



**VENTURA COUNCIL
OF GOVERNMENTS**

AGENDA

Thursday, January 8, 2009

5:00 p.m.

City of Camarillo

Council Chambers

601 Carmen Drive, Camarillo, California 93010

1. **CALL TO ORDER**

2. **FLAG SALUTE**

3. **ROLL CALL**

4. **PUBLIC COMMENT**

At this time, members of the public may comment on any item not appearing on the agenda upon completion of a speaker card. Individual Board Members may briefly respond to Public Comments or ask questions for clarification.

5. **BOARD MEMBER COMMENTS**

6. **APPROVAL OF THE FINAL AGENDA**

7. **CONSENT CALENDAR**

A. **Minutes** – Adopt the Minutes of the July 10, 2008 meeting.

B. **Minutes** – Adopt the Minutes of the September 11, 2008 meeting.

8. **ORDER OF BUSINESS**

A. **Election of Chair-Elect**: Elect a Chair-Elect for 2009.

MEMBERS

City of Camarillo

Jan McDonald, Member
Dan Waunch, *Alternate*

City of Oxnard

Thomas Holden, Member
XXXXX, *Alternate*

City of Simi Valley

Paul Miller, Member
Barbara Williamson, *Alternate*

City of Fillmore

Patti Walker, Member
Gayle Washburn, *Alternate*

City of Port Hueneme

Marcela Morales, Member
XXXXX, *Alternate*

City of Thousand Oaks

Tom Glancy, Member
Jaqui Irwin, *Alternate*

City of Moorpark

Janice Parvin, Member
Mark Van Dam, *Alternate*

City of San Buenaventura

Carl Morehouse, Member
Brian Brennan, *Alternate*

County of Ventura

Linda Parks, Member
XXXXXXX, *Alternate*

City of Ojai

Sue Horgan, Member
Joe De Vito, *Alternate*

City of Santa Paula

Gabino Aguirre, Member
Jim Tovias, *Alternate*

- B. **Appointment of 2009 Administrative Committee**: Consider the Chair's appointment of members of the 2009 Administrative Committee.
- C. **Adoption of 2009 Workplan**: Consider draft 2009 Workplan as recommended by the Administrative Committee.
- D. **Adoption of 2009 Legislative Agenda**: Consider proposed 2009 Legislative Agenda.
- E. **Update on SB 375 Implementation and VCOG January 29, 2009 Workshop**: Receive report and provide direction to staff as appropriate.
- F. **Update on VCOG/Ventura County Civic Alliance (VCCA) "Compact for a Sustainable Ventura County" Project**: Receive oral status report.
- G. **2009 VCOG Annual Meeting**: Consider holding annual meeting on Thursday June 25, 2009 in Thousand Oaks / Simi Valley area and provide direction to staff on program.

9. **AGENCY REPORTS**

- A. Southern California Association of Governments
- B. Ventura County Transportation Commission
- C. League of California Cities
- D. Other Agencies

10. **INTERIM EXECUTIVE DIRECTOR REPORT**

11. **REQUEST FOR FUTURE AGENDA ITEMS**

Any Board Member may propose items for placement on a future agenda. Members may discuss whether or not the item should be agendaized and the description of the agenda item.

12. **ADJOURNMENT TO MARCH 12, 2009**

Copies of staff reports or other written documentation relating to each item of business referred to on this agenda are on file in the City of Santa Paula City Manager's Office and are available for public inspection. If you have any questions regarding any agenda item, contact the Interim Executive Director at (805) 933-4200.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Interim Executive Director. Notification 48 hours before the meeting will allow VCOG to make reasonable arrangements to ensure accessibility to this meeting (28 CFR 35, 102-35.104 ADA Title II).



**VENTURA COUNCIL
OF GOVERNMENTS**

***Draft* MINUTES**

Thursday, July 10, 2008

5:00 p.m.

City of Camarillo

Council Chambers

601 Carmen Drive, Camarillo, California 93010

1. **CALL TO ORDER:** Chair Holden called the meeting to order at 5:03 p.m.

2. **FLAG SALUTE:** Chair Holden led the Pledge of Allegiance.

3. **ROLL CALL:**

Member Jan McDonald	City of Camarillo
Member Patrick Hunter	City of Moorpark
Member Tom Holden	City of Oxnard
Member Maricela Morales	City of Port Hueneme
Member Carl Morehouse	City of Ventura
Member Gabino Aguirre	City of Santa Paula
Member Tom Glancy	City of Thousand Oaks

Absent: Member Cities: Fillmore; Ojai; Simi Valley and County of Ventura

4. **PUBLIC COMMENT:** Eileen Tracy, Oxnard spoke regarding prisoner re-entry.

5. **BOARD MEMBER COMMENTS:** Member Morales commented that under the Consent Calendar, related to the Legislative Committee, she wanted to share that if in fact there was to be a presentation later this year regarding the Solar and Clean Energy Act of 2008, it stated that there would be a presentation by SCE and if scheduled, she would like VCOG to also have someone there to present on the "pro" side, so that both sides are represented. Near her community, the chair of the Central Coast support for that proposal is a Councilmember in the City of Santa Barbara. She wanted that individual to be invited to share information.

Mr. Bobkiewicz responded that this issue was discussed at the Administrative Committee meeting last month and the decision was made to put the item on in September, so with the concurrence of the Board, he would meet with Councilmember Morales to find out the contact to have that individual present as well as the representatives from Edison.

Chair Holden thanked those involved in the Annual Meeting and commented that it was a nice evening.

Member Glancy apologized for almost being tardy as there was an airplane down near Santa Rosa Road and the freeway.

Member Hunter spoke, and indicated that the Board was in receipt of a letter from Assemblymember Audra Strickland, directed to Clark Kelso, Receiver. Although dated July 7, it was scheduled to be delivered to the Receiver on Tuesday, and asked that the Board take the matter up as an urgency item, as well as take this item first. A number of boardmembers had to leave early, which would enable the Board to talk about this earlier.

Member Hunter moved that this was an urgency item based on the fact that the letter was scheduled to be delivered to the Receiver on Tuesday, which would be before VCOG's next regularly scheduled meeting, the latter part of summer.

Member Morehouse seconded, and it was approved unanimously by voice vote.

