

REVISED



VENTURA LOCAL AGENCY FORMATION COMMISSION
STAFF REPORT

Meeting Date: May 17, 2023

TO: LAFCo Commissioners

FROM: Kai Luoma, Executive Officer 

SUBJECT: Sphere of Influence Review:
 LAFCo 23-09S Oxnard Harbor District

Recommendations:

- A. Determine that the action to review the sphere of influence for the Oxnard Harbor District (OHD or District) is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines.
- B. Adopt Resolution LAFCo 23-09S (Attachment 2) making determinations and reviewing the sphere of influence for the District pursuant to Government Code Section 56425(g), including that a sphere of influence update is not necessary.

Background:

Pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56000 et seq.), the Commission was required to determine and adopt a sphere of influence (or “sphere”) for each city and special district on or before January 1, 2008. A sphere of influence is defined in Government Code Section 56076 as the probable physical boundary and service area of a local agency, as determined by the Commission. Every five years thereafter, the Commission must, as necessary, review and update each sphere of influence (Government Code Section 56425(g)).

In compliance with Government Code Section 56425(g), the Commission accepted a Municipal Service Review (MSR) report on September 19, 2007, for the District, entitled *Municipal Service Review – Oxnard Harbor District*.

LAFCo’s past sphere of influence reviews resulted in a review without modification in 2007, modifications of (i.e., updates to) the sphere in 2012, and a review without modification in 2017.

COMMISSIONERS AND STAFF

COUNTY	CITY	DISTRICT	PUBLIC
Jeff Gorell	Jenny Crosswhite, Vice-Chair	Raul Avila	Pat Richards, Chair
Janice S. Parvin <i>Alternate</i>	John C. Zaragoza <i>Alternate</i>	Mary Anne Rooney <i>Alternate</i>	<i>Alternate</i>
Matt LaVere	Susan Santangelo	Mohammed A. Hasan	David J. Ross
Executive Officer Kai Luoma	Deputy Executive Officer Andrea Ozdy	Office Manager/Clerk Richelle Beltran	Legal Counsel Jeffrey Barnes

Discussion:

District Information

The OHD, formed in 1937 as an independent district and governed by a 5-member board of commissioners, owns and operates the Port of Hueneme. Its jurisdictional area includes most of the land area within the City of Oxnard sphere of influence, all of the land area within the City of Port Hueneme and the unincorporated communities of El Rio, Nyeland Acres, Silver Strand, Hollywood Beach and Hollywood by the Sea. The District's sphere of influence covers approximately 22,972 acres (about 36 square miles), and its jurisdictional boundary covers approximately 21,793 acres (about 34 square miles) (Attachment 1).

Sphere of Influence Evaluation

A sphere of influence update is defined in Section 4.1.2(b) of the Ventura LAFCo Commissioner's Handbook as "a comprehensive review and modification of a sphere of influence that is not associated with a concurrent proposal for a change of organization or an out of agency service agreement."

Based on the work plan established by the Commission, review/update of the District's sphere of influence was to be initiated during 2022. LAFCo staff consulted with District staff to discuss the sphere of influence, and to determine: (1) if the District has experienced any changes to its service needs or areas since LAFCo's most recent evaluation of its sphere of influence, and (2) if the District staff anticipates any service changes that would warrant adjustment of the sphere boundaries.

The following discussion includes a summary of Commission actions regarding sphere of influence reviews/updates pertaining to the District. The existing sphere of influence boundary continues to reflect the District's current and probable service area. Therefore, no changes to the sphere of influence for the District are recommended.

On September 19, 2007, the Commission reviewed, but did not update, the District's sphere of influence. On May 16, 2012, the Commission updated the District's sphere of influence, adjusting it to align with and include all of the territory within the City of Oxnard's sphere of influence (except for the offshore area). On November 15, 2017, the Commission reviewed, but did not update, the District's sphere of influence.

