

AGENDA

Hall of Administration, Board of Supervisors' Hearing Room
800 S. Victoria Avenue, Ventura
9:00 A.M. Wednesday, January 16, 2008

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

ELECTIONS

4. **Election of Officers for 2008**
 - A. Chair
 - B. Vice Chair

ANNOUNCEMENTS

5. **Commission Presentations and Announcements**
 - A. Presentation to Don Waunch for his service to LAFCO
 - B. Introduction of new Alternate City Member, Carl Morehouse
 - C. Introduction of new staff member, Kai Luoma, new LAFCO Analyst

COMMENTS FROM THE PUBLIC

6. **Public Comment**

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

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

COMMISSIONERS AND STAFF

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

CONSENT ITEMS

7. **Minutes of the Ventura LAFCO November 21, 2007 regular meeting**
8. **LAFCO 07-15 City of San Buenaventura Out of Agency Service Agreement – County of Ventura**

Request for approval of a contract to provide water service between the City of San Buenaventura and the County of Ventura for property located at the corner of County Drive and Riverbank Drive, Saticoy. APNs: 090-0-110-250; 090-0-110-260; 090-0-110-040.

- A. Certify that the Commission has reviewed and considered the information contained in the Final Environmental Impact Report (EIR) for County of Ventura Saticoy Operations Yard prepared by the County of Ventura as lead agency.
- B. Adopt the attached resolution (LAFCO 07-15) making determinations and approving the City of San Buenaventura Out of Agency Service Agreement – Saticoy Operations Yard.

RECOMMENDED ACTION: Approval (Item 7 and 8-A &B)

ACTION ITEMS

9. **LAFCO Commissioner's Handbook Amendment – Implementation of AB 745 (Disclosure of Political Expenditures)**

Adopt a Resolution amending the Commissioner's Handbook, Section 2.1.6 – Disclosure of Political Expenditures and Contributions in Conjunction with Change of Organization Proposals

RECOMMENDED ACTION: Approval

PUBLIC HEARING ITEMS

10. **LAFCO 07-12 Calleguas Municipal Water District Annexation – Ventura County Airports (Parcels A & B)**

A proposal to add ten parcels, portions of three others and a portion of the Pleasant Valley Road right of way to the Calleguas Municipal Water District for the purpose of providing domestic water service.

- A. Certify that the Commission has reviewed and considered the information contained in the environmental impact report (EIR) for Airport Development in Accordance with the Draft Airport Master Plan Update at Camarillo Airport dated July, 1999 (State Clearinghouse No. 97121005) and prepared by the Ventura County Department of Airports; the Addendum to the EIR for Airport Development in Accordance with the Adopted Airport Master Plan Update at Camarillo Airport dated May, 2003 and prepared by the Ventura County Department of Airports; and the Second Addendum to the EIR for Airport Development in Accordance with the Adopted Airport Master Plan Update at Camarillo Airport dated November 12, 2007 prepared by the

- Calleguas Municipal Water District as a responsible agency, and adopt the lead agency's findings, mitigation measures, and mitigation monitoring program.
- B. Certify that the Commission has reviewed and considered the information contained in the Final Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Oxnard Airport Master Plan prepared by the Ventura County Department of Airports as lead agency; and the Addendum to Mitigated Negative Declaration for the Oxnard Airport Master Plan prepared by the Calleguas Municipal Water District as a responsible agency, and adopt the lead agency's findings, mitigation measures, and mitigation monitoring program.
 - C. Adopt Resolution LAFCO 07-12 making determinations and approving the LAFCO 07-12 Calleguas Municipal Water District Annexation – Ventura County Airports (Parcels A & B).

RECOMMENDED ACTION: Approval (A, B & C)

11. Calleguas Municipal Water District – Dickens Patch (Parcels A & B)

A. LAFCO 07-13S Calleguas Municipal Water District Sphere of Influence Amendment – Dickens Patch (Parcels A & B).

A proposal to amend the Calleguas Municipal Water District Sphere of Influence by approximately 66 acres in order for the same area to be annexed to the District. The proposal consists of four lots identified as Assessor Parcel Nos. 695-0-031-170, 695-0-031-150, 695-0-031-165, 695-0-062-010 and a portion of Potrero Road right of way.

B. LAFCO 07-13 Calleguas Municipal Water District Annexation – Dickens Patch (Parcels A & B).

A proposal to annex four parcels identified as Assessor Parcel Nos. 695-0-031-170, 695-0-031-150, 695-0-031-165, 695-0-062-010 and a portion of Potrero Road right of way to the Calleguas Municipal Water District for the purpose of providing domestic water service.

- A. Adopt Resolution LAFCO 07-13S making determinations and approving the Calleguas Municipal Water District Sphere of Influence Amendment – Dickens Patch.
- B. Adopt Resolution LAFCO 07-13 making determinations and approving the Calleguas Municipal Water District Annexation – Dickens Patch.

RECOMMENDED ACTION: Approval (A & B)

INFORMATION ONLY

12. **LAFCO 07-14 Calleguas Municipal Water District Annexation – Aldersgate**
Information only regarding a proposal filed to annex three parcels to the Calleguas Municipal Water District, located at the southeast corner of Oxnard Boulevard and Gonzales Road, in the City of Oxnard.

EXECUTIVE OFFICER'S REPORT

- A. FPPC Form 700 Statements are due April 1, 2008
- B. Next LAFCO Meeting is February 20, 2008

COMMISSIONERS' COMMENTS

ADJOURNMENT

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

Disclosure of Campaign Contributions - LAFCO Commissioners are disqualified and are not able to participate in any proceeding involving an "entitlement for use" if, within the 12 months preceding the LAFCO decision, the Commissioner received more than \$250 in campaign contributions from the applicant, an 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.



STAFF REPORT

Meeting Date: January 16, 2008

Agenda Item 4

TO: LAFCO Commissioners
FROM: Kim Uhlich, Executive Officer
SUBJECT: Election of Officers for 2008

RECOMMENDATION:

- A. Elect a Chair
- B. Elect a Vice-Chair

DISCUSSION:

The Commission’s By-laws (attached) provide for both the Chair and Vice Chair to serve one-year terms of office commencing on the third Wednesday of January. The By-laws also provide for the officers to be rotated, “so that a member of each of the four represented groups of LAFCO serves one full year in every four-year period.” For 2008 a City Member should serve as Chair and a Special District Member should serve as Vice-Chair.

Attachment: Chapter 1, Section 1.1.4 of the Commissioner’s Handbook

COMMISSIONERS AND STAFF

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

Chapter 1, Section 1.1.4 of the Commissioner's Handbook

(A portion of the Ventura LAFCO By-laws relating to Officers of the Commission)

SECTION 1.1.4 OFFICERS

1.1.4.1 Chair: The Chair shall be selected by the members. The Chair shall serve as Chair for one year or until his/her successor is selected. The Chair's term of office shall begin the third Wednesday in January.

The office of Chair shall be rotated so that a member of each of the four represented groups of LAFCO serves one full year in every four-year period. Commencing January of 2002, the rotation of the chair shall be in the following sequence: County, Public, City, and Special District member.

1.1.4.2 Vice-Chair: The Vice-Chair shall be selected by the members. The Vice Chair shall serve as Vice-Chair for one year or until his/her successor is selected. The Vice-Chair's term of office shall begin the third Wednesday in January. In the absence of the Chair, the Vice-Chair shall serve in place of the Chair.

The office of Vice-Chair shall be rotated so that a member of each of the four represented groups of LAFCO serves one full year in every four-year period. In January 2002, the rotation of the vice-chair shall be in the following sequence: Public, City, Special District, and County member.

MINUTES

REGULAR MEETING

Wednesday, November 21, 2007, 9:00 A.M.
Hall of Administration, Board of Supervisors' Hearing Room
800 S. Victoria Avenue, Ventura

1. CALL TO ORDER

Chair Hess called the November 21, 2007 meeting to order at 9:06 A.M.

2. PLEDGE OF ALLEGIANCE

Executive Officer Everett Millais led the Pledge of Allegiance.

