

Ventura Local Agency Formation Commission

Ventura County Service Area No. 32

Municipal Service Review



Prepared By:
Ventura Local Agency Formation Commission
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Introduction

Purpose of the Municipal Service Review

Local Agency Formation Commissions (LAFCo) exist in each county in California and were formed for the purpose of administering state law and local policies relating to the establishment and revision of local government boundaries. According to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (California Government Code § 56000 et seq.), LAFCo's purposes are to:

- discourage urban sprawl;
- preserve open space and prime agricultural land;
- ensure efficient provision of government services; and
- encourage the orderly formation and development of local agencies.

To achieve these purposes, LAFCos are responsible for coordinating logical and timely changes in local government boundaries (such as annexations), conducting special studies that identify ways to reorganize and streamline governmental structure, and determining a sphere of influence for each city and special district over which they have authority.

A **sphere of influence** is a plan for the probable physical boundaries and service area of a local agency, as determined by LAFCo (Government Code § 56076). Beginning in 2001, each LAFCo was required to review, and as necessary, update the sphere of each city and special district on or before January 1, 2008, and every five years thereafter (Government Code § 56425(g)). Government Code § 56430(a) provides that in order to determine or update a sphere of influence, LAFCo shall prepare a **Municipal Service Review (MSR)** and make written determinations relating to the following seven factors:

1. Growth and population projections for the affected area.
2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.
3. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the sphere of influence.
4. Financial ability of agencies to provide services.
5. Status of, and opportunities for, shared facilities.
6. Accountability for community service needs, including governmental structure and operational efficiencies.
7. Any other matter related to effective or efficient service delivery, as required by Commission policy.

MSRs are not prepared for counties, but are prepared for special districts including those governed by a county Board of Supervisors. Additionally, while LAFCos are authorized to prepare studies relating to their role as boundary agencies, they have no investigative authority.

LAFCo staff prepared this MSR for Ventura County Service Area No. 32 (CSA or CSA 32) using information obtained from multiple sources, including, but not limited to:

- **MSR Questionnaire:** A questionnaire supplied by LAFCo elicited general information about CSA 32 (e.g., contact information, governing body, financial information), as well as service-specific data;
- **Budget:** The adopted budget provided information regarding services and funding levels;
- **General Plans:** The County General Plan provided information regarding land use, populations, and service levels;
- **District Documents:** Various CSA 32 documents provided supplementary information relating to service provision;
- **Historical MSR:** The 2004 MSR provided certain data that remain relevant and accurate for inclusion in the current MSR;
- **District Website:** CSA 32's website (i.e., the County's website) provided supplementary and clarifying information; and
- **District Staff:** CSA 32 staff provided supplementary and clarifying information.

