

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: The Honorable City Council

FROM: Dave Klotzle, City Engineer/Public Works Director
Prepared By: Shaun Kroes, Senior Management Analyst 

DATE: June 19, 2015 (CC Meeting of 07/01/15)

SUBJECT: Consider Comments on the Proposed Sphere of Influence for the Gold Coast Transit District

BACKGROUND

On July 1, 2014, Gold Coast Transit, a joint powers agency consisting of the Cities of Oxnard, San Buenaventura (Ventura), Port Hueneme, and Ojai and the County of Ventura, became the Gold Coast Transit District (District). Public Utilities Code (PUC) 107000-107025 provides the details of the District's organization and purpose. PUC 107003 defines the District's jurisdiction as "...the Cities of Oxnard, San Buenaventura (Ventura), Port Hueneme, and Ojai and the unincorporated areas of the County of Ventura, and other cities that subsequently qualify as members pursuant to the requirements set forth in Section 107006." PUC 107006 states that another city, "...may join as a member of the district upon approval by its city council of a resolution approving the city's joining as a member and a resolution of the district's board approving the joining of the new member." In addition, PUC 107016(a) states that for the District to serve a nonmember's area, the District must receive, "...the prior approval of the nonmember city having jurisdiction of the territory to be served."

DISCUSSION

On June 17, 2015, staff from Thousand Oaks informed Moorpark staff that the Ventura Local Agency Formation Commission (LAFCo) had posted a Notice of Public Hearing stating that on July 15, 2015 at 9:00 a.m., LAFCo would consider taking action with respect to determining a sphere of influence (SOI) boundary for the District. Although the staff report is not expected until July 10, 2015, conversations with LAFCo staff by Thousand Oaks and Moorpark staff indicate that LAFCo plans on recommending that the SOI cover all of Ventura County, including all nonmember cities. The implications of this broad SOI would be that LAFCo is expecting that the District would one day provide transit services to

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all cities in Ventura County. Government Code Section 56426.5(b) provides, in part, “the commission shall determine the sphere of influence for any newly formed district within one year of the effective date of formation.” In order to determine a new sphere of influence, LAFCo must prepare a municipal service review (MSR). The Commission will also consider the MSR prepared for the District at the July meeting. LAFCo indicates it will provide a draft of the MSR once it receives comments from the District.

Moorpark staff does not interpret the PUC sections establishing the District as implying that the District would be the transit operator for all of Ventura County. In fact, sections of the PUC make it clear that nonmember agencies must approve joining the District, or approve the District offering to provide service within the nonmember’s jurisdiction. PUC 107016(a) includes an additional requirement that the District must notify a nonmember no later than 90 days prior to providing service in an area of interest surrounding the nonmember. The District must also meet and confer with the nonmember’s officials prior to any service commencing. Language in the PUC referenced above was included specifically because nonmember cities wanted it noted the District’s service area was intended to be within current member agencies’ boundaries.

It would be appropriate for LAFCo to expand the SOI to nonmembers only after both the nonmember city and the District have approved the inclusion of the new member. This would treat the District in the same manner as cities since LAFCo does not permit a city’s SOI to expand until the city has a specific plan for that area or there is imminent development that would be annexed by the city. As previously mentioned, the PUC indicates any expansion of the District must meet the approval of the nonmember city.

Staff is requesting that City Council authorize the City Manager to submit a letter opposing any expansion of the SOI for the District beyond the current service area. LAFCo staff has informed City staff that since all of the County of Ventura unincorporated area is included in the District boundary, that the SOI of the member cities is included in the District’s service area. As such it is recommended that the District SOI not be expanded until a nonmember city decides to formally join the District.

FISCAL IMPACT

None.

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STAFF RECOMMENDATION

Authorize the City Manager to submit the City's concerns and alternative SOI language as described in the staff report to LAFCo.