	141,745.75	334,454.25
2033	Voice/Data ISF	2,500		2,500	629.93		629.93	1,870.07
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	4,844.00		4,844.00	10,156.00
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	1,245.56		1,245.56	1,254.44
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	(25.20)		(25.20)	775.20
2179	Miscellaneous Office Expense	4,000		4,000	1,424.40		1,424.40	2,575.60
2181	Stores ISF	50		50	45.02		45.02	4.98
2191	Board Members Fees	4,500		4,500	650.00		650.00	3,850.00
2192	Information Technology - ISF	2,500		2,500	426.48		426.48	2,073.52
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	8,240.00	8,240.00	1,760.00
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	4,988.47		4,988.47	16,511.53
2261	Public & Legal Notices	5,000		5,000	1,198.28		1,198.28	3,801.72
2283	Records Storage Charges	350		350	148.09		148.09	201.91
2293	Computer Equipment <5000	3,100		3,100	0.00		0.00	3,100.00
2304	County Legal Counsel	22,500		22,500	3,867.75		3,867.75	18,632.25
2521	Transportation Charges ISF	0		0	0.00		0.00	0.00
2522	Private Vehicle Mileage	7,000		7,000	1,753.72		1,753.72	5,246.28
2523	Conf. & Seminars Expense	12,000		12,000	3,560.83		3,560.83	8,439.17
2526	Conf. & Seminars Expense ISF	500		500	20.00		20.00	480.00
2528	County Motor Pool	500		500	138.05		138.05	361.95
	Services and Supplies	147,050	0	147,050	31,279.81	8,240.00	39,519.81	107,530.19
6101	Contingency	18,699		18,699	0.00		0.00	18,699.00
	TOTAL EXPENDITURES	641,949	0	641,949	173,025.56	8,240.00	181,265.56	460,683.44

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 NOVEMBER 30, 2014 (41.67% of year)
Fund 7920, Organization 8950**

Summary	Budget	Adj. Budget	To Date
Estimated Sources:	641,949	641,949	626,043
Appropriations	641,949	641,949	227,962

Account Number	Title	BUDGET			ACTUAL YTD			Variance Favorable (Unfavorable)
		Budget	Proposed Adjustments	Adjusted Budget	Actual	Encumbered	Total Revenue/Obligation	
FUND BALANCE								
	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
REVENUE								
8911	Interest Earnings	2,700		2,700	610.86		610.86	(2,089.14)
9372	Other Governmental Agencies	519,249		519,249	519,249.00		519,249.00	0.00
9772	Other Revenue - Miscellaneous	30,000		30,000	16,183.34		16,183.34	(13,816.66)
	Total Revenue	551,949	0	551,949	536,043.20		536,043.20	(15,905.80)
	TOTAL SOURCES	641,949	0	641,949	626,043.20		626,043.20	(15,905.80)
EXPENDITURES								
1101	Regular Salaries	310,000		310,000	124,793.21		124,793.21	185,206.79
1105	Overtime	0		0	0.00		0.00	0.00
1106	Supplemental Payments	11,500		11,500	4,636.86		4,636.86	6,863.14
1107	Term/Buydown	24,500		24,500	0.00		0.00	24,500.00
1121	Retirement Contribution	63,000		63,000	24,167.65		24,167.65	38,832.35
1122	OASDI Contribution	18,500		18,500	7,424.52		7,424.52	11,075.48
1123	FICA - Medicare	4,700		4,700	1,845.97		1,845.97	2,854.03
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	8,857.80		8,857.80	14,142.20
1142	Life Ins/Dept. Heads & Mgmt.	150		150	53.76		53.76	96.24
1143	State Unempl	400		400	150.52		150.52	249.48
1144	Management Disability Ins.	750		750	424.60		424.60	325.40
1165	Worker Compensation Ins	2,900		2,900	990.78		990.78	1,909.22
1171	401K Plan	11,500		11,500	2,866.52		2,866.52	8,633.48
	Salaries and Benefits	476,200	0	476,200	176,212.19	0.00	176,212.19	299,987.81
2033	Voice/Data ISF	2,500		2,500	820.14		820.14	1,679.86
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	6,055.00		6,055.00	8,945.00
2128	Other Maint	500		500	0.00		0.00	500.00
2141	Memberships & Dues	7,100		7,100	6,709.00		6,709.00	391.00
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	1,333.86		1,333.86	1,166.14
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	(25.20)		(25.20)	775.20
2179	Miscellaneous Office Expense	4,000		4,000	1,424.40	737.50	2,161.90	1,838.10
2181	Stores ISF	50		50	45.02		45.02	4.98
2191	Board Members Fees	4,500		4,500	1,000.00		1,000.00	3,500.00
2192	Information Technology - ISF	2,500		2,500	547.54		547.54	1,952.46
2195	Specialized Services/Software	1,500		1,500	0.00		0.00	1,500.00
2197	Public Works - Charges	3,000		3,000	287.92		287.92	2,712.08
2199	Other Prof & Spec Service	10,000		10,000	0.00	8,240.00	8,240.00	1,760.00
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	5,947.04		5,947.04	15,552.96
2261	Public & Legal Notices	5,000		5,000	2,475.38		2,475.38	2,524.62
2283	Records Storage Charges	350		350	148.09		148.09	201.91
2293	Computer Equipment <5000	3,100		3,100	0.00	3,079.88	3,079.88	20.12
2304	County Legal Counsel	22,500		22,500	4,058.75		4,058.75	18,441.25
2521	Transportation Charges ISF	0		0	0.00		0.00	0.00
2522	Private Vehicle Mileage	7,000		7,000	2,285.03		2,285.03	4,714.97
2523	Conf. & Seminars Expense	12,000		12,000	6,075.63		6,075.63	5,924.37
2526	Conf. & Seminars Expense ISF	500		500	20.00		20.00	480.00
2528	County Motor Pool	500		500	218.21		218.21	281.79
	Services and Supplies	147,050	0	147,050	39,692.07	12,057.38	51,749.45	95,300.55
6101	Contingency	18,699		18,699	0.00		0.00	18,699.00
	TOTAL EXPENDITURES	641,949	0	641,949	215,904.26	12,057.38	227,961.64	413,987.36

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 DECEMBER 31, 2014 (50% of year)
Fund 7920, Organization 8950

Summary	Budget	Adj. Budget	To Date
Estimated Sources:	641,949	641,949	627,168
Appropriations	641,949	641,949	276,053

