



AGENDA

Hall of Administration, Board of Supervisors' Hearing Room
800 S. Victoria Avenue, Ventura
9:00 A.M. Wednesday, May 20, 2009

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, Vice Chair <i>Alternate:</i> Steve Bennett	CITY: Carl Morehouse Janice Parvin <i>Alternate:</i> Thomas Holden	SPECIAL DISTRICT: George Lange, Chair Bill Lotts <i>Alternate:</i> Gail Pringle	PUBLIC: Lou Cunningham <i>Alternate:</i> Kenneth M. Hess
Executive Officer: Kim Uhlich	Dep. Exec. Officer Kai Luoma	Office Mgr/Clerk: Debbie Schubert	Office Assistant Martha Escandon
			Legal Counsel: Leroy Smith

PUBLIC HEARING ITEMS *(continued)*

12. Review of LAFCo Fee Schedule

Review the LAFCo fee schedule pursuant to Section 2.3.2.1 of the Commissioner's Handbook, and receive and file the report.

RECOMMENDED ACTION: Receive and File

13. Ojai Valley Sanitary District-Krankl

A. LAFCo 09-04S Ojai Valley Sanitary District Sphere of Influence Amendment – Krankl

A proposal to amend the Ojai Valley Sanitary District Sphere of Influence by approximately 36 acres in order for the same area to be annexed to the District. The proposal consists of one parcel identified as Assessor Parcel No. 060-0-150-185.

B. LAFCo 09-04 Ojai Valley Sanitary District Annexation - Krankl

A proposal to annex one parcel, approximately 36 acres, identified as Assessor Parcel No. 060-0-150-185, to the Ojai Valley Sanitary District for the purpose of providing sewer service.

RECOMMENDED ACTION: Approval (A & B)

ACTION ITEMS *(Continued)*

14. Cancel the June 10, 2009 regular LAFCO meeting

RECOMMENDED ACTION: Approval

EXECUTIVE OFFICER'S REPORT

2009 CALAFCO Staff Workshop
Informational Presentations by Special Districts
Legislation Update
Next Regular LAFCo Meeting

COMMISSIONER COMMENTS

Chair Lange will brief the Commission on the May 15, 2009 CALAFCO Board Meeting

ADJOURNMENT

WEB ACCESS:

**LAFCo Agendas, Staff Reports
and 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 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.

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, April 15, 2009, 9:00 A.M.
Hall of Administration, Board of Supervisors' Hearing Room
800 S. Victoria Avenue, Ventura

1. CALL TO ORDER

Chair Lange called the April 15, 2009 meeting to order at 9:00 A.M.

2. PLEDGE OF ALLEGIANCE

Commissioner Parvin led the Pledge of Allegiance.

3. ROLL CALL

The Clerk called the roll. The following Commissioners and Alternates were present:

- Commissioner Cunningham
- Commissioner Lange
- Commissioner Long
- Commissioner Lotts
- Commissioner Morehouse
- Commissioner Parks*
- Commissioner Parvin
- Alternate Commissioner Hess
- Alternate Commissioner Pringle
- Alternate Commissioner Holden

* Commissioner Parks arrived prior to any action taken on the Public Hearing items.

4. ANNOUNCEMENTS

There were no announcements

5. COMMENTS FROM THE PUBLIC

Public Comment

There were no public comments.

COMMISSIONERS AND STAFF

COUNTY.
Linda Parks
Kathy Long, Vice Chair
Alternate
Steve Bennett

CITY:
Carl Morehouse
Janice Parvin
Alternate
Thomas Holden

SPECIAL DISTRICT:
George Lange, Chair
Bill Lotts
Alternate
Gail Pringle

PUBLIC:
Lou Cunningham

Alternate
Kenneth M Hess

Executive Officer:
Kim Uhlich

Dep. Exec. Officer
Kari Luoma

Office Mgr/Clerk:
Debbie Schubert

Office Assistant
Martha Escandon

Legal Counsel.
Leroy Smith

CONSENT ITEMS

6. **Minutes of the Ventura LAFCO March 18, 2009 regular meeting**
7. **LAFCo 09-03 Ojai Valley Sanitary District Annexation–Wachtell (Parcels A&B)**
8. **Budget to Actual Report – February 2009**

MOTION: Approval Item 6 &7 and Receive and File Item 8 as
Recommended: Long
SECOND: Cunningham
FOR: Cunningham, Lange, Long, Lotts, Morehouse, Parvin
AGAINST: None
ABSTAIN: None
MOTION PASSED 6/0/0

PUBLIC HEARING ITEMS

9. **LAFCo Proposed Budget for FY 2009-10**
 - A. **Adopt the Proposed Budget for FY 2009-10**
 - B. **Review the LAFCo fee schedule pursuant to Section 2.3.3.1 of the Commissioner's Handbook**

Chair Lange opened the Public Hearing. Kim Uhlich presented the Staff Report. With no public comments received, Chair Lange closed the public hearing.

MOTION: Approval of the Proposed Budget for FY 2009-10, and direct staff to present an additional budget option at the May 20 meeting that has a 10% average increase in apportionments: Morehouse
SECOND: Parvin
FOR: Cunningham, Lange, Long, Lotts, Morehouse, Parks, Parvin
AGAINST: None
ABSTAIN: None
MOTION PASSED 7/0/0

EXECUTIVE OFFICER'S REPORT

Kim Uhlich reported that Martha, our part time office assistant will be in the office during her regular work hours of 8:00 AM to 1:00 PM April 29 – May 1 while the other staff members attend the 2009 CALAFCO Staff Workshop in Pismo Beach. She directed the Commission's attention to their copy of the CALAFCO Legislative report and asked that if anyone had questions or wanted further information on any of the items on the report to please let her know. Ms. Uhlich updated the Commission by sharing the latest correspondence regarding the California Youth Authority facility and newly completed California Conservation Corp facility on Wright Road. She announced that the Commission's next meeting would be May 20 and told them of a request from the Hidden Valley Municipal Water District that would be

on the agenda for Commission action asking the Commission to waive a policy for an application anticipated sometime in the future.

COMMISSIONER'S COMMENTS

Commissioner Long and Commissioner Cunningham requested copies of the LAFCo letters addressed to the City of Camarillo and the City of Oxnard along with the historic water usage records for the California Youth Authority facility on Wright Road. Commissioner Parks requested to receive copies of staff's comments on all environmental documents. Commissioner Morehouse invited everyone to attend the "all hands" VCOG meeting scheduled for June 18 and indicated that SB 375 and the roll of LAFCo would be a topic of discussion. Also, the Farm workers' housing fundraiser originally scheduled for April 24 has been rescheduled for May 30.

ADJOURNMENT

Chair Lange adjourned the meeting at 10:30 A.M.

STAFF REPORT

Meeting Date: May 20, 2009
(Consent)

Agenda Item 7

TO: LAFCO Commissioners
FROM: Kim Uhlich, Executive Officer
SUBJECT: FY 2008-09 Budget to Actual Report – March 2009

RECOMMENDATION:

Receive and file the March 2009 Budget to Actual Report.

DISCUSSION:

Although LAFCO policies and procedures require the Executive Officer to provide the Commission with budget reports on a quarterly basis, staff believes that it is preferable to keep the Commission better informed about the status of the LAFCO budget by providing monthly reports.

The attached reports, which have been prepared with the assistance of the County Auditor-Controller staff, reflect revenue and expenditures for March representing 75% of the fiscal year. No adjustments or transfers between expenditure account codes or from contingencies are necessary or recommended.

The next monthly budget report for fiscal year 2008-09 will be provided as soon as the information becomes available.

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STAFF REPORT
Meeting Date: May 20, 2009

Agenda Item 10

TO: LAFCO Commissioners

FROM: Kim Uhlich, Executive Officer

SUBJECT: Sphere of Influence Review and Update - Pleasant Valley County Water District

RECOMMENDATION:

Continue the public hearing for this item to the July 15, 2009 meeting.

DISCUSSION:

In accordance with the schedule for the municipal service review work plan approved by the Commission in May, 2008, LAFCo staff met with Pleasant Valley County Water District staff in December, 2008 to determine whether changes have occurred within the District's existing service area since their sphere was last updated in 2004 and whether any changes to their probable future service area are anticipated. At the meeting, LAFCo staff recommended removal of an area from the sphere of influence that is no longer being served by the District.

This item was originally noticed to be heard at the March 18, 2009 LAFCo meeting but was continued to the May 20, 2008 meeting to allow time for the District Board to consider LAFCo staff's recommendation. The board meeting was anticipated to occur sometime in April. However, despite several follow-up requests, to date staff has not heard back from the District. It is therefore recommended that the Commission continue the public hearing for the Pleasant Valley County Water District sphere of influence review and update to the July 15, 2009 meeting.

COMMISSIONERS AND STAFF

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<p>Executive Officer: Kim Uhlich</p>	<p>Dep. Exec. Officer Kai Luoma</p>	<p>Office Mgr/Clerk: Debbie Schubert</p>	<p>Office Assistant Martha Escandon</p>	<p>Legal Counsel: Leroy Smith</p>

STAFF REPORT
Meeting Date: May 20, 2009

Agenda Item 11

TO: LAFCo Commissioners
FROM: Kim Uhlich, Executive Officer
SUBJECT: Final Budget – Fiscal Year 2009 - 2010

RECOMMENDATION:

- A. Adopt the Recommended Final Budget for the 2009-10 fiscal year
- B. Authorize its transmittal to the County, each City and each Independent Special District

BACKGROUND:

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH) requires that each LAFCo adopt a Proposed budget by May 1 and a Final budget by June 15. The Commission adopted a Proposed FY 2009-10 Budget on April 15, 2009. The hearing on the Final Budget for FY 2009-10 is scheduled for May 20, 2009. The amount of total revenue (allocations) from other government agencies included in the adopted Proposed Budget is \$587,084, which represents an overall increase of approximately 20% over the current year. This increase is the result of two factors: 1) an increase in total recommended expenditures of approximately 6.5% over the current year budget; and 2) the projected current year fund balance available to fund the FY 2009-10 budget is relatively less than the fund balance that was available to fund the FY 2008-09 budget.

In conjunction with the Commission’s adoption of the Proposed Budget, the Commission directed staff to bring back a budget option reflecting a 10% increase in total allocations from other government agencies and a corresponding appropriation from designation for subsequent year financing account. As the Commission is aware, Policy 2.3.1.4(c) of the

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Commissioner's Handbook provides for the designation for subsequent year financing account (account code 5070) to function as the Commission's "reserve" account for unanticipated, extraordinary expenses over and above the annual amount budgeted for contingencies. The full text of the policy is attached (Attachment 1).

Prior to the May 20 hearing, the attached Recommended Final Budget (Attachment 2) will be transmitted to the County and each city and independent special district in the County for review and comment. Pursuant to state law, comments may be provided at any time prior to action on a Final Budget.

Since adoption of the Proposed Budget in April, no comments have been received by LAFCo staff.

DISCUSSION:

Table 1 presents a comparison of total other governmental agency revenue allocations from the three agency categories (county, cities and independent special districts) for the current year and for FY 2009-10 based on an allocation increase of 20% (as reflected in the adopted Proposed Budget) and an allocation increase of 10%.

TABLE 1

Other Government Agency Revenue	Current Budget FY 2008-09	20% Increase (Adopted Proposed Budget)	10% Increase
County	\$162,895	\$ 195,695	\$179,184
Cities	162,895	195,695	179,184
Independent Special Districts	162,895	195,695	179,184
Total Other Gov. Agency Revenue	\$ 488,685	\$ 587,085	\$ 537,552

Table 1 shows that a 10% increase in the total allocation from other government agencies would reduce the allocations for each of the three agency categories by \$16,511, for a total of \$49,533 compared to the allocations in the adopted Proposed Budget.

Table 2 provides a break down of the allocation amounts and percentage change values for each individual agency for the same budget scenarios shown in Table 1.

TABLE 2

AGENCY	Current Budget FY 2008-09	20% Increase in Total Allocations (Adopted Proposed Budget FY 2009-10)		10% Increase in Total Allocations	
		Allocation Amount	% Change	Allocation Amount	% Change
COUNTY	\$162,895	\$195,695	20%	\$179,184	10%
City of Camarillo	13,341	13,621	2%	12,471	-7%
City of Fillmore	2,900	4,481	55%	4,103	41%
City of Moorpark	7,493	6,478	-14%	5,931	-21%
City of Ojai	1,679	2,094	25%	1,917	14%
City of Oxnard	59,537	70,196	18%	64,273	8%
City of Port Hueneme	4,822	8,434	75%	7,722	60%
City of San Buenaventura	22,984	30,822	34%	28,221	23%
City of Santa Paula	5,343	6,634	24%	6,074	14%
City of Simi Valley	18,700	20,900	12%	19,137	2%
City of Thousand Oaks	26,096	32,035	23%	29,332	12%
TOTAL CITIES	\$162,895	\$195,695	20%	\$179,184	10%
Bardsdale Cemetery District	129	160	24%	146	13%
Bell Canyon Comm. Svs. District	319	384	20%	351	10%
Calleguas Municipal Water District	74,447	89,630	20%	82,068	10%
Camarillo Health Care District	2,606	2,914	12%	2,669	2%
Camrosa Water District	8,705	10,637	22%	9,739	12%
Casitas Municipal Water District	10,847	13,571	25%	12,426	15%
Channel Islands Beach CSD	2,430	2,998	23%	2,745	13%
Conejo Recreation & Park District	11,183	14,222	27%	13,024	16%
El Rancho Simi Public Cemetery Dist.	98	137	40%	125	28%
Fillmore-Piru Memorial District	129	140	9%	128	-1%
Fox Canyon GMA	427	642	50%	587	37%
Hidden Valley Municipal Water District	33	52	58%	48	45%
Meiners Oaks Water District	539	634	18%	580	8%
Montalvo Municipal Impv. District	471	563	20%	516	10%
Ojai Valley Sanitary District	5,522	7,221	31%	6,612	20%
Ojai Water Conservation District	5	6	20%	5	0%
Oxnard Drainage District No. 1	41	44	7%	40	-2%
Oxnard Drainage District No. 2	158	144	-9%	132	-16%
Oxnard Harbor District	10,748	11,042	3%	10,111	-6%
Piru Public Cemetery District	3	4	33%	4	33%
Pleasant Valley Co. Water District	1,846	2,153	17%	1,972	7%
Pleasant Valley Rec. & Park District	4,616	5,696	23%	5,215	13%
Rancho Simi Rec. & Park District	10,238	12,076	18%	11,057	8%
Saticoy Sanitary District	259	296	14%	271	5%
United Water Conservation District	10,798	12,924	20%	11,834	10%
Ventura Co. Resource Conserv. Dist	49	48	-2%	43	-12%
Ventura Port District	5,364	6,251	17%	5,723	7%
Ventura River County Water District	885	1,106	25%	1,012	14%
TOTAL IND. SPECIAL DISTRICTS	\$162,895	\$195,695	20%	\$179,184	10%
TOTAL OTHER GOV. REVENUE	\$488,685	\$587,085	20%	\$537,552	10%

Table 2 shows that, for both of the FY 2009-10 budget options, the percentage change in allocation amounts for the individual cities and districts as compared to their current year allocation amounts can vary significantly from the *total* percent change values for the combined city and special district categories. This variability is dependent on the change in total agency revenue reported in the 2006-07 State Controller's Reports for Cities and Special Districts as compared to revenues reported in the 2005-06 State Controller's Reports. Obviously, this aspect of the change in allocation amount is something over which LAFCo has no control.

Designation for Subsequent Year Financing Account

As indicated by staff and acknowledged by the Commission at the April 15 meeting, a decrease in allocations from other government agencies without a corresponding decrease in expenditures would require the Commission to appropriate the balance of total revenue from the designation for subsequent year financing account (account code 5070). As indicated above, approximately \$49,533 would need to be appropriated from the 5070 account to achieve a 10% reduction in revenue collected from other government agencies. Based on the current 5070 account balance of \$167,680 a decrease of \$49,533 represents a decrease of approximately 30%.

STAFF RECOMMENDATION

Other than a few corrections of typographical/formatting errors, the Recommended Final Budget (Attachment 2) is unchanged from the adopted Proposed Budget. Staff's recommendation is based on LAFCo's general budget parameters which seek to maintain existing operations at a high level of performance. Although alternatives for achieving expenditure reductions were considered, staff determined that any such options would necessitate personnel reductions which, in turn, would affect operational performance. Any appropriations from the reserve account to offset a portion of revenue collected from other government agencies would require a policy decision from the Commission. Although this option would both reduce the amount of allocation revenue needed from other agencies allocations and leave operations unaffected, it is obviously a practice that cannot be sustained over the long run. Moreover, as time goes on, staff and the Commission continue to develop more accurate budgets that more closely reflect actual expenditures and revenues. This means that the amount of excess fund balance available to fund the reserve account will likely continue to decline over time. As such, staff anticipates that it will take longer to accrue reserve monies in the future compared to previous years.

However, should the Commission exercise its prerogative to make an appropriation from the 5070 account, the motion should include direction to staff to work with County

Auditor-Controller staff to:

- 1) Make changes to the Final Budget Message and line item budget of expenditures and revenue (Attachment 2) as appropriate; and
- 2) Take the necessary actions to complete a transfer of funds from the subsequent year financing account 5070 to fund balance account 5040, in the amount necessary to offset total revenue in the amount equal to a 10% increase in total apportionments above current year apportionments.

Attachments:

- (1) Commissioner's Handbook Policy 2.3.1.4(c)
- (2) Recommended Final Budget – FY 2009-10

2.3.1.4 Contingency reserve:

(a) The annual budget shall include a contingency reserve of 10% of total operating expenses, unless the Commission deems a different amount appropriate.

(b) Funds budgeted for contingency reserve shall not be used or transferred to any other expense account code without the prior approval of the Commission.

