



**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

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<b>COUNTY:</b> Kathy Long, Chair Linda Parks <i>Alternate:</i> Steve Bennett	<b>CITY:</b> Carl Morehouse Janice Parvin <i>Alternate:</i> Thomas Holden	<b>SPECIAL DISTRICT:</b> George Lange Elaine Freeman <i>Alternate:</i> Gail Pringle	<b>PUBLIC:</b> Lou Cunningham, Vice Chair  <i>Alternate:</i> Kenneth M. Hess	
<b>Executive Officer:</b> Kim Uhlich	<b>Dep. Exec. Officer</b> Kai Luoma	<b>Office Mgr/Clerk:</b> Debbie Schubert	<b>Office Assistant</b> Martha Escandon	<b>Legal Counsel:</b> 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](http://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, 4<sup>th</sup> 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](http://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

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

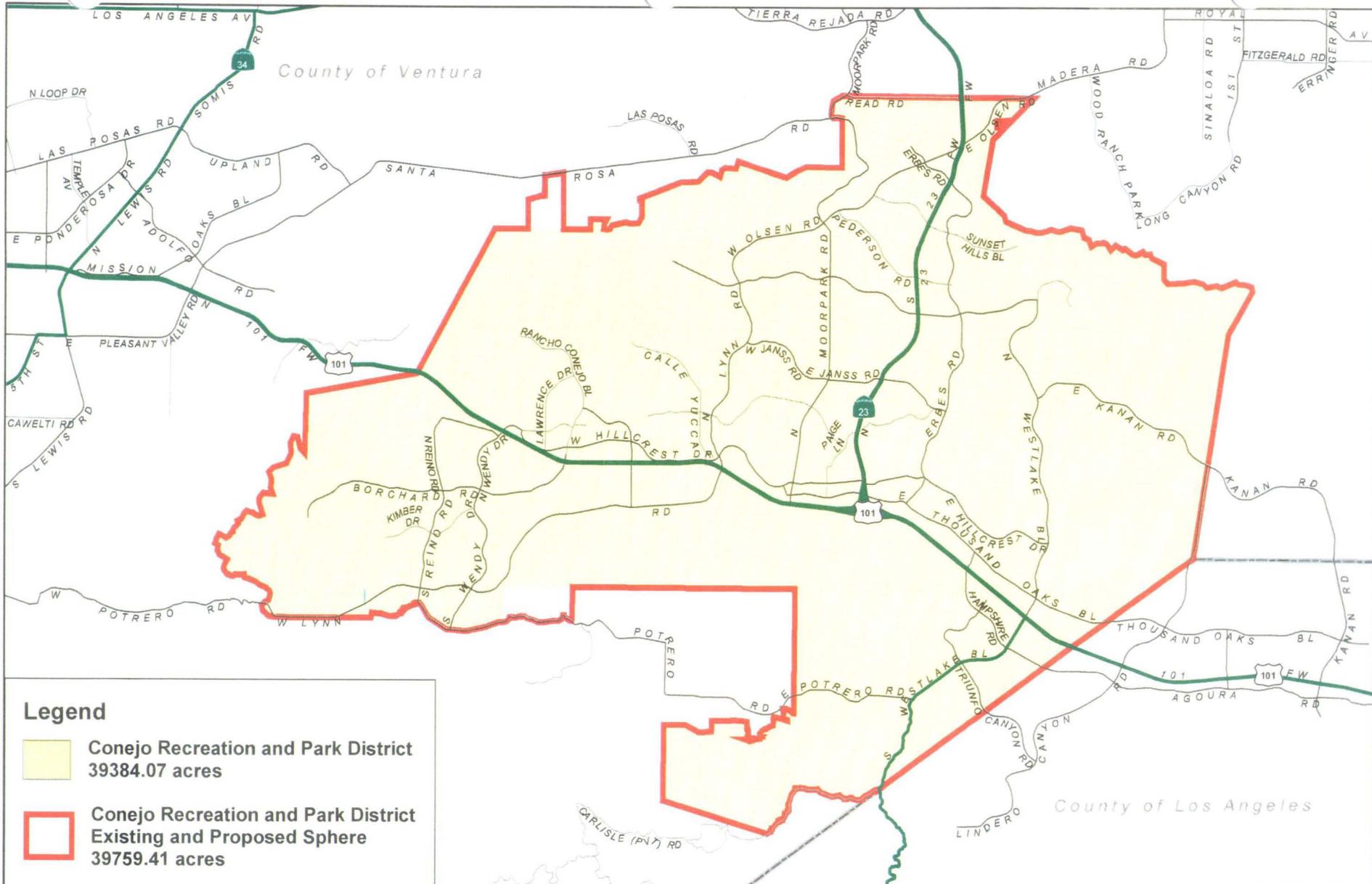
- (1) *The present and planned land uses in the area, including agricultural and open-space lands.* – The sphere of influence update for the Rancho Simi Recreation and Park District has no impact on the present and planned land uses in the

- 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



**Legend**

- Conejo Recreation and Park District  
39384.07 acres
- Conejo Recreation and Park District  
Existing and Proposed Sphere  
39759.41 acres

## Conejo Recreation and Park District Ventura LAFCo Sphere of Influence Review September, 2010

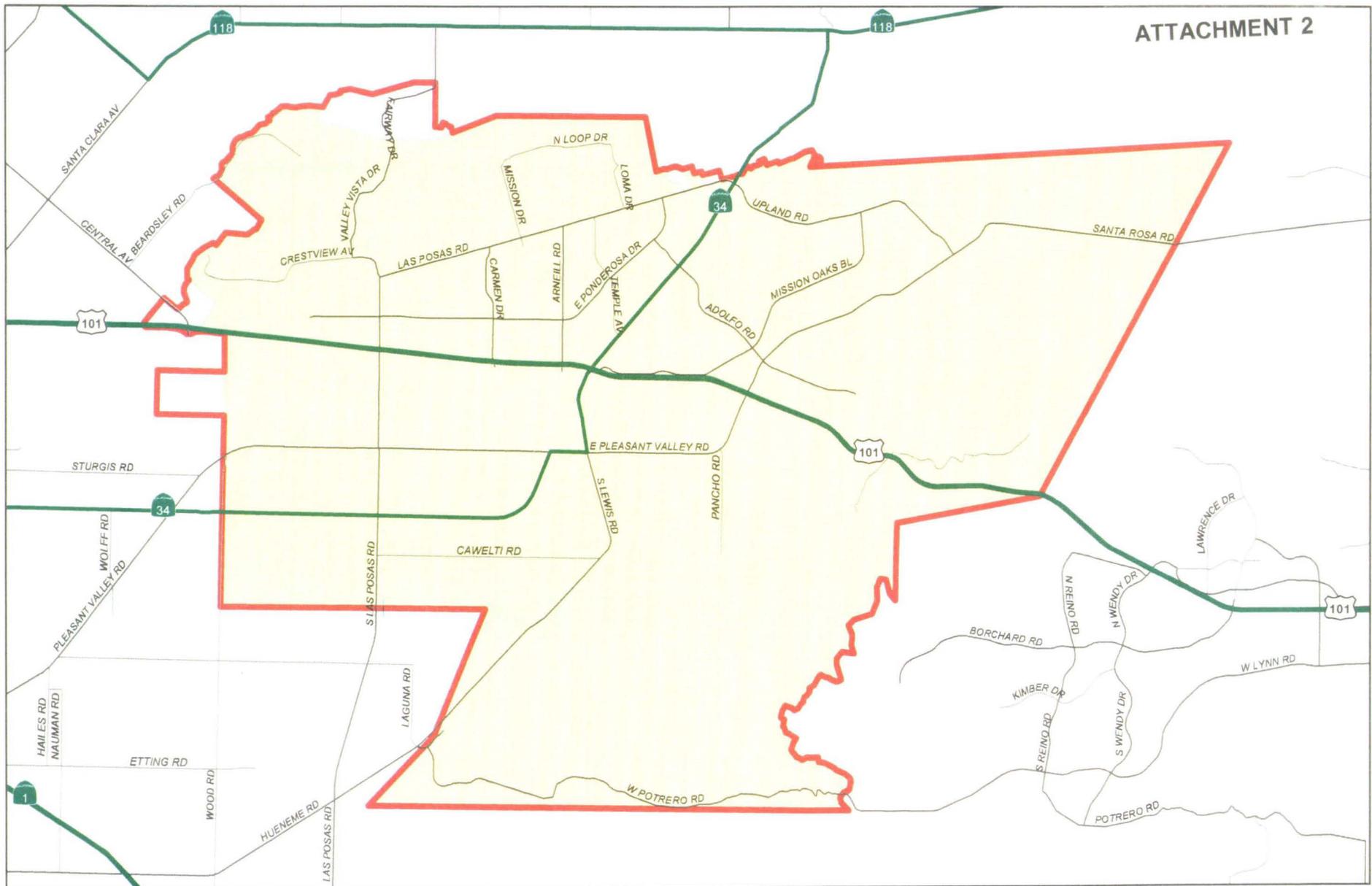
Prepared by County of Ventura - Information Systems Department - GIS Division  
State Plane Coordinate System California Zone V - NAD 27



This map was compiled from records and computations

Published: September, 2010

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



**Legend**

-  Pleasant Valley Recreation and Park District - 27885 acres
-  Pleasant Valley Recreation and Park District Existing and Proposed Sphere 28515.64 acres

**Pleasant Valley Recreation and Park District  
Ventura LAFCo Sphere of Influence Review  
September, 2010**

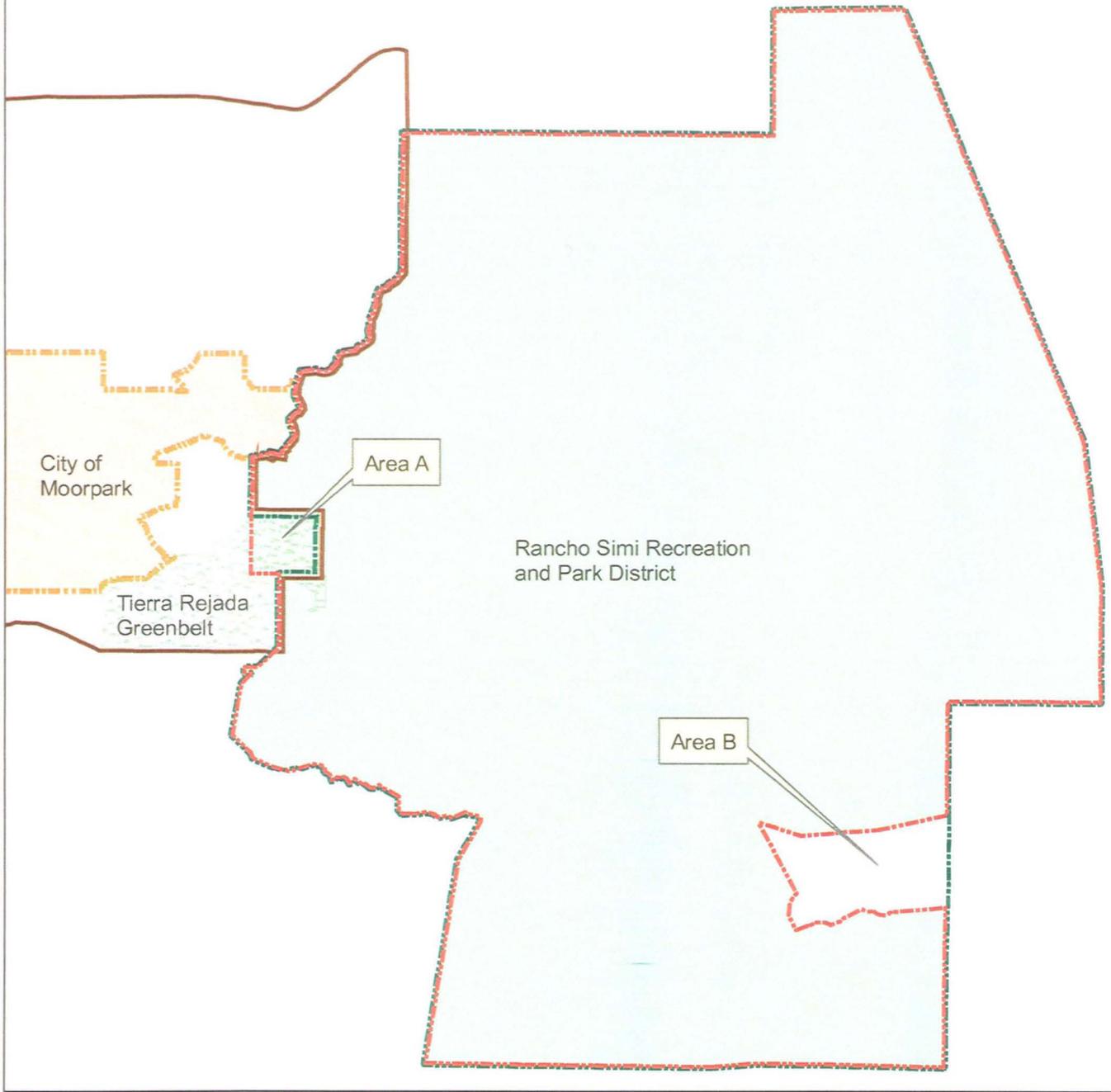
Prepared by County of Ventura - Information Systems Department - GIS Division  
State Plane Coordinate System California Zone V - NAD 27

This map was compiled from records and computations

Published: September, 2010



# 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



## ATTACHMENT 4

### 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:

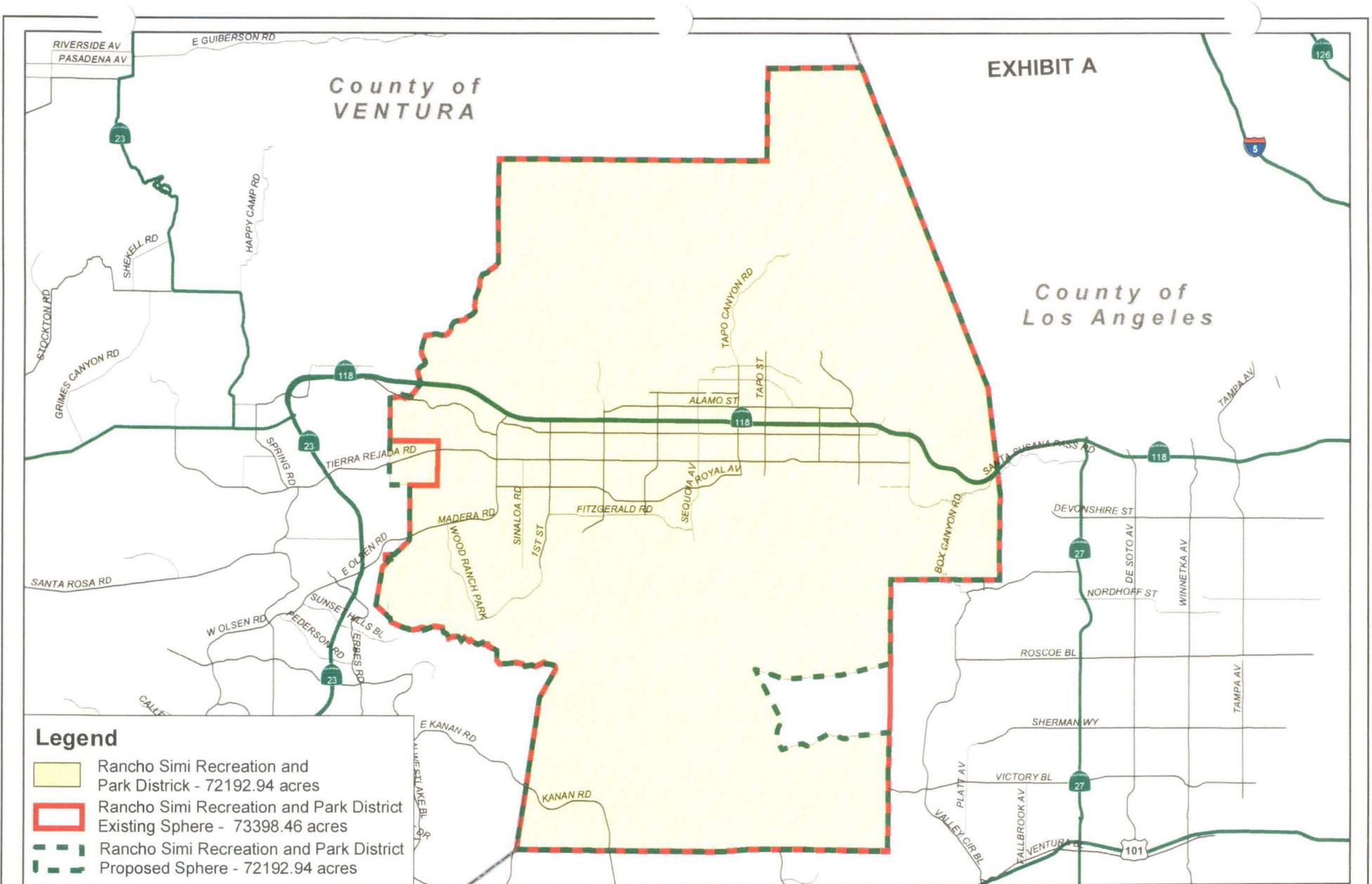
NOES:

ABSTAINS:

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



**Legend**

- Rancho Simi Recreation and Park District - 72192.94 acres
- Rancho Simi Recreation and Park District Existing Sphere - 73398.46 acres
- Rancho Simi Recreation and Park District Proposed Sphere - 72192.94 acres

## Rancho Simi Recreation and Park District

### Ventura LAFCo Sphere of Influence Review

September, 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



## **SECTION 4.1.4 SPHERE OF INFLUENCE UPDATES**

- (a) LAFCo shall review and update, as necessary, the adopted sphere of influence of each local agency not less than once every five years.
- (b) LAFCo shall prepare a municipal service review in conjunction with each sphere of influence update unless the subject territory can be efficiently and effectively served by existing infrastructure and service levels.
- (c) Updates that remove territory from a sphere of influence shall not require the preparation of a municipal service review.



