



AGENDA

Hall of Administration, Board of Supervisors' Hearing Room
800 S. Victoria Avenue, Ventura
9:00 A.M. Wednesday, September 15, 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 July 21, 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 Elaine Freeman <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: Michael Walker

PUBLIC HEARING ITEMS

- 7. Sphere of Influence Reviews
 - a. Determine that no sphere of influence update or municipal service review is necessary for the Conejo Recreation and Park District and the Pleasant Valley Recreation and Park District.
 - b. Adopt resolution LAFCo 10-11S making determinations and updating the sphere of influence for the Rancho Simi Recreation and Park District.

RECOMMENDED ACTION: Approval (a and b)

- 8. City of Thousand Oaks – Rancho Potrero *(Continued from July 21, 2010)*
 - 1. LAFCo 10-06A Amendment to the City of Thousand Oaks Area of Interest - Rancho Potrero Specific Plan
 - 2. LAFCo 10-06S1 City of Thousand Oaks Sphere of Influence Amendment – Rancho Potrero Specific Plan
 - 3. LAFCo 10-06S2 Conejo Recreation and Park District Sphere of Influence Amendment – Rancho Potrero Specific Plan
 - 4. LAFCo 10-06 City of Thousand Oaks Reorganization – Rancho Potrero Specific Plan:

To amend the spheres of influence for the City of Thousand Oaks and the Conejo Recreation and Park District in order to annex three parcels totaling approximately 326 acres to the City of Thousand Oaks and the Conejo Recreation and Park District and detach the same area from the Ventura County Resource Conservation District and County Service Area No. 32 to allow for the continued operation of an equestrian center and the preservation of open space, and to amend the Area of Interest for the City of Thousand Oaks to include the proposal area. APNs: 694-0-060-305, -325, and -335. The parcels are located on the south side of Potrero Road at the intersections of Potrero Road/Rancho dos Vientos and Potrero Road/Via Andrea, southwest of the City of Thousand Oaks.

RECOMMENDED ACTION: Approval (1, 2, 3 and 4)

- 9. LAFCo 10-10S Camarillo Sanitary District Sphere of Influence Amendment – Helm Ranch

Amend the sphere of influence of the Camarillo Sanitary District to include one parcel in anticipation of a pending request for approval of an Out of Agency Service Agreement to allow the district to provide sanitary sewer service to the parcel.

RECOMMENDED ACTION: Approval

ACTION ITEMS

10. End of the Year Financial Reports FY 2009-10
Receive and File the End of Year Financial Reports for fiscal year 2009-10

RECOMMENDED ACTION: Receive and File

11. Professional Services Agreement for Audit Services
Waive Commissioner's Handbook Section 2.5.4 and authorize the Chair to review and execute the audit services contract for the fiscal year ended June 30, 2010 to be prepared by staff and reviewed by LAFCo Legal Counsel

RECOMMENDED ACTION: Approval

12. Cancellation of the October 20, 2010 Regular LAFCo Meeting
Cancel the October 20, 2010 regular LAFCo meeting

RECOMMENDED ACTION: Approval

EXECUTIVE OFFICER'S REPORT

Next Regular LAFCo Meeting

INFORMATIONAL ITEMS

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, July 21, 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

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

2. Pledge of Allegiance

Michael Walker led the pledge of allegiance.

3. Roll Call

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

- Commissioner Cunningham
- Commissioner Freeman
- Commissioner Lange
- Commissioner Morehouse
- Commissioner Parks *
- Commissioner Parvin
- Alternate Commissioner Hess
- Alternate Commissioner Holden

* Commissioner Parks arrived prior to action taken on Public Hearing Item 9.

4. Commission Presentations and Announcements

Vice Chair Cunningham welcomed newly elected Special District Member Elaine Freeman and LAFCo's new legal counsel Michael Walker. Commissioner Morehouse announced that the California Air Resources Board would meet on Friday at 9 A.M. to discuss SB 375 greenhouse gas emissions reduction targets and encouraged anyone who was interested to attend.

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
Elaine Freeman
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:

Michael Walker

CONSENT ITEMS

6. Minutes of the Ventura LAFCo June 9, 2010 Regular Meeting

7. Budget to Actual Report: May 2010

At the request of Commissioner Lange, Consent Item 6 was pulled from the consent agenda for correction.

MOTION: Approval as recommended for Item 7: Lange

SECOND: Freeman

FOR: Cunningham, Freeman, Lange, Morehouse and Parvin,

AGAINST: None

ABSTAIN: None

MOTION PASSED 5/0/0

Commissioner Lange noted a correction in the Commissioner's Comments section of the June 9, 2010 Minutes . The referenced date for the CALAFCO board meeting (August 14) at Temescal Gateway Park was incorrect. The correct date is August 13.

