



VENTURA LOCAL AGENCY FORMATION COMMISSION
STAFF REPORT

Meeting Date: November 16, 2022

TO: LAFCo Commissioners

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

SUBJECT: Sphere of Influence Review and Update:
 LAFCo 22-23S Meiners Oaks Water District

Recommendations:

- A. Determine that the sphere of influence update for Meiners Oaks Water District (MOWD or District) is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines.
- B. Review and update the sphere of influence for the District pursuant to Government Code Section 56425(g).
- C. Adopt Resolution LAFCo 22-23S (Attachment 5) making determinations and updating the sphere of influence for the District.

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)). Before it may update an agency’s sphere, LAFCo is required to conduct a Municipal Service Review (MSR) pursuant to Government Code Section 56430.

In compliance with Government Code Section 56425(g), the Commission accepted an MSR report on December 12, 2003, for the District, entitled *Water and Wastewater Municipal Service Review Report*, which addressed agencies within the Ojai/Ventura area.

COMMISSIONERS AND STAFF

COUNTY	CITY	DISTRICT	PUBLIC
Linda Parks	Claudia Bill-de la Peña	Elaine Freeman	Pat Richards, Vice-Chair
Vacant	Janice Parvin	Mary Anne Rooney	
<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	Jeffrey Barnes

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

Discussion:

District Information

The MOWD is an independent special district formed in 1949 that operates and maintains a retail domestic water distribution system in the unincorporated community of Meiners Oaks, immediately west of the City of Ojai. The District's water supply sources include water obtained from groundwater wells owned by the MOWD and surface water supplied by the Casitas Municipal Water District. The MOWD is located entirely within the boundaries and sphere of influence of the Casitas Municipal Water District. A five-member board of directors governs the District. The District's sphere of influence covers approximately 1,393 acres (about 2.18 square miles) (Attachment 1).

Recommended Sphere of Influence Update and Analysis

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 2019. During 2019 and since that time, LAFCo staff consulted with the District's general manager 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 provides a summary of Commission actions regarding sphere of influence reviews/updates pertaining to the District, and explains why an update to the District's sphere is now appropriate.

On February 18, 2004, the Commission updated the District's sphere to include approximately 10 acres west of and contiguous to Highway 33 in the northern area of the District (which contains District facilities) and an area of less than one acre near the intersection of Highway 33 and Foothill Road (so that the sphere boundary would be consistent with parcel lines).

On January 21, 2009, the Commission reviewed, but did not update, the District's sphere of influence.

On September 17, 2014, the Commission reviewed, but did not update, the District's sphere of influence.

In response to the contents of the MSR prepared for the District for consideration by the Commission at today's meeting, staff recommends that the Commission update the District's sphere, resulting in a reduction of the sphere where the spheres (and jurisdictional areas) of the MOWD and the Ventura River Water District (VRWD) overlap in the public road right-of-way along Rice Road and Baldwin Road. Each of these districts contains pipeline infrastructure in the roadway; however, each district's infrastructure is limited to the side of the road closest to the service area of that district. At this time, staff recommends that the Commission update the District's sphere to partially eliminate overlap with the sphere of the VRWD (a coordinating reduction in the sphere of the VRWD would address the remaining area of overlap), resulting in a sphere boundary that runs along the centerline of the road in the area where each district's infrastructure is limited to its side of the road right-of-way. In addition, staff recommends that the sphere be reduced to remove the southern portion of Cruzero Road because it does not contain any water distribution pipelines and is not expected to be used for MOWD infrastructure in the foreseeable future. The recommended update to MOWD's sphere would not result in changes to MOWD's current service area boundaries. Instead, it would more accurately reflect the District's existing and probable service area.

The existing sphere of influence boundary otherwise 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.

District staff have reviewed the recommended sphere update and have no objections.

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:

- (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, primarily urban development within the unincorporated community of Meiners Oaks, immediately west of the City of Ojai. The Ojai area, including the Meiners Oaks community, is not projected to experience notable population growth and no significant development projects are anticipated within the District's sphere. The area in which the sphere is to be modified consists entirely of

¹ The MSR report is included as part of Agenda Item 17 for Commission consideration at the Commission's November 16, 2022, meeting. The staff recommendation regarding the sphere of influence is based, in part, on the information provided in the draft MSR report.

territory within the public road right-of-way. Based on the County General Plan designations and characteristics of this area, the existing use of the land is expected to remain unchanged.