3. ROLL CALL

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

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

ANNOUNCEMENTS

4. Commission Presentations and Announcements

There were no announcements.

COMMENTS FROM THE PUBLIC

5. Public Comment

Bob Braitman, Santa Barbara LAFCO Executive Officer, read a proclamation honoring Everett for his service to Ventura LAFCO

COMMISSIONERS AND STAFF

COUNTY:

Linda Parks
Kathy Long
Alternate:
Steve Bennett

CITY:

Don Waunch
John Zaragoza, Vice Chair
Alternate:
Janice Parvin

SPECIAL DISTRICT:

Ted Grandsen
George Lange
Alternate:
Bill Lotts

PUBLIC:

Kenneth M. Hess, Chair

Alternate:
Louis Cunningham

EXECUTIVE OFFICER:

Everett Millais

DEPUTY EXEC OFFICER:

Kim Uhlich

OFFICE MGR/CLERK:

Debbie Schubert

LEGAL COUNSEL:

Leroy Smith

CONSENT ITEMS

6. **Minutes of the Ventura LAFCO October 17, 2007 regular meeting**
7. **LAFCO 07-09 City of San Buenaventura Out of Agency Service Agreement-Rolls (A and B)**
8. **End of the Year Financial Reports-FY 2006-2007 (A, B & C)**
9. **Budget Report – 1st Quarter FY 2007-2008 (Receive and File)**

MOTION: Approval for all as recommended: Long
SECOND: Waunch
FOR: Grandsen, Hess, Lange, Long, Waunch and Zaragoza
AGAINST: None
ABSTAIN: None
MOTION PASSED 6/0/0

PUBLIC HEARING ITEMS

10. **Ventura Port District Municipal Service Review (MSR) Report and Sphere of Influence Review and Update (A, B & C)**
Everett Millais presented the staff report. Chair Hess opened the public hearing. Receiving no comments from the public, Chair Hess closed the public hearing.

MOTION: Approval A, B and C as recommended: Lange
SECOND: Grandsen
FOR: Grandsen, Hess, Lange, Long, Waunch and Zaragoza
AGAINST: None
ABSTAIN: None
MOTION PASSED 6/0/0

11. **LAFCO 07-08 Bell Canyon Community Services District – Request for Authorization to Exercise Latent Powers (A and B)**
Kim Uhlich presented the staff report. Chair Hess opened the public hearing. The following person gave public comment: Carol Henderson, Bell Canyon Community Services District Director. Receiving no other comments from the public, Chair Hess closed the public hearing.

MOTION: Approval as recommended: Waunch
SECOND: Long
FOR: Grandsen, Hess, Lange, Long, Waunch and Zaragoza
AGAINST: None
ABSTAIN: None
MOTION PASSED 6/0/0

PUBLIC HEARING ITEMS (Continued)

12. Ventura County Service Area No. 33 – Sphere of Influence Review (Receive and File)

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

MOTION: Approval as recommended: Long
SECOND: Lange
FOR: Grandsen, Hess, Lange, Long, Waunch and Zaragoza
AGAINST: None
ABSTAIN: None
MOTION PASSED 6/0/0

INFORMAITONAL ITEMS

13. Summary of the Municipal Service Review and Sphere of Influence Update/Review Process

Everett Millais presented a report for the completion of the first round of municipal service reviews and sphere of influence updates/reviews.

ACTION ITEMS

14. LAFCO 07-07 Ojai Valley Sanitary District Annexation – Villanova

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

MOTION: Approval as recommended: Long
SECOND: Zaragoza
FOR: Grandsen, Hess, Lange, Long, Waunch and Zaragoza
AGAINST: None
ABSTAIN: None
MOTION PASSED 6/0/0

15. Resolution of Appreciation to Everett Millais for his service as Executive Officer for the Ventura LAFCO (Approval)

Commissioner Kathy Long presented Mr. Millais with a Resolution from the Commission and thanked him for his 7 ½ years of dedicated service to LAFCO and to the CALAFCO organization.

MOTION: Approval as recommended: Zaragoza

SECOND: Long

FOR: Grandsen, Hess, Lange, Long, Waunch and Zaragoza

AGAINST: None

ABSTAIN: None

MOTION PASSED 6/0/0

COMMISSIONERS COMMENTS

Commissioner Lange thanked Mr. Millais for his presentation to the Kiwanis Breakfast Club earlier that month.

All the LAFCO Commissioners and Alternates commented to Everett, thanking him for his leadership and excellent service to LAFCO.

ADJOURNMENT

Chair Hess adjourned the meeting at 10:29 a.m.



STAFF REPORT

Meeting Date: January 16, 2008
CONSENT

Agenda Item 8

**LAFCO CASE
NAME & NO:**

LAFCO 07-15 OASA Out of Agency Water Service Agreement
between the City of San Buenaventura and the County of Ventura
(Saticoy Operations Yard)

PROPOSAL:

To extend water service to three parcels located outside of the
jurisdictional boundaries of the City of San Buenaventura for
domestic and fire protection uses.

SIZE:

Approximately 25 acres

LOCATION:

11201 and 11251 Riverbank Drive, Saticoy. The proposal area is
within the spheres of influence of the City of San Buenaventura and
within the boundaries of the United Water Conservation District.

PROPONENT:

City of San Buenaventura.

NOTICE:

This matter has been noticed as prescribed by law.

COMMISSIONERS AND STAFF

COUNTY:

Linda Parks
Kathy Long
Alternate:
Steve Bennett

CITY:

Janice Parvin
John Zaragoza, Vice Chair
Alternate:
Carl Morehouse

SPECIAL DISTRICT:

Ted Grandsen
George Lange
Alternate:
Bill Lotts

PUBLIC:

Kenneth M. Hess, Chair

Alternate:
Louis Cunningham

EXECUTIVE OFFICER:

Kim Uhlich

SENIOR ANALYST:

Kai Luoma

OFFICE MGR/CLERK:

Debbie Schubert

LEGAL COUNSEL:

Leroy Smith

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

Assessor's Parcel Number	Property Address	Property Owner
090-0-110-310	11201 Riverbank Drive, Saticoy	County of Ventura
090-0-110-355	11251 Riverbank Drive, Saticoy	County of Ventura
090-0-110-320	No address assigned	County of Ventura

RECOMMENDATION:

- A. Certify that the Commission has reviewed and considered the information contained in the Environmental Impact Report (EIR) for the County of Ventura Saticoy Operations Yard prepared by the County of Ventura as lead agency, and adopt the lead agency's findings, statements of overriding considerations, mitigation measures, and mitigation monitoring program.

- B. Adopt the attached resolution (LAFCO 07-15) making determinations and approving the City of San Buenaventura Out of Agency Service Agreement– County of Ventura (Saticoy Operations Yard).

DISCUSSION:

Background:

Pursuant to Section 56133 of the California Government Code, any city or district wishing to provide new or extended services outside of its boundary through an agreement with a property owner must first receive LAFCO approval. Subparagraph (b) of the same section provides for LAFCO approval of new or extended services outside of a city's or district's boundaries "in anticipation of a later change of organization."

The Commission's policies (Commissioner's Handbook Section 2.6.2) delegate to the Executive Officer responsibility for reviewing and acting on those out of agency service agreements that involve emergency sewer or water connections and those that involve CEQA exemptions or negative declarations. Based on this policy, the vast majority of applications for out of agency service agreements received by the Ventura LAFCO are eligible for action by the Executive Officer. The subject application is unique in the fact

Staff Report -LAFCO 07-15 OASA City of San Buenaventura Out of Agency Service Agreement– County of Ventura (Saticoy Operations Yard)

January 16, 2008

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that it involves a request to extend a water line to serve the County of Ventura Operations Yard, which was approved through an EIR, and thus requires Commission review and action.

Analysis

According to the application, the water service agreement (Attachment 1) was made in conjunction with the certification of an EIR and the approval of a general plan amendment and planned development permit for an operations yard by the County of Ventura. Extending potable water service to the subject property is justified based on applicable City of San Buenaventura and County of Ventura general plans, and the County of Ventura zoning classification.