Written Determinations

Government Code Section 56425(e) requires that, in determining the sphere of influence of an agency, the Commission consider and prepare a written statement of its determinations with respect to each of the following:

Staff Report – Sphere of Influence Review

LAFCo 23-09S – Oxnard Harbor District

May 17, 2023

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- (1) *The present and planned land uses in the area, including agricultural and open-space lands.* (Section 56425(e)(1))

The District's sphere of influence consists of a range of uses, including urban development within the City of Oxnard and City of Port Hueneme, Naval Base Ventura County within the City of Port Hueneme, and residential, commercial, rural, and open space land surrounding the City of Oxnard. Anticipated residential development projects within the District's sphere of influence are expected to result in population growth within the District's sphere. Based on the land use designations and characteristics of the land contained within the District's sphere, existing land uses are otherwise expected to remain relatively unchanged.

- (2) *The present and probable need for public facilities and services in the area.* (Section 56425(e)(2))

The District's sphere of influence consists of a range of uses, including urban development within the City of Oxnard and City of Port Hueneme, Naval Base Ventura County within the City of Port Hueneme, and residential, commercial, rural, and open space land surrounding the City of Oxnard. Based on an evaluation of the District including consultation with District staff, the existing need for District facilities and services will remain, and continued demand for services is expected.

- (3) *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.* (Section 56425(e)(3))

The District's sphere of influence consists of a range of uses, including urban development within the City of Oxnard and City of Port Hueneme, Naval Base Ventura County within the City of Port Hueneme, and residential, commercial, rural, and open space land surrounding the City of Oxnard. Based on an evaluation of the District including consultation with District staff, the present capacity of public facilities and adequacy of public services appear to be adequate, and the District appears to have the ability to continue to provide services within its service area and sphere of influence.

- (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.* (Section 56425(e)(4))

A disadvantaged unincorporated community is defined as a community with an annual median household income that is less than 80 percent of the statewide annual median household income (Government Code § 56033.5). According to Ventura LAFCo Commissioner's Handbook Section 3.2.5, Ventura LAFCo has identified Nyeland Acres (within the City of Oxnard's sphere of influence to the north of the city), the Piru community, and Saticoy (within the City of San Buenaventura's sphere of influence to the east of the city) as disadvantaged unincorporated communities. The District's sphere of influence includes the community of Nyeland Acres, which is a territory known to be a

disadvantaged unincorporated community. The Garden Acres Mutual Water Company and Nyeland Acres Mutual Water Company provide water services to Nyeland Acres. However, the community is within the District's sphere of influence, indicating that the Nyeland Acres community is within the probable physical boundary and service area of the District. The sphere of influence review would not result in any changes to the District's sphere, nor would it have a detrimental impact to any social or economic communities of interest.

(5) *For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection. . . the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.*
(Section 56425(e)(5))

The review of the District's sphere of influence is not considered an update (i.e., a modification) to the sphere.

California Environmental Quality Act (CEQA)

A project is defined in CEQA Section 21065, in part, as "an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment." Staff recommends that the Commission find that the review of the District's sphere of influence is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines, because "it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment." No change in regulation, land use, or development will occur as a result of the recommended sphere of influence review.

