



VENTURA LOCAL AGENCY FORMATION COMMISSION
STAFF REPORT

Meeting Date: February 16, 2022

TO: LAFCo Commissioners

FROM: Andrea Ozdy, Deputy Executive Officer *Andrea Ozdy*

SUBJECT: Sphere of Influence Review:
 LAFCo 22-08S Ventura County Service Area No. 30

Recommendations:

- A. Determine that the action to review the sphere of influence for Ventura County Service Area No. 30 (CSA 30 or District) is exempt from the California Environmental Quality Act (CEQA) pursuant to § 15061(b)(3) of the CEQA Guidelines.
- B. Adopt Resolution LAFCo 22-08S (Attachment 2) making determinations and reviewing the sphere of influence for CSA 30 pursuant to Government Code § 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 § 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 § 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 § 56425(g)).

In compliance with Government Code § 56425(g), the Commission accepted a Municipal Service Review (MSR) report on December 12, 2003, for the District, entitled *Water and Wastewater Municipal Service Review Report*, which addressed agencies within the Santa Clara River watershed.

LAFCo’s past sphere of influence reviews resulted in the following: (1) a review (i.e., no changes) of the sphere in 2004, (2) a review of the sphere in 2009, and (3) a review of the sphere in 2014.

COMMISSIONERS AND STAFF

COUNTY	CITY	DISTRICT	PUBLIC
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Carmen Ramirez, Vice-Chair	Janice Parvin	Mary Anne Rooney, Chair	
<i>Alternate</i>	<i>Alternate</i>	<i>Alternate</i>	<i>Alternate</i>
Matt LaVere	John C. Zaragoza	John R. (Jack) Curtis	David J. Ross
Executive Officer	Deputy Executive Officer	Office Manager/Clerk	Legal Counsel
Kai Luoma	Andrea Ozdy	Richelle Beltran	Alberto Boada

Discussion:

District Information

CSA 30 is a dependent special district formed in 1965 that, through the Ventura County Water and Sanitation Department, provides wastewater collection services within the unincorporated community of Nyeland Acres and, by contract with the City of Oxnard, wastewater treatment and disposal services. Nyeland Acres is located immediately northeast of the City of Oxnard's city limits. CSA 30's sphere of influence covers approximately 175 acres (about 0.27 square mile), and its boundary is coterminous with its sphere of influence boundary (Attachment 1). The Ventura County Board of Supervisors is the governing body of the District.

Current Sphere of Influence Review

LAFCo staff consulted with the District's general manager (i.e., the Director of the Water and Sanitation Department of the Ventura County Public Works Agency) to discuss the District's 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 existing sphere of influence boundary continues to reflect the District's current and probable service area, and is justified based on the MSR report¹ which demonstrates that the District has the ability to provide urban services at acceptable levels. Therefore, no changes to the sphere of influence for the District are recommended.

Written Determinations

Government Code § 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:

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

The sphere of influence of CSA 30 is coterminous with its service area, and includes the community of Nyeland Acres. This area is also within the City of Oxnard's sphere of influence and includes several parcels located within the City. The territory is designated for urban uses by the general plans of the County and the City. Based on the land use designations and characteristics of this area, the existing uses of the land are expected to

¹ The MSR report is included as Agenda Item 15 for Commission consideration at the Commission's February 16, 2022, meeting. The staff recommendation regarding the sphere of influence is based, in part, on the information provided in the draft MSR report.

remain unchanged. The area is largely developed and is not anticipated to experience notable growth.

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

CSA 30 provides wastewater collection services within its service area and, by contract with the City of Oxnard, wastewater treatment and disposal services. This area is also within the City of Oxnard's sphere of influence and includes several parcels located within the City. The territory is designated for urban uses by the general plans of the County and the City. Based on the land use designations and characteristics of this area, the existing uses of the land are expected to remain unchanged. The area is largely developed and is not anticipated to experience notable growth. Based on the evaluation contained in the MSR prepared by LAFCo, the District has the ability to continue to provide municipal services within its service area and sphere of influence.