The property is located within the boundaries of United Water Conservation District, but no other public agency, including United Water Conservation District, can provide water service to the property at the same level of service as the City of San Buenaventura. The City provides water service to adjacent properties in the Saticoy area, has a public water line in the area sufficient to provide service to the subject property, and has indicated that it has water supply capacity sufficient to serve the proposed development on the subject parcel.

Lack of contiguity makes annexation of the subject property infeasible given the current boundaries of the City of San Buenaventura, but at some time in the future a change of organization is anticipated to include the subject property within the City boundaries. In recognition of this fact, the water service agreement includes landowner consent to annex the property in the form of a covenant that is binding on all persons or legal entities succeeding to the owner's interest in and to the property.

Most of the subject property is designated as Prime or Statewide Importance on the State Department of Conservation Important Farmland Maps. However, since the latest maps were prepared (2006), the entire site has been developed as a public service yard and is thus no longer suitable for agricultural uses.

The County of Ventura is the lead agency under CEQA and prepared a Environmental Impact Report (EIR) for the general plan amendment and planned development permit that addressed impacts associated with development of the proposal area. The EIR is attached (Attachment 2).

The EIR determined that the following significant impact would be less than significant with the imposition of mitigation measures:

- Land use compatibilities between the proposed industrial use and existing agricultural uses.

The EIR determined that the following significant impacts could *not* be mitigated to less-than-significant levels:

- Permanent loss of a total of 24.9 acres of prime farmland due to conversion from an agricultural use to an urban use.
- Construction-related noise impacts.

As lead agency, the County adopted a mitigation monitoring plan to address the significant environmental impacts and adopted statements of overriding considerations for the unavoidable significant impacts relating to noise and agricultural resources. The mitigation monitoring plan adopted by the County is included in the EIR (Attachment 2) and the County's findings and statements of overriding considerations is included as Attachment 3.

It is recommended that the Commission review and consider the information in the EIR and adopt the County's mitigation measures, mitigation monitoring & reporting program, findings, and statements of overriding considerations (Attachments 3 and 4).

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: 

 Kim Uhlich, Executive Officer

- Attachments: (1)* Agreement for Extraterritorial Water Service between the City of San Buenaventura and the County of Ventura
 (2)* EIR for County of Ventura Saticoy Operations Yard
 (3)* Lead Agency Findings & Statements of Overriding Considerations
 (4) Resolution LAFCO 07-15 OASA

* These Attachments can be obtained by calling the LAFCO office at 654-2576 between 8:00 AM and 5:00 PM.

LAFCO 07-15 OASA

RESOLUTION OF THE VENTURA LOCAL AGENCY FORMATION COMMISSION MAKING DETERMINATIONS AND APPROVING THE OUT OF AGENCY WATER SERVICE AGREEMENT BETWEEN THE CITY OF SAN BUENAVENTURA AND THE COUNTY OF VENTURA (SATICOY OPERATIONS YARD)

WHEREAS, the above-referenced application and agreement have 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 as required by law; and

WHEREAS, the proposal was duly considered on January 16, 2008; 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, the lead agency's findings and statements of overriding considerations, Sphere of Influence and applicable local plans and policies; 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 San Buenaventura 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 Environmental Impact Report (EIR) prepared by the Lead Agency; and

WHEREAS the Commission has found that the EIR discloses impacts that are not significant or are mitigated to a level of insignificance; and

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

- (1) The LAFCO Staff Report and Recommendation for approval of the out of agency water service agreement dated January 16, 2008, is adopted.

- (2) The Commission has reviewed and considered the information contained in the EIR prepared by the County of Ventura as lead agency, and adopts the findings as set forth in Attachment 3 of the Staff Report; and the lead agency's mitigation measures, mitigation monitoring program, and statements of overriding considerations [CEQA Guidelines §15090, §15091, §15093, and §15096 (f)(g)(h)].
- (3) The Commission determines that there are no additional feasible mitigation measures or feasible alternatives, within the powers and authorities of LAFCO, which would substantially lessen or avoid any significant effect on the environment [CEQA Guidelines §15096(g)].
- (4) The Commission hereby adopts the lead agency's findings, statements of overriding considerations, mitigation measures, and mitigation monitoring and reporting program.
- (5) 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).
- (6) This approval shall not become effective until all LAFCO fees have been paid.**
- (7) The approval shall not become effective until the Extraterritorial Water Service Agreement has been recorded and a copy containing complete recording information has been filed with the Ventura LAFCO.**
- (8) If the City fails to initiate the provision of the authorized service within six (6) months of the date of this letter, the approval shall expire.**

This resolution was adopted on January 16, 2008.

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

NOES: None

ABSTAINED: None

Dated: _____
Chair, Ventura Local Agency Formation Commission

Copies: City of San Buenaventura
County of Ventura
United Water Conservation District

STAFF REPORT

Meeting Date: January 16, 2008

Agenda Item 9

TO: LAFCO Commissioners

FROM: Kai Luoma, Senior Analyst

SUBJECT: Amendment to Commissioner’s Handbook — Disclosure of Political Expenditures Policy

RECOMMENDATION:

Adopt the attached Resolution amending Division II of the Commissioner’s Handbook, adding Section 2.1.6 – Disclosure of Political Expenditures Policy

BACKGROUND

The Commissioner’s Handbook is the compilation of the Commission’s By-laws and policies and procedures. The current Handbook became effective on January 1, 2002 and was readopted on October 17, 2007. The Handbook is designed to be reviewed and updated periodically as the Commission may want to add or alter policies to deal with new or changed circumstances.

Since 2001, State law allows LAFCOs the option of adopting written policies to require disclosure of “expenditures for political purposes” and “contributions in support of or in opposition to” proposals for changes of organization initiated by petition. If such a policy is adopted, the required disclosures must be provided to either the LAFCO executive officer or to the Board of Supervisors. As of this point in time, the Ventura LAFCO has not chosen to exercise this option, which is the case for a majority of other LAFCOs as well.

As staff reported previously to the Commission, AB 745 was signed by the Governor last July and became effective January 1, 2008. The full text of the chaptered bill is included as Attachment 1. The legislation makes non-substantive changes to LAFCO law

COMMISSIONERS AND STAFF

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

(Government Code §56100.1) and adds new provisions (§56700.1 and §57009) that require disclosure of contributions and expenditures for political purposes *to Commissions with respect to any change of organization proposal, as well as contributions in support of or in opposition to any proposal at the conducting authority stage of the LAFCo process* (emphasis added). The primary change in law thus entails the following major components:

- Disclosure of expenditures and contributions must be made directly to LAFCO under the rules of the Political Reform Act, which requires disclosure once a person or group spends \$1,000. Enforcement authority is not granted to the Fair Political Practices Commission (FPPC); only LAFCo is authorized to enforce the new legislation, which can be done only through filing suit in a court of law.
- Expenditures and contributions made in conjunction with any change of organization proposal must be disclosed to LAFCo, regardless of whether the proposal is initiated by petition or resolution.
- Expenditures in excess of FPPC minimum limits made in support of or in opposition to proposals in conjunction with the protest proceedings process must also be disclosed to LAFCO.

DISCUSSION:

Due to the intricacies of the new legislation, staff recommends that the commission adopt implementing policies. A formal policy would clarify various terms and phrases in the new statute that, as written, can be subject to multiple interpretations. For instance, the Fair Political Reform Act requires disclosures to be made relative to an “election”. However, most LAFCo actions never result in an election. Therefore, the policy language proposes a definition of “election” as it applies to the LAFCo process (section (b) iii.). Such clarifications may serve to avoid future controversy regarding political disclosures. Following enactment of AB 745, a committee of CALAFCO attorneys prepared a model implementation policy, and the CALAFCO Board requested that the model be shared with all members for their consideration. This model serves as the basis for the attached policy language.

The model policy contains various alternatives for particular sections, which serve to either narrow or broaden the activities and expenditures that are subject to disclosure. The policy contains staff’s recommended alternatives. These alternatives are discussed below:

- Section (a) iv. – This section defines “political purposes”. A narrow definition of “political purposes” does not include expenditures for such activities as the preparation of a comprehensive fiscal analysis or CEQA document, including environmental impact reports. A broad definition would include these expenditures.