**STAFF REPORT**

Meeting Date: September 15, 2010

**Agenda Item 8**

**LAFCo CASE  
NAME & NO:**

1. LAFCo 10-06A – City of Thousand Oaks Area of Interest Amendment
2. LAFCo 10-06S1 City of Thousand Oaks Sphere of Influence Amendment – Rancho Potrero
3. LAFCo 10-06S2 - Conejo Recreation and Park District Sphere of Influence Amendment – Rancho Potrero
4. LAFCo 10-06 City of Thousand Oaks Reorganization – Rancho Potrero:

**PROPOSAL:**

To amend the City of Thousand Oaks Area of Interest and 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 to the Conejo Recreation and Park District. The same territory is to be detached from the Ventura County Resource Conservation District and County Service Area No. 32. The City has approved a specific plan for the proposal area to allow for the continued operation of an equestrian center and the preservation of open space.

**SIZE:**

Approximately 326 acres.

**LOCATION:**

The parcels do not have assigned addresses. They are located on the south side of Potrero Road opposite the intersections of Potrero Road/Rancho dos Vientos and Potrero Road/Via Andrea, southwest of the City of Thousand Oaks.

The proposal area is within the boundaries of the Calleguas Municipal Water District, the Ventura Regional Sanitation District and the Ventura County Fire Protection District.

The site is outside the City of Thousand Oaks CURB boundary and a portion of the site is outside the City's Area of Interest.

**COMMISSIONERS AND STAFF**

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

The proposal area is within the boundaries of the Calleguas Municipal Water District, the Ventura Regional Sanitation District and the Ventura County Fire Protection District.

The site is outside the City of Thousand Oaks CURB boundary and a portion of the site is outside the City's Area of Interest.

**PROPONENT:** City of Thousand Oaks by resolution.

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

**PARCEL INFORMATION:**

Assessor Parcel #	Owner/Assessee
694-0-060-305	Mountains Rec-Cnsv Authority
694-0-060-325	Mountains Rec-Cnsv Authority
694-0-060-335	Conejo Open Space Cnsv (lessor) City of Thousand Oaks (lessee)

**RECOMMENDATIONS**

1. Adopt attached resolution LAFCo 10-06A approving an amendment to the boundary of the City of Thousand Oaks Area of Interest. (Attachment 3)
2. Adopt the attached resolution LAFCo 10-06S1 making determinations and approving the City of Thousand Oaks Sphere of Influence Amendment - Rancho Potrero. (Attachment 4)
3. Adopt the attached resolution LAFCo 10-06S2 making determinations and approving the Conejo Recreation and Park District Sphere of Influence Amendment - Rancho Potrero. (Attachment 5)
4. Adopt the attached resolution LAFCo 10-06 making determinations and approving the City of Thousand Oaks Reorganization - Rancho Potrero. (Attachment 6)
  - a. Annexation of the proposal area to the City of Thousand Oaks
  - b. Annexation of the proposal area to the Conejo Recreation and Park District
  - c. Detachment of the proposal area from Ventura County Resource Conservation District and County Service Area No. 32

**GENERAL ANALYSIS**

**1. Land Use**

Site Information

Twenty of the approximately 326 acres is currently used for an equestrian center. The equestrian center property is owned by the Conejo Open Space Conservation Agency (COSCA), which is a joint powers authority between the City of Thousand Oaks and the Conejo Recreation and Park District. COSCA leases the property to the City of Thousand Oaks. A private vendor operates the equestrian center under a sub-lease from the City. The remaining 306 acres is undeveloped land owned by the Mountains Recreation and Conservation Authority (MRCA), a joint powers authority between the Santa Monica Mountains Conservancy, the Conejo Recreation and Park District, and the Rancho Simi Recreation and Park District. After annexation, the MRCA intends to transfer ownership of the 306 acres to COSCA, which will manage the property.

The following table identifies the County’s current land use designations and zoning, the City’s approved land use designations and rezoning, and the existing and approved uses for the proposal area:

Parcel	County General Plan	County Zoning	City General Plan	City Pre-zoning	Existing/ Approved Use
694-0-060-305	Open Space, 40 acre minimum	Agriculture Exclusive – Scenic Resource Protection Overlay	Existing Parks, Golf Courses, and Open Space	Open Space	Vacant/trails & other open space uses
694-0-060-325				Open Space	Vacant/trails & other open space uses
694-0-060-335				Public, Quasi Public & Institutional Lands and Facilities	Equestrian Center/same

Conformity with Plans

Because the proposal area is outside the sphere of influence of the City of Thousand Oaks, a sphere of influence amendment has been requested as part of the application. Therefore, the City’s General Plan takes precedence according to LAFCo policies.

The City approved the Rancho Potrero Specific Plan (RPSP) in April 2010 to regulate land use within the proposal area. Under the RPSP, current land uses will essentially remain unchanged. The existing equestrian center will continue to operate. The remaining approximately 306 acres will be retained in permanent open space with limited improvements in different sub areas to accommodate passive recreational use by the public (see Attachment 7), which include:

- A ride-in corral, landscaped picnic area, outdoor classroom (benches only), native plant garden, and portable restrooms
- Picnic tables
- Trailhead, which includes a parking area and restrooms (along Rancho Potrero Road adjacent to the equestrian center)
- Picnic area with a shade structure and restrooms

The RPSP identifies other minor improvements such as fencing and additional picnic areas. The uses established under the RPSP are consistent with the City's General Plan designation and rezoning.

#### City Urban Restriction Boundary (CURB)

Commissioner's Handbook Section 2.5.1.2 provides that LAFCo will not approve a proposal unless it is consistent with applicable ordinances requiring voter approval for the extension of services. The City's General Plan provides that until 2030 the City shall restrict urban services and urbanized uses of the land to areas within the CURB unless voter approval is first obtained. The General Plan identifies specific exceptions, such as public parks. The site is outside the City's CURB. The proposal area will be retained as publicly accessible open space owned and operated by a public agency. As such, the City has concluded that the project is consistent with the City's CURB/SOAR ordinance restrictions and no public vote is required. The project is therefore consistent with the aforementioned LAFCo policy.

If the proposal is approved, the City's boundary and sphere of influence will extend beyond the City's CURB. LAFCo policies provide that "sphere of influence boundaries should coincide with, or cover less area than, voter approved growth boundaries." (Commissioner's Handbook Section 4.1.2.3). However, as discussed in more detail later in this report, the territory will be owned by a public agency and the purpose of the subject proposal is to preserve the territory for open space purposes for the foreseeable future rather than urban development. Staff therefore believes that the proposal is consistent with the intent of Section 4.1.2.3 of the Handbook.

#### Surrounding Land Uses and Zoning and General Plan Designations

Across Potrero Road to the north of the proposal area is single family residential development within the City of Thousand Oaks. To the south and east is National Park Service land that is part of the Santa Monica Mountains National Recreation

Area. This land is designated as Open Space with a 40-acre minimum lot size by the County General Plan and is zoned Open Space with a Scenic Resources Protection overlay zone. The area to the west is vacant, privately owned land designated as Open Space with a 160-acre minimum lot size by the County General Plan and is zoned Open Space with a Scenic Resources Protection overlay zone.

#### Topography, Natural Features and Drainage

The northern portion of the proposal area is relatively flat and contains a natural drainage course that drains eastward to Arroyo Conejo Creek. The southern portion of the site is comprised of steep terrain with slopes exceeding 25%. Vegetation includes grassland and chaparral, with riparian vegetation along the drainage channel.

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

#### Prime Agricultural Land and Agriculture

Neither the proposal area nor the adjacent area is considered Prime Agricultural Land pursuant to Government Code Section 56064. There are no commercial agricultural uses within or adjacent to the proposal area.

#### Open Space

The proposal area is considered open space pursuant to Government Code Sections 56059 and 65560. The purpose of the reorganization is to implement the Rancho Potrero Specific Plan, which will retain the proposal area as publicly accessible open space. Annexations to a city are typically associated with urban development and the need for urban services. As such, proposals to annex territory rezoned solely for open space purposes are generally considered to be unnecessary or at least premature. Another issue associated with the annexation of open space land to a city is the potential for it to be subsequently rezoned for urban development. In such instances, there is no opportunity for LAFCo to evaluate the associated public service demands and capacity of the city as the service provider or to make other determinations with respect to logical and orderly governmental boundaries. In the case of the subject proposal, the City of Thousand Oaks has no plans to allow development of the area. Instead, the City's primary reason for annexation is to avoid the requirement to pay property tax on land owned outside of its boundaries. The City has further taken steps to ensure that the territory will be preserved as permanent open space. Following annexation, the area owned by the MRCA will be transferred to COSCA, which will assume exclusive management authority. According to its website,

COSCA was created in 1977 by a joint powers agreement between the City of Thousand Oaks and the Conejo Recreation and Park District,

enabling the two agencies to “jointly exercise their legal powers to create a jurisdictional framework for the conservation of natural open space lands, assure coordination of local land use and resource management decisions and establish an entity to focus community resources toward achievement of adopted General Plan goals.” In this context, “open space” is defined as land which is in essentially a natural, undeveloped state, and does not include golf courses, developed park sites or landscaped greenbelts.

Also as mentioned, the proposal area will remain outside the City’s CURB boundary, which precludes urban development unless approved by the voters of the city of Thousand Oaks. In addition, the area is located within the Santa Monica Mountains Comprehensive Plan, the principal goal of which is “to establish a comprehensive and specific plan for the future development of the Santa Monica Mountains consistent with the conservation and preservation of that resource.”

It appears that there are sufficient safeguards in place to ensure that the proposal area will remain in open space for the foreseeable future. Therefore, the proposal will not result in the conversion of open space to non-open space uses.

### **3. Population**

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

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

#### City of Thousand Oaks

There will be no change in provider of fire protection/paramedic services, currently undertaken by the Ventura County Fire Protection District. Under contract with the City, the Ventura County Sheriff’s Department will continue to provide police services upon annexation. If needed, the City will provide sewer service to the two restroom facilities approved as part of the RPSP (the restrooms may utilize alternative technologies in lieu of public sewer service).

#### Conejo Recreation and Park District

The COSCA will manage the open space property. The property will be used for passive recreational activities.

#### Other Services

The proposal area is within the service area of the California American Water Company, which currently provides water service to the equestrian center. Water

service will be extended to the open space parcels to serve the proposed corral/classroom area, picnic area, and the two restroom facilities.

## **5. Boundaries and Lines of Assessment**

The County Surveyor has reviewed the map and legal description and has certified them as being accurate and sufficient for the preparation of a Certificate of Completion pursuant to Government Code Section 57201 and for filing with the State Board of Equalization.

## **6. Assessed Value, Tax Rates and Indebtedness**

As the territory will continue to remain under public ownership following annexation, the Assessor's land valuation will continue to be zero.

## **7. Environmental Impact of the Proposal**

The City of Thousand Oaks is the lead agency under CEQA and prepared a Mitigated Negative Declaration (MND) that addressed impacts associated with development of the proposal area. The City Council approved the MND on April 27, 2010. The MND document was previously distributed to the Commission under separate cover.

The MND identified potentially significant but mitigable impacts relating to erosion, surface water quality, and wetland habitat. The mitigation monitoring plan adopted by the City Council can be found as Appendix I in the MND.

It is recommended that the Commission review and consider the information in the MND and adopt the Lead Agency's findings (Attachment 2), mitigation measures, and the mitigation monitoring program contained in the MND.

## **8. Regional Housing Needs**

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

## **9. Environmental Justice**

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

## SPECIAL ANALYSIS

### **Sphere of Influence Determinations**

The proposal includes an amendment to the sphere of influence for both the City of Thousand Oaks and the Conejo Recreation and Park District. 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 considered open space pursuant to Government Code Sections 56059 and 65560. The purpose of the sphere of influence amendments and reorganization is to implement the Rancho Potrero Specific Plan, which will retain the proposal area as publicly accessible open space. Therefore, the proposal will not result in the conversion of open space to non-open space uses.

The Conejo Open Space Conservation Agency will own and manage the property following annexation. Also, the proposal area will remain outside the City's CURB boundary, which precludes urban development unless approved by the voters of the City of Thousand Oaks. In addition, the area is located within the Santa Monica Mountains Comprehensive Plan, the principal goal of which is "to establish a comprehensive and specific plan for the future development of the Santa Monica Mountains consistent with the conservation and preservation of that resource." Thus, it appears that there are sufficient safeguards in place to ensure that the proposal area will remain in open space for the foreseeable future.

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

According to the approved Specific Plan, the facilities needed within the proposal area include restrooms and picnic areas that require potable water and, if necessary, sanitary sewer service. In addition, there will be a need for enhanced public safety and emergency response services due to the planned increase in public access to the area.

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

The City of Thousand Oaks and the Conejo Recreation and Parks District have represented that all necessary services can be provided.

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

Including the proposal area within the spheres of influence of the City of Thousand Oaks and the Conejo Recreation and Park District would not adversely impact any social or economic community of interest.

### **Thousand Oaks Area of Interest**

The southerly approximately 156 acres of the proposal area are outside the City of Thousand Oaks Area of Interest. The City has requested that the Area of Interest be amended to include the entirety of the proposal area.

Areas of Interest (AOIs) were established by LAFCo in the 1960s prior to the creation of spheres of influence. They served some of the functions that spheres of influence do today. Each AOI is a large geographical area intended to reflect the community and planning identity of the area within it and helped to prevent annexation competition between cities. There are fifteen AOIs in the county; one for each city and one for each of the communities of Piru, Bell Canyon, Oak Park, Lake Sherwood/Hidden Valley and Somis (Las Posas) (see Attachment 8). Within each AOI there is to be no more than one city, but there is not necessarily a city in each AOI. Since the advent of spheres of influence, the importance of AOIs has diminished. However, AOIs continue to play an important role in county and city planning efforts. Some cities continue to utilize them to define their planning areas. They also serve as planning referral boundaries for the County. In addition, several policies of the Guidelines for Orderly Development reference AOIs.

AOIs are local planning tools. There is no requirement in LAFCo law that LAFCo establish them. However, as the local agency that created AOIs, LAFCo is also considered the agency responsible for maintaining and updating their boundaries. The approximately 156 acres that is proposed to be included within the Thousand Oaks AOI is not currently within an existing AOI. Therefore, the proposed amendment would not impact any other city's or community's AOI.

### **COMMISSION PROCEEDINGS – PROCESS CONSIDERATIONS**

An area is considered to be "uninhabited" if fewer than twelve registered voters reside within it. As no voters reside within the proposal area, it is considered uninhabited. Pursuant to Govt. Code §56663, in the case of uninhabited territory, the Commission may waive protest proceedings entirely if both of the following apply:

- All landowners within the affected territory have given written consent to the change of organization, and
- No subject agency has submitted written opposition to a waiver of protest proceedings.