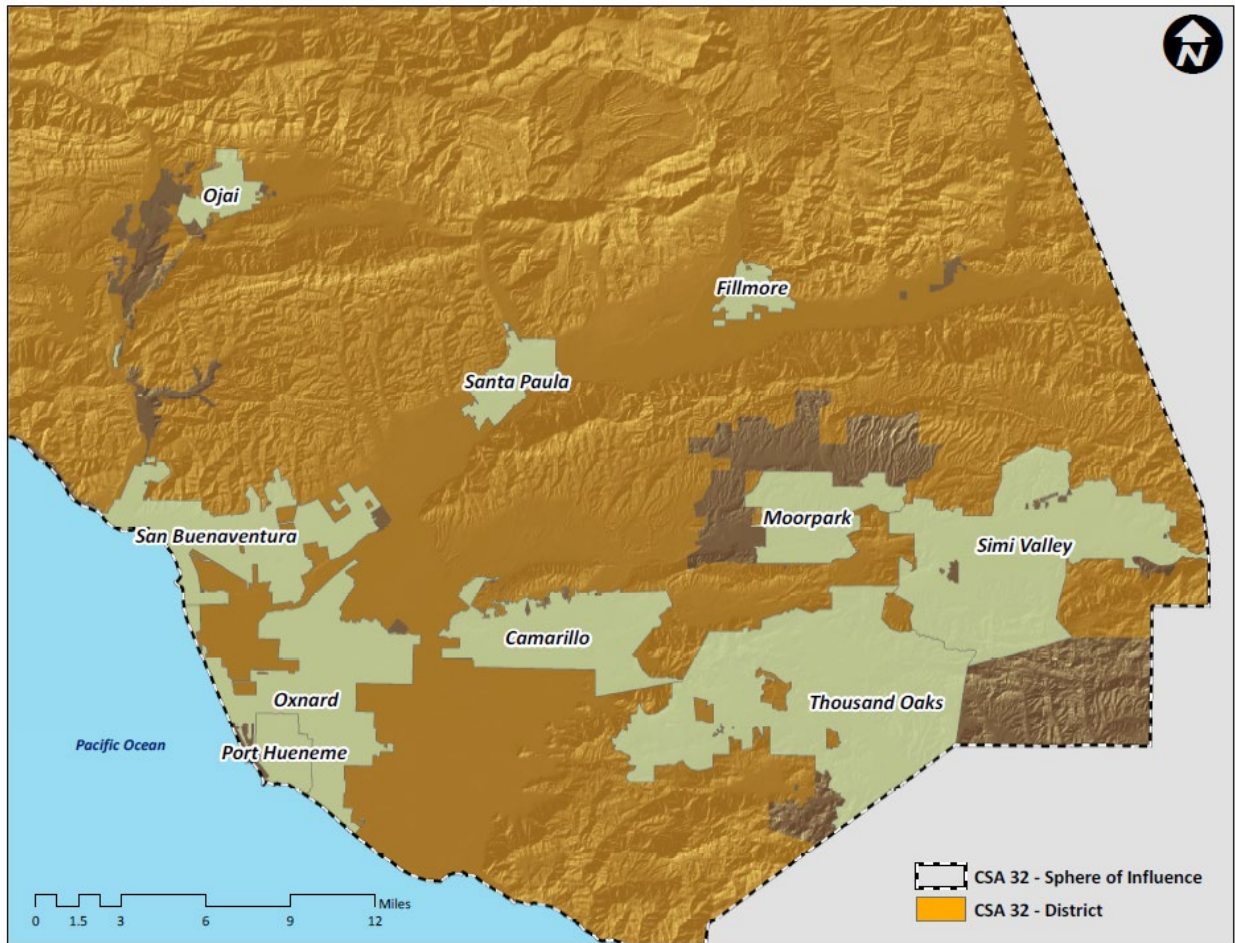
Organization of the MSR

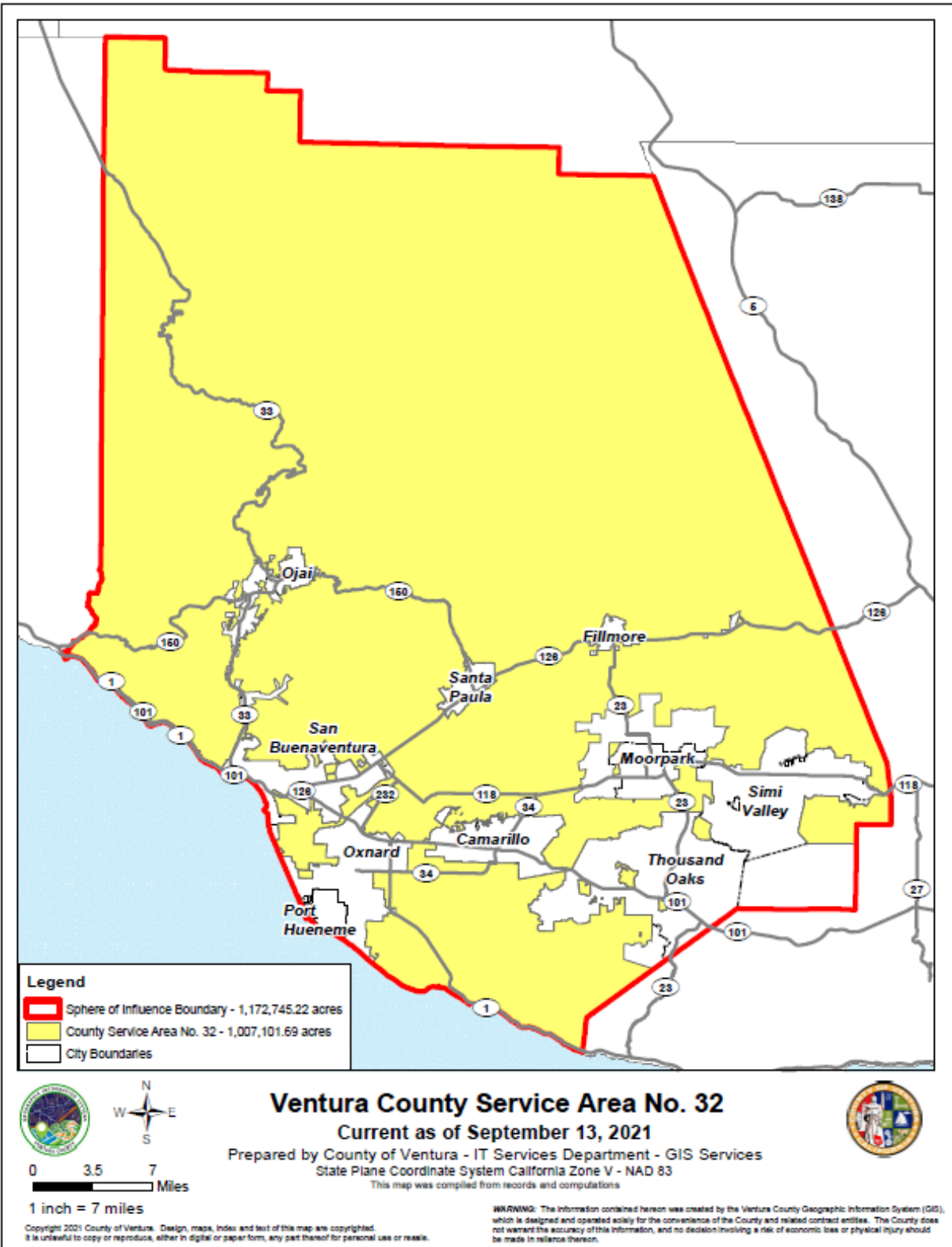
This report is organized into several sections, as follows:

- **Maps:** A general location map and the official LAFCo map of CSA 32;
- **Profile:** Summary profile of information about CSA 32, including contact information, governing body, summary financial information, and staffing levels;
- **Growth and Population Projections:** Details of past, current, and projected population for CSA 32;
- **Review of Municipal Services:** Discussion of the municipal services that CSA 32 provides;
- **Sphere of Influence:** Discussion of the existing sphere of influence of CSA 32 and potential modifications to the sphere; and
- **Written Determinations:** Recommended determinations for each of the seven mandatory factors for CSA 32.

The Commission's acceptance of the MSR and adoption of written determinations will be memorialized through the adoption of a resolution that addresses each of the seven mandatory factors based on the Written Determinations section of the MSR.

Maps





Profile

Ventura County Service Area No. 32 (CSA 32), a dependent district of the County of Ventura, does not have a mission statement. However, the Ventura County Resource Management Agency, Environmental Health Division (EHD), which administers the activities of CSA 32, operates according to the following mission statement of the Resource Management Agency:

The mission of the Resource Management Agency, in cooperation with the public and our partner agencies, is to protect the consumer and community's health, safety and environment by carrying out adopted laws and policies, and educating, assisting and empowering Ventura County residents and businesses to be good stewards of the land and our resources.

CSA 32, through the EHD, was formed in 1982 to ensure the adequate operation of onsite wastewater treatment systems (OWTSs) within the Santa Monica Mountains. In 1985, its boundaries were expanded to include most of unincorporated Ventura County. Today, CSA 32 implements a program for the inspection, operation, maintenance, repair, construction, and reconstruction of septic systems in all areas of Ventura County that are outside cities and sanitation districts.

Contact Information

District Manager	Charles Genkel
District Office	800 S. Victoria Avenue Ventura, CA 93009 (Third Floor)
Mailing Address	800 S. Victoria Avenue Ventura, L# 1730, CA 93009
Phone Number	(805) 654-2813
Website	https://vcrma.org/divisions/environmental-health
E-mail Address	charles.genkel@ventura.org

Governance Information

Formation Date	June 15, 1982
Legal Authority	<u>Government Code Section 25210</u> (County Service Areas)
Type of District	Dependent
Board of Directors	Five members. Board of Directors consists of the Ventura County Board of Supervisors. Elected by voting district to staggered, four-year terms of office (elections held in even-numbered years).
Board Meetings	<u>Tuesdays as scheduled</u> , beginning at 8:30 a.m., in the Board of Supervisors Hearing Room located at 800 S. Victoria Avenue, Ventura, CA 93009. Webcast live on the County's website, and available for viewing anytime on the County's website.