Account Number	Title	BUDGET			ACTUAL YTD			Variance Favorable (Unfavorable)
		Budget	Proposed Adjustments	Adjusted Budget	Actual	Encumbered	Total Revenue/Obligation	
FUND BALANCE								
	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
REVENUE								
8911	Interest Earnings	2,700		2,700	610.86		610.86	(2,089.14)
9372	Other Governmental Agencies	519,249		519,249	519,249.00		519,249.00	0.00
9772	Other Revenue - Miscellaneous	30,000		30,000	17,308.34		17,308.34	(12,691.66)
	Total Revenue	551,949	0	551,949	537,168.20		537,168.20	(14,780.80)
	TOTAL SOURCES	641,949	0	641,949	627,168.20		627,168.20	(14,780.80)
EXPENDITURES								
1101	Regular Salaries	310,000		310,000	149,380.32		149,380.32	160,619.68
1105	Overtime	0		0	0.00		0.00	0.00
1106	Supplemental Payments	11,500		11,500	5,554.10		5,554.10	5,945.90
1107	Term/Buydown	24,500		24,500	0.00		0.00	24,500.00
1121	Retirement Contribution	63,000		63,000	29,137.45		29,137.45	33,862.55
1122	OASDI Contribution	18,500		18,500	8,274.10		8,274.10	10,225.90
1123	FICA - Medicare	4,700		4,700	2,209.45		2,209.45	2,490.55
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	10,603.80		10,603.80	12,396.20
1142	Life Ins/Dept. Heads & Mgmt.	150		150	64.14		64.14	85.86
1143	State Unempl	400		400	180.15		180.15	219.85
1144	Management Disability Ins.	750		750	606.80		606.80	143.20
1165	Worker Compensation Ins	2,900		2,900	1,185.02		1,185.02	1,714.98
1171	401K Plan	11,500		11,500	3,289.72		3,289.72	8,210.28
	Salaries and Benefits	476,200	0	476,200	210,485.05	0.00	210,485.05	265,714.95
2033	Voice/Data ISF	2,500		2,500	1,009.86		1,009.86	1,490.14
2071	General Insurance Alloca - ISF	2,000		2,000	958.00		958.00	1,042.00
2125	Facil/Matls Sq. Ft. Alloc. - ISF	15,000		15,000	7,266.00		7,266.00	7,734.00
2128	Other Maint	500		500	0.00		0.00	500.00
2141	Memberships & Dues	7,100		7,100	6,709.00		6,709.00	391.00
2154	Education Allowance	1,000		1,000	0.00		0.00	1,000.00
2158	Indirect Cost Recovery	12,200		12,200	6,067.00		6,067.00	6,133.00
2172	Books & Publications	300		300	266.26		266.26	33.74
2174	Mail Center - ISF	2,500		2,500	1,656.44		1,656.44	843.56
2176	Purchasing Charges - ISF	100		100	43.10		43.10	56.90
2177	Graphics Charges - ISF	500		500	417.97		417.97	82.03
2178	Copy Machine Charges - ISF	750		750	(2.10)		(2.10)	752.10
2179	Miscellaneous Office Expense	4,000		4,000	2,161.90		2,161.90	1,838.10
2181	Stores ISF	50		50	45.02		45.02	4.98
2191	Board Members Fees	4,500		4,500	1,000.00		1,000.00	3,500.00
2192	Information Technology - ISF	2,500		2,500	661.38		661.38	1,838.62
2195	Specialized Services/Software	1,500		1,500	0.00		0.00	1,500.00
2197	Public Works - Charges	3,000		3,000	287.92		287.92	2,712.08
2199	Other Prof & Spec Service	10,000		10,000	0.00	8,240.00	8,240.00	1,760.00
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	7,191.49		7,191.49	14,308.51
2261	Public & Legal Notices	5,000		5,000	2,477.38		2,477.38	2,522.62
2283	Records Storage Charges	350		350	199.57		199.57	150.43
2293	Computer Equipment <5000	3,100		3,100	3,079.88		3,079.88	20.12
2304	County Legal Counsel	22,500		22,500	6,828.25		6,828.25	15,671.75
2521	Transportation Charges ISF	0		0	0.00		0.00	0.00
2522	Private Vehicle Mileage	7,000		7,000	2,660.03		2,660.03	4,339.97
2523	Conf. & Seminars Expense	12,000		12,000	6,075.63		6,075.63	5,924.37
2526	Conf. & Seminars Expense ISF	500		500	40.00		40.00	460.00
2528	County Motor Pool	500		500	228.21		228.21	271.79
	Services and Supplies	147,050	0	147,050	57,328.19	8,240.00	65,568.19	81,481.81
6101	Contingency	18,699		18,699	0.00		0.00	18,699.00
	TOTAL EXPENDITURES	641,949	0	641,949	267,813.24	8,240.00	276,053.24	365,895.76

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: January 21, 2015

Agenda Item 10

TO: LAFCo Commissioners

FROM: Kai Luoma, Executive Officer

SUBJECT: Impartial Analysis for the Special Election to Form Ventura County Waterworks District No. 38

RECOMMENDATION:

Consider and approve, with or without modification, the impartial analysis for the special election to form Ventura County Waterworks District No. 38.

DISCUSSION:

At the November 21, 2014 LAFCo meeting, the Commission approved LAFCo 13-16, a proposal by the Lake Sherwood Community Services District (LSCSD) to divest itself of the power to provide potable water service and to form Ventura County Waterworks District No. 38 to provide potable water service to the Lake Sherwood community. Whereas the approval of the divestiture was subject to protest proceedings, the formation was approved by the Commission subject to a special election to be conducted by mailed ballot.

On December 16, the Board of Supervisors directed the County Elections Division to conduct the special election. Pursuant to the principal act under which the waterworks district would be formed (Water Code § 55184.1) and LAFCo law (Govt. Code § 57144), the LAFCo Executive Officer must prepare, and the Commission must approve, an impartial analysis for the election. Upon the Commission's approval, the impartial analysis will be submitted to the Elections Division.

According to the courts, "An impartial analysis will pass muster if it describes the measure in 'general terms' giving its 'key components.'" In doing so, the impartial analysis should not "endorse the measure" and should be "reasonably fair and accurate." The draft impartial analysis was prepared in consultation with LAFCo Counsel.

Attachment 1: Draft impartial analysis

COMMISSIONERS AND STAFF

<p>COUNTY: Linda Parks, Chair John Zaragoza <i>Alternate:</i> Steve Bennett</p> <p>Executive Officer: Kai Luoma, AICP</p>	<p>CITY: Carl Morehouse Janice Parvin <i>Alternate:</i> Vacant</p> <p>Analyst Andrea Ozdy</p>	<p>DISTRICT: Bruce Dandy Elaine Freeman <i>Alternate:</i> Mary Anne Rooney</p> <p>Office Mgr/Clerk Debbie Schubert</p>	<p>PUBLIC: Linda Ford-McCaffrey, Vice Chair</p> <p><i>Alternate:</i> Lou Cunningham</p> <p>Legal Counsel Michael Walker</p>
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LOCAL AGENCY FORMATION COMMISSION'S IMPARTIAL ANALYSIS OF MEASURE X
Impartial Analysis of the Special Election to Form Ventura County Waterworks District
No. 38

This is a special election of the registered voters within the boundary of proposed Ventura County Waterworks District No. 38 (District) to determine if the District will be formed. The boundaries of the District would encompass the entire unincorporated community of Lake Sherwood (approximately 2,024 acres) and coincide with the existing sphere of influence (defined as the current and probable service area) of the Lake Sherwood Community Services District (LSCSD). Specifically, the District's boundaries would include all of the territory within the LSCSD's boundaries as well as approximately 220 additional properties that comprise about 96 acres of territory located outside of the LSCSD's boundaries.

A "YES" vote is a vote to approve the formation of the District. If formed, the District would assume water service that is currently provided by the LSCSD and would be authorized to provide water service to all territory within the District's boundaries. The District would be the sole public water purveyor within the unincorporated Lake Sherwood community.

A "NO" vote is a vote to reject the formation of the District. If the formation of the District is rejected, the LSCSD would continue to provide potable water service as it currently does.

The formation of the District was requested by the Ventura County Board of Supervisors (acting as the Board of Directors for the LSCSD) and was approved by the Ventura LAFCo subject to the conditions of this special election and that the District's authority be limited to constructing, operating and maintaining a potable water delivery system and providing potable water service. While not included as part of this special election, if formation of the District is approved, the LSCSD would be divested of the power to provide potable water service. The Ventura County Board of Supervisors would serve as the governing board of the District, which would assume ownership, and responsibility for maintenance, of the water system facilities and infrastructure.

Consistent with the LSCSD's current service, the District's service would be financed through regular user fees. Vacant parcels not currently receiving service from the LSCSD would be subject to initial fees upon connection to the District's water system. No new or increased taxes or assessments are proposed as part of this special election. No acquisitions, repairs or upgrades of equipment or facilities are proposed as part of this special election.

The above statement is an impartial analysis of Measure X. If you desire a copy of the measure, please call the elections official's office at (805) X and a copy will be mailed at no cost to you.