Member Hunter requested that the item be added to the Agenda and if it was the Board's pleasure, that this item could be taken as the first piece of business.

Item approved unanimously by voice vote.

6. **APPROVAL OF THE FINAL AGENDA**: Approved unanimously by voice vote.

7. **CONSENT CALENDAR**

A. **Discussion of the Letter to the Assembly**: Member Hunter commented that in a letter dated July 7, 2008, signed by Assemblymember Audra Strickland to Clark Kelso, California Prison Healthcare Receivership Corporation. It was signed by a number of elected officials in Ventura County. It discussed the negative impacts of the possible conversion of the Ventura Youth Correctional Facility, which was in receivership and the Assemblymember had taken a position against the project, as had a number of elected officials throughout the County of Ventura. Member Hunter indicated that he thought it was the Board's pleasure to consider the time, preliminarily to discuss possible opposition to the project based on what little knowledge that they had thus far. That opinion could always be changed in the future, would not foreclose on VCOG's changing an opinion, but thought it would be in the best interest of their respective communities to take the position in opposition of the possible conversion.

Member Morales inquired as to those electeds that were listed but had not signed were presumed in support of the letter. Chair Hunter responded in the positive. He also believed that there were to be more names added to the list. He believed that the signature page was a work in progress and indicated that

was why one would find more than one representative for one jurisdiction and perhaps one representative from another. There was a scramble to get signatures, and to get the letter hand-delivered to the Receiver by Tuesday of the next week.

Member McDonald commented that the City of Camarillo was sending their own letter that she was taking. Camarillo would be the closest city with the greatest impact from the proposed project. She urged all to get involved by getting on the list of those agencies opposed. She thought it was important to keep it agendized until a decision had been made. She also urged the Executive Director to work with the City Managers' group to develop a strategy to inform everyone and to oppose. She added that a huge impact would be to the local healthcare system, with 1500-1800 beds within the prison system—more beds than every hospital in Ventura County, combined. 5,000 employees to consider adding to the traffic and visitors, etc.

Member Morales inquired as to the timeline in which a decision would be made.

Member McDonald replied that it was being pushed very quickly with two EIRs already ordered. The guess would be that the EIR would be out by the end of the year. The project would be a total teardown.

Member Morehouse added that his Council had not had a discussion on this matter, but had constituents discuss their concerns with him and he moved that VCOG forward the letter as requested and that it be placed on the agenda for the next month.

Chair Holden asked for clarification as to how VCOG would sign onto the letter and Member Hunter responded that it could be done either by having the Executive Director contact Ms. Strickland's office the next morning to see if VCOG's membership could get on the signature page; or, draft an independent letter signed by the Chair to be forwarded independently.

Chair Holden asked if the Mayor (VCOG members) already signed on the letter did so as individuals or the cities they represent. Member Hunter responded that on behalf of his city, their Council was not ready to take up the matter until August 20, so it was not on behalf of the Council.

Chair Holden stated that there was a motion (Morehouse) and a second (Morales) to get on the letter as VCOG as discussed or to craft a separate letter that would be signed with the listing of the cities and members.

This item was approved unanimously by voice vote.

- B. Minutes:** Motion to adopt Minutes of the May 8, 2008 meeting by Member Glancy and seconded by Member Morales.

- C. **Workplan Update:** Receive and file. Member McDonald moved to approve; Member Glancy seconded.

8. **ORDER OF BUSINESS**

- A. **Presentation on Implementation of AB 32—Global Warming Solutions Act of 2006 and SCAG Regional Comprehensive Plan:** Mr. Bobkiewicz introduced Jacob Lieb, a program manager from the Southern California Association of Governments (SCAG), who had copies of the SCAG’s Regional Comprehensive Plan and offered them up as references.

Mr. Lieb discussed meeting the Global Warming Act’s long-term goal of an 80% reduction in emissions by 2050 would require basically the elimination of carbon-based technologies and combustion engines from California’s economy and way of life. Further, he stated that the act is as profound, if not more profound than the California Environmental Quality Act, the 1970 law that established the state’s system of environmental review by local governments for every sizable development project. It would affect how we do business, and will do so in some profound ways that a number of communities have not recognized as yet.

The act requires a reduction of 169 million metric tons of emissions, or a drop of close to 30%, from the projected output in 2020. Planes, trains and automobiles are responsible for more greenhouse gas emissions than any other sources, so that the bulk of the reduction will come through stricter state standards for vehicle emissions. New regulations on power plants and other industrial uses will be the next-biggest chunk. Farther down the list, at just over 1% of the total reduction, are measures taken by local governments. Still, cities and counties would have to start taking greenhouse gases into account when planning new commercial and residential developments, just as they must already consider things like water quality.

Member Morehouse commented that we are going to have to think about ways to get people out of their cars to get from point A to point B.

Member Aguirre commented on the movement of goods and people around the County. In Santa Paula the jobs housing balance is very out of kilter. It sends workers out of Santa Paula to various communities throughout the County and that puts people in their cars, moving out. It would be logical to develop more of an economic infrastructure in those areas where the workers are located. The issue also has to do with a lack of transportation, and we are being called on to face this great challenge that we have regionally and globally, and he opined that we have to do not only what our fair share is but to be innovative and move beyond that because ultimately our fair share is not going to get us there—that limits us to the kind of thinking and policies that we need to develop and he called up VCOG and SCAG to be planning agencies. The problem is much larger than any community by itself, can solve or address.

Member Morales commented that she wanted to comment further on some of Member Morehouse's comments, that more and more we are coming up against the wall of land use and the fiscalization of land use—that cities feel pushed to develop for the purpose of increasing property and sales tax. 50% of city general funds come from property and sales tax. In our (Port Hueneme's) situation, only 17% is coming from property and sales tax and they have little option, yet is part of the region and jobs rich community and contribute to the region in that way. She agreed that in looking at the AB32 issue we also need to look at how land use is driven and look at issues of revenue sharing, that we may not be able to even grapple with that, but given the seriousness of AB32 and how tied into land use it is, that we can't address one without the other.