Written consent to the proposal has been provided by the Conejo Open Space Conservation Agency and the Mountains Recreation & Conservation Authority. No

subject agency has, or is expected to, oppose the proposal. In consideration of these facts, if the Commission approves the proposal, it is recommended that the Commission waive protest proceedings. The attached resolution LAFCo 10-06 (Attachment 6) contains the necessary language for such a waiver.

**ALTERNATIVE ACTIONS AVAILABLE:**

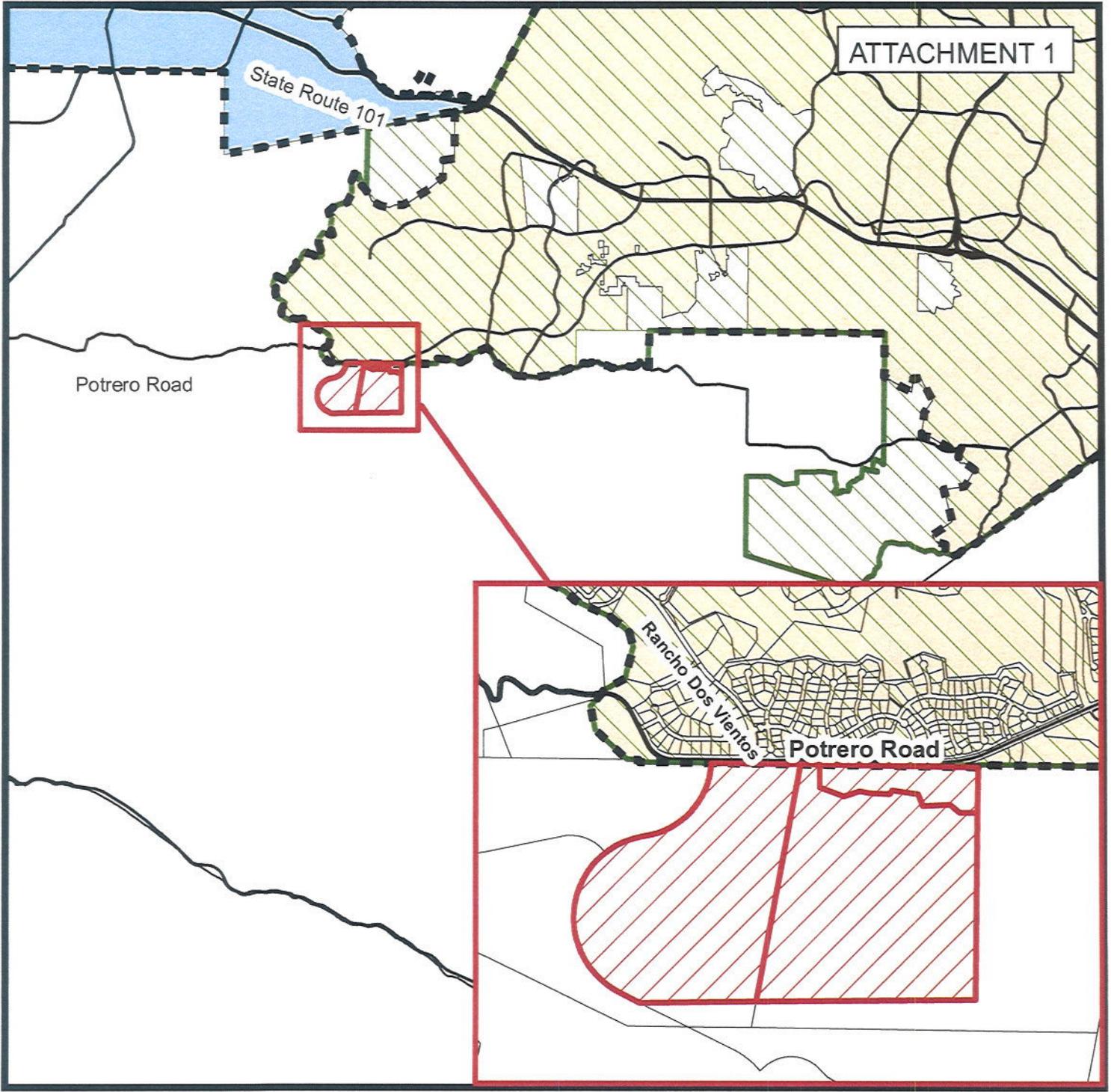
- A. If the Commission, following public testimony and review of the materials submitted, determines that further information is necessary, a motion to continue the proposal should state specifically the type of information desired and specify a date certain for further consideration.
  
- B. If the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

- Attachments:
- (1) Vicinity Map \*
  - (2) City of Thousand Oaks CEQA Findings\*\*
  - (3) LAFCo 10-06A Resolution
  - (4) LAFCo 10-06S1 Resolution
  - (5) LAFCo 10-06S2 Resolution
  - (6) LAFCo 10-06 Resolution
  - (7) Rancho Potrero Specific Plan Land Use Plan
  - (8) Map of Areas of Interest

\* 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.

\*\* A copy of the mitigated negative declaration is available for public review upon request.



LAFCo 10-06 City of Thousand Oaks Reorganization  
 Rancho Potrero  
 September 15, 2010

**Legend**

-  Proposal Area
-  City of Thousand Oaks
-  City of Camarillo
-  City Sphere of Influence
-  Conejo Recreation & Park District
-  Conejo Rec. and Park Dist. Sphere



## ATTACHMENT 2

### RESOLUTION NO. 2010-028

#### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF THOUSAND OAKS APPROVING SPECIFIC PLAN 19 (RANCHO POTRERO) SP 2007- 70045 (APPLICANT: CITY OF THOUSAND OAKS)

WHEREAS, a specific plan is a tool for implementing a general plan within a portion of the area covered by the general plan; and

WHEREAS, on March 6, 2007, the Thousand Oaks City Council initiated SP 2007-70045 (Specific Plan 19 - Ranch Potrero), for the purpose of developing a land management plan for the 326-acre Rancho Potrero property, located on the south side of Lynn Road opposite Via Andrea; and,

WHEREAS, On January 8, 2008, the Thousand Oaks City Council, Conejo Recreation and Park District Board of Directors and the Conejo Open Space Conservation Agency Board of Directors jointly approved a conceptual plan for the Rancho Potrero property, to serve as a guide for the preparation of said Specific Plan; and,

WHEREAS, on March 22, 2010, the Planning Commission, upon giving the required notice, did conduct a duly advertised public hearing as prescribed by law to consider Specific Plan 19 and recommended that the City Council approve said application; and,

WHEREAS, upon notice duly given, a public hearing was held at a regular meeting of the City Council of the City of Thousand Oaks on April 27, 2010, at which time evidence, both oral and written, including a City Staff Report and exhibits, and the associated Final Mitigated Negative Declaration (MND) No. 253 and Mitigation Monitoring Plan were presented and received, and testimony was heard from all interested persons appearing in the matter; and

WHEREAS, a resolution is required to formalize Council action, this resolution is adopted for that purpose and reflects the action of a majority of the members of the City Council in rendering a decision on the matter at the regular meeting of April 27, 2010.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Thousand Oaks that Final MND No 253 and the associated Mitigation Monitoring Plan are approved, and that SP 2007-70045 is approved as set forth in the document entitled "Rancho Potrero Specific Plan No. 19" dated April 27, 2010, attached hereto as Exhibit A, based on the following findings:

1. Specific Plan 19 is consistent with the Thousand Oaks General Plan.
2. Final MND No. 253 reflects the independent judgment of the City of Thousand Oaks and it is found, on the basis of the Initial Study and any comments received, that with mitigation there is no substantial evidence that the project will have a significant effect on the environment.
3. Mitigation measures identified in Final MND 253 are provided as recommended conditions of approval, and are fully enforceable through permit conditions, agreements or other measures.
4. Specific Plan 19 will serve to preserve open space, with an area adjacent to Lynn Road reserved for an equestrian center, which is consistent with General Plan goals of preserving the spaciousness and attractiveness of the Conejo Valley, providing and maintaining a system of natural open space and trails, and providing recreational opportunities consonant with community expectations.
5. Specific Plan No. 19 is consistent with the principles for land management and ownership and conceptual plan endorsed by the City Council, Conejo Recreation and Park District Board of Directors, and Conejo Open Space Conservation Agency Board of Directors.

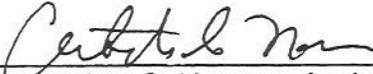
PASSED AND ADOPTED this 27th day of April, 2010.

  
Dennis C. Gillette, Mayor  
City of Thousand Oaks, California

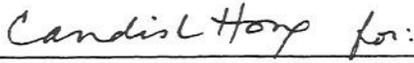
ATTEST:

  
Linda D. Lawrence, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Christopher G. Norman, Assistant City Attorney

APPROVED AS TO ADMINISTRATION:

  
\_\_\_\_\_  
Scott Mitnick, City Manager

### ATTACHMENT 3

#### LAFCO 10-06A

#### RESOLUTION OF THE VENTURA LOCAL AGENCY FORMATION COMMISSION APPROVING THE CITY OF THOUSAND OAKS AREA OF INTEREST AMENDMENT – RANCHO POTRERO

WHEREAS, the Ventura LAFCo established Areas of Interest in the 1960s. Areas of Interest are large geographical areas that reflect the community and planning identity of the territory within each Area of Interest and to prevent annexation competition between cities. They continue to serve as planning tools for the cities and county and are referenced in the Guidelines for Orderly Development, and

WHEREAS, the proposal has been filed with the Executive Officer of the Ventura Local Agency Formation Commission; and

WHEREAS, the proposal was duly considered on September 15, 2010;

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

- (1) The LAFCo Staff Report and recommendation for approval dated September 15, 2010 are adopted.
- (2) The Area of Interest amendment for City of Thousand Oaks is hereby approved, and the boundaries are established as generally set forth in the attached Exhibit A.
- (3) The subject proposal is assigned the following distinctive short form designation:  
**LAFCO 10-06A CITY OF THOUSAND OAKS AREA OF INTEREST  
AMENDMENT – RANCHO POTRERO**
- (4) The Commission, as a responsible agency, has reviewed and considered the information contained in the "Final Mitigated Negative Declaration No. 253, Rancho Potrero Specific Plan 19" prepared by the City of Thousand Oaks Community Development Department, as well as all comments received.
- (5) The Commission hereby adopts the lead agency's Findings (Attachment 2 of the Staff Report), Mitigation Measures and Mitigation Monitoring and Reporting Program (Appendix I of the Mitigated Negative Declaration).
- (6) The Commission directs staff to file a Notice of Determination in the same manner as a lead agency under CEQA Guidelines §15094 and §15096(i).

This resolution was adopted on September 15, 2010.

AYES:

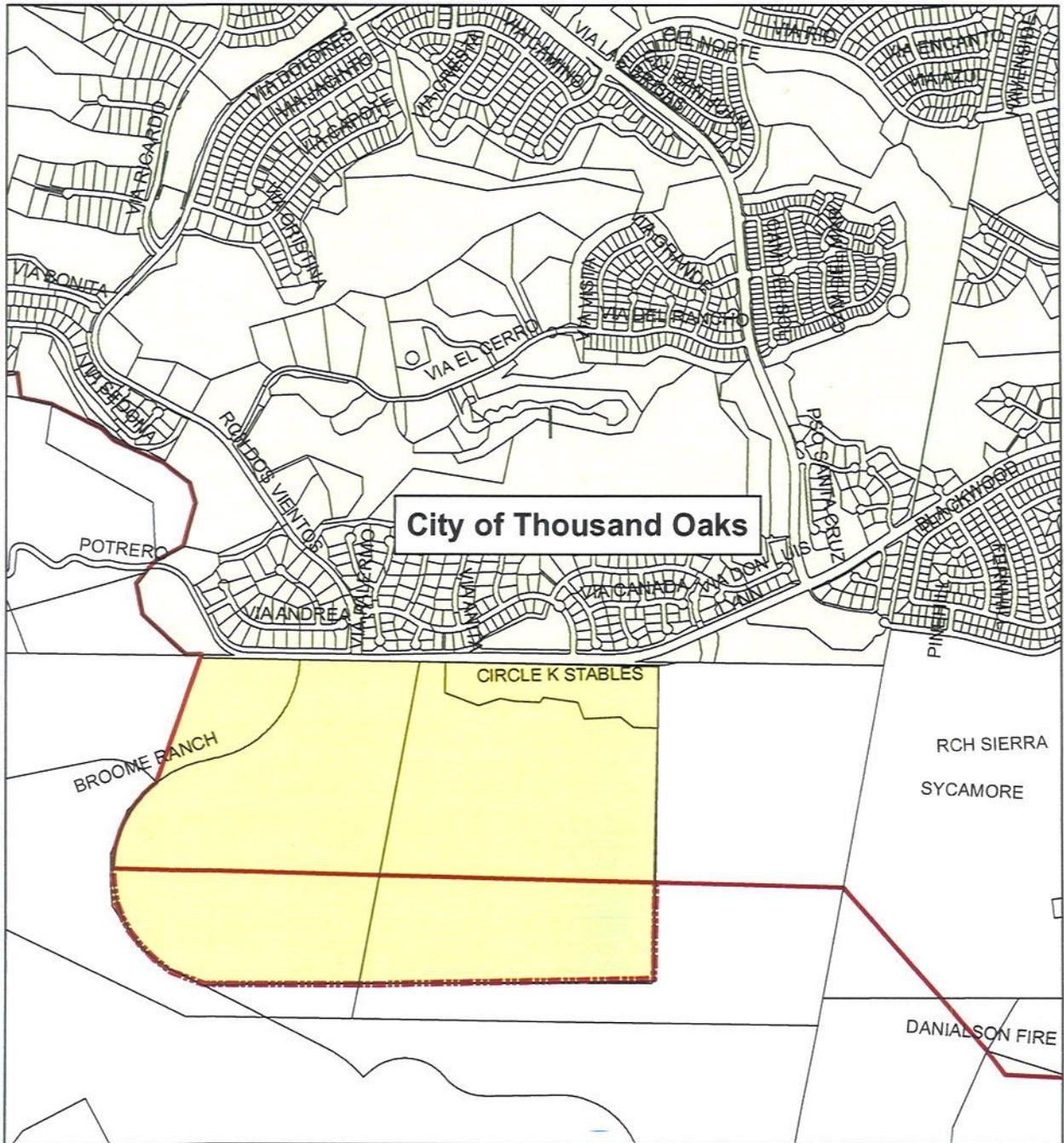
NOES:

ABSTAINS:

Dated: \_\_\_\_\_  
Vice Chair, Ventura Local Agency Formation Commission

Attachments: Exhibit A

Copies: City of Thousand Oaks  
Ventura County Planning  
City of Camarillo  
City of Fillmore  
City of Moorpark  
City of Ojai  
City of Oxnard  
City of Port Hueneme  
City of Santa Paula  
City of Simi Valley  
City of Ventura



LAFCO 10-06A: Proposed Amendment to the Thousand Oaks Area of Interest



**Legend**

- LAFCO 10-06 Proposal Area
- Thousand Oaks Area of Interest, Existing
- Thousand Oaks Area of Interest, Proposed



## ATTACHMENT 4

### LAFCO 10-06S1

#### **RESOLUTION OF THE VENTURA LOCAL AGENCY FORMATION COMMISSION MAKING DETERMINATIONS AND APPROVING THE CITY OF THOUSAND OAKS SPHERE OF INFLUENCE AMENDMENT – RANCHO POTRERO**

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

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

WHEREAS, the proposal was duly considered on September 15, 2010; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony for and against the proposal including, but not limited to, the LAFCo Staff Report and recommendation, the environmental documents, spheres of influence and applicable local plans and policies; and

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

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

WHEREAS, the Commission finds the proposal to be in the best interest of the landowners and present and future inhabitants within the City of Thousand Oaks and within the affected territory, and the organization of local governmental agencies within Ventura County; and

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

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

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

- (1) The LAFCo Staff Report and recommendation for approval dated September 15, 2010 are adopted.
- (2) The Commission has considered the criteria set forth in Government Code §56425(e) and determines as follows:

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

The proposal area is considered open space pursuant to Government Code Sections 56059 and 65560. The purpose of the sphere of influence amendments and reorganization is to implement the Rancho Potrero Specific Plan, which will retain the proposal area as publicly accessible open space. Therefore, the proposal will not result in the conversion of open space to non-open space uses.

