



AGENDA

VENTURA LOCAL AGENCY FORMATION COMMISSION
Hall of Administration, Board of Supervisors' Hearing Room
800 S. Victoria Avenue, Ventura, CA 93009-1850
9:00 A.M. Wednesday, June 13, 2007

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

ANNOUNCEMENTS

4. **Commission Presentations and Announcements**
For members of the public who wish to speak on any agenda item, please complete and submit a speaker card to the Clerk prior to the time the item is taken up for consideration.

COMMENTS FROM THE PUBLIC

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

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

COMMISSIONERS AND STAFF

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

CONSENT ITEMS

6. Minutes of the Ventura LAFCO May 16, 2007 regular meeting

RECOMMENDED ACTION: Approval

7. LAFCO 07-03 City of San Buenaventura Reorganization – Island Coast

To annex two (2) parcels and portions of the Peach Ave. and Citrus Dr. rights of way, approximately 23.40 acres, to the City of San Buenaventura and the Ventura Port District, and to detach the same area from the Ventura County Fire Protection District and the Ventura County Resource Conservation District for the purpose of providing city services. (Approved May 16, 2007).

RECOMMENDED ACTION: Adopt LAFCO Resolution 07-03

PUBLIC HEARING ITEMS

8. Sphere of Influence Review and Update – City of Simi Valley (*continued from April 18, 2007*)

Review the sphere of influence and adopt a resolution updating the sphere of influence for the City of Simi Valley

RECOMMENDED ACTION: Approve

9. Sphere of Influence Review and Update – City of Fillmore

Review the sphere of influence and adopt a resolution updating the sphere of influence for the City of Fillmore

RECOMMENDED ACTION: Continue to July 18, 2007

10. Sphere of Influence Review and Update – City of Santa Paula

Review the sphere of influence and adopt a resolution updating the sphere of influence for the City of Santa Paula

RECOMMENDED ACTION: Approve

11. Sphere of Influence Review and Update – City of San Buenaventura

Review the sphere of influence and adopt a resolution updating the sphere of influence for the City of San Buenaventura

RECOMMENDED ACTION: Approve

ACTION ITEMS

12. CALAFCO Board of Directors Nominations

Authorize the Chair to submit nominations for the CALAFCO Executive Board, as approved by the Commission.

RECOMMENDED ACTION: Authorize the Chair to submit nominations

EXECUTIVE OFFICER'S REPORT

- A. CALAFCO Annual Conference
- B. CALAFCO Achievement Awards
- C. Legislative Report
- D. Next Regular LAFCO Meeting July 18, 2007

COMMISSIONERS' COMMENTS

ADJOURNMENT

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

Disclosure of Campaign Contributions - LAFCO Commissioners are disqualified and are not able to participate in any proceeding involving an "entitlement for use" if, within the 12 months preceding the LAFCO decision, the Commissioner received more than \$250 in campaign contributions from the applicant, an agency 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, May 16, 2007, 9:00 A.M.
Board of Supervisors' Hearing Room, Hall of Administration
800 S. Victoria Avenue, Ventura, Ca 93009-1850

1. CALL TO ORDER

Chair Hess called the May 16, 2007 meeting to order at 9:00 A.M.

2. PLEDGE OF ALLEGIANCE

Commissioner Zaragoza led the Pledge of Allegiance.

3. ROLL CALL

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

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

ANNOUNCEMENTS

4. Commission Presentations and Announcements

Commissioner Zaragoza announced that he would be leaving the meeting at 9:40 am to attend a memorial service and asked Chair Hess if Agenda Item 12 could be moved and considered after Agenda Item 7. With no objections from the Commission, Chair Hess moved Item 12 to be considered after Item 7.

COMMISSIONERS AND STAFF

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

COMMENTS FROM THE PUBLIC

5. **Public Comment**
There were no public comments

CONSENT ITEMS

6. **Minutes of the Ventura LAFCO April 18 regular meeting**
7. **FY 2006-2007 Budget to Actual Report – Nine Months Ending March 31, 2007**

MOTION: Approval as recommended (Items 6 & 7), noting that Alternate Commissioner Parvin was seated as a voting Commissioner before consideration of Agenda Item 9; Sphere of Influence Review and Updates for the cities of Simi, Moorpark, Camarillo and Thousand Oaks: Long
SECOND: Zaragoza
FOR: Grandsen, Hess, Lange, Long, Parks, Waunch and Zaragoza
AGAINST: None
ABSTAIN: None
MOTION PASSED 7/0/0

ACTION ITEMS

12. **LAFCO 07-03 City of San Buenaventura Reorganization – Island Coast**

Kim Uhlich presented the staff report. Chair Hess opened the public hearing. The following persons spoke in favor of the proposal:

Brian Randall, Project planner, City of San Buenaventura
Tom Crozier, Island Coast, LLC
Nancy Kierstyn Schreiner; Nordman Cormany Hair & Compton LLP
Karen Flock, Cabrillo EDC
Barbara Macri-Ortiz, Ag Futures Alliance
(Commissioner Zaragoza left the dais at 9:40 AM and Alternate Commissioner Parvin was seated as City representative in his absence.)

The following persons spoke in opposition of the proposal:

Gilbert Kim, adjacent property owner

With no one else wishing to give public comment, Chair Hess closed the public hearing. The Commission asked questions of the speakers and of staff.

MOTION: Approval of the proposal and direction for staff to bring a resolution of approval to the Commission at the next LAFCO meeting: Long
SECOND: Waunch
FOR: Grandsen, Hess, Long, Parvin and Waunch
AGAINST: Lange and Parks
ABSTAIN: None
MOTION PASSED 5/2/0

VENTURA LAFCO MINUTES

May 16, 2007

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PUBLIC HEARING ITEMS

8. LAFCO Final Budget for Fiscal Year 2007-2008

Everett Millais presented the staff report. Chair Hess opened the public hearing. Receiving no comments from the public, Chair Hess closed the public hearing.

MOTION: Approval as recommended: Grandsen
SECOND: Lange
FOR: Grandsen, Hess, Lange, Long, Parks, Parvin and Waunch
AGAINST: None
ABSTAIN: None
MOTION PASSED 7/0/0

9. Revisions to LAFCO Fee Schedule

Kim Uhlich presented the staff report. Chair Hess opened the public hearing. Receiving no comments from the public, Chair Hess closed the public hearing.

MOTION: Approval as recommended: Long
SECOND: Parvin
FOR: Grandsen, Hess, Lange, Long, Parks, Parvin and Waunch
AGAINST: None
ABSTAIN: None
MOTION PASSED 7/0/0

10. Sphere of Influence Review and Update

- A. City of Ojai
- B. City of Oxnard

Everett Millais presented the staff report. Chair Hess opened the public hearing. Receiving no comments from the public, Chair Hess closed the public hearing.

MOTION: Approval as recommended: Long
SECOND: Parks
FOR: Grandsen, Hess, Lange, Long, Parks, Parvin and Waunch
AGAINST: None
ABSTAIN: None
MOTION PASSED 7/0/0

11. Municipal Service Review – Cemetery Districts

- Bardsdale Cemetery District
- el Rancho Simi Cemetery District
- Piru Public Cemetery District

Everett Millais presented the staff report. Chair Hess opened the public hearing. Receiving no comments from the public, Chair Hess closed the public hearing.

MOTION: Approval as recommended with the following amendment to Piru Cemetery District determinations in both the Report and the Resolution: As stated In the Resolution page 3, number 2, under **Government structure options**,: “The Board of Supervisors should fellow consider...”: Parks

SECOND: Waunch

FOR: Grandsen, Hess, Lange, Long, Parks, Parvin and Waunch

AGAINST: None

ABSTAIN: None

MOTION PASSED 7/0/0

EXECUTIVE OFFICER’S REPORT

Everett Millais encouraged the Commission to plan to attend the CALAFCO Annual Conference in August, updated the Commission about pending legislation affecting LAFCOs, and reminded the Commission that their next meeting was scheduled for June 13, the 2nd Wednesday in June.

COMMISSIONERS COMMENTS

There were no Commissioner comments

ADJOURNMENT

Chair Hess adjourned the meeting at 11:39 a.m.



Agenda Item 7

STAFF REPORT

Meeting Date: June 13, 2007
(Consent)

TO: LAFCO Commissioners
FROM: Kim Uhlich, Deputy Executive Officer 
SUBJECT: Resolution Approving LAFCO 07-03 City of San Buenaventura Reorganization – Island Coast

RECOMMENDATION:

Adopt attached Resolution LAFCO 07-03

DISCUSSION:

At the May 16, 2007 meeting, the Commission approved LAFCO 07-03, which involves a reorganization proposal filed by the City of San Buenaventura to annex two parcels and portions of the Peach Avenue and Citrus Drive rights of way to the City of San Buenaventura and the Ventura Port District and to detach the same area from the Ventura County Fire Protection District and the Ventura County Resource Conservation District for the purpose of providing city services.

Because the Commission’s decision differed from the staff recommendation, staff was directed to return in June with an appropriately worded resolution to reflect the decision. Attached for the Commission’s review is a proposed resolution. Staff recommends that the Commission adopt the attached Resolution. Once adopted and signed by the Chair, staff will prepare the proposal for recordation upon receipt of a map and legal description suitable for filing with the Board of Equalization and payment of all outstanding fees.

COMMISSIONERS AND STAFF

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

LAFCO 07-03

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

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

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

WHEREAS, the proposal was duly considered on May 16, 2007; and

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

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

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

WHEREAS, information satisfactory to the Commission has been presented that no subject agency has submitted written opposition to the proposal; and

WHEREAS, the Commission finds that the territory involved is contiguous to lands developed with an urban use, the territory is likely to be developed within 5 years and has been pre-zoned for non-agricultural uses, insufficient non-prime agricultural or vacant land exists within the existing boundaries of the City that is planned and developable for the same general type of use, the territory involved is not subject to voter approval for the extension of services or for changing general plan land use

designations, and the proposal will have no significant adverse effects on the physical and economic integrity of other prime agricultural or open space lands; and

WHEREAS, the Commission finds that the proposal will contribute toward the dire need for affordable housing in Ventura County; and

WHEREAS, the Commission certifies that it has reviewed and considered the Mitigated Negative Declaration prepared by the Lead Agency; and

WHEREAS the Commission has found that the Mitigated Negative Declaration discloses impacts that are mitigated to a level of insignificance; and

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

- (1) The LAFCO Staff Report dated May 16, 2007, is adopted except where inconsistent with the findings and determinations set forth in this Resolution.
- (2) The Commission finds that the proposal will lead to planned, orderly, and efficient development.
- (3) The reorganization is hereby approved, and the boundaries are established as set forth in the attached Exhibit A.
- (4) The affected territory is uninhabited as defined by Government Code §56046.
- (5) The subject proposal is assigned the following distinctive short form designation: **LAFCO 07-03 CITY OF SAN BUENAVENTURA REORGANIZATION– ISLAND COAST.**
- (6) The Commission, as a responsible agency, has reviewed and considered the information contained in the Mitigated Negative Declaration entitled “EIR-2451; Draft Mitigated Negative Declaration for the Hertel-Cabrillo residential subdivision” prepared by the City of Ventura as lead agency as well as all comments received.
- (7) 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 Mitigated Negative Declaration reflects the Commission's independent judgment and analysis.

