



Meeting Date: 06/28/11

ACTION	TYPE OF ITEM
<input type="checkbox"/> Approved Recommendation	<input type="checkbox"/> Info/Consent
<input type="checkbox"/> Ord. No(s). _____	<input type="checkbox"/> Report
<input type="checkbox"/> Res. No(s). _____	<input type="checkbox"/> Public Hearing (Info/consent)
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____

Prepared By: Kathleen Mallory, AICP, Project Planner *K. Mallory* Agenda Item No. **I-5**

Reviewed By: City Manager *JLB* City Attorney *SMF* Finance *J.C* Other (Specify) \_\_\_\_\_

**DATE:** June 14, 2011

**TO:** City Council

**FROM:** Susan L. Martin, AICP, Planning Manager *SMartin*  
Development Services Department

**SUBJECT:** Planning and Zoning Permit No. 06-610-01 (Annexation) for property located at 481-491 Ventura Boulevard. Filed by John Parezo, CAL-AM Planning and Design, 5949 Woodland View Drive, Woodland Hills, CA 91367.

**RECOMMENDATION**

That City Council adopt a resolution:

1. Repealing City Council Resolution No. 13,767.
2. Initiating proceedings for reorganization of boundaries for the subject property. The reorganization consists of the following changes of organization:
  - a. Annexation to the City of Oxnard
  - b. Annexation to the Calleguas Municipal Water District
  - c. Detachment from the Ventura County Resource Conservation District
  - d. Detachment from the Ventura County Fire Protection District
  - e. Detachment from Ventura County Service Area No. 32.

**DISCUSSION**

On January 26, 2010, the City Council reviewed and approved annexation of the properties located at 481 and 491 Ventura Boulevard into the City of Oxnard, rezoning of the site from County CPD to General Commercial Planned Development (C-2-PD), and a general plan amendment from County Existing Community Urban Reserve to Commercial General to amend the City general plan map. City Council Resolution No. 13,767 included annexation of the subject property to the City and the Calleguas Municipal Water District, and detachment from the Ventura County Fire District and Resource Conservation District. Prior to 2009, state law provided for the automatic detachment of the property from the County Service Area (CSA) as part of the annexation to the City. Changes in the law now require specific action from the Local Agency Formation Commission (LAFCO) for such detachment. However, LAFCO does not have the authority to initiate the detachment. Therefore,

LAFCO has requested that the City Council revise its resolution for reorganization of the subject property to include detachment from CSA No. 32. No changes are proposed for the project and no other changes are proposed for the resolution to initiate LAFCO proceedings.

### **FINANCIAL IMPACT**

The repeal and re-adoption of the resolution with the associated CSA 32 detachment does not change the financial impact on the City. No other changes are proposed for the project.

KM

Attachment #1 - City Council Resolution (Annexation)

#2 - Vicinity Map

#3 - Letter from Kai Luoma, Deputy Executive Officer for the Ventura Local Agency  
Formation Commission, June 6, 2011

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD REPEALING CITY COUNCIL RESOLUTION 13,767 AND INITIATING PROCEEDINGS FOR REORGANIZATION OF BOUNDARIES FOR PROPERTY LOCATED AT 481-491 VENTURA BOULEVARD (PZ NO. 06-610-01) SUBJECT TO CERTAIN CONDITIONS. THE APPLICATION WAS FILED BY JOHN PAREZO, CAL-AM PLANNING AND DESIGN, 5949 WOODLAND VIEW DRIVE, WOODLAND HILLS, CA 91367.

WHEREAS, on January 26, 2010, in accordance with Government Code Section 56654, the City Council adopted Resolution No. 13,767 to initiate proceedings for reorganization of boundaries for the subject property; and

WHEREAS, the City Council is repealing Resolution No. 13,767 and adopting the proposed resolution in order to add to the LAFCO reorganization proceedings to be initiated detachment proceedings for the subject property from County Service Area No. 32 (CSA 32); and

WHEREAS, City Council desires to initiate a proceeding for the reorganization of boundaries as specified herein and shown as Exhibit A and B; and

WHEREAS, City Council has carefully reviewed Planning Commission Resolution No. 2009-17 recommending approval of an annexation for the subject property; and

