

CAPISTRANO BAY DISTRICT
AGENDA REPORT
November 5, 2013

Managers Reports

ITEM J.2

LAFCO Sphere of Influence Map

**A property ownership title search was conducted on October 4th that shows the County of Orange as the legal parcel owner (see attached extract). This information indicates that the District has no jurisdiction over the area that encompasses the Poche scour pond and therefore no cause for any of the concerns stated below from last month's Board discussion:*

The Local Agency Formation Commission (LAFCO) is the arm of the State Legislature created to provide oversight to Special Districts. One of their mandates is to conduct a "Municipal Services Review (MSR)" every five years.

Included in the most recent MSR for our District is a "Sphere of Influence" boundary map. Upon review of the report it was found that the accompanying map shows the Poche scour pond as part of our District's jurisdiction.

Since Beach Road terminates at the wooden bulkhead at the south end at 35857, but on the north side of the Poche scour pond, it would seem that LAFCO has made a mapping error. If true, then maybe the District should work with LAFCO to have the map corrected.

Concerns with the map being left as is could amount to the District being held accountable for expenses currently associated with attempts to clean the polluted water in the scour pond. This has the potential to run into the millions of dollars (*see attached email comments from Jack Tarr*).

Conversely, the District could possibly use this map as a political tool to create additional leverage with the County in future decision-making with scour pond cleanup.

At this point some research is needed to determine how legitimate the LAFCO map is. It is known that the two parcels at the south end of Beach Road used to be a part of the larger "BLOCK C" that encompassed all the real estate from 35855 and 35857 and the scour pond and the sandy embankment and beach over to the fence that abuts the Shorecliffs Beach Club. At some point, maybe in the late 70's, a developer took title to the entire parcel, built the wooden bulkhead, created the two buildable lots on the north side of the bulkhead and deeded the scour pond and the beach area on the far side over to the County. This story, of course, is from the memory of neighbors and has not been verified – that would require some title search.

To engage with LAFCO to revise the boundary map is going to cost in the neighborhood of \$5000. A title search to reveal the presumed conveyance documents from the developer to the County could run about \$1500. Obviously, if such documents do exist, then it's clear that not only has LAFCO committed a simple mapping error but the District has no real jurisdiction over the scour pond and the entire issue becomes moot.

Combined Report Printable Version

Property Information

* Owner(s) Property	Orange County Harbors & Parksdistrict , CA	Parcel # Map Coord	691-332-14 39-A1; 992-E2
Mailing Addr	Po Box 4048 Santa Ana , CA 92702	Census Tract County	0422.01 Orange
		Owner Phone	

Legal	P-BOOK: 142 PAGE: 10 PAR: 3.		
Lot Number		Tract Number	
Block		Subdivision	

Characteristics

Use	Tax Exempt	Year Built		Sq. Feet
Zoning		Lot Size Ac/Sq Ft	.6025 / 26245	# of units
Bedrooms		Bathrooms		Fireplace
#Rooms		Quality		Heating
Pool/Spa	N	Air		Style
Stories		Improvements		Parking
Flood		Gross Area		Garage Area
Basement Area				

Attributes

Other

Property Sale Information

Sale Date	12/00/1986	\$/Sq. Ft.		2nd Mtg.
Sale Price		1st Loan		Prior Sale Amt.
Doc No.	9501	Loan Type		Prior Sale Dt.
Doc Type	Grant Deed	Xfer Date	01/07/1987	Prior Doc No.
Seller	County Of Orange	Lender		Prior Doc Type

*\$/Sq. Ft. is a calculation of Sales Price divided by Sq. Feet

Tax Information

Imp Value		Exemption	
Land Value	\$1,865,296.00	Tax/Area	/28041
Total Value	\$1,865,296.00	Tax Value	\$1,865,296.00
Tax Amount		Improved	

Information compiled from various sources and is deemed reliable b
guaranteed.