MOTION: Approval as recommended for Item 6 with correction: Lange

SECOND: Parvin

FOR: Cunningham, Lange, Morehouse and Parvin

AGAINST: None

ABSTAIN: Freeman

MOTION PASSED 4/0/1

PUBLIC HEARING ITEMS

8. City of Thousand Oaks – Rancho Potrero

a. LAFCo 10-06S1 City of Thousand Oaks Sphere of Influence Amendment – Rancho Potrero Specific Plan

b. LAFCo 10-06S2 Conejo Recreation and Park District Sphere of Influence Amendment – Rancho Potrero Specific Plan

c. LAFCo 10-06 City of Thousand Oaks Reorganization – Rancho Potrero Specific Plan

Vice Chair Cunningham opened the public hearing. Kim Uhlich presented the staff report recommending that the hearing be continued to the September 15, 2010 meeting. There were no public speakers.

MOTION: Continue the public hearing to September 15, 2010: Morehouse

SECOND: Parvin

FOR: Cunningham, Freeman, Lange, Morehouse, Parvin

AGAINST: None

ABSTAIN: None

MOTION PASSED 5/0/0

PUBLIC HEARING ITEMS *(continued)*

9. Calleguas Municipal Water District – California Conservation Corps
a. LAFCo 10-07S Calleguas Municipal Water District Sphere of Influence Amendment – California Conservation Corps
b. LAFCo 10-07 Calleguas Municipal Water District Annexation – California Conservation Corps

Vice Chair Cunningham opened the public hearing. Kai Luoma presented the staff report. Christie Rochte, California Conservation Corp staff, spoke in favor of the proposal. With no one else wishing to give public comment, Vice Chair Cunningham closed the public hearing. Commissioner Freeman disclosed that she has done consulting work for the Calleguas Municipal Water District but not related to this agenda item.

MOTION: Approval as recommended (a & b): Morehouse
SECOND: Lange
FOR: Cunningham, Freeman, Lange, Morehouse, Parks, Parvin
AGAINST: None
ABSTAIN: None
MOTION PASSED 6/0/0

10. LAFCo 10-04S Ventura County Service Area No. 34 Municipal Service Review (MSR) and Sphere of Influence Establishment (Continued from June 9, 2010)
a. 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 titled *Ventura County Service Area No. 34*, including determinations adopted by the Commission.
b. 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.
c. As lead agency, 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.
d. Adopt a resolution (LAFCo 10-04S) making determinations and establishing a sphere of influence for Ventura County Service Area No. 34.

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

MOTION: Approval as recommended (a, b, c & d): Morehouse
SECOND: Freeman
FOR: Cunningham, Freeman, Lange, Morehouse, Parks, Parvin
AGAINST: None
ABSTAIN: None
MOTION PASSED 6/0/0

11. LAFCo 10-08S Ventura County Service Area No. 3 Municipal Service Review (MSR) and Sphere of Influence Update (Continued from June 9, 2010)
- a. Accept the Ventura County Service Area No. 3 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 titled *Ventura County Service Area No. 3*, including determinations adopted by the Commission.
 - b. Adopt a resolution relating to the Ventura County Service Area No. 3 Municipal Service Review approving statements of determinations as required by Government Code §56430.
 - c. Adopt a resolution (LAFCo 10-08S) making determinations and updating the sphere of influence for Ventura County Service Area No. 3

Vice Chair Cunningham opened the public hearing. Kim Uhlich presented the staff report. There were no public comments. Vice Chair Cunningham closed the public hearing.

MOTION: Approve as recommended (a, b & c): Freeman
SECOND: Parvin
FOR: Cunningham, Freeman, Lange, Morehouse, Parks, Parvin
AGAINST: None
ABSTAIN: None
MOTION PASSED 6/0/0

ACTION ITEMS

12. Santa Paula-Fillmore Greenbelt
Kim Uhlich presented the staff report. Dwight Moore, a Fillmore resident, spoke in opposition to the endorsement.
- MOTION: Approve as recommended: Parks
SECOND: Lange
FOR: Cunningham, Freeman, Lange, Morehouse, Parks, Parvin
AGAINST: None
ABSTAIN: None
MOTION PASSED 6/0/0
13. County of Ventura CEQA Initial Study Assessment Guidelines
LAFCo counsel Michael Walker announced that County Counsel has recused itself on this item. Kai Luoma then presented the staff report.
- MOTION: Receive and file: Morehouse
SECOND: Parvin
FOR: Cunningham, Freeman, Lange, Morehouse, Parks, Parvin
AGAINST: None
ABSTAIN: None
MOTION PASSED 6/0/0

14. CALAFCO Board of Directors Nominations

Kim Uhlich presented the staff report.

MOTION: Authorize the Chair to submit the nomination of Carl Morehouse as a City member of the CALAFCO Executive Board: Parks

SECOND: Lange

FOR: Cunningham, Freeman, Lange, Morehouse, Parks, Parvin

AGAINST: None

ABSTAIN: None

MOTION PASSED 6/0/0

MOTION: Authorize the Chair to submit the nomination of Lou Cunningham as a Public member of the CALAFCO Executive Board: Parvin

SECOND: Parks

FOR: Cunningham, Freeman, Lange, Morehouse, Parks, Parvin

AGAINST: None

ABSTAIN: None

MOTION PASSED 6/0/0

15. CALAFCO Awards Nominations

Kim Uhlich presented the staff report. There were no nominations.

