

AGENDA

Regular Meeting

VENTURA LOCAL AGENCY FORMATION COMMISSION

Hall of Administration, Board of Supervisors' Hearing Room

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

9:00 A.M. Wednesday, March 21, 2007

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

ANNOUNCEMENTS

4. **Commission Presentations and Announcements**

COMMENTS FROM THE PUBLIC

5. **Public Comment**

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

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

COMMISSIONERS AND STAFF

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

CONSENT ITEMS

6. Minutes of the Ventura LAFCO February 21, 2007 regular meeting

RECOMMENDED ACTION: Approval

7. LAFCO 07-01 Calleguas Municipal Water District Annexation – Victoria Lakes

To annex one parcel to the Calleguas Municipal Water District for the purpose of providing domestic water service. The proposal is located easterly of Victoria Avenue and southerly of the Santa Clara River in the City of Oxnard. (Assessor Parcel Number: 138-0-190-230).

RECOMMENDED ACTION: Approval

8. LAFCO 07-02 Ojai Valley Sanitary District Annexation – Wharton

To annex one parcel to the Ojai Valley Sanitary District for the purpose of providing sanitary sewer service. The proposal is located at 580 Old Grade Road, Oak View. (Assessor Parcel Number: 034-0-120-095).

RECOMMENDED ACTION: Approval

PUBLIC HEARING ITEMS

9. Municipal Service Review – Nine Ventura County Cities

- A. Accept the Municipal Service Review – Nine Ventura County Cities report, with the corrections and additions contained in Attachment 1 to the staff report, plus any further corrections and additions accepted at the public hearing, authorize the Executive Officer to make other minor, non-substantive changes, and direct staff to prepare and distribute a final Municipal Service Review –Nine Ventura County Cities report, including determinations adopted by the Commission.
- B. Adopt separate resolutions for each of the following nine cities making findings that the action is exempt under the “general rule” exemption of the California Environmental Quality Act (CEQA) Guidelines (§15061(b)(3)) and approving the municipal service reviews and statements of determinations as required by Government Code §56430:
 - City of Camarillo
 - City of Fillmore
 - City of Moorpark
 - City of Ojai
 - City of Oxnard
 - City of San Buenaventura

- City of Santa Paula
- City of Simi Valley
- City of Thousand Oaks

RECOMMENDED ACTION: Approval (A and B)

EXECUTIVE OFFICER'S REPORT

- A. Update about pending legislation affecting LAFCOs
- B. FPPC 700 Forms Due By April 1, 2007
- C. Next LAFCO Meeting is April 18, 2007

CLOSED SESSION: Pursuant to Government Code § 54957, it is the intention of the Ventura Local Agency Formation Commission to meet in Closed Session to consider the following item:

PUBLIC EMPLOYMENT. Title: LAFCo Executive Officer

COMMISSIONERS' COMMENTS

ADJOURNMENT

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

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

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

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

MINUTES

Agenda Item 6

REGULAR MEETING

Wednesday February 21, 2007, 9:00 A.M.
 Board of Supervisors' Hearing Room, Hall of Administration
 800 S. Victoria Avenue, Ventura, Ca 93009-1850

1. CALL TO ORDER

Chair Parks called the February 21, 2007 meeting to order at 9:00 A.M.

2. PLEDGE OF ALLEGIANCE

Commissioner Hess led the Pledge of Allegiance.

3. ROLL CALL

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

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

Alternate Commissioner Lotts represented Special Districts in the absence of Commissioner Grandsen.

COMMISSIONERS AND STAFF

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

ELECTIONS

4. Election of Officers for 2007

A. Chair

MOTION: Commissioner Hess was nominated for Chair: Zaragoza
There were no other nominations for Chair.

SECOND: Long

FOR: Hess, Lange, Long, Parks, Waunch Zaragoza and Lotts

AGAINST: None

ABSTAIN: None

MOTION PASSED 7/0/0

B. Vice Chair

MOTION: Commissioner Zaragoza was nominated for Vice Chair: Waunch
There were no other nominations for Vice Chair.

SECOND: Lange

FOR: Hess, Lange, Long, Parks, Waunch Zaragoza and Lotts

AGAINST: None

ABSTAIN: None

MOTION PASSED 7/0/0

ANNOUNCEMENTS

5. Commission Presentations and Announcements

There were no Commission Presentations or Announcements. Everett Millais introduced County Counsel Jim Thonis to the Commission. He was LAFCO's acting counsel in the absence of Leroy Smith, LAFCO's regular counsel.