Mr. Lieb added a comment that AB32 was a broad piece of legislation that enables the State Board to do whatever is necessary to achieve this target, and as such, is a huge revenue generator for the state. The Board (ARB) is able to impose carbon emission fees and they are able to auction the original emissions rights under cap and trade. There is a lot of money out there and he felt that ideally how it all works was to develop a policy at the regional level that when aggregated, leads to emission reduction. At the local level, you are able to incorporate some of those policies into your own activities, so on one hand you are relieved from any scrutiny on project by project decisions, and on the other hand you are also given money to make those things happen and he felt that ideally that was how it works.

Chair Holden added that regarding the transportation issue and the fiscal responsibilities of the cities, the retail does connect to the equation, but more importantly, the connection between providing jobs and residences in any future development. It would be extremely important in the future in that this County is disjointed when it comes to the amount of cars we put on the freeways in order for people to get to their jobs and back home again. Oxnard is fortunate in that it will be creating a job creating development at the same time as a residential development and tying those together in a short distance, and further commented how important that will be.

Chair Holden added that the pleasure of the Board was to continue a dialogue regarding AB32 and the coordination regionally and deferred to Mr. Bobkiewicz of how that might be accomplished.

Mr. Bobkiewicz responded that this item would come back on the November agenda.

- B. 2-1-1 Ventura County:** Erik Sternad, Executive Director, Interface Children and Family Services provided Powerpoint presentation as well as a hand out and offered data as part of the 2-1-1 Call Center, and finally, a funding proposal at the end for the Board's consideration.

Several boardmembers commented that they were looking toward the County to participate to increase its contribution, but agreed that cities do need to participate to support this very worthwhile resource.

Chair Holden asked Mr. Bobkiewicz that there was potential for the cities to participate but it was dependent on whether or not the County wants to initiate the process by stepping up to fill the gap and then looking toward the cities.

- C. **First Responder / Code Blue / Do Not Resuscitate Issue:** Member Morehouse introduced Dr. Hornstein, his personal physician, who was leading a group in the County on the topic of resuscitation and the orders not always making it out to the responders. He indicated that there was a coordinated effort with the physicians throughout the County to try to do something for those who have given directives not to be resuscitated to have a more expedient way of the first responders having access to that information.

Dr. Hornstein provided a case study of an end of life story and introduced the POLST Program—Physician Orders for Life Sustaining Treatments. It is a one page form that was introduced in Oregon in the mid-1990's through an interdisciplinary task force throughout the state and over a period of about four years, came out with a one-page form called the POLST document. It has a distinctive bright pink color, card stock. 95% of all patients in nursing homes now have a POLST form.

POLST has been moved on to California and he looked for support in Ventura County implementing the project. It is well on the way to do that and within the next several months, a POLST-type of form would be rolled out to all 7 hospitals in Ventura County. He mentioned a local initiative AB 3000 which he encouraged VCOG to support.

Member Glancy asked if the POLST form follows the patient, and Dr. Hornstein confirmed.

Barry Fisher, Administrator for Emergency Medical Services Agency for the County of Ventura, spoke, identifying his employer as the regulatory agency for the county. He added that from the minute you pick up 9-1-1 until the patient is delivered at the hospital, is what his agency oversees. He applauded Dr. Hornstein's efforts and advised that they (agency) currently had a statewide form for "Do Not Resuscitate", which has been in place for several years and added that there are issues such as Dr. Hornstein mentioned, such as the form not making it from the skilled nursing facility to the hospital, etc. Paramedics may arrive in the middle of the night, medical records can't be located, etc. As an agency, it was the first time he had heard of the local initiative (AB 3000), and offered his support and assistance with this initiative.

- D. **AB 793 (Strickland) Affordable Housing Tax Assessments:** Chair Holden asked Mr. Bobkiewicz if due to the hour, this item could be moved to the Legislative Committee to be acted on and Member Hunter concurred.

9. **AGENCY REPORTS:**

- A. **League of California Cities:** Dave Mullinax was grateful for the allowance to present earlier as he was under a time constraint. He spoke about the problems associated with the State's budget and a constant flow of rumors. The League was concerned that the State has taken over 5 months of the monthly Highway User Tax payments to get them over their cash flow crisis of earlier this year. Talk of implementation of Prop 1A borrowing takings as far as property tax. The Democrats did not want to do that as it would appear to be accounting gimmickry, would have to be paid back within 3 years with interest, and would really not solve the structural type of problems, etc. The Republicans all signed a "No New Taxes" pledge earlier in the year. Since it is an election year, they do not want to raise taxes, even if it would close tax loopholes. They would much rather go back to their districts and say that they didn't raise taxes, rather they borrowed all of our money—or a billion dollars or so of local tax monies.

Mr. Mullinax indicated that he had sent out a Legislative Alert from Chris McKenzie which addressed the fact that they had already borrowed money earlier this year, to make sure that the membership communicated more with letters, phone calls locally or in Sacramento about the challenges faced locally and to borrow this money is not doing the job that should be done as far as fixing their structural deficit problems. The budget problem would not be going away soon and earlier that day, at the Conference Committee, the Democrats laid out \$8 billion in tax increases proposals and the Republicans indicated they had a list of tax cuts but had not as yet laid them out. A line had been drawn in the sand, very polarized in Sacramento. We need to take a pragmatic, balanced approach and not to count balancing their budgets on our backs.

He would be happy to help with any outreach efforts and indicated further that he would be doing that in all three counties and statewide over the next several weeks and months.

He briefly discussed AB 32; AB 375 and AB 303.

- B. **Ventura County Transportation Commission:** None.

- C. **Other Agencies:** None.

10. **INTERIM EXECUTIVE DIRECTOR REPORT:** None.

11. **REQUEST FOR FUTURE AGENDA ITEMS:** Member Morales commented that during the week, the California Secretary of Food and Ag, of which Oxnard was the host as the location for the listening session in Ventura County, as part of a statewide California Agricultural vision that he and the Board are putting together—the first ever for sustainable agriculture for California by the year 2030. As part of VCOG's sustainability workplan, she recommended that the board have a presentation

sometime in the near future of this program as part of a Foodshed Management Plans, given the interface with Los Angeles and they're being a huge consumer base there for our agriculture. She provided a flier with contact information where comments were being accepted.

12. **ADJOURNMENT:** 7:00 p.m. The next meeting to be held at 5:00 p.m., September 11, 2008 at Camarillo City Council Chambers.