EXECUTIVE OFFICER'S REPORT

Kim Uhlich asked the Commission to refer to their update memo for the latest information on CALAFCO sponsored bills that will be effective January 1, 2011. She reminded the Commission of their next LAFCo meeting scheduled for September 15, 2010 at 9:00 AM and of the CALAFCO Annual Conference at the Palm Springs Hilton taking place October 6-8. She asked that anyone wishing to attend the conference to let staff know as soon as possible.

COMMISSIONER COMMENTS

Commissioner Lange suggested that the Ventura LAFCo commissioners and staff who attend the CALAFCO conference have their traditional group dinner at the top of the Area Tram as all conference attendees would receive a 15% discount on all tram rides. As the Chair of the conference planning committee, he encouraged everyone to attend the conference.

ADJOURNMENT

Vice Chair Cunningham adjourned the meeting at 10:23 A.M.

These Minutes were approved on September 15, 2010:

Motion:

Second:

Ayes:

Nos:

Abstains:

Motion Passes / /

Dated:

Vice Chair, Ventura Local Agency Formation Commission

DRAFT



STAFF REPORT

Meeting Date: September 15, 2010

Agenda Item 7

TO: LAFCo Commissioners

FROM: Kim Uhlich, Executive Officer *KU*

SUBJECT: Sphere of Influence Reviews for the Conejo Recreation and Park District, Pleasant Valley Recreation and Park District and the Rancho Simi Recreation and Park District and Sphere Update (LAFCo 10-11S) for the Rancho Simi Recreation and Park District

RECOMMENDATION:

- A. Determine that no sphere of influence update or municipal service review is necessary for the Conejo Recreation and Park District.
- B. Determine that no sphere of influence update or municipal service review is necessary for the Pleasant Valley Recreation and Park District.
- C. Adopt the attached resolution (LAFCo 10-11S) making determinations and updating the sphere of influence for the Rancho Simi Recreation and Park District.

BACKGROUND:

Pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Govt. Code §56000 et seq.), LAFCo must determine and adopt a sphere of influence for each city and special district on or before January 1, 2008. Every five years thereafter, LAFCo must, as necessary, review and update each sphere of influence (Govt. Code §56425(g)).

In March 2005 the Commission approved a Municipal Service Review (MSR) report covering all six of the special districts authorized to provide recreation and park services in the County. Among the report's recommendations were several suggested changes to the spheres of influence for the Conejo Recreation and Park District, the Pleasant Valley

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 Elaine Freeman <i>Alternate:</i> Gail Pringle	PUBLIC: Louis 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: Michael Walker

Recreation and Park District and the Rancho Simi Recreation and Park District. The Commission subsequently acted on the recommended changes to the Conejo Recreation and Park District and the Rancho Simi Recreation and Park District on November 16, 2005 and the changes to the Pleasant Valley Recreation and Park District on January 18, 2006.

DISCUSSION:

Based on the sphere of influence review schedule included in the municipal service review work plan approved by the Commission in May 2008, the Commission established the following deadlines to complete sphere of influence reviews: November 2010 for the Conejo Recreation and Park District and the Rancho Simi Recreation and Park District; and January 2011 for the Pleasant Valley Recreation and Park District.

Conejo Recreation and Park District

The Conejo Recreation and Park District is an independent special district that provides recreation and park services to the City of Thousand Oaks and vicinity. Formed in 1963 (one year before the City of Thousand Oaks incorporated in 1964), the District is governed by a five member board of directors.

LAFCo staff met with the District General Manager on August 3, 2010 to ascertain whether any changes have occurred with respect to the existing service areas since 2005 and to determine whether changes to the District's probable future service areas might be necessary. Based on information provided by District staff and a comprehensive review of the existing boundaries and sphere for the District, no issues were identified. As such, LAFCo staff determined that the current sphere of influence boundary accurately reflects the current and anticipated service area. It is therefore recommended that the Commission determine that no update to the sphere of influence for the Conejo Recreation and Park District is necessary. The effect of this recommendation is that the existing sphere of influence would remain the same. Because there would be no changes, the review action by the Commission is not considered a project subject to CEQA.

As the Commission is aware, the law requires that a MSR be completed prior to or, in conjunction with, any sphere of influence update (Govt. Code §56430(a)). In light of the recommended action for the Conejo Recreation and Park District, there is no requirement for a MSR and thus staff is recommending that one not be prepared. While not mandated, however, 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 the Conejo Recreation and Park District, 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 MSR at that time. Plus, if the Commission accepts the recommendation, under the law, it must again review the District's sphere in five years.

Pleasant Valley Recreation and Park District

The Pleasant Valley Recreation and Park District is an independent special district that provides recreation and park services to the City of Camarillo and vicinity. Formed in 1962 (two years before the City of Camarillo incorporated in 1964), the District is governed by a five member board of directors.

LAFCo staff met with the District General Manager and other staff members on July 28, 2010 to ascertain whether any changes have occurred with respect to the existing service areas since 2006 and to determine whether changes to the District's probable future service areas might be necessary. Based on information provided by District staff and a comprehensive review of the existing boundaries and sphere for the District, no issues were identified. As such, LAFCo staff determined that the current sphere of influence boundary accurately reflects the current and anticipated service area. It is therefore recommended that the Commission determine that no update to the sphere of influence for the Pleasant Valley Recreation and Park District is necessary. The effect of this recommendation is that the existing sphere of influence would remain the same. Because there would be no changes, the review action by the Commission is not considered a project subject to CEQA.