The Conejo Open Space Conservation Agency will own and manage the property following annexation. Also, the proposal area will remain outside the City's CURB boundary, which precludes urban development unless approved by the voters of the City of Thousand Oaks. In addition, the area is located within the Santa Monica Mountains Comprehensive Plan, the principal goal of which is "to establish a comprehensive and specific plan for the future development of the Santa Monica Mountains consistent with the conservation and preservation of that resource." Thus, it appears that there are sufficient safeguards in place to ensure that the proposal area will remain in open space for the foreseeable future.

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

According to the approved Specific Plan, the facilities needed within the proposal area include restrooms and picnic areas that require potable water and, if necessary, sanitary sewer service. In addition, there will be a need for enhanced public safety and emergency response services due to the planned increase in public access to the area.

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

The City of Thousand Oaks and the Conejo Recreation and Parks District have represented that all necessary services can be provided.

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

Including the proposal area within the spheres of influence of the City of Thousand Oaks and the Conejo Recreation and Park District would not adversely impact any social or economic community of interest.

- (3) The sphere of influence amendment for the City of Thousand Oaks is hereby approved, and the boundaries are established as generally set forth in the attached Exhibit A.
- (4) The subject proposal is assigned the following distinctive short form designation:  
**LAFCO 10-06S1 CITY OF THOUSAND OAKS SPHERE OF INFLUENCE AMENDMENT – RANCHO POTRERO**
- (5) The Commission, as a responsible agency, has reviewed and considered the information contained in the “Final Mitigated Negative Declaration No. 253, Rancho Potrero Specific Plan 19” prepared by the City of Thousand Oaks Community Development Department, as well as all comments received.
- (6) The Commission finds that, on the basis of the whole record before it, there is no substantial evidence that the project will have a significant effect on the environment and the Mitigated Negative Declaration reflects the Commission’s independent judgment and analysis.
- (7) The Commission hereby adopts the lead agency’s Findings (Attachment 2 of the Staff Report), Mitigation Measures and Mitigation Monitoring and Reporting Program (Appendix I of the Mitigated Negative Declaration).
- (8) The Commission directs staff to file a Notice of Determination in the same manner as a lead agency under CEQA Guidelines §15094 and §15096(i).

This resolution was adopted on September 15, 2010.

AYES:

NOES:

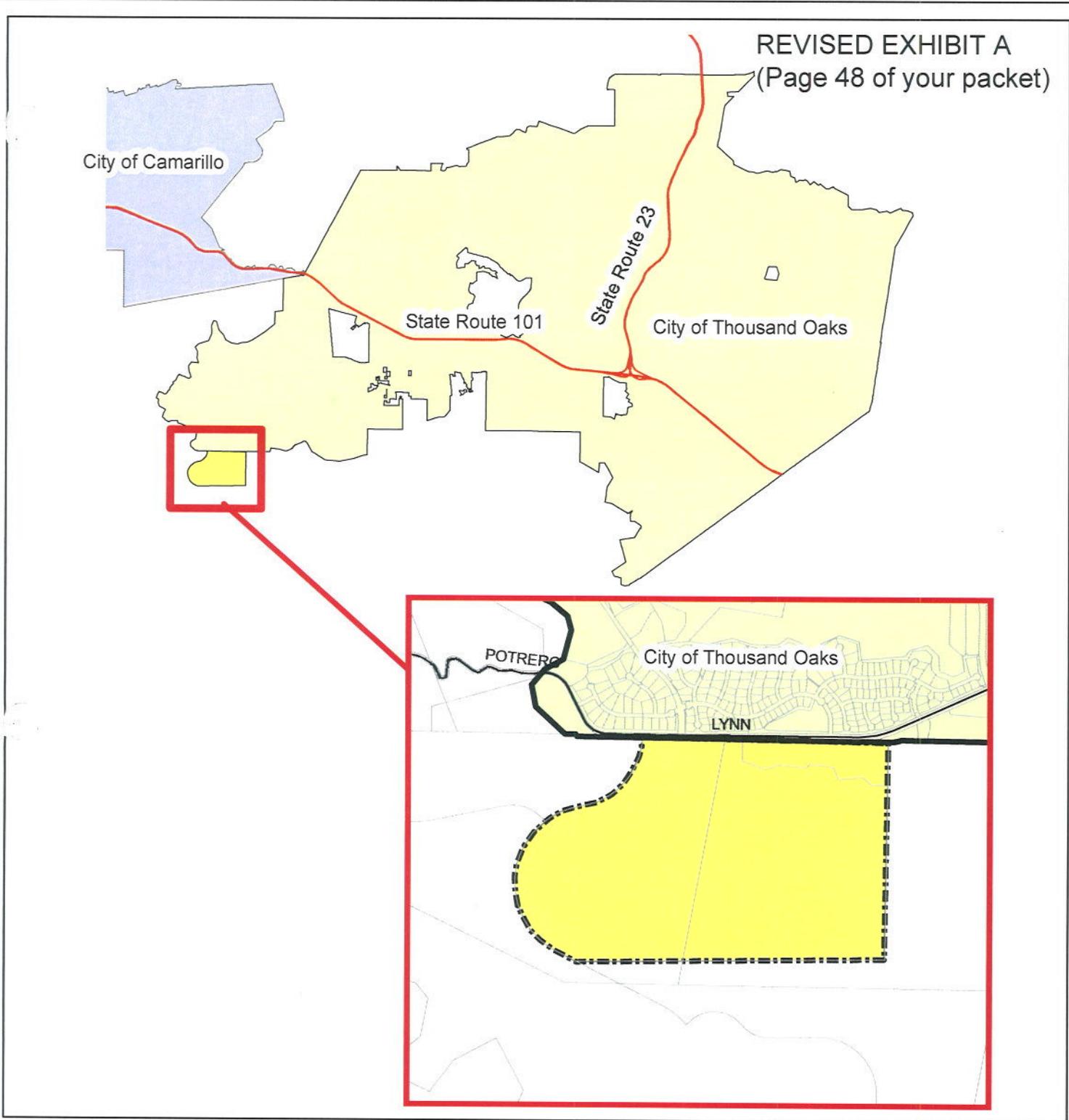
ABSTAINS:

Dated: \_\_\_\_\_

\_\_\_\_\_  
Vice Chair, Ventura Local Agency Formation  
Commission

Attachments: Exhibit A

Copies: City of Thousand Oaks  
Conejo Recreation and Parks District  
Ventura County Surveyor  
Ventura County Planning

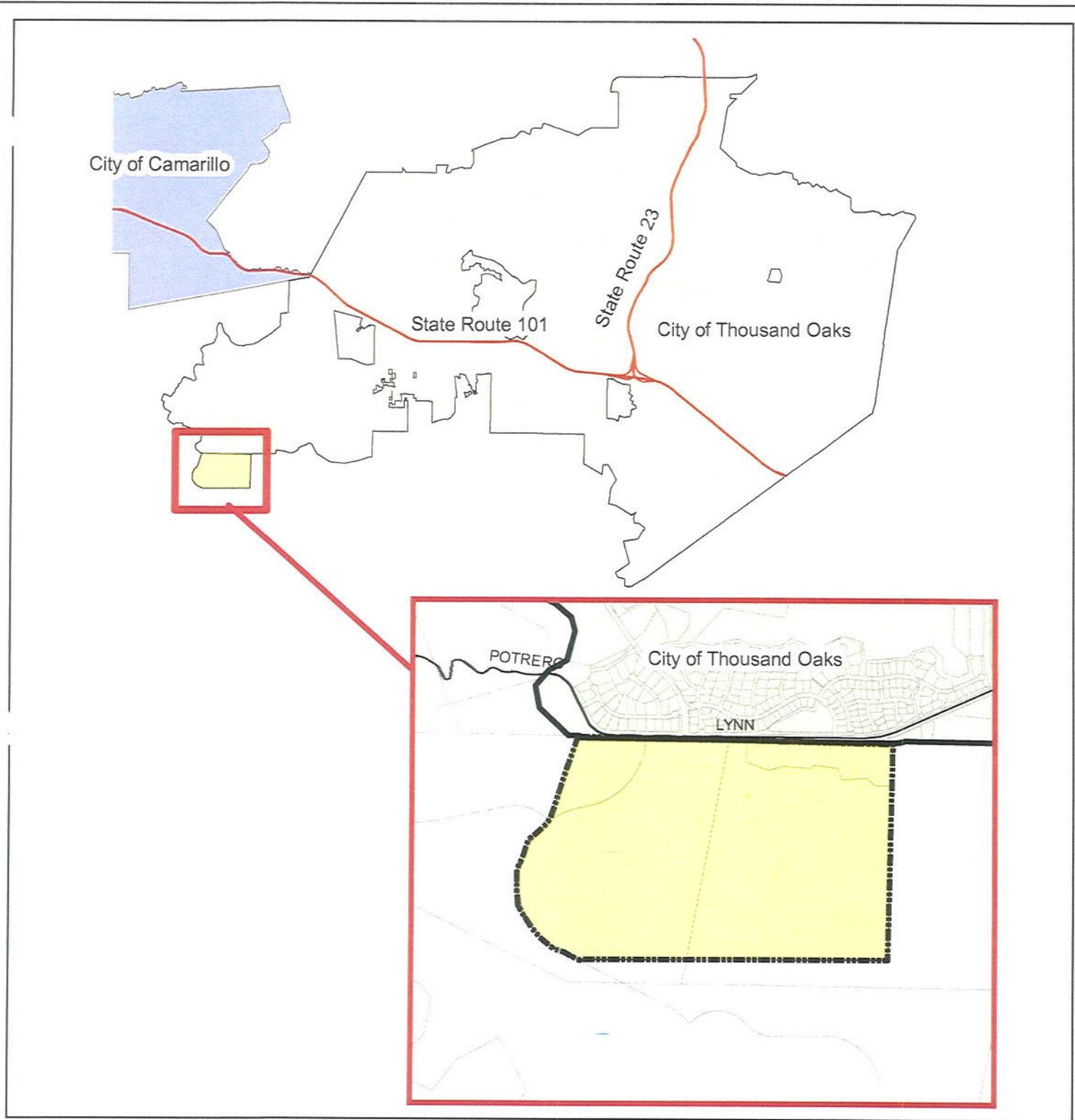


LAFCo 10-06S1 City of Thousand Oaks  
Sphere of Influence Amendment  
Rancho Potrero  
September 15, 2010



**Legend**

-  City of Thousand Oaks Sphere, Existing
-  City of Thousand Oaks Sphere, Proposed
-  LAFCo 10-06 Proposal Area



LAFCo 10-06S1 City of Thousand Oaks  
Sphere of Influence Amendment  
Rancho Potrero  
September 15, 2010



**Legend**

-  City of Thousand Oaks Sphere, Proposed
-  City of Thousand Oaks Sphere, Existing
-  LAFCO 10-06 Proposal Area

## ATTACHMENT 5

### LAFCO 10-06S2

#### RESOLUTION OF THE VENTURA LOCAL AGENCY FORMATION COMMISSION MAKING DETERMINATIONS AND APPROVING THE CONEJO RECREATION AND PARK DISTRICT SPHERE OF INFLUENCE AMENDMENT – RANCHO POTRERO

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

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

WHEREAS, the proposal was duly considered on September 15, 2010; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony for and against the proposal including, but not limited to, the LAFCo Staff Report and recommendation, the environmental documents, spheres of influence and applicable local plans and policies; and

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

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

WHEREAS, the Commission finds the proposal to be in the best interest of the landowners and present and future inhabitants within the Conejo Recreation and Park District and within the affected territory, and the organization of local governmental agencies within Ventura County; and

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

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

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

- (1) The LAFCo Staff Report and recommendation for approval dated September 15, 2010 are adopted.
- (2) The Commission has considered the criteria set forth in Government Code §56425(e) and determines as follows:

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

The proposal area is considered open space pursuant to Government Code Sections 56059 and 65560. The purpose of the sphere of influence amendments and reorganization is to implement the Rancho Potrero Specific Plan, which will retain the proposal area as publicly accessible open space. Therefore, the proposal will not result in the conversion of open space to non-open space uses.

The Conejo Open Space Conservation Agency will own and manage the property following annexation. Also, the proposal area will remain outside the City's CURB boundary, which precludes urban development unless approved by the voters of the City of Thousand Oaks. In addition, the area is located within the Santa Monica Mountains Comprehensive Plan, the principal goal of which is "to establish a comprehensive and specific plan for the future development of the Santa Monica Mountains consistent with the conservation and preservation of that resource." Thus, it appears that there are sufficient safeguards in place to ensure that the proposal area will remain in open space for the foreseeable future.

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

According to the approved Specific Plan, the facilities needed within the proposal area include restrooms and picnic areas that require potable water and, if necessary, sanitary sewer service. In addition, there will be a need for enhanced public safety and emergency response services due to the planned increase in public access to the area.

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

The City of Thousand Oaks and the Conejo Recreation and Parks District have represented that all necessary services can be provided.

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

Including the proposal area within the spheres of influence of the City of Thousand Oaks and the Conejo Recreation and Park District would not adversely impact any social or economic community of interest.

- (3) The sphere of influence amendment for the Conejo Recreation and Park District is hereby approved, and the boundaries are established as generally set forth in the attached Exhibit A.
- (4) The subject proposal is assigned the following distinctive short form designation: **LAFCO 10-06S2 CONEJO RECREATION AND PARK DISTRICT SPHERE OF INFLUENCE AMENDMENT – RANCHO POTRERO**
- (5) The Commission, as a responsible agency, has reviewed and considered the information contained in the “Final Mitigated Negative Declaration No. 253, Rancho Potrero Specific Plan 19” prepared by the City of Thousand Oaks Community Development Department, as well as all comments received.
- (6) The Commission finds that, on the basis of the whole record before it, there is no substantial evidence that the project will have a significant effect on the environment and the Mitigated Negative Declaration reflects the Commission’s independent judgment and analysis.
- (7) The Commission hereby adopts the lead agency’s Findings (Attachment 2 of the Staff Report), Mitigation Measures and Mitigation Monitoring and Reporting Program (Appendix I of the Mitigated Negative Declaration).
- (8) The Commission directs staff to file a Notice of Determination in the same manner as a lead agency under CEQA Guidelines §15094 and §15096(i).

This resolution was adopted on September 15, 2010.