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

CSA 30 provides wastewater collection services within its service area and, by contract with the City of Oxnard, wastewater treatment and disposal services. Based on the land use designations and characteristics of this area, the existing uses of the land are expected to remain unchanged. The area is largely developed and is not anticipated to experience notable growth. There are no known new demands on the District that would adversely impact the present capacity of public facilities and adequacy of public services that the District provides or is authorized to provide. Based on the evaluation contained in the MSR prepared by LAFCo, the District has the ability to continue to provide municipal 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. (§ 56425(e)(4))*

The District's sphere of influence includes territory known to be a disadvantaged unincorporated community (i.e., Nyeland Acres). CSA 30 supports this community by providing the safe and sanitary collection and disposal of wastewater. Therefore, the sphere of influence update would not result in 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. (§ 56425(e)(5))*

The review of the District's sphere of influence is not considered an update (i.e., a modification) to the sphere. However, it is worth noting that the District's sphere of influence includes the community of Nyeland Acres, which is a territory known to be a disadvantaged unincorporated community. CSA 30 supports the Nyeland Acres community by providing the safe and sanitary collection and disposal of wastewater.

California Environmental Quality Act (CEQA)

A project is defined in CEQA § 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 § 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. The draft resolution contains a finding that the proposed action is exempt from CEQA.