COMMENTS FROM THE PUBLIC

6. Public Comment

There were no public comments

CONSENT ITEMS

7. **Minutes of the Ventura LAFCO January 17, 2007 regular meeting**
8. **LAFCO 06-20 Ventura county Waterworks District #19 Annexation - Nichols**
9. **Budget Report – 2nd Quarter FY 2006-2007**

MOTION: Approval (Items 7 thru 9) as recommended: Waunch
SECOND: Zaragoza
FOR: Lange, Long, Lotts, Parks, Waunch and Zaragoza
AGAINST: None
ABSTAIN: Hess
MOTION PASSED 6/0/1

ACTION ITMES

10. **Draft Agricultural Mitigation Policies – Commissioner’s Handbook Revisions**
Kim Uhlich presented the staff report. The following persons spoke in favor of the revised policies or indicated that they had no objection to the revised policies:

Rob Roy; Ventura County Agricultural Association
Marc Charney; Normand Cormany Hair & Compton LLP, representing M.F. Daily Corp.

MOTION: To adopt the Resolution amending Section 2.1.2.1 of the Commission’s General Operational Policies concerning applications, and amending subsection i from “...involved in the area and surrounding areas.” to “...involved in the areas and adjacent areas.”: Zaragoza
SECOND: Lange
FOR: Hess, Lange, Long, Parks, Waunch Zaragoza and Lotts
AGAINST: None
ABSTAIN: None
MOTION PASSED 7/0/0

11. Island Annexation Policy & Special Legislation for the City of Simi Valley

Everett Millais presented the staff report. The following persons spoke in favor of option 3: The Commission remain neutral (i.e. not oppose) about any legislation that would simply extend the sunset date of the existing special legislation to after 2014:

Paul Miller, Mayor, City of Simi Valley

MOTION: Adopt option 3 as requested by the City of Simi Valley: Long
SECOND: Zaragoza
FOR: Cunningham, Lange, Long, Lotts, Parks, Waunch and Zaragoza
AGAINST: None
ABSTAIN: None
MOTION PASSED 7/0/0

EXECUTIVE OFFICER'S REPORT

Everett Millais updated the Commission on SB 162, a bill introduced by the Chair of the Senate Local Government Committee that would add additional factors for annexation proposals. He also reminded the Commission that their FPPC Form 700 for 2006 are due by April 1st and that their next LAFCO meeting was scheduled for March 21. He added that the City Municipal Service Review Report and two proposals would be on the March 21 agenda.

COMMISSIONERS COMMENTS

None

ADJOURNMENT

Chair Hess adjourned the meeting at 10:00 am



STAFF REPORT

Meeting Date: March 21, 2007
CONSENT

Agenda Item 7

**LAFCO CASE
NAME & NO:**

LAFCO 07-01 Calleguas Municipal Water District Annexation –
Victoria Lakes

PROPOSAL:

To annex one parcel to the Calleguas Municipal Water District for
the purpose of providing domestic water service.

SIZE:

Approximately 69.3 acres

LOCATION:

Easterly of Victoria Avenue and southerly of the Santa Clara River
in the City of Oxnard. The proposal area is within the Calleguas
Municipal Water District Sphere of Influence and is also within the
boundaries of the City of Oxnard, United Water Conservation
District, Fox Canyon Groundwater Management Agency and the
Oxnard Harbor District.

PROPONENT:

The Calleguas Municipal Water District by resolution.

NOTICE:

This matter has been noticed as prescribed by law.

**PARCEL INFORMATION & PROPONENTS FOR PURPOSES OF THE CALIFORNIA
POLITICAL REFORM ACT (FPPC):**

Assessor's Parcel Number	Property Address	Property Owner(s)
138-0-190-230	No Street Address	Ventura Regional Sanitation District

COMMISSIONERS AND STAFF

COUNTY:

Linda Parks
Kathy Long
Alternate:
Steve Bennett

CITY:

Don Waunch
John Zaragoza, Vice Chair
Alternate:
Janice Parvin

SPECIAL DISTRICT:

Ted Grandsen
George Lange
Alternate:
Bill Lotts

PUBLIC:

Kenneth M. Hess, Chair

Alternate:
Louis Cunningham

EXECUTIVE OFFICER:

Everett Millais

DEPUTY EXEC OFFICER:

Kim Uhlich

OFFICE MGR/CLERK:

Debbie Schubert

LEGAL COUNSEL:

Leroy Smith

RECOMMENDATION

Adopt the attached resolution (LAFCO 07-01) making determinations and approving the Calleguas Municipal Water District Annexation – Victoria Lakes.