**VENTURA COUNCIL
OF GOVERNMENTS**

DRAFT MINUTES

Thursday, September 11, 2008

5:00 p.m.

City of Camarillo

Council Chambers

601 Camarillo Drive, Camarillo, California, 93010

1. **CALL TO ORDER:** Chair Holden called the meeting to order at 5:00 p.m.

2. **FLAG SALUTE:** Member McDonald led the Pledge of Allegiance.

3. **ROLL CALL:**

Member Tom Holden	City of Oxnard
Member Jan McDonald	City of Camarillo
Member Sue Horgan	City of Ojai
Member Maricela Morales	City of Port Hueneme
Member Carl Morehouse	City of Ventura
Member Paul Miller	City of Simi Valley
Member Gabino Aguirre	City of Santa Paula
Member Linda Parks	County of Ventura

Absent: Member Cities: Fillmore; Thousand Oaks

4. **PUBLIC COMMENT:** None.

5. **BOARD MEMBER COMMENTS:** None.

6. **APPROVAL OF THE FINAL AGENDA:** Chair Holden suggested that the Board move item 8C prior to item 8A on the agenda. Approved unanimously by voice vote.

7. **CONSENT CALENDAR:**

A. Legislative Correspondence

B. Workplan Update

Member Miller moved for approval, seconded by Member Morales; approved unanimously by voice vote.

8. ORDER OF BUSINESS

- C. **Prisoner Re-Entry Community Issues:** Supervisor Long reported on the issues that will develop as a result of AB 900. Supervisor Long suggested having a public workshop for elected officials to gather with law enforcement personnel and members of the public to discuss the impacts of having parole's released early into the community.

Aileen Tracy, spoke in support of having a public workshop to educate the public on the issues associated with having parole's released into the community.

- A. **Update on VCOG/Ventura County Civic Alliance (VCCA) “Compact for a Sustainable Ventura County” Project:** Mr. Bobkiewicz reported that VCOG has received noticed from SCAG that it will be reconsidering the application that was submitted in late 2007 for the two-percent strategy grant funds for phase two of the project.

Ms. Varnado gave a brief presentation of the work scope she has prepared for phase two of the “Compact for a Sustainable Ventura County. Ms. Varnado presentation focused on the objectives for the future of Ventura County and reported on the major issues that were found during phase one of the project.

Chair Holden suggested including the Civic Alliance as a co-applicant in the strategy grant fund application.

Mary Ann Krause, Civic Alliance, thanked VCOG for their interest and commitment to continue on the project.

Ron Bottorff, Civic Alliance, provided a brief history of how the project originated in within the Civic Alliance.

Hugh Ralston, thanked VCOG for agreeing to form a partnership for the Compact for a Sustainable Ventura County project with the Civic Alliance. Mr. Ralston shared the Ventura County Community Foundation has committed a four-year grant to support the work of the Civic Alliance.

Sandy Smith, Civic Alliance, spoke in regards to the importance of civic engagement and the Civic Alliance desire to maintain an ongoing dialogue with VCOG regarding this project.

It was moved by Member Holden, seconded by Member Miller to include VCTC and the Civic Alliance as co-applicants in the application for phase II . The motion was approved unanimously by voice vote.

B. Proposition 7 – Solar and Clean Energy Act of 2008

Das Williams, spoke in support and the benefits of Proposition 7. Mr. Williams reported Proposition 7 would increase the renewable standards of all utilities.

Nancy Williams, Southern California Edison, spoke in opposition of Proposition 7. Ms. Williams expressed that mandating the requirements of Proposition 7 at this time would be a poor decision due to the unknown consequences of the measure.

It was moved by Member Miller, seconded by Member Horgan for VCOG to oppose Proposition 7. Member Horgan, Member Holden, Member McDonald, and Member Miller were in favor. Member Aguirre, Member Morales, Member Morehouse, and Member Park were opposed. The motion was tied.

It was moved by Member Morehouse, seconded by Member Parks for VCOG to remain neutral and neither express support and opposition for Proposition 7. Member Aguirre, Member Morales, Member Morehouse, and Member Park were in favor. Member Horgan, Member Holden, Member McDonald, and Member Miller were opposed. The motion was tied.

The report was received and filed.

D. VCOG Financial Audit:

Member Holden moved for approval, seconded by Member Horgan. Member McDonald abstained. The motion was approved unanimously by voice vote.

9. **AGENCY REPORTS:** None.
10. **INTERIM EXECUTIVE DIRECTOR REPORT:** None.
11. **REQUEST FOR FUTURE AGENDA ITEMS:** None.

12. **ADJOURNMENT:** Meeting adjourned at 6:45 p.m. to November 13, 2008.



**VENTURA COUNCIL
OF GOVERNMENTS**

MEMORANDUM

TO: Board of Directors
FROM: Wally Bobkiewicz, Interim Executive Director
SUBJECT: **Election of Chair-Elect**
DATE: January 8, 2009

Recommendation: It is recommended that the Board of Directors elect a Chair-Elect for 2009.

Discussion: Under the VCOG Joint Powers Authority Agreement, the Chair-Elect automatically becomes Chair at the beginning of each calendar year and the Board elects a new Chair-Elect. Simi Valley Mayor Paul Miller was elected Chair-Elect in 2008 and automatically becomes Chair for 2009. Staff recommends that the Board elect a Chair-Elect for 2009. The newly elected Chair-Elect would become Chair in 2010.



**VENTURA COUNCIL
OF GOVERNMENTS**

MEMORANDUM

TO: Board of Directors

FROM: Wally Bobkiewicz, Interim Executive Director

SUBJECT: **Appointment of 2009 Administrative Committee**

DATE: January 8, 2009

Recommendation: It is recommended that the Board of Directors consider the Chair's appointment of members of the 2009 Administrative Committee.

Discussion: Under the VCOG By-Laws, the Administrative Committee shall be composed of the Chair, Chair-Elect and the Immediate Past Chair of the Board. Also the Chair of each Standing Committee and other such members recommended by the Chair and approved by the Board shall serve on the Administrative Committee.

The current members of the Administrative Committee are Chair Paul Miller, Immediate Past Chair Tom Holden and Members Carl Morehouse and Gabino Aguirre.