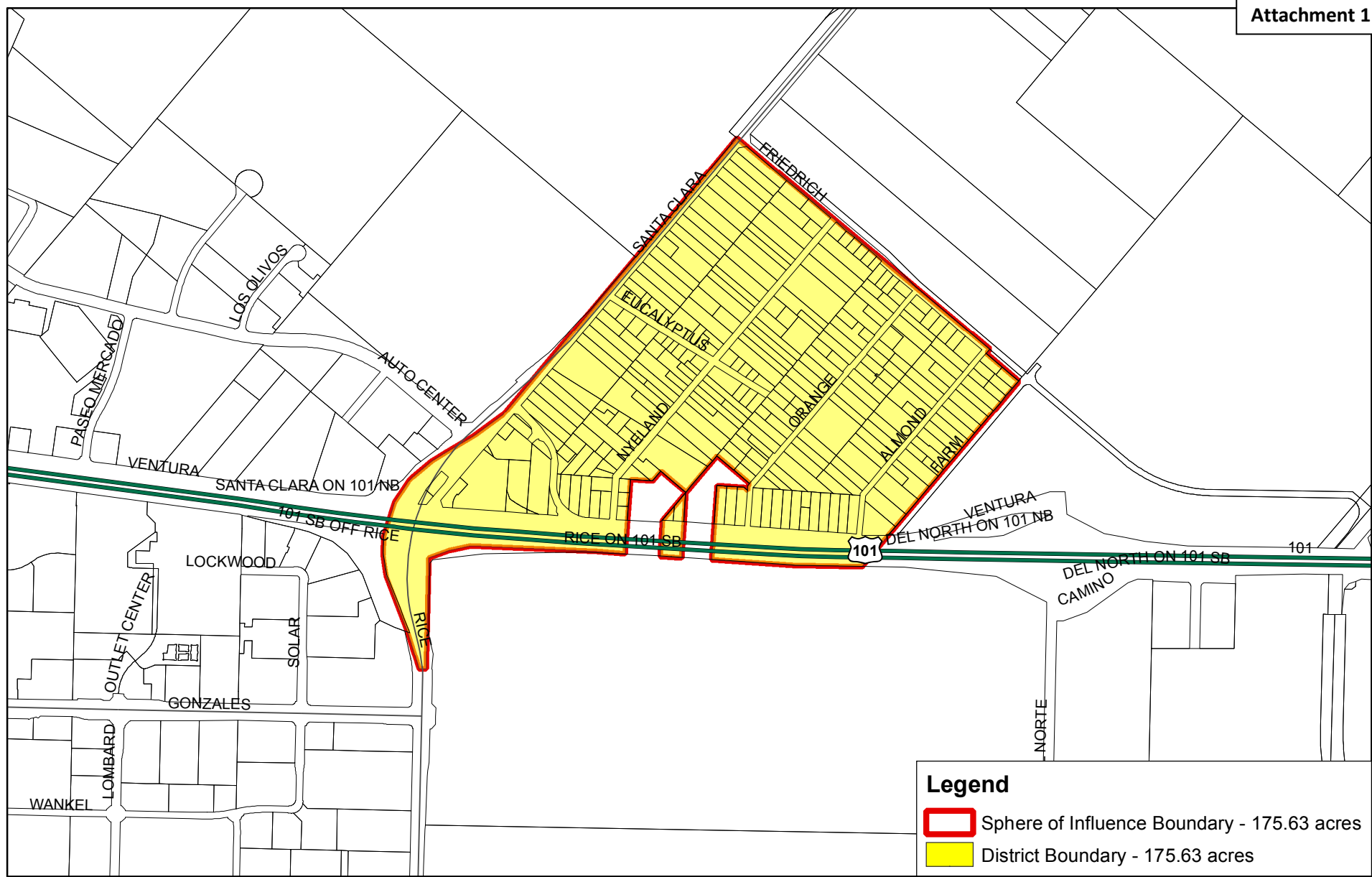
Notice of Public Hearing

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



Attachments:

1. Existing Sphere of Influence Map for CSA 30
2. LAFCo 22-08S 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.



Legend

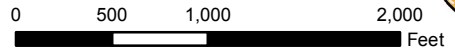
-  Sphere of Influence Boundary - 175.63 acres
-  District Boundary - 175.63 acres

Ventura County Service Area No. 30

Current as of July 16, 2014

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



LAFCO 22-08S

RESOLUTION OF THE VENTURA LOCAL AGENCY FORMATION COMMISSION MAKING DETERMINATIONS AND REVIEWING THE SPHERE OF INFLUENCE FOR VENTURA COUNTY SERVICE AREA NO. 30

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 reviewed the sphere of influence for Ventura County Service Area No. 30 (CSA 30 or District) in 2004, reviewed the sphere in 2009, and reviewed the sphere in 2014;

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 February 16, 2022, 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 February 16, 2022, and recommendations; and

WHEREAS, the Commission accepted the Municipal Service Review report for the District dated February 16, 2022.

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

- (1) The LAFCo Staff Report dated February 16, 2022, 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 22-08S VENTURA COUNTY SERVICE AREA NO. 30 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 sphere of influence of CSA 30 is coterminous with its service area, and includes the community of Nyeland Acres. This area is also within the City of Oxnard's sphere of influence and includes several parcels located within the City. The territory is designated for urban uses by the general plans of the County and the City. Based on the land use designations and characteristics of this area, the existing uses of the land are expected to remain unchanged. The area is largely developed and is not anticipated to experience notable growth.

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

CSA 30 provides wastewater collection services within its service area and, by contract with the City of Oxnard, wastewater treatment and disposal services. This area is also within the City of Oxnard's sphere of influence and includes several parcels located within the City. The territory is designated for urban uses

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

CSA 30 provides wastewater collection services within its service area and, by contract with the City of Oxnard, wastewater treatment and disposal services. Based on the land use designations and characteristics of this area, the existing uses of the land are expected to remain unchanged. The area is largely developed and is not anticipated to experience notable growth. There are no known new demands on the District that would adversely impact the present capacity of public facilities and adequacy of public services that the District provides or is authorized to provide. Based on the evaluation contained in the MSR prepared by LAFCo, the District has the ability to continue to provide municipal 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))*

The District's sphere of influence includes territory known to be a disadvantaged unincorporated community (i.e., Nyeland Acres). CSA 30 supports this community by providing the safe and sanitary collection and disposal of wastewater. Therefore, the sphere of influence update would not result in 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))

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- (6) The sphere of influence for the District is hereby reviewed and is generally depicted in Exhibit A, "Ventura County Service Area No. 30," 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 February 16, 2022.