GENERAL ANALYSIS

1. Land Use

Site Information

Existing	Land Use Proposed	Zone District Classification	General Plan Designation
Vacant (former landfill)	Golf Course	City: C-R (Community Reserve) County: NA	City: Park County: NA

No changes are proposed to zoning or General Plan designations as part of the proposal.

Surrounding Land Uses and Zoning and General Plan Designations

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

Topography, Natural Features and Drainage

The proposal area is a former landfill site and is currently undergoing grading and construction activities for development as a golf course. The area abuts the Santa Clara River to the north.

Conformity with Plans

Because the proposal area is within the boundaries of the City of Oxnard, the City's General Plan is applicable. The City's General Plan designation is "Park" and the zoning designation is "Community Reserve". The proposed use of the

proposal area as a public golf course is thus consistent with the City's General Plan and zoning designations.

The proposal area is located within the CURB boundary of the City of Oxnard.

The site is not subject to the County or the City SOAR Ordinance.

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

Agricultural Land and Agriculture

No lots within the proposal area are zoned for agricultural use. There are no agricultural uses within the proposal area, and there are no adjoining agricultural uses.

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

Open Space

The proposal area is not considered open space pursuant to Government Code Sections 56059 and 65560 and therefore will not impact open space lands.

3. Population

According to the County Registrar of Voters, there are less than 12 registered voters in the proposal area. As such, the annexation proposal area is considered to be uninhabited under the provisions of LAFCO law relating to protest proceedings.

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

Upon annexation, the source of domestic water will come from wells owned by the City of Oxnard and from imported water provided by Calleguas Municipal Water District, which serves as a wholesale water purveyor. New water connections will be made from existing main lines located in Victoria and Vineyard Avenues. The District has represented that it has the capacity to serve the proposal area. On-going maintenance and operational costs will be financed through user fees. There will be no change to any other existing services.

5. Boundaries and Lines of Assessment

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

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

6. Assessed Value, Tax Rates and Indebtedness

According to the County Assessor, the proposal area takes in tax rate area 03045. Upon completion of the proceedings, the Calleguas Municipal Water District will be added to this tax rate area.

The proposal area has no assessed land value as the owner, Ventura Regional Sanitation District, is a non-taxable entity.

7. Environmental Impact of the Proposal

The City of Oxnard is the lead agency under CEQA and prepared an Environmental Impact Report (Northwest Golf Course Community Specific Plan EIR - Attachments 2 and 3) that addressed impacts associated with development of the proposal area. The City certified the final EIR on July 13, 1999. The EIR was previously distributed to the Commission under separate cover.

The EIR determined that the following significant impacts would be less than significant with the imposition of mitigation measures:

- Cumulative impacts regarding amount of housing stock to be provided; will exceed City-adopted population growth and housing projections.
- Project-specific and cumulative impacts to Gonzales Road/Victoria Avenue intersection and Gonzales Road/Ventura Road intersection.
- Cumulative impacts to specified segment of U.S. Highway 101.
- Air quality: emissions that would exceed ROC and No_x thresholds.
- Geologic hazards: seismic hazards, unstable soils, potential erosion and damage of landfill.
- Short term impacts to special status bird species.
- Project-specific and cumulative impacts to school capacity.

The EIR determined that the following significant impacts would *not* be mitigated to less-than-significant levels:

- Permanent loss of a total of 247 acres of agricultural land due to conversion of this land from an agricultural use to urban uses.
- Cumulative noise impacts.
- Cumulative change in the visual character of the City (from open space to urban form).
- Project-specific and cumulative impacts to solid waste disposal facilities.

The City adopted a mitigation monitoring plan to address a number of significant environmental impacts and adopted Statements of Overriding Considerations for the unavoidable significant impacts relating to noise, agricultural resources, aesthetics, and solid waste disposal.

