



AGENDA

Hall of Administration, Board of Supervisors' Hearing Room
800 S. Victoria Avenue, Ventura
9:00 A.M. Wednesday, June 9, 2010

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Commission Presentations and Announcements

COMMENTS FROM THE PUBLIC

5. Public Comments
 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).*

CONSENT ITEMS

6. Minutes of the Ventura LAFCo May 19, 2010 regular meeting

RECOMMENDED ACTION: Approval

COMMISSIONERS AND STAFF

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

PUBLIC HEARING ITEMS

7. LAFCo Final Budget for FY 2010-11

- A. Adopt the Recommended Final Budget for FY 2010-11.
- B. Authorize transmittal of the Adopted Budget to the County, Cities and Special Districts

RECOMMENDED ACTION: Approval (A and B)

8. LAFCo Fee Schedule Update

- A. Adopt a resolution updating and revising the LAFCo Fee Schedule to be effective July 1, 2010
- B. Authorize transmittal of the Fee Schedule to the County, Cities and Special Districts

RECOMMENDED ACTION: Approval (A and B)

9. Sphere of Influence Review for Ventura County Service Area Nos. 3, 4, & 14

- A. Determine that no sphere of influence update or municipal service review is necessary for Ventura County Service Area Nos. 4 and 14.
- B. Continue the public hearing for the sphere of influence review and update for Ventura County Service Area No. 3 until July 21, 2010.

RECOMMENDED ACTION: Approval (A and B)

10. LAFCo 10-05S Ojai Valley Sanitary District -Sphere of Influence Update

Adopt a resolution making determinations and updating the sphere of influence for the Ojai Valley Sanitary District.

RECOMMENDED ACTION: Approval

11. Ventura County Service Area No. 34 Municipal Service Review (MSR) Report and Sphere of Influence Establishment

- A. Adopt a Negative Declaration determining that the preparation of a municipal service review and the establishment of a sphere of influence for Ventura County Service Area No. 34 will not have a significant effect on the environment.
- B. Accept the Ventura County Service Area No. 34 MSR report, with any corrections and additions requested and accepted at the public hearing, authorize the Executive Officer to make other minor, non-substantive changes, and direct staff to prepare and distribute a final MSR Report: Ventura County Service Area No. 34, including determinations adopted by the Commission.
- C. Adopt a resolution relating to the Ventura County Service Area No. 34 Municipal Service Review approving statements of determinations as required by Government Code §56430.
- D. Adopt a resolution (LAFCO 10-04S) making determinations and establishing a sphere of influence for Ventura County Service Area No. 34.

RECOMMENDED ACTION: Continue to July 21, 2010 meeting

ACTION ITEMS

12. County of Ventura CEQA Initial Study Assessment Guidelines
Receive information regarding the June 1, 2010 meeting of staff from LAFCo, the County Planning Division and the Agricultural Commissioner's office regarding the Agricultural Resources Section of the draft update of the County of Ventura Initial Study Assessment Guidelines and determine whether to take further action as appropriate.

RECOMMENDED ACTION: Discussion and Action

13. Transfer of Unclaimed Trust Funds to Revenue
Authorize transfer of unclaimed monies totaling \$698 from the LAFCo Trust Balance Sheet Account 4400 to Revenue Account 9772.

RECOMMENDED ACTION: Approval

14. CALAFCO ByLaws Amending the Board Member Election Process
Amend the CALAFCO Corporation Bylaws to revise the process by which Directors are elected.

RECOMMENDED ACTION: Approval

15. Tierra Rejada Greenbelt
Adopt a resolution recognizing and endorsing revisions to the Tierra Rejada Greenbelt as requested by the County of Ventura and the Cities of Moorpark and Thousand Oaks.

RECOMMENDED ACTION: Approval

EXECUTIVE OFFICER'S REPORT

Legislation update

Next Regular LAFCo Meeting July 21, 2010

INFORMATIONAL ITEMS

Proposals received:

City of Thousand Oaks Sphere of Influence Amendment, Conejo Recreation and Park District Sphere of Influence Amendment and City of Thousand Oaks Reorganization -Rancho Potrero

COMMISSIONER COMMENTS

ADJOURNMENT

WEB ACCESS:

**LAFCo Agendas, Staff Reports
and Adopted Minutes can be found at:**

www.ventura.lafco.ca.gov

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

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

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

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

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

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



MINUTES

REGULAR MEETING

Wednesday, May 19, 2010, 9:00 A.M.

Hall of Administration, Board of supervisors' Hearing Room
800 S. Victoria Avenue, Ventura

Agenda Item 6

1. Call to Order

Chair Long called the meeting to order at 9:00 A.M.

2. Pledge of Allegiance

Commissioner Morehouse led the pledge of allegiance.

3. Roll Call

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

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

*As a result of a vacancy created by the death of Commissioner Lotts, Alternate Commissioner Pringle sat as a voting special district member.

4. Commission Presentations and Announcements

Commissioner Morehouse encouraged Commission members to attend the Ventura Council of Governments (VCOG) 2010 Annual Meeting Thursday June 24 at the Glen Tavern Inn in Santa Paula

5. Public Comments

There were no public comments.

COMMISSIONERS AND STAFF

COUNTY:

Kathy Long, Chair
Linda Parks
Alternate:
Steve Bennett

CITY:

Carl Morehouse
Janice Parvin
Alternate:
Thomas Holden

SPECIAL DISTRICT:

George Lange
Vacant
Alternate:
Gail Pringle

PUBLIC:

Lou Cunningham, Vice Chair

Alternate:
Kenneth M. Hess

Executive Officer:

Kim Uhlich

Dep. Exec. Officer

Kai Luoma

Office Mgr/Clerk:

Debbie Schubert

Office Assistant

Martha Escandon

Legal Counsel:

Leroy Smith

CONSENT ITEMS

6. Minutes of the Ventura LAFCo April 21, 2010 Regular Meeting
7. Budget to Actual Report for April 2010

MOTION: Approval Item 6 and Receive and File Item 7: Cunningham
SECOND: Parvin
FOR: Cunningham, Lange, Long, Morehouse, Parks, Parvin, Pringle
AGAINST: None
ABSTAIN: None
MOTION PASSED 7/0/0

PUBLIC HEARING ITEMS

8. LAFCo-10-01 City of Camarillo Reorganization - Drown
Chair Long opened the public hearing. Kai Luoma presented the staff report.
With no one wishing to give public comment, Chair Long closed the public hearing.

MOTION: Approval as recommended: Morehouse
SECOND: Lange
FOR: Cunningham, Lange, Long, Morehouse, Parks, Parvin, Pringle
AGAINST: None
ABSTAIN: None
MOTION PASSED 7/0/0

9. Review of Conflict of Interest Code and Amendments to Commissioner's Handbook Divisions 2, 3, and 4

Chair Long opened the public hearing. Kai Luoma presented the staff report.
With no one wishing to give public comment, Chair Long closed the public hearing.

MOTION: Approval as recommended including the following revisions:
Section 3.3.1.2 (iii.): The proposal is inconsistent with state law, adopted spheres of influence, adopted general or specific plans, adopted habitat conservation and/or restoration plans, or other applicable plans adopted by any governmental agency, or these policies.

Section 3.3.1.2 (viii.): The proposal area would accommodate new development and includes a tsunami inundation zone, wildfire hazard zone, FEMA designated floodway or floodplain, or other hazardous area designated by federal, state or local public agencies, unless the Commission determines that the hazard or hazards can be adequately mitigated.

Section 4.1.3.4 (iv.): That would accommodate new development and includes a tsunami inundation zone, wildfire hazard zone, FEMA designated floodway or floodplain, or other

hazardous area designated by federal, state or local public agencies, unless the Commission determines that the hazard or hazards can be adequately mitigated: Lange

SECOND: Morehouse
FOR: Cunningham, Lange, Long, Morehouse, Parks, Parvin, Pringle
AGAINST: None
ABSTAIN: None
MOTION PASSED 7/0/0

ACTION ITEMS

10. County of Ventura CEQA Initial Study Assessment Guidelines
Kai Luoma presented the staff report.

MOTION: Approval as recommended: Morehouse
SECOND: Cunningham
FOR: Cunningham, Lange, Long, Morehouse, Parks, Parvin, Pringle
AGAINST: None
ABSTAIN: None
MOTION PASSED 6/0/0

11. Consent to Representation and Waiver of Conflict of Interest – County Counsel, LAFCo Counsel: County of Ventura, Ventura County Community Services District No. 33 and Ahmanson Ranch Community Services District and the Ventura LAFCo.
Kim Uhlich presented the staff report.

MOTION: Approval as recommended: Parvin
SECOND: Pringle
FOR: Cunningham, Lange, Long, Morehouse, Parks, Parvin, Pringle
AGAINST: None
ABSTAIN: None
MOTION PASSED 7/0/0

EXECUTIVE OFFICER'S REPORT

Kim Uhlich reported the following legislative bills that are of interest to CALAFCO: AB 419, which supplements existing law to require cities and counties to place proposals approved by LAFCo and subject to election on the ballot in a timely manner; AB 853, which provides a mechanism for residents who live in disadvantaged communities to petition to a Board of Supervisors to be annexed to a city if the community is within an existing city sphere of influence and lacks wastewater, drinking water services, storm drainage, paved streets, sidewalks, or streetlights, or subject to a serious infrastructure-related health hazard; AB 2795, a CALAFCO-sponsored bill which makes various nonsubstantive changes to LAFCo law; SB 894, a Senate Local Government Committee Omnibus Bill that makes nonsubstantive changes to local government laws and contains one minor item related to LAFCo; and SB 1023, which is supported by CALAFCO, the

Ventura LAFCo and the Montalvo Municipal Improvement District and would authorize LAFCo to approve an expedited reorganization of any resort improvement and municipal improvement district into a community services district. AB 1859, which would have subjected city and county redevelopment agency project areas to LAFCo review, bill died in committee. The next regular meeting scheduled for June 9, 2010.