DRAFT 2009 WORKPLAN

1. AB 939 Local Task Force: Continue oversight role of Countywide Intergrated Waste Management Plan (CIWMP).
2. Regional Housing Needs Assessment: Continue role in establishing Regional Housing Needs Assessment (RHNA) for Ventura County.
3. Future Governance Models: Monitor transportation/planning regional governance models, as well as other responsibilities for VCOG (such as air quality management) and determine any changes or modification to VCOG structure and mission as appropriate.
4. Legislative Agenda: Continue to identify and take positions on State legislation that impacts Ventura County pursuant to the VCOG Legislative Agenda.
5. Informal Gatherings of Ventura County Officials: Continue to identify ways and host events to bring together Ventura County officials in an informal setting for exchanging ideas and to get to know each other better.
6. Emergency Preparedness: Work to develop programs where the cities and the County can work better together to coordinate emergency preparedness and other public safety programs.
7. Homeless Services: Work to assist the Ventura County Homeless and Housing Coalition to implement the “10 Year Plan to End Homelessness in Ventura County.”
8. Graffiti Abatement: Work to develop a model ordinance to be used countywide on penalties for acts of graffiti.
9. Sustainability: Continue work on “Compact for a Sustainable Ventura County” and other issues related to sustainability and climate change.



**VENTURA COUNCIL
OF GOVERNMENTS**

MEMORANDUM

TO: Board of Directors

FROM: Wally Bobkiewicz, Interim Executive Director

SUBJECT: **Adoption of 2009 Legislative Agenda**

DATE: January 8, 2009

Recommendation: It is recommended that the Board of Directors consider adopting the 2009 Legislative Agenda.

Discussion: VCOG has adopted a Legislative Agenda in recent years since 2005. The Administrative Committee discussed this issue at their December meeting and proposed to adopt the 2008 agenda without change. The adopted 2008 Agenda is attached for reference.

Attachment:
2008 Legislative Agenda

VCOG ANNUAL LEGISLATIVE AGENDA FOR 2008

Adopted – January 10, 2008

Purpose

The goal and intent of VCOG is one of voluntary cooperation among cities and the county of Ventura for their collective benefit. In this regard, VCOG serves as an advocate in representing the members of VCOG at the regional, state and federal levels on issues of mutual importance to the Ventura County area. It also can serve as a forum for the review, consideration, study, development and recommendation of public policies and plans with regional significance.

Overriding Principles

VCOG believes that cities and counties must be able to control matters within their own jurisdictions. Therefore, VCOG will take positions on proposed legislation, rules and/or regulations that affect local control. Additionally, VCOG will take positions on issues that directly affect the county area. And, when local decisions affect neighboring communities, VCOG supports local governments working collaboratively and regionally to address regional issues.

Process

Staff will monitor the League of California Cities' *Priority Focus*, California State Association of Counties' positions as well as other sources to identify pending legislation that may impact the member entities.

A Legislative Subcommittee of the VCOG Administrative Committee shall be created composed of the following three members: Chair, Chair Elect and Immediate Past Chair. The Chair (or Chair Elect in the Chair's absence) is authorized to sign correspondence expressing VCOG's position on pending legislation consistent with the Legislative Program and/or other positions approved by the Governing Board provided that such correspondence has been sent to the Legislative Subcommittee for their review with a deadline for their comments but not less than 24 hours before it is finalized.

Copies of all correspondence will be distributed to each Governing Board member and their jurisdiction and a Legislative Report will be provided at Board meetings.

Pending legislation not addressed by the Legislative Agenda, member requests or staff recommendations that deviate from the Legislative Agenda, will be agendized for VCOG Governing Board consideration.

This policy will be reviewed each year with the adoption of the Legislative Agenda.

Issues Of Common Concern and Areas of VCOG Commitment

I. Fiscal Impact - VCOG is committed to:

- A. Maintain the protections that are provided in Proposition 1A to protect local revenues from seizure by the state.
- B. Oppose preemption of local authority.
- C. Support measures that result in greater stability and predictability in local government budgeting.
- D. Support legislation requiring the state and federal governments to provide full cost reimbursement to cities and counties for all unfunded or underfunded mandated programs and for all programs resulting in revenue losses.
- E. Encourage the use of state incentives for local government action rather than mandates and penalties.
- F. Support legislation eliminate unfunded Federal mandates.

II. Transportation & Transit - VCOG is committed to:

- A. Support legislation that would provide additional resources to cities and counties to finance local transportation systems, facilities, and improvements.
- B. Protect and enhance current funding levels and local authority for existing State and Federal transportation revenues and programs
- C. Support the immediate halt to transfers to the State General Fund of dedicated State Transportation funds and the timely return of all previous loans
- D. Support the authority of cities and county to manage the public right-of-way and receive compensation for its use.
- E. Support legislation authorizing design-build as an option for public works projects.
- F. Support legislation that expands SCAG's "2% blueprint" process.

III. Economic Development - VCOG is committed to:

- A. Support legislation that gives cities and counties resources to finance economic development efforts, such as business attraction, retention, and growth, as well as marketing and tourism.
- B. Support the retention of the Naval Base Ventura County.

- C. Support legislation to ensure sufficient funding to operate one-stop employment and training centers.
- D. Oppose efforts to cut funding for Community Development Block Grant (CDBG) programs and other publicly funded community services and workforce assistance programs to serve low-income and/or other disadvantaged residents.
- E. Support legislation that reforms reporting requirements for redevelopment agencies by simplifying the process and eliminating reporting confusion.

IV. Land Use - VCOG is committed to:

- A. Support efforts that are consistent with the doctrine of "home rule" and the local exercise of police powers, through planning and zoning processes, over local land use.
- B. Support legislation that strengthens local control to prepare, adopt, and implement plans for orderly growth, development, beautification, and conservation of local planning areas, including, but not limited to, regulatory authority over zoning, subdivisions, annexations, and redevelopment areas.