AYES:

NOES:

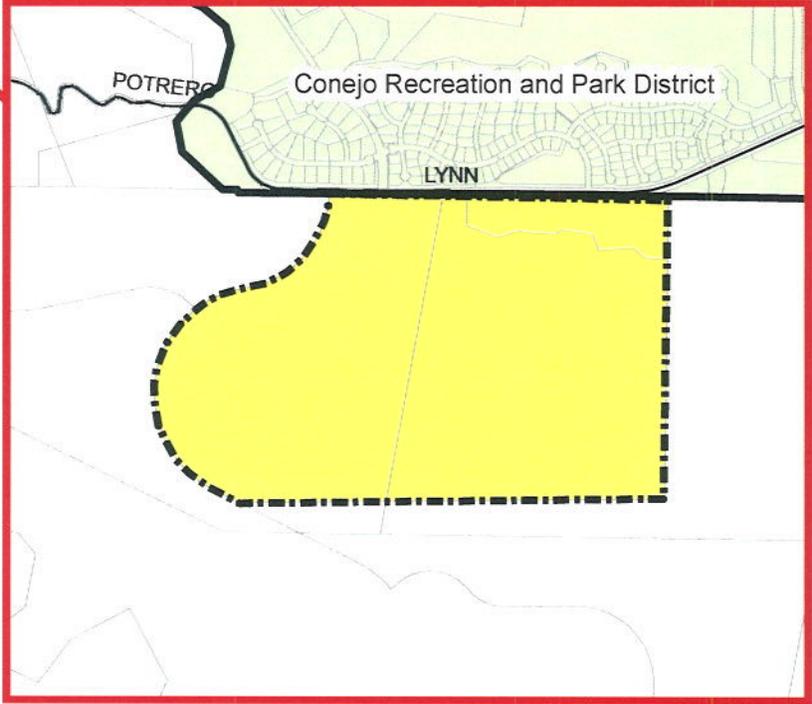
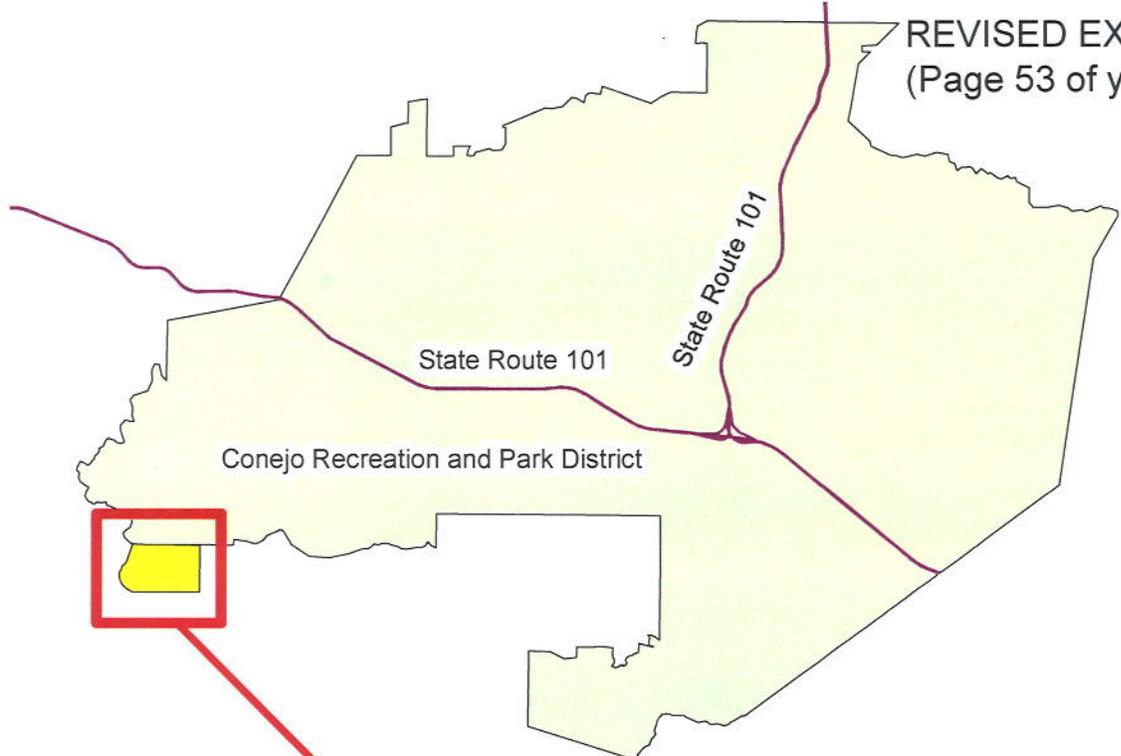
ABSTAINS:

Dated: \_\_\_\_\_

\_\_\_\_\_  
Vice Chair, Ventura Local Agency Formation  
Commission

Attachments: Exhibit A

Copies: Conejo Recreation and Park District  
City of Thousand Oaks  
Ventura County Surveyor  
Ventura County Planning

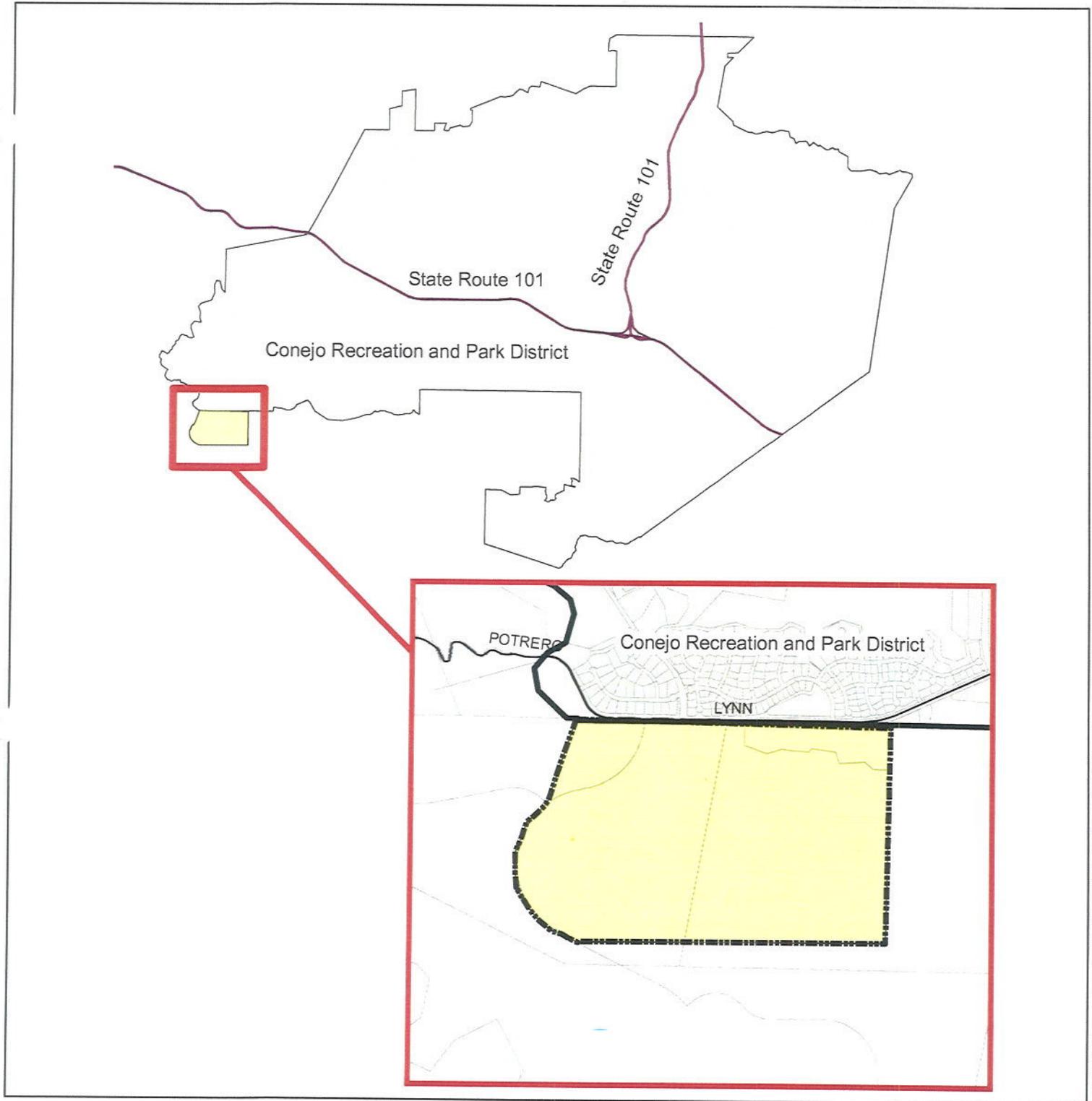


LAFCo 10-06S2 Conejo Recreation and Park District  
Sphere of Influence Amendment  
Rancho Potrero  
September 15, 2010

Legend

-  Conejo Recreation and Park District Sphere, Proposed
-  Conejo Recreation and Park District Sphere, Existing
-  LAFCo 10-06 Proposal Area





LAFCo 10-06S2 Conejo Recreation and Park District  
Sphere of Influence Amendment  
Rancho Potrero  
September 15, 2010

**Legend**

-  Conejo Recreation and Park District Sphere, Existing
-  Conejo Recreation and Park District Sphere, Proposed
-  LAFCO 10-06 Proposal Area



## ATTACHMENT 6

### LAFCO 10-06

#### **RESOLUTION OF THE VENTURA LOCAL AGENCY FORMATION COMMISSION MAKING DETERMINATIONS AND APPROVING THE CITY OF THOUSAND OAKS REORGANIZATION – RANCHO POTRERO; ANNEXATION TO THE CITY OF THOUSAND OAKS AND THE CONEJO RECREATION AND PARK DISTRICT; DETACHMENT FROM THE VENTURA COUNTY RESOURCE CONSERVATION DISTRICT AND COUNTY SERVICE AREA NO. 32**

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

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

WHEREAS, the proposal was duly considered on September 15, 2010; and

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

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

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

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

WHEREAS, the City of Thousand Oaks wishes to annex the proposal area to allow it to exercise land use authority necessary to implement the approved Rancho Potrero Specific Plan and to eliminate the requirement that it pay property taxes on land it owns but is located outside its jurisdiction. Both the City and the Conejo Recreation and Park District wish to annex the area due to ownership and operational interests; and

WHEREAS, the Commission finds that the proposal will result in the preservation of the existing equestrian and open space uses currently at the site, the territory involved is contiguous to lands developed with similar open space uses, the territory is likely to remain in open space uses in perpetuity, the approved uses are not subject to voter approval for the extension of services or for changing general plan land use

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

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

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

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

- (1) The LAFCO Staff Report and recommendation for approval dated September 15, 2010 are adopted
- (2) The Commission finds that the proposal will lead to planned, orderly, and efficient development.
- (3) The reorganization is hereby approved, and the boundaries are established as generally set forth in the attached Exhibit A.
- (4) The affected territory is uninhabited as defined by Government Code §56046.
- (5) The subject proposal is assigned the following distinctive short form designation: **LAFCO 10-06 CITY OF THOUSAND OAKS REORGANIZATION – RANCHO POTRERO.**
- (6) The Commission, as a responsible agency, has reviewed and considered the information contained in the Mitigated Negative Declaration entitled "Final Mitigated Negative Declaration No. 253, Rancho Potrero Specific Plan 19" prepared by the City of Thousand Oaks Community Development Department as lead agency as well as all comments received.
- (7) The Commission finds that, on the basis of the whole record before it, there is no substantial evidence that the project will have a significant effect on the environment and the Mitigated Negative Declaration reflects the Commission's independent judgment and analysis.
- (8) The Commission hereby adopts the lead agency's Findings (Attachment 2 of the Staff Report), Mitigation Measures and Mitigation Monitoring and Reporting Program (Appendix I of the Mitigated Negative Declaration).

- (9) The Commission directs staff to file a Notice of Determination in the same manner as the lead agency under CEQA Guidelines §15094 and §15096(i).
- (10) The Commission waives conducting authority proceedings, since satisfactory proof has been given that the subject property is uninhabited, that all landowners within the affected territory have given their written consent to the proposal, and that all affected agencies that will gain or lose territory as a result of the proposal have not submitted written opposition to the waiver of conducting authority proceedings [Government Code §56663].
- (11) **This change of reorganization shall not be recorded until all LAFCO fees have been paid and until fees necessary for filing with the State Board of Equalization have been submitted to the Executive Officer.**

This reorganization was approved on September 15, 2010 by the vote shown below:

AYES:

NOES:

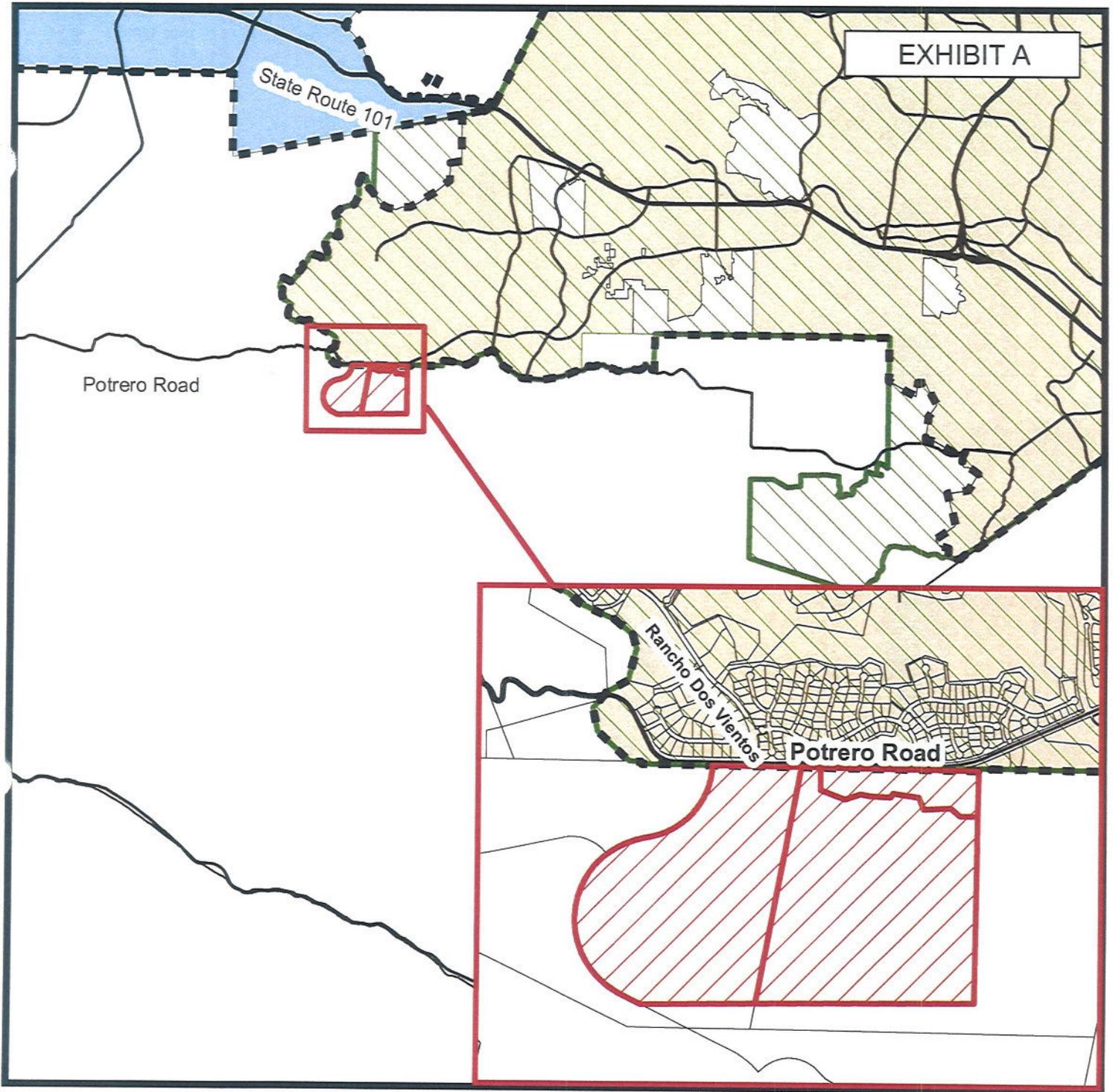
ABSTAINS:

This resolution was adopted on September 15, 2010.