As the Commission is aware, the law requires that a MSR be completed prior to or, in conjunction with, any sphere of influence update (Govt. Code §56430(a)). In light of the recommended action for the Pleasant Valley Recreation and Park District, there is no requirement for a MSR and thus staff is recommending that one not be prepared. While not mandated, however, 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 the Pleasant Valley Recreation and Park District, 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 MSR at that time. Plus, if the Commission accepts the recommendation, under the law, it must again review the District's sphere in five years.

Rancho Simi Recreation and Park District

The Rancho Simi Recreation and Park District is an independent special district that provides recreation and park services to the City of Simi Valley and vicinity and the unincorporated community of Oak Park. Formed in 1961 (eight years before the City of Simi Valley incorporated in 1969), the District is governed by a five member board of directors.

LAFCo staff met with the District General Manager on July 22, 2010 to ascertain whether any changes have occurred with respect to the existing service areas since 2005 and to determine whether changes to the District's probable future service areas might be necessary. Based on information provided by District staff and a comprehensive review of

the existing boundaries and sphere for the District, two minor changes to the sphere are being recommended.

As also shown on Attachment 1, it is recommended that the District's sphere be amended to include territory along Tierra Rejada Road that is currently within its boundary but outside of its sphere ("Area A"). This area is zoned for open space uses and some of the lots are currently developed with residences. Although the County general plan land use designation as 'Open Space' limits the extent of additional residential development in the area, it is logical that it should remain within the boundaries of the District. Apparently, it was not previously included within the District's sphere because it is within the Moorpark Area of Interest. Areas of Interest (AOIs) were established by the Ventura LAFCo in the 1960s as predecessors to spheres of influence and were designed to prevent annexation competition between cities. Since the advent of spheres of influence, the importance of AOIs has diminished. As is apparent from the map, the area is outside of the City of Moorpark sphere and within the Tierra Rejada Greenbelt. Should the Moorpark city boundary be expanded in the future to include this area, it would be appropriate to remove it from the sphere of the Rancho Simi Recreation and Park District and detach it from the District boundary. However, as such an annexation to the City is unlikely to occur in the immediate future, staff is recommending that the Commission amend the District's sphere to include the area.

As shown on Attachment 1 ("Area B"), it is recommended that the Bell Canyon community be removed from, and an area located along Tierra Rejada Road westerly of the City of Simi Valley boundary be added to, the District's sphere of influence. The Rancho Simi Recreation and Park District does not currently provide services to the Bell Canyon area and no annexation of the area to the Rancho Simi Recreation and Park District is contemplated because Bell Canyon residents receive park and recreation services from the Bell Canyon Community Services District.

As indicated in reference to the other recreation and park districts discussed above, LAFCo must conduct a MSR prior to or in conjunction with any sphere of influence update. However, the recommended sphere of influence update would reduce the area within the District's sphere and would not alter the area within the District's existing jurisdictional boundary. It is therefore 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 4.1.4(b) (Attachment 3), staff therefore recommends that the Commission determine that the preparation of a MSR is not necessary for the subject update to the Rancho Simi Recreation and Park 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 Rancho Simi Recreation and Park District has no impact on the present and planned land uses in the

area. Although the parcels proposed to be added to the sphere are designated as Open Space on the County General Plan Land Use Map, the sphere of influence update will not provide for any new development beyond that currently allowed under the existing land use regulations.