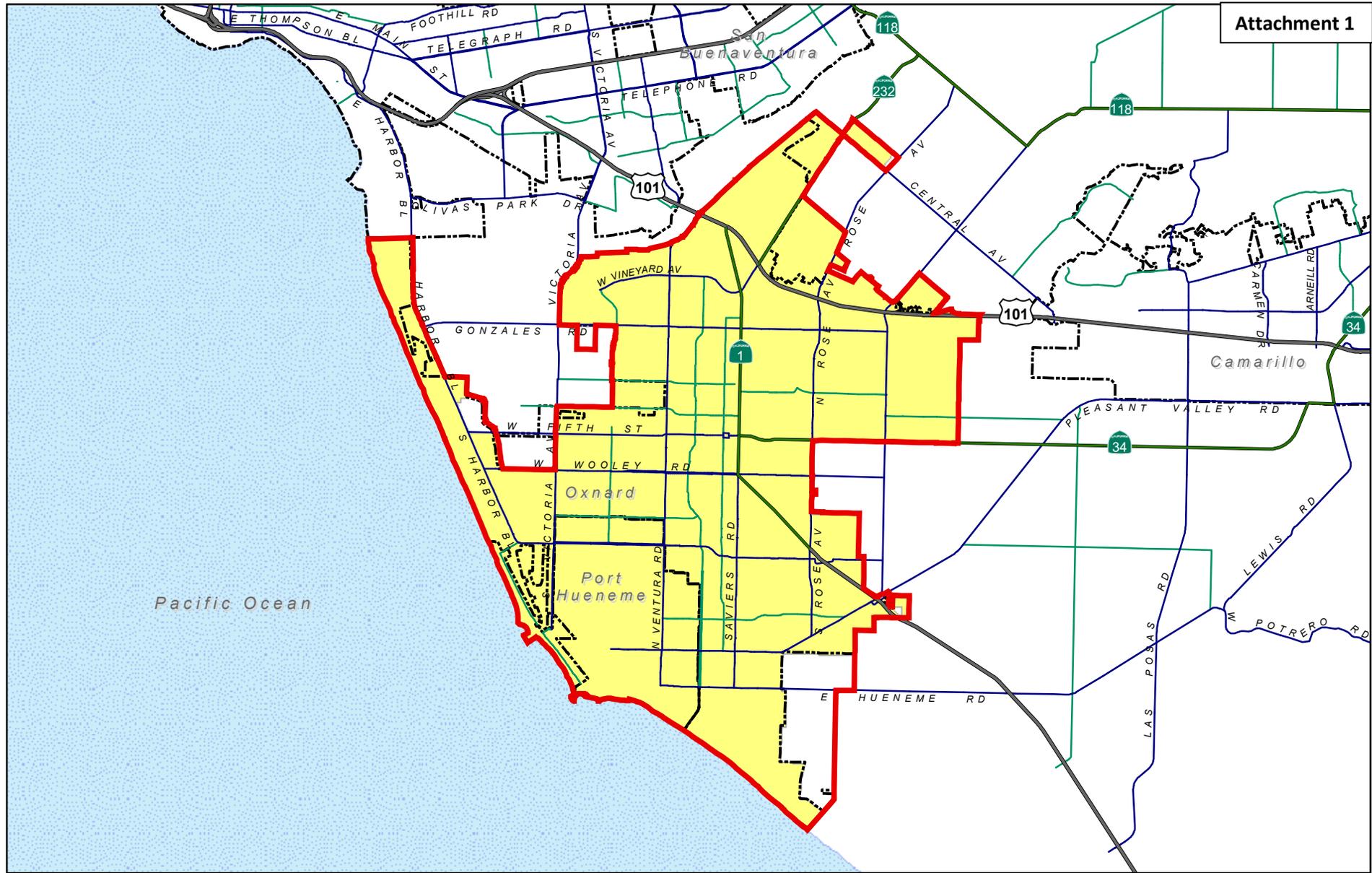
Notice of Public Hearing

This matter has been noticed as a public hearing pursuant to Government Code Section 56427. Additionally, all affected agencies have been notified of the public hearing.

Attachments:

1. Existing Sphere of Influence Map for Oxnard Harbor District
2. LAFCo 23-09S Resolution

LAFCo makes every effort to offer legible map files with the online and printed versions of our reports; however, occasionally 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.



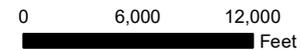
Oxnard Harbor District

Current as of August 27, 2018

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



Legend

- District Sphere - 22,972.02 acres
- District Boundary - 21,793.79 acres



LAFCO 23-09S

**RESOLUTION OF THE VENTURA LOCAL AGENCY FORMATION
COMMISSION MAKING DETERMINATIONS AND REVIEWING
THE SPHERE OF INFLUENCE FOR THE OXNARD HARBOR
DISTRICT**

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

WHEREAS, Government Code § 56425(g) requires that on or before January 1, 2008, and every five years thereafter, the Commission shall, as necessary, review and update the sphere of influence of each city and special district; and

WHEREAS, the Commission accepted the Municipal Service Review (MSR) report for the District dated September 19, 2007.

