



**VENTURA COUNCIL
OF GOVERNMENTS**

MINUTES

Thursday, November 8, 2007

5:00 p.m.

City of Camarillo

Council Chambers

601 Carmen Drive, Camarillo, California 93010

1. **CALL TO ORDER:** Chair Morehouse called the meeting to order at 5:04 p.m.

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

3. **ROLL CALL:**

Member Jan McDonald	City of Camarillo
Alternate Member Cecilia Cuevas	City of Fillmore
Member Tom Holden	City of Oxnard
Member Carl Morehouse	City of San Buenaventura
Member Gabino Aguirre	City of Santa Paula
Member Tom Glancy	City of Thousand Oaks
Member Linda Parks	County of Ventura

Absent: Member Cities: Ojai, Moorpark, Port Hueneme, and Simi Valley

4. **PUBLIC COMMENT:** None.

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

6. **APPROVAL OF THE FINAL AGENDA**

7. **CONSENT CALENDAR**

A. **Minutes** – Adopt the Minutes of the September 13, 2007 meeting.

B. **Workplan Update** -- Receive and file update.

Member Holden moved to approve. Member McDonald seconded. Member Parks abstained on Item A.

8. **ORDER OF BUSINESS**

League of CA Cities (Moved from AGENCY REPORTS to accommodate Dave Mullinax's schedule):

Dave Mullinax, League of CA Cities provided an update on the Eminent Domain issue, and where it is headed over the next 8 months. He mentioned Prop 90 and how there was a hard-fought battle with a group that not only wanted give eminent domain protections, but to also remove it from local jurisdictions, land use authorities, and also to expose local governments to a lot of litigations, similar to Measure 37 in Oregon. After it (Measure 37) passed, it led to hundreds of lawsuits and recently ran another initiative to fix the problems that Measure 37 caused—a \$15 million campaign.

Over the past two years, the League has conducted 8 statewide polls on the issue of eminent domain, and although Prop 90 was defeated, Californians thought it was a little deceptive--much more so than eminent domain protection. The polling has shown that even though Prop 90 was defeated, voters still want eminent domain reform, which came from the Kelo Decision, that took a private home and gave it over to a private developer.

After Prop 90, the League decided to gather signatures on what is really the “son of Prop 90,” which offers eminent domain protections but has the regulatory takings provisions that would gut local governments of land use authority and in order to attract some money on their campaign, because they were unable to attract money to fund Prop 90, they threw in a provision that would repeal local governments’ ability to have rent control ordinances. Rent control is really a local issue, so this measure would have all the onerous provisions of Prop 90, and if you were to add in rent control, there is legal analysis that says it was written poorly in regards to water rights and could imperil California water projects throughout the State.

There was an initiative, and although it claimed to have eminent domain protections, it goes far beyond and one would need to be an attorney to figure it out. The League hired an excellent firm to sort through it, and will be fighting this. With 900,000 signatures to date, this will more than likely qualify for the June 2008 ballot.

The League promised to have some kind of eminent domain, and based on the Kelo scenario, this (the League of CA Cities) initiative would constitutionally protect owner occupied homes from having their homes taken and given to private developers. Direct Kelo scenario pulls very high, uncomplicated and represents the kind of reform that Californians want. The League had been gathering signatures, a paid signature gathering effort, 600,000 at time of this report and 3 more weeks remained to gather signatures and it will need about 1.1 million to guarantee qualification on the June ballot. It needed to be on the June ballot, because of the “Poison Pill” provision, which means if there are two competing initiatives on the ballot—one “Yes”, one “No”, the one with the most votes wins and supercedes the other.

The other bill as reported by Mr. Mullinax, was quite deceptive. They were going to mobile home park owners and apartment owners, showing them how supporting their initiative will quadruple their profits on their homes by repealing rent control.