Dated: \_\_\_\_\_  
Vice Chair, Ventura Local Agency Formation  
Commission

Attachments: Exhibit A

Copies: City of Thousand Oaks  
Conejo Recreation and Park District  
Ventura County Assessor  
Ventura County Auditor  
Ventura County Surveyor  
Ventura County Planning  
Ventura County Elections-Registrar of Voters  
Southern California Gas Co.  
Southern California Edison Co.  
Ventura County Sheriff – EOC  
Ventura County Fire Protection District  
Ventura County Resource Conservation District  
Ventura County Service Area No. 32

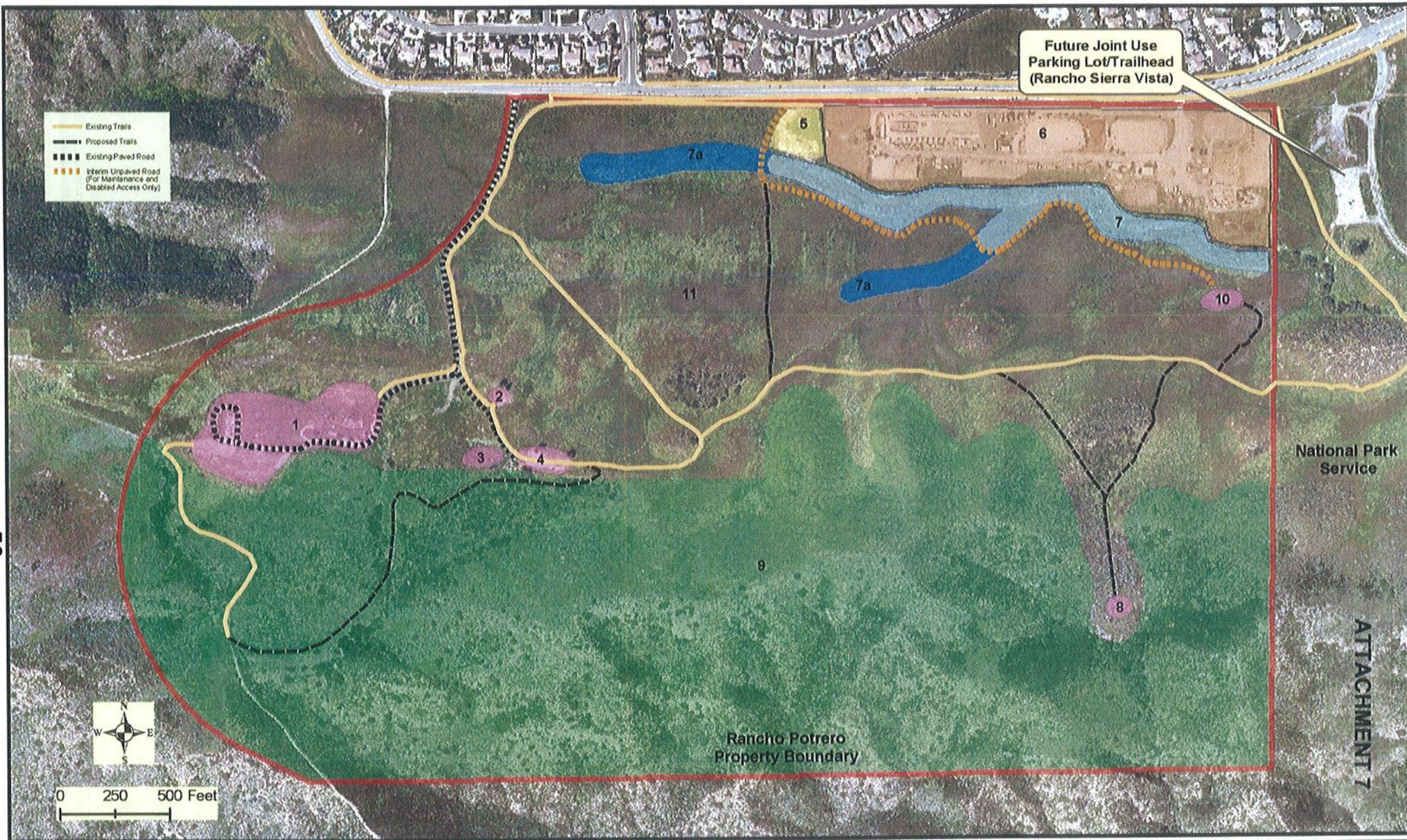


LAFCo 10-06 City of Thousand Oaks Reorganization  
 Rancho Potrero  
 September 15, 2010

**Legend**

-  Proposal Area
-  City of Thousand Oaks
-  City of Camarillo
-  City Sphere of Influence
-  Conejo Recreation & Park District
-  Conejo Rec. and Park Dist. Sphere





**Sub Area 1**

Landscaped picnic grove  
 Ride-in corral  
 Outdoor classroom (benches only)  
 Native plant garden

**Sub Areas 2, 3, 4, and 8**

Picnic table sites

**Sub Area 6**

Equestrian facility

**Sub Area 5**

Trailhead access  
 Public restrooms  
 Parking for 30 cars including horse trailers

**Sub Area 7**

Conservation easement

**Sub Area 7a**

Future wetland mitigation bank

**Sub Area 9**

Sensitive Resources Area

**Sub Area 10**

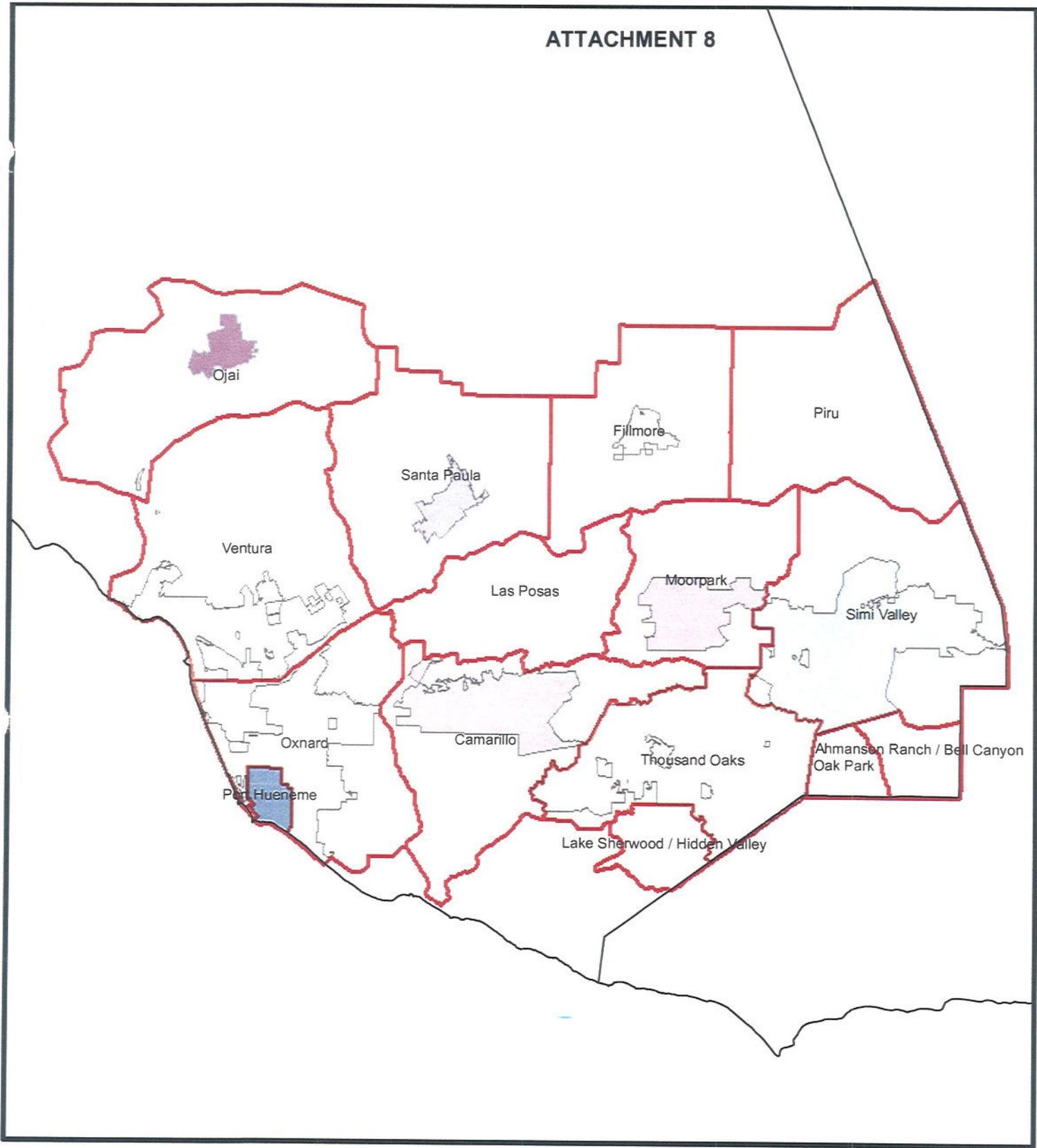
Trailhead access  
 Public restrooms  
 Interpretive kiosks  
 Rustic shade structure  
 (60-person max. capacity)

**Sub Area 11**

Native grassland/oak savannah revegetation area

# Rancho Potrero Specific Plan No. 19 Land Use Exhibit

ATTACHMENT 8



**Legend**

 Area of Interest





**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  
*Alternate:*  
Steve Bennett

**CITY:**  
Carl Morehouse  
Janice Parvin  
*Alternate:*  
Thomas Holden

**SPECIAL DISTRICT:**  
George Lange  
Elaine Freeman  
*Alternate:*  
Gail Pringle

**PUBLIC:**  
Louis 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

## **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.

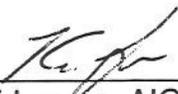
### **Environmental Impact of the Proposal**

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:**

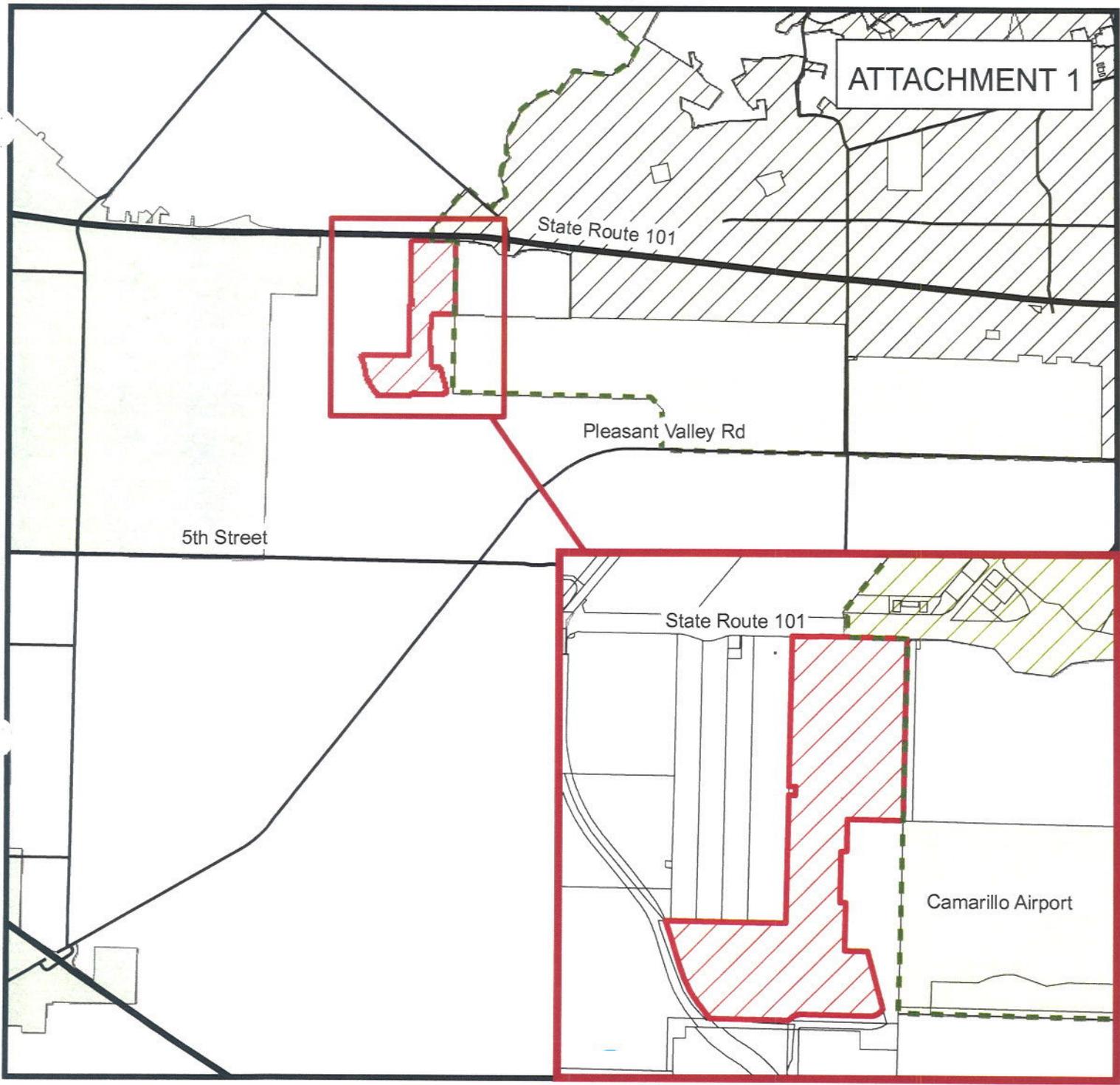
- A. If the Commission, following public testimony and review of the materials submitted, determines that further information is necessary, a motion to continue the proposal should state specifically the type of information desired and specify a date certain for further consideration.
  
- B. If the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



**LAFCo 10-10S Camarillo Sanitary District  
Sphere of Influence Amendment - Helm Ranch  
Vicinity Map  
September 15, 2010**

**Legend**

-  LAFCo 10-10S Proposal Area
-  City of Camarillo Boundaries/Sphere of Influence
-  Camarillo Sanitary District
-  Camarillo Sanitary District Sphere of Influence
-  City of Oxnard



## ATTACHMENT 2

### LAFCO 10-10S

#### RESOLUTION OF THE VENTURA LOCAL AGENCY FORMATION COMMISSION MAKING DETERMINATIONS AND APPROVING CAMARILLO SANITARY DISTRICT SPHERE OF INFLUENCE AMENDMENT – HELM RANCH

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

WHEREAS, 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; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony for and against the proposal including, but not limited to, the LAFCo Staff Report and recommendation, the environmental documents, spheres of influence and applicable local plans and policies; and

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

WHEREAS, the proposal was duly considered on September 15, 2010; and

WHEREAS, the Commission finds the proposal to be in the best interest of the landowners and present and future inhabitants within the Camarillo Sanitary District and within the affected territory, and the organization of local governmental agencies within Ventura County;

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

- (1) The LAFCo Staff Report and recommendation for approval dated September 15, 2010 are adopted.
- (2) The Commission has considered the criteria set forth in Government Code §56425(e) and determines as follows:

*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.

- (3) The sphere of influence amendment for the Camarillo Sanitary District is hereby approved, and the boundaries are established as generally set forth in the attached Exhibit A.
- (4) The subject proposal is assigned the following distinctive short form designation:  
**LAFCO 10-10S CAMARILLO SANITARY DISTRICT SPHERE OF INFLUENCE AMENDMENT – HELM RANCH**
- (5) In accordance with staff's determination that the subject proposal is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15319(a) of the California Environmental Quality Act Guidelines, the Commission hereby finds the reorganization to be categorically exempt.
- (6) The Commission directs staff to file a Notice of Exemption under Section 15062 of the California Environmental Quality Act Guidelines.

- (7) **The sphere of influence amendment shall not become effective until an out of agency service agreement between the Camarillo Sanitary District and the property owner has been approved and effectuated pursuant to LAFCo policies.**

This resolution was adopted on September 15, 2010.