This impartial analysis has been prepared pursuant to California Government Code section 57144 and Water Code section 55184.1, and was approved by the Ventura LAFCo on January 21, 2015.



VENTURA LOCAL AGENCY FORMATION COMMISSION

STAFF REPORT

Meeting Date: January 21, 2014

Agenda Item 11

TO: LAFCo Commissioners
FROM: Andrea Ozdy, Analyst (with handwritten signature)
SUBJECT: Policy Direction Regarding Agricultural Mitigations

Recommendation:

Direct staff as appropriate.

Background:

At the November 19, 2014 LAFCo meeting, the Commission directed staff to: (1) conduct initial research regarding the agricultural mitigation policies of other LAFCos, and (2) report back and schedule the matter for Commission discussion at an upcoming LAFCo meeting.

Past Policy Direction by the Commission

In 2005, the Commission directed staff to draft potential revisions to the Ventura LAFCo Commissioner's Handbook ("Handbook") to address agricultural buffer policies. Over the next two years, the Commission studied and considered policy options to potentially be incorporated into the Handbook. As a result of several Commission meetings in 2006 and 2007, as well as an agricultural policy workshop sponsored by Ventura LAFCo, the Commission adopted policy language providing that application proposals submitted to LAFCo involving agricultural land include specific supplemental information regarding the "effects of the proposal on maintaining the physical and economic integrity of agricultural lands" (see Attachment 1).

Current Ventura LAFCo Policies Regarding Agricultural Preservation

The Ventura LAFCo has adopted policies pertaining to the evaluation of proposals that would result in the conversion of agricultural land, but has not adopted specific agricultural mitigation policies. For example, Handbook Section 3.3.5.1 provides that in order for the Commission to approve a proposal for the conversion of prime agricultural land to other uses, it must find that "the proposal will lead to planned, orderly, and

COMMISSIONERS AND STAFF

Table with 4 columns: COUNTY, CITY, DISTRICT, PUBLIC. Lists names of commissioners and staff members including Linda Parks, Carl Morehouse, Bruce Dandy, and Linda Ford-McCaffrey.

efficient development.” To make that finding, the Commission must determine that:

- the territory is contiguous to other developed land;
- the territory is likely to be developed within five years;
- insufficient non-prime agricultural or vacant land exists within the existing boundaries of the agency;
- the territory involved is not subject to voter approval for the extension of services or for changing of general plan land use designations; and
- the proposal will have no significant adverse effects on the physical and economic integrity of other prime agricultural or open space lands.

The adopted policies guide the Commission’s determinations regarding whether or not a proposal should be approved. However, they do not provide direction or guidance to applicants or the Commission regarding mitigation for expected conversion or loss of agricultural land. See excerpt of Ventura LAFCo Commissioner’s Handbook (Attachment 1).

Discussion:

In response to the Commission’s direction, staff polled the Executive Officers of LAFCos statewide to develop a general impression of adopted LAFCo agricultural mitigation policies throughout the state and examined many of the policies. Like the Ventura LAFCo, many LAFCos have specific policies to promote the preservation of agricultural land. These policies contain criteria for the Commission to evaluate when considering approval of a proposal that is expected to result in the conversion or loss of agricultural land. However, four LAFCos (San Luis Obispo, Santa Clara, Stanislaus, and Yolo) have adopted more specific policies. A summary of these policies is provided below, and a comparison is provided in Attachment 2. Please note that most of the language in the summaries is taken directly from the LAFCos’ policy documents.

San Luis Obispo LAFCo

The San Luis Obispo LAFCo policy (see Attachment 3) provides that the commission will “approve annexations of prime agricultural land only if mitigation that equates to a substitution ratio of at least 1:1 for the prime land annexed is agreed to” by the applicant and “the jurisdiction with land use authority.” It is unclear from the policy whether the “agreement” must be evidenced in the application to LAFCo or is reached as part of the LAFCo process. Mitigation can occur in the form of acquisition and dedication of farmlands, development rights, and/or agricultural conservation easements, by means of an in-lieu fee that would fully fund the required acquisition and dedication, or through another mechanism that meets the intent of replacement of prime agricultural land at a 1:1 ratio. Mitigation is required to result in the permanent protection of territory similar to that annexed, and land to be eligible for use as mitigation must be located within the County Planning Area.

Santa Clara LAFCo

The Santa Clara LAFCo policy (see Attachment 4) has as its stated purpose “to provide guidance to property owners, potential applicants and cities on how to address agricultural mitigation for LAFCo proposals and to provide a framework for LAFCo to evaluate and process ... proposals that involve or impact agricultural lands.” As part of the “guidance” and “framework,” the Santa Clara LAFCo “recommends” provision of agricultural mitigation as specified in the policy and “encourages,” among other things, “property owners, cities and agricultural conservation agencies to work together as early in the process as possible to initiate and execute agricultural mitigation plans.” The policy contains a number of “[m]itigation [r]ecommendations,” including that “[p]roposals involving the conversion of prime agricultural lands should provide one of [certain enumerated] mitigations at a not less than 1:1 ratio” in addition to “funds as determined by the city/agricultural conservation entity ... to cover the costs of program administration, land management, monitoring, enforcement and maintenance of agriculture on the mitigation lands.” Such “mitigations” include the acquisition and transfer of ownership of agricultural land or agricultural conservation easements to an agricultural conservation entity for permanent protection of the agricultural land, or the payment of an in-lieu fee that would fully fund the acquisition and administrative costs. Such mitigation “should result” in the permanent protection of prime agricultural land of similar quality and character (based on specified rating criteria) within cities’ spheres of influence in an area planned/envisioned for agriculture and promote the definition and creation of a permanent urban/agricultural edge. Agricultural lands or conservation easements acquired and transferred to an agricultural conservation entity “should be” located in Santa Clara County. A plan for agricultural mitigation consistent with the policy “should be” submitted at the time the proposal impacting agricultural lands is filed with LAFCo.

Stanislaus LAFCo

Like the Santa Clara LAFCo policy, the Stanislaus LAFCo policy (see Attachment 5) “encourages local agencies to identify the loss of agricultural land as early in their processes as possible, and to work with applicants to initiate and execute plans to minimize that loss...” and is considered to be “an evaluation standard” for review of those proposals that could reasonably be expected to induce, facilitate or lead to the conversion of agricultural land. To assist in this regard, a “Plan for Agricultural Preservation” must be submitted with the application to LAFCo for proposals consisting of a sphere of influence expansion or an annexation to a city or special district that includes agricultural land. The plan must include, among other things, an analysis of direct and indirect impacts to agricultural resources on the site and surrounding area and an analysis of mitigation measures that could offset those impacts. The plan also must specify the “method or strategy” proposed to minimize the loss of agricultural lands, for which the policy “encourages” the applicant to use one or more of the following strategies: Agricultural mitigation at a ratio of at least 1:1 (except for

annexations of land for commercial or industrial development) through acquisition and dedication of agricultural land, development rights, and/or agricultural conservation easements; in-lieu fees to fully fund the acquisition and maintenance of such land, rights or easements; removal of agricultural lands from an existing sphere of influence to offset in whole or in part the loss of agricultural land as part of a sphere of influence expansion or redirection; and voter-approved urban growth boundaries designed to limit the extent to which urban development can occur during a specified time period. Territory eligible for use as mitigation must be of equal or better soil quality, have a dependable and sustainable supply of irrigation water, be located within Stanislaus County, and not already be effectively encumbered by a conservation easement. LAFCo may consider approval of a “proposal that contains agricultural land” when it determines that there is sufficient evidence within the plan that demonstrates, among other things, that the “loss of agricultural lands has been minimized based on the selected agricultural preservation strategy.” In this context, the term “minimize” means “to allocate no more agricultural land to non-agricultural uses than what is reasonably needed to accommodate the amount and types of development anticipated to occur.”