COMMISSIONER COMMENTS

Commissioner Lange clarified information contained in the Executive Officer's May update memo by indicating that he participated in a portion of the May 14 CALAFCO Board meeting by telephone to provide a report of the Conference Program Planning Committee. He will participating in another Program Planning Committee meeting tomorrow via teleconference and encouraged all of the Commissioners to attend the Conference. In response to Commissioner Lange's comment that the Program Planning Committee is seeking a keynote speaker, Chair Long recommended that incoming CSAC President and Riverside County Supervisor John Tavaglione be considered. Commissioner Parks indicated that Riverside Mayor and SCAG representative Ron Loveridge would also be a good speaker.

ADJOURNMENT

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

These Minutes were approved on May 19, 2010

Motion:

Second:

Ayes:

Nos:

Abstains:

Motion //

Dated: _____

Chair, Ventura Local Agency Formation Commission

STAFF REPORT

Meeting Date: June 9, 2010

Agenda Item 7

TO: LAFCo Commissioners

FROM: Kim Uhlich, Executive Officer

SUBJECT: *Recommended* Final Budget – Fiscal Year 2010 - 2011

RECOMMENDATION:

- A. Adopt the Recommended Final Budget for the 2010-11 fiscal year.
- B. Authorize transmittal of the adopted Final Budget to the County, cities and independent special districts.

BACKGROUND:

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH) requires that each LAFCo adopt a Proposed budget by May 1 and a Final budget by June 15. The Commission adopted a Proposed FY 2010-11 Budget on April 21, 2010. The hearing on the Recommended Final Budget for FY 2010-11 (Attachment 1) is scheduled for June 9, 2010. Prior to the June 9 hearing, it will be transmitted to the County and each city and independent special district in the County for review and comment. Pursuant to state law, comments may be provided at any time prior to action on a Final Budget.

DISCUSSION:

The Recommended Final Budget has been revised to reflect changes that were made by the Commission during its consideration and adoption of the Proposed Budget. The first change involved the transfer of \$14,488 from the contingency appropriation to Salaries and Employee Benefits to cover unanticipated retroactive salary and benefits costs due to the Executive Officer in conjunction with a general salary increase that was granted to

COMMISSIONERS AND STAFF

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Martha Escandon

Legal Counsel:

Leroy Smith

management employees by the Board of Supervisors in 2006 but not received by employees within the LAFCo job classifications. Secondly, the Commission directed that the contingency appropriation for FY 2010-11 be reduced by an amount equal to that transferred from the current year contingency. By doing so, the amount of revenue from other governmental agencies in the Recommended Final Budget remain unchanged from that in the Proposed Budget. A more comprehensive explanation of these changes as well as a detailed comparison of the Recommended Final Budget to the current year budget is included in Attachment 1.

Attachment: (1) Recommended Final Budget – FY 2010-11



BUDGET MESSAGE

Recommended Final Budget - Fiscal Year 2010-2011

Meeting Date: June 9, 2010

Introduction

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56000 *et seq*) (CKH) requires each Local Agency Formation Commission (LAFCo) to adopt a Proposed Budget by May 1 of each year and a Final Budget by June 15 of each year. The Ventura LAFCo adopted a Proposed Budget on April 21, 2010 and will consider this Final Budget for Fiscal Year (FY) 2010-11 on June 9, 2010. Once adopted, the Final Budget will be used by the County Auditor-Controller to collect revenues as necessary from the County, cities and independent special districts.

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

LAFCo and the County of Ventura entered into a Memorandum of Agreement effective July 1, 2001. While LAFCo is an independent agency, the Memorandum of Agreement provides for the County to provide personnel, support services, offices and materials as requested by LAFCo. All of the personnel, support services, offices and materials to be requested of the County for FY 2010-11 are part of this *Recommended Final Budget*. Budget information is formatted using County of Ventura account descriptions and codes.

This Budget Message highlights LAFCo's major responsibilities, reviews the major work accomplishments and budget information for the first three quarters of FY 2009-10, sets forth a basic work plan for FY 2010-11, and provides background and explanatory information about the anticipated expenditures and revenues in the *Recommended Final Budget*.

Major LAFCo Responsibilities

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

FY 2009-2010 in Review

Fiscal Year 2009-10 was the ninth year that the Ventura LAFCo was required to adopt its own budget, independent of the County, and to address new mandates pursuant to the CKH. The experience of actual revenues and expenditures from prior years helped to better establish baselines for discretionary expenditures. Based on information through the end of April, 2010, total projected actual expenditures for FY 2009-10 should be approximately \$75,836 (9.7%) less than the Adjusted Budget. In the third quarter, LAFCo expended approximately \$42,288 for retroactive salary and employee benefits to compensate the current and former Executive Officer, Deputy Executive Officer and Office Manager/Clerk for a general salary increase granted to County management employees in 2006 by the Board of Supervisors but erroneously withheld from LAFCo staff. A portion of this amount (\$20,000) was expended from unspent appropriations within the Salaries and Employee Benefits object. The remaining amount was transferred from the Services and Supplies appropriation (\$7,800) and the Contingency appropriation (\$14,488). As a result of the Ventura LAFCo

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Hearing Date: June 9, 2010

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unanticipated expenditures, overall expenditures for salaries and employee benefits are projected to be approximately \$20,988 more than the Adopted Budget and \$1,300 (0.2%) less than the Adjusted Budget. Due to on-going fiscal prudence, actual services and supplies expenditures are projected to be approximately \$17,833 (9.0%) less than the Adjusted Budget. As indicated above, \$14,488 was transferred from the amount budgeted for contingencies (\$71,191) to Salaries and Employee Benefits to cover the unanticipated retroactive salary and employee benefits correction. The anticipated savings in salaries/benefits, services/supplies and contingency objects will contribute to a projected available Fund Balance for FY 2010-11 of \$41,837, which is \$74,180 (63.9%) less than the Fund Balance adopted as a part of the FY 2009-10 budget (\$116,017).

Actual revenue for FY 2009-10 is now projected to be approximately \$34,000 (5.1%) less than that reflected in the Adopted Budget. The County, the cities and the independent special districts all paid their respective shares of the net operating expenditures as apportioned by the County Auditor-Controller pursuant to the CKH (account code 9372). Actual interest revenue (account code 8911) is projected to be \$16,000, which is approximately \$4,000 (20%) less than the Adopted Budget (\$20,000). Based on applications filed as of the end of April, projected actual revenues from charges for LAFCo services (account code 9772) are approximately \$30,000 (50%) less than the \$60,000 Adopted Budget. Although several more applications and associated fee revenue are anticipated to be received prior to the end of this fiscal year, the overall number of applications received has been significantly lower than anticipated.

The following Work Plan was adopted as a part of the FY 2009-10 Budget:

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

Substantial progress has been made on each of these work plan items. In May, 2008 LAFCo approved a Work Plan for the 2008-2013 sphere of influence review/update and municipal service review cycle. Between July 1, 2009 and the present time, sphere of influence (SOI) reviews have been completed for the Fox Canyon Groundwater Management Agency, the Bell Canyon Community Services District and the Ventura Regional Sanitation District. Sphere of influence reviews and/or updates for the Ojai Valley Sanitary District, and Ventura County Service Area Numbers 3, 4, and 14, will be scheduled for Commission action prior to the end of this fiscal year. A sphere of influence

Ventura LAFCo

Recommended Final Budget FY 2010-11

Hearing Date: June 9, 2010

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for County Service Area Number 34 will also be established prior to the end of this fiscal year. In addition, Staff reviewed and commented on 17 environmental documents, draft general plans, and applications for development projects during the current fiscal year.

Positive communications have been maintained with all cities and districts. Staff continues to attend and participate in meetings with staff and consultants representing cities and special districts as well as individual members of the public and members of municipal advisory/neighborhood councils and other community groups. As time allows, staff continues to attend meetings of the Ventura Special Districts Association, the Association of Water Agencies, the City & County Planning Association, Southern California Association of Governments (SCAG) and other local and regional associations.

Opportunities for ongoing training and professional development, including CALAFCO University courses and annual CALAFCO staff workshops, are pursued as time and budget permit. The process to convert LAFCo's paper case file records to digital format is complete. All case files since 1986 have been archived and indexed and the transfer of LAFCo's pre-1986 microfiche records to digital files will be completed prior to the end of this fiscal year.

In the third and fourth quarters of this fiscal year staff recommended, and the Commission adopted, a number of substantive and non-substantive revisions to the Commissioner's Handbook. In addition, an external audit of LAFCo's financial statements for the years ended 2008 and 2009 was completed by an independent certified public accounting firm and an unqualified letter of opinion was issued.

Work Plan

The Ventura LAFCo Commissioner's Handbook provides that LAFCo will annually review and adopt a work plan as a part of the budget development process. For FY 2010-11, the recommended work plan maintains the focus on municipal service reviews and sphere of influence updates, carries forward the update and possible revisions to the Commissioner's Handbook and is otherwise similar to the work plan for this year.