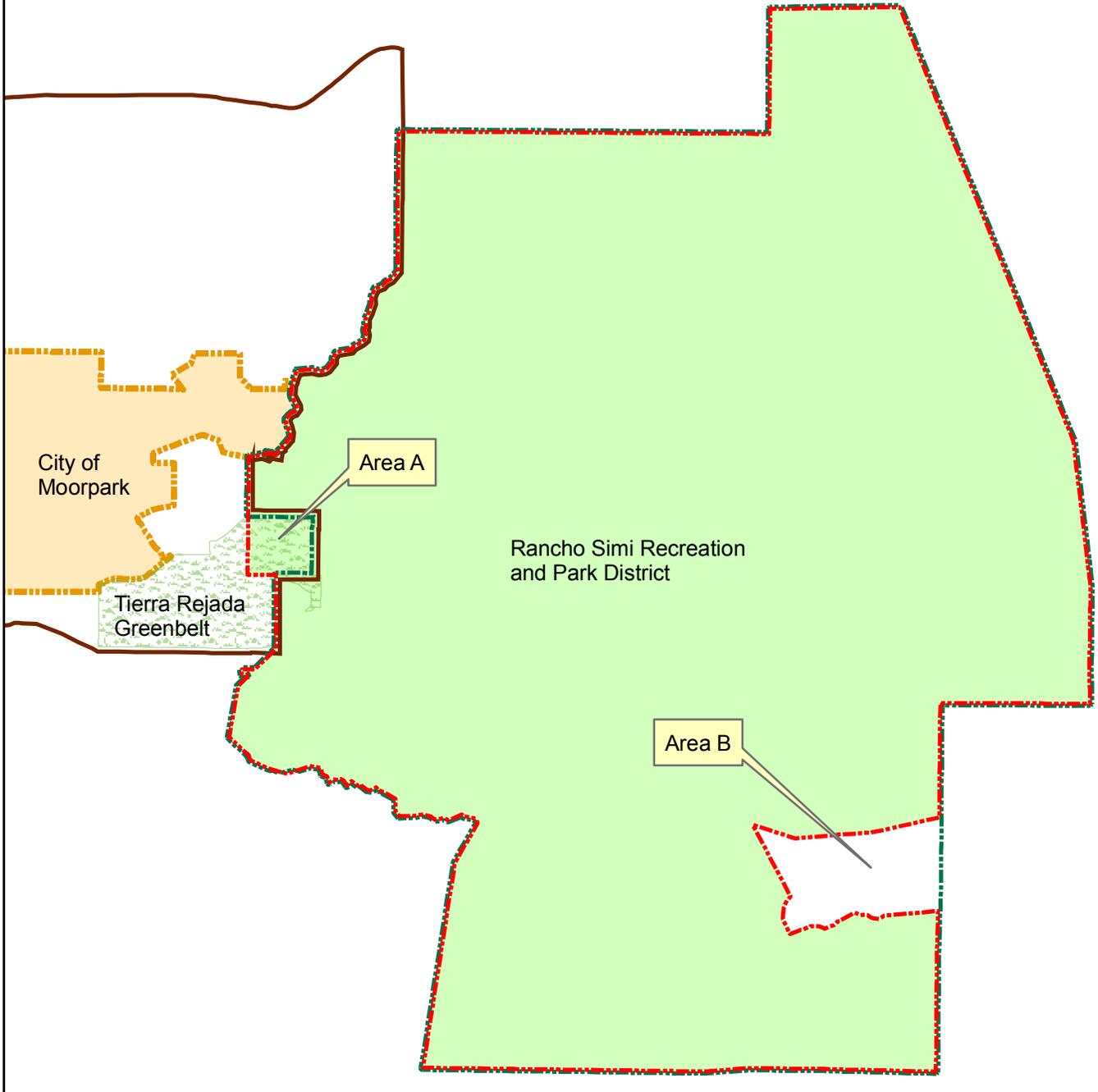
- (2) *The present and probable need for public facilities and services in the area.* – No changes in public facilities or services provided by the District will result from this sphere of influence update.
- (3) *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.* – The sphere of influence update will not affect the present capacity of the Rancho Simi Recreation and Park District or the adequacy of the services provided by the Rancho Simi Recreation and Park District.
- (4) *The existence of any social or economic communities 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 to the Rancho Simi Recreation and Park District. 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 recommended sphere of influence update would result in no changes to the existing or future anticipated service area boundaries of the Rancho Simi Recreation and Park District nor would it result in any changes in land use or development potential of the affected areas. It can therefore be seen with certainty that there is no possibility that LAFCo's action would have a significant effect on the environment.

Attachments:

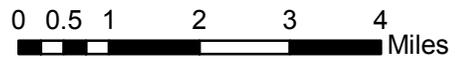
- (1) Conejo Recreation and Park District Sphere of Influence Map
- (2) Pleasant Valley Recreation and Park District Sphere of Influence Map
- (3) Rancho Simi Recreation and Park District Sphere of Influence Map
- (4) Resolution LAFCo 10-11S Making Determinations and Updating the Sphere of Influence for the Rancho Simi Recreation and Park District
- (5) Commissioner's Handbook Section 4.1.4 – Sphere of Influence Updates

Rancho Simi Recreation and Park District Boundary and Sphere of Influence



Legend

-  Rancho Simi Recreation & Park District Existing Sphere of Influence
-  Rancho Simi Recreation & Park District Proposed Sphere of Influence
-  Moorpark Area of Interest Boundary



LAFCO 10-11S

RESOLUTION OF THE VENTURA LOCAL AGENCY FORMATION COMMISSION MAKING DETERMINATIONS AND APPROVING THE UPDATE OF THE SPHERE OF INFLUENCE FOR THE RANCHO SIMI RECREATION AND PARK 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 sphere of influence for the Rancho Simi Recreation and Park District; 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 September 15, 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 September 15, 2010 and the LAFCo Executive Officer's September 15, 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 Rancho Simi Recreation and Park District, dated September 15, 2010 are 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 Rancho Simi Recreation and Park District has no impact on the present and

planned land uses in the area. Although the parcels proposed to be added to the sphere are designated as Open Space on the County General Plan Land Use Map, the sphere of influence update will not provide for any new development beyond that currently allowed under the existing land use regulations.

(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 Rancho Simi Recreation and Park District or the adequacy of the services provided by the Rancho Simi Recreation and Park District.

(d) The existence of any social or economic communities 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 communities of interest in the area.

- (3) The sphere of influence for the Rancho Simi Recreation and Park 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 10-11S – RANCHO SIMI RECREATION AND PARK DISTRICT SPHERE OF INFLUENCE UPDATE – SEPTEMBER 15, 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 Technology Services Department as the official sphere of influence record for the Rancho Simi Recreation and Park 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 Rancho Simi Recreation and Park 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 September 15, 2010.

