



**VENTURA COUNCIL
OF GOVERNMENTS**

AGENDA

Thursday, March 10, 2011
5:00 p.m.
City of Camarillo
Council Chambers
601 Carmen Drive
Camarillo, CA 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. **CONSENT CALENDAR**

A. **Minutes** – Adopt the Minutes of the January 13, 2011 meeting.

7. **ORDER OF BUSINESS**

A. **SCAG REGIONAL COUNCIL ELECTIONS**

Receive first announcement of SCAG Regional Council District Elections

MEMBERS

City of Camarillo
Michael Morgan, Member
Don Waunch, *Alternate*

City of Fillmore
Patti Walker, Member
Gayle Washburn, *Alternate*

City of Moorpark
Janice Parvin, Member
Keith Millhouse, *Alternate*

City of Ojai
Carlton Strobel, Member
Paul Blatz, *Alternate*

City of Oxnard
Tim Flynn, Member
Irene Pinkard, *Alternate*

City of Port Hueneme
Sylvia Muñoz Schnopp, Member
Douglas Breeze, *Alternate*

City of San Buenaventura
Carl Morehouse, Member
Brian Brennan, *Alternate*

City of Santa Paula
Jim Tovias, Member
Rick Cook, *Alternate*

City of Simi Valley
Bob Huber, Member
Barbra Williamson, *Alternate*

City of Thousand Oaks
Tom Glancy, Member
Jaqui Irwin, *Alternate*

County of Ventura
Linda Parks, Member
John Zaragoza, *Alternate*

B. REGIONAL HOUSING NEEDS ASSESSMENT (RHNA)

Receive SCAG presentation on RHNA

C. LEGISLATIVE UPDATE

- Support proposed Southern California Economic Strategy
- Oppose proposed redevelopment agency elimination
- Watch SB 49 (Strickland) regarding crash fees

D. TDML PROGRAM PRESENTATION

Receive TMDL presentation from VCWPD staff Gerhardt Hubner

8. AGENCY REPORTS

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

9. EXECUTIVE DIRECTOR REPORT

10. 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 agendized and the description of the agenda item.

11. ADJOURNMENT TO MAY 12 , 2011

Copies of staff reports or other written documentation relating to each item of business referred to on this agenda are on file at the Ventura County Transportation Commission and are available for public inspection. If you have any questions regarding any agenda item, contact the Executive Director at (805) 642-1591.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the 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).



MEETING SUMMARY

Thursday, January 13, 2011

5:00 p.m.

City of Camarillo
Council Chambers
601 Carmen Drive
Camarillo, CA 93010

1. **CALL TO ORDER**

2. **FLAG SALUTE**

3. **ROLL CALL**

Janice Parvin	City of Moorpark
Jim Tovias	City of Santa Paula
Don Waunch	City of Camarillo
Tim Flynn	City of Oxnard
Patti Walker	City of Fillmore
Bob Huber	City of Simi Valley
Carl Morehouse	City of San Buenaventura
Linda Parks	County of Ventura

Absent: Cities of Port Hueneme, Thousand Oaks and Ojai

4. **ELECTION OF CHAIR-ELECT**

Alternate Waunch nominated Member Flynn. Member Huber seconded the motion which passed unanimously.

5. **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.

6. **BOARD MEMBER COMMENTS**

7. **CONSENT CALENDAR**

- A. **November 4, 2010 Minutes** – *Approved*
(Members Huber, Tovias, Flynn and Alternate Waunch abstained)
- B. **Quarterly Budget Report** – *Received and Filed*
- C. **FY 2009/10 Audited Financial Statements** – *Received and Filed*

8. **LEGISLATIVE UPDATE** - Support proposed Comprehensive Tax Swap Package
Approved

9. **2011 LEGISLATIVE PROGRAM** - Approve 2011 Legislative Program
(Staff suggested language regarding AB 939 Solid Waste tracking and reporting requirements be changed from “initiate” to “support”)
Approved

10. **COMPACT FOR A SUSTAINABLE VENTURA COUNTY PHASE II – Public Speakers**

Sandy Smith Made himself available for questions and commented that the past five years of working on this project have helped to bring together Economy, Environment, Social Equity and Education.

Hugh Ralston, Ventura Community Foundation said a lot of work has been done but the project is not complete. By the time it is complete all key stakeholders will have been involved. Over the next 12-18 months discussions will continue so that everyone will have a chance to be heard before the final document is ready.

- Receive the Final Compact for a Sustainable Ventura County Phase II Report and draft compact language.
- Acknowledge the Ventura County Civic Alliance will initiate a targeted outreach effort to build support from individual community and stakeholder leaders.

Approved

11. **SB 375 UPDATE** – *Received and Filed*

12. **AGENCY REPORTS**

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

13. **EXECUTIVE DIRECTOR REPORT**

14. **REQUEST FOR FUTURE AGENDA ITEMS**

Member Parks requested an item addressing Best Management Practices for Greenhouse Gasses.