(c) After the end of each fiscal year, any monies in excess of the projected fund balance amount in the budget shall be deposited in an account designated for subsequent years financing. The designated for subsequent years financing account will be considered as a reserve account. This reserve account should be augmented, as funds may be available, until it contains an amount equal to at least 25% of the current year budget. Any remaining funds in excess of the actual fund balance amount may be appropriated for any allowed expense at the Commission's discretion. (d) Funds in the designated for subsequent years financing account that constitute the LAFCO reserve account shall not be used for any current years expenses or considered as a financing source for on-going operations without the prior approval of the Commission. It is the intent of the Commission that any funds considered as reserves only be used in the case of extraordinary expenses that could not have been anticipated.



Ventura
Local Agency Formation Commission

RECOMMENDED FINAL
BUDGET

Fiscal Year
2009-2010

Hearing Date: May 20, 2009



BUDGET MESSAGE

Recommended Final Budget - Fiscal Year 2009-2010

Meeting Date: May 20, 2009

Introduction

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56000 *et seq*) (CKH) requires each Local Agency Formation Commission (LAFCo) to adopt a Proposed Budget by May 1 of each year and a Final Budget by June 15 of each year. The Ventura LAFCo approved a Proposed Budget on April 15, 2009 and will consider this Final Budget for Fiscal Year (FY) 2009-10 on May 20, 2009. Once adopted, the Final Budget will be used by the County Auditor-Controller to collect revenues as necessary from the County, cities and independent special districts.

The Ventura LAFCo Commissioner's Handbook, the compendium of the Ventura LAFCo's policies and procedures, contains budget policies in Section 2.3.1 *et seq*. This Final Budget was prepared in accordance with these policies. Major goals continue to be minimizing expenditures while fulfilling basic functions, and providing for effective and efficient compliance with mandates.

LAFCo and the County of Ventura entered into a Memorandum of Agreement effective July 1, 2001. While LAFCo is an independent agency, the Memorandum of Agreement provides for the County to provide personnel, support services, offices and materials as requested by LAFCo. All of the personnel, support services, offices and materials to be requested of the County for FY 2009-10 are part of this Final Budget. Budget Information is formatted using County of Ventura account descriptions and codes.

This Budget Message highlights LAFCo's major responsibilities, reviews the major work accomplishments and budget information for the first three quarters of FY 2008-09, sets forth a basic work plan for FY 2009-10, and provides background and explanatory information about the anticipated expenditures and revenues in the FY 2009-10 Budget.

Please note that, other than corrections of typographical/formatting errors, the Recommended Final Budget is exactly the same as the Proposed Budget adopted by the Commission on April 15, 2009.

Major LAFCo Responsibilities

- Act on proposals for incorporation of cities; formation, dissolution, consolidation and merger of special districts; and annexation and detachment of territory to and from cities and special districts.
- Establish spheres of influence for cities and special districts.
- Review and, as necessary, update spheres of influence for cities and special districts every 5 years.
- Conduct municipal service reviews prior to or in conjunction with the establishment or update of spheres of influence.
- Perform special studies relating to services and make recommendations about consolidation, mergers or other governmental changes to improve services and reduce operational costs.
- Serve as the conducting authority for the determination of protests relating to proposals for incorporation, formation, and subsequent boundary changes.
- Act on requests for out-of-agency contracts for extensions of services.
- Function as either a responsible or lead agency pursuant to the California Environmental Quality Act.
- Review and comment on draft changes/updates to city and county general plans.
- Review and comment on draft environmental documents prepared pursuant to the California Environmental Quality Act.
- Provide public information about LAFCo and public noticing of pending LAFCo actions.
- Establish and maintain a web site.
- Adopt and update, as necessary, written policies and procedures.
- Adopt an annual budget.

FY 2008-2009 in Review

Fiscal Year 2008-09 was the eighth year that the Ventura LAFCo was required to adopt its own budget, independent of the County, and to address new mandates pursuant to the CKH. The experience of actual revenues and expenditures from prior years helped to better establish baselines for discretionary expenditures. Based on information through the end of March 2009, total projected actual expenditures for FY 2008-09 should be approximately \$107,017 (14.6%) less than the Adopted Budget. Salaries and employee benefits are projected to be approximately \$13,460 (2.9%) less than the Adopted Budget. Due to on-going fiscal prudence, actual services and supplies expenditures are projected to be approximately \$26,700 (13.4%) less than the Adopted Budget. In addition, we anticipate not using the contingency appropriation of \$66,857. The anticipated savings in salaries/benefits and services/supplies and contingency will contribute to a projected

available Fund Balance for FY 2009-10 of \$116,017, which is \$64,721 (35.8%) less than the Fund Balance adopted as a part of the FY 2008-09 budget (\$180,738).

Actual revenue for FY 2008-09 is now projected to be approximately \$9,000 (1.6%) more than that reflected in the Adopted Budget. The County, the cities and the independent special districts all paid their respective shares of the net operating expenditures as apportioned by the County Auditor-Controller pursuant to the CKH (account code 9372). Based on applications filed as of the end of March, projected actual revenues from charges for LAFCo services (account code 9772) are approximately \$5,000 (10%) more than the \$50,000 Adopted Budget, and the projected actual interest revenue is \$20,000, which is approximately \$4,000 (25%) more than the Adopted Budget.

The following work plan was adopted as a part of the FY 2008-09 budget:

- Initiate municipal service reviews and sphere of influence reviews/updates consistent with the time table in the 2008 – 2013 Municipal Service Review and Sphere of Influence Review/Update Work Plan.
- Maintain and enhance operations with a focus on: communication with the Commission, the County, cities, districts and the public; budget monitoring and information; staff training and development; and enhanced records management.
- Update and revise the Commissioner's Handbook and consider policy additions consistent with the mission and purpose of LAFCo.
- Increase public awareness about the mission, purpose and function of LAFCo.

Substantial progress has been made on each of these work plan items. In May, 2008 LAFCo approved a Work Plan for the 2008-2013 sphere of influence review/update and municipal service review cycle. The first phase of the Work Plan entails a review and, as necessary, update of the sphere of influence for 23 special districts and the City of Port Hueneme by November, 2009. As of this time, staff has completed sphere of influence (SOI) reviews for the City of Port Hueneme, Camrosa Water District, Lake Sherwood Community Services District, Calleguas Municipal Water District, Camarillo Sanitary District, Hidden Valley Municipal Water District, Meiners Oaks Water District, Montalvo Municipal Improvement District, Ojai Basin Groundwater Management Agency, Ojai Water Conservation District, Saticoy Sanitary District, Triunfo Sanitation District, Ventura County Service Areas 29, 30 and 32, Ventura County Waterworks Districts 16, 17 and 19, Ventura River County Water District, Ventura County Fire Protection District, Ventura County Resource Conservation District and Ventura County Watershed Protection District. Sphere of influence updates for the Pleasant Valley County Water District and the Fox Canyon Groundwater Management Agency will be scheduled for Commission action prior to the end of the fiscal year.

Positive communications have been maintained with all cities and districts. Staff continues to attend and participate in meetings with staff and consultants representing cities and

special districts as well as individual members of the public and members of municipal advisory/neighborhood councils and other community groups. As time allows, staff continues to attend meetings of the Ventura Special Districts Association, the Association of Water Agencies, the City & County Planning Association, Southern California Association of Governments (SCAG) and other local and regional associations.

Opportunities for ongoing training and professional development, including CALAFCO University courses and annual CALAFCO staff workshops, are pursued as time and budget permit. Significant progress has been made toward the completion of a multi-year records archiving process to convert LAFCo records to digital format. Following LAFCo's first ever independent audit completed early last year, staff recommended, and the Commission adopted a policy to establish a schedule of regular audits of LAFCo financial statements. In the first quarter of this fiscal year staff recommended, and the Commission adopted, a number of substantive and non-substantive revisions to the Commissioner's Handbook. Staff is continuing to work on potential policy provisions for Commission consideration with the intention of presenting additional potential policies for action before the end of this fiscal year.

Work Plan

The Ventura LAFCo Commissioner's Handbook provides that LAFCo will annually review and adopt a work plan as a part of the budget development process. For FY 2009-10, the recommended work plan maintains the focus on municipal service reviews and sphere of influence updates, carries forward the update and possible revisions to the Commissioner's Handbook and is otherwise similar to the work plan for this year.

FY 2009- 10 Work Plan

- Complete municipal service reviews and sphere of influence reviews/updates consistent with the time table in the 2008 – 2013 Service Review and Sphere of Influence Update Work Plan approved by the Commission on May 21, 2008.
- Continue to review and comment on draft environmental documents and general plan updates as they may be prepared by the cities and the County.
- Maintain and enhance operations with a focus on: communication with the Commission, the County, cities, districts and the public; budget monitoring and information; staff training and development; and enhanced records management.
- Update and revise the Commissioner's Handbook and consider policy additions consistent with the mission and purpose of LAFCo.
- Increase public awareness about the mission, purpose and function of LAFCo.
- Complete an audit of LAFCo's financial statements for FY 2007-08 and 2008-09.

Staff believes that the items listed above are realistic provided the number and/or complexity of proposals filed do not increase significantly.

Final Budget Expenditures

The expense portion of the budget is divided into three main sections, the Employee Salary and Benefits section (1000 series account codes), the Services and Supplies section (2000 series account codes), and Contingencies (account code 6101). Including a 10% contingency, the Final Budget reflects an overall expenditure increase of approximately 6.5% in comparison with the FY 2008-09 Adopted Budget. This is due both to increases in both the Salary/Employee Benefits and Services/Supplies portions of the budget.

Salary and Employee Benefits

Salaries and employee benefits continue to be the major expense, comprising 64.7% of the total expenditures (substantially more if contingencies are not included). Expenditures for salaries and benefits are proposed to increase by approximately 8.0% from \$468,960 to \$506,500 as compared to FY 2008-09. This increase is primarily the result of expenditures associated with planned “buy-downs” of accrued leave by the Executive Officer, Deputy Executive Officer and Commission Clerk. As County of Ventura employees, LAFCo staff are eligible to request pay in lieu of accrued annual leave up to a specified number of hours.

The remainder of the increase is due to merit and possible general salary increases for all staff and related increases in the various benefits accounts (e.g., account code 1122, OASDI Contribution; and account code 1141, Group Insurance). The Final Budget includes prospective merit increases within existing salary ranges and any cost of living adjustments for all allocated positions as of January 2010 (i.e. for one-half of the fiscal year). Cost of living adjustments would automatically occur based on action by the Board of Supervisors relating to management, confidential clerical and other unrepresented County employees. If the Board of Supervisors does not authorize any adjustments for management, confidential clerical and other unrepresented County employees during FY 2009-10, then no such adjustments will occur for the LAFCo positions.

No change in the number of authorized positions is proposed. The currently authorized classifications are reflected in the following table:

Title	FY 2008 - 09	FY 2009 - 10
Executive Officer	1	1
Analyst/Deputy Executive Officer	1	1
Office Manager/Clerk of the Commission	1	1
Office Assistant II	.5	.5
Total Authorized Positions	3.5	3.5

Services and Supplies

The Final Budget for services and supplies is approximately 2.9% more than the Adopted Budget for the current fiscal year. Most of the service and supplies account codes are based on County charges and are increasing overall due to basic increases in costs. The major Services and Supplies expenditures are proposed to change as follows:

- An increase in the amount budgeted for General Insurance (account code 2071) from \$1,305 in the current year to \$2,410 for FY 2009-10. This cost represents the County's determination of LAFCo's allocated premium for general liability insurance.
- A decrease in Indirect Cost Recovery charges (account code 2158). These cost recovery charges are for County services provided primarily by the General Services Agency, Auditor-Controller and Chief Executive Officer, including Human Resources. The current fiscal year charge is \$27,500. For FY 2009-10 the charge will be \$24,250.
- An increase in Purchasing Charges (account code 2176) from \$400 in the current year to \$1,400 for FY 2009-10. This account includes costs for a number of County purchasing services, including County-issued purchase orders, use of County procurement credit cards, and purchasing training. The increase is due to anticipated purchasing costs associated with a biennial audit of financial statements for FY 2007-08 and 2008-09.
- An increase in the amount budgeted for Public Works charges (account code 2197) from \$10,000 in the current year to \$12,000 for FY 2009-10, due to basic cost increases.
- An increase in the amount budgeted for professional services (account code 2199) from \$10,000 in the current year to \$16,000 for FY 2009-10 to reflect expenses associated with a biennial audit of financial statements for FY 2007-08 and 2008-09.
- A decrease of \$7,000 for expenses related to computer equipment (account code 2293) for the cost of replacing the one remaining computer and ancillary hardware not replaced in the current year.
- An increase of \$5,000 for legal counsel services (account code 2304) to reflect an anticipated increase in applications for FY 2009-10.
- Prior to the current year staff used either personal vehicles or private rental vehicles for business travel. To reduce costs, staff now uses County fleet vehicles in lieu of personal vehicles or privately rented vehicles whenever possible. Consequently, \$1,000 is budgeted for County Transportation Charges (account code 2521) and the amount budgeted for Private Vehicle Mileage (account code 2522) remains unchanged from the current year, which is a decrease from FY 2007-08.

Contingencies

The Commission's budget policies indicate that the budget should provide for contingencies equaling 10% of total expenditures, unless the Commission deems that a different amount is appropriate. Thus, as the overall expenditures change, the amount to be budgeted for contingencies changes. The Recommended Final Budget contains \$71,191 for contingencies, an increase of approximately 6.5% compared to FY 2008-09.

Final Budget Financing Sources

Potential financing sources consist of Fund Balance (account code 5040), Designation for Subsequent Year Financing (account code 5070), Miscellaneous Revenues, including interest earnings and charges for services (e.g. account codes 8911 and 9772), and Other Governmental Agencies, the revenue to be collected from the County, cities and independent special districts (account code 9372).

Fund Balance

Section 56381(c) of the CKH provides, "If, at the end of the fiscal year, the commission has funds in excess of what it needs, the commission may retain those funds and calculate them into the following fiscal year's budget." Approximately \$116,017 is now projected to be available at the end of the current fiscal year as Fund Balance. This is a direct result of FY 2008-09 expenditures being less than budgeted. The retention of these funds reduces the amount of revenue needed to be collected from other governmental agencies for FY 2009-10. However, because the projected Fund Balance is less than the Fund Balance available for the current year (\$180,738 for the current year versus \$116,017 projected to be available for FY 2009-10), there will be a need to increase revenues from other sources, primarily from Other Governmental Agencies (account code 9372).

Designation for Subsequent Year Financing

On May 17, 2006, the Commission approved an amendment to the Commissioner's Handbook, Section 2.3.1.4 "Contingency and Designation Accounts", which states that any monies in excess of the projected fund balance amount in the budget shall be deposited in an account designated for subsequent year financing (account code 5070). This account is intended to function as the Commission's "reserve" account for unanticipated, extraordinary expenses over and above the annual amount budgeted for contingencies. The Commissioners' Handbook also provides that the 5070 account should be augmented until the balance is equal to at least 25% of the current year budget. In accordance with this policy, the Commission has approved the transfer of revenues in excess of the projected fund balance to the 5070 account following the close of each fiscal year since 2005-06. In November 2008, after the close of FY 2007-08, \$42,934 was available in addition to what had been budgeted as Fund Balance for FY 2008-09 and was designated for subsequent

year financing. The current total in this account is \$167,680, which represents approximately 22.8% of the current year budget and 21.4% of the Recommended Final Budget. None of this amount is proposed to be expended in FY 2009-10.

Miscellaneous Revenue

Miscellaneous revenue includes interest earnings and charges for service, primarily application fees. Overall, Miscellaneous Revenue for FY 2009-10 is anticipated to be \$14,000 (21.2%) more than the amount in the Adopted FY 2008-09 Budget.

For FY 2009-10 the \$60,000 in projected revenue from application fees (account code 9772) is approximately 20% more than the current year budget. Based on information as of the end of March, 2009, projected actual fee revenue for the current year is expected to be at least equal to the budgeted amount. In addition, the Recommended Final Budget anticipates a significant increase in application fee revenue based on staff's knowledge of pending proposals likely to be filed in the next fiscal year. Interest revenue (account code 8911) is anticipated to be \$20,000 for FY 2009-10, which is equivalent to the projected actual interest earnings for the current year.

The Commission has a policy to annually review the LAFCo fee schedule as a part of the budget process. A separate action item recommending that the Commission not make any changes to the current Fee Schedule is on the May 20, 2009 agenda.

Revenues from Other Governmental Agencies (the County, Cities and Independent Special Districts)

Pursuant to the CKH, costs for LAFCo operations, net of charges for service, are apportioned one-third to the County, one-third to the cities, and one-third to the independent special districts. The CKH describes how the County Auditor-Controller is to make this apportionment and collect revenues once LAFCo adopts a Final Budget.

Although expenditures are projected to increase by approximately 6.5% overall, the amount of revenue projected to be collected from the County, cities and independent special districts will increase approximately 20% over the current year. This is because the Projected Fund Balance available to fund the FY 2009-10 Budget (\$116,017) is relatively smaller than for previous years and a smaller fund balance results in a corresponding increase in the percent of total revenue that must be collected from other agencies. As a share of the total budget, it is within the range reflected in the budgets for the last several years as shown in the table below. This table shows how the amount of revenue from Other Governmental Agencies (the County, cities and independent special districts) has fluctuated since LAFCo first adopted an independent budget in June 2001:

Year	Adopted Budget – Total Finance Sources & Revenue	Amount of Revenue from Other Governmental Agencies	Percent of Total Revenue from Other Governmental Agencies
FY 2001-02	\$548,737	\$468,737	85%
FY 2002-03	\$719,131	\$568,503	79%
FY 2003-04	\$641,215	\$390,699	61%
FY 2004-05	\$702,503	\$472,997	67%
FY 2005-06	\$723,226	\$361,874	50%
FY 2006-07	\$830,154	\$621,617	75%
FY 2007-08	\$949,269	\$715,957	75%
FY 2008-09	\$735,422	\$488,684	66%
FY 2009-10¹	\$783,101	\$587,084	75%

Not formally a part of the budget, but Included for general information are the percentage shares of the Other Governmental Agencies revenue for each of the cities and the independent special districts based on the 2006-2007 State Controller Reports for cities and special districts. These are the latest available Reports, which will be used by the County Auditor-Controller as the basis for collecting revenue from cities and independent special districts for FY 2009-10.