In the interest of full public disclosure, staff recommends, and has included in the proposed policy, a broad definition of “political purpose”. Preparation of documents such as a comprehensive fiscal analysis or EIR can cost hundreds of thousands of dollars. Such expenditures are directly related to the completeness of a matter before LAFCo and will be used to evaluate the proposal and in the final determination. Staff believes it is important to fully disclose to the public, staff, and the Commission what person, group, organization, or special interest has made such expenditures. This would apply to expenditures made by both proponents and opponents.

- Section (d) – This section discusses whether expenditures for campaign committees, mass mailings, and automated telephone calls are subject to reporting. Staff’s recommended policy does not subject these activities to reporting, as they would result in an excessive enforcement burden on staff. In addition, activities such as mass mailings and automated telephone calls are normally associated with ballot measures. Should a LAFCo matter be placed on a ballot, the enforcement of reporting lies with the Fair Political Practices Commission, not LAFCo.
- Section (e) – This section identifies where reports and disclosures are to be filed. In lieu of the LAFCo Executive Officer, the model policy provides an option for a County elections official to receive such disclosures on the behalf of LAFCo. Staff contacted officials with the County Clerk Recorder to request their consent to appoint the Assistant Registrar of Voters as the LAFCo Deputy Executive Officer for the purpose of receiving disclosure filings in conjunction with AB 745. Citing staffing shortfalls and workload constraints, Elections Division staff was unable to accommodate LAFCO’s request.

Attachments: (1) Assembly Bill 745, Chaptered
 (2) Resolution

**RESOLUTION OF THE VENTURA LOCAL AGENCY
FORMATION COMMISSION AMENDING DIVISION II,
OPERATIONAL POLICIES RELATING TO DISCLOSURE
OF POLITICAL EXPENDITURES**

WHEREAS, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56000 et seq.) requires each Local Agency Formation Commission (LAFCO) to adopt written policies and procedures; and

WHEREAS, the Ventura Local Agency Formation Commission (LAFCO) adopted a new and revised Commissioner's Handbook containing its written policies and procedures on January 1, 2002 and readopted it October 17, 2007, and

WHEREAS, the Commission desires to amend its general operational policies relating to the disclosure of political expenditures required by the passage of AB 745; and

WHEREAS, on January 16, 2008, the public had an opportunity to comment and the Commission considered amendment to the Commission's general operational policies;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED that the Ventura Local Agency Formation Commission hereby:

- (1) Amends Division 2 – Operational Policies, Chapter 1 – General, by adding Section 2.1.6 of the Commissioner's Handbook relating to the Disclosure of Political Expenditures as shown on Exhibit A.
- (2) Directs the Executive Officer to compile the amendment in the form of replacement pages for the Commissioner's Handbook and distribute them to interested parties.

This resolution was adopted on January 16, 2008.

AYES:

NOES:

ABSTAINS:

Dated: _____
Chair, Ventura Local Agency Formation Commission

Attachments: Exhibit A

EXHIBIT A

Recommended Addition of Ventura LAFCO Operational Policy Section 2.1.6

Commissioners' Handbook
DIVISION 2 – OPERATIONAL POLICIES
CHAPTER 1 - GENERAL

2.1.6 Disclosure of Political Expenditures Regarding LAFCo Proceedings:
Pursuant to Government Code Sections 56700.1 and 57009, effective January 1, 2008, expenditures for political purposes related to a proposal for a change of organization or reorganization and contributions in support of or in opposition to any proposal at the conducting authority stage of the LAFCO process are subject to the reporting and disclosure to the same extent as required for local initiative measures under the Political Reform Act, Government Code Section 81000 et seq., and the regulations of the Fair Political Practices Commission implementing that law.

Ventura LAFCO adopts the following reporting and disclosure requirements to implement Government Code Sections 56700.1 and 57009.

(a) Definitions

- i. "Contribution" as used herein shall have the same definition as provided in Government Code Section 82015, as amended.
- ii. "Expenditure" as used herein shall have the same definition as provided in Government Code Section 82025, as amended.
- iii. "Independent expenditure" as used herein shall have the same definition as provided in Government Code Section 82031, as amended, except that the term "measure" as used in Section 82031 shall be replaced with the term "proposal for change of organization or reorganization."
- iv. "Political Purposes" as used herein shall mean for the purpose(s) of:
(i) influencing public opinion; (ii) lobbying public officials; (iii) influencing legislative or administrative action as defined in Government Code § 82032; and/or, (iv) complying with legal requirements and LAFCO rules for the processing of a proposal, including, but not limited to and by way of example only, preparation of a comprehensive fiscal analysis for an incorporation (Government Code Section 56800) or documents necessary to comply with the California Environmental Quality Act, Public Resources Code Section 21000 et seq., such as a mitigated negative declaration or environmental impact report.

(b) Disclosure Requirements for Proposals for Change of Organization or Reorganization

- i. Any person or combination of persons who directly or indirectly makes expenditures or independent expenditures for political purposes totaling \$1,000 or more in support of, or in opposition to, a change of organization

- or reorganization submitted to the commission to which Government Code Section 56700.1 applies, shall comply with the reporting and disclosure requirements of the Political Reform Act (Government Code §§ 81000 et seq.), to the same extent and subject to the same requirements as for local initiative measures. Such reporting and disclosure requirements, except as otherwise excluded herein, extend to those required by the Fair Political Practices Commission Regulations regarding such disclosures and shall include disclosure of contributions, expenditures and independent expenditures.
- ii. Disclosures made pursuant to this Section shall be filed the commission's executive officer as designated in Section 5 below.
 - iii. For purposes of determining the deadlines by which such reports and disclosures must be filed, the term "election" as used in the Political Reform Act for determining such deadlines shall mean the date of the originally scheduled commission hearing on a proposal for organization or reorganization. If no hearing date has been scheduled at the time a person becomes subject to disclosure under this policy, he or she shall request that the executive officer establish a date to serve as the "election" date for this purpose. The executive officer shall establish a date, such as, but not limited to, the date which is 6 months after the first filing with the commission regarding the proposal, and inform the requestor of that date in writing.
 - iv. In the event the originally scheduled hearing date for the proposal for organization or reorganization is rescheduled or continued to a later date, the obligation to file continues reports shall be filed on or before the 10th day of each month following the original hearing date with respect to contributions and expenditures received in the previous calendar month up to and including the third calendar month following final action by the commission on the proposal.
- (c) Disclosure Requirements for Conducting Authority Proceedings
- i. Any person or combination of persons who directly or indirectly makes expenditures or independent expenditures for political purposes totaling \$1,000 or more related to conducting authority proceedings for a change of organization or reorganization to which Government Code Section 57009 applies, or in support of or in opposition to those conducting authority proceedings, shall comply with the reporting and disclosure requirements of the Political Reform Act (Government Code §§ 81000 et seq.), to the same extent and subject to the same requirements as for local initiative measures. Such reporting and disclosure requirements, except as otherwise excluded herein, extend to those required by the Fair Political Practices Commission Regulations regarding such disclosures and shall include disclosure of contributions, expenditures and independent expenditures.
 - ii. Disclosures made pursuant to this Section shall be filed with the commission's executive officer as designated in Section 5 below.