Yolo LAFCo

Unlike the Santa Clara and Stanislaus LAFCo policies, which leave room for other alternatives, under the Yolo LAFCo policy (see Attachment 6), “annexation of prime agricultural lands shall not be approved” unless one of two “mitigations” is instituted, “at not less than a 1:1 replacement ratio.” Those two “mitigations” are the acquisition and dedication of farmland, development rights, or agricultural conservation easements, and the payment of in-lieu fees to fully fund the acquisition and maintenance of such land, rights or easements. LAFCo may also consider the establishment of open space and similar buffers. Mitigation must consist of the permanent protection of prime agricultural property of reasonably equivalent quality and character as that lost that would otherwise be threatened by development or other urban uses, must be within the County, and generally must not already be protected for habitat conservation purposes. Additional requirements apply to land under an agricultural preserve contract, and exceptions to certain mitigation requirements generally apply to proposals involving less than 20 acres of loss of prime agricultural land.

Attachments:

1. LAFCo Policy Excerpt-Ventura
2. Agricultural Mitigation Policy Summary – Comparison of LAFCos
3. LAFCo Policy Excerpt – San Luis Obispo
4. LAFCo Policy Excerpt – Santa Clara
5. LAFCo Policy Excerpt – Stanislaus
6. LAFCo Policy Excerpt – Yolo

Ventura LAFCo Agricultural Preservation Policy

SECTION 3.1.2 APPLICATIONS

3.1.2.1 Proposals Involving Conversion of Agricultural Lands: Unless specifically waived by the LAFCo Executive Officer, for any proposal which could reasonably be expected to lead to the conversion of agricultural lands (as defined by Government Code Section 56016) to nonagricultural uses, information regarding the effects of the proposal on maintaining the physical and economic integrity of agricultural lands shall be submitted in conjunction with the application. Specifically, the information should address the following:

- (a) The location of, and acreage totals for, prime and nonprime agricultural land involved in the area and adjacent areas. This analysis shall be based on the definition of “prime” agricultural land pursuant to Government Code Section 56064.
- (b) The effects on agricultural lands within the proposal area.
- (c) The effects on adjacent agricultural lands.
- (d) The effects on the economic integrity of the agricultural industry in Ventura County.

In addition, information should be provided about any measures adopted to reduce the effects identified.

SECTION 3.3.5 AGRICULTURE AND OPEN SPACE PRESERVATION

3.3.5.1 Findings and Criteria for Prime Agricultural and Existing Open Space Land Conversion: LAFCo will approve a proposal for a change of organization or reorganization which is likely to result in the conversion of prime agricultural or existing open space land use to other uses only if the Commission finds that the proposal will lead to planned, orderly, and efficient development. For the purposes of this policy, a proposal for a change of organization or reorganization leads to planned, orderly, and efficient development only if all of the following criteria are met:

- (a) The territory involved is contiguous to either lands developed with an urban use or lands which have received all discretionary approvals for urban development.
- (b) The territory is likely to be developed within 5 years and has been pre-zoned for nonagricultural or open space use. In the case of very large developments, annexation should be phased wherever possible.
- (c) Insufficient non-prime agricultural or vacant land exists within the existing boundaries of the agency that is planned and developable for the same general type of use.
- (d) The territory involved is not subject to voter approval for the extension of services or for changing general plan land use designations. Where such voter approval is required by local ordinance, such voter approval must be obtained prior to LAFCo action on any proposal unless exceptional circumstances are shown to exist.
- (e) The proposal will have no significant adverse effects on the physical and economic integrity of other prime agricultural or existing open space lands.

3.3.5.2 Findings that Insufficient Non-Prime Agricultural or Vacant Land Exists: The Commission will not make affirmative findings that insufficient non-prime agricultural or vacant land exists within the boundaries of the agency unless the applicable jurisdiction has prepared a detailed alternative site analysis which at a minimum includes:

- (a) An evaluation of all vacant, non-prime agricultural lands within the boundaries of the jurisdiction that could be developed for the same or similar uses.
- (b) An evaluation of the re-use and redevelopment potential of developed areas within the boundaries of the jurisdiction for the same or similar uses.
- (c) Determinations as to why vacant, non-prime agricultural lands and potential re-use and redevelopment sites are unavailable or undesirable for the same or similar uses, and why conversion of prime agricultural or existing open space lands are necessary for the planned, orderly, and efficient development of the jurisdiction.

3.3.5.3 Impacts on Adjoining Prime Agricultural or Existing Open Space Lands: In making the determination whether conversion will adversely impact adjoining prime agricultural or existing open space lands, the Commission will consider the following factors:

- (a) The prime agricultural and open space significance of the territory and adjacent areas relative to other agricultural and existing open space lands in the region.
- (b) The economic viability of the prime agricultural lands to be converted.
- (c) The health and well being of any urban residents adjacent to the prime agricultural lands to be converted.
- (d) The use of the territory and the adjacent areas.
- (e) Whether public facilities related to the proposal would be sized or situated so as to facilitate the conversion of prime agricultural or existing open space land outside of the agency's sphere of influence, or will be extended through prime agricultural or existing open space lands outside the agency's sphere of influence.
- (f) Whether natural or man-made barriers serve to buffer prime agricultural or existing open space lands outside of the agency's sphere of influence from the effects of the proposal.
- (g) Applicable provisions of local general plans, applicable ordinances that require voter approval prior to the extension of urban services or changes to general plan designations, Greenbelt Agreements, applicable growth-management policies, and statutory provisions designed to protect agriculture or existing open space.
- (h) Comments and recommendations by the Ventura County Agricultural Commissioner.

3.3.5.4 Territory Subject to a Land Conservation Act (Williamson Act) Contract: LAFCo will not approve a proposal which includes the annexation of territory subject to an active Land Conservation Act contract to a city or special district that provides or would provide facilities and/or services other than those that support the land uses that are allowed under the contract. For purposes of this section, an active Land Conservation Act contract includes a contract for which a notice of non-renewal has been filed.

SECTION 4.3.2 AGRICULTURAL AND OPEN SPACE PRESERVATION

4.3.2.1 Findings and Criteria for Prime Agricultural and Existing Open Space Land Conversion: LAFCo will approve sphere of influence amendments and updates which are likely to result in the conversion of prime agricultural or existing open space land use to other uses only if the Commission finds that the amendment or update will lead to planned, orderly, and efficient development. For the purposes of this policy, a sphere of influence amendment or update leads to planned, orderly, and efficient development only if all of the following criteria are met:

- (a) The territory is likely to be developed within 5 years and has been designated for nonagricultural or open space use by applicable general and specific plans.
- (b) Insufficient non-prime agricultural or vacant land exists within the sphere of influence of the agency that is planned and developable for the same general type of use.
- (c) The proposal will have no significant adverse effects on the physical and economic integrity of other prime agricultural or existing open space lands.
- (d) The territory is not within an area subject to a Greenbelt Agreement adopted by a city and the County of Ventura. If a City proposal involves territory within an adopted Greenbelt area, LAFCo will not approve the proposal unless all parties to the Greenbelt Agreement amend the Greenbelt Agreement to exclude the affected territory.
- (e) The use or proposed use of the territory involved is consistent with local plan and policies.

4.3.2.2 Findings that Insufficient Non-prime Agricultural or Vacant Land Exists: The Commission will not make affirmative findings that insufficient non-prime agricultural or vacant land exists within the sphere of influence of the agency unless the applicable jurisdiction has prepared a detailed alternative site analysis which at a minimum includes:

- (a) An evaluation of all vacant, non-prime agricultural lands within the sphere of influence and within the boundaries of the jurisdiction that could be developed for the same or similar uses.
- (b) An evaluation of the re-use and redevelopment potential of developed areas within the sphere of influence and within the boundaries of the jurisdiction for the same or similar uses.
- (c) Determinations as to why non-prime agricultural and vacant lands and potential re-use and redevelopment sites are unavailable or undesirable for the same or similar uses, and why conversion of prime agricultural or existing open space lands are necessary for the planned, orderly, and efficient development of the jurisdiction.