15. **ADJOURNMENT TO MARCH 10, 2011**



**VENTURA COUNCIL
OF GOVERNMENTS**

Item 7A

MEMORANDUM

TO: Board of Directors
FROM: Steve DeGeorge, Planning Director
SUBJECT: SCAG Regional Council Elections
DATE: March 10, 2011

Recommendation:

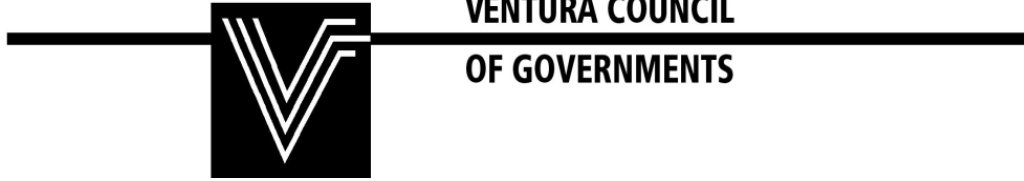
- Receive first announcement of SCAG Regional Council District Elections
-

Discussion: Staff is presenting the first announcement for elections to the Southern California Association of Governments' (SCAG's) Regional Council for odd numbered districts. The term of office for current Regional Council members serving District # 45, Oxnard Councilmember Bryan MacDonald, representing the cities of Camarillo, Oxnard, and Port Hueneme as well as District 47 Ventura Councilmember Carl Morehouse, representing the cities of Fillmore, Ojai, San Buenaventura and Santa Paula are set to expire on May 5th, 2011.

Any city councilmember or mayor within the above mentioned districts is eligible to serve on SCAG's Regional Council. A notice of the election was sent from VCOG's Clerk of the Board to all council members, mayors, City Managers, and City Clerks within the two districts on March 3, 2011. SCAG's election rules state that council members or mayors wishing to be considered must submit their names for candidacy within two weeks of the first notice of election to VCOG's Clerk of the Board. Candidates must submit their names to Ms. Donna Cole, VCOG Clerk of the Board by 5:00 P.M. Thursday March 17, 2011.

Should there be more than one candidate per district, an election will be held on Friday April 1, 2011 12:00 P.M., at Camarillo City Hall. All council members and mayors within the district are eligible to vote for their representative to SCAG's Regional Council.

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**VENTURA COUNCIL
OF GOVERNMENTS**

Item 7B

MEMORANDUM

TO: Board of Directors
FROM: Steve DeGeorge, Planning Director
SUBJECT: Regional Housing Needs Assessment (RHNA)
DATE: March 10, 2011

Recommendation:

- Receive SCAG presentation on RHNA
-

Discussion: The new planning requirements brought about by SB 375 align the Regional Transportation Plan and integrated Sustainable Communities Strategy (SCS) with the Regional Housing Needs Assessment (RHNA) and consequently each of the Southern California Association of Governments' (SCAG's) sub-regions, including VCOG as the sub-regional entity for Ventura County must decide whether or not to take delegation for this activity by June 30, 2011.

Although VCOG successfully took delegation in the last RHNA cycle, there are substantial changes that have occurred since that time that the Board members should consider as they contemplate the delegation decision. The previous RNHA was prepared under Senate Bill (SB) 12 urgency legislation which afforded sub-regions a streamlined process. The upcoming RHNA must be prepared under Assembly Bill (AB) 2158 and places responsibility for public outreach, public hearings, local surveys, local input, RHNA methodology development, including supporting social equity policies as well as administration of the revision and appeals process on the sub-regions taking delegation. In addition to the above mentioned activities, RHNA must now be consistent with the regional SCS which is still undefined at this time.

To provide Board members with the best information possible, Staff has invited Mr. Joe Carreras, SCAG Program Manager to provide the Board members with a discussion on RHNA. Mr. Carreras has also provided, a "RHNA 101 Primer" and a Housing Element Status for Ventura County that are attached to this item.

A RHNA 101 Primer

1. What is the Regional Housing Needs Assessment (RHNA) and how does it relate to the housing element of a local jurisdiction's General Plan?

Every general plan must contain a housing element that makes "adequate provision for the existing and projected housing needs of all economic segments of the community." Unlike the other elements, the housing element must be revised and updated every eight years after 2010 due to SB 375. Despite the wording, a community is not obligated to actually provide housing to all in need. The RHNA is a "distribution of housing development capacity" that each city and county must zone for in a planning period. It is not a "construction need allocation," and is integral to the development of a Sustainable Community Strategy. The housing element is a planning document, requiring the community to plan for meeting its "fair share" of regional housing market need.

The scheduled 2012 RHNA will set local housing and land use capacity goals to support future growth, including transit oriented, mixed use and infill development. These local goals are in turn aggregated into a region wide Sustainable Community Strategy (SCS) to fairly allocate Green House Gas (GHG) emission reduction targets across the region. SB 375 calls for a RHNA to be consistent with an SCS, and a Regional Transportation Plan (RTP) must be coordinated with an SCS and RHNA over eight years even though the transportation plan is updated every four years.

2. What has changed since the last RHNA cycle?

The previous RHNA was prepared under SB 12 urgency legislation. The next RHNA will fully incorporate reform provisions contained in the 2004 Assembly Bill (AB) 2158 (Lowenthal) and the recently passed SB 375 provisions. Housing element updates are now synchronized with the RTP adoption and the RHNA must be consistent with the RTP/SCS and its development pattern.