V. Housing - VCOG is committed to:

- A. Support efforts to develop multi-jurisdictional (federal, state, county, city) participation, financial support, and incentives for programs that provide adequate, affordable housing for the elderly, handicapped, and low-income persons throughout the community as well as required infrastructure construction.
- B. Support Housing Element reform legislation that provides greater local control and flexibility, simplifies the process, and improves its effectiveness.
- C. Support legislation that eliminates the current Regional Housing Needs Allocation process and defines a more equitable process to respond to growth trends in the region.
- D. Support legislation that streamlines the environmental review process for mixed-use infill development without compromising environmental quality standards.
- E. Support legislation that promotes and provides incentives for environmentally responsible design and construction.
- F. Support legislation that streamlines the Regional Housing Needs Assessment process to make less onerous on cities and counties.

VI. Environment - VCOG is committed to:

- A. Support legislation that streamlines the state's environmental review process and

maintains public participation without compromising environmental quality standards.

B. Air Quality Protection

1. Support mobile source emission reduction activities to improve the environment without adverse impact on local economy.
2. Support air quality efforts that emphasize use of advanced technologies and market incentives, including use of alternative fuels and development of an infrastructure for alternative fuel vehicles.
3. Support port air emission reductions.
4. Support federal action for reducing air pollution from those sources solely under federal control such as ships, planes and trains which are increasingly affecting the ability to reach local air quality attainment.

C. Solid Waste

1. Support legislation that provides cities and counties with financial assistance for programs designed to provide for the safe disposal of solid, hazardous, and special waste.
2. Support legislation that promotes source reduction measures without creating an unfunded mandate.
3. Support legislation that promotes recycling and expands the market for recycled materials as well as making grants available to local agencies for programs that encourage the recycling/reclaiming of resources.
4. Support new resource recovery and conversion technologies, such as bio-diesel from organic waste, including removing impediments to the adoption of transformation or conversion technologies to help municipalities and the county meet and exceed their requirement to divert 50% of their solid waste away from landfills.
5. Oppose legislation that would restrict or limit local government's ability to franchise refuse and recycling collection services, to direct municipal or county solid waste flow (flow control), or to contractually require haulers to guarantee achievement of AB 939 goals
6. Initiate legislation that streamlines AB 939 tracking and reporting requirements.

D. Water Protection

1. Support legislation and cooperative efforts to ensure adequate water supplies for

Southern California and to protect and enhance regional groundwater resources and watersheds.

2. Support state and federal funding legislation for local storm water and NPDES programs as well as incentives for the re-use of reclaimed water. Support regulations and full reimbursement for local agencies to carry out the NPDES mission that are practical and capable of being implemented including taking into account economic considerations.
3. Support scientific investigation and implementation, as funding permits, of reasonable, cost-effective, and proven best management practices (BMP) and best available technologies (BAT) to mitigate storm water pollution to the maximum extent practicable

E. Natural Resources

1. Support funding and legislation for the designation and preservation of open space and preservation, restoration and enhancement of natural resources.
2. Support legislation and/or programs that provide money to local governments for energy efficiency and conservation programs.

VIII. Public Safety and Homeland Security - VCOG is committed to:

- A. Support legislation that increases local law enforcement resources including providing cities and counties with a greater share of fines and forfeitures.
- B. Support funding for improved public safety programs, specifically the State Grants that have provided police departments with the funds necessary to support technology improvements increasing efficiency. This includes grants that support homeland security, grants through the Office of Traffic Safety, as well as other grants that support the hiring of law enforcement personnel.
- C. Support legislation to support public safety facilities funding.
- D. Support legislation that would provide additional resources for commercial truck safety inspections and the enforcement of commercial truck vehicle codes.
- E. Support legislation that allows use of state and federal public safety grants for maintenance efforts in addition to service increases.
- F. Support maintenance of existing health care facilities within the county for emergency response with adequate funding and staffing.

G. Support funding for all hazards, not just terrorism and encourage comprehensive All Hazards planning.

H. Oppose a relaxation of TSA safety standards enacted after 9/11.

IX. Labor Relations - VCOG is committed to:

A. Oppose legislation that would restrict a local government's ability to use its own employees on public works projects when such projects have previously been advertised for bid.

B. Oppose legislation that requires the use of city or county employees rather than contracting out.

C. Oppose any legislation that would grant employee benefits that should be decided at the local bargaining table.

D. Support legislation that would reform the Workers' Compensation system to reduce employer cost through the reduction of system abuse.

E. Oppose any measure that imposes compulsory and binding interest arbitration.

F. Oppose efforts that reduce local control over public employee disputes or impose regulations of an outside agency on such disputes.

IX. General Government - VCOG is committed to:

A. Support legislation limiting the county and a city's liability associated with hazardous recreational activities, such as skateboarding and in-line skating.

B. Support legislation that makes funds available to refurbish and improve parks.

C. Oppose legislation that increases local government's exposure to litigation.



**VENTURA COUNCIL
OF GOVERNMENTS**

970 Ventura Street
Santa Paula, CA 93060

NOVEMBER 13, 2008

TO: VCOG MEMBERS

FROM: DEBRA A. VARNADO, ASSISTANT EXECUTIVE DIRECTOR

RE: UPDATE ON SB 375

RECOMMENDATION

Review, comment, and provide direction to staff.

DISCUSSION

This memorandum provides an update and overview of SB 375 (Steinberg) *Transportation planning: travel demand models: sustainable communities strategy: environmental review*. It provides an overview of the law's general requirements (page 2-4); a draft flow chart depicting the SCS/APS development process (Attachment A); an implementation schedule (Attachment B); Follow-up Legislation (page 5); and Preliminary Issues (page 7).

Background on SB 375

AB 32 (Global Warming Solutions Act of 2006) requires the State of California to reduce greenhouse gases (GHG) to 1990 levels no later than year 2020. SB 375, which was signed by Governor Schwarzenegger on September 30, 2008, implements AB 32. To reach the 2020 goal, SB 375 intends to reduce GHGs and vehicle miles of travel (VMT) from autos and light duty trucks by integrating transportation and land use planning through a revised Regional Transportation Plan (RTP) development process.

The bill also aims to integrate the RHNA into the RTP by synchronizing the schedules of the two processes¹ and by requiring that the local government housing elements be consistent with a Sustainable Communities Strategy (SCS). SB 375 also aims to use CEQA Streamlining as an incentive to encourage residential, mixed-use, and transportation priority projects that help reduce GHG emissions.