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

The MOWD provides retail domestic water distribution system in the unincorporated community of Meiners Oaks, immediately west of the City of Ojai. The District's sphere of influence consists of a range of uses, primarily urban development. The Ojai area, including the Meiners Oaks community, is not projected to experience notable population growth and no significant development projects are anticipated within the District's sphere. The sphere of influence update is not the result of a change in demand for public facilities and services. The area in which the sphere is to be modified consists entirely of territory within the public road right-of-way, and is expected to remain in its current land use as public roadway. The recommended sphere update would better reflect the area in which the District's infrastructure lies and would reduce overlap of the sphere with that of the VRWD.

(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 MOWD provides retail domestic water distribution system in the unincorporated community of Meiners Oaks, immediately west of the City of Ojai. The District's sphere of influence consists of a range of uses, primarily urban development. The Ojai area, including the Meiners Oaks community, is not projected to experience notable population growth and no significant development projects are anticipated within the District's sphere. The sphere of influence update, as recommended, would adjust the District's sphere of influence within the public road right-of-way to better reflect the area in which the District's infrastructure lies and to reduce overlap of the sphere with that of the VRWD. Based on the evaluation contained in the MSR considered by the Commission on November 16, 2022, the District has the ability to continue to provide water service within its service area and sphere of influence, and additional demands would not adversely impact the present capacity of public facilities and adequacy of public services that the District provides or is authorized to provide.

(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))

The District's sphere of influence does not include territory that is known to be a community of interest. No disadvantaged unincorporated communities (defined in Government Code Section 56033.5 as communities having an annual median household income that is less than 80 percent of the statewide annual median household income), are

located within or contiguous to the District's sphere of influence. 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.*
(Section 56425(e)(5))

No disadvantaged unincorporated communities are located within or contiguous to the District's sphere of influence. Therefore, the recommended sphere update will not result in changes to available service within any disadvantaged unincorporated communities.

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." The subject sphere of influence update could be considered to be a project subject to CEQA because it involves a modification to the existing sphere boundary, which will change the area available for the expansion of municipal services. However, staff recommends that the Commission find that the update to 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 update.