AYES: Commissioners Cunningham, Freeman, Lange and Parks

NOES: None

ABSTAINS: None

Dated: _____

Vice Chair, Ventura Local Agency Formation Commission

c: Rancho Simi Recreation and Park District
Ventura County Surveyor
Ventura County Geographic Information Officer
Ventura County Planning Department



STAFF REPORT

Meeting Date: September 15, 2010

Agenda Item 9

LAFCo CASE

NAME & NO: LAFCo 10-10S Camarillo Sanitary District Sphere of Influence Amendment – Helm Ranch

PROPOSAL: To amend the sphere of influence for the Camarillo Sanitary District to include an approximately 130-acre parcel to allow the District to provide sewer service via an Out of Agency Service Agreement.

SIZE: Approximately 130 acres

LOCATION: The site is located west and adjacent to the City of Camarillo and south of State Route 101.

The proposal area is not within the boundaries or sphere of influence of any other sanitary sewer service provider.

PROPONENT: The Camarillo Sanitary District.

NOTICE: This matter has been noticed as a public hearing as prescribed by law.

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

Assessor's Parcel Number	Property Address	Property Owner/Assessee
216-0-040-595	4120, 4190 Ventura Blvd, Camarillo	Helm Ranch LLC

RECOMMENDATION

Adopt attached resolution LAFCo 10-10S (Attachment 2) making determinations and approving the Camarillo Sanitary District Sphere of Influence Amendment – Helm Ranch

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 Elaine Freeman <i>Alternate:</i> Gail Pringle	PUBLIC: Louis 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: Michael Walker

BACKGROUND

In 1992, the owners of the subject lot granted consent to the Camarillo Sanitary District (District) to construct a sewer main through another of their lots located immediately east of the proposal area (see Attachment 1 for vicinity map). This area is primarily used for crop production and is located outside of the boundaries and sphere of influence for both the District and the City of Camarillo and within the Oxnard-Camarillo Greenbelt. In exchange for obtaining the sewer easement, the District entered into an out of agency service agreement to provide future sewer service. At the time, the agreement did not include a clear description of which specific lot or lots were intended to benefit from the sewer service. Nothing further happened with regard to the pending sewer service issue for several years thereafter.

In 2001, Government Code §56133 became effective. This statute provides that cities and special districts must receive written approval from LAFCo before they provide new or extended services by contract or agreement outside their jurisdictional boundaries but within their spheres of influence. Throughout much of 2003, the property owners and the District engaged in multiple communications in an attempt to reach agreement as to whether the subject parcel was eligible for an out of agency sewer service connection. In November 2003, the District and the owners executed an out of agency sewer service agreement for the subject parcel. Although LAFCo and the District communicated at the time regarding potential options to accommodate sewer service provision to the proposal area, the property owners did not pursue the matter further until 2009 when they requested a sewer will-serve letter from the District to replace two failed septic systems. A will-serve letter was issued and, on August 3, 2009, the County of Ventura Division of Building and Safety issued a plumbing permit for the installation of a 3,327 foot long lateral sewer line. Construction of the lateral commenced shortly thereafter. LAFCo staff was made aware of the plumbing permit issuance only after the construction of the lateral was nearly complete (it has since been completed).

Upon learning of the situation, LAFCo staff contacted and subsequently met with Sanitary District staff to discuss possible options for resolving the service jurisdiction issues through annexation or a LAFCo-approved out of agency service agreement (OASA) pursuant to Govt. Code §56133. In order to annex the parcel to the District, the District would be required to receive LAFCo approval of a sphere of influence amendment to include the parcel within the District's sphere, and an annexation. Annexations are typically sought to provide services in support of urban development. Because no urban development is anticipated in the foreseeable future, annexation to the district would appear to be premature. To obtain approval of an OASA, the District would first be required to receive LAFCo approval of a sphere of influence amendment to include the parcel within the District's sphere. Because no development is contemplated beyond that which is currently allowed under the County General Plan and the request is to provide service to two existing farm worker dwellings, the Sanitary

District opted to pursue approval of an OASA to serve the parcel in lieu of an annexation.

ANALYSIS

The proposal is to amend the District's sphere of influence in order to allow for the approval of an OASA so that the property can be provided with sewer service. There are two failing septic systems on the parcel which serve two farm worker units. The septic systems will be abandoned once sewer service is provided. The site is designated by the County General Plan as Agricultural and zoned Agriculture Exclusive with a 40-acre minimum lot size. It is used for agricultural purposes. There are no proposals to amend the current land use or zoning designations and the parcel is expected to remain in agricultural production for the foreseeable future.

The extension of sewer service to agricultural lands is generally contrary to LAFCo's mission and local LAFCo policies, as such service is typically associated with, and can foster, urban development and result in the conversion of the agricultural land. However, the circumstances of this proposal are somewhat exceptional because the District is contractually obligated to serve the site and the lateral that is to serve the property currently exists and was constructed in good faith with all necessary permits.