It is recommended that the Commission adopt the following as part of the proposal:

- The Northwest Golf Course Community Specific Plan EIR, the City of Oxnard's mitigation measures, mitigation monitoring and reporting program, findings and statements of overriding considerations (Attachments 2, 3 and 4)
- LAFCO Resolution 07-01 along with the attached Findings and Statements of Overriding Considerations for LAFCO 07-01 Calleguas Municipal Water District – Victoria Lakes (Attachment 5)

8. Regional Housing Needs

According to the California Housing and Community Development Department the City of Oxnard adopted an updated General Plan Housing Element on December 19, 2000 and completed State review for compliance on May 10, 2001. The annexation proposal area is developed consistent with the City's General Plan. Therefore, the proposal will have no effect on the fair share of the regional housing needs for the City of Oxnard.

9. Landowner and Annexing Agency Consent

The Calleguas Municipal Water District has provided written consent to the subject proposal from the property owner. Any subject agency that wishes to reserve its right to protest a LAFCO decision (for those decisions subject to protest proceedings) must submit written opposition to the waiver (GC § 56663).

The only subject agency associated with the proposal is the applicant, the Calleguas Municipal Water District, thus no opposition to waiver of protest proceedings is anticipated.

ALTERNATIVE ACTIONS AVAILABLE:

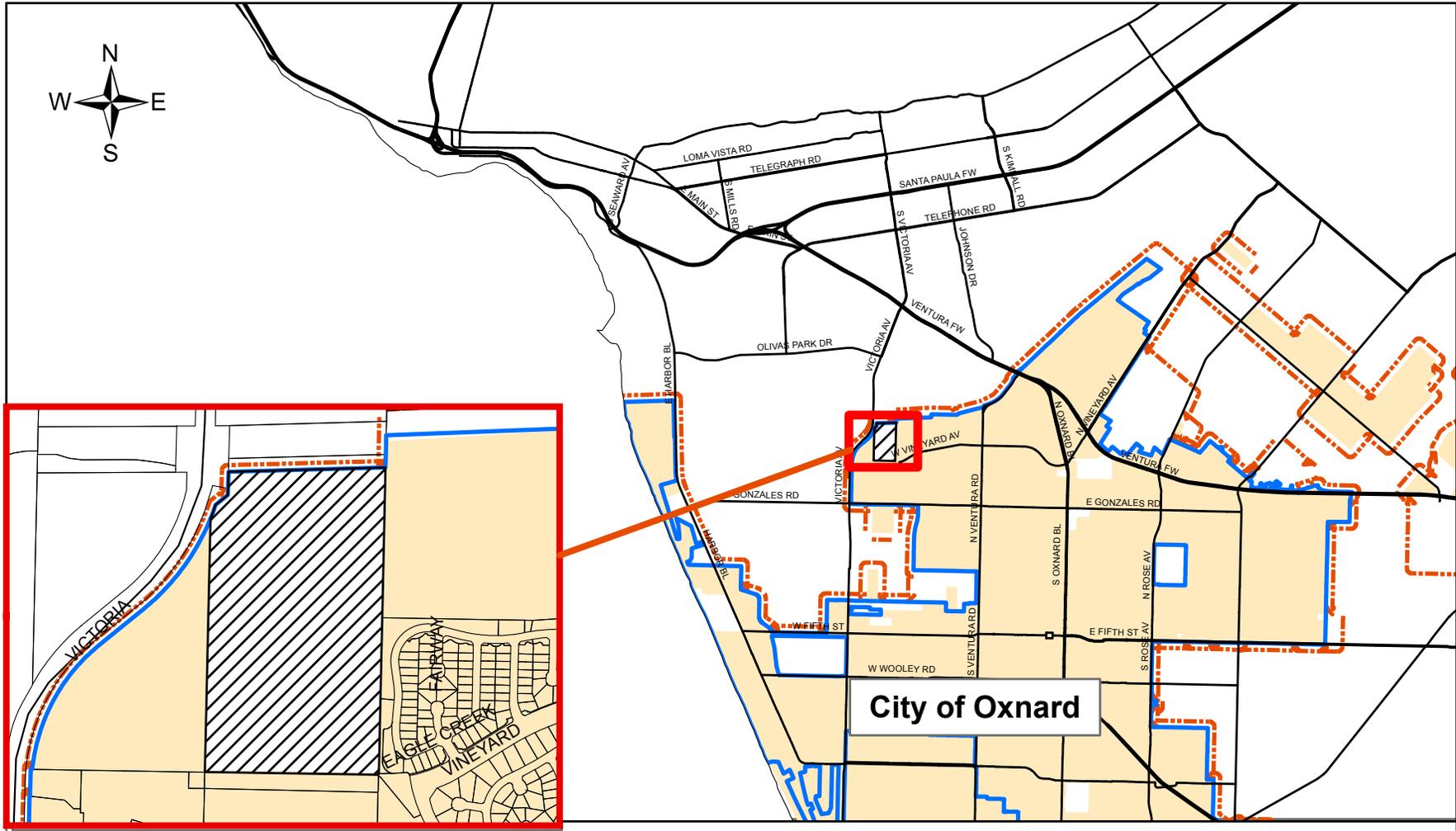
- A. If the Commission, following public testimony and review of the materials submitted, determines that further information is necessary, a motion to continue the proposal should state specifically the type of information desired and specify a date certain for further consideration.