- iii. For purposes of determining the deadlines by which such reports and disclosures must be filed, the term “election” as used in the Political Reform Act for determining such deadlines shall mean the date of the originally scheduled conducting authority hearing on the proposal for a change of organization or reorganization. If no hearing date has been scheduled at the time a person becomes subject to disclosure under this policy, he or she shall request that the executive officer establish a date to serve as the “election” date for this purpose. The executive officer shall establish a date, such as, but not limited to, the date which is 6 months after the first filing with the commission regarding the proposal, and inform the requestor of that date in writing.
 - iv. In the event the originally scheduled conducting authority hearing date for a proposal for a change of organization or reorganization is rescheduled or continued to a later date, the obligation to file continues and reports shall be filed on or before the 10th day of each month following the original hearing date with respect to contributions and expenditures received in the previous calendar month up to and including the third calendar month following final action by the commission on the proposal.
- (d) Certain Reports and Disclosures Excluded: This policy requires only that the persons subject to it disclose via reports to the commission’s executive officer contributions, expenditures and independent expenditures with respect to expenditures for political purposes related to a proposal for an organization or reorganization and does not impose on such persons the regulations regarding the names of campaign committees, disclosures of the sources of mass mailings, and disclosures of the source of automated telephone calls under Government Code Sections 84501 et seq. and the regulations of the Fair Political Practices Commission implementing those sections.
- (e) Where to File: All reports and disclosures required hereunder shall be filed with the LAFCo Executive Officer.
- (f) Reporting requirements are non-exclusive: The disclosure and reporting requirements herein are in addition to any other requirements that may be otherwise applicable under provisions of the Political Reform Act or by local ordinance.
- (g) Sunset provision: This policy is intended to implement Government Code Sections 56700.1 and 57009 and shall be of no further force and effect upon the effective date of legislation repealing or amending those sections to transfer responsibility for enforcing disclosure of expenditures for political purposes affecting commission proceedings to the Fair Political Practices Commission or otherwise terminates the responsibility of this commission to adopt and implement this policy.



STAFF REPORT

Meeting Date: January 16, 2008

Agenda Item 10

**LAFCO CASE
NAME & NO:**

LAFCO 07-12 Calleguas Municipal Water District Annexation –
Ventura County Airports (Parcels A & B)

PROPOSAL:

To annex nine parcels, portions of four additional parcels, and a portion of the Pleasant Valley Road right of way to the Calleguas Municipal Water District. The purpose of the annexation is to allow for the provision of wholesale domestic water service to the City of Oxnard, which is the retail water provider to the Oxnard Airport and to the City of Camarillo, which is to be the retail water provider to the Camarillo Airport.

SIZE:

Parcel A: Approximately 329.19 acres

Parcel B: Approximately 2.58 acres

LOCATION:

Parcel A: Eight parcels and portions of four additional parcels with street addresses shown in the table below, and a portion of the Pleasant Valley Road right of way. Parcel A is within the boundaries of the City of Camarillo, United Water Conservation District, Fox Canyon Groundwater Management Agency, and a portion is within the Pleasant Valley Recreation & Park District. Parcel A is also within the sphere of influence of the Camarillo Sanitary District.

Parcel B: One parcel with street addresses shown in the table below. Parcel B is within the boundaries of the City of Oxnard, United Water Conservation District, Fox Canyon Groundwater Management Agency, and the Oxnard Harbor District.

COMMISSIONERS AND STAFF

COUNTY:

Linda Parks
Kathy Long
Alternate:
Steve Bennett

CITY:

Janice Parvin
John Zaragoza, Vice Chair
Alternate:
Carl Morehouse

SPECIAL DISTRICT:

Ted Grandsen
George Lange
Alternate:
Bill Lotts

PUBLIC:

Kenneth M. Hess, Chair
Alternate:
Louis Cunningham

EXECUTIVE OFFICER:

Kim Uhlich

SENIOR ANALYST

Kai Luoma

OFFICE MGR/CLERK:

Debbie Schubert

LEGAL COUNSEL:

Leroy Smith

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

Parcel	Assessor's Parcel	Property Address	Property Owner(s)
A	230-0-030-03	No street address	Daily Family Trust
A	230-0-030-085	333 Skyway Drive, Camarillo	Ventura County Community College District
A	230-0-030-13	500,550,560,570 Airport Way, 530 Horizon Circle, Camarillo	Ventura County Office of Education
A	230-0-030-11	545 Airport Way, Camarillo	Oxnard Union High School District
A	230-0-030-05	400 Skyway Drive, Camarillo	St. Demetrios Greek Orthodox Church
A	230-0-030-10	280, 300, 330 Skyway Drive, Camarillo	Oxnard Union High School District
A	230-0-030-15	No street address	County of Ventura
A	230-0-030-14	275 E. Pleasant Valley Road, Camarillo	Pleasant Valley Recreation & Park District
A	216-0-051-03 (portion)	No street address	County of Ventura
A	230-0-020-05 (portion)	555 Airport Way	County of Ventura
A	216-0-040-11 (portion)	No street address	County of Ventura
A	230-0-030-12 (portion)	No street address	County of Ventura
B	183-0-090-62	310, 320, and 330 Victoria Avenue, Oxnard	County of Ventura

PROPONENT: Calleguas Municipal Water District by resolution.

NOTICE: This matter has been noticed as a Public Hearing as prescribed by law.

RECOMMENDATIONS

[Parcel A]

- A. Certify that the Commission has reviewed and considered the information contained in the environmental impact report (EIR) for Airport Development in Accordance with the Draft Airport Master Plan Update at Camarillo Airport dated July, 1999 (State Clearinghouse No. 97121005) and prepared by the Ventura County Department of Airports; the Addendum to the EIR for Airport Development in Accordance with the Adopted Airport Master Plan Update at Camarillo Airport dated May, 2003 and prepared by the Ventura County Department of Airports; and the Second Addendum to the EIR for Airport Development in Accordance with the Adopted Airport Master Plan Update at Camarillo Airport dated November 12, 2007 prepared by the Calleguas Municipal Water District as a responsible agency, and adopt the lead agency's findings, mitigation measures, and mitigation monitoring program.

[Parcel B]

- B. Certify that the Commission has reviewed and considered the information contained in the Final Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Oxnard Airport Master Plan prepared by the Ventura County Department of Airports as lead agency; and the Addendum to Mitigated Negative Declaration for the Oxnard Airport Master Plan prepared by the Calleguas Municipal Water District as a responsible agency, and adopt the lead agency's findings, mitigation measures, and mitigation monitoring program.
- C. Adopt the attached resolution (LAFCO 07-12) making determinations and approving the LAFCO 07-12 Calleguas Municipal Water District Annexation – Ventura County Airports (Parcels A & B).

BACKGROUND

The primary purpose for the subject proposal is to accommodate a transfer of the source of domestic water at the Camarillo Airport from poor-quality groundwater to high quality imported water supplied to the City of Camarillo from the Calleguas Municipal Water District. Currently, the airport's groundwater does not meet standards for discharge to the Camarillo Sanitary District, which may soon incur financial penalties as a result of accepting wastewater from the various dischargers within the airport site. To remedy the problem, the City of Camarillo has taken over responsibility for operating the Camarillo Airport water distribution system from the County of Ventura. Although the Airport is currently within the boundaries of the City of Camarillo, it must be annexed to

the Calleguas Municipal Water District before the District will allow the City to provide water to the site.

The proposal area also includes annexation of a single parcel located at the Oxnard Airport to the Calleguas Municipal Water District. There are a number of existing hangers developed on this parcel which, like all other uses requiring domestic water at the Oxnard Airport, currently receive water from the City of Oxnard, which in turn receives water from Calleguas. However, due to a prior oversight, the parcel is not currently within the boundaries of the District and is thus being proposed for annexation to acknowledge the existing service connection. For more detail regarding the existing boundaries of the Calleguas Municipal Water District in the area of the Oxnard Airport, see Attachment 2 (Vicinity Map for Parcel B).

GENERAL ANALYSIS

1. Land Use

Site Information

Parcel	Land Use		Zone District Classification	General Plan Designation
	Existing	Proposed		
A	Various airport-related, public, and private uses	No Change	County: NA City: M1 (Light Manufacturing); RE (Rural Exclusive)	County: Urban City: Public, City Wide Park and Schools
B	Airport hangers	No Change	County: NA City: M-1-PD (Light Manufacturing Planned Development)	County: Urban City: AC (Airport Compatible)

No changes to the land use, zoning or County General Plan designations are required as part of the proposal.

Surrounding Land Uses and Zoning and General Plan Designations

This proposal will have no effect on surrounding land uses, zoning or general plan designations.

Conformity with Plans

Parcel A is within the City of Oxnard and Parcel B is within the City of Camarillo. As such, LAFCO policies provide that the respective city general plan takes precedence. The uses within the proposal area are consistent with the respective city general plan designations.