FY 2010- 11 Work Plan

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

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

Recommended Budget Expenditures

The expense portion of the budget is divided into three main sections, the Salary and Employee Benefits section (1000 series account codes), the Services and Supplies section (2000 series account codes), and Contingencies (account code 6101). Including the contingency appropriation, the *Recommended* Final Budget reflects an overall expenditure decrease of approximately \$10,209 (1.3%) in comparison with the FY 2009-10 Adopted/Adjusted Budget.

Salary and Employee Benefits

Salaries and employee benefits continue to be the major expense, comprising 67.2% of the total expenditures (substantially more if contingencies are not included). Compared to the current year Adjusted Budget, expenditures for salaries and benefits are proposed to decrease by approximately 1.8% from \$528,788 to \$519,400. This is primarily due to the unanticipated expenditure for retroactive salary and employee benefits in the current year. Compared to the current year Adopted Budget, expenditures for salaries and benefits are proposed to increase by approximately 2.5%. This increase is primarily due to prospective merit increases within existing salary ranges and related increases in the various benefits accounts (e.g., account code 1121, Retirement Contribution and account code 1171, 401k Plan). Based on information provided by the County Executive Office, it is unlikely that the Board of Supervisors will grant any general salary increases or cost of living adjustments for County employees during FY 2010-11. Therefore, no such increases are included in the *Recommended* Final Budget.

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

Title	FY 2009 - 10	FY 2010 - 11
LAFCo Executive Officer	1	1
LAFCo Analyst/Deputy Executive Officer	1	1
LAFCo Office Manager/Clerk of the Commission	1	1
Office Assistant II	.5	.5
Total Authorized Positions	3.5	3.5

Services and Supplies

Compared to the current year Adopted Budget, expenditures for supplies and services are proposed to decrease by approximately 4.4% from \$205,410 to \$196,400. Many of the service and supplies account codes are based on County charges and are either unchanged or increasing slightly overall due to basic increases in costs. For those service and supplies account codes that reflect discretionary expenditures, most of the proposed

budget amounts have been decreased in an effort to maximize fiscal efficiency. The major Services and Supplies expenditures are proposed to change as follows:

- An increase in the amount budgeted for Facilities/Materials Allocation (account code 2125) from \$16,000 in the current year to \$17,000 for FY 2010-11. This cost represents the County's determination of LAFCo's allocated cost for office space.
- A decrease in the amount budgeted for Education Allowance (account code 2154) from \$3,333 in the current year to \$2,500 for FY 2010-11. The current year amount reflects education allowance costs for both the Executive Officer and the Deputy Executive Officer. As of the current fiscal year, the balance of the total education allowance cost for the Executive Officer has been paid. The proposed budget amount thus reflects the maximum annual education allowance cost (\$2,000) for only the Deputy Executive Officer. In addition, the proposed budget amount includes \$500 toward educational costs for the LAFCo Office Manager/Clerk and the Office Assistant should they elect to enroll in any qualified educational courses.
- An increase in Indirect Cost Recovery charges (account code 2158). These cost recovery charges are for County services provided primarily by the General Services Agency, Auditor-Controller and Chief Executive Office, including Human Resources. The current fiscal year charge is \$24,250. For FY 2010-11 the charge will be \$31,000.
- A decrease in Office Supplies (account code 2173) from \$3,500 in the current year to zero and an increase in Misc Office Expense (account code 2179) from \$5,037 in the current year to \$7,000. In an effort to simplify LAFCo's accounting codes, all expenditures for office expenses and supplies will be combined under the Misc Office Expense account. Considering both account codes cumulatively, proposed expenditures for miscellaneous office expenses and supplies are proposed to decrease from \$8,537 in the current year to \$7,000 for FY 2010-11.
- An increase in Mail Center charges (account code 2174) from \$3,000 in the current year to \$7,500 and a decrease in Stores charges (account code 2181) from \$4,356 to zero for FY 2010-11. These account codes are being combined in accordance with County requirements. Considering both account codes cumulatively, overall expenditures for Mail Center and Stores charges is proposed to increase from \$7,356 in the current year to \$7,500 for FY 2010-11. Although the amount budgeted exceeds the estimated costs reflected in the County Budget Manual, the actual amount charged by the County for the current year exceeded the amount recommended by the Budget Development Manual. Therefore, the proposed budget amount is slightly higher to allow for expenditures that might exceed the County's cost estimate.
- A decrease in the amount budgeted for professional services (account code 2199) from \$16,000 in the current year to \$13,000 for FY 2010-11. The current amount reflects expenses associated with a biennial audit of financial statements for FY 2007-08 and 2008-09. In accordance with the Commissioner's Handbook policies, single year audits will now be conducted beginning with fiscal year 2009-10. The proposed amount is therefore lower to reflect the estimated cost of a single year audit.

- A decrease in the amount for Public and Legal Notices (account code 2261) from \$6,000 in the current year to \$5,000 for FY 2010-11 to more closely reflect the actual current year cost, which is currently projected to be \$3,000.
- A decrease of \$5,000 for legal counsel services (account code 2304) to be equivalent to the projected actual current year cost.
- A decrease in the amount budgeted for conference and seminar expenses (account code 2523) from \$19,000 in the current year to \$13,000. In prior years, the amount budgeted allowed for all staff members who were interested to attend all CALAFCO training opportunities, including staff workshops, CALAFCO University courses and the annual CALAFCO Conference. In recognition of the current fiscal climate, the proposed amount reflects a limitation on staff attendance at the CALAFCO conference and CALAFCO University courses. In addition, the Ventura LAFCo will host the 2011 CALAFCO staff workshop and therefore, unlike other years, will not incur travel or hotel costs.

Contingencies

The Commission's budget policies indicate that the budget should provide for contingencies equaling 10% of total expenditures, unless the Commission deems that a different amount is appropriate. In conjunction with the adoption of the Proposed Budget, the Commission authorized the transfer of \$14,488 from the current year contingency appropriation (\$71,191) to cover the payment of retroactive salary and benefits to the Executive Officer as described in the FY 2009-2010 Year in Review Section. To avoid the need for a corresponding increase in the amount of revenue collected from other governmental agencies in the Final Budget for FY 2010-11, the Commission directed that the contingency appropriation for next year be reduced by an amount equivalent to that transferred from the current year contingency. The *Recommended* Final Budget therefore includes a contingency appropriation of \$57,092, which is 7.4 % of total expenditures.

Recommended Budget Financing Sources

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

Fund Balance

Section 56381(c) of the CKH provides, "If, at the end of the fiscal year, the commission has funds in excess of what it needs, the commission may retain those funds and calculate them into the following fiscal year's budget." Approximately \$41,837 is now projected to be available at the end of the current fiscal year as Fund Balance. This amount is significantly less than the Fund Balance available for the current year (\$116,017). This is partly because actual Other Miscellaneous Revenue (revenue from application fees; account

code 9772) is projected to be approximately \$30,000 less than the Adopted Budget. Another contributing factor to the reduced projected fund balance is the unanticipated costs for retroactive salary and employee benefits associated with a general salary increase that was granted by the Board of Supervisors to, but not received by, LAFCo classified employees in 2006.

Designation for Subsequent Year Financing

On May 17, 2006, the Commission approved an amendment to the Commissioner's Handbook, Section 2.3.1.4 "Contingency and Designation Accounts", which states that, after the end of each fiscal year, any monies in excess of the projected fund balance amount in the budget shall be deposited in an account designated for subsequent year financing (account code 5070). This account is intended to function as the Commission's "reserve" account for unanticipated, extraordinary expenses over and above the annual amount budgeted for contingencies. The Commissioners' Handbook also provides that the 5070 account should be augmented until the balance is equal to at least 25 percent of the current year budget. In accordance with this policy, the Commission has approved the transfer of revenues in excess of the projected fund balance to the 5070 account following the close of each fiscal year since 2005-06. In November 2009, after the close of FY 2008-09, \$34,287 was available in addition to what had been budgeted as Fund Balance for FY 2009-10 and was designated for subsequent year financing. The current total in this account is \$201,967, which represents approximately 25.8% of the current year budget and 25.7% of the *Recommended* Final Budget.

In conjunction with the adoption of the Proposed Budget, the Commission approved a transfer of \$65,000 from Designation for Subsequent Year Financing (5070 account) to Unreserved Fund Balance (account code 5040). Based on this action, the *Recommended* Final Budget reflects an amount of \$136,967 in Designation for Subsequent Year Financing which is approximately 17.5% of the Adopted budget for the current year and 17.7% of the *Recommended* Final Budget.

Miscellaneous Revenue

Miscellaneous revenue includes interest earnings and charges for service, primarily application fees. Overall, Miscellaneous Revenue for FY 2010-11 is anticipated to be \$4,000 (5.0%) less than the amount in the Adopted FY 2009-10 Budget.

For FY 2010-11, revenue from application fees (account code 9772) in the *Recommended* Final Budget is the same as that for the Adopted FY 2009-10 Budget (\$60,000). Although information as of the end of April, 2010 indicates that actual fee revenue for the current year is projected to be significantly less than the budgeted amount, actual application fee revenue for next year is expected to be at least equal to the budgeted amount based on indications that the economy is undergoing a positive recovery. Interest revenue (account code 8911) is anticipated to be \$16,000 for FY 2010-11, which is equivalent to the projected actual interest earnings for the current year.