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

BY: 
Kim Uhlich, Deputy Executive Officer

Attachments: (1) Vicinity Map *
(2) Oxnard City Council Resolution No. 11,600
(3) LAFCO 07-01 Resolution

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



Legend

-  Annexation Area
-  City of Oxnard Boundary
-  Calleguas Municipal Water District Boundary
-  Calleguas Municipal Water District Sphere of Influence

Ventura LAFCO Vicinity Map
 LAFCO 07-01 Calleguas Municipal Water District Annexation - Victoria Lakes





STAFF REPORT

Meeting Date: March 21, 2007
CONSENT

Agenda Item 8

**LAFCO CASE
NAME & NO:**

LAFCO 07-02 Ojai Valley Sanitary District Annexation – Wharton

PROPOSAL:

To annex one parcel to the Ojai Valley Sanitary District for the purpose of providing sanitary sewer service.

SIZE:

Approximately 2.51 acres

LOCATION:

580 Old Grade Road, Oak View. The proposal area is within the Ojai Valley Sanitary District Sphere of Influence and is also within the boundaries of the Casitas Municipal Water District.

PROPONENT:

Ojai Valley Sanitary District by resolution.

NOTICE:

This matter has been noticed as prescribed by law.

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

Assessor's Parcel Number	Property Address	Property Owner(s)
034-0-120-095	580 Old Grade Road, Oak View	Wharton, Dale C., Reta Sue Tr.

COMMISSIONERS AND STAFF

COUNTY:

Linda Parks
Kathy Long
Alternate:
Steve Bennett

CITY:

Don Waunch
John Zaragoza, Vice Chair
Alternate:
Janice Parvin

SPECIAL DISTRICT:

Ted Grandsen
George Lange
Alternate:
Bill Lotts

PUBLIC:

Kenneth M. Hess, Chair

Alternate:
Louis Cunningham

EXECUTIVE OFFICER:

Everett Millais

DEPUTY EXEC OFFICER:

Kim Uhlich

OFFICE MGR/CLERK:

Debbie Schubert

LEGAL COUNSEL:

Leroy Smith

RECOMMENDATION

Adopt the attached resolution (LAFCO 07-02) making determinations and approving the Ojai Valley Sanitary District Annexation – Wharton.

GENERAL ANALYSIS

1. Land Use

Site Information

Land Use		Zone District Classification	General Plan Designation
Existing	Proposed		
Existing Single Family Residence	No Change	County: RE-2ac (Rural Exclusive, 2 ac. minimum lot size)	County: Gen. Plan: Rural Ojai Area Plan: Rural Residential 2- 5 acre minimum

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

Surrounding Land Uses and Zoning and General Plan Designations

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

Topography, Natural Features and Drainage

The proposal area consists of a developed residential lot landscaped with various non-native species. The overall slope ranges from 5 to 15 percent and drains in a southeasterly direction toward the San Antonio Creek drainage area.

Conformity with Plans

The proposal area is within the Sphere of Influence of the Ojai Valley Sanitary District.

The existing land use (single-family residential) is consistent with the County's General Plan and Ojai Valley Area Plan designations.

The proposal area is not affected by the County's SOAR ordinance.