4.3.2.3 Impacts on Adjoining Prime Agricultural or Existing Open Space Lands: In making the determination whether conversion will adversely impact adjoining prime agricultural or existing open space lands, the Commission will consider the following factors:

- (a) The prime agricultural and open space significance of the territory included in the sphere of influence amendment or update relative to other agricultural and existing open space lands in the region.
- (b) The economic viability of the prime agricultural lands to be converted.
- (c) The health and well being of any urban residents adjacent to the prime agricultural lands to be converted.
- (d) Whether public facilities related to the proposal would be sized or situated so as to facilitate the conversion of prime agricultural or existing open space land outside of the agency's proposed sphere of influence, or will be extended through prime agricultural or existing open space lands outside the agency's proposed sphere of influence.
- (e) Whether natural or man-made barriers serve to buffer prime agricultural or existing open space lands outside of the agency's sphere of influence from the effects of the proposal.
- (f) Applicable provisions of local general plans, applicable ordinances that require voter approval prior to the extension of urban services or changes to general plan designations, Greenbelt Agreements, applicable growth-management policies, and statutory provisions designed to protect agriculture or existing open space.
- (g) Comments and recommendations by the Ventura County Agricultural Commissioner.

4.3.2.4 Territory Subject to a Land Conservation Act (Williamson Act) Contract: LAFCo will not approve the inclusion of territory subject to an active Land Conservation Act contract within the sphere of influence of a city or special district that provides or would provide facilities and/or services other than those that support the land uses that are allowed under the contract. For purposes of this section, an active Land Conservation Act contract includes a contract for which a notice of non-renewal has been filed.

Agricultural Mitigation Policy Summary – Comparison of LAFCoS

LAFCo	Trigger	Mitigations	Eligibility Criteria for Mitigation Land
<i>San Luis Obispo</i>	Annexations of prime agricultural land	<ul style="list-style-type: none"> • 1:1 minimum mitigation ratio by: <ul style="list-style-type: none"> ○ Acquisition/dedication of farmlands, development rights, and/or agricultural conservation easements ○ In-lieu fee 	<ul style="list-style-type: none"> • Permanent protection of similar farmlands • Within the County Planning Area
<i>Santa Clara</i>	Proposals involving the conversion of prime agricultural lands	<ul style="list-style-type: none"> • 1:1 minimum mitigation ratio (plus costs) by: <ul style="list-style-type: none"> ○ Acquisition/dedication of agricultural land, and/or agricultural conservation easements ○ In-lieu fee 	<ul style="list-style-type: none"> • Permanent protection of prime agricultural land of similar quality and character • Within the County • Within cities’ sphere of influence in an area planned for agriculture
<i>Stanislaus</i>	Proposals involving a sphere of influence expansion or annexation to a city or special district involving the conversion of agricultural land	<p>Plan for Agricultural Preservation:</p> <ul style="list-style-type: none"> • 1:1 minimum mitigation ratio by: <ul style="list-style-type: none"> ○ Acquisition/dedication of agricultural land, development rights, and/or agricultural conservation easements ○ In-lieu fee • Removal of agricultural lands from existing sphere of influence as an offset • Voter approved urban growth boundary 	<ul style="list-style-type: none"> • Permanent protection of mitigation land of equal or better soil quality • Within the County • Dependable and sustainable supply of irrigation water • Territory may not be otherwise permanently protected
<i>Yolo</i>	Annexations of prime agricultural land	<ul style="list-style-type: none"> • 1:1 minimum mitigation ratio by: <ul style="list-style-type: none"> ○ Acquisition of farmland, development rights, and/or conservation easements ○ In-lieu fee • Establishment of open space buffers 	<ul style="list-style-type: none"> • Permanent protection of prime agricultural property of reasonably equivalent quality and character that would otherwise be threatened, in the reasonably foreseeable future, by development and/or other urban uses • Within the County • Territory not already protected for habitat conservation purposes, or for incompatible purposes

San Luis Obispo LAFCo Agricultural Mitigation Policy

A key policy for preserving agricultural land calls for any conversion of prime agricultural land associated with an annexation to be offset by preserving similar lands at a substitution ratio of 1:1 per acre.

The Commission shall approve annexations of prime agricultural land only if mitigation that equates to a substitution ratio of at least 1:1 for the prime land annexed is agreed to by the applicant (proponent), the jurisdiction with land use authority. The 1:1 substitution ratio may be met by implementing various measures:

- a. Acquisition and dedication of farmland, development rights, and/or agricultural conservation easements to permanently protect farmlands with similar characteristics within the County Planning Area.
- b. Payment of in-lieu fees to an established, qualified, mitigation/conservation program or organization sufficient to fully fund the acquisition and dedication activities stated above in 12a.
- c. Other measures agreed to by the applicant and the land use jurisdiction that meet the intent of replacing prime agricultural land at a 1:1 ratio.

Santa Clara LAFCo Agricultural Mitigation Policy

Background

LAFCO's mission is to encourage orderly growth and development, discourage urban sprawl, preserve open space and prime agricultural lands, promote the efficient provision of government services and encourage the orderly formation of local agencies. LAFCO will consider impacts to agricultural lands along with other factors in its evaluation of proposals. LAFCO's Urban Service Area (USA) Amendment Policies discourage premature conversion of agricultural lands, guide development away from existing agricultural lands and require the development of existing vacant lands within city boundaries prior to conversion of additional agricultural lands. In those cases where LAFCO proposals involve conversion of agricultural lands, LAFCO's USA Amendment Policies require an explanation of why the inclusion of agricultural lands is necessary and how such loss will be mitigated.

Purpose of Policies

The purpose of these policies is to provide guidance to property owners, potential applicants and cities on how to address agricultural mitigation for LAFCO proposals and to provide a framework for LAFCO to evaluate and process in a consistent manner, LAFCO proposals that involve or impact agricultural lands.

General Policies

1. LAFCO recommends provision of agricultural mitigation as specified herein for all LAFCO applications that impact or result in a loss of prime agricultural lands as defined in Policy #6. Variation from these policies should be accompanied by information explaining the adequacy of the proposed mitigation.
2. LAFCO encourages cities with potential LAFCO applications involving or impacting agricultural lands to adopt citywide agricultural mitigation policies and programs that are consistent with these policies.
3. When a LAFCO proposal impacts or involves a loss of prime agricultural lands, LAFCO encourages property owners, cities and agricultural conservation agencies to work together as early in the process as possible to initiate and execute agricultural mitigation plans, in a manner that is consistent with these policies.
4. LAFCO will work with agricultural entities, the County, cities and other stakeholders to develop a program and public education materials to improve the community's understanding of the importance of agriculture in creating sustainable communities within Santa Clara County.
5. LAFCO will review and revise these policies as necessary.

Definition of Prime Agricultural Lands

6. “Prime agricultural land” as defined in the Cortese Knox Hertzberg Act means an area of land, whether a single parcel or contiguous parcels, that has not been developed for a use other than an agricultural use and that meets any of the following qualifications:
 - a. Land that qualifies, if irrigated, for rating as class I or class II in the USDA Natural Resources Conservation Service land use capability classification, whether or not land is actually irrigated, provided that irrigation is feasible.
 - b. Land that qualifies for rating 80 through 100 Storie Index Rating.
 - c. Land that supports livestock used for the production of food and fiber and that has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture in the National Handbook on Range and Related Grazing Lands, July, 1967, developed pursuant to Public Law 46, December 1935.
 - d. Land planted with fruit or nut-bearing trees, vines, bushes, or crops that have a nonbearing period of less than five years and that will return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than four hundred dollars (\$400) per acre.
 - e. Land that has returned from the production of unprocessed agricultural plant products an annual gross value of not less than four hundred dollars (\$400) per acre for three of the previous five calendar years.