- (8) The Commission hereby adopts the lead agency's Findings, Mitigation Measures and Mitigation Monitoring and Reporting Program.
- (9) 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).
- (10) The Commission waives conducting authority proceedings, since satisfactory proof has been given that the subject property is uninhabited, that all landowners within the affected territory have given their written consent to the proposal, and that all affected agencies that will gain or lose territory as a result of the proposal have not submitted written opposition to the waiver of conducting authority proceedings [Government Code §56663].
- (11) This change of reorganization shall not be recorded until all LAFCO fees have been paid and until fees necessary for filing with the State Board of Equalization have been submitted to the Executive Officer.**
- (12) 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 reorganization was approved on May 16, 2007 by the vote shown below:

AYES: Commissioners Grandsen, Hess, Long, Waunch and Alternate
Commissioner Parvin

NOES: Commissioners Lange and Parks

ABSTAINS: None

This resolution was adopted on June 13, 2007.

Dated: June 13, 2007

Chair, Ventura Local Agency Formation Commission

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



STAFF REPORT

Agenda Item 8

Meeting Date: June 13, 2007
Continued from April 18, 2007

TO: LAFCO Commissioners
FROM: Everett Millais, Executive Officer 
SUBJECT: Sphere of Influence Review and Update - City of Simi Valley

RECOMMENDATION:

Adopt the attached resolution making determinations and updating the sphere of influence for the City of Simi Valley.

BACKGROUND

This matter was continued from the meeting of April 18, 2007. At that meeting the City of Thousand Oaks requested a continuance and the City of Moorpark expressed concerns about the proposed/recommended sphere of influence. Both cities indicated that they would like the opportunity to review the proposed addition of the Reagan Library and immediately adjoining properties into the City of Simi Valley's sphere of influence, including potential ramifications such an action might have on the Tierra Rejada Greenbelt.

As of the preparation of this staff report, LAFCO staff has no new information that affects the basic recommendation and the following sections of this report are the same as what was provided at the April 18, 2007 meeting as applicable to the City of Simi Valley. LAFCO staff understands that the City of Moorpark City Council is scheduled to consider the possible addition of the Reagan Library and adjacent property into the City of Simi Valley's sphere of influence on June 6 and that the City of Thousand Oaks City Council is scheduled to consider the matter on June 12. Thus, by the time of the Commission meeting on June 13, other information is expected to be forthcoming.

COMMISSIONERS AND STAFF

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

DISCUSSION:

For each city and special district LAFCO must determine and adopt a sphere of influence. A sphere of influence is defined as "...a plan for the probable physical boundaries and service area of a local agency, as determined by the commission." (Government Code §56076) Notwithstanding this definition, LAFCOs are now required to "...review and update, as necessary, the adopted sphere not less than once every five years." (CA Government Code §56425(g))

In order to prepare and update spheres of influence LAFCO must first conduct municipal service reviews (MSR or MSRs). On March 21, LAFCO accepted the municipal service review for nine cities in Ventura County, including the City of Simi Valley. The recommendations now being made about sphere of influence updates for all the cities are based on the following five considerations:

1. The spheres of influence for the cities in the County have not been comprehensively reviewed in over 20 years. When sphere of influence maps were originally prepared broad scale base maps were used and the sphere lines were often drawn with felt-tip markers. In other words the mapping of sphere of influence lines was not precise. When the original mapping occurred spheres of influence were not intended to be used for definitive land use regulations such as what has subsequently occurred with SOAR and related ordinances.

In 2002, as LAFCO embarked on the MSR and sphere update process, all of the sphere maps were transferred to geographic information system (GIS) data that enables precise mapping. As this occurred a number of minor discrepancies between city boundary lines, assessor parcel lines and spheres of influence have been found and are now proposed to be corrected. Further, however, there are areas where spheres do not match city boundaries or parcel lines and were approximated based on natural features such as ridge lines, flood plains, etc. These mapping inaccuracies have been further compounded as the various SOAR ordinances generally reference the poorly mapped spheres of influence. As a result, CURB lines for those cities with CURBs, including the cities of Camarillo, Moorpark, Simi Valley and Thousand Oaks, are often poorly defined and mapped. Whenever practical an attempt has been made to utilize GIS to refine and correct obvious mapping errors and to minimize the instances where sphere lines are not defined. There are still instances, however, where the sphere of influence does not follow city boundaries and/or parcel lines. Precisely mapping these areas will depend on future assessment mapping, usually based on survey work necessary for land divisions and subdivisions. The mapping and decisions about SOAR areas and/or CURB boundaries are the responsibility of the individual cities.

2. The Ventura LAFCO has adopted a number of policies relating to spheres of influence. These policies are contained in the Commissioner's Handbook and are reiterated in Attachment 1. In particular, there was focus on the policies relating to having sphere of influence lines coincide with city boundaries, lines of assessment (parcel lines), SOAR and CURB areas, and defined natural features if they can be precisely mapped.
3. As a part of the sphere of influence update process, if a city is currently providing basic services outside the existing sphere of influence the recommendations include adding these areas into the sphere as much as feasible given other constraints. Since 1994 cities and special districts may not provide services outside their boundaries, unless the area served is within their sphere of influence and unless LAFCO approves such service extensions. The ability to provide services outside the sphere of influence is now extremely limited and, as a result, spheres of influence have even more meaning relating to service provision. Prior to 1994, however, many cities extended infrastructure and agreed to serve areas without regard to their sphere of influence. In some cases services were extended after 1994 due to ignorance of the law, but cannot now be disconnected.
4. Sphere of influence updates are considered as "projects" under CEQA and LAFCO is the lead agency for these projects. For the sphere update process, if sphere of influence changes could be determined to be generally or categorically exempt, or if a simple negative declaration could be prepared without any detailed environmental analysis, the change is being recommended. However, in instances where sphere of influence changes would require detailed or substantial analysis to comply with CEQA, possibly including mitigated negative declarations or EIRs, then such changes are not being recommended. In such instances it is more proper, including both the cost and usefulness of the analysis, to allow a city to be the CEQA lead agency for major sphere changes in conjunction with future sphere amendment and annexation applications that also include land use entitlements (e.g. pre-zoning).
5. LAFCO staff met with the staff of the city to review the existing sphere of influence, discuss changes and solicit input. The four points noted above were the basis for all changes discussed, but in some instances some of these points conflicted. For example, if aligning the sphere with a city's CURB would trigger substantial environmental analysis by LAFCO, such a change is not being recommended. Based on this reviews, LAFCO staff believes the City is in concurrence with the recommendations now being made.

ANALYSIS

The City of Simi Valley sphere of influence generally follows the existing City boundary, but also includes some areas outside the current City boundary that are included in the City's General Plan. For some of these areas the sphere of influence does not follow property or parcel lines. Compounding some of these discrepancies is the fact that the City's CURB, established well after the existing sphere of influence, does not always follow either the existing City boundary or the existing sphere of influence. The City's CURB also meanders across property and parcel lines. In areas where the existing sphere of influence and/or the CURB do not follow property or parcel lines detailed survey work will be required in order to precisely map both the sphere of influence and the CURB. Due to the need for detailed survey work and the sizes of many of the affected parcels no sphere of influence changes are being recommended to correct what will continue to be mapping issues affecting several large properties. At such time as development may be proposed for the affected properties, the City will be the lead agency and detailed survey work will be required, possibly including actions by both the City and the County to allow for the subdivision of land. As this occurs, and via sphere of influence amendment applications by the City, the sphere of influence can be precisely mapped and corrected by LAFCO.

As a part of the sphere of influence update for the City of Simi Valley, the Reagan Library property and seven adjoining properties are being recommended to be included in the sphere (See Attachment 3 Map). The reason is that the City is currently providing services to the Library and to the adjoining developed parcels and is the only potential service provider for the three parcels that are undeveloped (two of which have road access and graded pads for homes). The City provides sewer service to this area directly, provides water service via Waterworks District No. 8, a dependent district governed by the City of Simi Valley City Council, and, via agreement with the County, provides police services for events at the Library. In addition, Presidential Drive, the sole access to the Library and the six adjoining residential lots, is maintained by the City, even though it is partially outside the City boundary. Detailed information about each parcel affected is shown in the table on the next page.

Parcel No.	Owner	Size (acres)	Use
500-0-400-355	Ca Coastal Financial Funding	67.889	Open space (undeveloped)
500-0-400-365	The Ronald Reagan Presidential Foundation	99.980	Presidential Library
500-0-400-575	Ahmad & Kristine J Ibrahim	10.00	Single family residence
500-0-400-565	Catherine M. Clermont	10.55	Single family residence
500-0-400-555	Presidential Estates Venture LLC	10.00	Undeveloped (graded pad)
500-0-400-545	Satya N. & Suchitra Sahu Trust	10.00	Single family residence
500-0-400-535	Curtis Zubrin Trust	10.00	Undeveloped (graded pad)
500-0-400-525	Karen S. Flannery Trust	10.55	Single family residence

While these properties should be in the City's sphere of influence due to where and how services are provided, and while the City may ultimately want to annex the Library and the adjoining parcels, it should be noted that this entire area is also in the Tierra Rejada Greenbelt. This Greenbelt is a result of a joint resolution adopted in 1984 by the County of Ventura and the cities of Simi Valley, Moorpark and Thousand Oaks (Attachment 2). The Greenbelt resolution was predicated on the fact that the area in the Greenbelt was all outside the sphere of influence of any city and was difficult to serve with water, sewer and other municipal services. Even though LAFCO was not a formal party to the Greenbelt Agreement the resolution specifies that areas within Waterworks District No. 8 that might be served should result in a change in the sphere of influence for the City of Simi Valley, provided the area is also covered in the City of Simi Valley's General Plan.

Clearly, circumstances have changed since 1984. The development of the Reagan Library and the adjoining lots and the extension of services by Waterworks District No. 8, controlled by the City of Simi Valley, and the provision of other services by the City, are cause for changing the sphere of influence and for a future revision of the Greenbelt Agreement. This is further bolstered by the fact that this area is now also included in the City of Simi Valley General Plan, with all the parcels designated "Open Space."

An action by LAFCO to include this area in the City's sphere of influence will not change any of the services now provided or the zoning. The area will remain subject to the County's General Plan and zoning until annexation may occur. However, the sphere update should trigger a review and amendment of the Greenbelt Agreement by all parties, as originally contemplated, and should lead to the annexation of the area into the City of Simi Valley. It should be noted, though, that current LAFCO policies require the Greenbelt Agreement be amended first before the annexation of any area in a Greenbelt.

In addition to including the Reagan Library area in the City's sphere, the update also includes a number of minor mapping changes to align the sphere with the City boundary and/or parcel lines wherever it was apparent they were intended to match.

DETERMINATIONS

For California Environmental Quality Act (CEQA) purposes, the City of Simi Valley's sphere of influence update is exempt from CEQA under Section 15061(b)(3) of the CEQA Guidelines. This is the "general rule" exemption, meaning that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. The recommended sphere of influence accounts for areas already being served by the City, but is otherwise basically the same as the existing sphere of influence. The area being added to the sphere is designated open space in the County General Plan and is also designated open space in the City's General Plan, and the City's General Plan for open space is more restrictive than the County's. Thus, no land use changes will result from this update. The sphere update should result in a revision to the Tierra Rejada Greenbelt Agreement. this Agreement is solely a statement of local policy that does not control land use, and provides for a sphere of influence change based on a change to services and the City's General Plan.