The CKH continues to provide the ability for the cities and independent special districts in each County to determine an alternate apportionment method. To date, however, neither the cities nor the special districts have agreed on any alternate apportionment methodology. This means that the City of Oxnard, as the city with the largest gross revenue, and Calleguas Municipal Water District, the largest special district in terms of gross revenue, will continue to pay the largest respective shares of the city and special district portion of LAFCo revenue.

¹ Based on FY 2009-10 Recommended Final Budget

Conclusion

The Ventura LAFCo is continuing to exercise fiscal prudence. The Commission and its staff understand the economic realities of the time and the constraints on local government revenues. The Commission's budgeting process has come a long way in the last nine years. Systems and policies are now in place to ensure best practices and proper oversight. Mandates are being met and basic services provided with a highly trained staff that seeks to limit discretionary expenditures. The Recommended Final Budget for FY 2009-10 was prepared and is being recommended consistent with the Commission's policies and the knowledge and experience gained from prior years.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Uhlich". The signature is fluid and cursive, with a large initial "U" that loops back.

Kim Uhlich
Executive Officer

Appendix Glossary of Terms

ANNUAL (OPERATING) BUDGET: A financial plan that outlines proposed expenditures for the coming fiscal year and estimated revenues which will be used to finance them.

ASSET: Anything owned, including money, investments and property.

AUDIT: A systematic collection of the sufficient, competent evidential matter needed to attest to the fairness of management's assertions in its financial statements or to evaluate whether management has efficiently and effectively carried out its responsibilities.

BALANCE SHEET: A basic financial statement, and presentation of an entity's net assets and liabilities on a specified date. A balance sheet is usually accompanied by appropriate disclosures that describe the basis of accounting used in its preparation. Also known as a statement of financial condition.

BUDGET: A plan of financial operation including an estimate of proposed expenditures for a given period and the proposed means of financing them.

BUDGET MESSAGE: A written overview of the budget from the LAFCO Executive Officer that discusses the major budget items and LAFCO's present and future financial condition.

CONTINGENCY: A budgetary expenditure allowance (appropriation) to cover unanticipated expenditures or revenue shortfalls during the fiscal year (LAFCO Budget Account Code 6101). The Ventura LAFCO Commissioner's policies provide that the annual budget include an allocation of 10% of total operating expenses for contingencies, unless the Commission deems a different amount appropriate. Transfers from the contingency account require prior approval of the Commission.

DEFICIT: An excess of expenditures or expenses over revenues.

DESIGNATION FOR SUBSEQUENT YEAR FINANCING: An account into which any difference between projected fund balance and actual fund balance at the close of each fiscal year is transferred (LAFCO Budget Account Code 5070). Pursuant to Ventura LAFCO Commissioner's policies, this account is considered as a reserve account to cover extraordinary expenses and that monies in this account shall not be used for any current year expenses or considered as a financing source for on-going operations without the prior approval of the Commission. The policies further provide that this

account should be augmented, as funds may be available, until it contains an amount equal to at least 25% of the current year budget. Once the account equals at least 25% of the current year budget any remaining funds in excess of the projected fund balance amount in the budget may be appropriated for any allowed expense at the Commission's discretion.

EXPENDITURE: Disbursements of cash for the cost of a service, supply or asset.

FINANCIAL STATEMENT: Presentation of financial data including balance sheets, income statements and statements of cash flow, or any supporting statement that is intended to communicate an entity's financial position at a point in time and its results of operations for a period then ended.

FISCAL YEAR: The 12-month period to which the annual operating budget applies and at the end of which a government determines its financial position and the results of its operations.

FUND BALANCE: The difference between a fund's current assets and its current liabilities. With regard to a LAFCO budget, Government Code Section 56381(c) provides, "If, at the end of the fiscal year, the commission has funds in excess of what it needs, the commission may retain those funds and calculate them into the following fiscal year's budget."

FUND: A complete accounting entity reflecting financial transactions, both receipts and expenditures, of money that is set up to carry out a special function or attain objectives in accordance with established laws, policies, and regulations. The fund concept also applies to budget activities.

GIS: Geographic Information System.

INCOME STATEMENT: Summary of the effect of revenues and expenses over a period of time.

INTEREST: Interest income earned as idle funds are invested with a goal of protecting each investment while achieving the highest rate of return.

INTERNAL CONTROL: Process designed to provide reasonable assurance regarding achievement of various management objectives such as the reliability of financial reports.

INTERNAL SERVICE FUND: A fund that accounts for the provision of services by various County departments on a cost reimbursement basis.

LIABILITIES: Amounts owed for items received, services rendered, expenses incurred, assets acquired, and amounts received but as yet unearned.

LINE-ITEM BUDGET: A budget that lists each expenditure category (salary, materials, telephone service, travel, etc.) separately, along with the dollar amount budgeted for each.

OBJECT: An individual expenditure account.

RESERVE: The portion of a governmental fund's net assets that is not available for appropriations.

REVENUES: Total amounts available during the fiscal year for appropriation including estimated revenues, fund transfers and beginning fund balances.

VENTURA LOCAL AGENCY FORMATION COMMISSION
EXPENDITURES AND REVENUE DETAIL
RECOMMENDED FINAL BUDGET
FY 2009 - 2010
May 20, 2009

Account Code	Adopted Budget FY 07-08	Adopted Budget FY 08-09	Projected Actual Budget FY 08-09	Proposed Budget FY 09-10 Adopted April 15, 2009	Recommended Final Budget FY 09-10
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EXPENDITURES

Salaries and Employee Benefits

Regular Salaries	1101	305,528	306,000	300,000	320,000	320,000
Supplemental Payments	1106	11,375	12,330	11,000	12,000	12,000
Term/Buydown	1107	79,100	20,000	20,000	45,000	45,000
Retirement Contribution	1121	123,000	55,000	55,000	57,000	57,000
OASDI Contribution	1122	19,750	19,000	19,000	20,000	20,000
FICA-Medicare	1123	5,750	5,100	5,000	5,000	5,000
Safe Harbor	1124	57,100	0	350	800	800
Mgmt. Retirement HC	1128	5,100	3,200	2,700	0	0
Group Insurance	1141	26,000	25,780	25,000	28,000	28,000
Life Ins/Dept Heads & Mgt	1142	415	400	400	400	400
Management Disability Ins	1144	2,175	2,300	2,200	2,300	2,300
Workers Compensation	1165	5,200	8,000	3,000	3,000	3,000
401k Plan	1171	13,500	11,850	11,850	13,000	13,000
Total Salaries and Emp. Benefits		653,993	468,960	455,500	506,500	506,500

Services and Supplies

Telephone Charges - Non ISF	2032	600	0	0	0	0
Voice/Data -ISF	2033	5,000	5,000	5,000	5,000	5,000
Telecom Radio ISF	2034	200	0	0	0	0
General Insur Allocation	2071	1,700	1,305	1,305	2,410	2,410
Facil/Matls Sq Ft Alloc-ISF	2125	15,000	15,600	15,600	16,000	16,000
Maintenance	2128	700	700	200	700	700
Memberships & Dues	2141	5,500	6,500	6,200	6,500	6,500
Education Allowance	2154	4,000	5,000	4,000	4,000	4,000
Indirect Cost Recovery (County Cost Allocation Plan charges)	2158	21,529	27,500	27,500	24,250	24,250
Books & Publications	2172	700	700	600	850	850
Office Supplies	2173	4,000	3,500	3,000	3,500	3,500

VENTURA LOCAL AGENCY FORMATION COMMISSION
EXPENDITURES AND REVENUE DETAIL
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Services and Supplies
Cont.

Mail Center-ISF	2174	2,600	3,000	3,000	3,000	3,000
Purchasing Charges-ISF	2176	500	400	400	1,400	1,400
Graphics Charges-ISF	2177	7,400	7,400	4,000	5,500	5,500
Copy Machine Chgs-ISF	2178	700	400	200	400	400
Misc Office Expense	2179	6,000	6,000	5,500	4,000	4,000
Stores-ISF	2181	4,000	4,500	4,500	4,200	4,200
Board Member Fees	2191	4,500	4,500	4,000	4,500	4,500
Information Technology- ISD Data Ctr/Svs Contracts	2192	2,500	5,500	5,500	5,500	5,500
Specialized Services/Software	2195	0	0	0	2,000	2,000
Public Works Charges	2197	15,000	10,000	10,000	12,000	12,000
Other Prof & Spec Service	2199	20,000	10,000	0	16,000	16,000
GSA Special Services	2205	600	600	200	500	500
County GIS Expense	2214	35,000	19,500	16,500	20,000	20,000
Public And Legal Notices	2261	5,000	5,000	4,500	6,000	6,000
Records Storage Charges	2283	0	500	400	1,200	1,200
Computer Equip <\$5000	2293	0	11,000	10,400	4,000	4,000
Spec Dept xo4 (Assessor/Legal Counsel)	2304	20,000	20,000	20,000	25,000	25,000
Trans Ch ISF-Tranport	2521	0	0	1,000	1,000	1,000
Private Vehicle Mileage	2522	8,250	6,500	6,000	6,500	6,500
Conference & Seminars Exp.	2523	18,000	19,000	13,000	19,000	19,000
Conference & Seminars ISF	2526	0	0	400	500	500
Total Services and Supplies		208,979	199,605	172,905	205,410	205,410

Contingencies

Contingencies	6101	86,297	66,857	0	71,191	71,191
Total Contingencies		86,297	66,857	0	71,191	71,191
TOTAL EXPENDITURES		949,269	735,422	628,405	783,101	783,101

VENTURA LOCAL AGENCY FORMATION COMMISSION
EXPENDITURES AND REVENUE DETAIL
RECOMMENDED FINAL BUDGET
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FINANCING SOURCES

Unreserved Fund Balance	5040	133,562	180,738	180,738	116,017	116,017
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Miscellaneous Revenue

Interest Earnings (charges for LAFCO services)	8911	12,000	16,000	20,000	20,000	20,000
CALAFCO for E.O. expenses)	9772	87,000	50,000	55,000	60,000	60,000
	9772	750	0	0	0	0
Total Miscellaneous Revenue		99,750	66,000	75,000	80,000	80,000

Other Governmental Agencies

Other Gov't Agencies (County of Ventura)	9372	238,652	162,895	162,895	195,695	195,695
Other Gov't Agencies (Cities)	9372	238,652	162,895	162,895	195,695	195,695
Other Gov't Agencies (Indep. Special Districts)	9372	238,652	162,895	162,895	195,695	195,695
Total Other Government Agencies Revenue		715,957	488,684	488,684	587,084	587,084
Total Revenue		815,707	554,684	563,684	667,084	667,084
TOTAL FINANCING SOURCES & REVENUE		949,269	735,422	744,422	783,101	783,101
Projected Fund Balance				116,017		

RESERVES (LAFCO Handbok Policy Section 2.3.1.4 "Contingency and Designation Accounts")

Designation for Subsequent Year Financing /Reserves	5070	90,342*	124,746*	167,680	167,680	167,680
TOTAL Designation for Subsequent Year Financing/Reserves		90,342	124,746	167,680	167,680	167,680

*Please note per the Commissioner's Handbook Policy 2.3.1.4, the adjusted adopted budget for Designation for Subsequent Year Financing/Reserves was \$82,746 for FY 07-08 and \$167,680 for FY 08-09

**LAFCO NET OPERATING EXPENSES
GOV'T CODE 56381 (b) (1) (A) & (B)¹**

Draft

PROPOSED BUDGET FOR FISCAL YEAR 2009 - 2010

ALLOCATION - CITIES

SOURCE: STATE OF CALIFORNIA, CITIES ANNUAL REPORT, FY 06/07

CITY	TOTAL REVENUE PER REPORT	PERCENTAGE	ALLOCATION \$	195,695
1 Camarillo	\$ 63,824,922	6.96%	\$	13,621
2 Fillmore	20,985,384	2.29%	\$	4,481
3 Moorpark	30,318,784	3.31%	\$	6,478
4 Ojai	9,823,843	1.07%	\$	2,094
5 Oxnard	328,768,402	35.87%	\$	70,196
6 Port Hueneme	39,493,741	4.31%	\$	8,434
7 San Buenaventura	144,408,648	15.75%	\$	30,822
8 Santa Paula	31,105,889	3.39%	\$	6,634
9 Simi Valley	97,900,893	10.68%	\$	20,900
10 Thousand Oaks	150,054,958	16.37%	\$	32,035
TOTAL	\$ 916,685,464	100.00%	\$	195,695

- (1) In counties in which there is city and independent special district representation on the commission, the county, cities, and independent special districts shall each provide a one-third share of the commission's operational costs. The cities share shall be apportioned in proportion to each city's total revenues, as reported in the most recent edition of the Cities Annual Report published by the Controller, as a percentage of the combined city revenues within a county, or by an alternative method approved by a majority of cities representing the majority of the combined cities' populations.

**LAFCO NET OPERATING EXPENSES
GOV'T CODE 56381 (b) (1) (A) & (B)¹, (F)²**

Draft

PROPOSED BUDGET FOR FY 2009- 2010

ALLOCATION - SPECIAL DISTRICTS

SOURCE: STATE OF CALIFORNIA, SPECIAL DISTRICTS ANNUAL REPORT, FY 06/07

		TOTAL REVENUE PER REPORT	PERCENTAGE (See Note 2)	ALLOCATION \$ 195,695
	NAME			
1	Bardsdale Public Cemetery	\$ 194,290	0.082%	\$ 160
2	Bell Canyon Comm. Services District	465,657	0.196%	384
3	Calleguas Municipal Water District	108,910,553	45.801%	89,630
4	Camarillo Health Care District	3,541,343	1.489%	2,914
5	Camrosa Water District	12,924,857	5.435%	10,637
6	Casitas Municipal Water District	16,490,094	6.935%	13,571
7	Channel Island Beach CSD	3,642,377	1.532%	2,998
8	Conejo Recreation & Park District	17,281,548	7.268%	14,222
9	El Rancho Simi Public Cemetery District	166,373	0.070%	137
10	Fillmore-Piru Memorial District	169,737	0.071%	140
11	Fox Canyon Groundwater Mgmt. Agency	780,513	0.328%	642
12	Hidden Valley Municipal Water District	63,608	0.027%	52
13	Meiners Oaks County Water District	770,331	0.324%	634
14	Montalvo Municipal Impv. District	684,549	0.288%	563
15	Ojai Valley Sanitary District	8,774,613	3.690%	7,221
16	Ojai Water Conservation District	6,913	0.003%	6
17	Oxnard Drainage District No. 1	53,292	0.022%	44
18	Oxnard Drainage District No. 2	175,018	0.074%	144
19	Oxnard Harbor District	13,417,319	5.643%	11,042
20	Piru Public Cemetery District	4,683	0.002%	4
21	Pleasant Valley Co. Water District	2,616,437	1.100%	2,153
22	Pleasant Valley Rec & Parks District	6,920,871	2.911%	5,696
23	Rancho Simi Rec & Park District	14,673,543	6.171%	12,076
24	Saticoy Sanitary District	359,228	0.151%	296
25	United Water Conservation District	15,704,034	6.604%	12,924
26	Ventura Co. Resource Conserv. District	58,117	0.024%	48
27	Ventura Port District	7,594,965	3.194%	6,251
28	Ventura River County Water District	1,343,314	0.565%	1,106
	TOTAL	\$ 237,788,177	100.000%	\$ 195,695

(1) In counties in which there is city and independent special district representation on the commission, the county, cities, and independent special districts shall each provide a one-third share of the commission's operational costs. The independent special districts share shall be apportioned in proportion to each district's total revenues as a percentage of the combined total district revenues within a county. An independent special district's total revenue shall be calculated for nonenterprise activities as total revenues for general purpose transactions less aid from other governmental agencies and for enterprise activities as total operating and nonoperating revenues less revenue category other governmental agencies, as reported in the most recent edition of the "Special Districts Annual Report" published by the Controller, or by an alternative method approved by a majority of the agencies, representing a majority of their combined populations.

(2) No independent special district shall be apportioned a share of more than 50 percent of the total independent special district's share of the commission's operational costs, without the consent of the district. The share of the remaining districts shall be increased on a proportional basis so that the total amount for all districts equal the share apportioned by the auditor to independent special districts.

STAFF REPORT
Meeting Date: May 20, 2009

Agenda Item 12

TO: LAFCO Commissioners

FROM: Kai Luoma, Deputy Executive Officer

SUBJECT: LAFCO Fee Schedule

RECOMMENDATION: Review the LAFCo fee schedule pursuant to Section 2.3.2.1 of the Commissioner’s Handbook, and receive and file this report.

DISCUSSION: The Commission has a policy to annually review the LAFCO Fee Schedule as a part of the budget process. Application filing fees cover only the costs associated with processing applications. These fees do not apply to other types of LAFCo mandated functions, such as municipal service reviews and sphere of influence updates. Most of LAFCo staff time is spent on mandated work not subject to application fees. As such, fee revenue provides a relatively small portion of the total revenue. For the FY 2009-10 recommended final budget, filing fees are expected to provide 9% of revenue. For the current fiscal year, filing fees are projected to comprise 9.7% of projected revenue.

Staff’s recommendation to leave fees unchanged is primarily based on the fact that the County of Ventura Resource Management Agency (RMA) is not proposing to increase their hourly rate for processing land use entitlement applications next year. Historically, LAFCo has tied its hourly staff composite rate to increases in the hourly rate charged by the County RMA for processing land use entitlement applications.