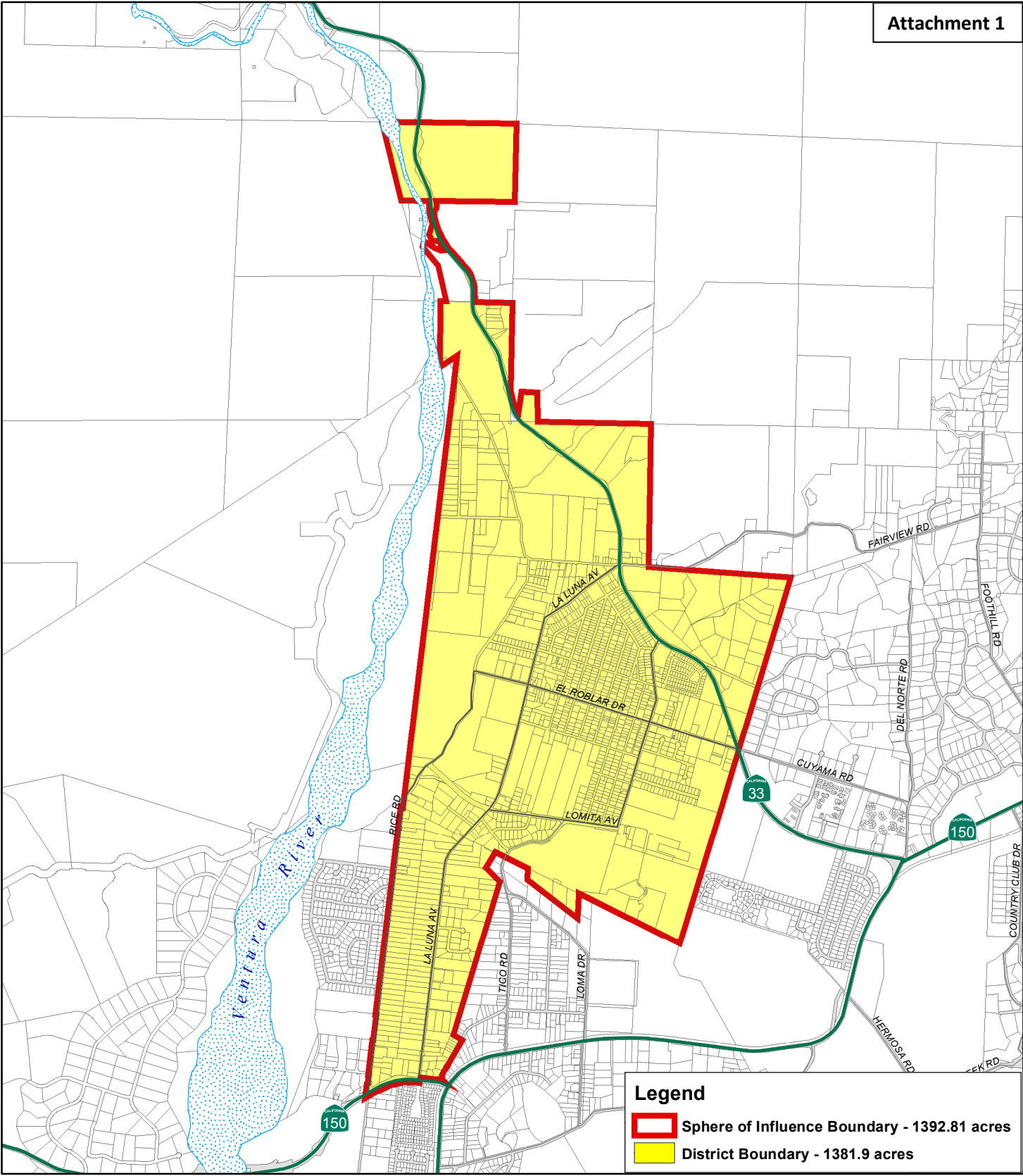
Notice of Public Hearing

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 MOWD
2. Recommended Sphere of Influence Update Map for MOWD (Location Map)
3. Recommended Sphere of Influence Update Map for the MOWD (North Area)
4. Recommended Sphere of Influence Update Map for the MOWD (South Area)
5. LAFCo 22-23S Resolution

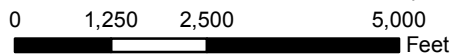
LAFCo makes every effort to offer legible map files with the online and printed versions of our reports; however, occasionally the need to reduce oversize original maps and/or other technological/software factors can compromise readability. Original maps are available for viewing at the LAFCo office by request.