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

Agricultural Land and Agriculture

The lot within the proposal area is not zoned for agricultural use. There are no agricultural uses within the proposal area, and there are no adjoining agricultural uses.

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

Open Space

The proposal area is not considered open space pursuant to Government Code Sections 56059 and 65560 and therefore will not impact open space lands.

3. Population

According to the County Registrar of Voters, there are less than 12 registered voters in the proposal area. As such, the annexation proposal area is considered to be uninhabited under the provisions of LAFCO law relating to protest proceedings.

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

The proposal area is located approximately 40 feet from an existing sewer trunk line. The District has represented that it has the capacity to serve the proposal area. On-going maintenance and operational costs will be financed through residential user fees. There will be no change to any other existing services.

5. Boundaries and Lines of Assessment

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

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

6. Assessed Value, Tax Rates and Indebtedness

According to the County Assessor, the proposal area takes in tax rate area 91069 and will be assigned to tax rate area 91154 upon completion of proceedings. However the current tax rate of \$1.061629 per \$100 of assessed valuation will remain the same upon annexation.

The assessed land value of the lot per the 2006 - 2007 tax roll is \$53,848.

7. Environmental Impact of the Proposal

Staff have determined that the proposal is categorically exempt under Section 15319(a) [annexation to a special district of areas containing existing structures developed to the density allowed by the current zoning] of the California Environmental Quality Act Guidelines. As the annexation is to provide sanitary sewer service to an existing lot with existing development, a categorical exemption is appropriate for this proposal.

8. Regional Housing Needs

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

9. Landowner and Annexing Agency Consent

The Ojai Valley Sanitary District has provided written consent to the subject proposal from the property owner. Any subject agency that wishes to reserve its

right to protest a LAFCO decision (for those decisions subject to protest proceedings) must submit written opposition to the waiver (GC § 56663). The only subject agency associated with the proposal is the applicant, the Ojai Valley Sanitary District, thus no opposition to waiver of protest proceedings is anticipated.

ALTERNATIVE ACTIONS AVAILABLE:

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

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

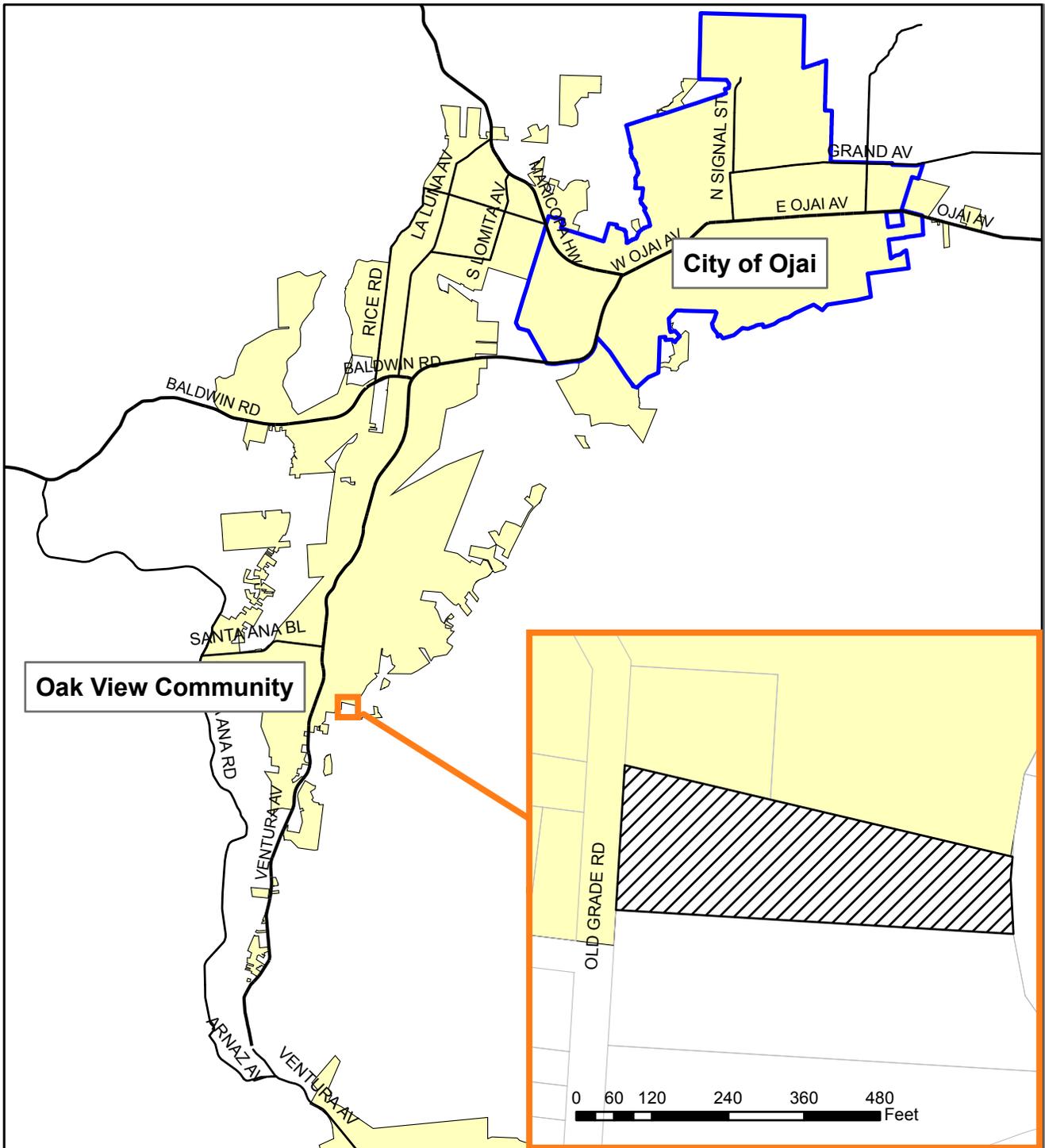
BY: 