The Commission has a policy to annually review the LAFCo Fee Schedule as a part of the budget process. A separate public hearing item on the Fee Schedule is scheduled for the June 9, 2010 LAFCo meeting.

Ventura LAFCo

Recommended Final Budget FY 2010-11

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

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

Although expenditures are projected to decrease by approximately 1.3% overall, the amount of revenue to be collected from the County, cities and independent special districts will increase by approximately 0.5%. This is largely due to the relatively small current year fund balance that is projected to be available to offset the amount of revenue collected from other agencies. As a share of the total budget, it is within the range reflected in the budgets for the last several years as shown in the table below. This table shows how the amount of revenue from Other Governmental Agencies (the County, cities and independent special districts) has fluctuated since LAFCo first adopted an independent budget in June, 2001:

Year	Adopted Budget – Total Finance Sources & Revenue	Amount of Revenue from Other Governmental Agencies	Percent of Total Revenue from Other Governmental Agencies
FY 2001-02	\$548,737	\$468,737	85%
FY 2002-03	\$719,131	\$568,503	79%
FY 2003-04	\$641,215	\$390,699	61%
FY 2004-05	\$702,503	\$472,997	67%
FY 2005-06	\$723,226	\$361,874	50%
FY 2006-07	\$830,154	\$621,617	75%
FY 2007-08	\$949,269	\$715,957	75%
FY 2008-09	\$735,422	\$488,684	66%
FY 2009-10	\$783,101	\$587,084	75%
FY 2010-11 ¹	\$772,892	\$590,055	76%

Not formally a part of the budget, but included for general information are the percentage shares of the Other Governmental Agencies revenue for each of the cities and the independent special districts based on the FY 2007-08 State Controller Reports for cities and special districts. These are the latest available Reports, which will be used by the County Auditor-Controller as the basis for collecting revenue from cities and independent special districts for FY 2010-11.

The CKH continues to provide the ability for the cities and independent special districts in each County to determine an alternate apportionment method. To date, however, neither the cities nor the special districts have agreed on any alternate apportionment methodology. This means that the City of Oxnard, as the city with the largest gross

¹ Based on FY 2010-11 *Recommended* Final Budget

revenue, and Calleguas Municipal Water District, the largest special district in terms of gross revenue, will continue to pay the largest respective shares of the city and special district portion of LAFCo revenue.

Conclusion

The Ventura LAFCo is continuing to exercise fiscal prudence. The Commission and its staff understand the economic realities of the time and the constraints on local government revenues. The Commission's budgeting process has come a long way in the last nine years. Systems and policies are now in place to ensure best practices and proper oversight. Mandates are being met and basic services provided with a highly trained staff that seeks to limit discretionary expenditures. The *Recommended* Final Budget for FY 2010-11 was prepared and is being recommended consistent with the Commission's policies and the knowledge and experience gained from prior years.

Respectfully submitted,

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

Kim Uhlich
Executive Officer

Appendix Glossary of Terms

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

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

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

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

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

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

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

DEFICIT: An excess of expenditures or expenses over revenues.

DESIGNATION FOR SUBSEQUENT YEAR FINANCING: An account into which any difference between projected fund balance and actual fund balance at the close of each fiscal year is transferred (LAFCo Budget Account Code 5070). Pursuant to Ventura LAFCo Commissioner's policies, this account is considered as a reserve account to cover extraordinary expenses and that monies in this account shall not be used for any current year expenses or considered as a financing source for on-going operations without the prior approval of the Commission. The policies further provide that this account should be augmented, as funds may be available, until it contains an amount equal to at least 25% of the current year budget. Once the account equals at least 25% of the current year budget any remaining funds in excess of the projected fund balance amount in the budget may be appropriated for any allowed expense at the Commission's discretion.

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

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

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

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

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

GIS: Geographic Information System.

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

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

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

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

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

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

OBJECT: An individual expenditure account.

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

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

Ventura LAFCo

Recommended Final Budget FY 2010-11

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STAFF REPORT
Meeting Date: June 9, 2010

Agenda Item 8

TO: LAFCo Commissioners
FROM: Kai Luoma, Deputy Executive Officer
SUBJECT: LAFCo Fee Schedule

RECOMMENDATION

- A. Adopt a resolution updating and revising the LAFCo Fee Schedule to be effective July 1, 2010
- B. Authorize transmittal of the Fee Schedule to the County, Cities and Special Districts

DISCUSSION

The Commission’s policies (Commissioner’s Handbook Section 2.3.2.1) provide for an annual review of the fee schedule as a part of the budget process. A notice of hearing for this purpose was published for the June 9 LAFCo meeting, so consideration could occur at the same time as action on the FY 2010-11 budget. Staff is recommending that the Commission consider amending the Fee Schedule to reflect revisions to the Commissioner’s Handbook approved at the February 17, March 17, and May 19 LAFCo meetings. In addition, staff is recommending that the Commission consider removal of a fee for study sessions/workshops and the addition a fee to cover any requests for Commission action that are not identified on the Fee Schedule.

Fee Schedule Format

Although the current Fee Schedule continues to be functional, the overall formatting and organization is unclear in some respects. To help improve the organization, staff has revised the format so that related actions are grouped. As revised, all types of changes of organization are listed together, as are changes to spheres, and actions related to out of agency service agreements. Staff believes that the revised format will make the Fee Schedule easier to use.

COMMISSIONERS AND STAFF

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

Attachment 1 is a copy of the current fee schedule. Attachment 2 is the revised fee schedule with the recommended changes (deletions are crossed out; additions are in red and underlined).

Fees for LAFCo Actions

Most LAFCo application fees contain two components; a non-refundable administrative fee and a deposit. For a small number of actions, the administration fee comprises the entirety of the amount collected. Staff charges actual time and processing costs to the deposit portion of the fee. If staff time and/or material costs for processing exceed the amount of the initial deposit, additional funds are collected prior to an action being finalized. Any unspent funds from the deposit portion of the fees that remain after an action is fully completed are refunded to the applicant.

In February, March and May 2010, the Commission adopted various amendments and additions to the Ventura LAFCo Commissioner's Handbook. Some of the amendments resulted in new types of LAFCo actions that are not reflected in the current Fee Schedule. Staff is recommending that the Fee Schedule be revised to include these new actions, as follows:

- At the May meeting, the Commission adopted definitions for a sphere of influence “amendment” and “update”. Pursuant to the adopted policy, an “amendment” is a change to a sphere of influence in conjunction with a related change of organization, and an “update” is a change to a sphere of influence that is not associated with a change of organization. The current Fee Schedule considers any type of change to a sphere as an amendment, regardless of whether there is an associated change of organization. To reflect the new policy, staff recommends that the description of a proposed change to a sphere that is filed separately from a change of organization be amended to replace “amendment” with “update” and add language to clarify the independent nature of a sphere “update”. The current fee for a sphere of influence amendment filed separately from a change of organization is \$5,350. Staff recommends that the fee for an “update” remain the same to reflect the fact the both processes require commensurate amounts of staff time to complete.
- In March, the Commission adopted policies providing for an expiration date for out of agency service agreements (OASA). The new policies also provide for the applicant to request a one year time extension to the approval deadline. The Commission has delegated to the Executive Officer the authority to take action on OASA requests which are exempt from CEQA review or for which a negative declaration was prepared. All other OASA requests (those for which a mitigated negative declaration or EIR was prepared) require action by the Commission. A request for a time extension should be considered and acted on by the same authority which originally approved the OASA, either the Executive Officer or the Commission. Therefore, a fee for each type of time extension must be identified.

OASA requests that are to be acted on by the Executive Officer typically require a relatively small amount of staff time. Staff believes that a time extension request for an OASA approved at staff-level would require a similar amount of staff time and recommends that the fee for a time extension be equal to that of the initial application (\$450). OASA requests requiring Commission action tend to be more complicated and require additional staff time/resources to review, evaluate, and to prepare a staff report. Thus their application fee is higher (\$3,550). However, staff believes that the amount of time needed for the Commission to evaluate a request for a time extension would be minimal. Therefore, staff recommends that the fee for a time extension requiring Commission approval be less than the original fee, but still be adequate to cover anticipated staff time to prepare the request for Commission consideration. Staff estimates that the typical request for a time extension would require approximately seven hours of staff time. At the composite rate of \$150 per hour, an administrative fee and deposit totaling \$1,050 would be adequate to process a time extension request for Commission consideration.

- In February, the Commission adopted amendments to the Handbook requiring that all fees for all requested actions be paid in full prior to any item being scheduled for Commission consideration. Currently, the Fee Schedule does not identify a fee for a request to amend, waive, or establish a Commission policy independent of a change of organization proposal. Staff therefore recommends that the Commission consider adding a fee for such policy considerations. Given that the time and resources necessary to process such a request would likely be similar to that for a request for reconsideration, staff recommends that application fee be equivalent to that of a reconsideration request (\$2,650).