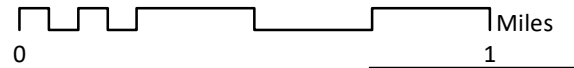


Meiners Oaks Water District

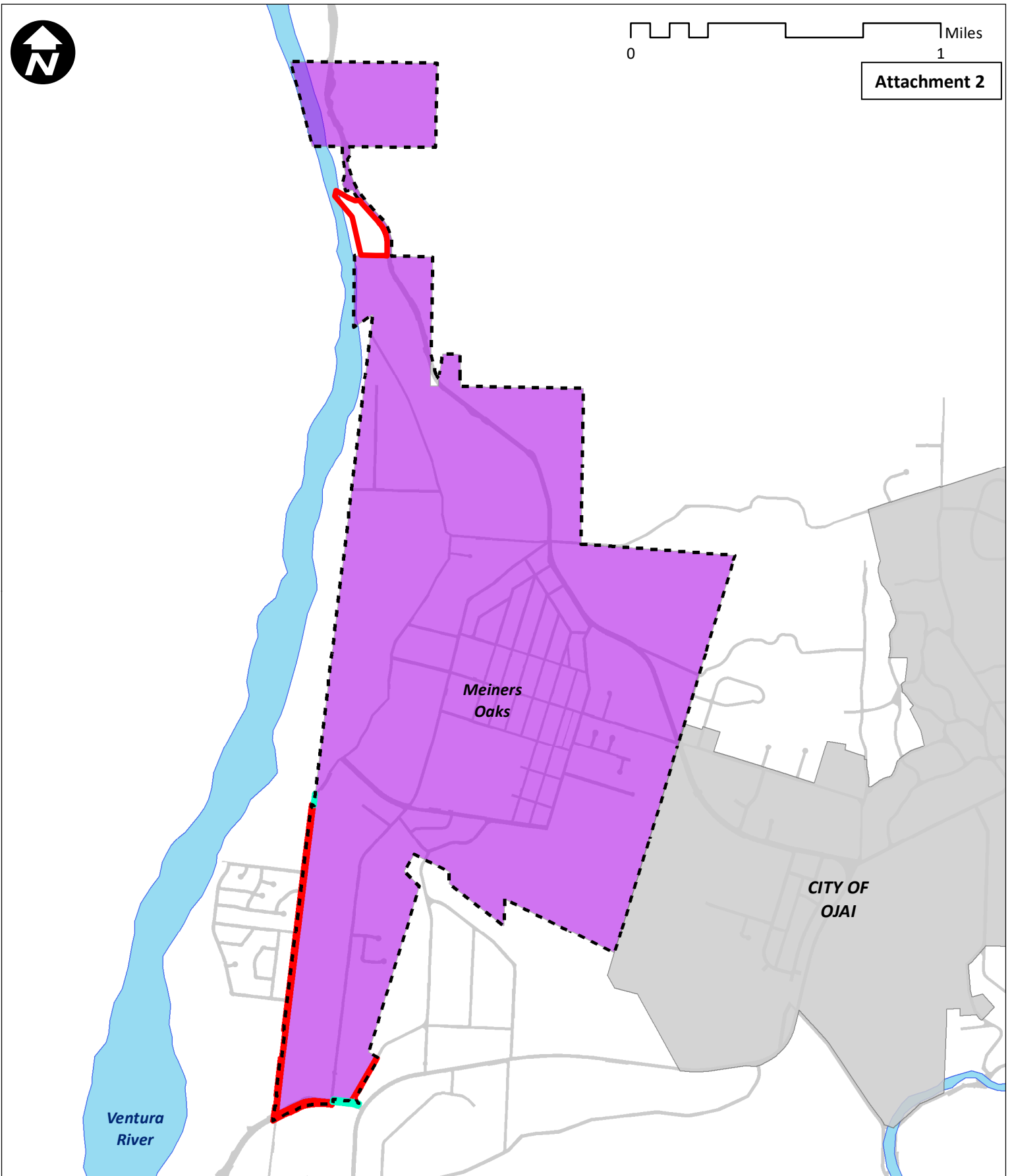
Current as of September 17, 2014