The recommendation to maintain existing fees is also based on overall economic conditions. Although staff is projecting slightly more applications next year compared to this year, we still expect to receive fewer applications than the prior five-year average due to the effects of the ongoing economic recession. As such, increasing LAFCo

COMMISSIONERS AND STAFF

<p>COUNTY: Linda Parks Kathy Long, Vice Chair <i>Alternate:</i> Steve Bennett</p>	<p>CITY: Janice Parvin Carl Morehouse <i>Alternate:</i> Tom Holden</p>	<p>SPECIAL DISTRICT: George Lange, Chair Bill Lotts <i>Alternate:</i> Gail Pringle</p>	<p>PUBLIC: Louis Cunningham <i>Alternate:</i> Kenneth Hess</p>	
<p>Executive Officer: Kim Uhlich</p>	<p>Dep. Exec. Officer Kai Luoma</p>	<p>Office Mgr/Clerk: Debbie Schubert</p>	<p>Office Assistant Martha Escandon</p>	<p>Legal Counsel: Leroy Smith</p>

application fees at this time could further discourage application filings, particularly those for after-the-fact, “clean-up” changes of organization for territory already receiving services from the annexing agency. In real dollar terms, leaving the fees unchanged would represent a decrease in fees and a corresponding decrease in fee revenue. However, as indicated above, fee revenue comprises less than ten percent of LAFCo’s total revenue, so the overall budgetary impact of maintaining existing fees would not be significant.

This item has been publically noticed as prescribed by law.

Attachment – Fee schedule



STAFF REPORT

Meeting Date: May 20, 2009

Agenda Item 13

**LAFCO CASE
NAME & NO:**

- A. LAFCO 09-04S Ojai Valley Sanitary District Sphere of Influence Amendment – Krankl
- B. LAFCO 09-04 Ojai Valley Sanitary District Annexation – Krankl

PROPOSAL:

- A. LAFCO 09-04S – To amend the sphere of influence of the Ojai Valley Sanitary District to include one parcel and a portion of the Santa Ana Road right of way to allow for the site to be annexed.
- B. LAFCO 09-04 – To annex the site to the Ojai Valley Sanitary District in order to provide sewer service to a winery recently approved by the County of Ventura.

SIZE:

Approximately 36 acres

LOCATION:

The site is located on Santa Ana Road northerly of Burnham Road in the community of Oak View.

The proposal area is within the boundaries of the Casitas Municipal Water District

PROPONENT:

The 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)
060-0-150-185	10801 Santa Ana Rd.	Krankl, Manfred-Elaine V Trust

COMMISSIONERS AND STAFF

COUNTY:
Linda Parks
Kathy Long, Vice Chair
Alternate:
Steve Bennett

CITY:
Janice Parvin
Carl Morehouse
Alternate:
Tom Holden

SPECIAL DISTRICT:
George Lange, Chair
Bill Lotts
Alternate:
Gail Pringle

PUBLIC:
Louis Cunningham

Alternate:
Kenneth Hess

Executive Officer:
Kim Uhlich

Dep. Exec. Officer
Kai Luoma

Office Mgr/Clerk:
Debbie Schubert

Office Assistant
Martha Escandon

Legal Counsel:
Leroy Smith

RECOMMENDATION

- A. Adopt the attached resolution (LAFCo 09-04S) making determinations and approving the Ojai Valley Sanitary District Sphere of Influence Amendment – Krankl.

- B. Adopt the attached resolution (LAFCo 09-04) making determinations and approving the Ojai Valley Sanitary District Annexation – Krankl.

GENERAL ANALYSIS

1. Land Use

Site Information

Land Use		Zoning	Ojai Area Plan
Existing	Approved		
Agriculture - vineyard	Winery	Agriculture Exclusive (AE) - 40 acre minimum lot size	Open Space (OS) - 40 acre minimum lot size

Currently, the site contains a small agricultural building. A portion of the site is planted in a vineyard. The remainder is vacant.

The County of Ventura recently approved a conditional use permit for a winery at the site. The winery will be approximately 12,500 square feet with six employees and will produce approximately 3,000 cases of wine per year. During its review, the County determined that the winery will require public wastewater service. The winery was determined to be consistent with the land use designation and zoning on the site. No changes are proposed to the land use, zoning, or County General Plan designation as part of this proposal.

Providing public wastewater service to the winery is not expected to be growth inducing. The Open Space land use designation, Agriculture Exclusive zoning, and a Land Conservation Act (Williamson Act) contract on the property ensure that only agricultural uses are permitted on the site. In addition, the owners of the proposal area also own much of the territory to the south, totaling nearly 200 acres. After consultation with LAFCO staff, Ojai Valley Sanitary District staff agreed that the annexation should be limited to the smallest parcel necessary to serve the facility, that being the 36-acre proposal area.

Surrounding Land Uses and Zoning and General Plan Designations

Land uses to the north, south, and west are generally agricultural in nature on large lots of over twenty acres. The land use is Open Space and the zoning Agricultural Exclusive. Lake Casitas is adjacent and to the west of the proposal area. To the east and southeast is low-density residential development on lots ranging from 0.5 to 3 acres in size. This proposal will have no effect on surrounding land uses, zoning or general plan designations.

Topography, Natural Features and Drainage

The site is comprised of rolling hills, sloping from the north to the south.

Conformity with Plans

The proposal area is within an unincorporated area. The recently approved winery was found to be consistent with the County's General Plan and zoning.

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

Agricultural Land and Agriculture

The California Department of Conservation classifies the site's soil as "grazing". A vineyard was recently planted on a portion of the proposal site. Presumably, that portion of the site can be expected to have an annual return from the production of grapes of not less than \$400 dollars per acre, qualifying it as prime agricultural land pursuant to Government Code Section 56064. However, the proposal will not impact the vineyard. The approved winery will be constructed on land that is not being farmed and is not considered to be prime agricultural land. The proposal will not result in the conversion of the prime agricultural land or farming activities.

The proposal area is under a Land Conservation Act contract, which limits all uses on the property to agricultural uses or those compatible with agricultural uses. The winery use was determined to be consistent with the contract and the provision of sanitary sewer service to the site will benefit the winery use, which is a use considered to be agriculturally-compatible.

Open Space

Though the general plan designation for the proposal area is Open Space, the implementing zone of Agricultural Exclusive allows for the construction and operation of wineries. The County approved a conditional use permit for the winery and found it to be consistent with the general plan and zoning. Therefore, the proposal does not conflict with an open space plan.

3. Population

According to the County Registrar of Voters, there are fewer than 12 registered voters in the proposal area. As such, the annexation proposal area is considered to be uninhabited.

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

The District has represented that it has the capacity to provide sewer service to the proposal area. The property owner will finance capital improvements, which includes a 360-foot private lateral to an existing mainline sewer in Santa Ana Road. On-going maintenance and operational costs will be financed through user fees. There will be no change to any other existing services.

5. Boundaries and Lines of Assessment

The maps and legal descriptions 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 conditions that the adjacent Santa Ana Road right of way be included in the proposal area and predicates recordation of a Certificate of Completion (completion of annexation proceedings) upon the approval of a map and legal description by the County Surveyor.

6. Assessed Value, Tax Rates and Indebtedness

The assessed land value of the subject parcel per the 2008 - 2009 tax roll is \$29,937. According to the County Assessor, the current tax rate area is 91088, which has an existing tax rate of \$1.065884 per \$100 of assessed value. Upon annexation, a new tax rate area will be assigned, though the specific tax rate area has not yet been identified by the Assessor.

7. Environmental Impact of the Proposal

As the CEQA lead agency for the winery project, the County of Ventura determined that the project would not result in any significant impacts to the environment and adopted a negative declaration. Staff recommends that the Commission review and consider the information in the attached negative declaration and adopt the Lead Agency's negative declaration.

8. Regional Housing Needs

No additional housing opportunities will be created or eliminated as a result of the proposal. The proposal will have no adverse effect on the fair share of the regional housing needs for the County.

9. Environmental Justice

Staff has determined that approval of the proposal would not result in the unfair treatment of any person based on race, culture or income with respect to the provision of sewer service.

SPECIAL ANALYSIS

Sphere of Influence Determinations

Government Code §56425 (e) requires that in determining the Sphere of Influence of each local agency the Commission shall consider and prepare a written statement of its determinations with respect to certain factors prior to making a decision:

The present and planned uses in the area, including agricultural and open space lands.

The County of Ventura has approved a winery in the proposal area. The proposal will allow the provision of wastewater services to the winery. The proposal will allow no changes to land use, zoning, or allowable uses on the site. No agricultural or open space lands will be adversely affected.

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

There is a need for wastewater services, as the approved winery is required to connect to a public wastewater system. The proposal area is within the boundaries of the Casitas Municipal Water District, which will provide domestic water to the winery. There will be no change in any other existing service providers upon annexation.

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

The Ojai Valley Sanitary District has represented that it has the capacity to provide sewer service to the proposal area.

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

The Sphere of Influence Amendment applies only to the subject site. The Sphere of Influence Amendment does not affect any social or economic community of interest.

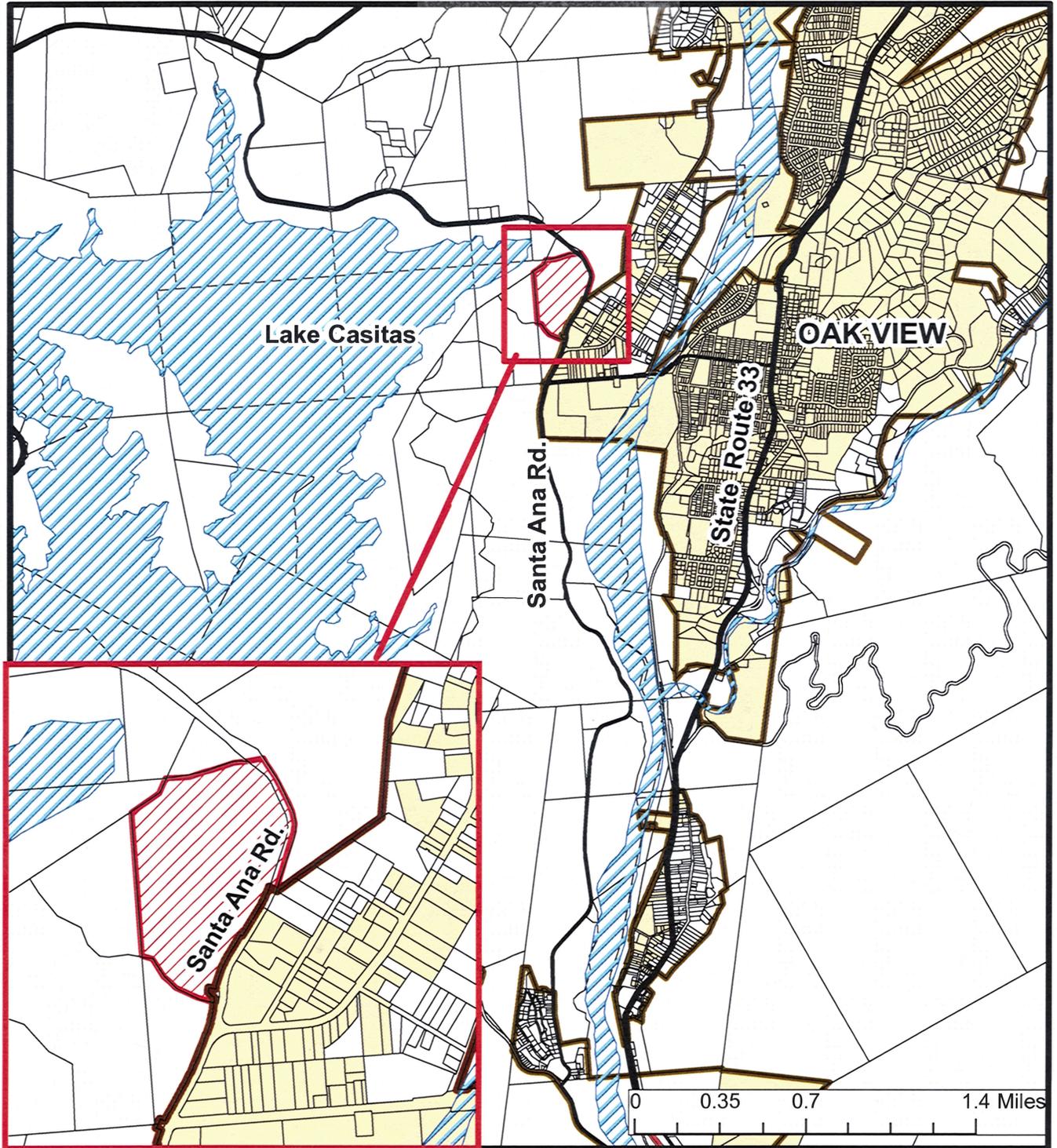
ALTERNATIVE ACTIONS AVAILABLE:

- A. If the Commission, following public testimony and review of the materials submitted, determines that further information is necessary, a motion to continue either the Sphere of Influence Amendment proposal or the Annexation proposal, or both, should state specifically the type of information desired and specify a date certain for further consideration. It should be noted that if the Sphere of Influence Amendment proposal is continued, the Annexation proposal cannot be approved.
- B. If the Commission, following public testimony and review of the materials submitted, determines that the boundaries of either the Sphere of Influence Amendment proposal or the Annexation proposal, or both, should be modified, or that either proposal should be approved subject to any changes or additions to the terms and conditions recommended, a motion to approve should clearly specify any boundary changes and/or any changes or additions to the terms and conditions of approval.
- C. If the Commission, following public testimony and review of materials submitted wishes to deny or modify the Sphere of Influence Amendment proposal or the Annexation proposal, or both, a motion to deny should include direction that the matter be continued to the next meeting and that staff prepare a new report consistent with the evidence submitted and the anticipated decision. It should be noted that if the Commission denies the Sphere of Influence proposal, the Annexation proposal cannot be approved.

BY: 
Kai Luoma, AICP
Deputy Executive Officer

- Attachments: (1) Vicinity Map *
(2) LAFCo 09-04S Resolution
(3) LAFCo 09-04 Resolution
(4) County of Ventura Initial study/negative declaration
(5) County of Ventura approval letter for conditional use permit No. LU08-011

* 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.



LAFCO 09-04S & 09-04
OJAI VALLEY SANITARY DISTRICT
CHANGE OF ORGANIZATION - KRANKL



Legend

-  Sphere Amendment and Annexation Area
-  Ojai Valley Sanitary District
-  OVSD Sphere of Influence
-  Parcel Lines

ATTACHMENT 2

LAFCO 09-04S

RESOLUTION OF THE VENTURA LOCAL AGENCY FORMATION COMMISSION MAKING DETERMINATIONS AND APPROVING THE OJAI VALLEY SANITARY DISTRICT SPHERE OF INFLUENCE AMENDMENT – KRANKL

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 May 20, 2009; 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, spheres of influence and applicable local plans and policies; 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 fewer 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; and

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 dated May 20, 2009 are adopted.
- (2) The Commission has considered the criteria set forth in Government Code §56425(e) and determines as follows:

The present and planned uses in the area, including agricultural and open space lands.

The County of Ventura has approved a winery in the proposal area. The proposal will allow the provision of wastewater services to the winery. The proposal will allow no changes to land use, zoning, or allowable uses on the site. No agricultural or open space lands will be adversely affected.

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

There is a need for wastewater services, as the approved winery is required to connect to a public wastewater system.

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

The Ojai Valley Sanitary District has represented that it has the capacity to provide sewer service to the proposal area.

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

The Sphere of Influence Amendment applies only to the subject site. The Sphere of Influence Amendment does not affect any social or economic community of interest.

- (3) The sphere of influence amendment for the Ojai Valley Sanitary District is hereby approved, and the boundaries are established as generally set forth in the attached Exhibit A.
- (4) The subject proposal is assigned the following distinctive short form designation:
LAFCO 09-04S OJAI VALLEY SANITARY DISTRICT SPHERE OF INFLUENCE AMENDMENT– KRANKL
- (5) The Commission, as a responsible agency, has reviewed and considered the information contained in the Negative Declaration prepared for Conditional Use Permit No. LU 08-0011 by the County of Ventura as lead agency as well as all comments received.
- (6) The Commission finds that, on the basis of the whole record before it, that there is no substantial evidence that the project will have a significant effect on the

environment and the Negative Declaration reflects the Commission's independent judgment and analysis.

- (7) The Commission hereby adopts the lead agency's negative declaration.
- (8) The Commission directs staff to file a Notice of Determination in the same manner as the lead agency under CEQA Guidelines §15094 and §15096(i).

This resolution was adopted on May 20, 2009.