As the MPO for the region, SCAG will be implementing SB 375 in consultation with the subregions, CTCs, the air quality districts and other stakeholders. The bill also calls for the conduct of a significant amount of outreach to the public and elected officials through workshops, informational meetings, and hearings.

¹ Corrections to the bill are necessary to ensure that the next SCAG Housing Element cycle begins in 2016 rather than 2012.

OVERVIEW OF SB 375 REQUIREMENTS² (DRAFT)

Sections A – G below outline the general requirements of SB 375.

A. General Guidelines and Framework for SB 375 Implementation (Draft)

SCAG must collaborate with the subregions, the CTCs, and other stakeholders to implement SB 375. As such, the Agency has scheduled workshops in each of the counties for Planning Directors, City Managers, and air quality management districts staff. The workshop in Ventura County will be held on November 20 as a part of the City - County Planning Association.³ A region-wide workshop is scheduled for December 9 from 10 am – 12 noon at SCAG. SCAG already has conducted informational workshops for Subregional Coordinators (10/23) and the Regional Council (11/6). Workshops for the CTCs will also be conducted. SCAG expects to develop guidelines and a framework for implementation between October 2008 – January 31, 2009.

B. Regional Targets Advisory Committee, Factors and Methodologies (Draft)

SCAG must work with the subregions and ARB to establish a greenhouse gas (GHG) emission reduction target for the region. (SB 375 also allows ARB or SCAG to develop the target and to submit it to the ARB for approval). Various factors that would influence the target development include population, current share of emissions, transit capacity, funding availability, in-fill and land capacity, etc. ARB will be establishing a Regional Targets Advisory Committee (RTAC) with representatives from the MPOs, subregions, CTCs, the League of Cities, CSAC, developers, and air quality communities, to advise the ARB on factors and methodologies to be considered in the development of targets. The Committee will be established by January 31, 2009 and will make its report to CARB by September 30, 2009.

C. Methodology for Integration GHG Emissions and VMT Reductions into Regional Plans (Draft)

SB 375 requires the region to develop a methodology to determine the levels of GHG emissions associated with its plans. ARB must approve the methodology. SCAG staff has begun preliminary discussions with ARB on a methodology, and intends to work with sub-regions and CTCs to submit the proposed methodology. SCAG will address methodology in its Guidelines and Framework for subregions and at future workshops. SCAG also indicates that it will strive to ensure that the methodology has built-in flexibility to allow for improvements in methods and tools while the process is underway. The Agency staff also says the region, in consultation with the subregions, should take advantage of the opportunity to recommend a target to ARB. Emissions reduction targets must be developed by September 30, 2010. Targets will be updated every 8 years.

² This memo is based on the best available information, analyses, and discussions to-date regarding SB 375 Implementation. Major sources include the League of Cities Technical Overview, and draft memo, diagrams, and discussions from SCAG workshops and policy meetings. These are all works-in-progress.

³ At the November 20 meeting, SCAG staff will be initiating the development of the Ventura County Forecast for the 2012 RTP.

D. Strategy Development To Reduce GHG Emissions and VMT: SCS, APS (Draft)

In the SCAG region, the subregions will have the “authority/opportunity” to produce, in collaboration with the CTCs, a Sustainable Communities Strategy (SCS) and/or the Alternative Planning Strategy (APS), within a framework developed by SCAG and the subregions. This provision of the law is unique to the SCAG region.

SCAG must submit this SCS to ARB as a part of the RTP. ARB is vested with the authority to accept or reject the SCS. The SCS will document the region’s compliance with the GHG emission reduction target, but if it does not achieve the reduction target, SCAG must submit an APS, which is separate from the RTP. The APS will explain what kept the region from meeting the target through the SCS, and it will contain additional land use measures, transportation infrastructure or other strategies that would allow the region to meet the target.

It is notable that regardless of which entity(ies) develops the SCS, the region is not required to achieve the GHG emissions reduction targets. The possibility of not meeting the targets and concern over potential consequences, however, has generated much discussion at SCAG. These issues will play out and may be resolved over the 4-year process for developing the RTP. In the interim, SCAG staff is encouraging the region/subregions to meet the targets. They will design a bottom up process working with the subregions, the CTCs, and other key stakeholders with the intent of achieving the target through the SCS. Part of their rationale is that “SB 375 sets up as a quasi-competitive process among regions of the State, with the tacit promise that future financial incentives will be linked to performance.”

Subregional Framework. The framework will cover regional planning and policy considerations, including the development of sub-regional targets,⁴ and practical considerations of integrating subregional planning into the RTP. SCAG staff will discuss issues with the subregions before they propose the subregional framework and guidelines. The goal is to reflect mutual interests. As a beginning discussion piece, SCAG has prepared a draft flow chart depicting options for developing the SCS/APS development. (See Attachment A).

E. Public Participation and Outreach (Draft)

SCAG Staff says that, “In all, SB 375 could require SCAG to conduct an additional 31 workshops, hearings and informational meetings.” Outreach would be to elected officials and the public to get input on the draft SCS and/or APS, and the RTAC Committee report (i.e., the GHG emissions reduction targets). SCAG will also have to provide a way for members of the public to make one single request to receive notices, information and updates.

F. RHNA Provisions (Draft)

SB 375 changes the regional transportation planning and RHNA process so that conflicting deadlines no longer cause a “disconnect” between regional housing and transportation policies. The timeline for the RHNA, and subsequent Housing Element processes will be based on the RTP schedule, in effect extending the Housing Element cycle to eight years (to be performed with every other RTP). SCAG would allocate the RHNA numbers at approximately the same time that the 2012 RTP is adopted. As the legislation currently stands, in the SCAG region,

⁴ SB 375 is silent on the issue of subregional targets.

housing elements would be due 18 months later. This submission deadline is an error that will be cleaned up in subsequent legislation.