In contrast to the last RHNA, the next RHNA will be incorporating a wider range of responsibilities for subregions that elect to take on subregional delegation. These responsibilities will cover public outreach, public hearings, local surveys, local input, RHNA methodology development, including supporting social equity policies as well as administration of the revision and appeals process. The last RHNA delegation agreements between subregional entities and the Regional Council of Governments (SCAG) were prepared pursuant to Senate Bill (SB) 12 (Lowenthal) and covered only the revision and appeals process due to an urgency to meet statutory deadlines. However, as was the case during the last RHNA process, the responsibilities related to subregion delegation and the scope of services performed are voluntarily assumed by communities acting together as a subregional entity for RHNA housing need allocation purposes.

The RHNA methodology must still address anticipated housing needs for all income groups related to population and employment growth and reduce the concentration of lower income households. But it now needs to incorporate sufficient land use capacity to support improved mobility and job housing balance, including complementary transportation efficiency adjustments that reduce GHG and tailpipe emissions.

3. What are the major issues that need to be dealt with as we start the next RHNA process?

Major planning challenges include but are not limited to: building a RHNA that is consistent with the SCS and other SB 375 requirement; reconciling any differences between DOF/HCD population and housing projections with the regional integrated growth forecast; the late availability and incorporation of new 2010 Census and Annual Community Surveys (ACS) information; determining RHNA land use capacity by income category to meet GHG reduction targets and state housing planning objectives, adopting an updated RHNA methodology, including social equity and other policies consistent with recent RHNA task force recommendations, and synchronizing and aligning the new SCS planning process with the RHNA process so that localities have adequate time to update their housing elements by the next statutory deadline.

4. What are the key milestones and schedule for the next RHNA?

RTP/SCS and RHNA/HE schedule are projected to be coordinated with each other. Consequently, there are a number of fixed RHNA dates or time frames that must be aligned and synchronized with the RTP/SCS. The RHNA and SCS schedule and alignment of key milestone are still unresolved. A key issue is the late availability and incorporation of 2010 Census and ACS data into the methodology and growth forecast. Here are 13 key milestones.

- Determine a draft RHNA schedule and **seek HCD approval of the use of the RTP/SCS growth forecast for RHNA purposes** – 32 months from the Housing Element (HE) due date – February 2011

- **Notify Caltrans and HCD of the final RTP/SCS adoption date** – by April 2011 for an April 2012 adoption – 30 months from the projected HE due date
- **Local survey done 6 months before the draft RHNA methodology** or 30 months from HE due date – April 2011

- **Subregional entity formed for RHNA delegation** - 28 months from HE due date – (June 2011)
- **HCD Consultation on Regional Housing Target** – at least 26 months from HE due date (August 2011)

- **Draft RHNA Methodology** done at least 24 months from HE due date – (October 2011)
- **RTP/SCS** must be done 18 months from HE due date – (April 2012)
- **Final RHNA** must be done at least 12 months from HE due date – (October 2012)
- **Housing Element Due date** must be 18 months from RTP/SCS adoption – October 2013)
- **RHNA planning period: Jan. 1, 2011 to September 30, 2021** – 10.75 years
- **Housing Element planning period: October 1, 2013 to September 30, 2021** – 8 years

- **Jurisdictions that fail to adopt a Housing Element update within 120 days of the statutory deadline** revert to a 4 year rather than an 8 year planning period

- **Any re-zoning of sites identified in a housing element** must be completed within 3 years of either the date of adoption or 90 days after the receipt of HCD's comments on the draft, whichever is earlier.

5. What are the land inventory requirements for meeting Regional Housing Needs Assessment (RHNA) fair share goals and addressing Sustainable Community Strategy (SCS) requirements to show that your housing element update can accommodate all economic segments of the population?

State HCD has determined default density standards and notes that cities under 25,000 in population can use a land inventory residential density standard of at least 20 units an acre or more to accommodate lower income households in their housing element update, while communities with a population greater than 25,000 must use a default density of at least 30 units per acre. The adequate sites and land inventory review standards are posted by HCD on their website: <http://www.hcd.ca.gov/hpd/hrc/plan/he/ab2348stat04ch724.pdf>.

Because there are a number of concerns about how these land inventory standards are being applied by HCD in their review of local housing element updates, the Department is in the process of forming a Working Group to make recommendations on ways to improve the HCD review process and address SB 375 implementation issues, in particular meeting SCS housing planning requirements. This HCD advisory committee is called the HOUSING ELEMENT/SB 375 WORKING GROUP 2011.

6. What are the incentives for housing element compliance and penalties for non-compliance?

HCD has published a notice listing the "incentives" for housing element compliance - http://www.hcd.ca.gov/hpd/hrc/plan/he/loan_grant_hecompl011708.pdf. HCD also reviews local housing element updates for "substantial compliance" with state law.

Basically, eligibility and priority consideration for state bond funds or federal funds which HCD administers are affected by a locality's housing element compliance status. If HCD has found that your local housing element substantially complies with state law, you may become eligible for Housing Related Park funds or receive priority point in TOD funding awards. A locality in compliance in some instances receives preferential treatment and in others, it qualifies for funding. Click on the link for information about other HCD program incentives. If a locality has a housing element reviewed by State HCD as "In" substantial compliance, the presumption is that the housing element meets the requirements in state law.