AYES:

NOES:

ABSTAINS:

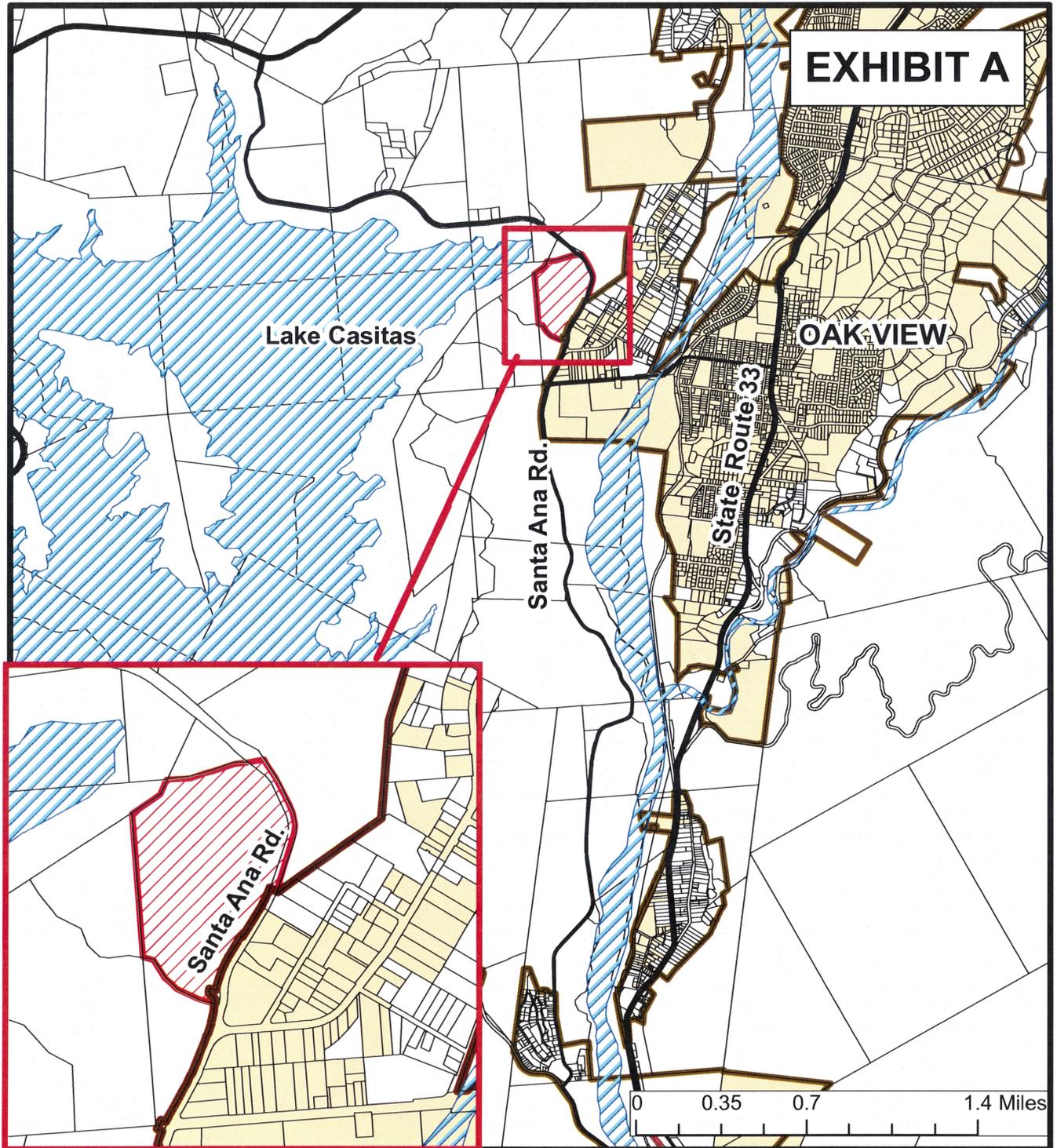
Dated: _____

Chair, Ventura Local Agency Formation Commission

Attachments: Exhibit A

Copies: Ojai Valley Sanitary District
Ventura County Surveyor
Ventura County Planning

EXHIBIT A



LAFCO 09-04S & 09-04 OJAI VALLEY SANITARY DISTRICT CHANGE OF ORGANIZATION - KRANKL



Legend

-  Sphere Amendment and Annexation Area
-  Ojai Valley Sanitary District
-  OVSD Sphere of Influence
-  Parcel Lines

ATTACHMENT 3

LAFCO 09-04

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

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 May 20, 2009; 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, spheres of influence and applicable local plans and policies; 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 fewer 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; and

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 dated May 20, 2009 are adopted.
- (2) The annexation to the Ojai Valley Sanitary District is hereby approved, and the boundaries are established as generally 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 09-04 OJAI VALLEY SANITARY DISTRICT ANNEXATION – KRANKL.
- (5) The Commission, as a responsible agency, has reviewed and considered the information contained in the Negative Declaration prepared for Conditional Use Permit No. LU 08-0011 by the County of Ventura as lead agency as well as all comments received.
- (6) The Commission finds that, on the basis of the whole record before it, that there is no substantial evidence that the project will have a significant effect on the environment and the Negative Declaration reflects the Commission's independent judgment and analysis.
- (7) The Commission hereby adopts the lead agency's negative declaration.
- (8) The Commission directs staff to file a Notice of Determination in the same manner as the lead agency under CEQA Guidelines §15094 and §15096(i).
- (9) **This annexation 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.**
- (10) **This annexation shall not be recorded until a map and legal description consistent with this approval and suitable for filing with the State Board of Equalization have been submitted to the LAFCo Executive Officer.**

This resolution was adopted on May 20, 2009.

AYES:

NOES:

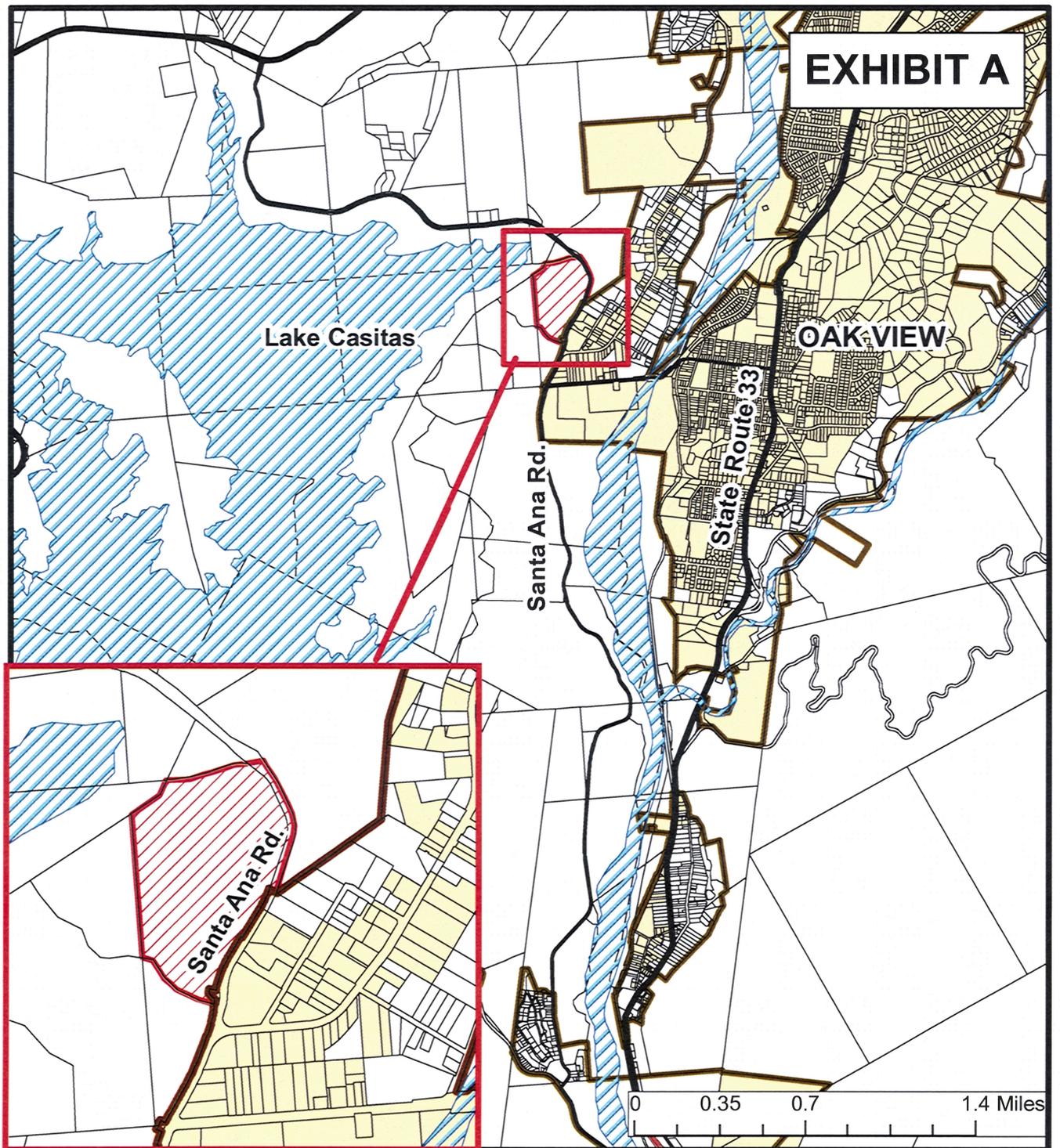
ABSTAINS:

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



LAFCO 09-04S & 09-04
 OJAI VALLEY SANITARY DISTRICT
 CHANGE OF ORGANIZATION - KRANKL

Legend

-  Sphere Amendment and Annexation Area
-  Ojai Valley Sanitary District
-  OVSD Sphere of Influence
-  Parcel Lines

NOTICE OF AVAILABILITY AND INTENT TO ADOPT A
NEGATIVE DECLARATION

The County of Ventura Planning Division, as the Lead Agency, has reviewed the following proposed project:

1. **Entitlement:** LU08-0011 (Conditional Use Permit-Winery)
2. **Applicant:** Manfred and Elaine Krankl
3. **Location:** 10801 Santa Ana Road Oak View, CA., northwest of Burnham Road at Santa Ana Road, and due east of Lake Casitas.
4. **Assessor Parcel No(s):** 060-0-150-18
5. **Parcel Size:** 36.2 Acres
6. **General Plan Designation:** Existing Community/Open Space
7. **Existing Zoning:** A-E (agriculture exclusive)
8. **Responsible and/or Trustee Agencies:** N/A
9. **Project Description:** To construct a wine-making and storage facility. Project would relocate an existing facility from Ventura to Oak View. The building will have an 11,331 sq ft first floor, and a 1,126 sq ft second floor. The remainder of the 36.2 acre site is being converted to a grape vineyard. There are six full time employees for the winery and two employees for the vineyard and as seasonable help at the winery. The facility will not be open to the public. It will produce approximately 3,000 cases of wine per year. This property is under Land Conservation Act Contract 11-2.3. The Parcel Number (APN) is 060-0-150-185.

FILED
10/23/2008
Yvonne Cabral
Deputy Clerk

OCT 23 2008
PHILIP J. SCHMITT, County Clerk
Deputy

In accordance with Section 15070 of the California Code of Regulations, the Ventura County Planning Department has determined that this proposed project will not have a significant effect on the environment, and a Negative Declaration has been prepared.

The public review period is from **October 27, 2008 to November 17, 2008**. The Initial Study/Negative Declaration is available for public review at the County of Ventura, Resource Management Agency, Planning Department, 800 South Victoria Avenue, Ventura, California from 8:00 am to 5:00 pm Monday through Friday. The public is encouraged to submit written comments to Terry Newman, no later than 5:00 p.m. on **November 17, 2008** to the address listed above. In the alternative, you may fax your comments to (805) 654-2509 or e-mail the case planner at terry.newman@ventura.org.

Following the review period, consideration of the project will be given at a Planning Director public hearing to be held at a time to be announced.


Patrick Richards, Manager
Land Use Permits Section

10-22-08
Date



SECTION A
PROJECT DESCRIPTION
DRAFT NEGATIVE DECLARATION
CONDITIONAL USE PERMIT NO. LU 08-0011
MANFRED AND ELAINE KRANKL
PROPOSED WINERY
LOCATION: 10801 Santa Ana Rd., Oak View, CA

Project Location:

The site is located west of the unincorporated community of Oak View on Highway 33, northwest of Burnham Road at Santa Ana Road, and due east of Lake Casitas, in the Ojai Valley. (See Exhibit "A", Location Map).

Project Size and Physical Description:

The project site consists of the following land use designations:

APN:	060-0-150-18
ACREAGE:	36.20 Acres
ZONING:	A-E (Agriculture Exclusive)
GENERAL PLAN LAND USE DESIGNATION:	Existing Community/Open Space

The property is comprised of rolling hills, sloping from the north to the south. The site is bordered on the west by Lake Casitas, and on the east by Santa Ana Road. A portion of the site is planted in grapes. This legal lot is comprised of three assessor's parcels (APN 060-0-150-18, 21, and 25). Currently, there is only a small agricultural storage structure on the subject parcel.

Project Description:

The applicant proposes to construct a wine-making and storage facility. Project would relocate an existing facility from the City of Ventura to Oak View. The building will have a 11,331 sq ft first floor, and a 1,126 sq ft second floor. A portion of the 36.2 acre site is being converted to a grape vineyard. There are six full time employees for the winery and two employees for the vineyard and seasonable help at the winery. The facility will not be open to the public. It will produce approximately 3,000 cases of wine per year. This property is under Land Conservation Act Contract 11-2.3. (see Exhibit "B", Site Plan, Exhibit "C", Floor Plans, and Exhibit "D", Elevations)

SECTION B
INITIAL STUDY CHECKLIST
DRAFT NEGATIVE DECLARATION
CONDITIONAL USE PERMIT NO. LU 08-0011
MANFRED AND ELAINE KRANKL
PROPOSED WINERY
LOCATION: 10801 Santa Ana Rd., Oak View, CA

	ISSUE (Responsible Department)	PROJECT IMPACT DEGREE OF EFFECT*				CUMULATIVE IMPACT DEGREE OF EFFECT*			
		N	LS	PS -M	PS	N	LS	PS -M	PS
		GENERAL:	1. General Plan Environmental Goals and Policies (PInG.)	X				X	
LAND USE:	2. Land Use (PInG.):								
	A. Community Character	X				X			
	B. Housing	X				X			
	C. Growth Inducement	X				X			
RESOURCES:	3. Air Quality (APCD):								
	A. Regional		X				X		
	B. Local		X				X		
	4. Water Resources (PWA):								
	A. Groundwater Quantity		X				X		
	B. Groundwater Quality		X				X		
	C. Surface Water Quantity	X				X			
	D. Surface Water Quality	X				X			
	5. Mineral Resources (PInG.):								
	A. Aggregate	X				X			
	B. Petroleum	X				X			
	6. Biological Resources:								
	A. Endangered, Threatened, or Rare Species	X				X			
	B. Wetland Habitat	X				X			
	C. Coastal Habitat	X				X			
	D. Migration Corridors	X				X			
	E. Locally Important Species/Communities		X				X		
	7. Agricultural Resources (Ag. Dept.):								
	A. Soils	X				X			
	B. Water		X				X		
	C. Air Quality/Micro-Climate		X				X		
	D. Pests/Diseases		X				X		
	E. Land Use Incompatibility		X				X		
	8. Visual Resources:								
A. Scenic Highway (PInG.)	X				X				
B. Scenic Area/Feature	X				X				
9. Paleontological Resources	X				X				
10. Cultural Resources:									
A. Archaeological	X				X				
B. Historical (PInG.)	X				X				
C. Ethnic, Social or Religious	X				X				
11. Energy Resources	X				X				
12. Coastal Beaches & Sand Dunes	X				X				

	ISSUE (Responsible Department)	PROJECT IMPACT DEGREE OF EFFECT*				CUMULATIVE IMPACT DEGREE OF EFFECT*			
		N	LS	PS -M	PS	N	LS	PS -M	PS
		HAZARDS:							
	13. Seismic Hazards (PWA):								
	A. Fault Rupture	X				X			
	B. Ground Shaking		X				X		
	C. Tsunami	X				X			
	D. SEICHE	X				X			
	E. Liquefaction	X				X			
	14. Geologic Hazards (PWA):								
	A. Subsidence:	X				X			
	B. Expansive Soils		X				X		
	C. Landslides/Mudslides	X				X			
	15. Hydraulic Hazards (PWA/FCD):								
	A. Erosion/Siltation	X				X			
	B. Flooding		X				X		
	16. Aviation Hazards (Airports)	X				X			
	17. Fire Hazards (Fire)		X				X		
	18. Hazardous Materials/Waste:								
	A. Above-Ground Hazardous Materials (Fire/EH)	X				X			
	B. Hazardous Materials (EH)	X				X			
	C. Hazardous Waste (EH)	X				X			
	19. Noise and Vibration	X				X			
	20. Glare	X				X			
	21. Public Health		X				X		
	22. Transportation/Circulation:								
	A. Public Roads and Highways:								
	(1) Level of Service (PWA)		X				X		
	(2) Safety/Design (PWA)		X				X		
	(3) Tactical Access (Fire)		X				X		
	B. Private Roads and Driveways (Fire):								
	(1) Safety/Design		X				X		
	(2) Tactical Access		X				X		
	C. Pedestrian/Bicycle:								
	(1) Public Facilities (PWA)		X				X		
	(2) Private Facilities		X				X		
	D. Parking (Png.)	X				X			
	E. Bus Transit	X				X			
	F. Railroads	X				X			
	G. Airports (Airports)	X				X			
	H. Harbors (Harbors)	X				X			
	I. Pipelines	X				X			
	23. Water Supply:								
	A. Quality (EH)	X				X			
	B. Quantity (PWA)		X				X		
	C. Fire Flow (Fire)		X				X		
	PUBLIC FACILITIES/ SERVICES:								

	ISSUE (Responsible Department)	PROJECT IMPACT DEGREE OF EFFECT*				CUMULATIVE IMPACT DEGREE OF EFFECT*			
		N	LS	PS-M	PS	N	LS	PS-M	PS
PUBLIC FACILITIES/ SERVICES (CONT.):	24. Waste Treatment/Disposal:								
	A. Individual Sewage Disposal System (EH)	X				X			
	B. Sewage Collection/Treatment Facilities (PWA)		X				X		
	C. Solid Waste Management (PWA)	X				X			
	D. Solid Waste Facilities (EHD)	X				X			
	25. Utilities:								
	A. Electric		X				X		
	B. Gas		X				X		
	C. Communication		X				X		
	26. Flood Control/Drainage:								
	A. WPD Facility (WPD)	X				X			
	B. Other Facilities (PWA)	X				X			
	27. Law Enforcement/Emergency SVS. (Sheriff):								
	A. Personnel/Equipment	X				X			
	B. Facilities	X				X			
	28. Fire Protection (Fire):								
	A. Distance/Response Time		X				X		
	B. Personnel/Equipment/Facilities		X				X		
	29. Education:								
	A. Schools	X				X			
	B. Libraries (Lib. Agency)	X				X			
	30. Recreation (GSA):								
	A. Local Parks/Facilities	X				X			
	B. Regional Parks/Facilities	X				X			
	C. Regional Trails/Corridors	X				X			

DEGREE OF EFFECT:

N = No Impact.
 LS = Less Than Significant
 PS-M = Potentially Significant Impact Unless Mitigation Incorporated.
 PS = Potentially Significant Impact.