Commission Policies

As indicated above, there are two options available that would allow the District to serve the site: annexation or an OASA. Section 5.1.3 of the Commissioner's Handbook provides that "Annexations to cities and special districts are always preferred to out of agency service agreements". Annexation is typically sought in order to provide services in support of urban development. Given that the property owners intend to continue farming on the parcel and the sewer service would be to serve existing farm worker dwellings, staff believes an out of agency service agreement would be preferable to annexation.

On March 17, 2010 the Commission adopted new policies that define a "sphere of influence amendment" as a modification to a sphere associated with a concurrent proposal for a change of organization or an out of agency service agreement. A "sphere of influence update" is defined as a modification to a sphere not associated with a change of organization or out of agency service agreement. Though this proposal is to accommodate an OASA, at the time of the writing of this report the Sanitary District had not yet submitted the OASA for approval. However, the OASA is expected to be submitted soon. To ensure that the District's sphere of influence is amended solely for the purpose of allowing for the approval of an OASA, staff recommends that the Commission adopt a condition of approval specifying that the sphere of influence will become effective only upon the effectuation of an OASA consistent with LAFCo policies.

This will ensure consistency with Commission policies defining “amendment.” Such a condition is included in the attached resolution.

The Commission has delegated to the Executive Officer authority to act on OASAs for which a negative declaration was prepared or that are exempt from CEQA (Commissioners Handbook Section 2.6.2). As discussed in more detail later in this report, staff has concluded that the proposed sphere amendment is exempt from CEQA and anticipates that the OASA will be also. Therefore, the Executive Officer will take action on the OASA, unless directed otherwise by the Commission.

Sphere of Influence Determinations

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

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

The proposal area is currently used for agricultural purposes and will be for the foreseeable future. The land use and zoning designations are Agricultural and Agricultural Exclusive, respectively. The proposed sphere of influence amendment will allow for sewer service to be provided to two farm worker dwellings via an out of agency service agreement. Only uses allowed for under the County’s General Plan and zoning will be provided with sewer service.

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

There are two failing septic systems on the parcel which serve two farm worker dwellings. The septic systems will be abandoned once sewer service is provided. Though replacement septic systems may be feasible, given the desire of the property owner to receive sewer service, the contractual obligations of the District, and the fact that a lateral sewer line was lawfully constructed at substantial expense, it appears reasonable that the structures connect to the District’s system.

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

The District has represented it has the capacity to provide sewer service to the proposal area.

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

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

Environmental Impact of the Proposal

Staff has determined that the proposal is categorically exempt pursuant to Section 15319(a) of the California Environmental Quality Act Guidelines. This exemption applies to the annexation of areas containing existing public or private structures developed to the density allowed by the current zoning and the extension of services will have the capacity to serve only the existing facilities. Though this exemption applies to annexation, the result of the proposed amendment is to provide for the approval of an OASA which will allow for sewer service, as would an annexation. Because the purpose of the proposal is to extend sewer service to existing structures/uses allowed by the current zoning regulations and the lateral sewer line will limit service to only allowable uses, staff believes that the proposal is exempt from CEQA.

ALTERNATIVE ACTIONS AVAILABLE:

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

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

BY: _____
Kai Luoma, AICP
Deputy Executive Officer

Attachments: (1) Vicinity Map *
(2) LAFCo 10-10S Resolution

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

STAFF REPORT

Meeting Date: September 15, 2010

Agenda Item 10

TO: LAFCo Commissioners

FROM: Kim Uhlich, Executive Officer *KU*

SUBJECT: End of Year Financial Reports FY 2009-10

RECOMMENDATION:

Receive and file the End of Year Financial Reports for fiscal year 2009-10 which include a transfer of \$6,089 from Fund Balance Account 5040 to Designation for Subsequent Years Financing account 5070.

DISCUSSION:

The following unaudited financial reports for fiscal year 2009-2010 have been prepared:

- Balance Sheet as of June 30, 2010
- Statement of Revenues, Expenditures and Changes in Fund Balance for Year Ending June 30, 2010
- Budget to Actual FY 2009-10 for Year Ended June 30, 2010.

At the end of a fiscal year, if there are funds in excess of what is needed, State law provides that the Commission can retain this fund balance and calculate it into the following fiscal year's budget. (Gov. Code §56381(c)) Doing this basically offsets LAFCo's costs for the County, the cities and the independent special districts in subsequent years. In conjunction with the preparation of the budget for 2009-10, the projected fund balance for FY 2009-10 was estimated to be \$41,837. Commissioners Handbook Section 2.3.1.4 ("Contingency and Designation Accounts"), provides that any monies in excess of the projected fund balance amount in the budget shall be deposited in an account designated for subsequent year financing. This account (account 5070) is intended to be LAFCo's "reserve" account. This reserve account should be augmented,

COMMISSIONERS AND STAFF

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as funds may be available, until it contains an amount equal to at least 25% of the current year budget.

Revenues for FY 2009-10 were less than budgeted, but expenditures were also less than budgeted. The result is that the actual year end fund balance was \$112,926, which is \$71,088 higher than projected (\$41,837). I am pleased to report that this has brightened the current year budget year picture to the point where it will not be necessary to transfer \$65,000 from the Designation for Subsequent Year Financing account to the Unreserved Fund Balance as was authorized through the adoption of the FY 2010-11 Budget. The Designation for Subsequent Year Financing account balance therefore continues in a positive upward trend as it has each year since 2006 when it was first established.