Pursuant to Government Code Section 56425(e) it is recommended that the Commission consider and adopt written statements of its determinations with respect to each of the following:

- (1) *The present and planned land uses in the area, including agricultural and open-space lands.* – The sphere of influence update for the City of Simi Valley accounts for areas already being served by the City, but is otherwise basically the same as the existing sphere of influence. The area being added to the sphere is designated open space in the County General Plan and is also designated open space in the City's General Plan, and the City's General Plan for open space is more restrictive than the County's. Thus, no land use changes will result from this update.
- (2) *The present and probable need for public facilities and services in the area.* – To the extent that two of the residential lots in the area to being added to the sphere of influence do not now have connections to facilities controlled by the City, such service connections will be required prior to development. No other changes in public facilities or services provided by the City will result from this sphere of influence update.
- (3) *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.* – The sphere of influence update will not affect the present capacity of public facilities or the adequacy of the services provided by the City of Simi Valley.
- (4) *The existence of any social or economic community of interest in the area if the commission determines that they are relevant to the agency.* - The sphere

of influence update will not affect the social or economic community of interest in the area.

Sphere of influence updates must occur at noticed public hearings. Accordingly, proper notice has been made as required by law.

Attachments:

1. LAFCO Policies About Spheres of Influence (excerpt from the Ventura LAFCO Commissioner's Handbook)
2. Joint Resolution Establishing the Tierra Rejada Greenbelt
3. Map – Reagan Library Area
4. Resolution – Sphere of Influence Update for City of Simi Valley

**RESOLUTION OF THE VENTURA LOCAL AGENCY
FORMATION COMMISSION MAKING DETERMINATIONS
AND APPROVING THE UPDATE OF THE SPHERE OF
INFLUENCE FOR THE CITY OF SIMI VALLEY**

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

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

WHEREAS, Government Code Section 56430 requires that a municipal service review be conducted prior to or in conjunction with a sphere of influence update; and

WHEREAS, LAFCO conducted a municipal service review of the services provided by the City of Simi Valley and adopted written determinations as required by Government Code Section 56430 on March 21, 2007 for the services provided by the City; and

WHEREAS, the City staff has reviewed the changes proposed for this sphere of influence update and have no objections; and

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

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

WHEREAS, the sphere of influence update action was duly considered at a public hearing on April 18, 2007, but based on requests from the City of Moorpark and the City of Thousand Oaks the public hearing was continued to June 13, 2007; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony for and against the sphere of influence update including, but not limited to, testimony at public hearings on April 18, 2007 and June 13, 2007 and the LAFCO Executive Officer's April 18, 2007 and June 13, 2007 staff reports and recommendations;

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

- (1) The Executive Officer's Staff Report and Recommendation for approval of the sphere of influence update for the City of Simi Valley, dated June 13, 2007 is adopted.
- (2) The Commission has considered the criteria set forth in Government Code §56425(e) and determines as follows:
 - (a) *The present and planned land uses in the area, including agricultural and open-space lands.* – The sphere of influence update for the City of Simi Valley accounts for areas already being served by the City, but is otherwise basically the same as the existing sphere of influence. The area being added to the sphere is designated open space in the County General Plan and is also designated open space in the City's General Plan, and the City's General Plan for open space is more restrictive than the County's. Thus, no land use changes will result from this update.
 - (b) *The present and probable need for public facilities and services in the area.* – To the extent that two of the residential lots in the area to being added to the sphere of influence do not now have connections to facilities controlled by the City, such service connections will be required prior to development. No other changes in public facilities or services provided by the City will result from this sphere of influence update.
 - (c) *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.* – The sphere of influence update will not affect the present capacity of public facilities or the adequacy of the services provided by the City of Simi Valley.
 - (d) *The existence of any social or economic community of interest in the area if the commission determines that they are relevant to the agency.* - The sphere of influence update will not affect the social or economic community of interest in the area.
- (3) The sphere of influence for the City of Simi Valley is hereby updated to be the area shown as "proposed sphere of influence", as generally depicted on Exhibit A attached hereto.
- (4) The Commission directs staff to have the official sphere of influence geographic information system data maintained for the Ventura LAFCO by the Ventura County Public Works Agency and Information Systems

Department as the official sphere of influence record for the City of Simi Valley updated consistent with this action.

- (5) In accordance with the Executive Officer's determination, the Commission, as lead agency for the purposes of the California Environmental Quality Act (CEQA), hereby determines that the sphere of influence update for the City of Simi Valley is exempt pursuant to Section 15061(b)(3) of the CEQA Guidelines.
- (6) The Commission directs staff to file a Notice of Exemption as lead agency under Section 15062 of the CEQA Guidelines.

This resolution was adopted on June 13, 2007.

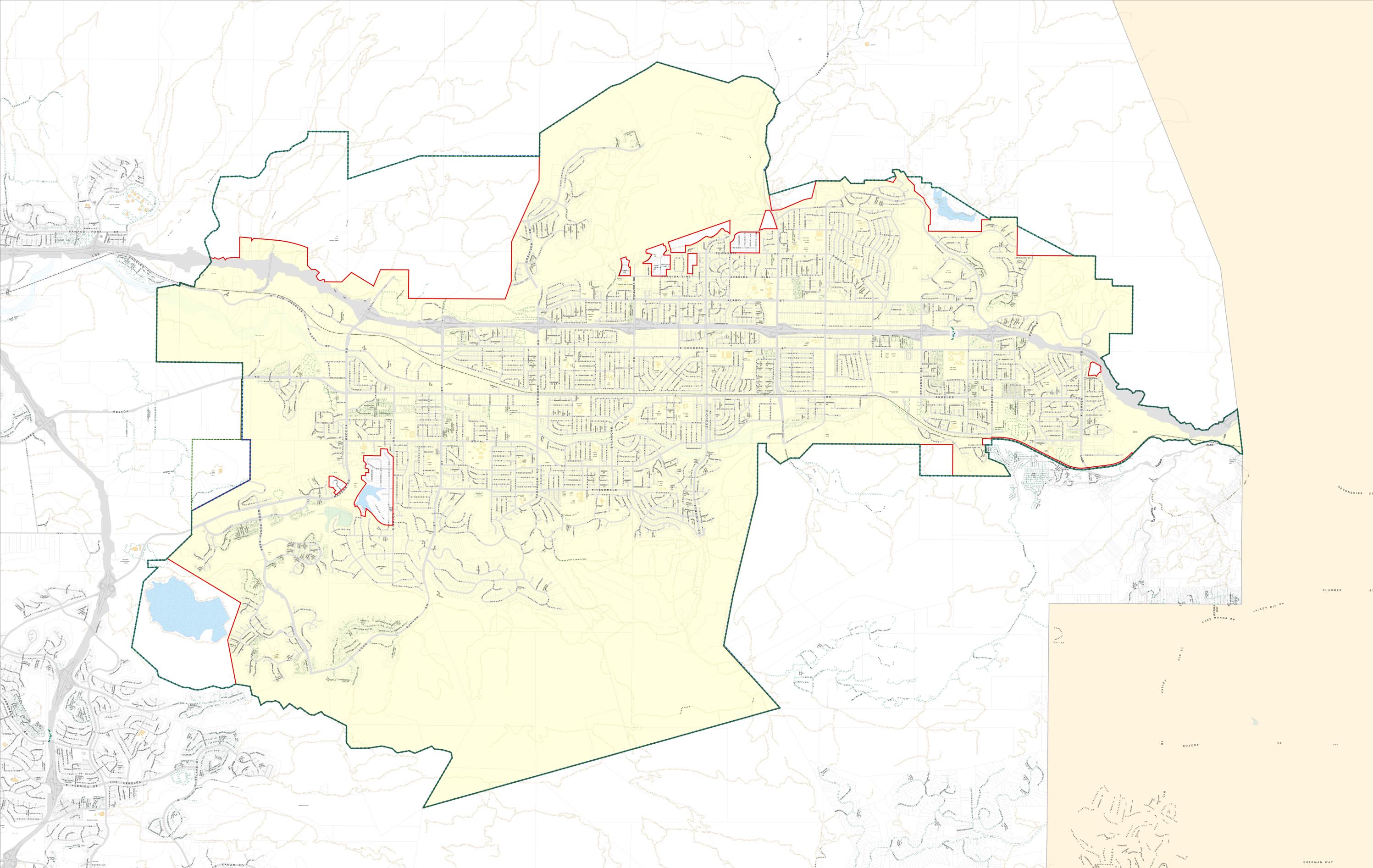
AYES: Commissioner Grandsen, Hess, Lange, Long, Parks, Waunch and
Zaragoza

NOES: None

ABSTAINS: None

Dated: _____
Chair, Ventura Local Agency Formation Commission

Cc: City of Simi Valley
Ventura County Surveyor
Ventura County Geographic Information System Officer
Ventura County Planning Department



- Legend**
- Simi Valley Sphere of Influence Proposed - 31,055.33 acres
 - Simi Valley Sphere of Influence Existing - 30,821.13 acres
 - Simi Valley City Boundary - 26,899.06 acres
 - Waterways
 - Lakes
 - Dirt Road
 - Building
 - centerline
 - FREEWAY
 - HIGHWAY
 - Ventura
 - Los Angeles
 - right-of-way
 - Railroad
 - Private Street
 - Freeway Crossing
 - Property Lines



**City of
SIMI VALLEY**
LAFCO
Sphere of Influence
Update

Proposed
Sphere of Influence
April 18, 2007

Prepared by County of Ventura
Information Systems Department
Geographic Information Services

State Plane Coordinate System
California Zone V - NAD 27
Published in: April 2007

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

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STAFF REPORT

Meeting Date: June 13, 2007

Agenda Item 9

TO: LAFCO Commissioners
FROM: Everett Millais, Executive Officer 
SUBJECT: Sphere of Influence Review and Update – City of Fillmore

RECOMMENDATION:

Continue action on the sphere of influence update for the City of Fillmore to July 18, 2007.

DISCUSSION:

On May 8, LAFCO staff presented a proposed sphere of influence update to the Fillmore City Council. At that meeting the City Council made several requests relating to the sphere of influence that are different than what LAFCO staff proposed. Immediately following the meeting it was requested that the City provide the Commission with a letter outlining its requests. To date, despite several follow-up requests, nothing has been received from the City.

As required by law, a notice for the public hearing for the City of Fillmore sphere of influence update for June 13 was published over twenty one days in advance. Thus, this matter must be on the June 13 agenda. However, in order for the Commission to consider the City's requests concerning the sphere of influence update, it is recommended that the matter be continued to the LAFCO meeting on July 18, 2007. If no follow-up information is received from the City in time for sufficient staff analysis to occur for the July meeting, the LAFCO staff recommendations will be consistent with the proposed sphere of influence presented to the Fillmore City Council on May 8.

COMMISSIONERS AND STAFF

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



STAFF REPORT

Meeting Date: June 13, 2007

Agenda Item 10

TO: LAFCO Commissioners

FROM: Everett Millais, Executive Officer

SUBJECT: Sphere of Influence Review and Update – City of Santa Paula

RECOMMENDATION:

Adopt the attached resolution making determinations and updating the sphere of influence for the City of Santa Paula.