Mr. Mullinax has been in the area gathering constituent volunteers at mobile home parks and found that these residents were very passionate about this issue and glad

that the League is reaching out to them. They wanted to be involved in all phases of the campaign and had been very helpful and energetic in their efforts.

All signatures will be turned in around the 25th of November, and Mr. Mullinax was very confident that the League's measure would be qualified as well. He reiterated that every effort was necessary. He indicated a low voter turnout was likely in November. The League would run a very different campaign than on Prop 90, and would ask elected officials to be out in front educating their constituents. The main coalition partners were the counties, the cities—environmental groups, business groups, labor groups and once the initiative qualified, the League would get more into a full campaign mode.

He thanked VCOG for all their efforts.

Chair Morehouse reiterated and encouraged support from VCOG and their respective cities; Supervisor Parks indicated that Assemblymember Strickland supported Prop 90 and perhaps VCOG could send her a letter indicating their position to her so that may have an impact on her establishing her position.

- A. **Update on VCOG/Ventura County Civic Alliance (VCCA) “Compact for a Sustainable Ventura County” Project** – Rebecca Evans was present, representing VCCA.

Member McDonald indicated that she received direction from her Council (Camarillo) that there were concerns in 2006 in approving Phase I, and those still exist when Phase II was discussed. The reason Phase I was approved was that it was an information gathering process. As the development of scenarios and an implementation plan progress, her Council felt that it was a job that really belonged to the elected officials of a region, and only the electeds have the ability to implement any plan that might be developed. Camarillo's opinion was that VCOG should be doing this task, such as hiring the consultant, who has the contract with the consultant setting direction, rather than a group of individuals who really don't have the ability to implement the plan once it's developed.

The City of Camarillo could not support going forward with the process and the plan in its current structure. If VCOG would take the contracting role and then ask the Civic Alliance to help, thus reversing the functions, it would be easier. The feeling was that it needed to be the electeds—those who are elected to do so.

Member Parks indicated that she was not able to attend the October presentations, and would appreciate the information that resulted from those presentations were available before moving on (also noted that the report shows those results available in December) to Phase II. She had also heard from other Supervisors who shared the same concerns as Member McDonald.

Member Holden commented that although they (Oxnard City Council) agreed and supported the regional concept of the efforts, he felt that he had heard concerns, not only from fellow Councilmembers but staff, that there was uncertainty of their role in the process. There appeared to be disconnection from the process. To make the Councils of all VCOG more comfortable, he suggested that consideration be given to ways to accomplish this.

Chair Morehouse replied that SCAG, who helped fund this effort, was one of the many COGs around the state that was undertaking one of these blueprint efforts. These efforts that are underway are huge. In the case of SCAG's 2% strategy compass program, which is the idea that Southern California is expected to have another 5 million people in the next 15-20 years and where will you put those people throughout the greater SCAG region. Their analysis has shown that if you manage to densify on certain corridors, particularly those that have the greatest ability for rail transit and other forms of transportation and doing walkable, designable, pedestrian-oriented within that context, we could accommodate, within 2% of our land, that 5 million people.

He added that when he attended the October workshop, he found what the Civic Alliance was finding was that a lot of the citizens that VCOG represents throughout the county, have concurred that they understand that concept and are willing to buy into it and want to have that compact, denser form. He further commented that these citizens who attend and participate, are the citizens VCOG represents. It gives greater strength as electeds when you have a mixed voice of the environmental, economy and social equity of people out there giving us the strength. He also mentioned that he understood the concerns from the respective Councils and the Board about this, but this county does not have a strong COG, that VCOG does not have an executive staff beyond Mr. Bobkiewicz and Ms. Varnado, as opposed to other communities like the Santa Barbara CAG, which has a full-time staff or San Luis Obispo, which also has a full-time staff that can do this.

He further commented that he thought that the VCCA is a great process above and beyond Phase I, which was information gathering, to move toward scenarios that VCOG can go back and talk to their direct constituents and get some buy-in or not, and then have the battle that this is never going to fly in Ventura County because it is so unique than the other 54 counties in the state and that it's not going to work here and we should probably have that battle at that point. He felt that to shoot it down at this stage is a little premature, in his opinion.