WHEREAS, Section 15303(c); and 15319(b) of Title 14 of the California Code of Regulations exempt the project from the requirement for preparation of environmental documents imposed by the California Environmental Quality Act; and

WHEREAS, the documents and other material that constitute the record of proceedings are located in the Planning Division, and the custodian of the record is the Planning Manager; and

WHEREAS, the Applicant agrees as a condition of approval of this resolution and at its own expense, to indemnify and defend the City of Oxnard and its agents, officers and employees from and against any claims, actions or proceedings to attack, set aside, void or annul the approval of this resolution or any actions or proceedings, acts or determinations taken, done or made before the approval of this resolution that were part of the approval process.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OXNARD DOES HEREBY RESOLVE AS FOLLOWS:

1. The City Council repeals Resolution No. 13,767.

2. The City Council proposes this reorganization and requests that the Ventura County Local Agency Formation Commission (LAFCO) take proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Government Code Section 56000.
3. This proposal is a reorganization and consists of the following changes of organization:
  - a. Annexation to the City of Oxnard;
  - b. Annexation to the Calleguas Municipal Water District;
  - c. Detachment from the Ventura County Resource Conservation District;
  - d. Detachment from the Ventura County Fire Protection District; and
  - e. Detachment from County Service Area No. 32
4. A description and map of the affected territory are set forth in Exhibits A and B, attached hereto and by reference incorporated herein.
5. The City Council proposes that the reorganization of the territory described in Exhibits A and B and be subject to the following terms and conditions.
  - a. The territory shall be liable for any existing indebtedness of the City;
  - b. The territory shall be liable for payment of any existing or authorized taxes, assessments, fees and charges comparable to those imposed on property within the City;
  - c. The territory shall be exempt from liability for payment of taxes for any existing bonded indebtedness of the detaching service area and districts; and
  - d. The territory shall be included in City of Oxnard Drainage District No. 1
6. The reasons for the proposal are to provide municipal services and control to the territory described in Exhibits A and B, adjust affected special district and service area boundaries, implement the Guidelines for Orderly Development and promote orderly government boundaries.
7. The proposal is consistent with the spheres of influence of the affected agencies.
8. The City Council hereby consents to LAFCO's waiver of further conducting authority proceedings.

Resolution No. \_\_\_\_\_  
Annexation  
Page 3

PASSED AND ADOPTED this 28<sup>th</sup> day of June 2011, by the following vote:

AYES:

NOES:

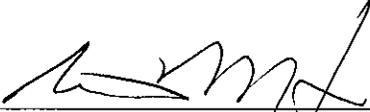
ABSENT:

\_\_\_\_\_  
Dr. Thomas E. Holden  
Mayor

ATTEST:

\_\_\_\_\_  
Daniel Martinez, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Alan Holmberg, City Attorney

## ANNEXATION NO. \_\_\_\_\_

ANNEXATION TO THE CITY OF OXNARD AND  
ANNEXATION TO THE CALLEGUAS MUNICIPAL WATER DISTRICT

THAT PORTION OF LOT 9 OF THE CLOVERDALE SUBDIVISION OF THE RANCHO SANTA CLARA DEL NORTE, IN THE COUNTY OF VENTURA, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 8, PAGE 38 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SECOND COURSE OF PARCEL E OF THE ANNEXATION OF OXNARD 76-5 WITH THE FIFTH COURSE OF PARCEL A OF THE ANNEXATION OF OXNARD 69-19, SAID INTERSECTION ALSO BEING THE INTERSECTION OF THE ELEVENTH COURSE OF PARCEL I OF ANNEXATION NO. 27 TO THE CALLEGUAS MUNICIPAL WATER DISTRICT WITH THE FIFTH COURSE OF PARCEL A OF PARCEL 10 OF ANNEXATION NO. 7, (OXNARD SECOND FRINGE AREA); THENCE THE FOLLOWING SEVEN COURSES:

1. ALONG SAID FIFTH COURSE OF THE ANNEXATION OF OXNARD 69-19, NORTH 32°10'00" EAST, 213.22 FEET TO THE MOST NORTHERLY CORNER OF THE LAND DESCRIBED IN THE GRANT DEED RECORDED JULY 12, 2006, AS INSTRUMENT NO. 20060712-0147270 OF OFFICIAL RECORDS IN SAID OFFICE OF THE COUNTY RECORDER;
2. LEAVING SAID FIFTH COURSE, ALONG THE NORTHEASTERLY AND SOUTHEASTERLY LINES OF SAID GRANT DEED, SOUTH 50°20'00" EAST, 142.57 FEET;
3. SOUTH 39°40'00" WEST, 118.00 FEET;
4. SOUTH 50°20'00" EAST, 97.00 FEET TO THE SOUTHEASTERLY LINE OF SAID LOT 9, SAID SOUTHEASTERLY LINE ALSO BEING THE CENTERLINE OF CORTEZ STREET (50.00 FEET IN WIDTH) PER THE INDENTURE DOCUMENT RECORDED FEBRUARY 20, 1941, IN BOOK 617, PAGE 453 OF OFFICIAL RECORDS IN SAID OFFICE OF THE COUNTY RECORDER;
5. LEAVING THE NORTHEASTERLY LINE OF SAID GRANT DEED, ALONG A LINE PERPENDICULAR TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF CORTEZ STREET AS DESCRIBED IN SAID INDENTURE DOCUMENT, SOUTH 50°20'00" EAST, 25.00 FEET TO SAID SOUTHEASTERLY RIGHT-OF-WAY LINE;

The Ventura County Surveyor's Office of the Public Works Agency certifies this map and legal description to be definite and certain.  
Certified by: \_\_\_\_\_ Date: \_\_\_\_\_

SHEET 1 OF 2

ANNEXATION NO. \_\_\_\_\_

ANNEXATION TO THE CITY OF OXNARD AND  
ANNEXATION TO THE CALLEGUAS MUNICIPAL WATER DISTRICT

- 6. ALONG SAID RIGHT-OF-WAY LINE, SOUTH 39°40'00" WEST, 118.68 FEET TO THE SECOND COURSE OF SAID ANNEXATION OF OXNARD 76-5;
- 7. ALONG SAID SECOND COURSE, NORTH 44°14'11" WEST, 238.09 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 0.955 ACRES, MORE OR LESS.

THE ABOVE DESCRIBED PARCEL OF LAND IS DELINEATED ON THE ATTACHED PLAT TO ACCOMPANY LEGAL DESCRIPTION "ANNEXATION NO. \_\_\_\_\_ ANNEXATION TO THE CITY OF OXNARD AND ANNEXATION TO THE CALLEGUAS MUNICIPAL WATER DISTRICT."

DISCLAIMER: FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION OF LAND IS NOT A LEGAL DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR AN OFFER FOR SALE OF THE LAND DESCRIBED.

THIS DESCRIPTION WAS PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.

**PRELIMINARY**

*[Signature]*

JOHN MARTIN SMITH, P.L.S. 8070  
 LICENSE EXPIRES: 12/31/09  
 DATE PREPARED: 10/26/09



The Ventura County Surveyor's Office of the Public Works Agency certifies this map and legal description to be definite and certain.  
 Certified by: \_\_\_\_\_ Date: \_\_\_\_\_

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**EXHIBIT B**

THIS EXHIBIT IS TO BE ATTACHED TO THE LEGAL DESCRIPTION

**COURSE TABLE**

COURSE	BEARING	LENGTH
1	N32°10'00"E	213.22'
2	S50°20'00"E	142.57'
3	S39°40'00"W	118.00'
4	S50°20'00"E	97.00'
5	S50°20'00"E	25.00'
6	S39°40'00"W	118.68'
7	N44°14'11"W	238.09'

COURSE 5 (SE'LY LINE) OF PCL A OF ANNEX. TO OXNARD 69-19.

PCL 3  
53 PM 18

MOST N'LY CORNER DEED REC AS INST. 20060712-0147270

P.O.B. BASIS OF BEARINGS

NE'LY R/W LINE OF VENTURA BLVD PER INST. 75594 O.R. REC. 10/24/1973.

LOT 9 SUBD. E CLOVERDALE 38

R/W LINES OF CORTEZ ST. PER BK 617, PG 453, O.R.

**BASIS OF BEARINGS**

THE BEARINGS SHOWN HEREON ARE BASED ON COURSE 5 OF PARCEL A OF THE ANNEXATION TO OXNARD 69-19, BEING NORTH 32°10'00" EAST.