Without the transfer of \$65,000 from the Designation for Subsequent Year Financing account, the difference between actual year end fund balance (\$112,926) and the projected fund balance (\$106,837) is \$6,089. In accordance with the Commission's Contingency and Designation policy, \$6,089 has been deposited into the subsequent year financing account (account 5070). The 5070 account ending balance is now \$208,056, which represents approximately 26.9 percent of the current budget.

Attachments:

1. Commissioner's Handbook Section 2.3.1.4
2. Balance Sheet as of June 30, 2010
3. Statement of Revenues, Expenditures and Changes in Fund Balance for Year Ending June 30, 2010
4. Budget to Actual FY 2009-10 for Year Ending June 30, 2010



STAFF REPORT

Meeting Date: September 15, 2010

Agenda Item 11

TO: LAFCO Commissioners
FROM: Kim Uhlich, Executive Officer *KU*
SUBJECT: Contract for Professional Audit Services

RECOMMENDATION:

Waive Commissioner’s Handbook Section 2.5.4 and authorize the Chair to review and execute the audit services contract for the fiscal year ended June 30, 2010 to be prepared by staff and reviewed by LAFCo Legal Counsel.

BACKGROUND:

Beginning with the fiscal year ended June 30, 2010, Commissioner’s Handbook Policy Section 2.3.5.1 (Attachment 1) provides for annual audits of the LAFCo financial statements by an independent accounting firm. In accordance with this policy, staff began the auditor selection process by issuing a request for proposals (RFP) on August 9, 2010 (Attachment 2). The RFP seeks proposals from qualified certified public accounting firms to audit the LAFCo financial statements for the fiscal year ended June 30, 2010, with an option for extension for the fiscal years ending June 30, 2011 and June 30, 2012. The deadline for submitting responses to the RFP is September 10. The schedule included in the RFP reflects LAFCo staff’s intention to complete the selection process by the end of September and to present a contract for action by the Commission at the October 20 LAFCo meeting.

DISCUSSION:

Should the Commission take action to cancel the October meeting pursuant to Item 12 on the September 15 meeting agenda, the process to execute the audit services contract would have to be postponed to the November LAFCo meeting. This would then delay the commencement of the audit work and resultant audit report.

COMMISSIONERS AND STAFF

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Pursuant to Commissioner's Handbook Section 2.5.4 (Attachment 3), any contract or agreement greater than \$5,000 shall be presented to the Commission for approval and execution. As the amount for audit services work is expected to exceed \$5,000, it would be inconsistent with the Commission's policies for the LAFCo Executive Officer to execute the contract. In the interest of adhering to the audit schedule outlined in the RFP, staff is recommending that the Commission take action consistent with one of the following three options:

1. Waive Commissioner's Handbook Section 2.5.4 and authorize the Commission Chair to review and execute the audit services contract prepared by staff and reviewed by LAFCo Legal Counsel. This option would allow for the audit contract to be executed in October and the audit work to begin on time. It would also allow the Commission to cancel the October LAFCo meeting pursuant to Agenda Item 12 if it is the Commission's preference. If the Commission chooses this option, staff will present the signed contract to the full Commission at the November 17 LAFCo meeting as a receive and file item.
2. If the Commission does not wish to cancel the October LAFCo meeting, direct staff to schedule the audit services contract for action by the full Commission for the October 20 meeting.
3. Direct staff to schedule the audit services contract for action by the full Commission for the November 17 LAFCo meeting. This option would also allow the Commission to cancel the October LAFCo meeting pursuant to Agenda Item 12 but would delay the commencement of audit services.

Staff is recommending that the Commission take action consistent with Option Number 1.

Attachments: (1) Commissioner's Handbook Section 2.3.5.1 – Independent Auditor Role
(2) Ventura LAFCo Request for Proposals - Independent Audit Services
(3) Commissioner's Handbook Section 2.5.4 – Contract Approval and Execution

STAFF REPORT
Meeting Date: September 15, 2010

Agenda Item 12

TO: LAFCo Commissioners 
FROM: Kim Uhlich, Executive Officer
SUBJECT: Cancellation of the October 20, 2010 regular meeting

RECOMMENDATION:

Determine whether to cancel the October 20, 2010 regular LAFCo meeting and direct staff to provide notice of cancellation to the County, all cities, independent special districts and other interested parties as required by law.

DISCUSSION:

As of September 3, LAFCo has no applications pending for action at the October meeting. As the only other matter of business is the pending contract for an independent audit of LAFCo's financial statements for the fiscal year ended June 30, 2010 and the Executive Officer's performance evaluation, staff recommends that the Commission cancel the October meeting. The next scheduled meeting would occur on November 17, 2010.

COMMISSIONERS AND STAFF

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Executive Officer: Kim Uhlich	Dep. Exec. Officer Kai Luoma	Office Mgr/Clerk: Debbie Schubert	Office Assistant Martha Escandon	Legal Counsel: Michael Walker