AYES:

NOES:

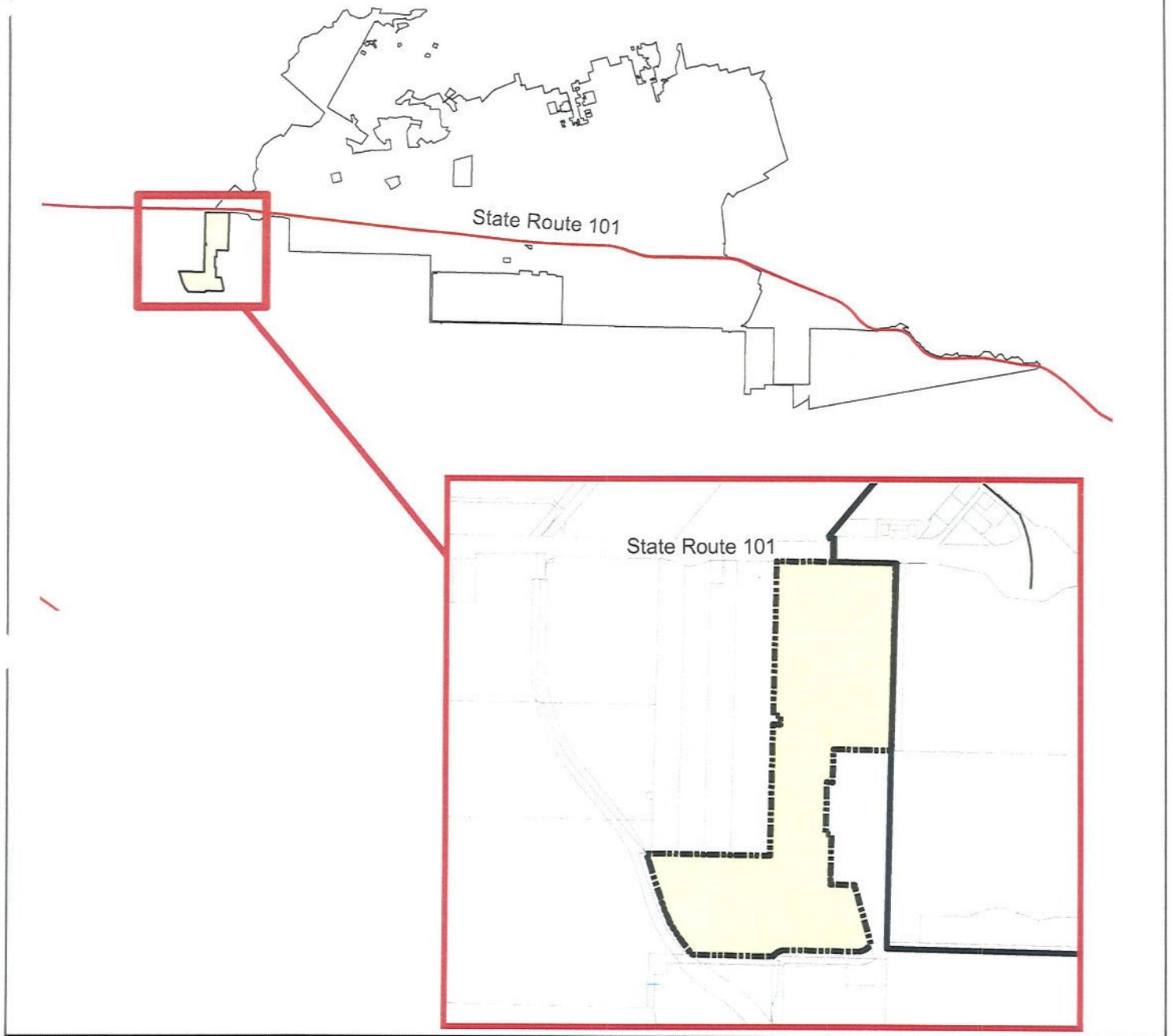
ABSTAINS:

Dated: \_\_\_\_\_

\_\_\_\_\_  
Vice Chair, Ventura Local Agency Formation  
Commission

Attachments: Exhibit A

Copies: Ventura County Surveyor  
Ventura County Planning



LAFCo 10-10S Camarillo Sanitary District  
Sphere of Influence Amendment  
Helm Ranch  
September 15, 2010



**Legend**

-  Camarillo Sanitary District Sphere, Existing
-  Camarillo Sanitary District Sphere, Proposed
-  LAFCo 10-10S Proposal Area
-  Camarillo Sanitary District

**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

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**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,

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COMMISSIONERS AND STAFF

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

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

2.3.1.4 Contingency Reserve:

- (a) The annual budget shall include a contingency appropriation of 10% of total operating expenses, unless the Commission deems a different amount appropriate.
- (b) Funds budgeted for contingency reserve shall not be used or transferred to any other expense account code without the prior approval of the Commission.
- (c) Whenever the actual year-end closing figures for the LAFCo general fund show that available financing exceeds financing requirements, the excess shall be transferred to an account designated for subsequent years financing. The designated for subsequent years financing account will be considered as a reserve account. The County of Ventura Auditor-Controller, with the concurrence of the Executive Officer, is authorized to transfer an amount equal to the amount of excess financing to this account, which shall 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 actual fund balance amount may be appropriated for any allowed expense at the Commission's discretion.
- (d) Whenever actual year end closing figures of the LAFCo general fund show that financing requirements exceed available financing, the Executive Officer shall notify the Commission at its next regular meeting. Any associated reductions in appropriations may not be made without prior approval of the Commission.
- (e) Funds in the designation for subsequent years financing account that constitute the LAFCo reserve account shall not be used for any current year's expenses or considered as a financing source for on-going operations without the prior approval of the Commission. It is the intent of the Commission that any funds considered as reserves only be used in the case of extraordinary expenses that could not have been anticipated.

ATTACHMENT 2

LOCAL AGENCY FORMATION COMMISSION (LAFCO)  
BALANCE SHEET  
June 30, 2010  
(Unaudited)

ASSETS

Cash & Investments with Treasurer <sup>(1)</sup>	\$	322,337
Accounts Receivable		0
Property Taxes Receivable		0
Interest Receivable		288
Due from Other Funds		1,153
<u>Total Assets</u>	\$	<u>323,778</u>

LIABILITIES

Accounts Payable	\$	464
Accrued Liabilities		4,857
Other liabilities		2,064
Deferred Revenue		1,500
<u>Total Liabilities</u>		<u>8,885</u>

FUND BALANCE

Designation-Subsequent Year Financing		201,967
Unreserved Fund Balance		112,926
<u>Total Fund Balance</u>		<u>314,893</u>
<u>Total Liabilities and Fund Balance</u>	\$	<u>323,778</u>

(1) The adjustment of \$1,262.90 reflecting investment at fair market value at June 30, 2009 was not made.

Prepared by LAFCO and Auditor-Controller Staff

## ATTACHMENT 2

### LAFCO FOR FISCAL YEAR ENDING 06-30-10 FUND 7920

#### BALANCE SHEET

ACCT #	ACCOUNT TITLE	BALANCE 06/30/2009	FUND 7920 VCFMS BALANCE 06/30/2010	ADJUSTED BALANCE 06/30/2010	ROUNDED
<b>ASSETS:</b>					
0010	CASH IN TREASURY	338,011.43	322,336.93	322,336.93	322,337
0130	ACCOUNTS RECEIVABLE	-	-	-	-
0180	INTEREST RECEIVABLE	2,122.02	288.13	288.13	288
0255	ACCOUNTS RECEIVABLE (YE)	-	-	-	-
0257	DUE FROM OTHER FUNDS	169.58	1,152.52	1,152.52	1,153
0260	DUE FROM OTHER FUNDS (YE)	-	-	-	-
<b>TOTAL ASSETS</b>		<b>340,303.03</b>	<b>323,777.58</b>	<b>323,777.58</b>	<b>323,778</b>
<b>LIABILITIES:</b>					
4000	ACCOUNTS PAYABLE	-	-	-	-
4001	VOUCHERS PAYABLE	14.82	463.64	463.64	464
4105	ACCRUED LIAB - P/R	18,957.58	4,839.11	4,839.11	4,839
4112	USE TAX ACCRUED	5.76	18.58	18.58	18
4220	DUE OTHER FUNDS	668.80	1,113.91	1,113.91	1,114
4221	DUE TO OTHER FUNDS (YE)	1,074.37	950.00	950.00	950
7006	TRUST INTEREST EARNED	-	-	-	-
7007	TRUST CANCELLED WARRANTS	-	-	-	-
7930	DEFERRED REVENUE/LAFCO deposits	1,598.00	1,500.00	1,500.00	1,500
<b>TOTAL LIABILITIES</b>		<b>22,319.33</b>	<b>8,885.24</b>	<b>8,885.24</b>	<b>8,885</b>
<b>FUND BALANCE:</b>					
5031	RESERVE ENCUMBRANCE INCREASE ADJ	-	-	-	-
5070	DESIGNATED-SUB. YEAR FINANCING	167,679.90	201,966.90	201,966.90	201,967
5040	UNRESERVED FUND BALANCE (BEGINNING	180,737.84	116,016.80	116,016.80	116,017
5041	UNRESERVED F.B./RE DECREASE ADJ	-	-	-	-
	AJE TO FUND BALANCE (INC. STMT)	(30,434.04)	(3,091.36)	(3,091.36)	(3,091)
	UNRESERVED FUND BALANCE (NET)	150,303.80	112,925.44	112,925.44	112,926
<b>TOTAL FUND BALANCE</b>		<b>317,983.70</b>	<b>314,892.34</b>	<b>314,892.34</b>	<b>314,893</b>
<b>TOTAL LIABILITIES &amp; FUND BALANCE</b>		<b>340,303.03</b>	<b>323,777.58</b>	<b>323,777.58</b>	<b>323,778</b>

S/= AUDITED FINANCIALS

**ATTACHMENT 3**

**LOCAL AGENCY FORMATION COMMISSION (LAFCO)  
STATEMENT OF REVENUES, EXPENDITURES  
AND CHANGES IN FUND BALANCE  
For the Year Ended June 30, 2010**

(Unaudited)

**REVENUES:**

Revenue - Use of Money & Property	\$ 11,031
Aid from Other Governmental Units	587,084
Miscellaneous	44,302
<u>Total Revenues</u>	<u>642,417</u>

**EXPENDITURES**

Salaries and Wages	362,071
Retirement Benefits, various	80,304
Employee Group Insurance	28,545
Workers' Compensation Insurance	2,515
Other Benefits	10,562
<u>Total Salaries and Benefits</u>	<u>483,997</u>

Communications	3,763
Insurance	2,410
Maintenance-Building & Improv	15,630
Membership	5,831
Miscellaneous Expense	27,326
Office Expense	18,687
Professional and Specialists	49,263
Publications and Legal Notice	3,046
Rents and Leases - Equipment	153
Small Tools and Instruments	3,376
Special Department Expense - Services	13,015
Transportation and Travel	19,011
<u>Total Services and Supplies</u>	<u>161,511</u>
<u>Total Expenditures</u>	<u>645,508</u>

Excess(Deficit) of Revenues and Other Sources over Expenditures and Other Uses	(3,091)
---	---------

Fund Balance July 1, 2009 <sup>(1)</sup>	317,984
<u>Fund Balance June 30, 2010</u>	<u>\$ 314,893</u>

The adjustment of \$1,262.90 reflecting investment at fair market value at June 30, 2010 was not made.

(1) \$201,967 of this balance is designation for subsequent year financing and \$116,017 is Unreserved Fund Balance, which was available for current year financing.

Prepared by LAFCO and Auditor-Controller Staff

# ATTACHMENT 3

## LAFCO FOR FISCAL YEAR ENDING 06-30-10 FUND 7920

### INCOME STATEMENT & CHANGE IN FUND BALANCE

ACCT #	ACCOUNT TITLE	ADJUSTED BALANCE 06/30/2009	FUND 7920 VCFMS BALANCE 06/30/2010	ADJUSTED BALANCE 06/30/2010	ROUNDED
<b>REVENUES:</b>					
	INTEREST EARNINGS	17,166.24	11,031.33	11,031.33	11,031
	INVESTMENT EARNINGS	-	-	-	-
	AID FROM OTHER GOVERNMENTAL UNITS	488,685.00	587,084.00	587,084.00	587,084
	INTERFUND CHARGES	-	-	-	-
	MISCELLANEOUS	61,470.87	44,301.60	44,301.60	44,302
	<b>TOTAL</b>	<b>567,322.11</b>	<b>642,416.93</b>	<b>642,416.93</b>	<b>642,417</b>
<b>EXPENDITURES:</b>					
	SALARIES AND WAGES	319,351.99	362,070.63	362,070.63	362,071
	RETIREMENT BENEFITS, VARIOUS	73,207.37	80,304.06	80,304.06	80,304
	EMPLOYEE GROUP INSURANCE	27,420.06	28,544.57	28,544.57	28,545
	WORKERS' COMPENSATION INSURANCE	2,444.30	2,515.47	2,515.47	2,515
	OTHER BENEFITS	8,265.08	10,562.08	10,562.08	10,562
	COMMUNICATIONS	3,733.51	3,763.35	3,763.35	3,763
	INSURANCE	1,306.00	2,410.00	2,410.00	2,410
	MAINTENANCE-BUILDING & IMPROV.	15,889.00	15,630.00	15,630.00	15,630
	MEMBERSHIP	6,166.00	5,831.00	5,831.00	5,831
	INDIRECT COSTS AND EDUCATION	-	-	-	-
	MISCELLANEOUS EXPENSE	31,314.00	27,326.00	27,326.00	27,326
	OFFICE EXPENSE	17,983.27	18,686.66	18,686.66	18,687
	PROFESSIONAL AND SPECIALISTS	37,243.47	49,263.51	49,263.51	49,263
	PUBLICATIONS AND LEGAL NOTICE	2,460.88	3,046.19	3,046.19	3,046
	RENTS AND LEASES - BLDGS & IMPR	260.68	153.34	153.34	153
	SMALL TOOLS AND INSTRUMENTS	10,394.46	3,375.63	3,375.63	3,376
	SPECIAL DEPARTMENT EXPENSE - SERVICES	21,897.50	13,015.00	13,015.00	13,015
	TRANSPORTATION AND TRAVEL	18,418.58	19,010.80	19,010.80	19,011
	<b>TOTAL</b>	<b>597,756.15</b>	<b>645,508.29</b>	<b>645,508.29</b>	<b>645,508</b>
	EXCESS (DEFICIENCY) REVENUES OVER (UNDER) EXPENDITURES	(30,434.04)	(3,091.36)	(3,091.36)	(3,091)
	BEGINNING FUND BALANCE 6/30/08	348,417.74		317,983.70	317,984
	ENDING FUND BALANCE 6/30/09	317,983.70		314,892.34	314,893

= 5040 + 5070

LAFCO  
 DESIGNATION FOR SUBSEQUENT YEAR FINANCING (5070)  
 CALCULATION FOR THE CURRENT YEAR  
 (UNAUDITED)

	<u>Beq. Bal.</u>	<u>FY 04-05</u>	<u>FY 05-06</u>	<u>FY 06-07</u>	<u>FY 07-08</u>	<u>FY 08-09</u>	<u>FY 09-10</u>
Actual Fund Balance, Ending		312,064.00	186,667.00	216,308.00	348,418.00	317,984.00	314,893.00
Projected Fund Balance, Current FY		285,852.00	122,537.00	133,562.00	180,738.00	116,017.00	106,837.00
Forwarded Balance	(0.11)	26,212.00	64,130.00	82,746.00	167,680.00	201,967.00	208,056.00

↓  
 INCLUDES 3411.77  
 INTEREST PRIOR PERIOD  
 FROM TRUST FUND

# ATTACHMENT 4



## Ventura Local Agency Formation Commission

### BUDGET TO ACTUAL FY 2009-10 YEAR TO DATE ENDING June 30, 2010 (100.0% of year) Fund 7920, Organization 8950

Summary	Budget	Adj. Budget	To Date
Estimated Sources	783,101	783,101	758,434
Appropriations	783,101	783,101	645,694