WHEREAS, the Commission reviewed the sphere of influence for the Oxnard Harbor District (District) in 2007, updated (i.e., made modifications to) the sphere in 2012, and reviewed the sphere in 2017;

WHEREAS, the Commission desires to review the sphere of influence for the District; and

WHEREAS, no change in regulation, land use, or development will occur as a result of reviewing the sphere of influence for the District; and

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

WHEREAS, the sphere of influence review item was duly considered at a public hearing on May 17, 2023, as specified in the notice of hearing; and

WHEREAS, the Commission heard, discussed, and considered all oral and written testimony for and against the sphere of influence review including, but not limited to, the LAFCo Staff Report dated May 17, 2023, and recommendations; and

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

- (1) The LAFCo Staff Report dated May 17, 2023, and recommended review of the sphere of influence for the District are adopted; and
- (2) The subject sphere of influence review is assigned the following distinctive short form designation:
LAFCO 23-09S OXNARD HARBOR DISTRICT SPHERE OF INFLUENCE REVIEW; and
- (3) An update (modification) to the sphere of influence for the District is not necessary; and
- (4) The sphere of influence review for the District is exempt from the California Environmental Quality Act (CEQA) pursuant to § 15061(b)(3) of the CEQA Guidelines, and LAFCo staff is directed to file a Notice of Exemption as the lead agency pursuant to § 15062 of the CEQA Guidelines; and
- (5) 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. (§ 56425(e)(1))*

The District's sphere of influence consists of a range of uses, including urban development within the City of Oxnard and City of Port Hueneme, Naval Base Ventura County within the City of Port Hueneme, and residential, commercial, rural, and open space land surrounding the City of Oxnard. Anticipated residential development projects within the District's sphere of influence are expected to result in population growth within the District's sphere. Based on the land use designations and characteristics of the land contained within the District's sphere, existing land uses are otherwise expected to remain relatively unchanged.

b. *The present and probable need for public facilities and services in the area. (§ 56425(e)(2))*

The District's sphere of influence consists of a range of uses, including urban development within the City of Oxnard and City of Port Hueneme, Naval Base

Ventura County within the City of Port Hueneme, and residential, commercial, rural, and open space land surrounding the City of Oxnard. Based on an evaluation of the District including consultation with District staff, the existing need for District facilities and services will remain, and continued demand for services is expected.

c. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide. (§ 56425(e)(3))*

The District's sphere of influence consists of a range of uses, including urban development within the City of Oxnard and City of Port Hueneme, Naval Base Ventura County within the City of Port Hueneme, and residential, commercial, rural, and open space land surrounding the City of Oxnard. Based on an evaluation of the District including consultation with District staff, the present capacity of public facilities and adequacy of public services appear to be adequate, and the District appears to have the ability to continue to provide services within its service area and sphere of influence.

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. (§ 56425(e)(4))*

A disadvantaged unincorporated community is defined as a community with an annual median household income that is less than 80 percent of the statewide annual median household income (Government Code § 56033.5). According to Ventura LAFCo Commissioner's Handbook Section 3.2.5, Ventura LAFCo has identified Nyeland Acres (within the City of Oxnard's sphere of influence to the north of the city), the Piru community, and Saticoy (within the City of San Buenaventura's sphere of influence to the east of the city) as disadvantaged unincorporated communities. The District's sphere of influence includes the community of Nyeland Acres, which is a territory known to be a disadvantaged unincorporated community. The Garden Acres Mutual Water Company and Nyeland Acres Mutual Water Company provide water services to Nyeland Acres. However, the community is within the District's sphere of influence, indicating

that the Nyeland Acres community is within the probable physical boundary and service area of the District. The sphere of influence review would not result in any changes to the District's sphere, nor would it have a detrimental impact to any social or economic communities of interest.

- e. ***For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection. . . the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence. (§ 56425(e)(5))***

The review of the District's sphere of influence is not considered an update (i.e., a modification) to the sphere.

- (6) The sphere of influence for the District is hereby reviewed and is generally depicted in Exhibit A, "Oxnard Harbor District," attached hereto; and
- (7) LAFCo staff is directed to have the official Geographic Information System (GIS) sphere of influence data maintained for the Ventura LAFCo by the Ventura County Information Technology Services Department as the official sphere of influence record for the District updated consistent with this action.

This resolution was adopted on May 17, 2023.