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





Attachment 2



Ventura River

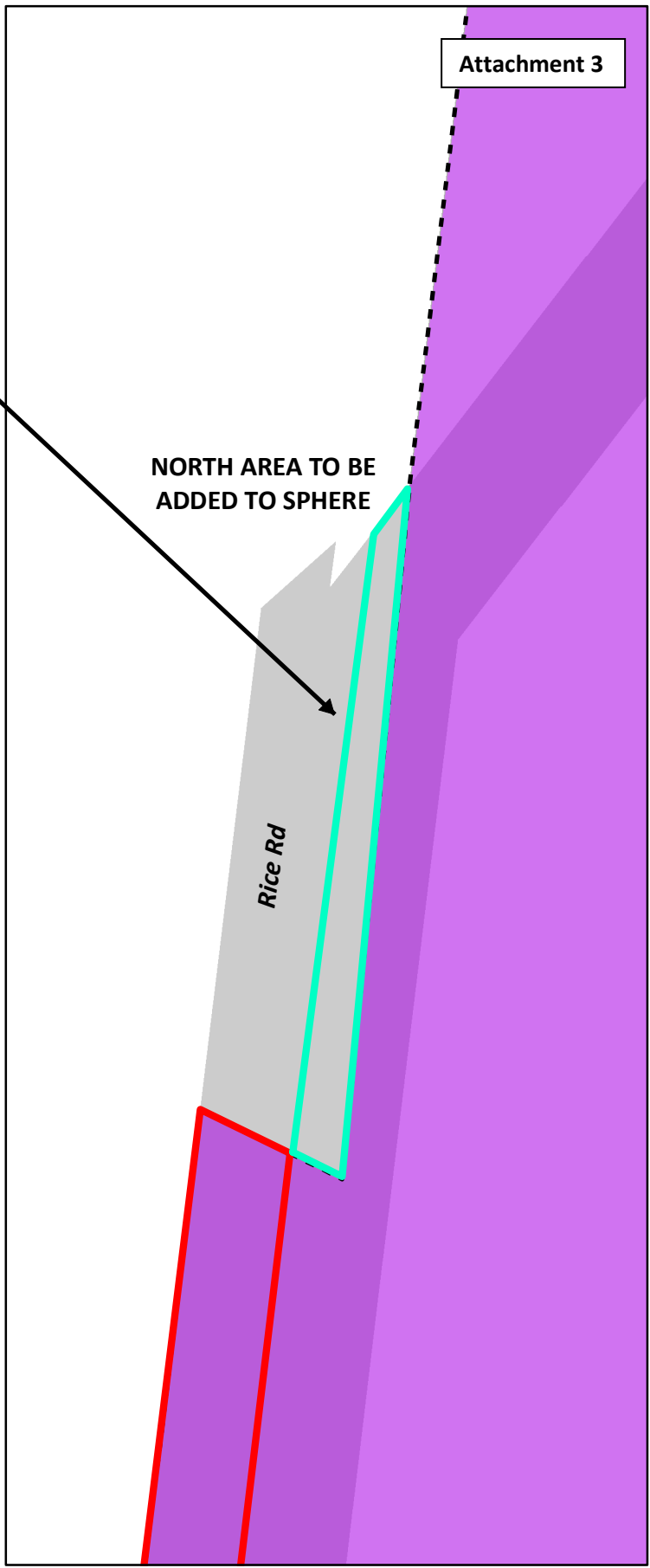
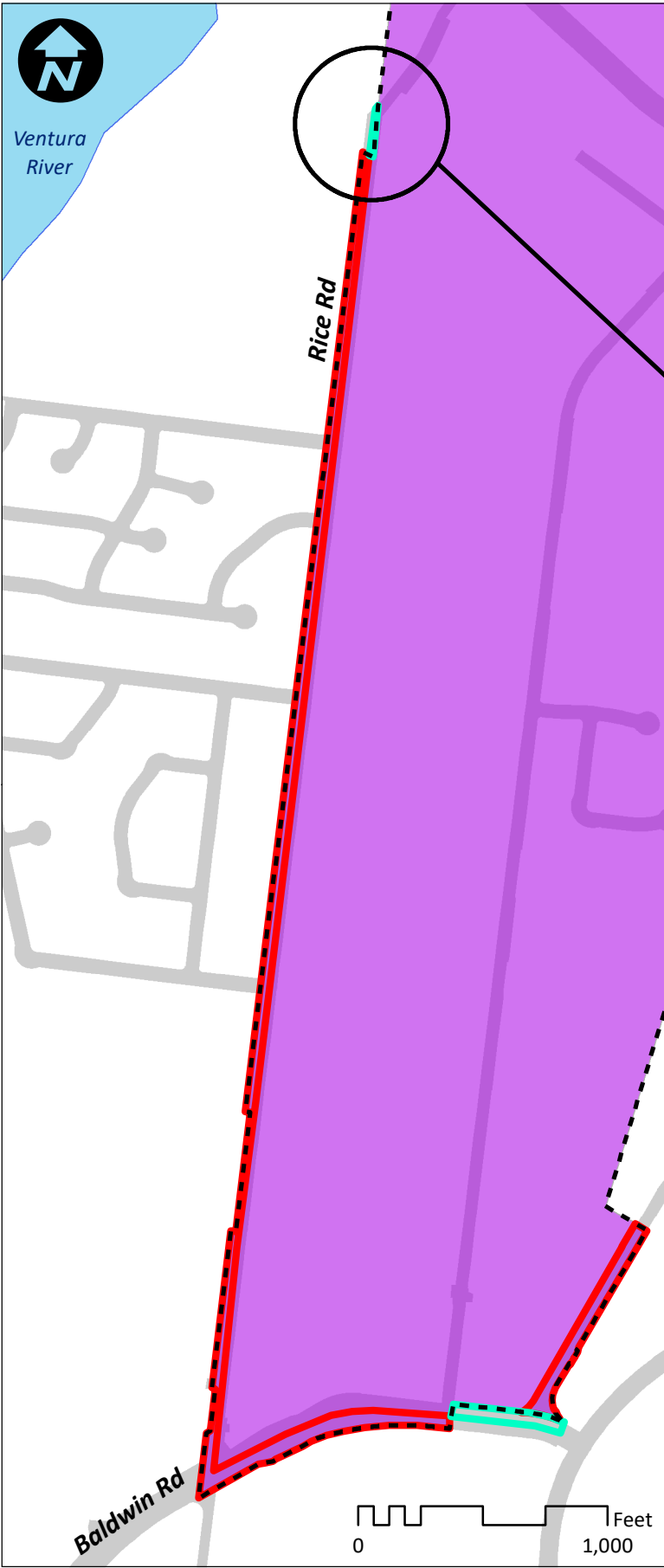
Meiners Oaks