Other RHNA-related provisions of the legislation include:

- The RTP's SCS must accommodate⁵/be consistent with⁶ the RHNA numbers. SCAG and the subregions would decide what consistency means.
- There are consequences for not submitting the housing element on time. If it is not submitted on time, jurisdictions still will have to complete their zoning requirements or be subject to sanctions.
- Within a specified period, jurisdictions will have to rezone sites to accommodate that portion of the RHNA not accommodated in their housing element inventory.
- Local agencies will have to develop timelines and schedules as to when specific actions will have "beneficial impacts" within the planning period.
- Under certain circumstances, a local government faces potential sanctions for failing to meet zoning timelines.
- "Extension of the 'by right' provisions related to affordable housing."⁷

G. CEQA Exemptions and Streamlining (Draft)

SB 375 provides for two types of streamlining of the CEQA review process--one for housing and mixed-use projects, the other for so-called Transit Priority Projects (TPP). Housing, mixed-use developments and TPPs must be consistent with the SCS (or APS), must meet specific definitions and criteria, and are thereby exempt from certain requirements of CEQA. For example, a residential or mixed-use project that is consistent with a SCS/APS does not have to address growth inducing impacts; or impacts from cars and light-duty trucks (on global warming or the regional transportation network), if the project includes mitigation measures required by an applicable prior environmental document. Among the requirements for having TPP status is the project must be located within one-half mile of a major transit stop or high quality transit corridor included in a RTP. Under SB 375, a TPP will have three different types of streamlining.

SCAG says it will work with the CTCs "to identify criteria that meet the definition for Transit Priority Projects, and is requesting that sub-regions do the same in sub-regional strategies." SCAG also indicates that "it must assess the degree to which these new provisions in CEQA are likely to be used in the region." The Agency's staff plans to talk with the building industry and environmental professionals and is currently working with Steinberg and other stakeholders on "clarifying expanded CEQA streamlining in subsequent legislation." SCAG indicates that CEQA provisions should be expanded to include "broader applicability for development projects, and provisions for new transportation projects included in the region's greenhouse gas reduction strategies."

⁵ Technical Overview of SB 375 (v.1.1) League of Cities, Bill Higgins

⁶ SCAG SB 375 Workshop Materials, November 2008

⁷ Ibid.

FOLLOW-UP LEGISLATION (Draft)

SCAG intends to try to get several issues addressed in subsequent legislation including:

- 1) RHNA/RTP synching – so that the next SCAG RHNA is not due until 2016.
- 2) Protection of transportation projects financed by voter approved sales tax – to address Ventura County upcoming sales tax measure.
- 3) Programmatic CEQA Exemptions of Transportation Projects to make it unnecessary to do a project level GHG analysis for transportation projects in an RTP that includes an SCS that reaches the GHG target, and for which there is a programmatic environmental analysis for GHG.

SCAG FLOW CHART DEPICTING SCS/APS DEVELOPMENT PROCESS (DRAFT)

See Attachment A.

IMPLEMENTATION SCHEDULE (DRAFT)

SCAG Draft timeline, Attachment B.

PRELIMINARY ISSUES (DRAFT)

The following issues have been raised in regard to SB 375 Implementation, either at SCAG workshops, Subregional Coordinator Group meetings, at Policy and Regional Council meetings, and/or among VCOG staff. Issues are not ranked ordered and the list is not all-inclusive. Issues are expected to be resolved and/or more fully developed in coming weeks.

SB 375 MPLEMENTATON - PRELIMINARY ISSUES (DRAFT)
<i>Funding</i>
Where is funding to implement SB 375? What is the status of AB 732?
There is a tacit promise that future financial incentives will be linked to performance. What is the likelihood that the promise will materialize?
<i>Guidelines and Framework</i>
Subregions and other stakeholders need a step-by-step approach to SB 375 implementation, including schedules/timelines, issues, processes, milestones, participants, etc.
The “bottoms-up” planning process needs to be defined, to minimize the impact and legal exposure of local agencies.
<i>SCS/APS</i>
What happens if all, none or a few of the SCAG subregions agree to develop the SCS for their subregion? .
Delegation of the SCS to the subregions appears to have many of the unresolved issues as the RHNA delegation. Is it feasible and/or does it make sense to move ahead on developing the SCS with unresolved issues and unknowns...without adequate direction from the legislation or the state? Some stakeholders think that the local governments should move forward despite the unanswered questions and limitations in guidance provided under the legislation. There is no consensus.
What are the components of an SCS—what does an SCS look like in terms of transportation, the RHNA, land use, and other elements?
What are the ramifications/repercussions if the SCS does not achieve emissions reduction targets?
<i>Methodology and Emissions Reduction Targets</i>
The development of regional targets is problematic in a number of ways. Is it feasible and desirable to try to develop subregional GHG emissions reduction targets?
How will issues be resolved if some subregions achieve targets, others don't, or do not assume the delegation authority?

SB 375 MPLEMENTATON - PRELIMINARY ISSUES (DRAFT)

What happens if ARB rejects the SCS?

The SCAG region should have representation on the RTAC.

If subregions accept delegation of the SCS/APS, SCAG will need to include time for training in using the methodology.

Should SCAG and the subregions develop the GHG reduction target for the region in lieu of ARB?

Other than preparing an APS, what are the ramifications/repercussions if the SCS does not achieve the emissions reduction target?

How will the region achieve GHG reductions through the region's transportation investment strategy?

RHNA

How will the RHNA be integrated into the RTP? What does RHNA consistency with the SCS mean?

Delegation of the SCS to the subregions may have some of the same issues as the RHNA delegation. Many RHNA issues are unresolved. Is it feasible/wise to move ahead on an SCS with so many unknowns? Without adequate direction from the legislation?

How will SB 375 implementation change the RHNA process?

How will recommendations of the RHNA reform task force affect or be integrated, if at all, into the implementation of SB 375?

Legislative Correction/Clean-up

SB 375 inadvertently timed the next Housing Element deadline to occur within 18 months of the completion of the 2012 RTP. This error needs to be corrected to 2016.

Clarifications needed regarding expanded CEQA streamlining -

Programmatic CEQA exemptions of Transportation Projects

Protection of transportation projects financed by voter approved sales tax – to address Ventura County upcoming sales tax measure.

Compact Phase 2

The Compact Phase 2 is scheduled to be finished in the January - February 2010 timeframe. The final GHG emissions reduction target will be available on September 30, 2010. The SCS/APS will be developed between Oct. 2010 - Sept. 2011. Given these dates, the Compact Phase 2 will not have access to the actual emissions VMT reduction targets until after Phase 2 is completed.