Staff also recommends other revisions to the Fee Schedule unrelated to recent changes in policy, as described below:

- The existing Fee Schedule identifies a fee for a “Commission Study Session or Workshop”. The purpose of a study session or workshop is to allow for a detailed examination of matters of general interest to the Commission and, as such, are conducted at the Commission’s sole discretion. Because there is unlikely to be a circumstance in which it would be appropriate for LAFCo to charge another agency or individual for holding a study session or workshop, staff recommends that this action be removed from the Fee Schedule.
- Staff recommends that a new fee to cover “Other Requests for Commission Action” be added to the fee schedule. This fee would cover the costs associated with any requests that require Commission action but are not specifically identified elsewhere on the Fee Schedule. Although the current Fee Schedule is sufficiently comprehensive for most requests for Commission action, the addition of a “catch all” category would be helpful to address the possibility of unforeseen requests. The recommended \$450 administrative portion of the application fee reflects an estimated staff time of three hours at the staff composite rate

(currently \$150 per hour). The actual additional staff time expended would be billed at the staff composite rate.

- Staff recommends a minor change to the Pre-Application Review action to clarify that applicants will be charged for actual staff time spent after the first three hours.

LAFCo Staff Composite Rate

Application filing fees cover only the costs associated with processing applications. These fees do not apply to other types of LAFCo-mandated functions, such as municipal service reviews and sphere of influence updates. Most of LAFCo staff time is spent on mandated work not subject to application fees. As such, fee revenue provides a relatively small portion of the total revenue. For the FY 2010-11 Recommended Final Budget, filing fees are expected to provide 7.8% of total financing sources and revenue. For the current fiscal year, filing fees are projected to comprise 4% of total financing sources and revenue.

In conjunction with the review of the Recommended Final Budget for fiscal year 2010-11, staff recommends that the LAFCo Staff Composite Rate of \$150 per hour be left unchanged. This recommendation is primarily based on the fact that the County of Ventura Resource Management Agency (RMA) is not proposing any substantial change to their hourly rate for processing land use entitlement applications next year. Historically, LAFCo has tied its hourly staff composite rate to increases in the hourly rate charged by the County RMA for processing land use entitlement applications.

The recommendation to maintain existing fees is also based on overall economic conditions. Although staff is projecting slightly more applications next year compared to this year, we still expect to receive fewer applications than the prior five-year average due to the effects of the ongoing economic recession. As such, increasing LAFCo application fees at this time could further discourage application filings, particularly those for after-the-fact, “clean-up” changes of organization for territory already receiving services from the annexing agency. In real dollar terms, leaving the fees unchanged would represent a decrease in fees and a corresponding decrease in fee revenue. However, as indicated above, fee revenue comprises less than ten percent of LAFCo’s total revenue, so the overall budgetary impact of maintaining existing fees would not be significant.

Attachment 1 – Current Fee Schedule

Attachment 2 – Proposed Fee Schedule Revisions

Attachment 3 – Resolution Revising the LAFCo Fee Schedule



FEE SCHEDULE
(Effective on October 1, 2007)

Fees and deposits are charged and accounted for as described in the Ventura LAFCO Fee and Billing Policies. Each application or petition to LAFCO must be accompanied by payment of the Administrative Fee and the Initial Deposit set forth below. All LAFCO staff time and legal counsel time spent on the proposal shall be billed to the applicant or petitioner at the hourly rates set forth below, and shall be paid from the deposit, with the exception of deposits for incorporation proposals *. If the hourly charges exceed the amount of the deposit, the applicant or petitioner shall pay excess within 15 days of receipt of a statement from LAFCO. Failure to pay may be cause for denial of the application/petition, and no proceeding or proposal shall be completed until all fees due have been paid in full.

* For incorporations proposals only, the application deposit shall be held in trust until all outstanding charges are paid and LAFCO proceedings are completed. No LAFCO charges associated with the processing of an incorporation application may be paid from the deposit; the applicant shall be provided with a monthly invoice starting from the date of application submittal in accordance with the applicable LAFCO fee agreement.

TYPE OF ACTION	Administrative Fee (Non Refundable)	Deposit Required (Initial)	Total initial Payment
Proposals for Change of Organization or Reorganization that do NOT require conducting authority protest proceedings (area uninhabited and all owners and subject agencies consent to the proposal)	\$1,750	\$1,800	\$3,550
Proposals for Change of Organization or Reorganization that require conducting authority protest proceedings (area is inhabited and/or all owners and/or subject agencies do not consent to the proposal)	\$1,750	\$3,600	\$5,350
Sphere of Influence Amendments - filed separately	\$1,750	\$3,600	\$5,350
Sphere of Influence Amendments - filed in conjunction with a Change of Organization or Reorganization	\$1,750	\$900	\$2,650
Incorporation	\$5,000	\$25,000	\$30,000
Out of Agency Service Agreements – Commission Action Required	\$1,750	\$1,800	\$3,550
Out of Agency Service Agreements –Administrative	\$450		\$450
Special District Formation	\$1,750	\$5400	\$7,150
Special District – Consolidation, Merger, Dissolution or Formation of a Subsidiary District	\$1,750	\$4,500	\$6,250
Expansion of Special District Powers	\$1,750	\$1,800	\$3,550
Extension of Time Request to Complete Proceedings	\$1,750	\$900	\$2,650
Reconsideration Request	\$1,750	\$900	\$2,650
Fee Waiver or Reduction of Fee Request	\$600		\$600
Commission Study Session or Workshop (Per Hr, 3 hour minimum plus additional actual time)	\$450		\$450
Pre-application Review and Meetings (Per Hr, 3 hr. min. plus additional actual time- due at time of scheduling)	\$450		\$450

LAFCO TIME BILLING RATES

LAFCO staff composite rate	\$150/hour
LAFCO legal counsel rate	Actual Costs

NON-LAFCO FEES
Fees & Charges Related to LAFCO Actions

FEES	APPLICANT/PETITIONER SHALL PAY:
Mapping fees	Payable to the County Surveyor's Section of the Ventura County Public Works Agency per the applicable County Surveyor's Fee Schedule
State Board of Equalization fees	For changes of organization and reorganization; payable to the State Board of Equalization in accordance with their latest fee schedule; collected by LAFCO prior to County and State filing of an action
Publication costs	Costs for publishing notices in the newspaper will be charged at actual costs
Consultant costs	Costs for any consultants hired by LAFCO (e.g. environmental consultants, fiscal review consultants, etc.) will be charged at actual costs
State Department of Fish and Game fees	Payable to the State Department of Fish and Game; collected, as necessary, by LAFCO prior to filing environmental notices of determination
Charges by County Assessor, County Clerk and Recorder or other County agencies for verifying ownership information, registered voter information, filing notices, recording documents, etc.	Actual costs
State Controller's costs	Costs by the State Controller's Office for fiscal reviews to be paid by the party making the request; payable to the State Controller in accordance with their latest fee schedule; collected by LAFCO prior to submittal to the State Controller.
Special legal counsel and any legal defense costs	Actual costs
Reproductions and Copies	Per County Ordinance No. 4330 Audio Tape Duplication - Actual costs

**RESOLUTION OF THE VENTURA LOCAL AGENCY
FORMATION COMMISSION REVISING THE LAFCO FEE
SCHEDULE**

WHEREAS, California Government Code Section 56383 allows for a Local Agency Formation Commission to establish a schedule of fees for the costs of proceedings; and

WHEREAS, Section 2.3.2.1 of the Commissioners Handbook states that the Commission shall establish fees for any proceeding or action not set forth in the fee schedule prior to processing of the proceeding or action consistent with state law; and

WHEREAS, the Commission determines that the Fee Schedule does not identify the deposit and fee amount for requests to; update a sphere of influence; extend the approval period for an out of agency service agreement; amend, waive, or include a LAFCo policy; or other requests for Commission action in the Commissioner's Handbook; and

WHEREAS, the Commission determines that a fees shall be established for a request to update a sphere of influence; extend the approval period for an out of agency service agreement; waive, amend, or include a new policy within the Commissioners Handbook; or other requests for Commission action; and

WHEREAS, the Commission determines that the fees should be based on actual processing costs plus the costs of necessary indirect and administrative functions; and

WHEREAS, the Executive Officer gave notice of this matter in the manner required by law; and

WHEREAS, the Commission complied with the requirements of Government Code Section 66016; and

WHEREAS, the Commission discussed and considered all oral and written testimony for and against this matter including, but not limited to, the Deputy Executive Officer's report and recommendation; and

WHEREAS, the Commission duly considered the matter on June 9, 2010;

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

- (1) The fee schedule set forth in Exhibit A attached hereto is hereby adopted, to become effective on July 1, 2010.
- (2) The fees set forth in Exhibit A attached hereto do not exceed the estimated reasonable costs of providing the services for which the fees are charged, and are necessary to pay the costs of operation of the Ventura Local Agency Formation Commission.
- (3) The Executive Officer is directed to notify all cities and special districts in Ventura County of this action by July 1, 2010.

This resolution was passed and adopted on June 9, 2010.

AYES: Commissioners Cunningham, Lange, Long, Morehouse, Parvin and Pringle

NOES: None

ABSTAINS: None

Dated: _____
Chair, Ventura Local Agency Formation Commission

Attachment: Exhibit A

c: Ventura County Cities
Ventura County Special Districts



FEE SCHEDULE
(Effective on July 1, 2010)

Fees and deposits are charged and accounted for as described in the Ventura LAFCo Fee and Billing Policies. Each application or petition to LAFCo must be accompanied by payment of the Administrative Fee and the Initial Deposit set forth below. All LAFCo staff time and legal counsel time spent on the proposal shall be billed to the applicant or petitioner at the hourly rates set forth below, and shall be paid from the deposit, with the exception of deposits for incorporation proposals ***. If the hourly charges exceed the amount of the deposit, the applicant or petitioner shall pay excess within 15 days of receipt of a statement from LAFCo. Failure to pay may be cause for denial of the application/petition, and no proceeding or proposal shall be completed until all fees due have been paid in full.