CITY OF OJAI







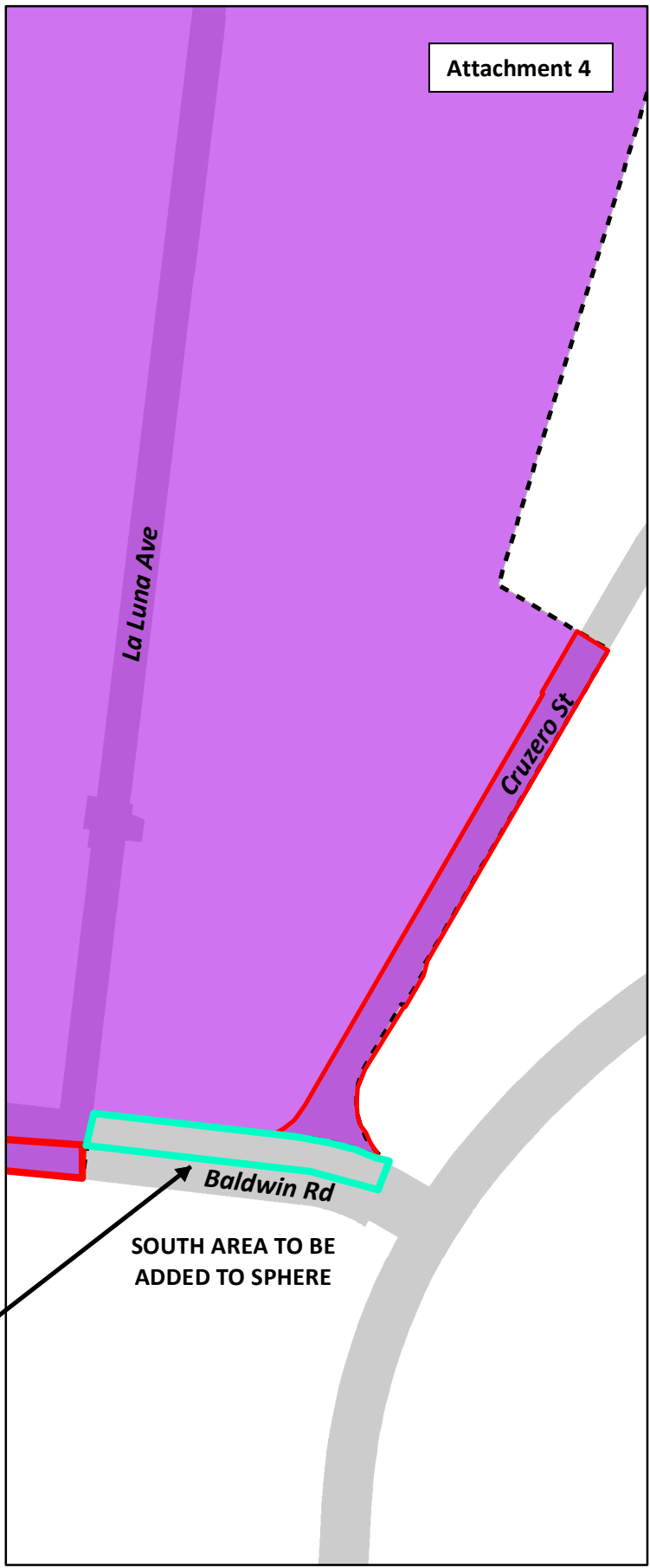
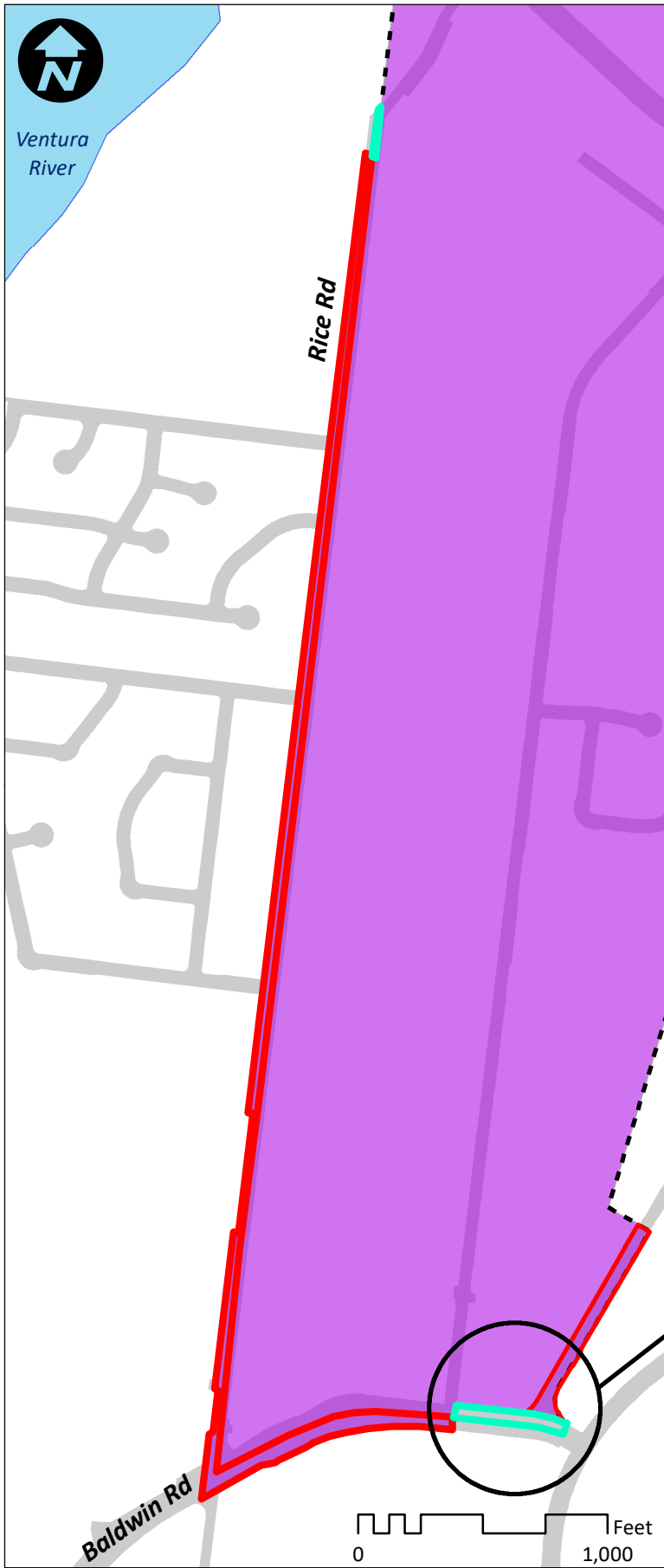
LAFCo 22-23S
Meiners Oaks Water District (MOWD)
Sphere of Influence Update
November 16, 2022