Parcel A is located within the City of Camarillo CURB and is not affected by the County's SOAR ordinance. Parcel B is located within the City of Oxnard CURB and is not affected by the County's SOAR ordinance.

Topography, Natural Features and Drainage

The proposal area consists of a number of developed lots. The overall slopes are less than five percent and drain to adjacent streets. There are no significant natural features.

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

Agricultural Land and Agriculture

The proposal area is currently developed with urban uses. There are no agricultural uses on any of the parcels. Some adjoining lands are under agricultural production; however no impacts to surrounding agricultural operations are anticipated to result from approval of the proposal.

None of the parcels are subject to a Land Conservation Act contract or a Farmland Security Zone agreement, and none are located within a greenbelt.

Open Space

None of the lots in the proposal area are considered open space pursuant to Government Code Sections 56059 and 65560, and the proposal will not impact open space lands.

3. Population

According to the County Registrar of Voters, there is one registered voter in the proposal area. As such, the annexation 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

With regard to Parcel A, a report entitled *Distribution System Hydraulic Analysis for the Goundwater Treatment Facility and Airport Addition* submitted with the LAFCo application indicates that the City has sufficient domestic water capacity to serve the Camarillo Airport site through at least the year 2025. According to Calleguas Municipal Water District and the City of Oxnard, Parcel B of the proposal area can be served adequately through existing domestic water supplies.

5. Boundaries and Lines of Assessment

The boundaries of the proposal area are definite and certain. However, according to the map and legal description for Parcel A, the proposal area boundaries do not entirely coincide with lines of assessment or ownership.

The Commissioner's Handbook policy concerning lines of ownership and assessment states:

3.1.3.2 Conformance with lines of ownership and assessment: LAFCO shall modify, condition or disapprove proposals creating boundaries that are not definite and certain or do not conform to lines of assessment or ownership.

The reason that the proposal area boundaries do not coincide with parcel boundaries is to reduce the Calleguas Municipal Water District's stand-by fee that must be paid by the County of Ventura Department of Airports (which is charged on a per-acre basis).

Given that the Commission has waived Policy 3.1.3.2 for past proposals filed by public agencies for a public benefit such as the cities of Fillmore and Santa Paula for their water recycling facilities, staff recommends that the Commission grant a waiver in the case for the subject proposal.

The map and legal description for this proposal have been forwarded to the County Surveyor but have not yet been certified as being accurate and sufficient for the preparation of a Certificate of Completion pursuant to Government Code Section 57201 and for filing with the State Board of Equalization. As such, the attached Resolution includes a condition that predicates recordation of the proposal (completion of annexation proceedings) upon the approval of a map and legal description by the County Surveyor.

6. Assessed Value, Tax Rates and Indebtedness

According to the County Assessor, the proposal area takes in tax rate areas 07063, 07083, 07208, 75058, and 77016 for Parcel A and 03185 for Parcel B. Upon completion of proceedings, three new tax rate areas will be assigned in addition to three existing tax rate areas. However the current tax rate of will remain the same upon annexation.

The assessed land value of each lot per the 2007 - 2008 tax roll is:

Assessor's Parcel Number	Property Address	Property Owner(s)	Assessed Land Value
230-0-030-03	No street address	Daily Family Trust	\$8,000
230-0-030-085	333 Skyway Drive, Camarillo	Ventura County Community College District	0
230-0-030-13	500,550,560,570 Airport Way, 530 Horizon Circle, Camarillo	Ventura County Office of Education	0
230-0-030-11	545 Airport Way, Camarillo	Oxnard Union High School District	0
230-0-030-05	400 Skyway Drive, Camarillo	St. Demetrios Greek Orthodox Church	\$75,847
230-0-030-10	280, 300, 330 Skyway Drive, Camarillo	Oxnard Union High School District	0
230-0-030-15	No street address	County of Ventura	0
230-0-030-14	275 E. Pleasant Valley Road, Camarillo	Pleasant Valley Recreation & Park District	0
216-0-051-03 (portion)	No street address	County of Ventura	0
230-0-020-05 (portion)	555 Airport Way	County of Ventura	0
216-0-040-11 (portion)	No street address	County of Ventura	0
230-0-030-12 (portion)	No street address	County of Ventura	0
183-0-090-62	310, 320, and 330 Victoria Avenue, Oxnard	County of Ventura	0
TOTAL			\$83,847

7. Environmental Impact of the Proposal

Parcel A

As the lead agency under CEQA, the Ventura County Department of Airports prepared an EIR (Environmental Impact Report for Airport Development in Accordance with the Draft Airport Master Plan Update at Camarillo Airport dated July, 1999 (State Clearinghouse No. 97121005)) (Attachment 3) and an EIR Addendum for Airport Development in Accordance with the Adopted Airport Master Plan Update at Camarillo Airport dated May, 2003 (included in Attachment 3) that addressed impacts associated with development of Parcel A of the proposal area. The County certified the final EIR on November 2, 1999 and approved the addendum on July 22, 2003.

The EIR determined that the following significant impacts would be less than significant with the imposition of mitigation measures:

- Short-term (construction-related) air quality impacts.
- Project-specific and cumulative impacts to Las Posas Road/Daily Drive ramp intersection and the Las Posas Road/Highway 101 southbound ramp intersection.
- Cumulative impacts to surface water quality, surface water quantity, groundwater quality, and groundwater quantity.
- Project-specific impacts to cultural resources.

The County adopted a mitigation monitoring plan (Attachment 4) to address the significant environmental impacts. The County's EIR findings are included as Attachment 5 and the findings associated with the EIR Addendum are included as Attachment 6.

For the Calleguas annexation proposal specifically, the Calleguas Municipal Water District prepared a second EIR Addendum for Airport Development in Accordance with the Adopted Airport Master Plan Update at Camarillo Airport dated November 12, 2007 (Attachment 7). This second addendum was adopted by the District Board on November 21, 2007.

It is recommended that the Commission review and consider the following as part of the proposal:

The Environmental Impact Report for Airport Development in Accordance with the Draft Airport Master Plan Update at Camarillo Airport dated July, 1999, the EIR Addendum for Airport Development in Accordance with the Adopted Airport Master Plan Update at Camarillo Airport dated May, 2003, the second EIR Addendum for Airport Development in Accordance with the Adopted Airport Master Plan Update at Camarillo Airport dated November 12, 2007,

and adopt the County's mitigation measures, mitigation monitoring and reporting program, and findings.

Parcel B

As the lead agency under CEQA, the Ventura County Department of Airports prepared an MND (Final Mitigated Negative Declaration for the Oxnard Airport Master Plan), which was approved by the Board of Supervisors on February 8, 2005 (Attachment 8). The MND identified potentially significant but mitigable impacts relating to historic resources, below-ground hazardous materials, and a cumulative impact to the County's regional road network. The mitigation monitoring plan is included as Attachment 8. The County's findings are included as Attachment 9. For the Calleguas annexation proposal specifically, the Calleguas Municipal Water District prepared a MND Addendum for the Oxnard Airport Master Plan (Attachment 10). This addendum was adopted by the District Board on November 21, 2007.

It is recommended that the Commission review and consider the information in the MND and addendum and adopt the attached County and Calleguas findings, mitigation measures and the mitigation monitoring and reporting program.

8. Regional Housing Needs

According to the California Housing and Community Development Department the City of Camarillo adopted an updated General Plan Housing Element on November 19, 2003 and completed State review for compliance on December 16, 2003 and the City of Oxnard adopted an updated General Plan Housing Element on December 19, 2000 and completed State review for compliance on May 10, 2001. The annexation proposal area is developed consistent with the City's General Plan. Therefore, the proposal will have no effect on the fair share of the regional housing needs for the cities of Camarillo and Oxnard.