When a local government fails to adopt an updated Housing Element by the deadline, or adopts an element that does not comply with the law, the city or county is regarded as noncompliant and is subject to penalties. If the General Plan or any element is not in compliance with the law, a petitioner - be it an environmentalist, low income housing advocate or builder - can request a hearing or a trial. If a court finds that the General Plan or any of its mandatory elements do not substantially comply with the law then the court in its order of judgment may specify one or more actions such as the two examples noted below:

- Suspend authority of the entity to issue building permits or any other related permits for residential housing;

- Suspend the authority of the entity to grant zoning changes, variances, or both

In sum, having a housing element in compliance gives local governments a preference for discretionary bond and housing funds administered by State HCD. It also offers legal protections in case of a lawsuit over the adequacy of the General Plan or in meeting any required re-zoning requirements to meet RHNA goals. The law also provides attorney's fees to groups if they prevail in a lawsuit challenging noncompliance. Communities concerned about "penalties" for non compliance are always urged to discuss this matter with their City Attorney.

7. What are the main reasons why local jurisdictions fail to gain State HCD certification showing that their local housing element update “substantially” complies with state housing law?

The top 3 reasons Housing Elements fail to gain HCD certification are often reported as:

1. Inadequate land inventory/zoning to meet land use capacity and affordability standards set by HCD (the parcel specific inventory and zoning/ density requirement) - this is both a major source of expense and friction between HCD and communities and why HCD started up its Housing Element/ SB 375 working group as a way to achieve statewide reforms in this area
2. Failure to comply with new laws (SB 2 transitional housing needs and new requirement to determine Extremely Low Income Housing Need are often mentioned) or existing laws (establishing a housing cap or other limits on new housing that do not provide sufficient land use capacity to accommodate a fair share of regional needs)
3. Lack of programmatic commitment (annual progress reports are now required to be filed with HCD each year by April 1st) and/ or failure to submit a housing element update on time

8. What happens if a local jurisdiction is late in submitting its housing element update to HCD, or does not fully address its site and zoning requirements to address its fair share of regional housing need?

Under SB 375 localities that are more than 120 days late in adopting their housing element update may revert to a 4 year housing element cycle and communities with 8 year housing elements that have not completed their rezoning within 3 years plus any approved extensions to address RHNA land use planning targets may be subject to two new sanctions related to approving certain affordable housing projects and compelling rezoning:

1. “Builder’s Remedy” – A developer of housing in which at least 49% of the units are affordable to very low, low and moderate income households can develop on any of the sites proposed for rezoning, as if the site had been rezoned.
2. Action to compel rezoning – Any interested party can bring an action to compel the city to complete the rezoning within 60 days, and seek sanctions for failure to do so.

AB 1233 (Jones) – Requires that any portion of a local government's share of a regional housing need that is not addressed by its site inventory and zoning during one planning period must be carried forward to the next round of fair-share housing allocations. A city or county would be required to zone land to provide for the fair-share that gets carried forward.

9. What is the housing element compliance status of local jurisdictions in the region and how does the State track whether RHNA housing targets are being addressed?

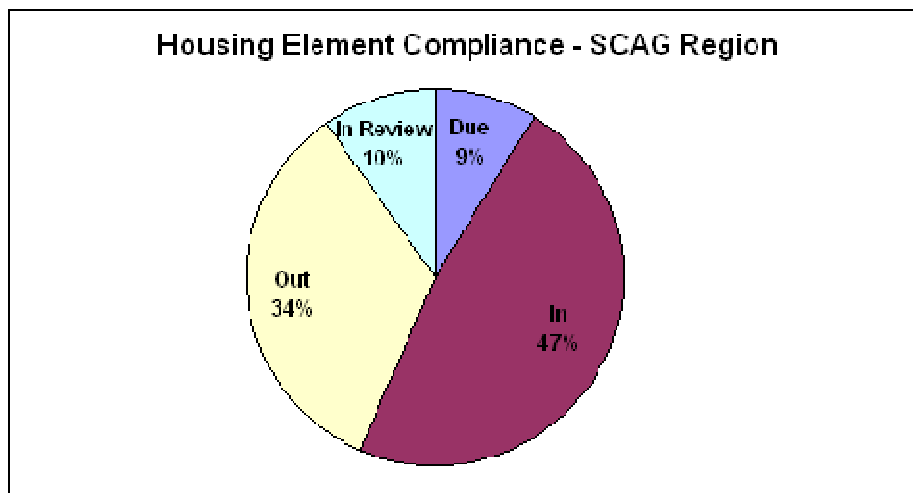
About 1/3 of all jurisdictions in the SCAG region are “Out” of housing element compliance according to latest report from HCD. The housing element review status and advice on building a housing element in compliance with state law is posted on State HCD’s website:

<http://housing.hcd.ca.gov/hpd/hrc/plan/he/>

Communities are also required annually to report to HCD by April 1st of each year progress in implementing housing goals by RHNA income level and the remaining target left to be addressed during the planning period. Communities face sanctions and possible litigation if they do not comply.