- Meiners Oaks Water District - Sphere
- Meiners Oaks Water District - District
- Area to be Considered for Addition to Sphere
- Area to be Considered for Removal from Sphere







LAFCo 22-23S
 Meiners Oaks Water District
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LAFCO 22-23S

**RESOLUTION OF THE VENTURA LOCAL AGENCY FORMATION
COMMISSION MAKING DETERMINATIONS AND UPDATING THE
SPHERE OF INFLUENCE FOR THE MEINERS OAKS WATER
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 updated the sphere of influence for the Meiners Oaks Water District (MOWD or District) in 2004, and reviewed the sphere in 2009 and 2014;

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

WHEREAS, no change in regulation, land use, or development will occur as a result of updating 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 update item was duly considered at a public hearing on November 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 update including, but not limited to, the LAFCo Staff Report dated November 16, 2022, and recommendations; and

WHEREAS, the Commission accepted the Municipal Service Review (MSR) report for the District dated November 16, 2022.

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

- (1) The LAFCo Staff Report dated November 16, 2022, and recommended update of the sphere of influence for the District are adopted; and
- (2) The subject sphere of influence update is assigned the following distinctive short form designation:

LAFCo 22-23S MEINERS OAKS WATER DISTRICT SPHERE OF INFLUENCE UPDATE; and

- (3) The sphere of influence update 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
- (4) 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, primarily urban development within the unincorporated community of Meiners Oaks, immediately west of the City of Ojai. The Ojai area, including the Meiners Oaks community, is not projected to experience notable population growth and no significant development projects are anticipated within the District's sphere. The area in which the sphere is to be modified consists entirely of territory within the public road right-of-way. Based on the County General Plan designations and characteristics of this area, the existing use of the land is expected to remain unchanged.

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

The MOWD provides retail domestic water distribution system in the unincorporated community of Meiners Oaks, immediately west of the City of Ojai. The District's sphere of influence consists of a range of uses, primarily urban development. The Ojai area, including the Meiners Oaks community, is not projected to experience notable population growth and no significant

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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))*

The MOWD provides retail domestic water distribution system in the unincorporated community of Meiners Oaks, immediately west of the City of Ojai. The District's sphere of influence consists of a range of uses, primarily urban development. The Ojai area, including the Meiners Oaks community, is not projected to experience notable population growth and no significant development projects are anticipated within the District's sphere. The sphere of influence update, as recommended, would adjust the District's sphere of influence within the public road right-of-way to better reflect the area in which the District's infrastructure lies and to reduce overlap of the sphere with that of the VRWD. Based on the evaluation contained in the MSR considered by the Commission on November 16, 2022, the District has the ability to continue to provide water service within its service area and sphere of influence, and additional demands would not adversely impact the present capacity of public facilities and adequacy of public services that the District provides or is authorized to provide.

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))*

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- 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))***

No disadvantaged unincorporated communities are located within or contiguous to the District's sphere of influence. Therefore, the recommended sphere update will not result in changes to available service within any disadvantaged unincorporated communities.

- (5) The sphere of influence for the District is hereby updated as generally depicted in Exhibit A, "Meiners Oaks Water District – Sphere of Influence Update, November 16, 2022," attached hereto; and
- (6) 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 November 16, 2022.