**P.O.B.**

THE POINT OF BEGINNING IS THE INTERSECTION OF THE SECOND COURSE OF PARCEL E OF ANNEXATION 76-5 WITH THE FIFTH COURSE OF PARCEL A OF ANNEXATION 69-19.

**LEGEND**

-  PROPOSED AGENCY BNDY
-  PROPOSED ANNEXATION
-  EXISTING AGENCY BNDY

**DISCLAIMER**

FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION OF LAND IS NOT A LEGAL DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR AN OFFER FOR SALE OF THE LAND DESCRIBED.

0.887 ACRES

COURSE 2 (NE'LY LINE) OF PCL E OF ANNEX. TO OXNARD 76-5.

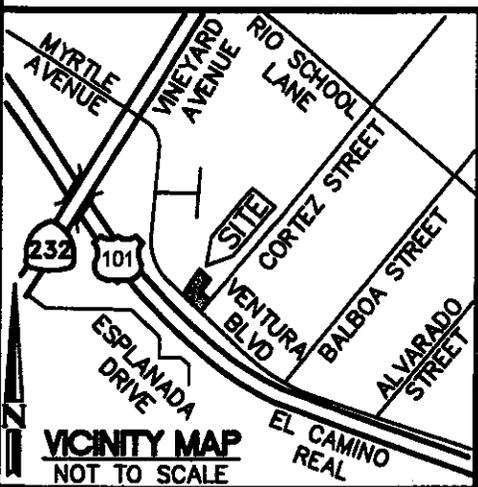
NE'LY LINE OF ANNEX. TO OXNARD 85-6.

SE'LY LINE, LOT 9, 8 M.R. 38.

LOT 18 8 M.R. 38



GRAPHIC SCALE: 1 INCH = 80 FT



**VICINITY MAP**  
NOT TO SCALE

**CITY OF OXNARD**

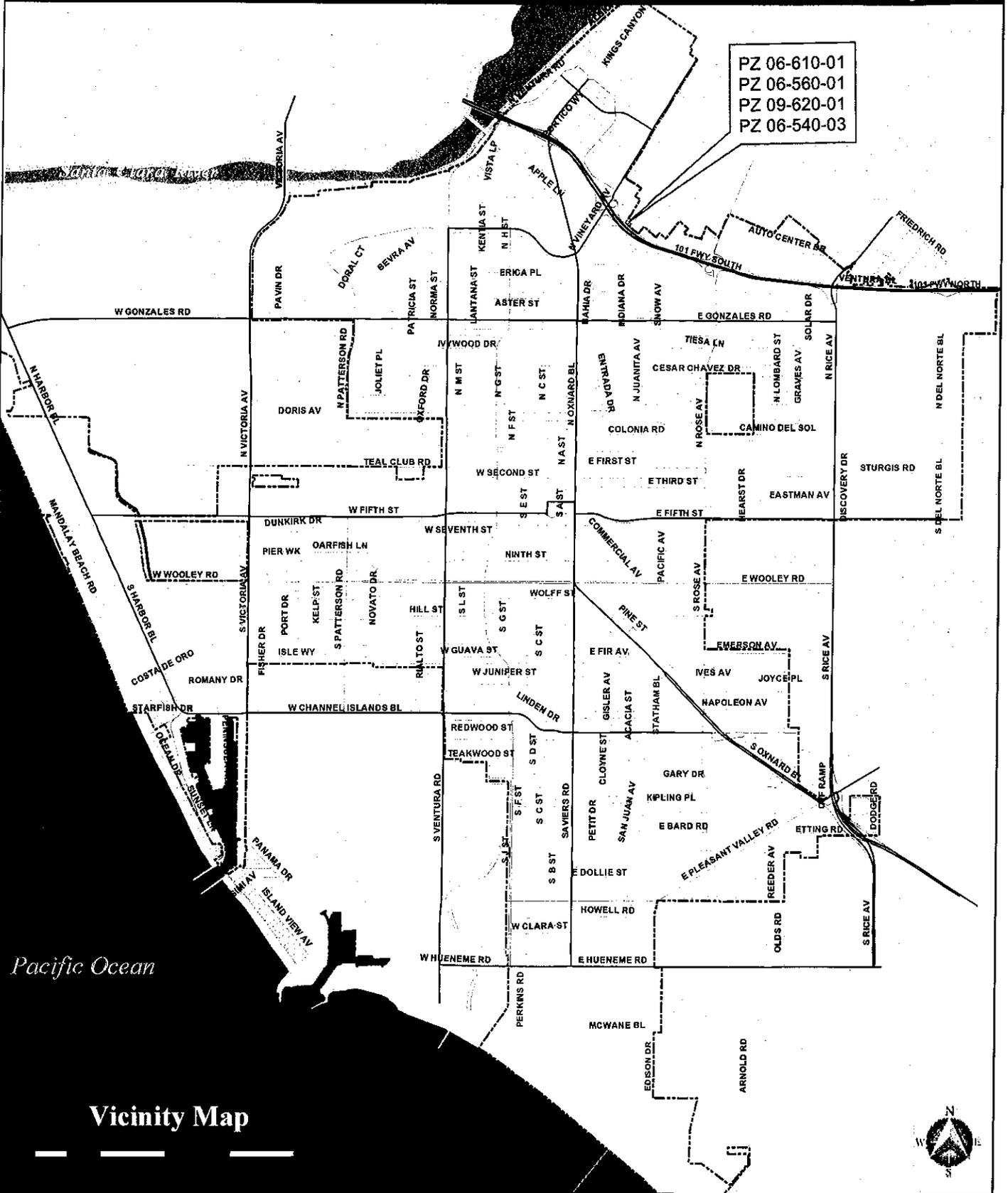
DOCUMENT NO.	O.R.
RECORDING DATE:	
CLERK'S FILE NO.	
APPROVED BY:	
DWN BY: JMS	DATE: 10/15/09