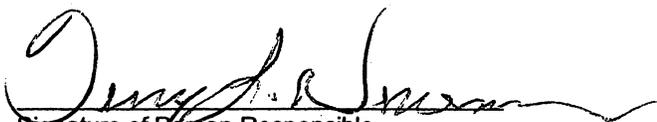
AGENCIES:

APCD - Air Pollution Control District
 PWA - Public Works Agency
 Plng. - Planning Division
 GSA - General Services Agency
 Ag. Dept. - Agricultural Department

Airports - Department Of Airports
 Fire - Fire Protection District
 Sheriff - Sheriff's Department
 EH - Environmental Health Division
 FCD - Flood Control District

D. MANDATORY FINDINGS OF SIGNIFICANCE		YES/MAYBE	NO
Based on the information contained within Sections B and C:			
1.	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?		X
2.	Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one that occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future).		X
3.	Does the project have impacts that are individually limited, but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effect of other current projects, and the effect of probable future projects. (Several projects may have relatively small individual impacts on two or more resources, but the total of those impacts on the environment is significant).		X
4.	Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?		X

E. DETERMINATION OF ENVIRONMENTAL DOCUMENT	
On the basis of this initial evaluation:	
<input checked="" type="checkbox"/>	I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION should be prepared.
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measure(s) described in section C of the Initial Study will be applied to the project. A MITIGATED NEGATIVE DECLARATION should be prepared.
<input type="checkbox"/>	I find the proposed project, individually and/or cumulatively, MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.*
<input type="checkbox"/>	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


 Signature of Person Responsible
 for Administering the Project

10-22-08
 Date

SECTION "C"
INITIAL STUDY CHECKLIST
DISCUSSION OF RESPONSES

DRAFT NEGATIVE DECLARATION
CONDITIONAL USE PERMIT NO. LU 08-0011
MANFRED AND ELAINE KRANKL
PROPOSED WINERY
LOCATION: 10801 Santa Ana Rd., Oak View, CA

This Initial Study uses the Ventura County Initial Study Assessment Guidelines (February 2006) (Initial Study Guidelines) to evaluate potential impacts against established significance thresholds. Where the Initial Study Guidelines, or any document is referenced in this analysis, the documents are incorporated by reference per CEQA Guidelines Section 15150. All documents are available at the offices of the Ventura County Planning Division, 800 S. Victoria Avenue, Ventura California. The contact person is Terry Newman, Planner, at (805) 654-3136.

GENERAL:

1. General Plan and Local Coastal Area Plan Environmental Goals and Policies:

The Ventura County General Plan contains a large number of goals, policies and programs that are used to evaluate proposed projects within the unincorporated county. Many of these goals and policies do not apply to this project because of its location (i.e., it is outside the area considered by the General Plan goal or policy (coastal zone, seismic hazard, airport hazard zone, etc.)), or because the project is not a land use considered by the goal or policy.

To determine project consistency with the General Plan goals and policies, only the policies are normally evaluated unless: (1) a policy is so vague that a related goal needs to be evaluated so as to clarify the intent of the specific policy; (2) there is a specific feature about the project as it relates to a specific policy which requires evaluation of a specific goal; or (3) a goal addresses issues which are not covered by specific policies. Where a goal and a policy overlap, only the policy is evaluated. These principles are derived from the fact that the policies are considered to be specific, "guiding day-to-day actions" which are designed to implement the much more generalized goals.

This Development Permit will not conflict with any environmental goal, policy or program of the General Plan; hence no impacts are anticipated. Conditional Use Permits (CUP's) can only be approved if they are consistent with the existing General Plan Policies. In addition to consistency with General Plan goals, policies and programs, a project must also be consistent with the General Plan Land Use Map and Ventura County Zoning Ordinance. Pursuant to the Ventura County Zoning Ordinance, the proposed project falls under the category of Section 8105-4, Wineries (over 2,000 to 20,000 sq. ft.)

Based on the above designations and with approval of Conditional Use Permit LU08-0011, the proposed Winery is considered consistent with the *Ventura County General Plan* and the *Ventura County Non-Coastal Zoning Ordinance*. This consistency results in **no project or cumulative adverse impacts** relative to the County General Plans.

Source Document: *Ventura County General Plan (Revised December 2005)* and *Ventura County Non-Coastal Zoning Ordinance*

2. **Land Use:**

a. Community Character:

The proposed use is consistent with the Goals/Policies section of the General Plan in that a winery is a permitted use within the A-E zoning designation of the Ordinance Code. Standard Conditions are proposed to minimize project impacts to Community Character. Therefore, **no project or cumulative significant impacts** are anticipated.

b. Housing:

The proposed project will not, individually or cumulatively, affect existing housing or create a demand for additional housing as the number of employees will be restricted to 6 (six) full time winery employees and 2 (two) employees for the vineyard who will also serve as seasonal help for the winery. Therefore, there will be **no project or cumulative impacts** to housing as a result of this project.

c. Growth Inducement:

The project site includes 3.38 acres of a 36.2 acre parcel, which is currently a mix of grazing land and a newly planted vineyard. As discussed above (see Item #1), the proposed project is within an area that is designated for agricultural uses and would be consistent with other agricultural uses within the vicinity of the project site. The proposed project does not include the construction of any public or private roads, and does not include an extension of, or increased demand for, public utilities beyond what currently exists. Water would be provided by Casitas Municipal Water District. Sanitation would be provided by sewer. Therefore, the project is expected to have **no project or cumulative adverse impacts** to growth inducement.

Source Document: *Ventura County Initial Study Assessment Guidelines (Revised February 2006)*.

RESOURCES:

3. Air Quality:

a. Regional Air Quality Impacts:

The 2003 *Ventura County Air Quality Assessment Guidelines* (2003 Guidelines) describe what constitutes a significant air quality impact. Please note the 2003 Guidelines is the current advisory document for preparing air quality evaluations of environmental documents. A copy of the 2003 Guidelines can be accessed from the downloadable materials section of the APCD website at www.vcapcd.org.

Based on information provided by the applicant, air quality impacts will be below the five pounds per day threshold for reactive organic compounds and oxides of nitrogen as described in the *Ventura County Air Quality Assessment Guidelines*. Therefore, the project will **not have a significant impact** or cumulative affects on regional air quality.

Source Documents: *Memo from Alicia Stratton, Air Pollution Control District (February 27, 2008), URBEMIS 2002 (Version 8.7.0), and Ventura County Air Quality Assessment Guidelines (2000).*

b. Local Air Quality Impacts

Based on information in the project application, the project will generate local air quality impacts but those impacts are not likely to be significant. Although the project is not expected to result in any significant local air quality impacts, the Air Pollution Control District recommends that conditions be placed on the permit to help minimize fugitive dust from construction activities. Therefore, impacts due to construction of the project would be held to a level **less than significant** for the project and cumulative affects.

Source Documents: *Memo from Alicia Stratton, Air Pollution Control District (February 27, 2008), URBEMIS 2002 (Version 8.7.0), and Ventura County Air Quality Assessment Guidelines (2000).*

4. Water Resources:

a. Groundwater - Quantity:

The Public Works Agency, in their memo dated February 29, 2008, comments that, based on the material submitted with the application, the cumulative affects and project impacts would be **less than significant** because the project will not have a net effect nor increase on groundwater production since water supply will be derived from surface water sources provided primarily from the Casitas Municipal Water District.

b. Groundwater Quality:

The Public Works Agency, in their memo dated February 29, 2008, comments that the cumulative affects and project impacts would be **less than significant** because the groundwater quality impacts have been identified and application of project conditions will mitigate the cumulative impacts to groundwater.

Source Document: *Memo from PWA Watershed Protection (February 29, 2008).*

c. Surface Water - Quantity:

The amount of impervious surface area added to the site by this permit is less than one percent of the total surface area. Therefore, the cumulative affects and project will have **no impact** on surface water quality.

d. Surface Water - Quality:

The Water Quality Section has reviewed the subject project and has determined that the project and cumulative affects will have **no impact** on surface water quality. At this time, the subject project does not propose any grading activity, new development, or significant redevelopment that is expected to result in any negative changes to storm water quality.

Source Document: *Memo from PWA Watershed Protection (September 25, 2008)*

5. **Mineral Resources:**

a. Aggregate and b. Petroleum:

The project will not have a significant impact on mineral resources because there is a sufficient amount of aggregate resources to meet local demand for the next 50 years. The permit site is not designated by the State as a Mineral Resource Zone (MRZ), therefore, the project meets proposed Ordinance Code standards. Furthermore, oil resources are considered a worldwide, national and statewide resource that is beyond the scope of local governments to effectively manage or control. No oil/gas Conditional Use Permit (CUP) is located on this site or in the immediate area. Therefore, the proposed CUP would pose **no adverse impacts** to mineral resources by the project or cumulative affects.

Source Document: *Ventura County Initial Study Assessment Guidelines (Revised February 2006).*

6. **Biological Resources:**

a. Endangered, Threatened, or Rare Species:

Special-status species have not been reported in the immediate project vicinity. Therefore, the project is not anticipated to adversely impact such species.

b. Wetland Habitat:

The area inside the CUP boundary, where direct impacts from the development of the winery would occur, does not contain wetlands. In addition, potential indirect impacts to the small riparian area from stormwater runoff during construction would be mitigated by standard conditions implemented under the required Storm Water Pollution Prevention Plan. Therefore, there would be **no significant impacts** to a wetland habitat as a result of the project or cumulative affects.

c. Coastal Habitat:

Coastal resources do not occur in the vicinity of the project site. Therefore, the project or cumulative affects will **not adversely impact** coastal resources.

d. Migration Corridors:

The project site is located in an open area with low-density development and is suitable for wildlife movement. However, the project would be contained within a defined CUP boundary, and the most suitable habitat for wildlife movement is located within the small riparian corridor on the south side of the property, outside of the CUP boundary. Therefore, the project or cumulative affects impacts to wildlife migration would be **less than significant**.

e. Locally Important Species/Communities:

The project site contains dense non-native grass and has been used for cattle grazing for decades. The area inside the CUP boundary, where direct impacts from the development of the winery would occur, does not contain suitable habitat for special-status species. Therefore, there would be **no significant impacts** as a result of project or cumulative affects impacts.

Source Document: *Memo from Christina Danko, Planning Biologist, Planning Division (June 23,2008) and the Ventura County General Plan (Revised December 2005)*

7. **Agricultural Resources:**

a. Soils:

The evaluation pertains to loss of agricultural soils. The threshold of significance is determined by the amount of classified farmland lost to permanent over covering of the soils. The soils underlying this parcel are classified as "Grazing," which is a non-farmland category. Therefore, **no impacts** to Item 7a are deemed as a result of the project.

Cumulative Impacts: According to the Initial Study Assessment Guidelines, cumulative analysis is not required for any project that is consistent with the General Plan. This project does not require a General Plan amendment. Further, there are no direct project impacts. Therefore, the project's contribution to cumulative impacts for Item 7a is deemed **no impacts**.

b. Water:

The evaluation pertains to the effects to agricultural water quantity and water quality. The threshold of significance is any proposed non-agricultural use that will cause a net decrease in the availability of water for agriculture or use that may increase the net utilization of ground water in an over drafted basin or a basin in hydrologic continuity with a basin in over draft. Water service is currently supplied to the parcel by Casitas Municipal Water District (CMWD). While the local area groundwater basin may be in hydrologic continuity with other basins in over draft, CMWD is a regulated agency that administers water allocations according to a plan. It is not anticipated that the proposed small volume winery will decrease the amount of water available for the new agricultural uses on the site or any in the area.

With respect to water quality (run-off, discharge), the threshold of significance is a decrease of the quality of water to a level greater than 1,200 mg/L for Total Dissolved Solids (TDS). The proposed project is unlikely to exceed the threshold for TDS because sewer service is available from the Ojai Valley Sanitation district (OVSD) and the Ventura County Watershed District requires management of run-off from the site. The Ventura County Water Resources Division is best qualified to analyze impacts to water quantity. The Ventura County Watershed Protection District is best qualified to analyze impacts to water quality from drainage and run-off. Therefore, direct impacts to Item 7b are deemed **less than significant**.

Cumulative Impacts: No thresholds for cumulative impacts are stated in the Initial Study Guidelines. Neither APAC nor the Agricultural Commissioner currently has any policies limiting wineries on AE zoned parcels for the protection of agricultural water resources. Any cumulative effects related to water quantity or water quality in the area of the proposed project are under the plan and the control of CMWD and OVSD. The project's contribution to cumulative impacts for Item 7b is deemed **less than significant**.

c. Air Quality/Micro-Climate:

The evaluation pertains to effects to agricultural air quality and microclimates. The main threshold of significance is a 10 percent increase in dust on off-site agricultural parcels. This threshold is unlikely to be exceeded because the type and scale of activities are unlikely to produce excessive dust. Also, a condition of approval will be recommended for dust suppression on unpaved surfaces and during construction. The Ventura County Air Pollution Control District is best qualified to evaluate impacts related to air quality. The project does not exceed any of the other thresholds stated for agricultural air quality and microclimates stated in the Guidelines. Insecticides will be used to eradicate the Glassy-winged Sharpshooter, which will threaten the proposed vineyard. However, the amount of chemicals used on a 36-acre parcel will have a less than significant effect on air quality and microclimates in the area. Therefore, with conditions of approval for dust control, direct impacts for Item 7c are deemed **less than significant**.

Cumulative Impacts: No thresholds for cumulative impacts for agricultural air quality/micro climate are stated in the Initial Study Guidelines. The size of the parcel and types of chemicals necessary for vineyards are unlikely to cause a significant effect to air quality. There are cumulative effects related to air quality in the area and region. However, the types and amounts of chemicals typically used for eradication of Glassy-winged Sharpshooter do not contribute significantly to the current air quality cumulative impacts. Therefore, this project's contribution to cumulative impacts for Item 7c is deemed **less than significant**.

d. Pests/Disease:

The evaluation pertains to the introduction of agricultural pests and diseases. The threshold of significance is: Any non-agricultural use that could cause a substantial increase in or introduction of pests or disease in an agricultural area will have a significant impact. The pest Glassy-winged Sharpshooter (*homalodisca coagulata*) is already present in the Ojai Valley area. The sharpshooter spreads the bacterium *Xylella fastidiosa*, which causes Pierce's disease. Pierce's disease kills grapevines and there are no effective treatments to eradicate it. Because the pest is already present in the area, the project will not introduce the pest. The spread of this pest is typically via shipment of plants or fruit. The project is not a nursery operation that will ship plants and all of its grapes are intended for crushing on-site. Further, any shipment of grapes is required to be inspected prior to shipment. In addition, a 36-acre parcel is not anticipated to spread the Glassy-winged Sharpshooter within the local area; it is considered minimal on the local scale. Therefore, project impacts for Item 7d are deemed **less than significant**.

Cumulative Impacts: No thresholds for cumulative impacts are stated in the Initial Study Guidelines. As stated above, the Glassy-winged sharpshooter is a pest that currently exists in the Ojai Valley. The pest will not be introduced. Introduction of the pest is typically via shipment of plants or fruit. No shipment of

either plants or fruit may take place without inspection by the Agricultural Department. In addition, a small planting of grapevines on 36-acres is unlikely to increase cumulative impacts in the local area because there are few other vineyards in Ventura County and the Ojai Valley. There are none within immediate proximity to the subject parcel. Surrounding parcels are not classified or used for vineyards or other crop production, except for a small area to the northeast, which has a small area of "Local Importance" farmland. For the reasons stated above, the project's contribution to cumulative impacts related to Item 7d is deemed **less than significant**.

e. **Land Use Incompatibility:**

The evaluation pertains to the introduction of land use incompatibilities to off-site agricultural lands and off-site crop production. The threshold of significance is any non-agricultural use that by its nature, design or operation may post significant land use incompatibilities with nearby property suitable for agriculture will have a significant impact. A winery is considered part of Agriculture and Agricultural Production. It is not a non-agricultural use. There are no additional circumstances that would indicate a land use incompatibility with adjacent livestock grazing or a small amount of farming on the "Local Importance" classified farmland to the northeast. Therefore, project impacts for Item 7e are deemed **less than significant**.

Cumulative Impacts: According to the Initial Study Guidelines, cumulative development that exceeds the project impact thresholds will normally be considered as having a substantial effect on off-site agricultural production and agricultural cultural practices in the project area. In this case, project impacts do not exceed the thresholds because the project is not a non-agricultural use. It is a use defined as part of Agriculture and Agricultural Production. Extended setbacks or other measures to decrease land use incompatibility are generally not required between farming uses. For the reasons stated above, the project's contribution to cumulative impacts for Item 7e is deemed **less than significant**.

Source Document: *Memo from Rita Graham, Agricultural Commissioner's Office, (March 3, 2008).*

8. **Visual Resources:**

a. **Scenic Highway:**

In accordance with Ventura County General Plan (Figure 1.7.2a), the project is located adjacent to Santa Ana Road, a designated eligible Scenic Highway. Therefore, as per the Ventura County Resources Appendix (section 1.5), *Guidelines of September 2000*, the proposed project may have the potential to "degrade visual resources or significantly alter or obscure public views". Since the location of the structure is below the predominate ridgeline and it's placement would not impede a view of Lake Casitas from Santa Ana Road, there will not be any potentially

significant visual impacts. In addition, with the use of a site compatible building design, and incorporating color and building materials which blend in with surrounding terrain (earthtones and non-reflective paint), The project will be further screened with landscaping material which is complimentary to the general plant community. Therefore, with incorporation of these measures, the proposed project and cumulative affect will have **no impact** on the visual resources of the area. Based upon the above analysis, the project is consistent with the goals and policies contained in the *Ventura County General Plan Section 1.7-Scenic Resources*.