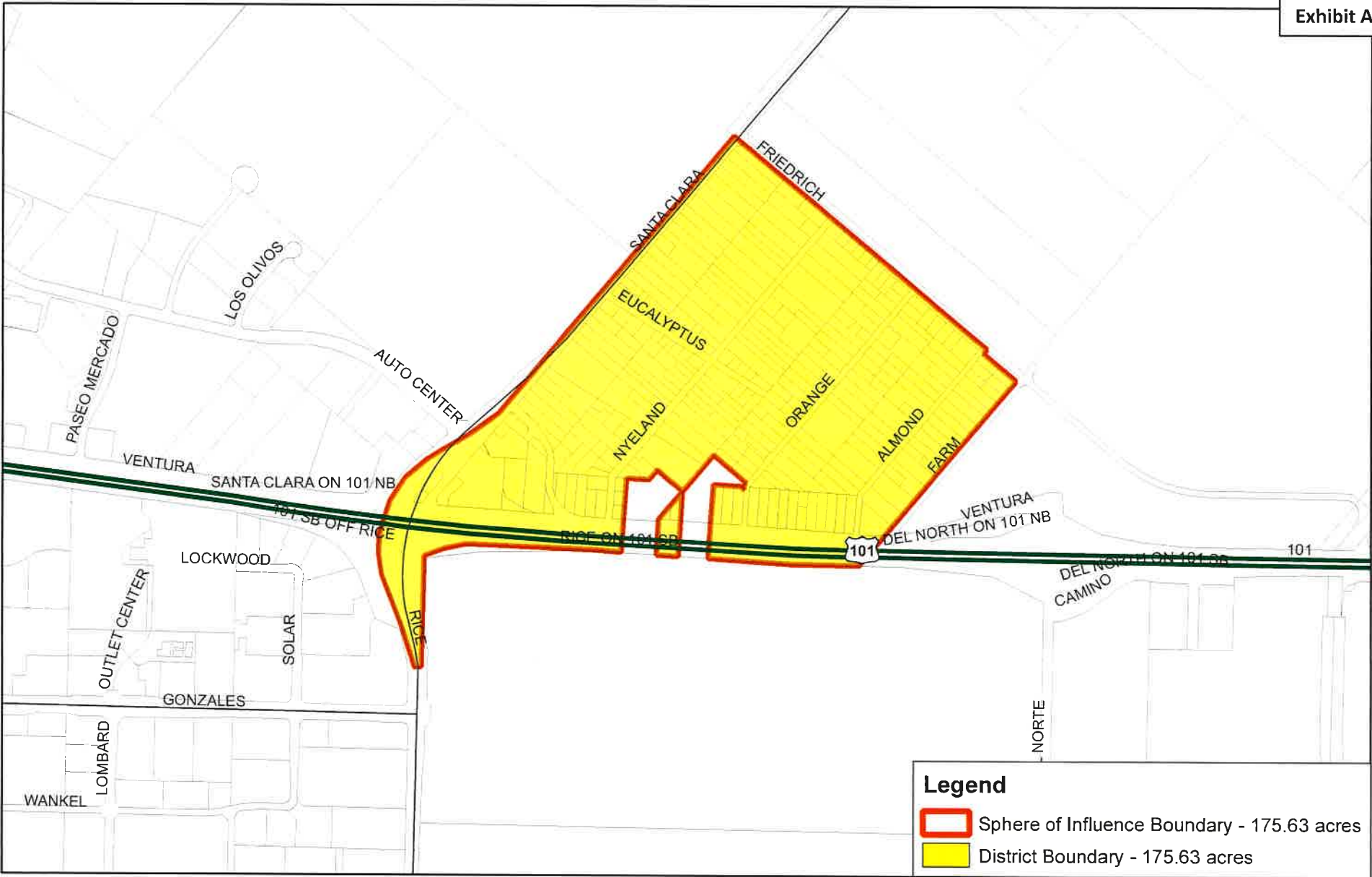
	AYE	NO	ABSTAIN	ABSENT
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Commissioner Freeman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Parks	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Parvin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Ramirez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Richards	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Rooney	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Curtis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner La Vere	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Ross	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Zaragoza	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2-16-2022
February 16, 2022



Carmen Ramirez
Chair, Ventura Local Agency Formation Commission

Attachment: Exhibit A

c: Ventura County Service Area No. 30
Ventura County Information Technology Services Department



Legend

-  Sphere of Influence Boundary - 175.63 acres
-  District Boundary - 175.63 acres

Ventura County Service Area No. 30

Current as of July 16, 2014

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