Services Provided

CSA 32 is authorized to provide the inspection, operation, maintenance, repair, construction, and reconstruction of private OWTs within unincorporated Ventura County.

Population and Area Information

	<i>Population</i> ¹	<i>Area (square miles)</i>
Jurisdictional Area	100,564	1,573
Sphere of Influence Area	823,262	1,832

Staffing – Full Time Equivalent Positions²

Executive/Management	Professional/Support	Operational	Total
1	5	0	6

Revenues

Primary Revenue Sources

Property Taxes

Charges for services⁴

Revenue Use of Money and Property⁵

FY 2020-21 Revenues (Budget)

\$6,745

Expenditures

Primary Expenses

Supplies/services³

FY 2020-21 Expenditures (Budget)⁶

\$23,235

¹ 2010 U.S. Census data

² Source: District staff. CSA 32 is staffed by EHD. The duties associated with each of the positions listed involves all of the projects and activities managed by the EHD including those associated with CSA 32. Therefore, the number of employees identified above does not reflect full-time positions assigned to CSA 32.

³ Includes costs associated with services provided by EHD and Public Works Agency staff.

⁴ Includes payment of \$325 associated with each application for EHD to evaluate and certify an existing onsite wastewater treatment system.

⁵ Interest earnings on investments.

⁶ According to Ventura County Resource Management Agency staff, the difference between revenues and expenditures is currently covered by existing fund balance. The fund balance cannot continue to support the difference over the long term; therefore, staff will evaluate revenues and expenditures associated with the goal of ensuring that fund balance will not be depleted.

Public Agencies with Overlapping Jurisdiction

Bardsdale Cemetery District	Pleasant Valley County Water District
Blanchard/Santa Paula Library District	Pleasant Valley Recreation and Park District
Camarillo Health Care District	Rancho Simi Recreation and Park District
Camarillo Sanitary District	United Water Conservation District
Camrosa Water District	Ventura County Air Pollution Control District
Conejo Recreation and Park District	Ventura County Fire Protection District
El Rancho Simi Cemetery District	Ventura County Resource Conservation District
Fillmore-Piru Memorial District	Ventura County Service Area No. 14
Fox Canyon Groundwater Management Agency	Ventura County Service Area No. 34
Gold Coast Transit District	Ventura County Transportation Commission
Hidden Valley Municipal Water District	Ventura County Watershed Protection District
Metropolitan Water District of Southern California	Ventura County Waterworks District No. 1
Ojai Valley Sanitary District	Ventura County Waterworks District No. 8
Oxnard Drainage District No. 1	Ventura County Waterworks District No. 17
Oxnard Drainage District No. 2	Ventura County Waterworks District No. 19
Oxnard Harbor District	Ventura County Waterworks District No. 38
Piru Public Cemetery District	Ventura Regional Sanitation District

Growth and Population Projections

LAFCo is required to project the growth and population for the affected area (Government Code § 56430(a)(1)).

According to the *2020-2045 Regional Transportation Plan/Sustainable Communities Strategy* (adopted by the Southern California Association of Governments in September 2020) growth forecast, the population of unincorporated Ventura County was estimated to be 98,200 in 2016 and is anticipated to grow to 101,300 by 2040. Because CSA 32's service area includes only unincorporated areas and the unincorporated County area is gradually shrinking (i.e., annexation of territory to cities occurs routinely and detachments from cities are extremely rare), consideration of the population of CSA 32's sphere of influence (which covers the County as a whole) is unnecessary.

Review of Municipal Services

The review of CSA 32's services is based on provisions of state law which require LAFCo to make determinations regarding the present and planned capacity of public facilities, the adequacy of public services, infrastructure needs and deficiencies, and the District's financial ability to provide these services (Government Code § 56430(a)(3)).