**Housing Element Compliance
SCAG Region - 11/23/10**

County	Due	In	Out	In Review	Total
Imperial	0	8	0	0	8
Los Angeles	11	37	32	9	89
Orange	3	23	6	3	35
Riverside	1	11	11	2	25
San Bernardino	1	10	9	5	25
Ventura	1	3	7	0	11
Total	17	92	65	19	193



Source: State HCD Website

More information on Housing Southern Californians and RHNA may be found on SCAG’s webpage’s: <http://www.scag.ca.gov/Housing/rhna/index.htm>

Housing Element Status

Jan. 25, 2011

IN – local government adopted an element the Department found in compliance with State housing element law.

OUT – either the local government adopted an element the Department found did not comply with State housing element law, or the local government has not yet submitted an adopted housing element pursuant to the statutory schedule.

IN REVIEW – element is under review by the Department as of date of this report.

IN LOCAL PROCESS – a draft element has been reviewed, but an adopted element has not been submitted.

DUE – means a housing element has not yet been submitted for the current planning period.

Ventura County

Jurisdiction – Type - Date Received – Date Reviewed – Compliance Status

CAMARILLO ADOPTED 5/18/2009 8/13/2009 **IN**
FILLMORE DRAFT 10/30/2008 12/29/2008 **OUT**
MOORPARK DRAFT 12/24/2010 - **IN REVIEW**
OJAI DRAFT 4/3/2009 6/1/2009 **OUT**
OXNARD DRAFT 2/23/2009 4/24/2009 **OUT**
PORT HUENEME ADOPTED 7/23/2009 10/21/2009 **IN**
SAN BUENAVENTURA DRAFT 10/3/2008 12/2/2008 **OUT**
SANTA PAULA DRAFT 8/23/2010 10/21/2010 **OUT**
SIMI VALLEY DRAFT 9/13/2010 11/10/2010 **OUT**
THOUSAND OAKS ADOPTED 4/19/2010 5/24/2010 **IN**
VENTURA COUNTY DRAFT 8/10/2009 10/8/2009 **OUT**

Source: California Department of Housing and Community Development

Note: Housing Planning Capacity Requirements

AB 1233 (Jones) – Requires that any portion of a local government's share of a regional housing need that is not addressed by its site inventory and zoning during one planning period must be carried forward to the next round of fair-share housing allocations. A city or county would be required to zone land to provide for the fair-share that gets carried forward.

Current local planning capacity + Shortfall from 2008 -2014 = Capacity Available for 2013 -21 RHNA.

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**VENTURA COUNCIL
OF GOVERNMENTS**

Item 7C

MEMORANDUM

TO: Board of Directors
FROM: Peter De Haan, VCTC Programming Director
SUBJECT: Legislative Update
DATE: March 10, 2011

Recommendation: 1. Support proposed Southern California Economic Strategy
2. Oppose proposed redevelopment agency elimination
3. Watch SB 49 (Strickland) regarding crash fees

Discussion:

The VCOG Legislative Committee, consisting of member agency legislative staff, met on February 10th and recommended that VCOG take the following legislative positions. VCOG staff supports the Committee recommendations.

Southern California Regional Economic Strategy: The Southern California Association of Governments (SCAG) has retained a group of economic experts to prepare analysis and make recommendations for a regional economic strategy to deal with unusually high unemployment, foreclosures and businesses moving out-of-state. A Summit was held December 2nd to identify and find common agreement on the principles and next steps for creating jobs and restoring the region's economy. Summit participants discussed and agreed upon legislative principles for action in the next state legislative session. Attachment A provides a summary of these principles, which are recommended for a Support position.

Elimination of Redevelopment Agencies: Staff and the Committee recommend the Association adopt an Oppose position on the Brown Administration's proposed elimination of redevelopment agencies, given the potential loss of local funds despite the intent of Proposition 22, and also given the loss of funds for affordable housing which is a major state mandate resulting from AB 32 and SB 375. Staff has surveyed the VCOG member agencies and identified 6,036 low-income housing units which have been funded over the years by Ventura County redevelopment agencies. Should redevelopment agencies be eliminated this method of implementing low-income housing will be lost. SCAG has adopted an Oppose position on the proposal to eliminate redevelopment agencies and enterprise zones.

SB 49 (Strickland) – Crash Fees: This bill would restrict local jurisdictions' ability to impose a fee on non-resident motorists for emergency response costs. The City of Thousand Oaks already has such a fee, which could be eliminated by this bill. Thousand Oaks is working with the author to clarify the language of this bill. A Watch position is recommended.

Attached is the matrix showing the status of SB 49, the one bill currently being tracked by VCOG.

Attachments

Attached for information is the following item for the Board's consideration:

Attachments: SCAG Principles for Regional Economic Legislative Strategy
SCAG Letter Opposing Redevelopment Elimination
Matrix showing status of bills
Meeting Summary of February 10, 2011 Legislative Committee

Messages for Sacramento Meetings

California Job Growth and Economic Recovery Legislation

Six regional economic experts were retained by Southern California Association of Governments (SCAG) to update and compile key California economic drivers. They determined that job growth in California will not recover until 2015 (to pre-recession levels (2007)) unless intervening actions taken by leaders.