9. Landowner and Annexing Agency Consent

Consent to annex from all property owners has not been provided. As there is not 100 percent consent of all the landowners involved, the Commission's action is subject to notice, hearing, as well as conducting authority (protest) proceedings. Thus, all landowners and all registered voters within the proposal area and within 300 feet of the exterior boundary of the proposal area have received notice of the January 16 hearing and, if the Commission approves the

proposal, these parties will receive a subsequent notice describing the proposal and how protests may be filed. Authority to conduct the protest proceeding has been delegated to the LAFCO Executive Officer.

The proposal area is considered to be uninhabited and, as such, only landowner protests may be considered as part of the protest proceedings. Depending on the number of eligible landowner protests received during the protest proceedings, the annexation will either be finalized or will be brought back to the Commission for ordering termination.

Any subject agency that wishes to reserve its right to protest a LAFCO decision (for those decisions subject to protest proceedings) must submit written opposition to the waiver (GC § 56663). The only subject agency associated with the proposal is the applicant, the Calleguas Municipal Water District, thus no opposition to waiver of protest proceedings is anticipated.

10. Environmental Justice

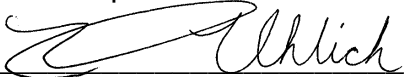
Beginning January 1, 2008, Government Code §56668(o) requires that LAFCo consider the extent to which proposals for changes of organization will promote environmental justice. As defined in the statute, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services.

While staff is not aware of any specific intent to *promote* environmental justice in the determination of the subject proposal area boundaries or in the decision to transfer water service delivery responsibility for the Camarillo Airport from the County to the City of Camarillo, to annex the Camarillo Airport to the Calleguas Municipal Water District, and to annex one parcel at the Oxnard Airport to the Calleguas Municipal Water District, 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 domestic water within the proposal area.

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.

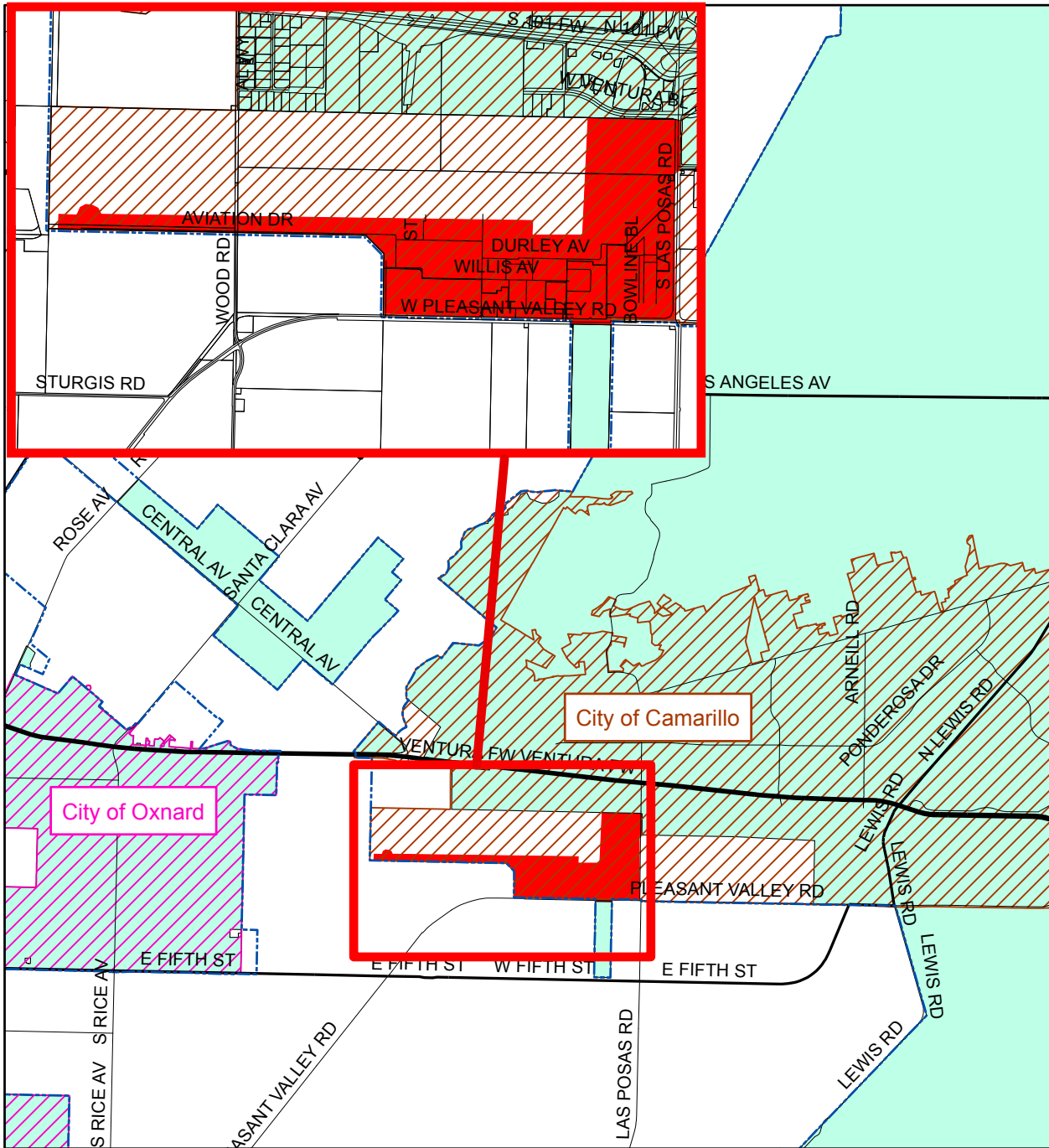
- B. If the Commission, following public testimony and review of materials submitted, wishes to deny or modify this proposal, a motion to deny or modify should include direction that the matter be continued to the next meeting and that staff prepare a new report consistent with the evidence submitted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

BY: 
Kim Uhlich, Executive Officer

- Attachments*:
- (1) Vicinity Map, Parcel A
 - (2) Vicinity Map, Parcel B
 - (3) EIR and EIR Addendum for Airport Development in Accordance with the Adopted Airport Master Plan Update at Camarillo Airport
 - (4) Mitigation Monitoring & Reporting Program for Camarillo Airport master Plan Update
 - (5) Ventura County Board of Supervisors Certification of EIR for Camarillo Airport Master Plan and associated findings
 - (6) Ventura County Board of Supervisors Certification of EIR Addendum for Camarillo Airport Master Plan and associated findings
 - (7) Second EIR Addendum for Airport Development in Accordance with the Adopted Airport Master Plan Update at Camarillo Airport and Resolution of the Calleguas MWD adopting the Addendum
 - (8) Final Mitigated Negative Declaration (MND) for the Oxnard Airport Master Plan and Mitigation Monitoring & Reporting Program
 - (9) Ventura County Board of Supervisors Review and Adoption of the MND for the Oxnard Airport Master Plan
 - (10) MND Addendum for the Oxnard Airport Master Plan and Resolution of the Calleguas MWD adopting the Addendum
 - (11) LAFCO 07-12 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 and attachments to this staff report are available for viewing at the LAFCO office by request.