Mitigation Recommendations

7. Proposals involving the conversion of prime agricultural lands should provide one of the following mitigations at a not less than 1:1 ratio (1 acre preserved for every acre converted) along with the payment of funds as determined by the city / agricultural conservation entity (whichever applies) to cover the costs of program administration, land management, monitoring, enforcement and maintenance of agriculture on the mitigation lands:
 - a. The acquisition and transfer of ownership of agricultural land to an agricultural conservation entity for permanent protection of the agricultural land.
 - b. The acquisition and transfer of agricultural conservation easements to an agricultural conservation entity for permanent protection of the agricultural land.

- c. The payment of in-lieu fees to an agricultural conservation entity that are sufficient to fully fund*:
 - 1. The cost of acquisition of agricultural lands or agricultural conservation easements for permanent protection, and
 - 2. The cost of administering, managing, monitoring and enforcing the agricultural lands or agricultural conservation easements, as well as the costs of maintaining agriculture on the mitigation lands.

* with provisions for adjustment of in-lieu fees to reflect potential changes in land values at the time of actual payment

- 8. Agricultural lands or conservation easements acquired and transferred to an agricultural conservation entity should be located in Santa Clara County and be lands deemed acceptable to the city and entity.
- 9. The agricultural mitigation should result in preservation of land that would be:
 - a. Prime agricultural land of substantially similar quality and character as measured by the Average Storie Index rating and the Land Capability Classification rating, and
 - b. Located within cities' spheres of influence in an area planned/envisioned for agriculture, and
 - c. That would preferably promote the definition and creation of a permanent urban/agricultural edge.
- 10. Because urban/non-agricultural uses affect adjacent agricultural practices and introduce development pressures on adjacent agricultural lands, LAFCO encourages cities with LAFCO proposals impacting agricultural lands to adopt measures to protect adjoining agricultural lands, to prevent their premature conversion to other uses, and to minimize potential conflicts between the proposed urban development and adjacent agricultural uses. Examples of such measures include, but are not limited to:
 - a. Establishment of an agricultural buffer on the land proposed for development. The buffer's size, location and allowed uses must be sufficient to minimize conflicts between the adjacent urban and agricultural uses.
 - b. Adoption of protections such as a Right to Farm Ordinance, to ensure that the new urban residents shall recognize the rights of adjacent property owners conducting agricultural operations and practices in compliance with established standards.

- c. Development of programs to promote the continued viability of surrounding agricultural land.

Agricultural Conservation Entity Qualifications

11. The agricultural conservation entity should be a city or a public or non-profit agency. LAFCO encourages consideration of agricultural conservation entities that:
 - a. Are committed to preserving local agriculture and have a clear mission along with strategic goals or programs for promoting agriculture in the areas that would be preserved through mitigation,
 - b. Have the legal and technical ability to hold and administer agricultural lands and agricultural conservation easements and in-lieu fees for the purposes of conserving and maintaining lands in agricultural production and preferably have an established record for doing so, and
 - c. Have adopted written standards, policies and practices (such as the Land Trust Alliance's "Standards and Practices") for holding and administering agricultural lands, agricultural conservation easements and in-lieu fees and are operating in compliance with those standards.

Timing and Fulfillment of Mitigation

12. LAFCO prefers that agricultural mitigation be in place at the time of LAFCO approval or as soon as possible after LAFCO approval. The mitigation (as detailed in the Plan for Mitigation) should be fulfilled no later than at the time of city's approval of the final map, or issuance of a grading permit or building permit, whichever occurs first.
13. Cities should provide LAFCO with information on how the city will ensure that the agricultural mitigation is provided at the appropriate time.
14. Cities should provide LAFCO with a report on the status of agricultural mitigation fulfillment every year following LAFCO approval of the proposal until the agricultural mitigation commitments are fulfilled.
15. The agricultural conservation entity should report annually to LAFCO on the use of the in-lieu fees until the fees have been fully expended.

Plan for Mitigation

16. A plan for agricultural mitigation that is consistent with these policies should be submitted at the time that a proposal impacting agricultural lands is filed with LAFCO. The plan for mitigation should include all of the following:

- a. An agreement between the property owner, city and agricultural conservation entity (if such an entity is involved) that commits the property owner(s) to provide the mitigation for the loss of prime agricultural lands and establishes the specifics of the mitigation. Upon LAFCO approval of the proposal, the agreement should be recorded with the County Recorder's office against the property to be developed. The agreement should specify:
 1. The type of mitigation that will be provided in order to mitigate for conversion of agricultural lands. (purchase of fee title or easement or payment of in-lieu fees)
 2. The agricultural conservation entity that will be involved in holding the lands, easements, or in-lieu fees.
 3. The acreage that would be preserved through mitigation and /or the amount of in-lieu fees that would be paid (with provisions to adjust fees to reflect land values at time of payment) along with the methodology adopted by the entity for calculating the in-lieu fees.
 4. The location of the mitigation lands, when possible.
 5. Information on the specific measures adopted by the city as encouraged in Policy #10 (mitigation for impacts to adjacent agricultural lands)
 6. The time-frame within which the mitigation will be fulfilled, which should be no later than at the time of city's approval of the final map, or issuance of the grading permit or building permit, whichever occurs first.
 7. The mitigation agreement is to be contingent on LAFCO approval of the proposal.
- b. Applicant should provide all other supporting documents and information to demonstrate compliance with these policies.

Stanislaus LAFCo Agricultural Mitigation Policy

Agriculture is a vital and essential part of the Stanislaus County economy and environment. Accordingly, boundary changes for urban development should only be proposed, evaluated, and approved in a manner which, to the fullest extent feasible, is consistent with the continuing growth and vitality of agriculture within the County. LAFCO's mission is to discourage urban sprawl, preserve open space and prime agricultural lands, promote the efficient provision of government services and encourage the orderly formation of local agencies. Additionally, Government Code Section 56668(e) requires LAFCO to consider "the effect of the proposal on maintaining the physical and economic integrity of agricultural lands."

Consistent with the legislative intent of LAFCO, the goals of this policy are as follows:

- Guide development away from agricultural lands where possible and encourage efficient development of existing vacant lands and infill properties within an agency's boundaries prior to conversion of additional agricultural lands.
- Fully consider the impacts a proposal will have on existing agricultural lands.
- Minimize the conversion of agricultural land to other uses.
- Promote preservation of agricultural lands for continued agricultural uses while balancing the need for planned, orderly development and the efficient provision of services.

The Commission encourages local agencies to identify the loss of agricultural land as early in their processes as possible, and to work with applicants to initiate and execute plans to minimize that loss, as soon as feasible. Agencies may also adopt their own agricultural preservation policies, consistent with this Policy, in order to better meet their own local circumstances and processes.

The Commission shall consider this Agricultural Preservation Policy, in addition to its existing goals and policies, as an evaluation standard for review of those proposals that could reasonably be expected to induce, facilitate, or lead to the conversion of agricultural land.

A. Plan for Agricultural Preservation Requirement

Upon application for a sphere of influence expansion or annexation to a city or special district ("agency") providing one or more urban services (i.e. potable water, sewer services) that includes agricultural lands, a Plan for Agricultural Preservation must be provided with the application to LAFCO. The purpose of a Plan for Agricultural Preservation is to assist the Commission in determining how a proposal meets the stated goals of this Policy.