	AYE	NO	ABSTAIN	ABSENT
Commissioner Bill-de la Peña	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 Richards	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
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Alt. Commissioner Zaragoza	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

November 16, 2022
Date

Sam La Parke
Chair, Ventura Local Agency Formation Commission

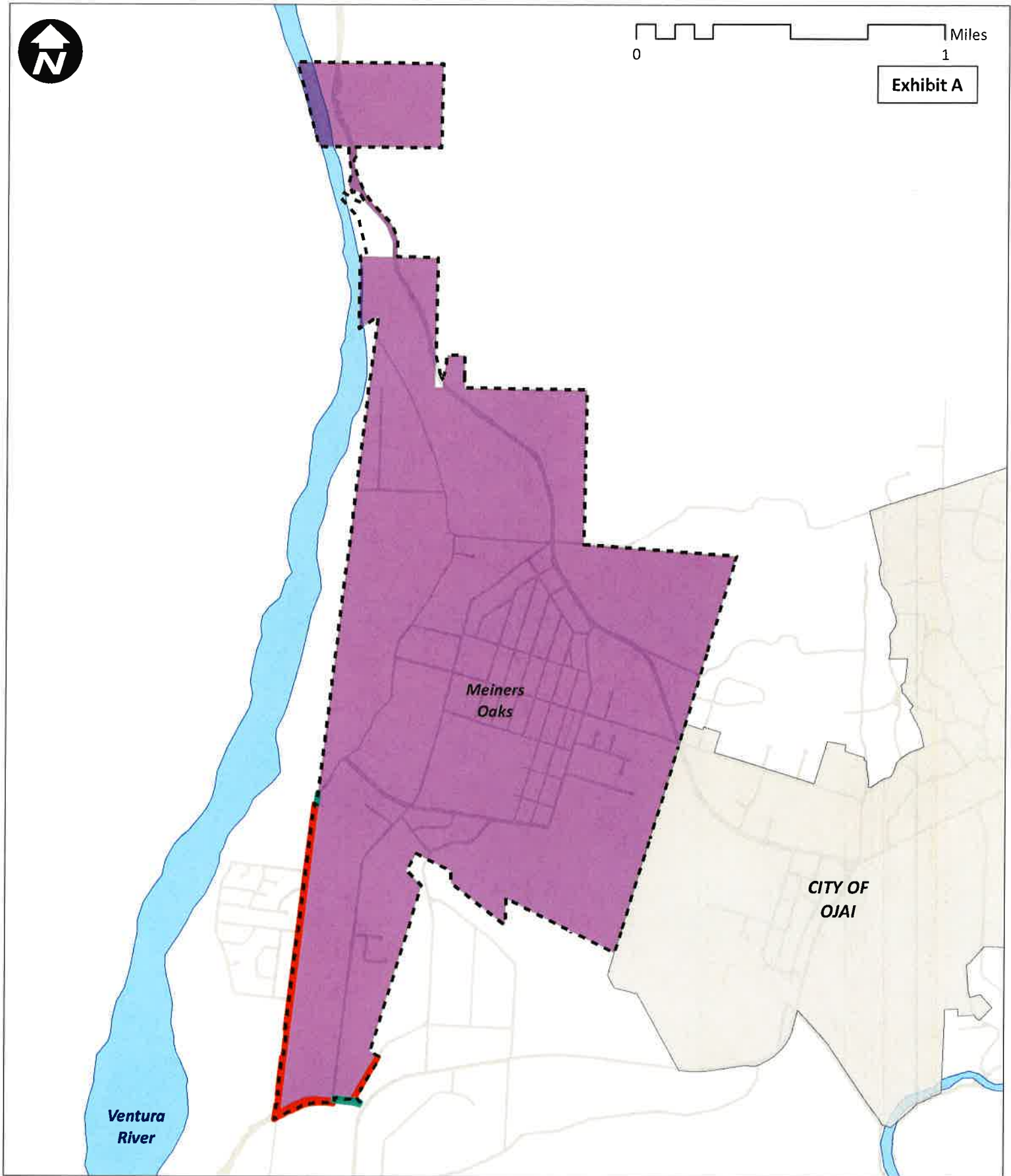
Attachment: Exhibit A

c: Meiners Oaks Water District
Ventura County Information Technology Services Department



0 1 Miles

Exhibit A







Ventura River

Meiners Oaks

CITY OF OJAI



LAFCo 22-23S
Meiners Oaks Water District (MOWD)
Sphere of Influence Update
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