Mr. Bobkiewicz responded that VCOG constituted an advisory board comprised of some of its members to work with the Civic Alliance and he believed it was the Mayor of Simi Valley, Mayor McDonald and Supervisor Parks. They have been attending the steering committee meetings along with staff from Simi Valley, Santa Paula and Debra Varnado. He felt that if there were issues as far as management goes, that certainly we have many folks at the table, and if this Board wishes to have further discussion about how the project is managed, it

would be something that could be done. Secondly, this grant is for the fiscal year starting July 1, 2008, and VCOG would have to accept any money that we would receive and this is an application to put ourselves in the pool. If the Board feels that there is an opportunity to work more closely with the Civic Alliance over the next several months to see if it can make Phase II work to its satisfaction, he encouraged the Board to move forward and sign off on moving forward with the application.

If in the spring VCOG is granted the funds, if the Board is still not comfortable, it cannot accept the funds from SCAG.

Member McDonald further commented that if Ventura County had a strong COG, then they could step forward and work together as a region and become strong, to effectively fight against SCAG, and added not that they don't involve the VCCA, that's it's great to bring other people in, but the elected officials need to take the role. She felt that the staffs needed to be involved—the planners need to be participating. It doesn't do a bit of good to bring in an outside consulting firm in to tell us what we need to do, when this county and city planners are not on board. This is a role for local government to take the lead.

Member Holden commented that VCOG and its represented staff got together and were able to come up with numbers for the RHNA process. He agreed that VCOG needed to go forward, but to have the planning staff components of the cities represented at the process at a minimum, and to see if there was a desire to move in the direction that Member McDonald suggested, and engaged Interim Director Bobkiewicz for feedback as to having Planning staff involved further in this countywide process.

Chair Morehouse asked Rebecca Evans, VCCA what her expectations were. She mentioned that VCOG is the entity that submits the application to SCAG to participate in this program and receive SCAG resources for this project. The Civic Alliance did not receive any grant money and did not contract with the consultants and further mentioned that it is not their role. VCCA wrote the original proposal and SCAG has made it very clear to both VCCA and Ms. Varnado was in touch with them in that the local COG has to be the applying body. It is that partnership that secured Phase I. It would be partnership with VCOG that would secure Phase II. VCCA cannot appeal or apply to them directly and does not manage the contract. VCOG is a step closer to those contracts than VCCA is. VCCA's expectation for Phase II would be to take the information that they gathered in Phase I, take that data and put together a more ground level presentation to take out to each city, unincorporated areas, neighborhood councils—all groups and provide the presentation and then get back information—the two-way street of civic engagement is the purpose of the Civic Alliance. VCCA would like active and engaged participation of VCOG members as well as staff and the workshop that was held back in June at CSUCI. There were several City and County planners in attendance working shoulder to shoulder with residents of the County, working on the mapping. There has been that coming together and that is the best case—when you can

have the planners—those responsible for those General Plans, having direct contact with the residents facilitated through a diverse group like VCCA that brings together an equal balance.

Member Holden commented that between now and the next phase, what has to occur is something similar to when VCOG was hashing out their SCAG numbers, when VCOG had a city manager/planner structure that sat down and looked at everything that was going to be presented and made sure that all were on the same page and consistent with what had occurred before it occurred and presented to the public. He felt it was important to have the management or administration of the process change to accommodate what was heard at that meeting (November 8, 2007).