Wastewater Services

CSA 32 provides a mechanism for monitoring and maintenance of onsite wastewater treatment systems (OWTSs) consisting of alternative sewage disposal systems and industrial systems (and excluding conventional septic systems) within unincorporated Ventura County. Implementation of the program occurs through the following process: (1) an owner of property to be served by alternate or industrial sewage disposal systems submits to CSA 32 staff (i.e., EHD staff) an agreement to grant an easement to the County for access to the property as well as for inspection, operation, maintenance, repair, construction, and reconstruction of the system; (2) the County rejects the offer of the easement; (3) the County reserves the right to accept the offer of the easement in the future; and (4) in cases where EHD staff cannot gain access to the property to perform the services described above, the County Board of Supervisors will accept the easement to allow EHD staff access. CSA 32 charges a \$325 one-time fee to process the application for certification of existing OWTS/offer to grant an easement.

According to EHD staff, CSA 32 has processed a total of approximately 680 offers to grant an easement, but has not accepted any of the offers. To date, whenever EHD identifies a problem with an OWTS, it works collaboratively with the property owner to remedy the issue, without the need to activate the authority provided in an easement. If, in the future, EHD would need to gain access to property through an easement (i.e., if the property owner is uncooperative and refuses to allow EHD staff access to the property), any costs incurred by EHD staff would be passed along to the property owner(s) receiving the service. In such cases, any earthwork and related activity is expected to be performed by the Ventura County Public Works Agency (PWA), through an agreement with the EHD.

Sphere of Influence

There have been no changes to the CSA 32's service area that would require alterations to its sphere of influence boundary, and no changes are anticipated in the foreseeable future.

Written Determinations

The Commission is required to prepare a written statement of its determinations with respect to each of the subject areas provided below (Government Code § 56430(a)).

1. Growth and population projections for the affected area

According to the *2020-2045 Regional Transportation Plan/Sustainable Communities Strategy* (adopted by the Southern California Association of Governments in September 2020) growth forecast, the population of unincorporated Ventura County was estimated to be 98,200 in 2016 and is anticipated to grow to 101,300 by 2040. Because CSA 32's service area includes only unincorporated areas and the unincorporated County area is gradually shrinking (i.e., annexation of territory to cities occurs routinely and detachments from cities are extremely rare), consideration of the population of CSA 32's sphere of influence (which covers the County as a whole) is unnecessary.

2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

A disadvantaged unincorporated community is defined as a community with an annual median household income that is less than 80% of the statewide annual median household income (Government Code § 56033.5).

The Ventura LAFCo has determined that the community of Nyeland Acres, northeast of and contiguous to the City of Oxnard and located within the City's current sphere of influence, is a disadvantaged unincorporated community. Based on 2010 U.S. Bureau of the Census demographic data, the Nyeland Acres community consists of 3,003 residents and has a median household income of \$42,043. The Nyeland Acres community receives fire protection services from both the Ventura County Fire Protection District and the City of Oxnard under a mutual aid agreement, police protection services from the Ventura County Sheriff's Office, wastewater collection services from Ventura County Service Area No. 30 (CSA 30), wastewater conveyance and treatment from the City of Oxnard (through an agreement between CSA 30 and the City whereby CSA 30 discharges to the City's collection system), and water services from the Garden Acres Mutual Water Company and Nyeland Acres Mutual Water Company.

The Ventura LAFCo has determined that the community of Saticoy, southeast of and contiguous to the City of San Buenaventura and located within the City's current sphere of influence, is a disadvantaged unincorporated community. Based on a 2018 income survey provided by the Proposition 1 program, the median household income for Saticoy is \$30,000. The Saticoy community receives fire protection services primarily from the City of San Buenaventura (through a mutual aid agreement between the City and Ventura County Fire Protection District), police protection services from the Ventura County Sheriff's Office, wastewater collection and treatment services from the Saticoy Sanitary District, and water services from the City of San Buenaventura).

3. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies

- CSA 32 does not own or operate public facilities or infrastructure, and has no plans to do so; therefore, determinations related to this subject are not applicable.
- The service provided by CSA 32 has historically been limited to the processing of “offers to grant easement” by property owners for the inspection, operation, maintenance, repair, construction, and reconstruction of private septic systems, and EHD has to date not needed to accept any of these offers in order to access properties for inspection and maintenance; therefore, CSA 32’s activities consist solely of ensuring that EHD has the right to access property for the services described above, but exercise of that right through this mechanism has never been necessary. While it appears that the service provided by CSA 32 is adequate, the guarantee of EHD’s right to access property may be better accomplished through alternative means, as described immediately below.
- EHD is currently in the process of developing an operations and maintenance program, which would, through an ordinance approved by the Board of Supervisors, provide EHD with the authority to access property for the inspection, operation, maintenance, repair, construction, and reconstruction of private septic systems as is currently provided through CSA 32. EHD anticipates that inauguration of such a program would occur no sooner than in the next two years, at which time CSA 32 would become obsolete. EHD staff has indicated that upon establishment of an operations and maintenance program, dissolution of CSA 32 would be appropriate.