DISCUSSION:

For each city and special district LAFCO must determine and adopt a sphere of influence. A sphere of influence is defined as "...a plan for the probable physical boundaries and service area of a local agency, as determined by the commission." (Government Code §56076) Notwithstanding this definition, LAFCOs are now required to "...review and update, as necessary, the adopted sphere not less than once every five years." (CA Government Code §56425(g))

In order to prepare and update spheres of influence LAFCO must first conduct municipal service reviews (MSR or MSR's). On March 21, LAFCO accepted the municipal service review for nine cities in Ventura County, including the city of Santa Paula. The recommendations relating to sphere of influence updates for all the cities are based on the following five considerations:

1. The spheres of influence for the cities in the County have not been comprehensively reviewed in over 20 years. When sphere of influence maps were originally prepared broad scale base maps were used and the sphere lines were often drawn with felt-tip markers. In other words the mapping of sphere of influence lines was not precise. When the original mapping occurred spheres of

COMMISSIONERS AND STAFF

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

influence were not intended to be used for definitive land use regulations such as what has subsequently occurred with SOAR and related ordinances.

In 2002, as LAFCO embarked on the MSR and sphere update process, all of the sphere maps were transferred to geographic information system (GIS) data that enables precise mapping. As this occurred a number of minor discrepancies between city boundary lines, assessor parcel lines and spheres of influence have been found and are now proposed to be corrected. Further, however, there are areas where spheres do not match city boundaries or parcel lines and were approximated based on natural features such as ridge lines, flood plains, etc. These mapping inaccuracies have been further compounded as the various SOAR ordinances generally reference the poorly mapped spheres of influence. As a result, CURB lines for those cities with CURBs, including the cities of Camarillo, Moorpark, Simi Valley and Thousand Oaks, are often poorly defined and mapped. Whenever practical an attempt has been made to utilize GIS to refine and correct obvious mapping errors and to minimize the instances where sphere lines are not defined. There are still instances, however, where the sphere of influence does not follow city boundaries and/or parcel lines. Precisely mapping these areas will depend on future assessment mapping, usually based on survey work necessary for land divisions and subdivisions. The mapping and decisions about SOAR areas and/or CURB boundaries are the responsibility of the individual cities.

2. The Ventura LAFCO has adopted a number of policies relating to sphere of influence. These policies are contained in the Commissioner's Handbook and are reiterated in Attachment 1. In particular, there was focus on the policies relating to having sphere of influence lines coincide with city boundaries, lines of assessment (parcel lines), SOAR and CURB areas, and defined natural features if they can be precisely mapped.
3. As a part of the sphere of influence update process, if a city is currently providing basic services outside the existing sphere of influence the recommendations include adding these areas into the sphere as much as feasible given other constraints. Since 1994 cities and special districts may not provide services outside their boundaries, unless the area served is within their sphere of influence and unless LAFCO approves such service extensions. The ability to provide services outside the sphere of influence is now extremely limited and, as a result, spheres of influence have even more meaning relating to service provision. Prior to 1994, however, many cities extended infrastructure and agreed to serve areas without regard to their sphere of influence. In some cases services were extended after 1994 due to ignorance of the law, but cannot now be disconnected.

4. Sphere of influence updates are considered as “projects” under CEQA and LAFCO is the lead agency for these projects. For the sphere update process, if sphere of influence changes could be determined to be generally or categorically exempt, or if a simple negative declaration could be prepared without any detailed environmental analysis, the change is being recommended. However, in instances where sphere of influence changes would require detailed or substantial analysis to comply with CEQA, possibly including mitigated negative declarations or EIRs, then such changes are not being recommended. In such instances it is more proper, including both the cost and usefulness of the analysis, to allow a city to be the CEQA lead agency for major sphere changes in conjunction with future sphere amendment and annexation applications that also include land use entitlements (e.g. pre-zoning).
5. LAFCO staff met with the staff of the city to review the existing sphere of influence, discuss changes and solicit input. The four points noted above were the basis for all changes discussed, but in some instances some of these points conflicted. For example, if aligning the sphere with a city’s CURB would trigger substantial environmental analysis by LAFCO, such a change is not being recommended. Based on these reviews, LAFCO staff believes the City of Santa Paula is in concurrence with the recommendations now being made.

Sphere of influence updates must occur at noticed public hearings. Accordingly, proper notice has been made as required by law. In addition, the Commission must by law consider and prepare a written statement of its determinations with respect to four factors. Each of these factors and further details applicable to each city are discussed in the following sections.

ANALYSIS

The sphere of influence for the City of Santa Paula was substantially amended in 2000 to include large areas to the north of the City known as Fagan Canyon and Adams Canyon. This action, based on the City’s 1998 General Plan update, was extremely controversial at LAFCO. After multiple meetings with hundreds of speakers and thousands of pages of correspondence, it was originally denied. Then, at the City’s request, it was reconsidered and subsequently approved in February 2000. In the fall of 2000 the voters in Santa Paula adopted a SOAR ordinance that established a CURB line that included Fagan Canyon, but not Adams Canyon, the larger of the two canyons and the one located farthest to the west.

LAFCO law changed effective in January 2001 to require LAFCOs to review spheres on a periodic basis and to conduct municipal service reviews prior to any sphere of influence updates. In the intervening time, before the municipal service review for the City was accepted in March of this year, the voters of Santa Paula turned down attempts

to alter the City's CURB to include Adams Canyon on two separate occasions, via referendum denied a project for Fagan Canyon that the City Council had approved, and adopted a separate ordinance that requires any development greater than 80 acres to receive voter approval. During this time City officials and property owners were made aware of the LAFCO policy that to the extent practical spheres of influence should follow voter established growth boundaries.

In May the voters of Santa Paula approved an amendment to the City's SOAR ordinance to alter the CURB line to include not only all of the Adams Canyon area covered by the City's 1998 General Plan and included in the current sphere of influence, but also additional areas to the west and to the northeast. Like the current sphere of influence to the north of the City, this area is not precisely mapped and does not always follow property lines.

Based on the most recent action by the voters in Santa Paula, no change is being recommended to the sphere of influence for the City for the Fagan and Adams Canyon areas to the north of the City. Both areas are now fully in the City's CURB. While the recent action by the voters included additional area in the CURB, no precise mapping has occurred. The City will need to take a number of additional actions as a part of any type of development entitlements, including precise mapping. After this occurs LAFCO can take further actions to better delineate the extent of sphere of influence either as a part of potential annexation proposals or during the next round of sphere of influence updates during the next five years.

The recommended sphere of influence update for the City of Santa Paula does include two areas that involve what might be considered significant changes. Both areas are along the Santa Clara River and both involve reducing the extent of the City's sphere of influence. The first area, located at the southwesterly portion of the City, is to have the sphere of influence coincide with the City boundaries around the recently approved annexation for the City's new wastewater treatment facility. The City Council amended the City's CURB to include this area and the recommended sphere of influence will coincide both with the City boundary and the City's CURB in this area.

The second area of change is at the southeasterly part of the City along the Santa Clara River. The existing sphere of influence attempts to follow the floodplain boundary, but was based on prior mapping of the floodplain that is quite imprecise and no longer accurate. Even though, based on the City's SOAR ordinance, this existing sphere line is also the City's CURB, it is recommended that the sphere of influence in this area be changed and generally reduced to follow property boundaries.

No other changes are recommended to the City's sphere of influence at this time, except for very minor mapping corrections to ensure that lines match wherever the City boundary, and/or property lines, and the sphere of influence are co-terminus.

For California Environmental Quality Act (CEQA) purposes, the City of Santa Paula sphere of influence update is exempt from CEQA under Section 15061(b)(3) of the CEQA Guidelines. This is the “general rule” exemption, meaning that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. The recommended sphere of influence update accounts for areas already developed within the City, but otherwise reduces the extent of the sphere.

Pursuant to Government Code Section 56425(e) it is recommended that the Commission consider and adopt written statements of its determinations with respect to each of the following:

- (1) *The present and planned land uses in the area, including agricultural and open-space lands.* – The recommended sphere of influence update for the City of Santa Paula follows or is less in extent than the City’s voter established growth boundary. There will be no development, no change in land use and no impact to agricultural and open space lands as a result of the sphere of influence update.
- (2) *The present and probable need for public facilities and services in the area.* – No changes in public facilities or services provided by the City will result from this sphere of influence update. The City bases its public facilities and services on the extent of its existing infrastructure and its General Plan.
- (3) *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.* – The sphere of influence update will not affect the present capacity of public facilities or the adequacy of the services provided by the City of Santa Paula.
- (4) *The existence of any social or economic community of interest in the area if the commission determines that they are relevant to the agency.* - The sphere of influence update will not affect the social or economic community of interest in the area.

Attachments:

1. LAFCO Policies About Spheres of Influence (excerpt from the Ventura LAFCO Commissioner’s Handbook)
2. Resolution – Sphere of Influence Update for City of Santa Paula

**RESOLUTION OF THE VENTURA LOCAL AGENCY
FORMATION COMMISSION MAKING DETERMINATIONS
AND APPROVING THE UPDATE OF THE SPHERE OF
INFLUENCE FOR THE CITY OF SANTA PAULA**

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

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

WHEREAS, Government Code Section 56430 requires that a municipal service review be conducted prior to or in conjunction with a sphere of influence update; and

WHEREAS, LAFCO conducted a municipal service review of the services provided by the City of Santa Paula and adopted written determinations as required by Government Code Section 56430 on March 21, 2007 for the services provided by the City; and

WHEREAS, the City staff has reviewed the changes proposed for this sphere of influence update and have no objections; and

WHEREAS, no change in regulation, land use or development will occur as a result of the recommended update to the City's sphere of influence; and

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

WHEREAS, the sphere of influence update action was duly considered at a public hearing on June 13, 2007; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony for and against the sphere of influence update including, but not limited to, testimony at the public hearing on June 13, 2007 and the LAFCO Executive Officer's June 13, 2007 staff report and recommendation;

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

- (1) The Executive Officer's Staff Report and Recommendation for approval of the sphere of influence update for the City of Santa Paula, dated June 13, 2007 is adopted.

- (2) The Commission has considered the criteria set forth in Government Code §56425(e) and determines as follows:
 - (a) *The present and planned land uses in the area, including agricultural and open-space lands.* – The recommended sphere of influence update for the City of Santa Paula follows or is less in extent than the City’s voter established growth boundary. There will be no development, no change in land use and no impact to agricultural and open space lands as a result of the sphere of influence update.
 - (b) *The present and probable need for public facilities and services in the area.* – No changes in public facilities or services provided by the City will result from this sphere of influence update. The City bases its public facilities and services on the extent of its existing infrastructure and its General Plan.
 - (c) *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.* – The sphere of influence update will not affect the present capacity of public facilities or the adequacy of the services provided by the City of Santa Paula
 - (d) *The existence of any social or economic community of interest in the area if the commission determines that they are relevant to the agency.* - The sphere of influence update will not affect the social or economic community of interest in the area.
- (3) The sphere of influence for the City of Santa Paula is hereby updated to be the area shown as “proposed sphere of influence”, as generally depicted on Exhibit A attached hereto.
- (4) The Commission directs staff to have the official sphere of influence geographic information system data maintained for the Ventura LAFCO by the Ventura County Public Works Agency and Information Systems Department as the official sphere of influence record for the City of Santa Paula updated consistent with this action.
- (5) In accordance with the Executive Officer’s determination, the Commission, as lead agency for the purposes of the California Environmental Quality Act (CEQA), hereby determines that the sphere of influence update for the City of Santa Paula is exempt pursuant to Section 15061(b)(3) of the CEQA Guidelines.
- (6) The Commission directs staff to file a Notice of Exemption as lead agency under Section 15062 of the CEQA Guidelines.

This resolution was adopted on June 13, 2007.