Mr. Bobkiewicz reiterated that there is no money involved in the process, and that what was awarded to VCOG is hours of consultant time. It is part of a larger contract that these consultants had with SCAG. He agreed that the piece that was missing was the planning directors, and offered to go to these planning directors and assign a staff member or two to join this team and at that point the city staff may outnumber the Alliance representatives, and there are 8 more months on Phase I, and the money and resources on the initial allocations, and he felt that things would go into a more “down” period over the Spring and hopefully late summer and early fall would be when this money will come into play. Mr. Bobkiewicz indicated that it was the first of any concern from any board or staff members that had been attending these meetings, and he had not personally been there. Ms. Varnado had been attending and prior to that, Santa Paula staff. He offered that he would be willing to talk with other individuals to try to get a better sense as to how facilitation / coordination is going.

Member McDonald responded that when you go back to when it was decided that VCOG members could attend (she mentioned that she cannot always attend as it has been held at an inconvenient of the day for her), she recollected that there wasn't a vote at the table and that's the way it was presented, but VCOG could go and participate, but not have any true say in what was going on, so it was the process. If the grant was totally in VCOG's name then there was no problem applying for it. But, if the grant was written in a way that it is VCOG and the Civic Alliance with the Civic Alliance taking the lead, then that was the concern that she had and could not support that at the November 8th meeting. But if she were told that it was strictly a VCOG grant and VCOG could work the details out later, Camarillo would be okay with that.

Member McDonald made a motion to name VCOG as the sole applicant for the grant from SCAG.

Mr. Bobkiewicz responded that VCOG was the co-applicant but the documents that come from SCAG for this arrangement are signed only by himself on behalf of VCOG. It had been co-sponsorship, but at the end of the day, the resources given to VCOG were being given to VCOG.

Member Holden commented that VCOG would move forward and in the process try to recruit each city's staff to participate and have it come from VCOG as to what participation level--whether it's Planning Directors or City Manager / Planning Directors so that it was the body of VCOG that would be driving the process in conjunction with the Civic Alliance.

Supervisor Parks commented that there was a degree of frustration in not seeing the product, to have that discussion and that presentation needed to be provided to VCOG so the body knows what VCCA has. She thought my role as on the subcommittee was to assure that VCOG had input as to Phase I and subsequently went to one or two meetings, and heard back the kind of information that was very consistent with a dozen or so tables of folks standing around who said they were interested to hear Ventura County's future, so it was a common feeling of supporting SOAR boundaries, for example, and community separators, although frustrated in not having that report, she felt that would help in moving on to Phase II, and also felt that VCTC should also be involved, especially for accessibility and mobility. She further stated that transportation is critical when discussing land use and particularly the 2% growth strategy, and offered VCTC's participation.

Chair Morehouse felt that information gathering has been beneficial and would not want to lose the momentum, and offered that with the new executive director of the VCTC board, it would be a great time to try to get VCTC involved.

Mr. Bobkiewicz commented that it was his recommendation to move forward with the application and that meeting (November 8, 2007) was the opportunity to put the application in and to come back at the January meeting as he expected to have some better documents from the consultants at that time and would attempt to have them there to walk through that information and in the meantime, for VCOG Board to reach out and raise its concerns about the management of this on what a better model would be and come back at the January meeting or perhaps the March meeting with a better model. If VCOG is successful with funds as of July 1, there should be plenty of time to implement whatever oversight changes the Board would like.

To further comment, the Interim Director stated that the Civic Alliance could not get this money on its own--it had to be the sub-region—VCOG was not the sole applicant, but the Civic Alliance was the co-sponsor with VCOG.

Alternate Member Cuevas acknowledged that there was a motion on the floor and believed that it had not been seconded.

Member Holden subsequently seconded.

Alternate Member Cuevas indicated that she would like to see a vote on the motion as she did not see the partnership as a detriment to the application, and

further commented that she would see it as a strength. Requested to hear the vote and if it passed, so be it.

Chair Morehouse inquired of Ms. Evans as to the whether the proposal was drafted by the Civic Alliance, and she replied that it was in conjunction with VCOG staff that had contact with SCAG, as well as VCCA's contact with SCAG.