Source Documents: *Ventura County General Plan Resources Appendix, Figure 1.7.2(a) and Ventura County Initial Study Assessment Guidelines (Revised February 2006).*

b. Scenic Area/Features:

The project site does not contain any unique scenic features or areas. Therefore scenic areas/features impacts would be **less than significant**.

Source Documents: *Ventura County General Plan Resources Appendix, Figure 1.7.2(a) and Ventura County Initial Study Assessment Guidelines (Revised February 2006).*

9. **Paleontological Resources:**

Based on the Planning Division's current Unified Mapping System (Paleontological Resources, Map #21) and available data, the permit site is located in an area of "low" paleontological significance. Therefore, coupled with the fact that minimal grading is proposed, the likelihood of significant paleontological impacts associated with this project or it's cumulative affects would be **less than significant**.

Source Documents: *Ventura County General Plan Section 1.8 – Paleontological and Cultural Resources & Unified Mapping System Maps and Ventura County Initial Study Assessment Guidelines (Revised February 2006).*

10. **Cultural Resources:**

a. Archaeological:

The project site is located on a site that is designated as "negative" on the archaeological survey maps. Because of the highly disturbed soil condition, and available data which indicates no recorded sites on the project site or in the immediate vicinity, no significant archaeological impacts are anticipated to occur. Therefore, **no significant project or cumulative impacts** to archaeological sites are anticipated as a result.

b. Historical:

The proposed project site is not located within, or adjacent to, a local, state, or federally designated historical resource. Moreover, the proposed project

does not include the alteration or demolition of any buildings and, therefore, does not have the potential to adversely impact a historical building or structure. Therefore, **no adverse project or cumulative impacts** to historical resources would occur.

Source Documents: *Ventura County Initial Study Assessment Guidelines (Revised February 2006)*, *Ventura County GIS Database (2006)*, and *Ventura County APN Database (2006)*.

c. **Social or Religious Resources:**

A site inspection confirmed that no contemporary, ethnic or social establishments, cemeteries, churches, shrines, synagogues, or other religious institution or establishments are located on the project site or adjacent parcels. Therefore, **no adverse impacts** to social or religious resources are expected as a result of this project or cumulative affects. The proposed project is consistent with the goals and policies in the *Ventura County General Plan Section 1.8 – Paleontological and Cultural Resources*.

Source Documents: *Ventura County General Plan (Revised December 2005)* and the *Ventura County Initial Study Assessment Guidelines (Revised February 2006)*

11. Energy Resources:

The permit site will have no impact on the renewable resources of solar, wind, and hydraulic power. All new structures will be required to meet the energy efficiency standards of the Uniform Building Code (UBC) and the energy used in heating the structures will not be used in a wasteful manner. Therefore, there will be **less than significant** adverse impacts to energy resources as a result of this project or cumulative affects.

Source Document: *Ventura County Initial Study Assessment Guidelines (Revised February 2006)*.

12. Coastal Beaches and Sand Dunes:

This project site is not located within the Coastal zone of the County's Local Coastal Program, and there are no sand dunes located on the project site. Therefore, this project or cumulative affects have **no impact** on the coastal beaches and/or sand dunes as a result of this project or cumulative affects.

Source Document: *Ventura County Initial Study Assessment Guidelines (Revised February 2006)*.

HAZARDS

13. Seismic Hazards:

a. **Fault Rupture:**

The Public Works Agency comments that pursuant to the Countywide General Plan, Hazards Appendix, Figure 2.2.1b, no indications of faulting were identified on the proposed project site. As no known active or potentially active faults project into or appear to cross through the property, the potential for fault rupture on the proposed project site is considered very low. Therefore, there would be **no adverse impacts** relating to fault rupture as a result of this project or cumulative affects.

Source Document: *Ventura County General Plan (Revised December 2005), Countywide General Plan, Hazards Appendix, Figure 2.2.*

b. Ground Shaking:

The property will be subject to moderate to strong ground shaking from seismic events on local and regional fault systems. The County of Ventura Building Code adopted from the California Building Code, dated 2007, Chapter 16, Division IV requires the structures to be designed to withstand this ground shaking. The requirements of the Building Code will reduce the effects of ground shaking to less than significant. Therefore, the adverse impacts, relating to ground shaking would be considered to be **less than significant** as a result of this project or cumulative affects.

Source Document: *Ventura County General Plan (Revised December 2005), Countywide General Plan, Hazards Appendix, Figure 2.3.*

c. Tsunamis, and d. Seiches:

Pursuant to the Countywide General Plan, Hazards Appendix, Figure 2.6, the proposed project site is not located in a tsunami and/or seiches zone. Therefore, there would be **no adverse impacts** relating to tsunamis and seiches as a result of this project or cumulative affects.

Source Document: *Ventura County General Plan (Revised December 2005), Countywide General Plan, Hazards Appendix, Figure 2.6.*

e. Liquefaction:

Pursuant to the Countywide General Plan, Hazards Appendix, Figure 2.6, the project site is not located in a liquefaction zone. Therefore, the potential hazard due to liquefaction should be **considered negligible** as a result of this project or cumulative affects.

Source Document: *Ventura County General Plan (Revised December 2005), Countywide General Plan, Hazards Appendix, Figure 2.2.1b,*

14. Geologic Hazards:

a. Subsidence and b. Expansive Soils:

The Public Works Agency comments, in their memo dated April 5, 2000, that if subsidence is to take place the majority of settlement would occur during construction and be minimal. Prior to and during construction, the Ventura County Building Code requires that the expansive nature of the soils be taken into consideration for the design of the structure and foundation. Therefore, there would be **no adverse impact** relating to subsidence and expansion as a result of this project or cumulative affects.

Source Document: *Ventura County General Plan (Revised December 2005), Countywide General Plan, Hazards Appendix, Figure 2.2.*

c. Landslides/Mudslides:

Pursuant to the Countywide General Plan, Hazards Appendix, Figure 2.9, the proposed project site is not located in a landslide and/or mudslide zone. Therefore, there would be **no adverse impacts** relating to landslides/mudslides as a result of this project or cumulative affects.

Source Document: *Ventura County General Plan (Revised December 2005), Countywide General Plan, Hazards Appendix, Figure 2.7.*

15. **Hydraulic Hazards:**

a. Erosion/Siltation:

Pursuant to the Ventura County Building Code, when construction is completed the proposed project will have no erosion or siltation. During grading and construction, erosion and increased siltation will occur, but the County's Building Code requires storm damage control and prevention measures to reduce this potential adverse impact. Therefore, there would be **no adverse impacts** relating to erosion/siltation as a result of this project or cumulative affects.

b. Flooding:

Pursuant to the Flood Insurance Rate Map, the proposed project site is not located in the 100-year flood plain. However, due to the nature of the project, there is the expectation that the project will increase the potential of surface runoff. Consequently, pursuant to the drainage report prepared for this project by William Ghormley, Consulting Civil Engineers, The applicant is proposing to construct a retention pond to restrict the flow out from the project site. Therefore, adverse impacts as a result of this project or cumulative affects pertaining to flooding will be **less than significant**.

Source Document: *Ventura County General Plan (Revised December 2005), Countywide General Plan, Hazards Appendix, Figure 2.10.*

16. Aviation Hazards:

The permit site is not located within the flight path for any major airports. Therefore, there would be **no adverse impacts** to aviation as a result of this project or cumulative affects.

Source Document: *Ventura County Initial Study Assessment Guidelines (Revised February 2006).*

17. Fire Hazards:

Any future construction will be required to comply with the Uniform Fire Code 2007 ed., Sect. 1103 as adopted and amended by VCFPD Current Ordinance for Fire Hazard Abatement and also the Uniform Building Code for required building standards. Therefore, impacts relating to fire hazards are considered to be **less than significant** as a result of this project or cumulative affects.

Source Documents: *Uniform Fire Code (Revised December 2007) and the Uniform Building Code (Revised February 2007)*

18. Hazardous Materials/Wastes:

a. Above Ground Hazardous Materials

Any hazardous material use and storage will be required to comply with the Fire Code as adopted and amended by the VCFPD Current Ordinance. This will result in **no impact** as a result of this project or cumulative affects.

Source Documents: *Uniform Fire Code (Revised December 2007)*

b. Below-Ground Hazardous Materials:

The proposed project will not utilize any underground hazardous materials storage tanks. Therefore, there will be **no impacts** relative to hazardous materials as a result of this project or cumulative affects.

Source Document: *Ventura County Initial Study Assessment Guidelines (Revised February 2006).*

c. Hazardous Wastes:

The proposed project is not considered an activity that produces hazardous wastes. Therefore, the project will have **no impacts** relative to hazardous wastes as a result of this project or cumulative affects.

Source Document: *Ventura County Initial Study Assessment Guidelines (Revised February 2006).*

19. Noise and Vibration:

The proposed project is low impact commercial in nature and such projects do not normally involve equipment, procedures and events that produce noise and vibration. Therefore, there will be **no impacts** due to noise and vibration as a result of this project or cumulative affects.

Source Document: *Ventura County Initial Study Assessment Guidelines (Revised February 2006).*

20. Glare:

The proposed use is generally a low-impact daylight use only. Any lighting associated with the project will be for on-site security purposes only. Therefore, there will be **no off-site impacts** due to glare as a result of this project or cumulative affects..

Source Document: *Ventura County Initial Study Assessment Guidelines (Revised February 2006).*

21. Public Health:

The proposed project may have impacts to public health. Compliance with applicable state regulations enforced by the Environmental Health Division will reduce potential impacts as a result of this project or cumulative affects to a level considered **less than significant**.

Source Document: *Ventura County Initial Study Assessment Guidelines (Revised February 2006).*

PUBLIC FACILITIES/SERVICES:

22. Transportation/Circulation:

a. Public Roads and Highways:

(1) Level of Service and (2) Safety/Design

The parcel is in the vicinity of, but not in the area described as the Highway 33 Impact Area. The project, as proposed, may generate traffic and has the potential to generate additional traffic on Highway 33 between the northerly end of the Ojai Freeway and the City of Ojai. Addition of traffic to Highway 33 in this area may be inconsistent with County General Plan (GP) Policy 4.2.2.4(b). According to the County GP (Ojai Area Specific Portion), if a project generates one or more peak- hour trips AM southbound or PM northbound on Highway 33, between the northerly end of the Ojai Freeway and the City of Ojai, a significant adverse impact will occur. However, employees that will commute to Oak View will be in the opposite direction from the peak-hour flow. Truck delivery trips are also being restricted to off-peak hours. Therefore, the project impacts on Hwy

33 have been determined to be **not significant** as a result of this project or cumulative affects..

To address the cumulative adverse impacts of traffic on the Regional Road Network, Ventura County Traffic Impact Mitigation Fee (TIMF) Ordinance 4246 and GP Policy 4.2.2 require that the Transportation Department of the Public Works Agency collect a TIMF from developments. This development is subject to this Ordinance. With payment of the TIMF at the time of issuance of the building permit, the level of service (LOS) and safety of the existing roads would remain consistent with the County's GP.

Therefore, adverse traffic impacts relating to LOS and safety/design will be a **less than significant** as a result of this project or cumulative affects.

(3) Tactical Access

Fire Department requires the project to meet current Fire District Access Standards. Therefore, as a result of this project or cumulative affects, there will be a **less than significant impact** relative to tactical access as a result of this project or cumulative affects.

b. Private Roads and Driveways:

(1) Safety/Design and (2) Tactical Access

Private roads must conform to the County's Private Road Guidelines for width, grade and curve radius. The minimum access width shall not be less than 20 feet with off street parking, and approved fire department turnarounds are required for this project. Therefore, impacts pertaining to access will be **less than significant** as a result of this project or cumulative affects.

c. Pedestrian/Bicycle:

(1) Public Facilities and (2) Private Facilities

The Transportation Department comments that the existing roads in proximity to the proposed project site do not have adequate facilities pursuant to the County's Road and the State Department of Transportation (Caltrans). However, the proposed project may not plan to generate significant pedestrian and bicycle traffic. Therefore, there would be no adverse impacts relative to pedestrian/bicycle facilities. Therefore, the Transportation Department considers that the adverse impact relating

to the supplementary addition of pedestrians and bicycles in the area would be **less than significant** as a result of this project or cumulative affects.

d. Parking:

This project will provide adequate on-site parking. Therefore, there will be **no impacts** from parking on public rights-of-way as a result of this project or cumulative affects.

Source Document: *PWA Transportation memo(March 4, 2008), Ventura County Initial Study Assessment Guidelines (Revised February 2006).*

e. Bus Transit:

This project will not generate any demand for bus transit service due to the nature of the proposed use as a mini-storage facility. Therefore, this project will have **no impact** on bus transit facilities for this area as a result of this project or cumulative affects.

f. Railroads, g. Airports, h. Harbors and i. Pipelines:

This as a result of this project or cumulative affects there will be **no impact** on railroads, airports, harbors or pipelines due to its location, which is far removed from any such facilities.

Source Document: *Ventura County Initial Study Assessment Guidelines (Revised February 2006).*

23. **Water Supply:**

a. Quality:

The public water system which will serve domestic water to this project is regulated by the State Department of Health Services. The quality of domestic water must be in compliance with applicable State drinking water standards. Design and construction of the proposed project must conform with applicable State and Building Code requirements pertaining to water systems. Therefore, the project will have **no adverse impact** on the quality of water supplied by the public water system as a result of this project or cumulative affects.

Source Document: *Environmental Health memo (May 28, 2008), Ventura County Initial Study Assessment Guidelines (Revised February 2006).*

b. Quantity:

Casitas Municipal Water District is considered to have the ability to provide a permanent supply of domestic water. Water Supply Quantity is therefore deemed **less than significant** as a result of this project or cumulative affects because water service will be obtained by the Casitas Municipal Water District.

Source Document: *Memo from PWA Watershed Protection (February 29, 2008).*

c. Fire Flow:

Water supply for fire protection will be required to meet VCFPD Standard and Current Ordinance. New fire hydrant required and shall meet required fire flow of 1500 gpm. Therefore, the adverse impacts from fire flow are considered to be **less than significant** as a result of this project or cumulative affects.

Source Document: *Memo from Fire Protection (October 2, 2008).*

24. Waste Treatment/Disposal:

a. Individual Sewage Disposal Systems:

The project will not utilize an on-site sewage disposal system. Public sewer service is available from the Ojai Valley Sanitary District (OVSD). In order to connect to the Sanitary District for sanitary sewer services, the parcel will need to be brought within the District's sphere of influence and concurrently annexed to the District. As LAFCO's action on the boundary change will follow the County Planning Division's action with regard to the CUP, LAFCO's role is that of a CEQA responsible agency. In addition to requiring approval from the OVSD, the proposed project will require approvals from the Ventura Local Agency Formation Commission (LAFCO).

To receive sewer services from OVSD, the lot upon which the proposed project is to be located must be within both the OVSD sphere of influence and its jurisdictional boundaries. Because the project site is currently outside of the OVSD sphere of influence and its boundaries, the Ventura Local Agency Formation Commission (LAFCO) will need to review and approve a reorganization application to concurrently amend the sphere of influence and annex the parcel and the adjacent section of the Santa Ana Road right of way to OVSD. Prior to providing wastewater collection and treatment services to the project site, OVSD will need to approve plans for construction of a lateral sewer line connection to the existing trunk line. The district has indicated that

adequate sewer capacity is available for this project. Therefore, the project **will not create any adverse environmental impacts** relative to on-site sewage disposal as a result of this project or cumulative affects.

Source Document: *Memo (e-mail) from LAFCO (February 20, 2008).*

b. Sewage Collection/Treatment Facilities:

Public sewer service is available from the Ojai Valley Sanitation District. The District, in their letter dated March 20, 2008, has indicated that adequate sewer capacity is available for this project. Therefore, the project **will not create any adverse environmental impacts** relative to on-site sewage disposal as a result of this project or cumulative affects.

c. Solid Waste Facilities:

Pursuant to the IWMD's factors determining the significance of project impacts to solid waste facilities within Ventura County, any discretionary development project generating solid waste will impact the County's remaining solid waste disposal capacity. Additionally, as required by California Public Resources Code (PRC) 41701, Ventura County's Countywide Sighting Element (CSE), adopted in June of 2001 and updated annually, confirms Ventura County has at least 15 years of disposal capacity available for waste generated by in-County projects. Therefore, because the County currently exceeds the minimum disposal capacity required by state PRC, **no individual project of this type and magnitude or the cumulative affects will significantly impact** the County's remaining solid waste disposal capacity.

Source Document: *Ventura County Initial Study Assessment Guidelines (Revised February 2006).*

d. Solid Waste Facilities:

The proposed project does not include a solid waste facility. Therefore, the project and cumulative affects **will not create any adverse impacts** relating to solid waste facilities.

Source Document: *Ventura County Initial Study Assessment Guidelines (Revised February 2006).*

25. Utilities:

a. Electric b. Gas and c. Communication:

The proposed project site is located in an area already served by existing facilities. Therefore, the impact of this project and cumulative affects will be **less than significant**.

Source Document: *Ventura County Initial Study Assessment Guidelines (Revised February 2006).*

26. Flood Control/Drainage:

- a. FCD Facility and b., Other Facilities:

The Public Works Agency comments that the proposed CUP site is not within the flood plain of any drainage facility under the jurisdiction of the Flood Control District. Any direct connection to a district facility will require the review and approval of the District. Therefore, as a result of this project or cumulative affects there would be **no adverse impacts** relative to flood control or drainage facilities.

Source Document: *Ventura County Initial Study Assessment Guidelines (Revised February 2006).*

27. Law Enforcement/Emergency Services:

- a. Personnel/Equipment, and b. Facilities:

The Sheriff's Department has determined that the project will have a less than significant impact on personnel/equipment or facilities due to the project's relative size, nature, design, roads and location. Therefore, as a result of this project or cumulative affects there would be **no significant impacts**.