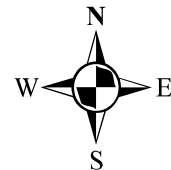
ATTACHMENT 1



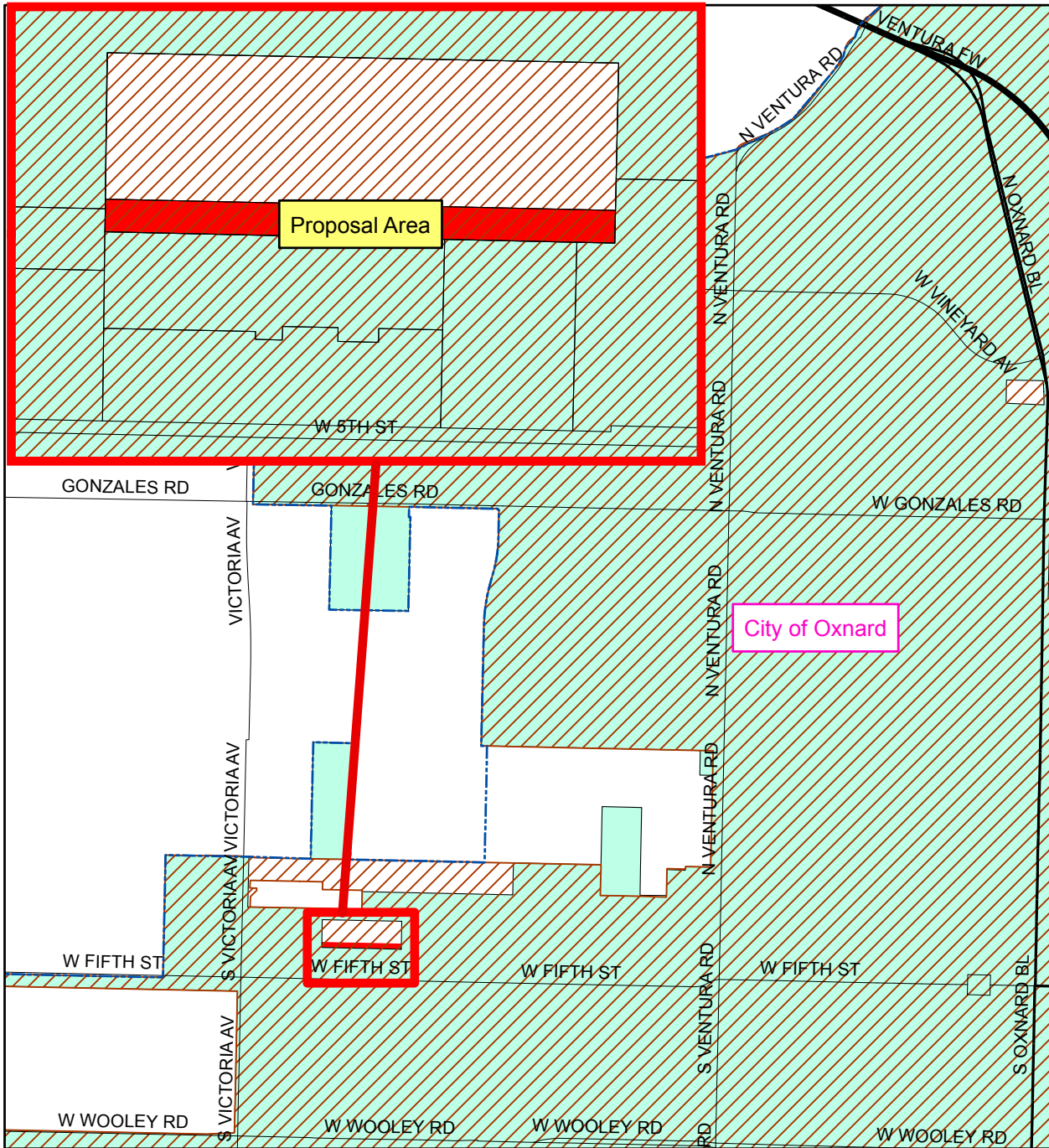
Vicinity Map
LAFCO 07-12 - Calleguas Municipal Water District
Annexation - Ventura County Airports (Parcel A)
Map 1 of 2

Legend

-  Calleguas MWD Sphere
-  Calleguas MWD






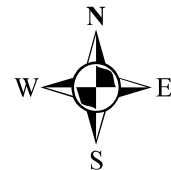
ATTACHMENT 2



Vicinity Map
LAFCO 07-12 - Calleguas Municipal Water District
Annexation - Ventura County Airports (Parcel B)
Map 2 of 2

Legend

-  Calleguas MWD Sphere
-  Calleguas MWD
-  City of Oxnard



LAFCO 07-12

**RESOLUTION OF THE VENTURA LOCAL AGENCY
FORMATION COMMISSION MAKING DETERMINATIONS
AND APPROVING THE CALLEGUAS MUNICIPAL WATER
DISTRICT ANNEXATION – VENTURA COUNTY
AIRPORTS (PARCELS A & B)**

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

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

WHEREAS, the proposal was duly considered on January 16, 2008; 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, and applicable local plans and policies; and

WHEREAS, not all landowners within the affected territory have consented to the proposal; and

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

WHEREAS, the Local Agency Formation Commission finds the proposal to be in the best interest of the landowners and present and future inhabitants within the Calleguas Municipal Water District and within the affected territory, and the organization of local governmental agencies within Ventura County; and

WHEREAS, for Parcel A, the Commission certifies that it has reviewed and considered the EIR prepared by the Lead Agency; and

WHEREAS the Commission has found that the EIR discloses impacts that are not significant or are mitigated to a level of insignificance; and

WHEREAS, for Parcel B, 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 of the proposal dated January 16, 2008, is adopted.
- (2) The annexation to the Calleguas Municipal Water District, with boundaries as generally set forth in the attached Exhibit A, is hereby approved subject to conducting authority proceedings as prescribed in Government Code Sections 57000 to 57090.
- (3) The affected territory is uninhabited as defined by Government Code §56046.
- (4) The subject proposal is assigned the following distinctive short form designation: **LAFCO 07-12 CALLEGUAS MUNICIPAL WATER DISTRICT ANNEXATION – VENTURA COUNTY AIRPORTS (PARCELS A & B).**
- (5) The Commission has reviewed and considered the information contained in the Environmental Impact Report for Airport Development in Accordance with the Draft Airport Master Plan Update at Camarillo Airport prepared by the County of Ventura Department of Airports as lead agency, and adopts the findings as set forth in Attachment 5 of the Staff Report; the Addendum to the EIR for Airport Development in Accordance with the Draft Airport Master Plan Update at Camarillo Airport prepared by the County of Ventura Department of Airports, and adopts the findings as set forth in Attachment 6 of the Staff Report; the Second Addendum to the EIR for Airport Development in Accordance with the Draft Airport Master Plan Update at Camarillo Airport prepared by the Calleguas Municipal Water District, and adopts the findings set forth in Attachment 7 of the Staff Report; and the

lead agency's Mitigation Measures and Mitigation Monitoring Program [CEQA Guidelines §15090, §15091, §15093, and §15096 (f)(g)(h)].

- (6) The Commission determines that there are no additional feasible mitigation measures or feasible alternatives, within the powers and authorities of LAFCO, which would substantially lessen or avoid any significant effect on the environment [CEQA Guidelines §15096(g)].
- (7) The Commission, as a responsible agency, has reviewed and considered the information contained in the Final Mitigated Negative Declaration for the Oxnard Airport Master Plan prepared by the County of Ventura Department of Airports as lead agency and the Addendum to the Mitigated Negative Declaration for the Oxnard Airport Master Plan prepared by the Calleguas Municipal Water District.
- (8) The Commission adopts the findings of the County and Calleguas Municipal Water District that, on the basis of the whole record, there is no substantial evidence that the project will have a significant effect on the environment.
- (9) The Commission hereby adopts the findings of the County and Calleguas Municipal Water District findings (Attachments 9 and 10 of the Staff Report), mitigation measures and mitigation monitoring and reporting program.
- (10) 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).
- (11) The Executive Officer is hereby directed to conduct protest proceedings in accordance with Government Code Section 57050.
- (12) The Commission hereby delegates to the Executive Officer the authority to determine the amount of the protest pursuant to Government Code Section 57075(b).
- (13) This annexation shall not be recorded until and unless Calleguas Municipal Water District provides the Executive Officer with a certified copy of a resolution by Calleguas Municipal Water District accepting the terms and conditions of Metropolitan Water District of**

Southern California and directing the annexation of the proposal area depicted on Exhibit A.

- (14) This 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.**
- (15) This annexation shall not be recorded until a map and legal description consistent with this approval and suitable for filing with the State Board of Equalization have been submitted to the LAFCO Executive Officer.**

This resolution was adopted on January 16, 2008.

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

NOES: None

ABSTAINED: None

Dated: _____
Chair, Ventura Local Agency Formation Commission

Attachments: Exhibit A

Copies: Calleguas Municipal Water District
Ventura County Assessor
Ventura County Auditor
Ventura County Surveyor
Ventura County Planning
Ventura County Elections – Registrar of Voters