- California has been hammered by the recession and unemployment is 12.7% (from a low of 4.4% prior to the recession) resulting in a loss of almost 1 million jobs in Southern California.
- Southern California accounts for 57.1% of state's population.
- California ranks 49th in overall tax climate when competing for new businesses or expansion of existing businesses including corporate, individual income, sales, unemployment, insurance, special agency fees, city/county fees (i.e. water/sewage connection fees) and property taxes (source: National Tax Foundations).
- Southern California accounts for 59.5% of states manufacturing employment, 60.1% of wholesale trade employment, and 54.4% of non-farm employment.
- Southern California has lost 980,000 jobs.
- Southern California has lost 2,565 businesses to other states due to uncompetitive investment costs and other states new Governor's have targeted California industries for further erosion.
- Tourism and entertainment is our Southern California's largest industry but is also the largest manufacturing center in the U.S (775,700 jobs). 40% of all waterborne trade into and out of the United States every day comes in through California ports.
- Southern California, from Kern to San Diego County, is the second largest producer of crude oil in the continental United States.
- Southern California grows 65% of our nation's winter vegetables.

The economic experts also interviewed the top business leaders from different industries on impediments to job creation and investment in business expansion. The results of the business leader interviews resulted in the following challenges in need of immediate attention that impede job creation and economic growth are:

- Conflicting, and/or frequently changing regulations by state, counties, cities, and special agencies;
- Nonresponsive government agencies to requests of information from businesses;
- Gridlocked government stemming in part from inadequate executive authority to reduce administrative delay in order to implement job creating investment programs;
- Disincentive tax structure in California – ranked 49th among the 50 states in overall tax climate by the National Tax Foundations (including corporate, sales, unemployment insurance & property);
- Lowest credit rating of any state in the nation, making investment difficult and expensive to obtain;

- Loss of entertainment jobs, investment and support industries, unique to Southern California, largely due to other states' lower cost structures and more advantageous tax policies and incentives;
- Loss of import/export and international trade jobs and support industries, through the Southern California ports due to increased investment and capacity in the East Coast and Gulf Coast Ports, and the Panama Canal.

Next Step: Bi-Partisan Job Growth and Economic Recovery Actions in the Next State Legislative Session

Local leaders in partnership with business leaders are committed to partnering with state leaders to foster California's economic job growth and recovery. 143 cities have adopted "open for business" friendly principles (draft resolution attached) to address local solutions for business challenges noted above.

Local Leaders and business leaders have joined together to support state legislative partnership to seek the following principles in the next legislative session:

1. Request that the Governor and State leaders commit to rejecting new legislation in the next session that negatively impacts jobs;
2. Request the legislature to pass bi-partisan urgency legislation (draft language below) granting the Governor the same emergency powers currently provided for natural disasters to also apply for "economic disaster" and to remain in effect until unemployment in the state reaches 7% (i.e. authorities limited to job creation/growth, project expediting, etc.);
3. Retain and expand the region's high-tech, including emerging green industries, manufacturing and research and development industrial base by requesting state leadership to support the following:
 - Reaffirm support for state budget funding for community redevelopment agency authority and enterprise zones;
 - Restoration of the manufacturing investment credit;
 - \$100 million funding to the State Infrastructure Bank for installation of pollution reduction equipment in Southern California;
 - Creation of a "Green Team" to develop expanded definition of green industries and work to retain and grow green industries in the state;
 - Designate 'Enterprise Counties' where unemployment exceeds 10%.
4. Work to "Beat" the Panama Canal by:
 - Allocating the balance of voter-approved Proposition 1B infrastructure bond money to expedite shovel-ready international trade infrastructure projects;
 - Expanding state authority to local jurisdictions regarding public-private partnership (PPP) funding of infrastructure construction projects (draft language below).

5. Accelerate and Extend the Successful State Film Incentive Program (including commercial filming) by:
 - Extending the program by eliminating the current sunset and raising the current \$100 million per project expenditure cap in order to qualify for the tax credit;
 - Including scripted one-hour network broadcast television series originating and produced in California;
 - Guaranteeing that production tax credits for TV productions that relocate to California will remain available to those productions for two succeeding years and creation of incentives to cover the costs of relocating a production for elsewhere to California;
 - Developing a green tech credit program to stimulate further return on green investments.

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January 27, 2011

Honorable Jerry Brown
Governor of California
State Capitol
Sacramento, California 95814

RE: Proposed Elimination of Redevelopment Agencies & Enterprise Zones

Dear Governor Brown:

The Southern California Association of Governments (SCAG) welcomes you as the new Governor of California and understands the difficult job you have in the beginning of your new Administration to balance a budget with a structural \$25 billion shortfall. However, SCAG urges your reconsideration of the elimination of local Redevelopment Agencies (RDAs) and Enterprise Zones (EZs) for the reasons noted below, and respectfully urges you to keep RDAs and EZs as part of a negotiated 2011-2012 state budget.