Kim Uhlich, Deputy Executive Officer

Attachments: (1) Vicinity Map *
(3) LAFCO 07-02 Resolution

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ATTACHMENT 1



Vicinity Map

LAFCO 07-02 Ojai Valley Sanitary
District Annexation - Wharton



Legend

-  Annexation Area
-  Ojai Valley Sanitary District Boundary

LAFCO 07-02

RESOLUTION OF THE VENTURA LOCAL AGENCY FORMATION COMMISSION MAKING DETERMINATIONS AND APPROVING THE OJAI VALLEY SANITARY DISTRICT ANNEXATION – WHARTON

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

WHEREAS, at the times and in the manner required by law, the Executive Officer gave notice of the proposal as required by law; and

WHEREAS, the proposal was duly considered on March 21, 2007; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony for and against the proposal including, but not limited to, the LAFCO Staff Report and recommendation, the environmental determination, Sphere of Influence and applicable General and Specific Plans; and

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

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

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

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

- (1) The LAFCO Staff Report and Recommendation for approval of the proposal dated March 21, 2007, is adopted.
- (2) The annexation to the Ojai Valley Sanitary District is hereby approved, and the boundaries are established as set forth in the attached Exhibit A.

- (3) The affected territory is uninhabited as defined by Government Code §56046.
- (4) The subject proposal is assigned the following distinctive short form designation: **LAFCO 07-02 OJAI VALLEY SANITARY DISTRICT ANNEXATION – WHARTON.**
- (5) In accordance with the Executive Officer's determination that the subject proposal is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15319(a) of the CEQA Guidelines, the Commission hereby finds the change of organization to be categorically exempt under Section 15319(a).
- (6) The Commission directs staff to file a Notice of Exemption under Section 15062 of the California Environmental Quality Act Guidelines.
- (7) The Commission, consistent with California Government Code Section 56663(c), hereby waives protest proceedings entirely.
- (8) **This annexation shall not be recorded until maps and legal descriptions consistent with this approval and suitable for filing with the State Board of Equalization have been submitted to the LAFCO Executive Officer.**
- (9) **This change of reorganization shall not be recorded until all LAFCO fees have been paid and until fees necessary for filing with the State Board of Equalization have been submitted to the Executive Officer.**

This resolution was adopted on March 21, 2007.

AYES: Commissioners Grandsen, Hess, Lange, Long, Parks, Waunch and Zaragoza

NOES: None

ABSTAINS: None

Dated: _____
Chair, Ventura Local Agency Formation Commission

Attachments: Exhibit A

Copies: Ojai Valley Sanitary District
Ventura County Assessor
Ventura County Auditor
Ventura County Surveyor
Ventura County Planning
Ventura County Elections-Registrar of Voters