The Plan for Agricultural Preservation shall include: a detailed analysis of direct and indirect impacts to agricultural resources on the site and surrounding area, including a detailed description of the agricultural resources affected and information regarding Williamson Act Lands; a vacant land inventory and

absorption study evaluating lands within the existing boundaries of the jurisdiction that could be developed for the same or similar uses; existing and proposed densities (persons per acre); relevant County and City General Plan policies and specific plans; consistency with regional planning efforts (e.g. the San Joaquin Valley Blueprint and the Sustainable Communities Strategy); and an analysis of mitigation measures that could offset impacts to agricultural resources. The Plan for Agricultural Preservation should be consistent with documentation prepared by the Lead Agency in accordance with the California Environmental Quality Act (CEQA).

The Plan for Agricultural Preservation shall specify the method or strategy proposed to minimize the loss of agricultural lands. The Commission encourages the use of one or more of the following strategies:

1. Removal of agricultural lands from the existing sphere of influence in order to offset, in whole or in part, a proposed sphere of influence expansion or redirection.
2. An adopted policy or condition requiring agricultural mitigation at a ratio of at least 1:1. This can be achieved by acquisition and dedication of agricultural land, development rights and/or conservation easements to permanently protect agricultural land, or payment of in-lieu fees to an established, qualified, mitigation program to fully fund the acquisition and maintenance of such agricultural land, development rights or easements.
 - a. In recognition of existing County policies applicable to agricultural land conversions in the unincorporated areas, as well as the goals of individual agencies to promote employment growth to meet the stated needs of their communities, an agency may select to utilize a minimum of 1:1 mitigation for conversions to residential uses.
 - b. Agricultural mitigation easements or offsets shall not be required for any annexations of land for commercial or industrial development.
3. A voter-approved urban growth boundary designed to limit the extent to which urban development can occur during a specified time period.

B. Commission Evaluation of a Plan for Agricultural Preservation

1. The Commission may consider approval of a proposal that contains agricultural land when it determines that there is sufficient evidence within the Plan for Agricultural Preservation that demonstrates all of the following:
 - a. Insufficient alternative land is available within the existing sphere of influence or boundaries of the agency and, where possible, growth has

- been directed away from prime agricultural lands towards soils of lesser quality.
- b. For sphere of influence proposals, that the additional territory will not exceed the twenty year period for probable growth and development (or ten years within a proposed primary area of influence). For annexation proposals, that the development is imminent for all or a substantial portion of the proposal area.
 - c. The loss of agricultural lands has been minimized based on the selected agricultural preservation strategy. For the purposes of making the determination in this section, the term “minimize” shall mean to allocate no more agricultural land to non-agricultural uses than what is reasonably needed to accommodate the amount and types of development anticipated to occur.
 - d. The proposal will result in planned, orderly, and efficient use of land and services. This can be demonstrated through mechanisms such as:
 - i. Use of compact urban growth patterns and the efficient use of land that result in a reduced impact to agricultural lands measured by an increase over the current average density within the agency’s boundaries (e.g. persons per acre) by the proposed average density of the proposal area.
 - ii. Use of adopted general plan policies, specific or master plans and project phasing that promote planned, orderly, and efficient development.
2. For those proposals utilizing agricultural mitigation lands or in-lieu fees, the Commission may approve a proposal only if it also determines all of the following:
- a. The mitigation lands must be of equal or better soil quality, have a dependable and sustainable supply of irrigation water, and be located within Stanislaus County.
 - b. An adopted ordinance or resolution has been submitted by the agency confirming that mitigation has occurred, or requires the applicant to have the mitigation measure in place before the issuance of a grading permit, building permit, or final map approval for the site, whichever comes first.
 - c. The agricultural conservation entity is a city or a public or non-profit agency that: has the legal and technical ability to hold and administer agricultural preservation easements and in-lieu fees for the purposes of conserving and maintaining lands in agricultural production; and has

adopted written standards, policies and practices (such as the Land Trust Alliance's "Standards and Practices") and is operating in compliance with those standards.

- d. The agricultural mitigation land is not already effectively encumbered by a conservation easement of any nature.

C. Exceptions

The following applications are considered exempt from the requirement for a Plan for Agricultural Preservation and its implementation, unless determined otherwise by the Commission:

1. Proposals consisting solely of the inclusion of lands owned by a city or special district and currently used by that agency for public uses.
2. Proposals which have been shown to have no significant impact to agricultural lands, including, but not limited to:
 - a. Proposals consisting solely of lands which are substantially developed with urban uses.
 - b. Proposals brought forth for the purpose of providing irrigation water to agricultural lands.

Yolo LAFCo Agricultural Mitigation Policy

IV. Policy Standards and Implementation

- A. Detachment of prime agricultural lands and other open space lands shall be encouraged if consistent with the sphere of influence for that agency.
- B. Annexation of prime agricultural lands shall not be approved unless the following factors have been considered:
 - 1. There is insufficient marketable, viable, less prime land available in the subject jurisdiction for the proposed land use.
 - 2. The adoption and implementation of effective measures to mitigate the loss of agricultural lands, and to preserve adjoining lands for agricultural use to prevent their premature conversion to other uses. Such measures may include, but need not be limited to: the acquisition and dedication of farmland, development rights, open space and conservation easements to permanently protect adjacent and other agricultural lands within the county; participation in other development programs (such as transfer or purchase of development rights); payments to responsible, recognized government and non-profit organizations for such purposes; the establishment of open space and similar buffers to shield agricultural operations from the effects of development.
- C. Annexation for land uses in conflict with an existing agricultural preserve contract shall be prohibited, unless the Commission finds that it meets all the following criteria:
 - 1. The area is within the annexing agency's sphere of influence.
 - 2. The Commission makes findings required by Government Code Section 56856.5.
 - 3. The parcel is included in an approved city specific plan.
 - 4. The soil is not categorized as prime.
 - 5. Mitigation for the loss of agricultural land has been secured at least at a 1:1 ratio of agricultural easements for the land lost.
 - 6. There is a pending, or approved, rescission for the property that has been reviewed by the local jurisdictions and the Department of Conservation.

7. The property has been non-renewed if still awaiting rescission approval.
- D. Less prime agricultural land generally should be annexed and developed before prime land is considered for boundary changes. The relative importance of different parcels of prime agricultural land shall be evaluated based upon the following (in a descending order of importance):
1. Soil classification shall be given the utmost consideration, with Class I or II soil receiving the most significance, followed by the Storie Index Rating.
 2. Consideration shall also be given to the land's economic viability for continued agricultural use.
- E. LAFCO will approve a change of organization which will result in the conversion of prime agricultural land in open space use to other uses only if the LAFCO finds that the proposal will lead to planned, orderly, and efficient development. The following factors shall be considered:
1. Contiguity of the subject land to developed urban areas.
 2. Receipt of all other discretionary approvals for changes of boundary, such as rezoning, environmental review, and service plans as required by the Executive Officer before action by LAFCO. If not feasible before LAFCO acts, the proposal can be made contingent upon receipt of such discretionary approvals within not more than one (1) year following LAFCO action.
 3. Consistency with existing planning documents of the affected local agencies, including a service plan of the annexing agency or affected agencies.
 4. Likelihood that all or a substantial portion of the subject land will develop within a reasonable period of time for the project's size and complexity.
 5. The availability of less prime land within the sphere of influence of the annexing agency that can be developed, and is planned and accessible, for the same or a substantially similar use.
 6. The proposal's effect on the physical and economic viability of other agricultural operations. In making this determination, LAFCO will consider the following factors:

- a. The agricultural significance of the subject and adjacent areas relative to other agricultural lands in the region.
- b. The existing use of the subject and adjacent areas.
- c. Whether public facilities related to the proposal would be sized or situated so as to facilitate the conversion of adjacent or nearby agricultural land, or will be extended through or adjacent to, any other agricultural lands which lie between the project site and existing facilities.
- d. Whether natural or man-made barriers serve to buffer adjacent or nearby agricultural land from the effects of the proposed development.
- e. Provisions of the General Plan's open space and land use elements, applicable growth management policies, or other statutory provisions designed to protect agriculture. Such provisions may include, but not be limited to, designating land for agriculture or other open space uses on that jurisdiction's general plan, adopted growth management plan, or applicable specific plan; adopting an agricultural element to its general plan; and acquiring conservation easements on prime agricultural land to permanently protect the agricultural uses of the property.
- f. The establishment of measures to ensure that the new property owners shall recognize the rights of adjacent property owners conducting agricultural operations and practices in compliance with the agricultural zone in accordance with the Right to Farm Ordinance adopted by the Yolo County Board of Supervisors.