In the six-county region of SCAG, we estimate the impact within our region encompassing 190 cities that the estimated job loss is approximately 168,000 jobs. This action does not keep faith with families of California and for California's economic recovery with a 12.4% unemployment rate. Many of the member cities of SCAG are very concerned about the impacts on local economies and jobs that RDA/EZ elimination would have on their communities, particularly when considering the fragile condition of California's economy.

We note that the California Redevelopment Association estimated that the statewide impact of the budget proposal would result in over 304,000 lost jobs statewide, including 170,600 construction jobs, contributing over **\$40 billion** annually to the California economy in goods and services generation, which translates to over \$2 billion in state and local taxes in a typical year.

SCAG considers RDAs and EZs an important part of local job creation and a locally targeted engine of economic growth. In addition to providing good private sector jobs, redevelopment funds infrastructure and builds commercial, industrial, and residential development. This is nowhere more evident than in the affordable housing sector, where redevelopment is the largest funder of affordable housing after the federal government.

RE: Proposed Elimination of Redevelopment Agencies & Enterprise Zones

January 27, 2011

For the above reasons, SCAG joins the League of California Cities and other community and business stakeholders in urging that we work together to keep intact local redevelopment agencies and enterprise zones as part of a comprehensive set of solutions to the State's fiscal crisis, to promote job growth and spur the economic recovery of California this year.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry McCallon". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Larry McCallon
President
Councilmember, City of Highland

VENTURA COUNCIL OF GOVERNMENTS STATE LEGISLATIVE MATRIX BILL SUMMARY February 28, 2011			
BILL/AUTHOR	SUBJECT	POSITION	STATUS
SB 49 Strickland	Restricts local agency ability to levy fees for emergency response to car crashes.	Watch	In Senate Public Safety Committee.

[Staff recommended positions shown in **bold**; prior positions not in bold.]

**MEETING SUMMARY
LEGISLATIVE COMMITTEE**

Camarillo City Hall
601 Carmen Drive
Camarillo

Thursday, February 10, 2011, at 3:30 p.m.

Attendees: Martin Erickson, Oxnard; Mina Layba, Thousand Oaks; Roger Pichardo, Camarillo; Peter De Haan, VCTC

1. OCTOBER 28, 2010 MEETING SUMMARY

The summary of the October 28, 2010 meeting was approved as submitted.

2. REVIEW JANUARY 13, 2011 BOARD MEETING

The Committee reviewed the legislative action taken at the previous Board meeting, which was the adoption of the 2011 Legislative Program as recommended by staff and the Committee.

3. BILL STATUS / BILLS FOR POSSIBLE ACTION

Elimination of Redevelopment: Oxnard, Thousand Oaks, and Camarillo have all taken Oppose positions, and it is believed all of the cities are doing so, but the County may not wish to Oppose. One concern related to regional issues is the impact on cities' ability to provide affordable housing and thus comply with the State's mandate under SB 375. The Committee recommended VCOG take an Oppose position.

Southern California Regional Economic Strategy: SCAG is proposing a legislative program to encourage regional economic development. The Committee recommended VCOG take a Support position.

SB 49 (Strickland): Crash fee. The committee discussed the relationship of this bill to the VCOG Legislative Program. The concern with the bill is that it restricts local revenue control. However, we are not aware of any city positions, and Thousand Oaks is working with the author regarding the language. The Committee recommended VCOG take a Watch position.

3. NEXT MEETING

The next meeting was tentatively set for Thursday, March 31, 2011, at 3:30 p.m. at the Camarillo City Hall.



**VENTURA COUNCIL
OF GOVERNMENTS**

Item 7D

TO: Board of Directors
FROM: Darren Kettle, Executive Director
SUBJECT: Total Maximum Daily Load (TMDL) Presentation by Ventura County Watershed Protection District
DATE: March 10, 2011

Recommendation:

- Receive TMDL presentation from VCWPD staff Gerhardt Hubner
-

Discussion: Attached to this agenda item is a summary of a comprehensive discussion of TMDLs prepared by Ventura County Watershed Protection District Staff. In late 2010, District staff presented a comprehensive review of TMDLs to the Board of Supervisors, and it was during that discussion that Supervisor Kathy Long suggested that VCOG and its members should also be briefed on what the District is doing to address water pollutants.

Gerhardt Hubner from the District has a short PowerPoint presentation that will guide the discussion on the District's activities in this very important water quality issue. The Board will note that TMDL is a calculation of the maximum amount of a pollutant that a waterbody can receive and still safely meet water quality objectives and support beneficial uses.

In November 2010, the VCOG Board had a preliminary discussion of one of the elements of the TMDL challenge being worked on by the District, that being single-use plastic bags. The issue of the impacts to water quality caused by single use plastic bags has become a topic of debate in a variety of public forums. At the time of the District TMDL presentation to the Board of Supervisors the issue of how to curtail proliferation of plastic bags was just a small part of the complex issues related to addressing more stringent TMDL standards. Several cities in Ventura County have researched the issue with a discussion of banning the use by retailers in the City of Ventura being agendized by the City Council.