TYPE OF ACTION		Administrative Fee (Non Refundable)	Deposit Required (Initial)	Total Initial Payment	
Changes of Organization or Reorganization	Annexation to, or detachment from, a city or district	Does NOT require conducting authority protest proceedings*	\$1,750	\$1,800	\$3,550
		Requires, or may require, conducting authority protest proceedings**	\$1,750	\$3,600	\$5,350
	Special District - Consolidation, Merger, Dissolution, or Formation of a Subsidiary District		\$1,750	\$4,500	\$6,250
	Expansion of Special District Powers		\$1,750	\$1,800	\$3,550
	Special District Formation		\$1,750	\$5,400	\$7,150
	City Incorporation***		\$5,000	\$25,000	\$30,000
Changes to Spheres of Influence	Update (filed separately from a change of organization or reorganization)		\$1,750	\$3,600	\$5,350
	Amendment (filed in conjunction with a Change of Organization or Reorganization)		\$1,750	\$900	\$2,650
Out of Agency Service Agreements	Administrative Action	Determination	\$450		\$450
		Time Extension	\$450		\$450
	Commission Action	Determination	\$1,750	\$1,800	\$3,550
		Time Extension	\$450	\$600	\$1,050
Other Actions	Extension of Time Request to Complete Proceedings		\$1,750	\$900	\$2,650
	Reconsideration Request		\$1,750	\$900	\$2,650
	Amendment to, Waiver of, or Establishment of New LAFCo Policy		\$1,750	\$900	\$2,650
	Fee Waiver or Reduction of Fee Request		\$600		\$600
Other Requests for Commission Action – Administrative fee plus actual time		\$450		\$450	
Pre-application Review and Meetings - 3 hour minimum plus additional actual time in excess of 3 hours - due at time of scheduling)		\$450		\$450	

* Area is uninhabited and all owners and subject agencies consent to the proposal.

** Area is inhabited or uninhabited and all owners and/or subject agencies do not consent to the proposal.

*** For incorporations, the application deposit shall be held in trust until all outstanding charges are paid and LAFCo proceedings are completed. No LAFCo charges associated with the processing of an incorporation application may be paid from the deposit; the applicant shall be provided with a monthly invoice starting from the date of application submittal in accordance with the applicable LAFCo fee agreement.

LAFCo TIME BILLING RATES

LAFCo staff composite rate	\$150/hour
LAFCo legal counsel rate	Actual Costs

**NON-LAFCo FEES
Fees & Charges Related to LAFCo Actions**

FEES	APPLICANT/PETITIONER SHALL PAY:
Mapping fees	Payable to the County Surveyor's Section of the Ventura County Public Works Agency per the applicable County Surveyor's Fee Schedule
State Board of Equalization fees	For changes of organization and reorganization; payable to the State Board of Equalization in accordance with their latest fee schedule; collected by LAFCo prior to County and State filing of an action
Publication costs	Costs for publishing notices in the newspaper will be charged at actual costs
Consultant costs	Costs for any consultants hired by LAFCo (e.g. environmental consultants, fiscal review consultants, etc.) will be charged at actual costs
State Department of Fish and Game fees	Payable to the State Department of Fish and Game; collected, as necessary, by LAFCo prior to filing environmental notices of determination
Charges by County Assessor, County Clerk and Recorder or other County agencies for verifying ownership information, registered voter information, filing notices, recording documents, etc.	Actual costs
State Controller's costs	Costs by the State Controller's Office for fiscal reviews to be paid by the party making the request; payable to the State Controller in accordance with their latest fee schedule; collected by LAFCo prior to submittal to the State Controller.
Special legal counsel and any legal defense costs	Actual costs
Reproductions and Copies	Per County Ordinance No. 4339 Audio Tape Duplication - Actual costs



STAFF REPORT

Meeting Date: June 9, 2010

Agenda Item 9

TO: LAFCo Commissioners

FROM: Kim Uhlich, Executive Officer *KU*

SUBJECT: Sphere of Influence Reviews – Ventura County Service Area Nos. 3, 4 and 14

RECOMMENDATION:

- A. Determine that no sphere of influence update or municipal service review is necessary for Ventura County Service Area No. 4 and Ventura County Service Area No. 14.
- B. Continue the public hearing for the sphere of influence review and update for Ventura County Service Area No. 3 until July 21, 2010.

BACKGROUND:

Pursuant to state law, LAFCo must determine and adopt a sphere of influence for each city and special district on or before January 1, 2008 and, every five years thereafter, LAFCo must, as necessary, review and update each sphere of influence (Cal. Gov't Code §56425(g)). The Ventura LAFCo has previously reviewed and updated the spheres of influence for Ventura County Service Area (CSA) Nos. 3, 4 and 14 on May 18, 2005.

Ventura County Service Area No. 3

CSA No. 3 was formed in November 1965 for the purpose of providing road maintenance for a private portion of Camp Chaffee Road in the vicinity of Lake Casitas. The boundary and the sphere of influence are coterminous.

Ventura County Service Area No. 4

CSA No. 4 was formed in November 1965 and is authorized to provide street lighting, street sweeping, school crossing guards, and maintenance of roadway landscaping, public bike paths, non-structural subdivision perimeter walls and community identification markers, for the unincorporated community of Oak Park. The boundary and the sphere of influence are coterminous.

COMMISSIONERS AND STAFF

COUNTY:

Kathy Long, Chair
Linda Parks
Alternate:
Steve Bennett

CITY:

Carl Morehouse
Janice Parvin
Alternate:
Thomas Holden

SPECIAL DISTRICT:

George Lange
Vacant
Alternate:
Gail Pringle

PUBLIC:

Lou Cunningham, Vice Chair
Alternate:
Kenneth M. Hess

Executive Officer:

Kim Uhlich

Dep. Exec. Officer

Kai Luoma

Office Mgr/Clerk:

Debbie Schubert

Office Assistant

Martha Escandon

Legal Counsel:

Leroy Smith

Ventura County Service Area No. 14

CSA No. 14 was formed in October 1967 to provide street lighting to various unincorporated areas throughout the County and street sweeping services for two unincorporated "islands" within the City of Thousand Oaks. The CSA's sphere of influence is co-terminus with the County boundary.

DISCUSSION:

In accordance with the sphere of influence review schedule included in the municipal service review work plan approved by the Commission in May, 2008, LAFCo staff met with County staff to ascertain whether any changes have occurred with respect to the existing service areas since 2005 and to determine whether changes to their probable future service areas are anticipated. Based on information provided by County staff and a comprehensive review of the boundaries of each CSA, no sphere issues were identified and staff determined that the current sphere of influence boundary for CSAs 4 and 14 accurately reflect the current and anticipated service areas. It is therefore recommended that the Commission review the sphere of influence for CSA Nos. 4 and 14 and determine that no update is necessary. The effect of this recommendation is that the existing spheres of influence will remain the same. Because there would be no changes, the review action by the Commission is not considered a project subject to CEQA.

This matter has been noticed as a public hearing and the County of Ventura has been notified. In addition to the spheres for CSA Nos. 4 and 14, the public hearing notice included a reference to the CSA No. 3 sphere of influence. Since the date the notice was published, staff has identified additional issues that will need to be examined before making a recommendation regarding the sphere review and update for this CSA. It is therefore recommended that the Commission continue the public hearing for the CSA No. 3 sphere of influence review and update to the July 21, 2010 LAFCo meeting.

Though this recommendation may seem simple and straightforward, it has important policy, budget and work load implications. The Commission is aware the law requires that a municipal service review (MSR) must be conducted prior to, or in conjunction with, a sphere of influence update (Cal. Gov't Code §56430(a)). Thus, sphere of influence updates and MSRs are linked. Unless a sphere of influence update is deemed necessary, there is no separate requirement for the Commission to conduct a MSR.