Member Holden indicated that what they were proposing was that VCOG make the application, and work with VCCA in the process. VCCA was the consultant, working in conjunction with VCOG. He reiterated that VCOG needs to step up to the plate as the applicant and move forward together with VCCA. It was not mutually exclusive. The process may not change at all.

Member Aguirre commented that by passing this motion, he hoped that the Civic Alliance doesn't get the wrong message, as had been pointed out by some of the other members, and they would continue to work with VCOG, but for the long-term, it was something that VCOG needed to take on, then they needed to develop some kind of a plan to develop resources that were available through the Civic Alliance within VCOG's own organizations and frankly he didn't think that VCOG had the resources to do that.

Supervisor Parks commented the sensitivity was that the VCCA was not elected officials and the elected officials felt that they were the ones that were running the show in that if they were the ones to come up with a document that needed to be adopted and something they would be implementing in the future, that they were the ones that needed to be the primary player with the assistance of the VCCA, and something that VCOG needed to be comfortable with. She felt that having VCOG's own planning staffs participate sounded like an excellent idea, and also trying to link it with VCTC (Transportation Commission) is also an excellent idea.

Member Glancy asked Ms. Evans that if the Civic Alliance was no longer in co-sponsorship with VCOG, does that change, in her mind, the scope of her work?

Ms. Evans responded that if the application as it was worded at that time stood, VCCA was still working in partnership with VCOG to actually meet the deliverables. They would still go out and set up community presentations but hopefully in more partnership with VCOG and its individual staff. She further stated that VCCA was all throughout here, and not a co-applicant, rather the group working in partnership with VCOG and others to get this work done.

Member Glancy responded that Ms. Evans answered a lot of concerns—at least in his mind.

Ms. Evans further commented that VCCA's purpose was to be a resource to VCOG and for VCOG and to partner to get to the end result.

Member Cuevas added that she didn't think that having the sponsorship with the VCCA and VCOG was a detriment to the application and that, if anything, it showed the commitment by the elected officials who were of the mind that they needed to lead the vote, and that partnering with the Civic Alliance would not accomplish the same thing. If anything, it stood for the leadership, that it recognized its shortfalls in resources to actually identify a local resource that existed and actually partner with in terms of the application. She didn't see it as a detriment to the application to itself and didn't understand why VCOG had to speak only as a VCOG and not as a partnership with Civic Alliance since they had done the majority of the work in Phase I.

Member McDonald commented that the grant paid for the consultant. The Civic Alliance didn't pay for the consultant. So what VCOG was applying for was the funds that would again hire that consultant. What she was looking for was to have VCOG's taking its role more seriously, working together with the Civic Alliance and to force this body to work as they should--that when you look at SCAG, most of them were the COGs taking on that role, and then go out and hire the consultants who work with the groups. It really was VCOG's duty to do that.

Motion was seconded by Member Holden and approved unanimously.

- B. **2040 Population Forecast:** Debra Varnado, Assistant Director, indicated that Kim Hocking, Ventura County Planning, would be making the presentation. This was a SCAG-funded project that began approximately a year ago FY 2006-07, and for a cost of about \$150,000. Kim and staff from the rest of the cities had been working cooperatively to put this 2040 Forecast together and worked with SCAG staff as well. This project had been delivered to SCAG in draft form, and when approved, this project would be used in some of the planning processes that SCAG was responsible for and for local processes as well.

Kim Hocking spoke and thanked Simon Choy, who is SCAG's demographer. He also thanked Kim Williamson of Oxnard staff, who is Oxnard's personal demographer.

The population of the County as of January of 2007 was about 825,000. This forecasting effort was undertaken to actually fold in real demographic factors, rather than just straight-lining Ventura County's forecast, which had been frequently done. This forecast had not been done since 1980—to sit down at the same table with the City/County Planning Association, staying in close communication to get input and work with SCAG staff, calling in the birth and death rates, the in-migration rates, etc. The report that would be available in January will have about 3 chapters:

1. Recommended Forecast, which would be the one to be adopted, and will be used in the local forecast—the official VCOG forecast, APCD and VCTC will use it in their modeling.