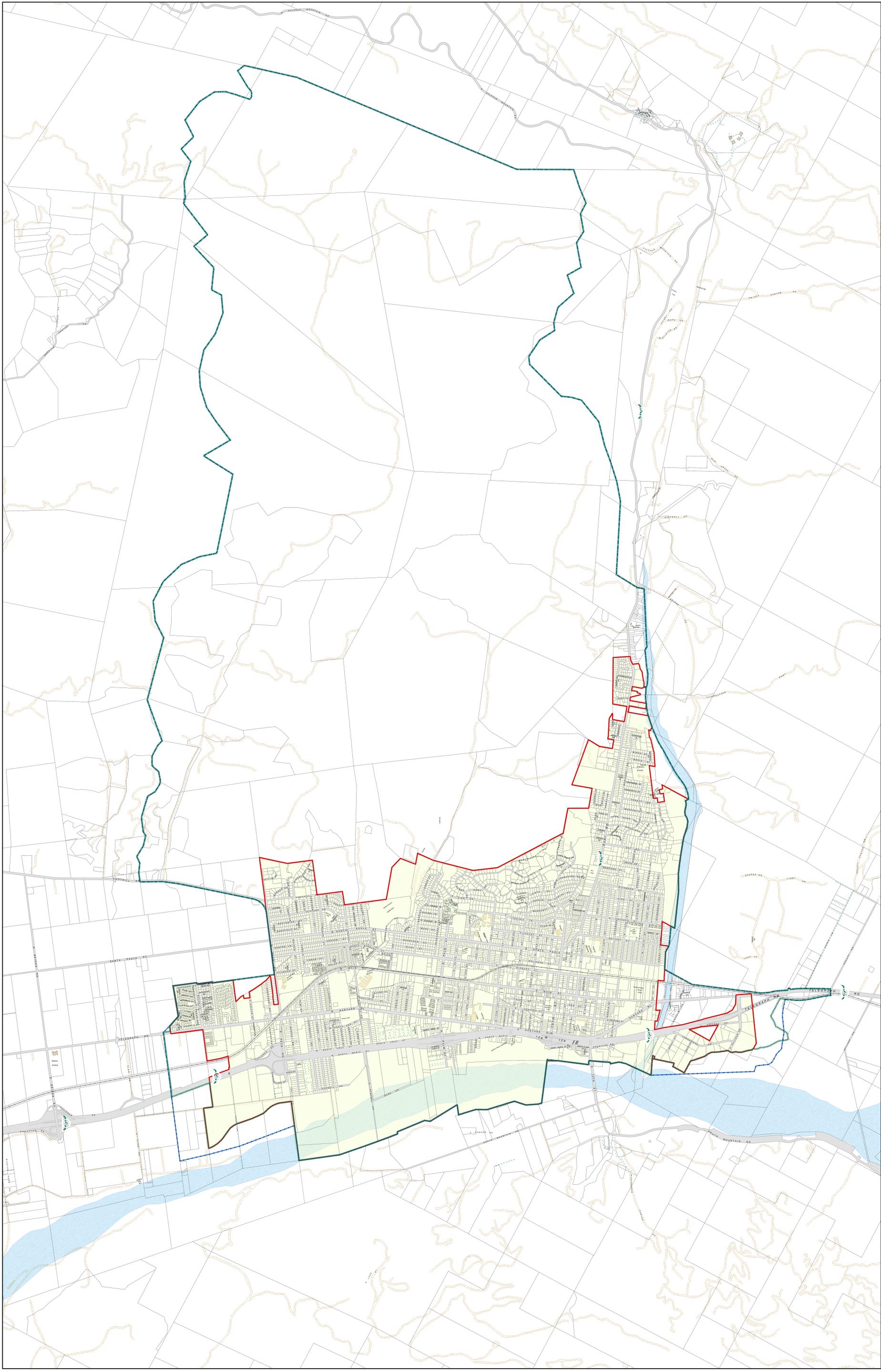
AYES: Commissioner Grandsen, Hess, Lange, Long, Parks, Waunch and Zaragoza

NOES: None

ABSTAINS: None

Dated: _____
Chair, Ventura Local Agency Formation Commission

Cc: City of Santa Paula
Ventura County Surveyor
Ventura County Geographic Information System Officer
Ventura County Planning Department



- Legend**
- Property line
 - Santa Paula Sphere of Influence Proposed - 10,786.2 acres
 - Santa Paula Sphere of Influence Existing - 10,941.62 acres
 - Santa Paula City Boundary - 3,002.68 acres
 - Private Street
 - Railroad
 - Streets
 - FREEWAY
 - HIGHWAY
 - Dirt Road
 - Waterways
 - Building



City of Santa Paula
 LAFCO
 Sphere of Influence Update
 Proposed Sphere of Influence
 June 13, 2007

Prepared by County of Ventura
 Information Systems Department
 Geographic Information Services
 State Plane Coordinate System
 California Zone V - NAD 27
 This map was compiled
 from records and computations.

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

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STAFF REPORT

Meeting Date: June 13, 2007

Agenda Item 11

TO: LAFCO Commissioners
FROM: Everett Millais, Executive Officer 
SUBJECT: Sphere of Influence Review and Update – City of San Buenaventura

RECOMMENDATION:

Adopt the attached resolution making determinations and updating the sphere of influence for the City of San Buenaventura.

DISCUSSION:

For each city and special district LAFCO must determine and adopt a sphere of influence. A sphere of influence is defined as "...a plan for the probable physical boundaries and service area of a local agency, as determined by the commission." (Government Code §56076) Notwithstanding this definition, LAFCOs are now required to "...review and update, as necessary, the adopted sphere not less than once every five years." (CA Government Code §56425(g))

In order to prepare and update spheres of influence LAFCO must first conduct municipal service reviews (MSR or MSR's). On March 21, LAFCO accepted the municipal service review for nine cities in Ventura County, including the City of San Buenaventura. The recommendations relating to sphere of influence updates for all the cities are based on the following considerations:

1. The spheres of influence for the cities in the County have not been comprehensively reviewed in over 20 years. When sphere of influence maps were originally prepared broad scale base maps were used and the sphere lines were often drawn with felt-tip markers. In other words the mapping of sphere of influence lines was not precise. When the original mapping occurred spheres of influence were not

COMMISSIONERS AND STAFF

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

intended to be used for definitive land use regulations such as what has subsequently occurred with SOAR and related ordinances.

In 2002, as LAFCO embarked on the MSR and sphere update process, all of the sphere maps were transferred to geographic information system (GIS) data that enables precise mapping. As this occurred a number of minor discrepancies between city boundary lines, assessor parcel lines and spheres of influence have been found and are now proposed to be corrected. Further, however, there are areas where spheres do not match city boundaries or parcel lines and were approximated based on natural features such as ridge lines, floodplains, etc. These mapping inaccuracies have been further compounded as the various SOAR ordinances generally reference the poorly mapped spheres of influence and/or poorly mapped natural features. Whenever practical an attempt has been made to utilize GIS to refine and correct obvious mapping errors and to minimize the instances where sphere lines are not defined. There are still instances, however, where the sphere of influence does not follow city boundaries and/or parcel lines. Precisely mapping these areas will depend on future assessment mapping, usually based on survey work necessary for land divisions and subdivisions. The mapping and decisions about SOAR areas and/or CURB boundaries are the responsibility of the individual cities.

2. The Ventura LAFCO has adopted a number of policies relating to spheres of influence. These policies are contained in the Commissioner's Handbook and are reiterated in Attachment 1. In particular, there was focus on the policies relating to having sphere of influence lines coincide with city boundaries, lines of assessment (parcel lines), SOAR and CURB areas, and defined natural features if they can be precisely mapped.
3. As a part of the sphere of influence update process, if a city is currently providing basic services outside the existing sphere of influence the recommendations include adding these areas into the sphere as much as feasible given other constraints. Since 1994 cities and special districts may not provide services outside their boundaries, unless the area served is within their sphere of influence and unless LAFCO approves such service extensions. The ability to provide services outside the sphere of influence is now extremely limited and, as a result, spheres of influence have even more meaning relating to service provision. Prior to 1994, however, many cities extended infrastructure and agreed to serve areas without regard to their sphere of influence. In some cases services were extended after 1994 due to ignorance of the law, but cannot now be disconnected.
4. Sphere of influence updates are considered as "projects" under CEQA and LAFCO is the lead agency for these projects. For the sphere update process, if sphere of influence changes could be determined to be generally or categorically exempt, or if

a simple negative declaration could be prepared without any detailed environmental analysis, the change is being recommended. However, in instances where sphere of influence changes would require detailed or substantial analysis to comply with CEQA, possibly including mitigated negative declarations or EIRs, then such changes are not being recommended. In such instances it is more proper, including both the cost and usefulness of the analysis, to allow a city to be the CEQA lead agency for major sphere changes in conjunction with future sphere amendment and annexation applications that also include land use entitlements (e.g. pre-zoning).

5. LAFCO staff met with the staff of each city to review the existing sphere of influence, discuss changes and solicit input. The four points noted above were the basis for all changes discussed, but in some instances some of these points conflicted. For example, if aligning the sphere with a city's CURB would trigger substantial environmental analysis by LAFCO, such a change is not being recommended.

ANALYSIS

As discussed in the Municipal Service Review recently completed for nine of the cities in Ventura County, the City of San Buenaventura's existing sphere of influence is not consistent with voter approved growth boundaries for the City. A map from the cities MSR displays these inconsistencies in terms of the City's Planning Area, SOAR and Hillside Voter Protection Act (HVPA) ordinances and is included with this report as Attachment 2.

Because of the substantial differences between the City of San Buenaventura's voter approved growth limits and the SOAR ordinances adopted in every other city, and the potential service issues involved in having the City's sphere of influence based on strict adherence to all of LAFCO's sphere of influence policies, the City Council reviewed and discussed the City's sphere of influence, the LAFCO policies and potential sphere of influence changes on April 16, 2007. At that meeting the City Council took several actions that are detailed in a letter dated May 3 to LAFCO (Attachment 3).

After receiving the May 3 letter about the City Council's actions, I sent a letter to the City requesting clarifying and further information about the City's request to include a portion of Rancho Cañada Larga easterly of Highway 33 in the sphere of influence. This letter, dated, May 18, 2007 is included as Attachment 4. The City responded with a letter dated May 25, 2007 (Attachment 5).

The City Council's requests relating to the update of the sphere of influence, contained in the May 3 letter, are each reviewed below in relation to the LAFCO staff recommendations now being made.

1. The City is requesting that the areas subject to the Hillside Voter Participation Act (HVPA) be removed from the City's sphere. This request is fully consistent with

LAFCO policies and is part of the LAFCO staff recommendation. The HVPA ordinance provides that the City cannot extend services into the HVPA area without voter approval. Since services cannot be easily extended there is no reason to keep the HVPA area in the City's sphere of influence.

2. The City is requesting that an approximately 124 acre area, generally described as a portion of Rancho Cañada Larga on both sides of Highway 33, be added to the City's sphere of influence. It is shown on Detailed Map A (Attachment 6) and the affected properties are listed in the following table.