4. Financial ability of agencies to provide services

- CSA 32 has a balanced budget and appears to have the ability, in the short term, to finance the services it currently provides. The difference between revenues and expenditures is currently covered by existing fund balance. CSA 32 staff acknowledges that fund balance cannot continue to support the difference over the long term; therefore, staff will evaluate revenues and expenditures associated with the goal of ensuring that fund balance will not be depleted prior to initiation of an operations and maintenance program that would allow CSA 32 to be dissolved.
- According to CSA 32, it has no long-term debt.
- CSA 32 collects revenue through property taxes and service fees collected from its customers. It has predictable expenses related to professional services provided by EHD and PWA staff. Revenues collected may be used for any activity related to the management of OWTSS within the County, including staff training and development of the operations and maintenance program.
- CSA 32 is audited on a regular basis through the audit of the County. According to CSA 32 staff, its most recent audit (March 25, 2021) was unqualified. An unqualified report reflects fair and transparent financial statements in compliance with generally accepted accounting principles and statutory requirements.
- According to staff, CSA 32 (through the County) has a bond rating of AAA (Standard and Poor’s), which reflects that bonds issued by CSA 32 are generally considered to be safe investments, and that CSA 32 has the ability to fulfill its financial obligations to its bond holders.

5. Status of, and opportunities for, shared facilities

- The Ventura County PWA Real Estate Services Division assists CSA 32 in the preparation and recordation of easement offers and documents.
- The EHD has an arrangement with the Ventura County PWA to assist it in performing earthwork and related activities, in cases where such work would be necessary.

6. Accountability for community service needs, including governmental structure and operational efficiencies

- CSA 32 is accountable to its constituents through its elected Board of Directors (i.e., the Ventura County Board of Supervisors), adherence to applicable government code sections, open and accessible meetings, and dissemination of information.
- CSA 32, through the County, has adapted to the changing needs of public access as a result of the disease caused by the novel coronavirus (COVID-19) pandemic, by providing live internet access and public participation opportunities for its meetings.
- CSA 32 achieves operational and management efficiencies through arrangements with various service providers. For example, it receives the following services through the County of Ventura (i.e., EHD and PWA): office space, management, accounting/auditing, legal counsel, real estate, and insurance.
- EHD maintains a website that includes detailed information about wastewater disposal systems and options available within the unincorporated area, and includes information related to CSA 32. The website offers a Spanish translation option. The website could be improved by: (1) clarifying that CSA 32 is a dependent district that is managed and operated by the County of Ventura, (2) noting that its budget is contained within the County's budget, and (3) indicating that current and recent Board of Directors meeting agendas, staff reports, minutes, and recordings are located on the Ventura County Board of Supervisors webpage.
- CSA 32 is essentially a mechanism for EHD to gain access to private properties for the purpose of monitoring and inspection of septic systems. EHD is currently in the process of developing an operations and maintenance program, which would, through an ordinance approved by the Board of Supervisors, provide EHD with the authority to access property for the inspection, operation, maintenance, repair, construction, and reconstruction of private septic systems as is currently provided through CSA 32. EHD anticipates that inauguration of such a program would occur no sooner than during the next two years, at which time CSA 32 would become obsolete. EHD staff has indicated that upon establishment of an operations and maintenance program, dissolution of CSA 32 would be appropriate. EHD staff should continue to diligently pursue the operations and maintenance program to allow dissolution of an agency that provides services limited to processing of "offers of easement" (i.e., CSA 32 essentially serves to retain the County's ability to access private property for permitting and inspection services), which can be efficiently handled by the County without an unnecessary layer of bureaucracy.

7. Any other matter related to effective or efficient service delivery, as required by Commission policy

- No other matters were identified.