2. 8 comparative forecasts—a first. A vacant land study update about 4 years ago, and out of that they did a jobs / housing balance for the year 2040. The Recommended Forecast (1.) was actually spun off from the RHNA numbers that VCOG worked so hard on—8 years into the future. SCAG came along with their Regional Transportation Forecast to the year 2035. They invited the Planning group's detailed input, which had not been done jointly (Cities / County) in a long time. The RTP goes to 2035 and was developed at an incredible level—the Census Tract Level—jobs, housing and population, and then jumped to the year 2040 based on cities' and the county's general plan and was all based on local input. The number that was being recommended was 1,046,000 for 2040, which was about a 20% jump of 220,500 people. That was the number that would be recommended in January for VCOG's adoption. That will contain Census Tract information, city-by-city information and unincorporated information.

He mentioned that the group had looked at 8 comparative forecasts to provide information to VCOG. They did a forecast that does not allow in-migration whatsoever and that turned out to be the lowest forecast, but not altogether that low. 1,046,000 was the prior figure given, but without in-migration would still be at 980,000. The high end forecast, which is the Department of Finance forecast for the state of California, was 1,135,000.

The other variables used were: SCAG's Economic trend; larger agricultural work force; 10-year Hispanic birth rate increase; 10% life span increase; housing cost migration effect; and jobs / housing adjusted. Except for Thousand Oaks, no other cities in the county have projected residential capacity beyond 2020. And for jobs, five areas were good until 2035, while 3 others run out by 2013.

The "Decapolis Report" will be presented at the January meeting.

Member Cuevas motioned to receive and file and was seconded by Member Glancy.

- C. **VCOG Graffiti Summit**: Scheduled for Wednesday, December 5, 2007 8:30 a.m. – Noon at the Camarillo Library. Pre-meeting held November 8, 2007, attended by Cities of Simi Valley, Oxnard and Santa Paula. Report-back will be provided at the January meeting.
- D. **Presentation by Community Environmental Council on Community Choice Aggregation for the Purchase or Construction of Energy Facilities by Local Governments**: Chair Morehouse introduced Megan Birney, Energy Program Senior Associate, from the Community Environmental Council (CEC) provided PowerPoint presentation and handout on how cities can reduce their carbon footprint by transitioning away from fossil fuels. She would be contacting cities to ask for Letters of Intent in the next couple of months.

Nancy Williams, SCE was present and also spoke after having been invited to the podium by Chair Morehouse.

9. **AGENCY REPORTS:**

- A. **Southern California Association of Governments:** Debra Varnado reported that the Board met November 1, 2007 and had intended to release the draft Regional Transportation plan but the Board gave staff additional direction on how to proceed, and deferred release of plan until December 2007. There was a lot of discussion of the Regional Comprehensive Plan and the RTP. The program EIR was proposed to do on both plans. SCAG voted to decouple a joint EIR. RTP / RCP were presented at VCOG's September meeting.
- B. **Ventura County Transportation Commission:** Mary Travers was present and announced VCTC's new Executive Director, Darren Kettle from the San Bernardino area had been working for 2 weeks and was a welcome addition to their organization.
- C. **League of California Cities:** Chair Morehouse commented that Steinberg's SB 375 was turned into a 2-year bill because of a lot of concern throughout the state by all the cities about the role as stakeholders. It had major ramifications as it was intended to be driven as a regional housing and transportation issue, and he opined that at some juncture, VCOG should discuss in the near future what its role and implications would be.
- D. **Other Agencies:** None.

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

11. **REQUEST FOR FUTURE AGENDA ITEMS:** None.

12. **ADJOURNMENT:** Meeting adjourned at 6:42 p.m. to January 10, 2008 at Camarillo City Hall.