Mr. Hubner's presentation to the VCOG Board will be a summarized version of the comprehensive presentation to the Board of Supervisors, so much of the discussion will address the complexity of the issues and extend beyond single use plastic bags. VCOG staff has begun a file and article review of the plastic bag issue and can serve as a clearing house of information for VCOG member jurisdictions. Going much beyond a clearinghouse role would prove to be resource intensive, be it staffing or consultant support, and VCOG is not currently funded to support such activities.

VENTURA COUNTY TMDL - SUMMARY OF ISSUES

The County of Ventura Unincorporated Area Stormwater Program, the Ventura County Watershed Protection District, and 10 Cities are working diligently with our various watershed stakeholders to comply, and fund our TMDLs obligations Countywide. Ventura County has a total of 13 effective TMDLs, and 11 more are anticipated being approved in the next 3 years.

Background: The Clean Water Act of 1972 requires each State to develop a list of impaired waters and the name of the pollutants for which they are impaired. For each impaired water body, the State must then establish a watershed-based, pollutant-specific Total Maximum Daily Load (TMDL) for each pollutant on the list. In California under the Porter-Cologne Water Quality Control Act, the State Water Resources Control Board has the ultimate authority over State water rights and water quality policy. Nine Regional Water Quality Control Boards oversee water quality at the local/regional level. Ventura County is part of the LA Region.

A TMDL is a calculation of the maximum amount of a pollutant that a waterbody can receive and still safely meet water quality objectives and support beneficial uses. The key aspect of a TMDL is an allocation of the pollutant load among its various sources. Pollutant sources are characterized as either point sources that receive a wasteload allocation (WLA). Point sources include all sources under the National Pollutant Discharge Elimination System (NPDES) permitting program. For example wastewater treatment facilities, and stormwater discharges are considered point sources or end of pipe discharges. Nonpoint sources receive a load allocation (LA). Nonpoint sources include all remaining sources - septic, agriculture, and natural sources.

TMDLs are not self-implementing. They need a regulatory mechanism such as a NPDES permit. Stormwater NPDES permits establish liability and financial implications for non compliance with a TMDL. A total of thirteen (13) TMDLs are included in the current Ventura County Stormwater NPDES Permit. This Permit also includes a reopener clause to allow inclusion of additional TMDLs when approved.

Tools for meeting TMDLs include treatment control to allow capture and treatment of pollutants present in urban run-off to reduce pollutant concentrations. Non-treatment options include such elements as public outreach and education.

Cost Estimate to Comply: A three-year cost estimate was prepared using the past 3 fiscal years for the County Program for each component of each TMDL: Special Studies/Work Plan Preparation (\$327,000), Monitoring and Reporting (\$342,533), and Implementation (\$1,011,032). For future costs, an estimate was prepared that assumed a *worst case scenario* that all TMDLs require treatment: Special Studies/Work Plan Preparation (\$375,000 to \$1.5M); Monitoring and Reporting (\$362,000 to \$524,000/year); and Implementation (\$45M to more than \$465M). As indicated above, implementation is the most costly component of a TMDL depending upon the method chosen to comply with the TMDL (source vs. treatment control).

Future TMDL Issues & Challenges (Bacteria, Trash, Nutrients, and Legacy Pollutants): For Bacteria, meeting a stringent full body contact (Rec-1) standard regardless of actual uses is problematic, as well as addressing multiple known & unknown sources (e.g. horse manure, dog

and bird droppings). Natural bacterial re-growth/natural background and finding comparable reference reaches (reference beaches not similar) are difficult issues. There is currently a lack of quick turn-around testing methods, monitoring for bacteria is generally extensive, and treatment to reduce bacteria loadings is expensive.

For Trash, a Zero trash target must be met. Multiple non-point trash sources must be addressed (for example – windborne), litter ordinances must be enforced, and there may be social issues (e.g. homelessness) that must be considered in order to be successful in meeting the trash targets.

For Nutrients, animal waste sources are difficult to regulate, and there are still areas with leaking and faulty septic tanks. Natural background (e.g. sunlight, temperature, groundwater contributions) may be a factor, areas where there is over fertilization and irrigation of lawns and golf courses, and expensive treatment controls may be required to meet nutrient targets.

For Pesticides, Toxicity, PCBs, Metals and Salts - these in many cases are old legacy pollutant issues. They may include multiple and diverse sources (i.e. Metals - Copper brake pads), non regulated agricultural activities (e.g. voluntary conditional waiver), excessive application of pesticides to lawns and golf courses, and extensive and expensive monitoring plans (due to constituents).

Future Questions to Consider:

- Legislation - Should the Cities/County promote legislation at the State or Federal level to change law and/or regulations in line with County resource protection priorities?
- Funding - Existing funding is insufficient to handle existing and anticipated TMDLs. Currently the only source of TMDL funding is limited District Benefit Assessment and the General Fund.
- Scientific/Technical Advances/Uncertainty - New and evolving research is expected to provide new technology and tools, better scientific based decisions and clarity, and perhaps more regulatory focus.
- Insufficient Ordinances and Enforcement - Our existing ordinances may need to be updated and revised.
- Source Control vs. Treatment Control. Treatment control is very costly. Source control is a much more economical strategy to control water pollution. Yet it is the most challenging since it requires a change of behavior, which takes both time and may be generational.