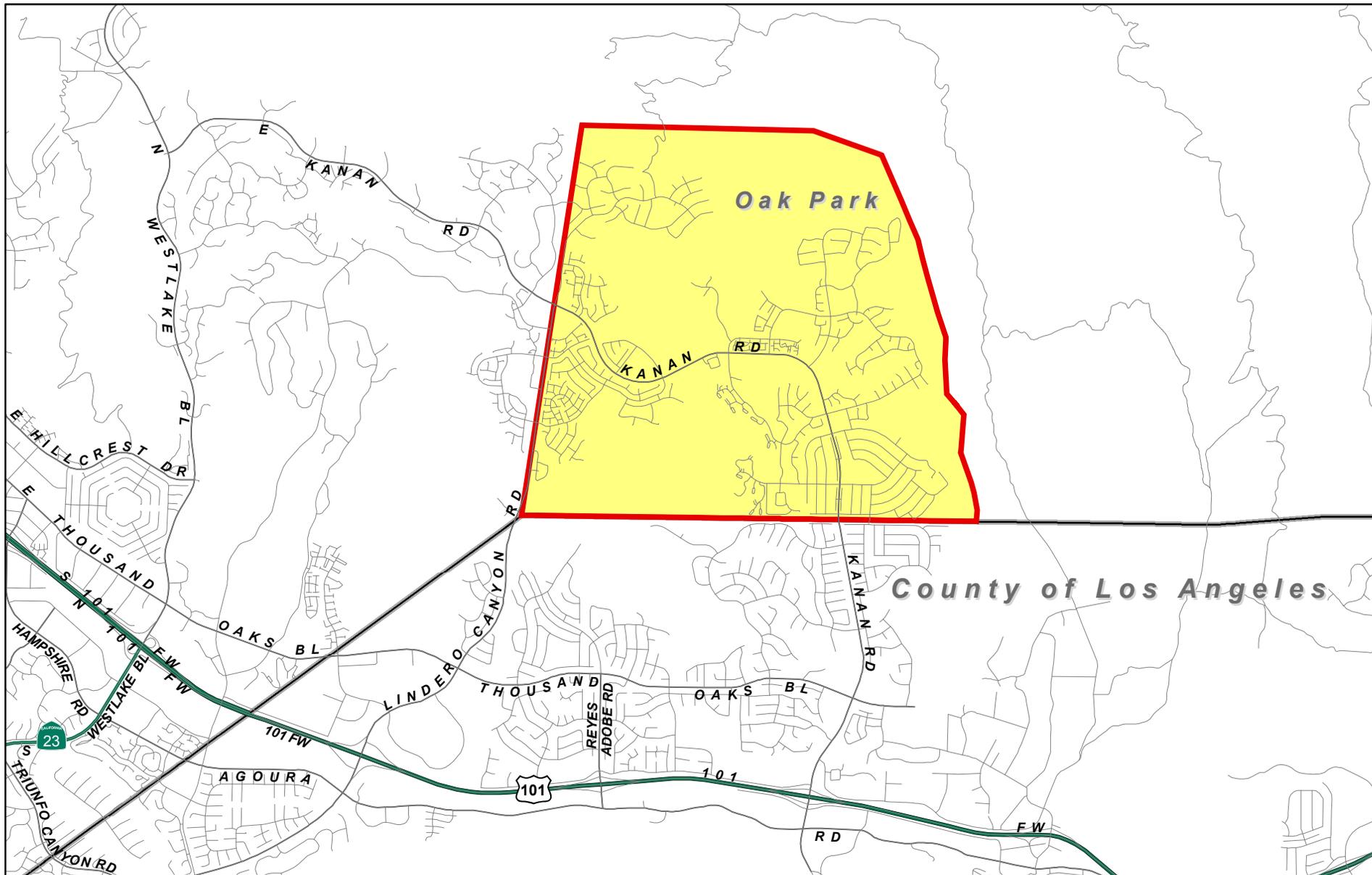
While not mandated, the Commission does have the authority to conduct a MSR or other special study of any agency with a sphere of influence at any time. However, the recommendation is based on staff's determination that such work is not necessary at this time. LAFCo pays for the preparation of MSRs. To the extent that a sphere of influence update is not deemed necessary for CSA Nos. 4 and 14, at least at this time, there will be some cost savings and work efforts can be focused on other districts and the cities. Should circumstances change in the future, the Commission retains the authority to determine that a sphere of influence update is necessary, thereby necessitating a municipal service review at that time. Plus, if the Commission accepts the recommendation, under the law, it must again review the spheres of influence for the two CSAs by 2015.

Attachments: (1) Proposed Ventura County Service Area No. 4 Sphere of Influence Map
(2) Proposed Ventura County Service Area No. 14 Sphere of Influence Map

Sphere of Influence Review for Ventura County Service Area Nos. 3, 4, & 14

June 9, 2010

Page 2 of 2



Legend

 VC Service Area No. 4
2844.61 acres

 VC Service Area No. 4
Existing and Proposed Sphere
2844.61 acres

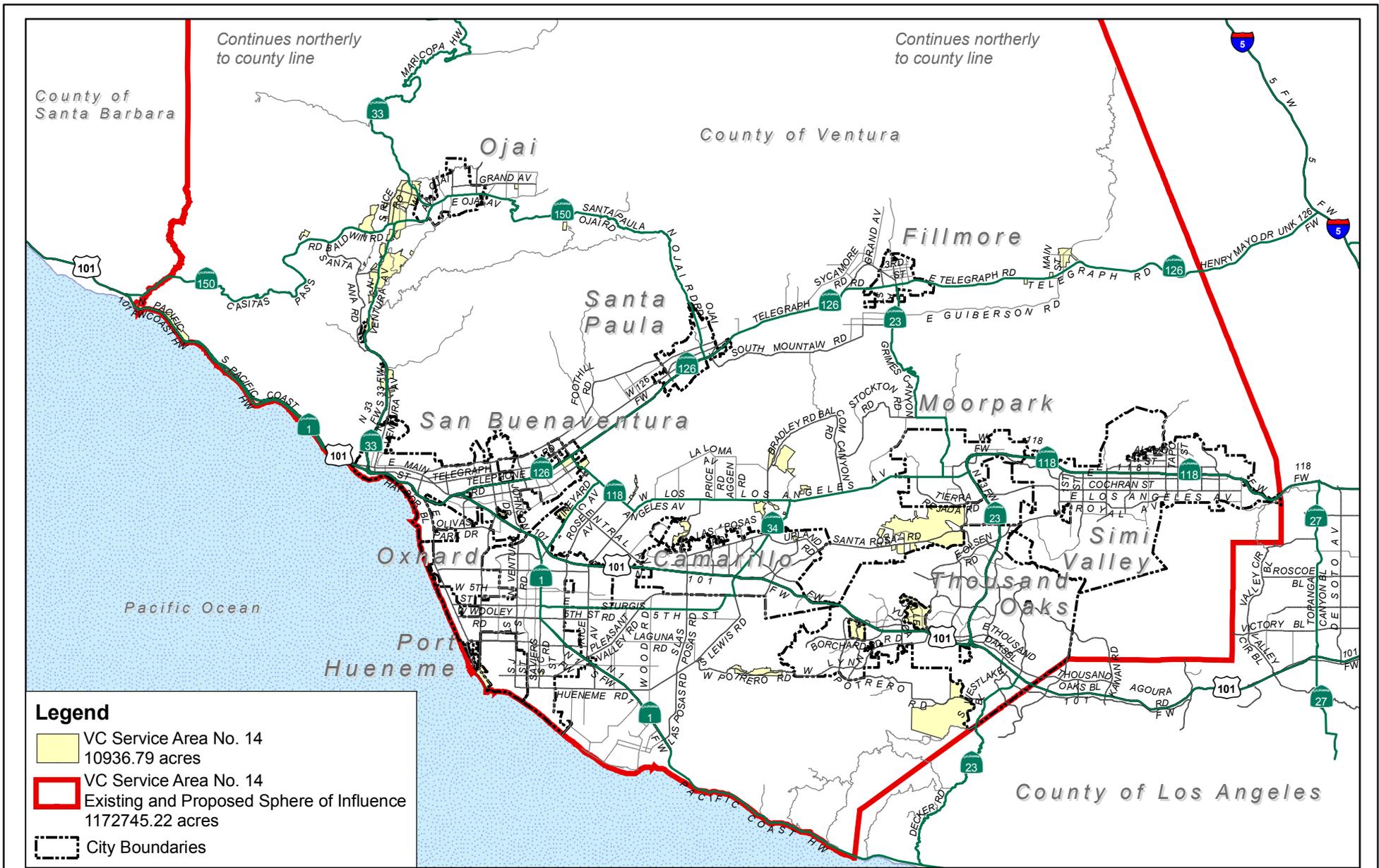
**Ventura County Service Area No. 4
Ventura LAFCO Proposed Sphere of Influence Review
June, 2010**

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

This map was compiled from records and computations

Published: May, 2010





Legend

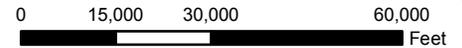
- VC Service Area No. 14
10936.79 acres
- VC Service Area No. 14
Existing and Proposed Sphere of Influence
1172745.22 acres
- City Boundaries

Ventura County Service Area No. 14 Ventura LAFCO Proposed Sphere of Influence Review June, 2010

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

This map was compiled from records and computations

Published: May, 2010



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STAFF REPORT

Meeting Date: June 9, 2010

Agenda Item 10

TO: LAFCo Commissioners *KU*
FROM: Kim Uhlich, Executive Officer
SUBJECT: Sphere of Influence Review and Update: LAFCo 10-05S
Ojai Valley Sanitary District

RECOMMENDATIONS:

Adopt the attached resolution (LAFCo 10-05S) making determinations and updating the sphere of influence for the Ojai Valley Sanitary District.

BACKGROUND:

For each city and special district, LAFCo must determine and adopt a sphere of influence “on or before January 1, 2008, and every five years thereafter, the commission shall, as necessary, review and update each sphere of influence.”(Cal. Gov’t Code §56425(g)). The Ventura LAFCo previously reviewed and updated the sphere of influence for the Ojai Valley Sanitary District on April 20, 2005.

The Ojai Valley Sanitary District is an independent special district that provides wastewater collection and treatment services to the Ojai Valley north of the City of Ventura. Included in the existing service area are the City of Ojai and the unincorporated areas of Meiners Oaks, Oak View, Casitas Springs and the North Ventura Avenue area in the City of Ventura’s sphere of influence. The District was formed in 1985 as a result of the consolidation of the Ventura Avenue, Oak View, and Meiners Oaks Sanitary Districts, and the Sanitation Department of the City of Ojai. These predecessor agencies were formed in the early 1960’s in conjunction with construction of the Oak View treatment plant.