PLAT TO ACCOMPANY LEGAL DESCRIPTION  
**ANNEXATION NO. \_\_\_\_\_**  
 ANNEXATION TO THE CITY OF OXNARD AND  
 ANNEXATION TO THE CALLEGUAS MUNICIPAL WATER DISTRICT  
 A PORTION OF LOT 9 OF THE CLOVERDALE SUBDIVISION OF THE RANCHO SANTA CLARA DEL NORTE, IN THE COUNTY OF VENTURA, STATE OF CALIFORNIA, AS FILED IN BOOK 8, PAGE 38 OF MAPS, OF SAID COUNTY.

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# Vicinity Map

PZ 06-610-01  
 PZ 06-560-01  
 PZ 09-620-01  
 PZ 06-540-03



## Vicinity Map



Oxnard Planning  
 March 9, 2009

PZ 06-610-01, 06-560-01, 09-620-01, 06-540-03  
 Location: 481-491 Ventura Bl  
 APN: 145021115, 145021117  
 Oxnard Crossroads

ATTACHMENT 2  
 PAGE 1 OF 1

June 6, 2011

Kathleen Mallory, AICP  
Project Planner  
City of Oxnard  
214 South C. Street  
Oxnard, CA 93030

Subject: LAFCo 11-04 City of Oxnard Reorganization – Crossroads

Dear Ms. Mallory:

The City recently submitted to LAFCo the above-referenced application that includes the annexation of a property to the City to allow for a commercial development. The proposal area is located on approximately one acre in the community of El Rio. The City's request, as outlined in the resolution initiating LAFCo proceedings, includes:

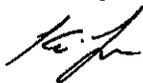
1. Annexation to the City and to the Calleguas Municipal Water District
2. Detachment from the Ventura County Fire Protection District and Resource Conservation District

The proposal area is located within the boundaries of County Service Area No. 32 (CSA 32). CSA 32 monitors and regulates individual sewage disposal systems in the unincorporated areas. The site currently receives public sewer service from CSA No. 34 and no longer requires the service provided by CSA 32. Prior to 2009, state law provided for the automatic detachment of territory from a CSA as part of an annexation to a city. However, changes in the law now require specific LAFCo action for such detachments. Because LAFCo does not have the authority to initiate changes of organization, we recommend that a request for a detachment from CSA 32 be included in the City's resolution initiating LAFCo proceedings.

As we discussed on the telephone, if the City Council is able to adopt the revised resolution in mid to late June, the item can still be schedule for consideration by the Commission at its meeting on July 20.

Please do not hesitate to contact me should you have any questions.

Sincerely,



Kai Luoma, AICP  
Deputy Executive Officer