Map Label	Assessor Parcel No.	Owner	Size (acres)	County General Plan	County Zoning
A	063-0-030-060	Bonsall Trust	.9	Existing Community	M-2 (limited industrial)
	063-0-030-075		29.2	Existing Community & Open Space	M-2 (limited industrial) & OS (open space)
	063-0-040-015		9.42	Existing Community	M-2 (limited industrial)
	063-0-030-050	City of San Buenaventura	.82 ⁽¹⁾	Existing Community	M-2 (limited industrial)
B	035-0-210-245	Bonsall Trust	49.99	Open Space	OS (open space)
C	035-0-210-265	Bonsall Trust	172.33 ⁽²⁾	Open Space	AE (agricultural exclusive)
D	063-0-060-190	Witt Trust	.18	Existing Community	M-3 (general industrial)
	063-0-060-230		.06	Existing Community	M-3 (general industrial)
	063-0-060-270		.07	Existing Community	M-3 (general industrial)
E	063-0-060-020	Hayden Trust	2.11	Open Space	RE (rural exclusive)
F	063-0-060-045	Orr Trust	5.06 ⁽³⁾	Existing Community & Open Space	RE (rural exclusive)

NOTES:

- (1) This parcel is a portion of the Ojai bike trail.
- (2) The City is requesting that only 30 acres (approximate) of Parcel C be added to the sphere of influence
- (3) Most of Parcel F is southerly of Cañada Larga Road and is already in the sphere of influence. The area northerly of Cañada Larga Road that is not in the sphere of influence is less than 1 acre in area and has a County General Plan designation of Open Space.

LAFCO staff does not support this request, at least not in its entirety. Rather, it is recommended that all of area A be added to the City's sphere of influence, except approximately 16 acres of Assessor Parcel Nos. 063-0-030-075 that is designated Open Space by the County and zoned OS (open space) by the County.

As noted in the City's May 3 letter, all of area A is within the City's Planning Area, but approximately 29.2 acres of Assessor Parcel No. 063-0-030-075 and approximately .3 acre of Assessor Parcel No. 063-0-030-060 are designated Agriculture by the City's General Plan and consequently are covered by the City's SOAR ordinance. This City SOAR designation, however, is a result of very crude mapping that occurred prior to the City's SOAR ordinance. The County's General Plan and zoning are more accurately mapped and are, thus, being used as the basis for the portions of area A that are being recommended to be included in the City's sphere of influence. None of the portion of area A that is covered by the County's SOAR ordinance is being recommended to be included in the City's sphere of influence.

Notwithstanding the City's request, it is recommended that areas B, C, D and E, and the small portion of area F that is not now in the City's sphere, NOT be added to the City's sphere of influence, at least at this time (see Attachment 7 – Detail Map A). There are multiple reasons for this recommendation.

- a. Areas B, C, D and E, and the small portion of area F that is not now in the City's sphere, are not within what the City of San Buenaventura considers as its Planning Area and are, therefore, not truly covered by the City's General Plan. This means that the City cannot provide any information about the City's plans for land uses in these areas and cannot provide any information about the probable need for city facilities and services in these areas.

The Commission is aware that in order to approve sphere of influence changes the law requires consideration of four criteria and that written determinations be prepared for each criteria (CA Gov. Code Section 56425(e)). One required consideration relates to the present and planned land uses in an area, including agricultural and open-space lands, and another required consideration relates to the present and probable need for public facilities and services in the area. Absent any City future land use designations, the only determinations that could be made about probable land uses and the probable need for public facilities and services in the area would be based on the County's General Plan and zoning. All of areas B, C and E, and the small portion of area F that is not now in the City's sphere, are covered by the County's SOAR ordinance. The City in its correspondence did not address area F (the three small properties owned by the Witt Trust), but this area is currently outside the City's sphere of influence

and is also not covered by the City's General Plan. Because determinations cannot be made about the probable land uses or the probable need for public facilities and services that would result if these areas were included in the City's sphere of influence, there is no basis to add them to the City's sphere of influence at this time. If the City desires to have these areas added to its sphere of influence, possibly providing for most of the area to be removed from any County SOAR provisions, the proper course for the City is to first amend its General Plan, including any necessary CEQA analysis.

The City's May 25 letter indicates the City intends to include areas B, C and E, and the small portion of area F that is not now in the City's sphere, in a subsequent community plan for the City's Westside and North Avenue. Whether or not such action may include area D is unknown, but any such community plan process that includes these areas will require the City to amend its General Plan. To date neither the City Council nor the property owners have initiated any type of General Plan amendment for this area even though the City indicates that such an action may be initiated sometime during the 2007-2008 fiscal year. Even if the City initiates a General Plan amendment process to include these areas, there is nothing at this time to identify with any certainty what the City might identify as the probable land uses for the area or the probable need for public facilities and services, and the City cannot at this time state with any certainty, once all the necessary analysis for a General Plan amendment is complete, whether or not any or all of these areas will, in fact, be included in the City's General Plan at the end of any General Plan amendment process.

- b. The City has indicated that for the City to include areas B, C and E, and the small portion of area F that is not now in the City's sphere, in the City's General Plan will require further environmental review. The same is true for LAFCO to add these areas to the sphere of influence, and also applies to area D. To the extent that the City's existing General Plan EIR is not sufficient to include these areas in the City's General Plan, there is no CEQA basis for LAFCO to include them in the City's sphere of influence. As was explained in detail to City staff, the City Council and previously to the Commission, staff recommends that LAFCO not take on the responsibility for any detailed environmental review during the sphere of influence update process beyond that required to conclude that a project is exempt from CEQA or can be approved based on a Negative Declaration with no mitigation measures being necessary. Any in-depth CEQA analysis, including possibly adding area to the sphere of influence, is the proper responsibility of the agency requesting the change.

Based on the City's request, and absent complete, certified CEQA documents from the City, LAFCO as lead agency for this sphere of influence update would have to conduct further detailed CEQA analysis about adding areas B, C D, E, and the small portion of area F that is not now in the sphere, to the City's sphere of influence. This would be an expensive, time-consuming, undesirable and impractical way to deal with this issue, and is not recommended.

- c. Area C (Assessor Parcel No. 035-0-210-265) is a portion of a larger parcel that is included in a Land Conservation Act (LCA or Williamson Act) contract that covers over 6,000 acres of adjoining territory. Government Code Section 56426.5(a) indicates that, "the commission shall not approve a change to the sphere of influence of a local governmental agency of territory that is subject to a contract entered into pursuant to the California Land Conservation Act of 1965 ... if that local government agency provides or would provide facilities or services related to sewers, nonagricultural water, or streets and roads to the territory, unless these facilities or services benefit land uses that are allowed under the contract and the landowner consents to the change to the sphere of influence." While there are some exemptions to this limitation, in staff's opinion none of the potential exemptions apply in this case (see Attachment 6 for the complete text of Gov. Code Section 56425.5). The area C property owner has made the City and LAFCO staff aware that he supports, encourages and consents to the requested sphere of influence change, but has not taken the necessary steps with the County of Ventura (the agency administering the LCA contract) to file a notice of non-renewal, cancel or amend the LCA contract for the approximate 30 acre portion of Assessor Parcel No. 035-0-210-265 that the City is requesting be added to its sphere of influence. Additionally, even though area C may at some time be included in the City's General Plan, it is clear from the record so far that neither the property owner nor the City expect this area to remain in agriculture or subject to an LCA contract. Thus, the Commission cannot find that any facilities or services would benefit land uses allowed under the LCA contract, cannot find that the change would facilitate planned, orderly and efficient patterns of land use or provision of services since the patterns of land uses or provision of services desired is unknown at this time, or make any of the other necessary determinations required by law in order to include area C in the City's sphere of influence.

3. The City is requesting that all other areas within the existing sphere of influence not be removed from the sphere including areas covered by the City's SOAR ordinance. The City's May 3 letter specifically notes that this request applies to:

- a. Parcels located near rivers that unintentionally became subject to the City's SOAR due to a previous Floodplain designation.
- b. Agricultural parcels surrounded by the City that are better served by City municipal services.
- c. Parcels southerly of the Ventura Auto Center (what the City refers to as the "North Bank" area) that were designated Agriculture in the City's General Plan based on an approximate location of a future Olivas Park Drive extension and a linear park.
- d. The City does not intend to detach parcels already in the City boundaries that are in agricultural production and subject to the City's SOAR.

The City's rationale for this part of its request is explained in the May 3 letter. The recommended sphere of influence update reflects general concurrence with this part of the request, except:

- a. Two areas noted on Detail Map B (Attachment 8) are recommended to be removed from the City's sphere of influence. Area A is a 1.9 acre parcel (Assessor Parcel No. 063-0-050-200) used for agriculture that is not within the City's self defined Planning Area and is not covered by the City's General Plan. Thus, LAFCO cannot make determinations about the probable land uses or the probable need for facilities or services necessary for this property to remain the City's sphere of influence. Further, because it is actually on the westerly side of the Ventura River it would be difficult for the City to extend services to this property. It is recommended that this area be removed from the City's sphere of influence.

Area B on Detail Map B (Attachment 8) is not a separate lot or parcel, but is rather part of a larger 39.61 acre parcel (Assessor parcel No. 035-0-230-155). The portion currently in the City's sphere of influence is subject to the City's SOAR ordinance and the portion outside the City's sphere is subject to the County's SOAR ordinance. No City services are currently provided to the portion of the parcel within the City's sphere. To have the sphere consistent with property lines, it is recommended that the portion of this parcel now in the City's sphere be removed from the sphere of influence.

- b. Areas currently within the City's sphere along the Santa Clara River near Saticoy, where the existing sphere of influence does not follow parcel lines are recommended to be removed from the sphere. As shown on Detail Map C (Attachment 9), and as described in the City's May 3 letter, the existing sphere of influence in this area was based on prior mapping of the floodplain. Staff would add that this mapping was crude and imprecise. Since the City does not currently provide services and has no plans to provide services to this area, there is no basis to keep it within the City's sphere of influence.

Rather, the sphere of influence in this area is recommended to follow parcel lines. The area between the existing sphere of influence and the recommended/proposed sphere of influence is all covered by the City's SOAR ordinance and will remain so until the City may undertake actions to correct the prior inaccurate mapping of the floodplain.

The map attached to the recommended resolution for this sphere of influence update (Exhibit A of Attachment 10, the last page of this Report) shows the proposed sphere of influence for the City of San Buenaventura. It reflects each of the recommendations noted and also includes a number of very minor mapping corrections to ensure that lines match wherever the City boundary and the sphere of influence are co-terminus.

DETERMINATIONS

For California Environmental Quality Act (CEQA) purposes, the City of San Buenaventura sphere of influence update, as recommended, is exempt from CEQA under Section 15061(b)(3) of the CEQA Guidelines. This is the "general rule" exemption, meaning that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. The recommended sphere of influence overall significantly reduces the extent of the City's sphere.