COMMISSIONERS AND STAFF

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

DISCUSSION:

The Commission's approved *Schedule for Initiating Service Reviews & Sphere of Influence Reviews/Updates for 2008-2013* established a deadline of April, 2010 to complete the sphere review and update for the Ojai Valley Sanitary District. LAFCo staff initiated the process in December, 2009 by meeting with District staff to determine whether changes have occurred within the District's existing service area since their sphere was last updated and whether any changes to their probable future service area are anticipated. Based on information provided by District staff and a comprehensive review of the District service boundaries, LAFCo staff determined that the current sphere continues to reflect that District's anticipated service area for at least the next five years except for one parcel. As shown on the attached map (Attachment 2), the recommended sphere update includes a parcel located along the easterly side of Creek Road in the Oak View community. This parcel is currently developed with a residential dwelling and was annexed to the District in 2006 to provide an alternative means of wastewater treatment in lieu of a failed onsite sewage disposal system. Due to an oversight by LAFCo staff, LAFCo neither required nor approved an application for a concurrent sphere of influence amendment at the time.

Pursuant to state law, LAFCO must conduct municipal service reviews ("MSRs" or "MSR") prior to or in conjunction with sphere of influence updates. The recommended sphere of influence update involves the addition of one residential parcel, which is approximately one acre in size. For the addition of such a small area of territory, it is reasonable to conclude that the area can be efficiently and effectively served by the District's existing infrastructure and service levels. Pursuant to Commissioner's Handbook Section 4.1.6(b) (Attachment 3), staff therefore recommends that the Commission determine that the preparation of an MSR is not necessary for the subject update to the Ojai Valley Sanitary District sphere of influence.

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 the following four factors:

- (1) *The present and planned land uses in the area, including agricultural and open-space lands.* – The sphere of influence update for the Ojai Valley Sanitary District has no impact on the present and planned land uses in the area. Although the parcel proposed to be added to the sphere is designated as Open Space on the County General Plan Land Use Map, no new development is proposed or anticipated in conjunction with 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 District 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 the Ojai Valley Sanitary District or the adequacy of the services provided by the Ojai Valley Sanitary District.

- (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 communities of interest in the area.

For CEQA purposes, the Ventura LAFCO is the lead agency under CEQA for the recommended sphere of influence update. In staff's opinion it could easily be argued that the sphere of influence update is not a project under CEQA in that the action will not result in a direct or reasonably foreseeable indirect physical change in the environment. Such a determination, however, would not result in any further public CEQA notice of action and potentially could be challengeable over an extended period of time. Instead, staff has determined that the action qualifies as a project but is exempt from CEQA under the "general rule" exemption of the CEQA Guidelines (Section 15061(b)(3)). The purpose for modifying the current sphere of influence is to recognize existing conditions: 1) the territory is developed to the extent allowed by the applicable County zoning regulations; 2) the territory to be added is currently within the boundaries of the Ojai Valley Sanitary District; and 3) the existing dwelling is currently receiving sewer service from the District. It can therefore be seen with certainty that there is no possibility that LAFCo's action to add approximately 1 acre of additional territory to the sphere of influence of the Ojai Valley Sanitary District would have a significant effect on the environment.

- Attachments: (1) Resolution Making Determinations and Updating the Sphere of Influence for the Ojai Valley Sanitary District
(2) Commissioner's Handbook Section 4.1.6 – Sphere of Influence Updates

LAFCO 10-05S

**RESOLUTION OF THE VENTURA LOCAL AGENCY
FORMATION COMMISSION MAKING DETERMINATIONS
AND APPROVING THE UPDATE OF THE SPHERE OF
INFLUENCE FOR THE OJAI VALLEY SANITARY
DISTRICT**

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, no change in regulation, land use or development will occur as a result of updating the District'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 9, 2010; 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 9, 2010 and the LAFCo Executive Officer's June 9, 2010 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 Ojai Valley Sanitary District, dated June 9, 2010 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 Ojai Valley Sanitary District has no impact on the present and planned land uses in the area. Although the parcel proposed

to be added to the sphere is designated as Open Space on the County General Plan Land Use Map, no new development is proposed or anticipated in conjunction with 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 District 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 the Ojai Valley Sanitary District or the adequacy of the services provided by the Ojai Valley Sanitary District.
 - (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 Ojai Valley Sanitary District is hereby updated to be the area shown as "Proposed District Sphere Boundary", as generally depicted on Exhibit A attached hereto.
- (4) The subject proposal is assigned the following distinctive short form designation: **LAFCo 10- 05S – OJAI VALLEY SANITARY DISTRICT SPHERE OF INFLUENCE UPDATE – JUNE 9, 2010**
- (5) 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 Services Department as the official sphere of influence record for the Ojai Valley Sanitary District updated consistent with this action.
- (6) 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 Ojai Valley Sanitary District is exempt pursuant to Section 15061(b)(3) of the CEQA Guidelines.
- (7) 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 9, 2010.

AYES: Commissioner Cunningham, Lange, Long, Morehouse, Parvin and Pringle

NOES: None

ABSTAINS: None

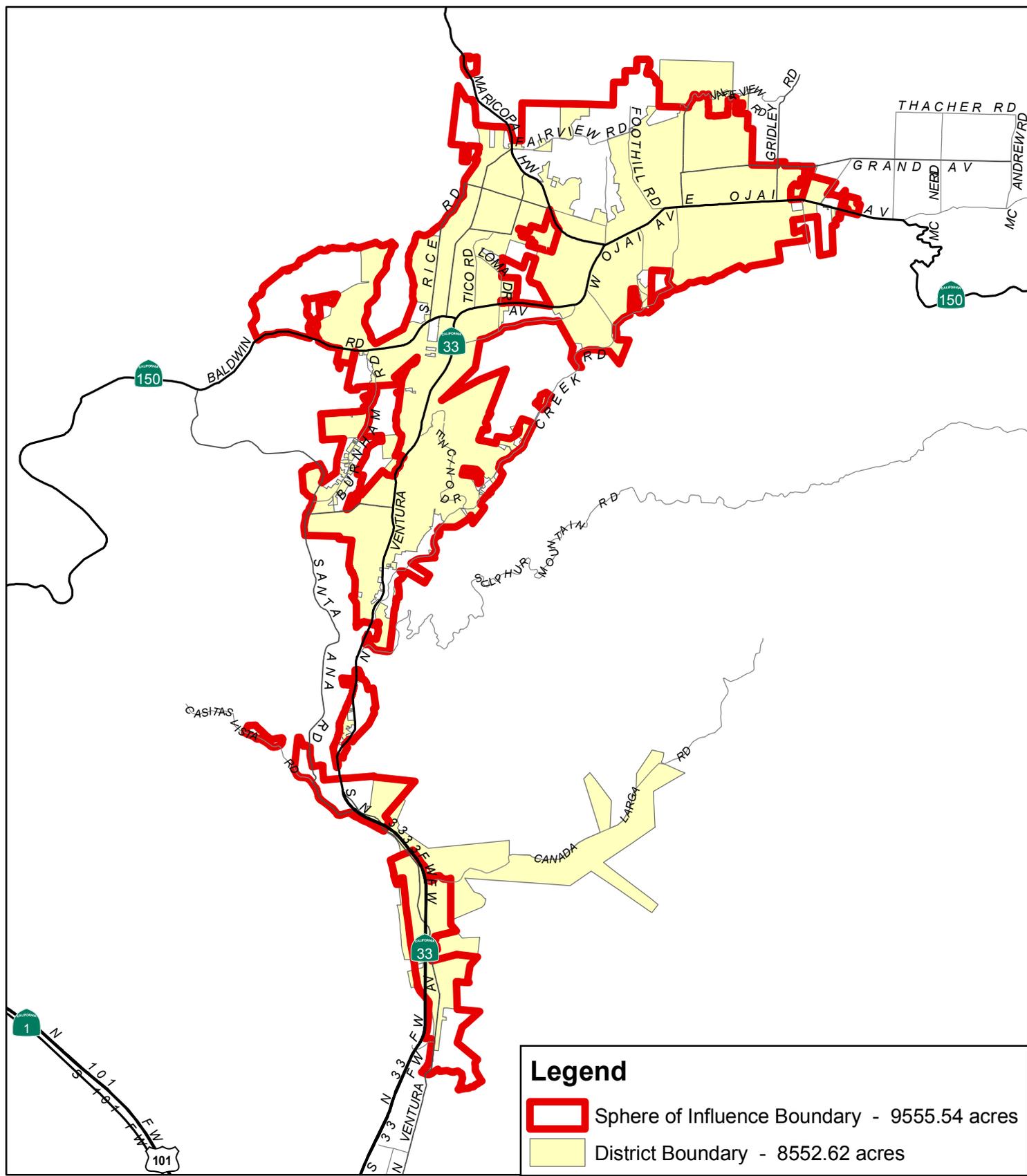
Dated:

6/9/10



Chair, Ventura Local Agency Formation Commission

- c: Ojai Valley Sanitary District
Ventura County Surveyor
Ventura County Geographic Information Officer
Ventura County Planning Department



Ojai Valley Sanitary District

Sphere of Influence as Updated by the Ventura LAFCo

June 9, 2010

Prepared by County of Ventura - Information Systems Department - GIS Division
 State Plane Coordinate System California Zone V - NAD 27
 This map was compiled from records and computations
 Published: June, 2010



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