Source Document: *Ventura County Initial Study Assessment Guidelines (Revised February 2006).*

28. Fire Protection:

- a. Distance/Response Time and b. Personnel/Equipment/Facilities:

Emergency response is provided to the project site by Fire Station #23 located on Kunkle Street in Oak View, which is approximately 1 mile from the project site and which has adequate personnel to serve the project. Additional staffing will be sent as is determined to be necessary. Therefore, this project and cumulative affects would have a **less than significant impact** on fire protection resources.

Source Document: *Ventura County Initial Study Assessment Guidelines (Revised February 2006).*

29. Education:

- a. Schools and b. Libraries:

Because of the nature of the proposed project, commercial/industrial, there would be no significant impact on schools and libraries in the vicinity

of the proposed CUP or the County in general. Therefore, this project and cumulative affects would have **no significant impact** on schools and libraries in the vicinity of the proposed CUP or the County in general.

Source Document: *Ventura County Initial Study Assessment Guidelines (Revised February 2006).*

30. Recreation:

- a. Local Parks/Facilities, b. Regional Parks/Facilities and c. Regional Trails:

The proposed project is served by the County's existing system of local and regional parks and recreational facilities. The applicant will be required, under Ventura County Ordinance Code Section 8297-4 et seq., to pay appropriate fees to the General Services Agency prior to issuance of building permits. Therefore, there will be **no significant impact** on those facilities as a result of this project or cumulative affects.

Source Document: *Ventura County Initial Study Assessment Guidelines (Revised February 2006).*

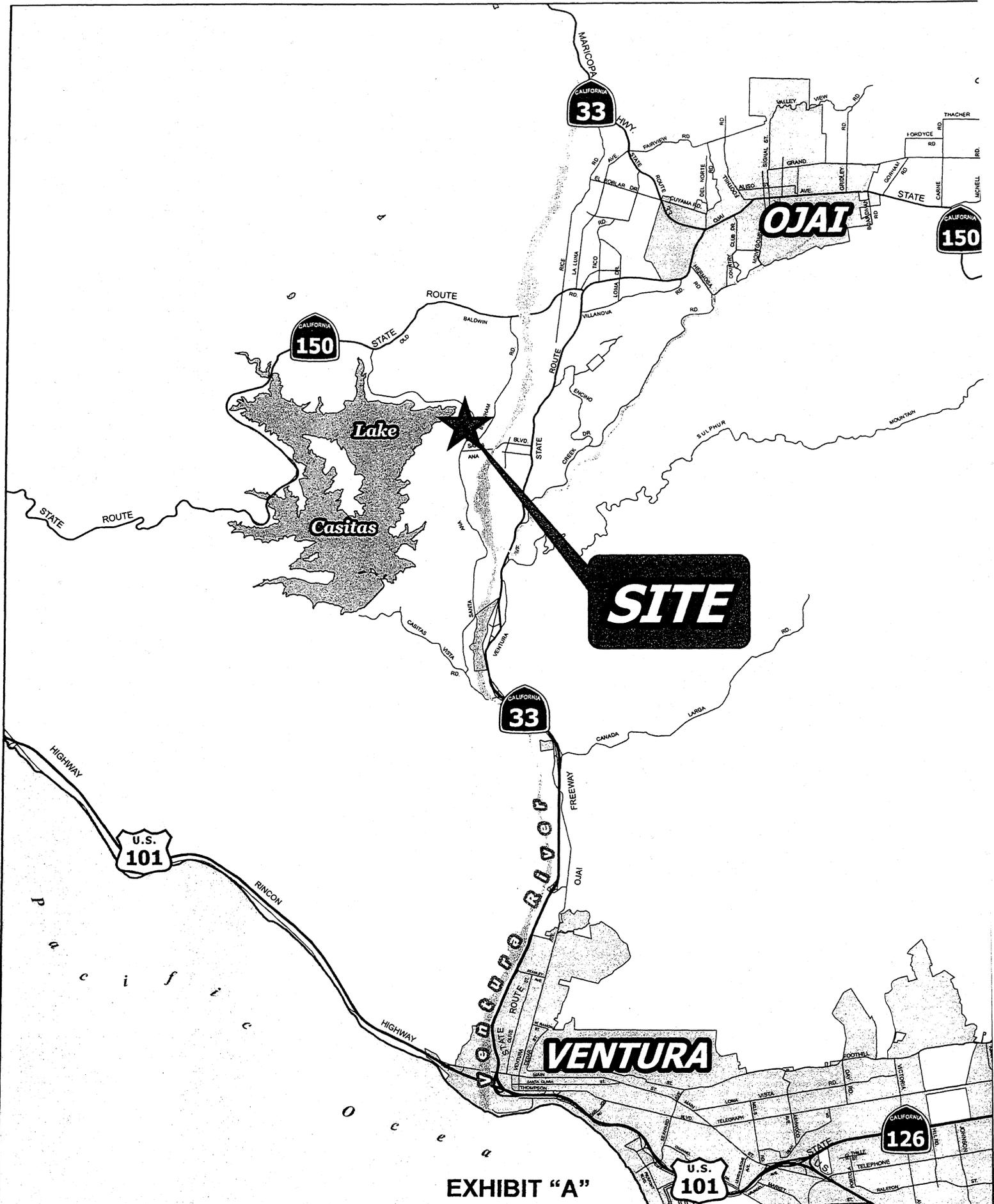


EXHIBIT "A"

LU08-0011
060-0-150-185



Disclaimer: this map was created by the Ventura County Resource Management Agency, Mapping Services - GIS, which is designed and operated solely for the convenience of the County and related public agencies. The County does not warrant the accuracy of this



Ventura County
Resource Management Agency
GIS Development & Mapping Services
Map created on 10/16/2008



APPROVAL LETTER

HEARING AND DECISION: On February 19, 2009, the Planning Director, or the Planning Director's designee, conducted a Public Hearing for the Permit Application described below. All relevant testimony, information, and findings were considered. The decision of the Planning Director was made on February 25, 2009 to **APPROVE** the application, subject to the attached Conditions. The effective date of this decision is March 6, 2009 (i.e., the expiration of the 10 calendar day appeal period).

PROJECT DESCRIPTION:

1. **Entitlement:** Conditional Use Permit No. LU08-0011
2. **Applicant:** Manfred and Elaine Krankl
3. **Location:** 10801 Santa Ana Road Oak View, CA., northwest of Burnham Road at Santa Ana Road, and due east of Lake Casitas.
4. **Assessor's Parcel No(s):** 060-0-150-18.
5. **General Plan Designation:** Agricultural
6. **Existing Zoning:** "AE-40 ac" (Agricultural Exclusive, forty acre minimum parcel size)
7. **Project Description:** To construct a wine-making and storage facility. Project would relocate an existing facility from Ventura to Oak View. The building will have an 11,331 sq ft first floor, and a 1,126 sq ft second floor. The remainder of the 36.2 acre site is being converted to a grape vineyard. There are ten full time employees for the winery and two employees for the vineyard and as seasonable help at the winery. The facility will not be open to the public. It will produce approximately 3,000 cases of wine per year. This property is under Land Conservation Act Contract 11-2.3. The Parcel Number (APN) is 060-0-150-185.
8. **Approved Site Plans:** Site Plan – Exhibit "B," Floor Plans – Exhibit "C," and Elevations – Exhibit "D"

FINDINGS:

COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT: The Planning Division has reviewed the project to ascertain if there will be a significant effect on the environment. A Negative Declaration has been prepared as the appropriate environmental document for this project and was certified by the Planning Director.



COMPLIANCE WITH ZONING ORDINANCE: Based upon the information and findings developed by staff, it has been determined that this application, with the attached conditions, meets the requirements of Ventura County Ordinance Code Section 8111-1.2.1.1 in that:

- a. ***The project is consistent with the intent and provision of the County's General Plan and Division 8, Chapters 1 and 2 of the Ventura County Ordinance Code;***

Land Use

Pursuant to the Ventura County General Plan, the subject lot has a land use designation of "Agricultural." The subject lot also has a zoning designation of "AE-40 ac" (Agricultural Exclusive, forty acre minimum parcel size), which is compatible with the Agricultural General Plan land use designation. At 36.20 acres, the lot is a nonconforming legal parcel. Finally, at approximately 11,500 sq.ft., total building coverage conforms with the 5% maximum for lots greater than 10 acres. Therefore, the proposed project would be compatible with the Agricultural land use and "AE-40 ac" zoning designations of the Ventura County General Plan and Non-Coastal Zoning Ordinance (respectively).

Water Resources

Ventura County General Plan Water Resources Policy 1.3.2.4 states that discretionary development shall not significantly impact the quantity or quality of water resources within watersheds, groundwater recharge areas, or groundwater basins. The project is provided water from from surface water sources provided primarily from the Casitas Municipal Water District.

Energy Resources

Pursuant to the Integrated Waste Management Division's recommendations and consistent with recycling and waste reduction Policy 4.4.2(6) of the Ventura County General Plan, the applicant will be required to implement programs to reuse and/or recycle waste materials generated by the wine production facility.

Hazards

Pursuant to Ventura County General Plan Fire Hazard Policy 2.13.2.1 and Fire Protection Policy 4.8.2.1, the proposed project was reviewed by the Ventura County Fire Protection District for its potential to generate fire hazards. As conditioned, the proposed project will meet the emergency access and emergency response standards of the Ventura County Fire Protection District, thereby achieving compliance with the fire hazard and fire protection policies of the Ventura County General Plan.

The Public Works Agency comments that pursuant to the Countywide General Plan, Hazards Appendix, Figure 2.2.1b, no indications of faulting were identified on the proposed project site. As no known active or potentially active faults project into or appear to cross through the property, the potential for fault rupture on the proposed project site is considered very low.

The subject property is located within an area that is subject to groundshaking hazards. Pursuant to the hazards policies of the General Plan (Policy 2.3.2 and Hazards Appendix), development that is susceptible to experiencing geologic hazards must be designed to minimize risk of loss of life, injury, and collapse of habitable structures. Pursuant to proposed conditions of approval, any construction at the site will require grading and soils review prior to issuance of a Zoning Clearance, subject to the review and approval of the Public Works Agency. Grading activities would be subject to the recommendations provided in the geology and soils reports in order to ensure that any site grading is designed to minimize risks associated with seismic ground shaking hazards.

Pursuant to the Flood Insurance Rate Map, the proposed project site is not located in the 100-year flood plain. However, due to the nature of the project, there is the expectation that the project will increase the potential of surface runoff. Consequently, pursuant to the Preliminary Hydrology Report prepared for this project by Jensen Design & Survey, the applicant is proposing to construct "detention areas" to restrict the flow out from the project site. Therefore, the adverse impacts, relating to flooding, would be considered to be less than significant.

Air Quality

The Ventura County General Plan, Section 1.2, Air Quality requires an assessment of the potential air quality impacts resulting from discretionary development. The Ventura County Air Pollution Control District reviewed the proposed project in order to assess potential air quality impacts associated with the construction of the proposed accessory structure and the long-term operation of the proposed facility. Although the project is not expected to result in any significant local air quality impacts, the Air Pollution Control District has recommended the use of watering or dust-suppressants within active portions of the site during periods of high wind, in order to reduce the generation of dust that could be carried offsite and create a nuisance for surrounding properties. As such, a condition of approval would be included in order to ensure compliance with the air quality policies of the Ventura County General Plan.

Paleontological and Cultural Resources

The proposed wine making facility and access road will be developed within a 3.4 acre permit area of previously disturbed earth. There are no known archaeological or paleontological resources located on-site; however, the potential exists for undocumented, subsurface resources to be located within areas that would be subject to ground disturbance. Therefore, the proposed project would include a condition of approval so that in the unlikely event that resources are discovered on-site, all work would cease until a qualified archaeologist has the opportunity to evaluate the find and impose measures to avoid impacts to sensitive resources. As such, the proposed project would be consistent with the archaeological and paleontological resource protection policies of the Ventura County General Plan (§1.8, Paleontological and Cultural Resources).

Non-Coastal Zoning Ordinance

The proposed project will comply with the setback, maximum building height, and building separation requirements of the Ventura County Non-Coastal Zoning Ordinance. Thus, as conditioned, the proposed project would be consistent with the intent and provision of the County's General Plan and Division 8, Chapters 1 and 2 of the Ventura County Ordinance Code.

b. The project is compatible with the character of surrounding legally established development;

Surrounding development consists of a mix of residential and agricultural development in an agricultural community. With the implementation of the conditions of approval relating to public health, noise and lighting, and dust control, the proposed project is not expected to create nuisances to neighbors. Therefore, the proposed project would be consistent with the requirements of this finding.

c. The project would not be obnoxious or harmful; or impair the utility of neighboring property or uses;

As discussed above, with the implementation of the conditions of approval relating to public health, noise and lighting, and dust control, this request is not expected to negatively impact residents on surrounding properties. The proposed project is anticipated to generate additional traffic to surrounding roadways and, as such, has been conditioned by the Transportation Department to pay a traffic impact mitigation fee to contribute to the funding of County road maintenance and improvement. Thus, the proposed project would be consistent with the requirements of this finding.

d. The project would not be detrimental to the public interest, health, safety, convenience, or welfare;

As discussed above, the proposed winery would be subject to conditions of approval regulating public health, noise and lighting, dust control, and compliance with current fire protection and traffic policies. Finally, the proposed project is not anticipated to result in a significant increase in demand for water. Therefore, the proposed project is consistent with the requirements of this finding.

e. The project is compatible with existing and potential land uses in the general area where the development is to be located; and,

As discussed above, surrounding development consists of a mix of residential and agricultural development in an agricultural community. The proposed winery would be subject to conditions of approval regulating public health, noise and lighting, dust control, and compliance with current fire protection and traffic policies. As such, the facility would be compatible with existing and future residential and agricultural development. Therefore, the proposed project would be consistent with the requirements of this finding.

f. The proposed development will occur on a legal lot.

The subject assessor parcel numbers 060-0-150-185, -215 and 255 COMBINED comprise one legal lot shown as Parcel "A" of Lot Line Adjustment No. 293 recorded June 18, 1986, Document No. 86-76064 of Official Records. The lot was created in compliance with the State Subdivision Map Act and the Ventura County Subdivision Ordinance.

APPEALS: As stated in Ventura County Ordinance Code Section 8111-7.3, within 10 calendar days after the permit has been approved, conditionally approved, or denied, or on the following workday if the 10th day falls on a weekend or holiday, any aggrieved person may file an appeal of the approval, conditional approval, or denial with the Planning Division who shall set a hearing date before the Planning Commission to review the matter at the earliest convenient date.

Within 5 days of project approval, a \$50.00 fee, payable to the Ventura County Clerk, is required from the applicant for the filing of the NOTICE OF DETERMINATION. Failure to file this document will result in an extended appeal period (from 35 days to 180 days) for legal challenges to project approval. Please contact the case planner to submit the fee. The environmental document (Initial Study/Negative Declaration) is attached as Exhibit "F").

ZONING CLEARANCE AND BUILDING PERMIT: Upon completion of the "prior to Zoning Clearance" conditions, the permittee may obtain a Zoning Clearance from the Planning Division and apply for a Building Permit with the Division of Building and Safety. Approval of this permit does not constitute approval of a Building Permit; the permittee must submit a separate application for a Building Permit with the Division of Building and Safety (if necessary) following issuance of a Zoning Clearance.

If you have any questions about the information presented above, please contact Terry Newman, the case planner, at (805) 654-3136 or via email at terry.newman@ventura.org.

AUTHORIZED SIGNATURE:



Patrick Richards, Manager
Commercial/Industrial Land Use Section

Attachments: Exhibit "B" – Site Plan
Exhibit "C" – Floor Plans
Exhibit "D" – Elevations
Exhibit "E" – Conditions of Approval
Exhibit "F" – Environmental Document

TO THE PERMITTEE:

Conditions that need to be completed prior to issuance of a Zoning Clearance for construction are as follows:

- 8b. Trash Enclosures**
- 8c. Light Fixtures**
- 9a. Landscape Plans**
- 10a. Condition Compliance Fee**
- 10b. Permit Processing Fees**
- 11. Recorded "Notice of Land Use Entitlement"**

c: Mr. and Mrs. Krankl
P.O. Box 1048
Oak View, Ca. 93022

Alan Nelsen, Jensen Design and Survey, Inc.
1672 Donlon Street
Ventura, CA 93003

Jim Meyers, Development and Inspection Services
Nazir Lalani, Transportation Department
Pandy Leachman, Integrated Waste Management Division
Melinda Talent, Environmental Health Division
Michele Krieg, Fire Protection District
Alicia Stratton, Air Pollution Control District
Rita Graham, Office of the Agricultural Commissioner



STAFF REPORT
Meeting Date: May 20, 2009

Agenda Item 14

TO: LAFCO Commissioners 
FROM: Kim Uhlich, Executive Officer
SUBJECT: Cancellation of June 10, 2009 regular meeting

RECOMMENDATION:

Cancel the June 10, 2009 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:

As of May 13, 2009, LAFCO has no applications pending action for the June meeting. Staff thus recommends that the Commission cancel the meeting. The next scheduled meeting would occur on July 15.

COMMISSIONERS AND STAFF

COUNTY: Linda Parks Kathy Long, Vice Chair <i>Alternate:</i> Steve Bennett	CITY: Janice Parvin Carl Morehouse <i>Alternate:</i> Thomas Holden	SPECIAL DISTRICT: George Lange, Chair Bill Lotts <i>Alternate:</i> Gail Pringle	PUBLIC: Louis Cunningham <i>Alternate:</i> Kenneth M. Hess
Executive Officer: Kim Uhlich	Dep. Exec. Officer Kai Luoma	Office Mgr/Clerk: Debbie Schubert	Office Assistant Martha Escandon
			Legal Counsel: Leroy Smith