Pursuant to Government Code Section 56425(e) it is recommended that the Commission consider and adopt written statements of its determinations with respect to each of the following:

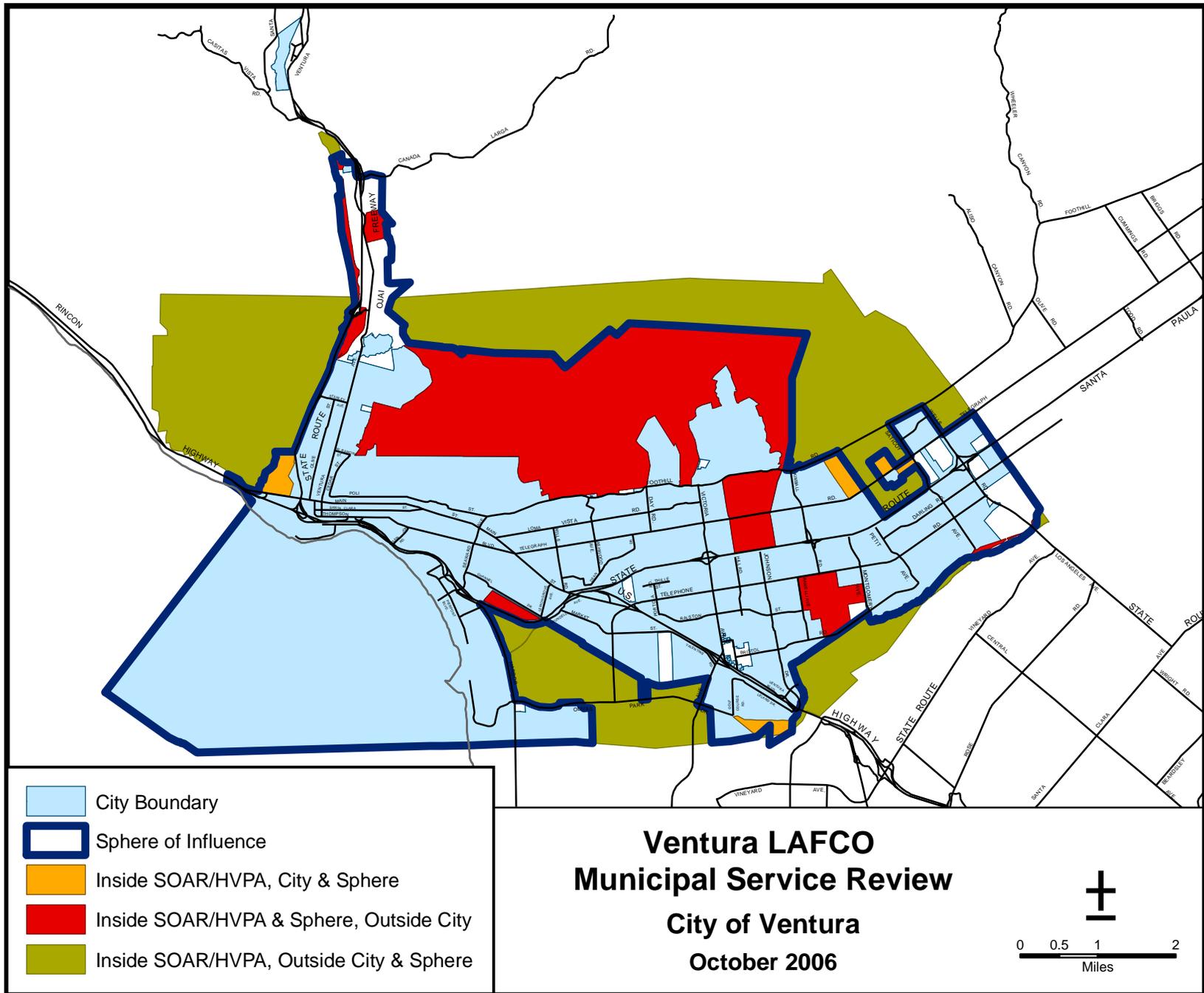
- (1) *The present and planned land uses in the area, including agricultural and open-space lands.* – The recommended sphere of influence update for the City of San Buenaventura provides for all areas currently within the City sphere and covered by the City's General Plan to remain in the sphere of influence, except areas covered by the City's Hillside Voter Protection Act Ordinance and properties in the North Ventura Avenue and Saticoy areas where the current sphere of influence does not follow parcel lines and where the City does not have any existing facilities or services. The small area recommended to be added to the City's sphere of influence is covered by the City's General Plan which is more restrictive than the County's General Plan for this area. The planned land uses within the recommended sphere of influence are those contained within the City's General Plan. There will be no development, no change in land use and no impact to agricultural and open space lands as a result of the sphere of influence update.
- (2) *The present and probable need for public facilities and services in the area.* – No changes in public facilities or services provided by the City will result from this sphere of influence update. The City bases its public facilities and services on the extent of its existing infrastructure and its General Plan. The recommended

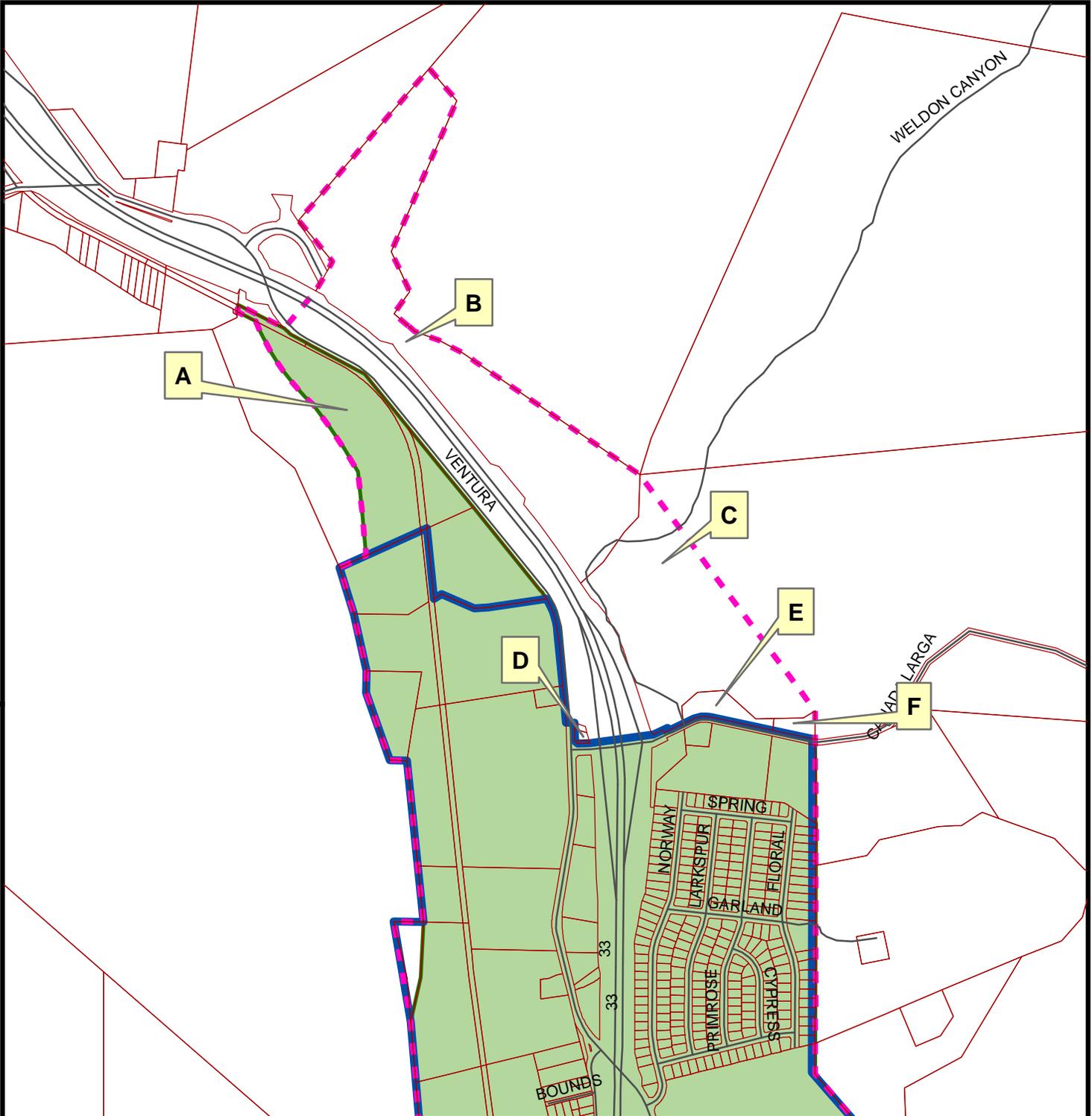
sphere of influence substantially reduces the area within the City's sphere in recognition of voter established limitations on the extension of services to the City's hillside area.

- (3) *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.* – The sphere of influence update will not affect the present capacity of public facilities or the adequacy of the services provided by the City of San Buenaventura.
- (4) *The existence of any social or economic community of interest in the area if the commission determines that they are relevant to the agency.* - The sphere of influence update will not affect any social or economic community of interest in the area.

Attachments:

1. LAFCO Policies About Spheres of Influence (excerpt from the Ventura LAFCO Commissioner's Handbook)
2. Map – City of San Buenaventura SOI/SOAR from the Municipal Service Review, Nine Ventura County Cities, accepted March 21, 2007
3. May 3, 2007 letter from the City of San Buenaventura
4. May 18, 2007 LAFCO letter to City of San Buenaventura requesting additional information
5. May 23, 2007 letter from the City of San Buenaventura providing additional information
6. Gov. Code Section 56425.5 relating to changes to spheres of influence for land under Williamson Act (Land Conservation Act) contracts
7. Detail Map A
8. Detail Map B
9. Detail Map C
10. LAFCO Resolution – Sphere of Influence Update for City of San Buenaventura

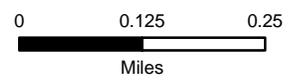




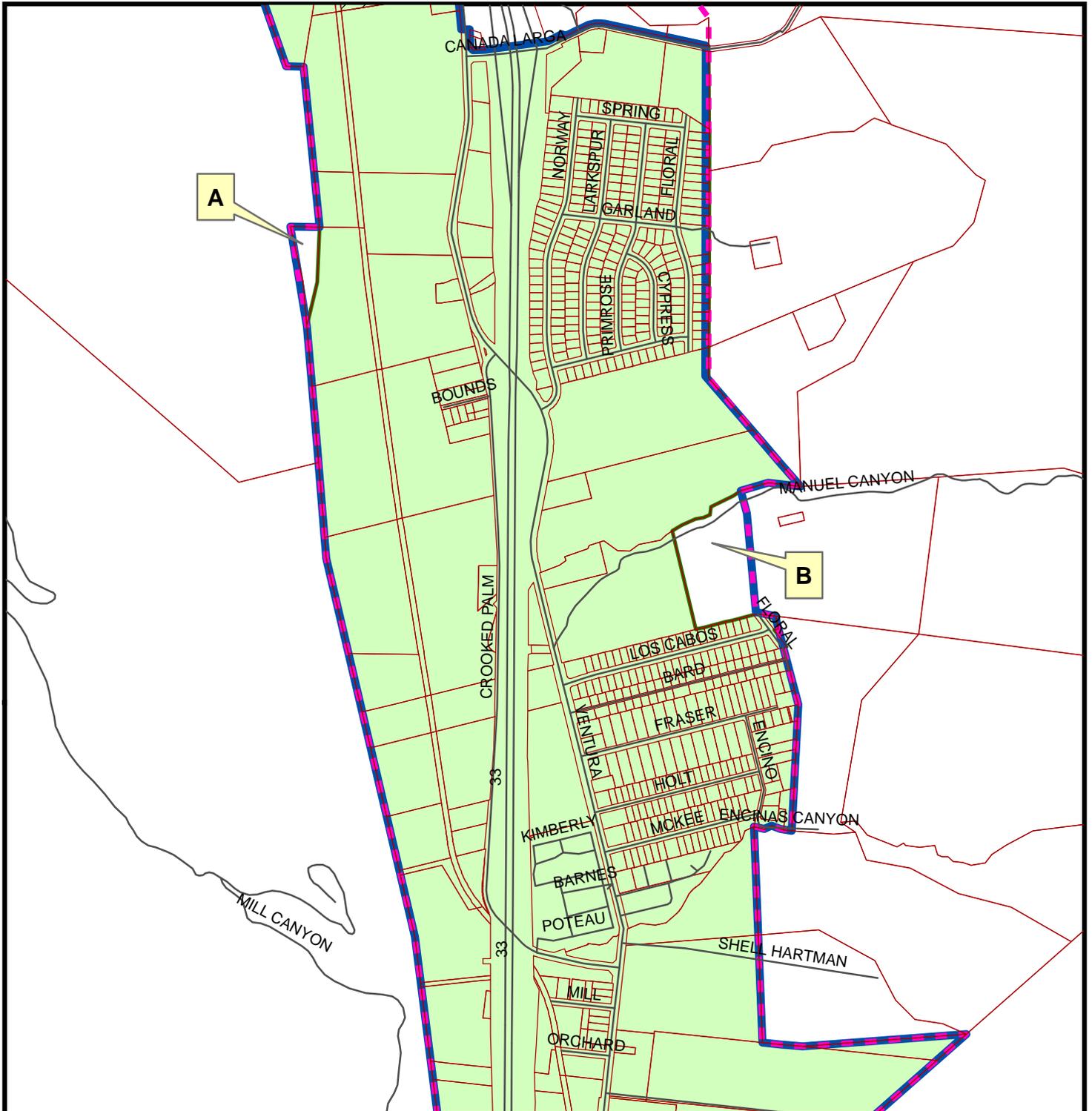
Legend

- Proposed Sphere Boundary
- Existing Sphere Boundary
- City Requested Sphere
- City Boundary
- Parcel Lines
- Roads