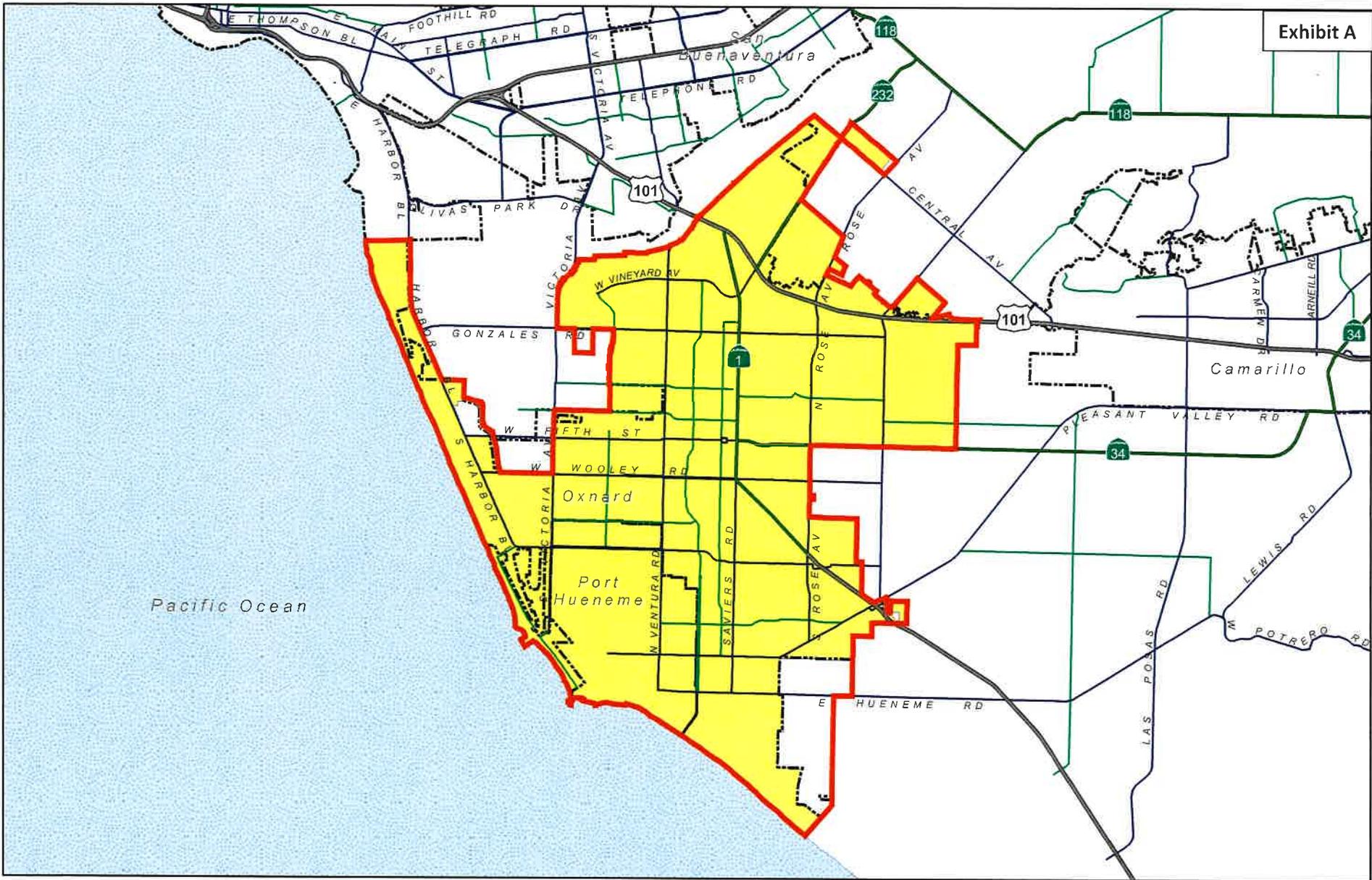
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Commissioner Crosswhite	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Commissioner Rooney	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Zaragoza	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Alt. Commissioner Hasan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Alt. Commissioner Santangelo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

5-17-23
Date

Pet Richards
Chair, Ventura Local Agency Formation Commission

Attachment: Exhibit A

c: Oxnard Harbor District
Ventura County Information Technology Services Department



Oxnard Harbor District

Current as of August 27, 2018

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



Legend

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