Account Number	Title	BUDGET			ACTUAL YTD			Variance Favorable (Unfavorable)	
		Budget	Proposed Adjustments	Adjusted Budget	Actual	Encumbered	Total Revenue/Obligation		
<b>UNRESERVED FUND BALANCE</b>									
	Beginning Balance	317,984.00		317,984.00	317,984.00		317,984.00	0.00	
5070	Designation-Subsequent Years Financing	(201,967.00)		(201,967.00)	(201,967.00)		(201,967.00)	0.00	
5040	Unreserved Fund Balance	116,017.00		116,017.00	116,017.00		116,017.00	0.00	
<b>REVENUE</b>									
8911	Interest Earnings	20,000.00		20,000.00	11,031.33		11,031.33	8,968.67	55%
9372	Other Governmental Agencies	587,084.00		587,084.00	587,084.00		587,084.00	0.00	100%
9772	Other Revenue - Miscellaneous	60,000.00		60,000.00	44,301.60		44,301.60	15,698.40	74%
	<b>Total Revenue</b>	<b>667,084.00</b>	<b>0.00</b>	<b>667,084.00</b>	<b>642,416.93</b>		<b>642,416.93</b>	<b>24,667.07</b>	<b>96%</b>
	<b>TOTAL SOURCES</b>	<b>783,101.00</b>	<b>0.00</b>	<b>783,101.00</b>	<b>758,433.93</b>	<b>0.00</b>	<b>758,433.93</b>	<b>24,667.07</b>	<b>97%</b>
<b>EXPENDITURES</b>									
1101	Regular Salaries	320,000.00		320,000.00	332,339.51		332,339.51	(12,339.51)	104%
1105	Overtime	0.00		0.00	12.04		12.04	(12.04)	0%
1106	Supplemental Payments	12,000.00		12,000.00	10,988.25		10,988.25	1,011.75	92%
1107	Term/Buydown	45,000.00		45,000.00	18,730.83		18,730.83	26,269.17	42%
1121	Retirement Contribution	57,000.00		57,000.00	54,341.61		54,341.61	2,658.39	95%
1122	OASDI Contribution	20,000.00		20,000.00	20,038.66		20,038.66	(38.66)	100%
1123	FICA - Medicare	5,000.00		5,000.00	5,214.00		5,214.00	(214.00)	104%
1124	Safe Harbor	800.00		800.00	709.79		709.79	90.21	89%
1141	Group Insurance	28,000.00		28,000.00	26,158.25		26,158.25	1,841.75	93%
1142	Life Ins/Dept. Heads & Mgmt.	400.00		400.00	359.92		359.92	40.08	9%
1144	Management Disability Ins.	2,300.00		2,300.00	2,026.40		2,026.40	273.60	8%
1165	Worker Compensation Ins	3,000.00		3,000.00	2,515.47		2,515.47	484.53	84%
1171	401K Plan	13,000.00		13,000.00	10,562.08		10,562.08	2,437.92	81%
1991	S&EB CY INCR	0.00	22,288.00	22,288.00	0.00		0.00	22,288.00	0%
	<b>Salaries and Benefits</b>	<b>506,500.00</b>	<b>22,288.00</b>	<b>528,788.00</b>	<b>483,996.81</b>	<b>0.00</b>	<b>483,996.81</b>	<b>44,791.19</b>	<b>92%</b>
2033	Voice/Data ISF	5,000.00		5,000.00	3,763.35		3,763.35	1,236.65	75%
2071	General Insurance Alloca - ISF	2,410.00		2,410.00	2,410.00		2,410.00	0.00	100%
2125	Facil/Matls Sq. Ft. Alloc. - ISF	16,000.00		16,000.00	15,630.00		15,630.00	370.00	98%
2128	Other Maint	700.00		700.00	0.00		0.00	700.00	0%
2141	Memberships & Dues	6,500.00	(669.00)	5,831.00	5,831.00		5,831.00	0.00	100%
2154	Education Allowance	4,000.00	(667.00)	3,333.00	3,195.00		3,195.00	138.00	96%
2158	Indirect Cost Recovery	24,250.00		24,250.00	24,131.00		24,131.00	119.00	100%
2172	Books & Publications	850.00	143.00	993.00	1,046.30		1,046.30	(53.30)	105%
2173	Office Supplies	3,500.00		3,500.00	2,630.31		2,630.31	869.69	75%
2174	Mail Center - ISF	3,000.00		3,000.00	2,435.08		2,435.08	564.92	81%
2176	Purchasing Charges - ISF	1,400.00		1,400.00	366.80		366.80	1,033.20	26%
2177	Graphics Charges - ISF	5,500.00		5,500.00	3,143.98		3,143.98	2,356.02	57%
2178	Copy Machine Charges - ISF	400.00		400.00	72.00		72.00	328.00	18%
2179	Miscellaneous Office Expense	4,000.00	1,037.00	5,037.00	4,613.18		4,613.18	423.82	92%
2181	Stores ISF	4,200.00	156.00	4,356.00	4,379.01		4,379.01	(23.01)	101%
2191	Board Members Fees	4,500.00		4,500.00	3,000.00		3,000.00	1,500.00	67%
2192	Information Technology - ISF	5,500.00		5,500.00	2,163.33		2,163.33	3,336.67	39%
2195	Computer Services Non ISF	2,000.00		2,000.00	1,143.94		1,143.94	856.06	57%
2197	Public Works - Charges	12,000.00		12,000.00	3,342.88		3,342.88	8,657.12	28%
2199	Other Prof & Spec Service	16,000.00		16,000.00	17,584.36	186.05	17,770.41	(1,770.41)	111%
2205	Special Services ISF	500.00		500.00	0.00		0.00	500.00	0%
2214	County GIS Expenses	20,000.00		20,000.00	22,029.00		22,029.00	(2,029.00)	110%
2261	Public & Legal Notices	6,000.00		6,000.00	3,046.19		3,046.19	2,953.81	51%
2283	Storage Charges	1,200.00		1,200.00	153.34		153.34	1,046.66	13%
2293	Computer Equipment <5000	4,000.00		4,000.00	3,375.63		3,375.63	624.37	84%
2304	County Counsel	25,000.00		25,000.00	13,015.00		13,015.00	11,985.00	52%
2521	Trans Ch ISF	1,000.00		1,000.00	445.04		445.04	554.96	0%
2522	Private Vehicle Mileage	6,500.00		6,500.00	5,628.26		5,628.26	871.74	87%
2523	Conf. & Seminars Expense	19,000.00		19,000.00	12,799.50		12,799.50	6,200.50	67%
2526	Conf. & Seminars Expense ISF	500.00		500.00	138.00		138.00	362.00	28%
2992	S&S CY DECR	0.00	(7,800.00)	(7,800.00)	0.00		0.00	(7,800.00)	0%
	<b>Services and Supplies</b>	<b>205,410.00</b>	<b>(7,800.00)</b>	<b>197,610.00</b>	<b>161,511.48</b>	<b>186.05</b>	<b>161,697.53</b>	<b>35,912.47</b>	<b>8%</b>
6101	Contingency	71,191.00	(14,488.00)	56,703.00	0.00		0.00	56,703.00	
	<b>TOTAL EXPENDITURES</b>	<b>783,101.00</b>	<b>0.00</b>	<b>783,101.00</b>	<b>645,508.29</b>	<b>186.05</b>	<b>645,694.34</b>	<b>137,406.66</b>	<b>82%</b>

0.00



**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

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

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

**SECTION 2.3.5 AUDITS**

**2.3.5.1 Independent Auditor Role:** For the two-year period between July 1, 2007 and June 30, 2009, LAFCo shall arrange for a single audit of its financial statements to be conducted by an independent accounting firm. All subsequent year financial statements shall be audited annually thereafter. LAFCo staff, the Commission, and any Commission committee appointed for the purpose of audit oversight are authorized to communicate directly with the independent accounting firm.

ATTACHMENT 2



**REQUEST FOR PROPOSALS**

**INDEPENDENT AUDIT SERVICES**

Proposal Due:  
September 10, 2010  
on or before 5:00 p.m. (Pacific Time)

Return Proposals to:  
Ventura Local Agency Formation Commission  
Attn: Kim Uhlich, Executive Officer  
County Government Center, Hall of Administration  
800 S. Victoria Avenue  
Ventura, CA 93009-1850

Telephone: (805) 654-2866  
Fax: (805) 477-7101

**Request for Proposals for Professional Auditing Services**

## **I. General Information**

The Ventura Local Agency Formation Commission (Commission or Ventura LAFCo) is seeking proposals from qualified certified public accounting firms to audit its 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 audits are to be performed in accordance with generally accepted auditing standards and the standards set for financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States and U.S. Office of Management and Budget (OMB) Circular A-133 *Audits of States, Local Governments, and Non-Profit Organizations*, as well as any other current and applicable federal, state, local or programmatic audit requirements.

There is no expressed or implied obligation for the Commission to reimburse responding firms for any expenses incurred in preparing proposals in response to this request. Materials submitted by respondents are subject to public inspection under the California Public Records Act (Government Code Sec. 6250 et seq.), unless exempt. Any language purporting to render the entire proposal confidential or proprietary will be ineffective and will be disregarded.

To be considered, two (2) copies of a proposal must be received by Kim Uhlich, Executive Officer, Ventura Local Agency Formation Commission, County Government Center Hall of Administration, 800 S. Victoria Avenue, Ventura, CA 93009-1850, on or before September 10, 2010 (5:00 p.m. Pacific Time). The Commission reserves the right to reject any or all proposals submitted. During the evaluation process the Commission reserves the right, where it may serve the Commission's best interest, to request additional information or clarifications from responders, or to allow corrections of errors or omissions. At the discretion of the Commission, firms submitting proposals may be requested to make oral presentations as part of the evaluation process.

The Commission reserves the right to retain all proposals submitted and to use any ideas in a proposal regardless of whether the proposal was selected. Submission of a proposal indicates acceptance by the firm of the conditions contained in this request for proposals, unless clearly and specifically noted in the proposal submitted and confirmed in the contract between the Commission and the firm selected.

It is anticipated the selection of a firm will be completed by the end of September, 2010. Following the notification of the selected firm, it is expected a contract will be executed in October, 2010. A one-year contract with a two-year extension option is contemplated. The two-year extension option will be subject to review by the Commission and satisfactory negotiation of terms (including a price acceptable to the Commission and the selected firm).

## **II. Description of the Ventura Local Agency Formation Commission and its Governance**

The Ventura LAFCo was formed and operates under the provisions of state law, specifically what is now known as the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. (California Government Code Sec. 56000 et seq.). State law provides for local agency formation commissions (LAFCos) to be formed as independent agencies in each county in California. LAFCos implement state law requirements and local policies relating to boundary changes for cities and most special districts, including spheres of influence, incorporations, annexations, reorganizations and other changes of organization. In this capacity the Ventura LAFCo is the boundary agency for cities and most special districts in Ventura County.

The Ventura LAFCo is a seven-member commission, consisting of the following: two members of the Ventura County Board of Supervisors, two members from the city councils within the County, two members from the independent special district boards of directors within the County and one member from the public at large. For each membership category, an alternate Commissioner serves in the absence of the regular member. Staff to the Ventura LAFCo consists of an Executive Officer, Deputy Executive Officer, Commission Clerk/Office Manager, one part-time administrative employee and legal counsel. Pursuant to a Memorandum of Agreement, the County of Ventura provides legal, personnel and support services, offices and other materials as requested by the Ventura LAFCo.

The Commission operates under a single-program government fund with an annual budget of approximately \$775,000. Funding for operations comes primarily from the County, the 10 cities and 28 independent special districts, with each governmental category contributing a third. Although the County of Ventura contributes one-third of the Commission's net operational costs, the Commission is an independent agency and its budget is not subject to County approval. In addition to the agency contributions, other sources of revenue include applicant fees and interest earnings.

The Commission may make additions to and/or deletions from the Scope of Work of this request for proposals, and to the component parts thereof, as deemed necessary.

## **III. Scope of the Work to be Performed & Standards to be Followed**

1. The audit is to be performed in accordance with generally accepted auditing standards and the standards set for financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States and U.S. Office of Management and Budget (OMB) Circular A-133 *Audits of States, Local Governments, and Non-Profit Organizations*, as well as any other current and applicable federal, state, local or programmatic audit requirements.

2. The audit will cover the general purpose financial statements of the Commission and supporting documentation and schedules.
3. The audit firm will issue a separate Management Letter that includes recommendations, if any, for improvements in internal control that are considered to be significant deficiencies or material weaknesses.

Commission staff will cooperate with and will be available during the audit to assist the audit firm by providing information, analysis, documentation, schedules and explanations. Staff will also provide the auditor with reasonable workspace, desks and chairs. The auditor will also be provided with access to telephone/internet lines, photocopying facilities and a fax machine. Commission staff will prepare the MD&A. Report preparation, editing, printing, tabbing, and binding are the responsibility of the audit firm.

All working papers and reports are to be retained at the auditor's expense for a minimum of seven (7) years. The audit firm shall make working papers available to the Commission on request.

#### **IV. Work Completion Milestones**

Observe the following schedule in addition to complying with any statutory and other filing and reporting deadlines:

- October 29, 2010 Auditor to provide Commission with an audit plan and a list of schedules to be prepared for interim and final fieldwork.
- January 14, 2011 Auditor fieldwork shall be completed.
- February 18, 2011 Draft financial statements shall be submitted by the audit firm to the Commission.
- March 4, 2011 Ten (10) bound copies and one (1) PDF copy of the *Ventura LAFCo Financial Statements and Independent Auditor's Report* and the Management Letter [three (3) copies and one (1) PDF] shall be submitted to the Commission.

## V. Proposal Requirements

Two (2) copies of the following materials are required to be received by September 10, 2010, at 5:00 p.m. Pacific Time for a proposing firm to be considered:

1. Title Page – The title page shall show the proposal subject, the firm's name and contact person and the firm's California CPA License Number and Federal Identification Number.
2. Cover Letter – The cover letter should set forth the following:
  - A. The firm's understanding of the work to be performed, the commitment to perform the work in the required time frame, any additions to the scope of work that the firm believes are prudent or necessary and the reasons why, and statements as to why the firm believes it is best qualified to perform the engagement
  - B. Certify that the person signing the proposal is entitled to represent the firm, empowered to submit the bid, and authorized to sign a contract with the Commission.
  - C. The offer is a firm, irrevocable offer for 90 days from September 10, 2010.
  - D. Indicate whether the firm is an Equal Opportunity Employer.
3. Table of Contents.
4. Technical Proposal – The Technical Proposal should address all the points outlined in this request for proposals. While additional data may be presented, the following subjects, items 4A through 4K below, **must** be included:
  - A. An affirmative statement that the audit firm is independent of the Ventura LAFCo, as defined by generally accepted auditing standards and the U.S. Government Accountability Office's *Government Auditing Standards*.
  - B. An affirmative statement that the firm and all assigned key professional staff are properly licensed to practice as certified public accountants in California.
  - C. An affirmative statement that that the firm will maintain the required minimum insurance requirements: \$1,000,000 for professional liability and commercial general liability (\$2,000,000 annual aggregate) and \$1,000,000 for workers compensation and commercial automobile liability.

Prior to any commencement of audit services, the selected firm will be required to provide certificates of insurance coverage to the Commission.

- D. The size of the firm, the size of the firm's governmental audit staff, the location of the office from which the work on this engagement is to be performed and the number and nature of the professional staff to be employed in this engagement.
- E. The principal supervisory and management staff, including engagement partners, managers, other supervisors and specialists, who would be assigned to the engagement. Indicate whether each such person is licensed to practice as a certified public accountant in California. Provide information on the government auditing experience of each person, including information on relevant continuing professional education for the past three (3) years and membership in professional organizations relevant to the performance of this audit.
- F. A copy of the firm's most recent peer review report.
- G. For the firm's office that will be assigned responsibility for the audit, the most significant engagements performed in the last three (3) years that are similar to the engagement described in this request for proposals.
- H. A list of not less than three (3) client references for which services similar to those outlined in this request for proposals have recently been, or are currently being, provided. For each reference listed provide the name of the organization, dates of service(s), type of service(s) provided and the name, address, e-mail address and telephone number of the appropriate contact.
- I. Identify and describe recent changes in auditing standards and accounting principles and pronouncements, if any, and their impact on the audit approach and the presentation, scope and disclosure of the financial report.
- J. Copies of standard client-prepared audit schedules the firm anticipates Commission staff to provide.
- K. Maximum Fee and Hourly Rates – The maximum fee and estimated hours for the audit should be provided for fiscal years ending June 30, 2010, 2011 and 2012. The fees should be inclusive of any out-of-pocket expenses incurred by the audit firm. Hourly rates for the firm's partner, manager, senior accountant and staff accountant should also be included.

## VI. Evaluation Methodology

1. Proposals will be evaluated using the following sets of criteria:

A. Mandatory Elements

- (1) The audit firm is independent and licensed to practice in California.
- (2) The firm has no conflict of interest with the Ventura LAFCo.
- (3) The firm follows the instructions set forth in this request for proposals.

B. Technical Qualifications

- (1) The firm's past experience with comparable government engagements.
- (2) The quality of the firm's professional personnel to be assigned to the engagement and the quality of the firm's management support personnel to be available for technical consultation.
- (3) Thoroughness of approach to conducting the audit and demonstration of the understanding of the objectives and scope of the audit.
- (4) Commitment to work completion timeline.

C. Maximum fee to conduct the audit in each of the years specified.

Firms meeting the mandatory criteria above will have their proposals evaluated and scored for both technical qualifications and price. Technical qualifications will represent 80% of the weight of the evaluation criteria. Price will be assigned a 20% weighting in the overall evaluation.

2. Submission of a proposal indicates acceptance by the firm of the conditions contained in this request for proposals unless clearly and specifically noted in the proposal submitted and confirmed in the contract between the Ventura LAFCo and the firm selected. The Ventura LAFCo reserves the right without prejudice to reject any or all proposals.
3. Questions regarding this request for proposals are to be directed by email to: Kim Uhlich, LAFCo Executive Officer, at [kim.uhlich@ventura.org](mailto:kim.uhlich@ventura.org). Such contact should be for clarification purposes only. Material changes, if any, to the scope of services or proposal procedures will only be transmitted by written addendum.

**SECTION 2.5.4 CONTRACT APPROVAL AND EXECUTION**

LAFCo hereby delegates to the Executive Officer or designee the authority to approve and execute contracts and agreements for \$5,000.00 or less, provided sufficient funds are contained in the appropriate line item of the LAFCo budget. In order to expedite work, the Executive Officer is authorized to make minor modifications as may be necessary and to approve increases in contracts in an amount not to exceed \$500, provided sufficient funds are contained in the appropriate line item of the LAFCo budget. Any contract or agreement greater than \$5,000.00, any amendment to a contract or agreement which would cause the total amount of the contract or agreement to exceed \$5,500.00, or any contract or agreement for any amount where there are not sufficient funds contained in the appropriate line item of the LAFCo budget, shall be presented to the Commission for 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

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**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.

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COMMISSIONERS AND STAFF

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