Detail Map A
 Ventura LAFCO Sphere of Influence Update
 City of San Buenaventura
 June 13, 2007



Map Label	Assessor Parcel No.	Owner	Size (acres)	County General Plan	County Zoning
A	063-0-030-060	Bonsall Trust	.9	Existing Community	M-2 (limited industrial)
	063-0-030-075		29.2	Existing Community & Open Space	M-2 (limited industrial) & OS (open space)
	063-0-040-015		9.42	Existing Community	M-2 (limited industrial)
	063-0-030-050	City of San Buenaventura	.82 ⁽¹⁾	Existing Community	M-2 (limited industrial)
B	035-0-210-245	Bonsall Trust	49.99	Open Space	OS (open space)
C	035-0-210-265	Bonsall Trust	172.33 ⁽²⁾	Open Space	AE (agricultural exclusive)
D	063-0-060-190	Witt Trust	.18	Existing Community	M-3 (general industrial)
	063-0-060-230		.06	Existing Community	M-3 (general industrial)
	063-0-060-270		.07	Existing Community	M-3 (general industrial)
E	063-0-060-020	Hayden Trust	2.11	Open Space	RE (rural exclusive)
F	063-0-060-045	Orr Trust	5.06 ⁽³⁾	Existing Community & Open Space	RE (rural exclusive)

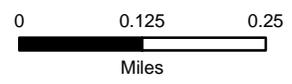


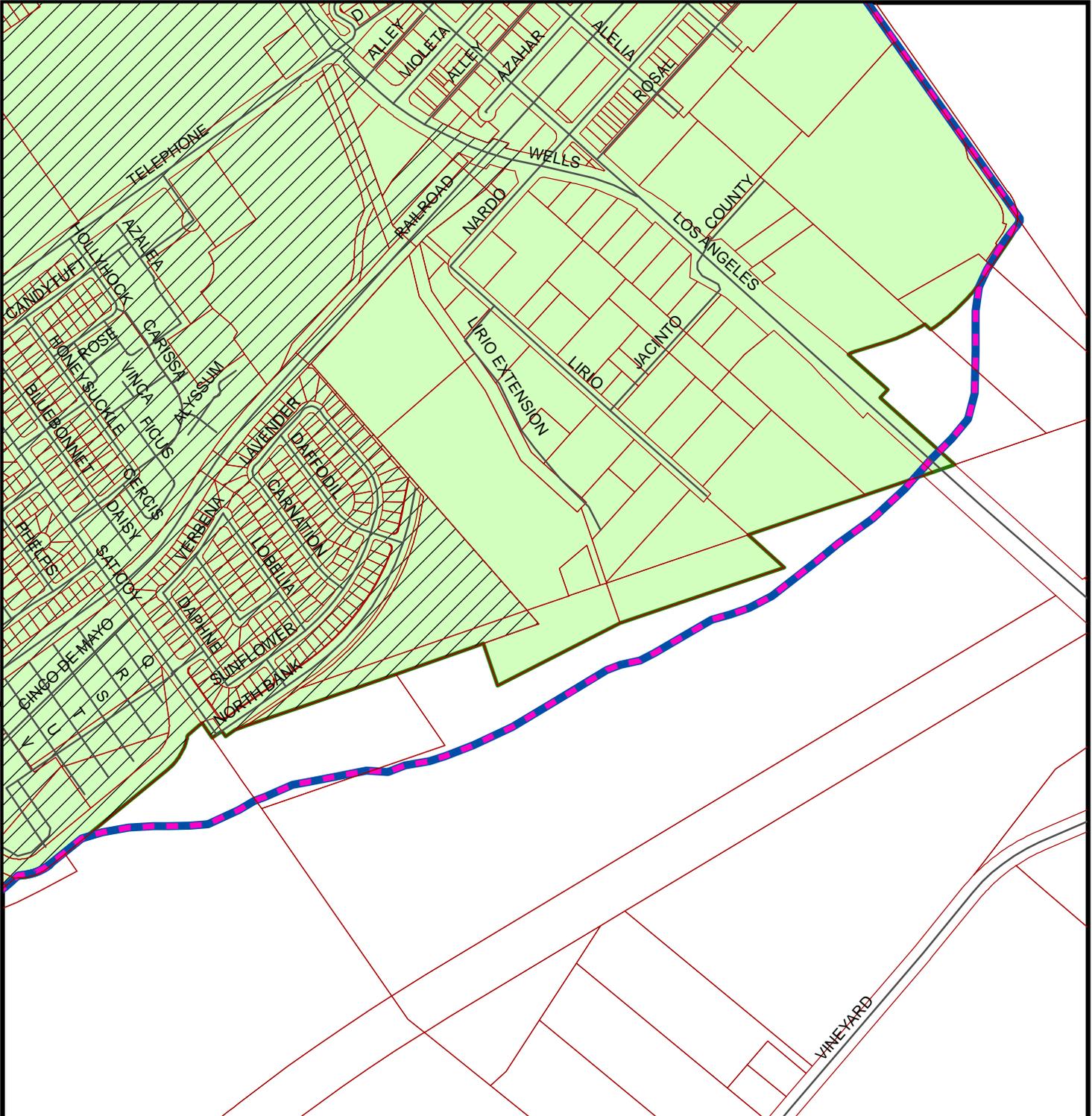
Legend

- Proposed Sphere Boundary
- Existing Sphere Boundary
- City Requested Sphere Boundary
- City Boundary
- Parcel Lines
- Roads

Detail Map B

Ventura LAFCO Sphere of Influence Update
 City of San Buenaventura
 June 13, 2007

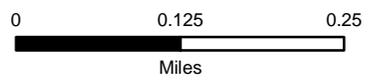




Legend

-  Proposed Sphere Boundary
-  Existing Sphere Boundary
-  City Requested Sphere Boundary
-  City Boundary
-  Parcel Lines
-  Roads

Detail Map C
 Ventura LAFCO Sphere of Influence Update
 City of San Buenaventura
 June 13, 2007



**RESOLUTION OF THE VENTURA LOCAL AGENCY
FORMATION COMMISSION MAKING DETERMINATIONS
AND APPROVING THE UPDATE OF THE SPHERE OF
INFLUENCE FOR THE CITY OF SAN BUENAVENTURA**

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

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

WHEREAS, Government Code Section 56430 requires that a municipal service review be conducted prior to or in conjunction with a sphere of influence update; and

WHEREAS, LAFCO conducted a municipal service review of the services provided by the City of San Buenaventura and adopted written determinations as required by Government Code Section 56430 on March 21, 2007 for the services provided by the City; and

WHEREAS, the San Buenaventura City Council has made a variety of requests concerning changes to the City's sphere of influence that have been reviewed by the Executive Director and by LAFCO; and

WHEREAS, no change in regulation, land use or development will occur as a result of the recommended update to the City's sphere of influence; and

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

WHEREAS, the sphere of influence update action was duly considered at a public hearing on June 13, 2007; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony for and against the sphere of influence update including, but not limited to, testimony at the public hearing on June 13, 2007 and the LAFCO Executive Officer's June 13, 2007 staff report and recommendation;

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

- (1) The Executive Officer's Staff Report and Recommendation for approval of the sphere of influence update for the City of San Buenaventura, dated June 13, 2007 is adopted.
- (2) The Commission has considered the criteria set forth in Government Code §56425(e) and determines as follows:
 - (a) *The present and planned land uses in the area, including agricultural and open-space lands.* – The recommended sphere of influence update for the City of San Buenaventura provides for all areas currently within the City sphere and covered by the City's General Plan to remain in the sphere of influence, except areas covered by the City's Hillside Voter Protection Act Ordinance and properties in the North Ventura Avenue and Saticoy areas where the current sphere of influence does not follow parcel lines and where the City does not have any existing facilities or services. The small area recommended to be added to the City's sphere of influence is covered by the City's General Plan which is more restrictive than the County's General Plan for this area. The planned land uses within the recommended sphere of influence are those contained within the City's General Plan. There will be no development, no change in land use and no impact to agricultural and open space lands as a result of the sphere of influence update.
 - (b) *The present and probable need for public facilities and services in the area.* – No changes in public facilities or services provided by the City will result from this sphere of influence update. The City bases its public facilities and services on the extent of its existing infrastructure and its General Plan. The recommended sphere of influence substantially reduces the area within the City's sphere in recognition of voter established limitations on the extension of services to the City's hillside area.
 - (c) *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.* – The sphere of influence update will not affect the present capacity of public facilities or the adequacy of the services provided by the City of San Buenaventura.
 - (d) *The existence of any social or economic community of interest in the area if the commission determines that they are relevant to the agency.* - The sphere of influence update will not affect any social or economic community of interest in the area.

- (3) The sphere of influence for the City of San Buenaventura is hereby updated to be the area shown as “proposed sphere of influence”, as generally depicted on Exhibit A attached hereto.
- (4) The Commission directs staff to have the official sphere of influence geographic information system data maintained for the Ventura LAFCO by the Ventura County Public Works Agency and Information Systems Department as the official sphere of influence record for the City of San Buenaventura updated consistent with this action.
- (5) In accordance with the Executive Officer’s determination, the Commission, as lead agency for the purposes of the California Environmental Quality Act (CEQA), hereby determines that the sphere of influence update for the City of San Buenaventura is exempt pursuant to Section 15061(b)(3) of the CEQA Guidelines.
- (6) The Commission directs staff to file a Notice of Exemption as lead agency under Section 15062 of the CEQA Guidelines.

This resolution was adopted on June 13, 2007.

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

NOES: None

ABSTAINS: None

Dated: _____
Chair, Ventura Local Agency Formation Commission

Cc: City of San Buenaventura
Ventura County Surveyor
Ventura County Geographic Information System Officer
Ventura County Planning Department