F. Agricultural Mitigation

1. Except as expressly noted in subsection 8 and 9 below, annexation of prime agricultural lands shall not be approved unless one of the following mitigations has been instituted, at not less than a 1:1 replacement ratio:
 - a. The acquisition and dedication of farmland, development rights, and agricultural conservation easements to permanently protect adjacent and other agricultural lands within the County.

4. As a general rule, the Commission will not accept, as mitigation required by this Policy, an agricultural conservation easement or property that is "stacked" or otherwise combined with easements or property acquired for habitat conservation purposes, nor for any other purposes that are incompatible with the maintenance and preservation of economically sound and viable agricultural activities and operations. The Commission retains the discretion to make exceptions on a case-by-case basis, based upon the following criteria:
 - a. Whether the applicant made a good-faith effort to mitigate separately for the loss of habitat in accordance with the Yolo County Habitat/Natural Community Conservation Plan process but such efforts were infeasible, and
 - b. Whether the proposed "stacked" mitigation for the loss of prime agricultural land and habitat involves one of the following, whichever results in the greatest acreage of preserved land:
 - (i). Mitigation at a ratio of no less than 2:1 for the loss of prime agricultural soils; or
 - (ii). Mitigation at a ratio of no less than 1:1 for the loss of all agricultural lands in the proposal area; or
 - (iii). The property subject to the agricultural conservation easement is larger than the proposal area, meets the conditions specified in this Policy, and encompasses a complete field, legal parcel, or farm line.
5. The presence of a home on land that is subject to an agricultural conservation easement is generally incompatible with the maintenance and preservation of economically sound and viable agricultural activities and operations on that land. The presence or introduction of a home may diminish the value of the agriculture conservation easement as mitigation for the loss of prime agricultural land. Consequently, an agricultural conservation easement will generally not be accepted as mitigation for the loss of prime agricultural land if the easement permits the presence of a home, except an existing home that has been present on the proposed easement for at least twenty-five (25) years, or construction of a comparable replacement for such a home.

Exceptions to this section of the Policy may be granted by the Commission on a case-by-case basis if the homesite is less than two acres and if the applicant can provide sufficient evidence that a homesite on the agriculture conservation easement is necessary to further the goals of maintaining and preserving economically sound and viable agricultural activities and operations on that easement.

6. LAFCO favors the use of a local non-profit agricultural conservation entity or the regional branch of a nationally recognized non-profit agricultural conservation entity as the easement holder. The Commission will use the following criteria when approving the non-profit agricultural conservation entity for these purposes:
 - a. Whether the entity is a non-profit organization that is either based locally or is a regional branch of a national non-profit organization whose principal purpose is holding and administering agricultural conservation easements for the purposes of conserving and maintaining lands in agricultural production;
 - b. Whether the entity has a long-term proven and established record for holding and administering easements for the purposes of conserving and maintaining lands in agricultural production;
 - c. Whether the entity has a history of holding and administering easements in Yolo County for the foregoing purposes;
 - d. Whether the entity has adopted the Land Trust Alliance's "Standards and Practices" and is operating in compliance with those Standards; and
 - e. Any other information that the Commission finds relevant under the circumstances.

A local public agency may be an easement co-holder if that agency was the lead agency during the environmental review process. LAFCO also favors that applicants transfer the easement rights or in lieu fees directly to the recognized non-profit agricultural conservation entity in accordance with that entity's procedures. The Commission retains the discretion to determine whether the agricultural conservation entity identified by the applicant and the local lead agency has met the criteria delineated above.

7. The Commission prefers that mitigation measures consistent with this Policy be in place at the time that a proposal is filed with the

Commission. The loss of prime agricultural land may be mitigated before LAFCO action by the annexing city, or the County of Yolo in the case of a district annexation, provided that such mitigation is consistent with this Policy. LAFCO will use the following criteria in evaluating such mitigation:

- a. Whether the loss of prime agricultural land was identified during the project's or proposal's review process, including but not necessarily limited to review pursuant to the California Environmental Quality Act;
 - b. Whether the approval of the environmental documents included a legally binding and enforceable requirement that the applicant mitigate the loss of prime agricultural land in a manner consistent with this Policy; and
 - c. Whether, as part of the LAFCO application, an adopted ordinance or resolution was submitted confirming that mitigation has occurred, or requiring the applicant to have the mitigation measure in place before the issuance of either a grading permit, a building permit or final map approval for the site.
8. As noted in III(J) of this Policy, the Commission has concluded that, in the case of proposals that are undertaken exclusively for the benefit of a public agency, the Commission should review the applicability of the mitigation requirements set forth in this Policy on a case-by-case basis to determine the appropriateness of requiring mitigation in any particular case.

In making such a determination, the Commission will consider all relevant information that is brought to its attention, including but not limited to the following factors:

- a. Whether the public agency had any significant, practical option in locating its project, including locating the project on non-prime or less prime agricultural land.
- b. Whether the public agency is subject to or exempt from the land use regulations of another public agency.
- c. Whether the public agency identified the loss of agricultural land as an environmental impact during the project's review, including but not limited to California Environmental Quality Act review, and, if so, whether it adopted a "Statement of Overriding Considerations" for that impact.

- d. When the public agency learned of the agricultural conservation mitigation requirements of the Commission's Policy or that of another public agency (whether or not it was subject to that agency's land use control).
- e. Whether the public agency could reasonably have allocated or obtained sufficient revenues to provide for some or all of the mitigation required by this Policy if it had learned of that requirement before submitting its proposal to this Commission.
- f. Whether the public good served by the public agency's proposal clearly outweighs the purposes served by this Policy and its mitigation requirements.
- g. Whether the proposal is necessary to meet the immediate needs of the public agency.

If the Commission determines that it is not appropriate to require mitigation for the loss of agricultural land resulting from a public agency's proposal, or to require less mitigation than otherwise prescribed by this Policy, it shall adopt findings, and a statement of overriding considerations if applicable, supporting that determination.

- 9. Mitigation shall not be required for the annexation of less than five (5) acres of land if the Commission finds that the land:
 - a. scores in the fourth tier of the Yolo LAFCO Land Evaluation and Site Assessment (LESA) Model; and
 - b. is "infill" as defined in this Policy; and
 - c. has not been used for active agriculture purposes in the previous 20 years.



VENTURA LOCAL AGENCY FORMATION COMMISSION
STAFF REPORT

Meeting Date: January 21, 2015

Agenda Item 12

TO: LAFCo Commissioners
FROM: Kai Luoma, AICP, Executive Officer 
SUBJECT: Cancellation of the February 18, 2015 Regular Meeting

RECOMMENDATION:

Cancel the February 18, 2015 regular LAFCo meeting and direct staff to provide notice of cancellation to the County, all cities, independent special districts and other interested parties as required by law.

DISCUSSION:

Due to the fact that there are no pending applications for Commission action as of the date this report was prepared, staff is recommending that the Commission cancel the February meeting. The next scheduled meeting would occur on March 18, 2015.

COMMISSIONERS AND STAFF

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

CITY:
Carl Morehouse
Janice Parvin
Alternate:
Vacant

DISTRICT:
Bruce Dandy
Elaine Freeman
Alternate:
Mary Anne Rooney

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