



**VENTURA COUNCIL
OF GOVERNMENTS**

AGENDA

Thursday, January 12, 2006

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**

SUGGESTED MOTION: *Motion/Second to adopt the Consent Calendar as presented.*

- A. **Minutes** – Adopt the Minutes of the November 10, 2005 Meeting.
- B. **Update on Implementation of 2006 Workplan** – Receive and file report. Interim Executive Director Wally Bobkiewicz's report dated January 4, 2006.

MEMBERS

City of Camarillo
Jan McDonald, Member
Kevin Kildee, *Alternate*

City of Oxnard
Thomas Holden, Member
Tim Flynn, *Alternate*

City of Simi Valley
Paul Miller, Member
Steven Sojka, *Alternate*

City of Fillmore
Ernie Villegas, Member
Ken Smedley, *Alternate*

City of Port Hueneme
Jonathan Sharkey, Member
Murray Rosenbluth, *Alternate*

City of Thousand Oaks
Jacqui Irwin, Member
Dennis Gillette, *Alternate*

City of Moorpark
Patrick Hunter, Member
Clint D. Harper, *Alternate*

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

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

City of Ojai
Sue Horgan, Member
Rae Hanstad, *Alternate*

City of Santa Paula
Mary Ann Krause, Member
John Procter, *Alternate*

8. **ORDER OF BUSINESS**

- A. **Election of Chair and Chair-Elect** - Consider Resolution No. 2006-01 changing procedure for election of Chair and Vice Chair. Interim Executive Director Wally Bobkiewicz's report dated December 28, 2005.
- B. **Appointment of 2006 Administrative Committee**: Consider Chair's appointment of members of the 2006 Administrative Committee. Interim Executive Director Wally Bobkiewicz's report dated December 28, 2005.
- C. **Consideration of 2006 Legislative Agenda**: Consider proposed Legislative Agenda for 2006. Interim Executive Director Wally Bobkiewicz's report dated December 28, 2005.
- D. **Update on Discussions with Ventura County Transportation Commission Regarding Governance Changes**: Receive report and provide direction to staff as appropriate. Interim Executive Director Wally Bobkiewicz's report dated December 28, 2005.
- E. **2006 VCOG Dinner Meeting**: Receive report and provide direction to staff as appropriate. Interim Executive Director Wally Bobkiewicz's report dated December 28, 2005.
- F. **Legal Services Engagement with Jenkins & Hugin, LLP as Special Legal Counsel Related to Investigation of Future Governance Models for an Amount Not to Exceed \$10,000**: Authorize the Interim Executive Director to execute an agreement with Jenkins & Hugin, LLP for legal services. Interim Executive Director Wally Bobkiewicz's report dated November 29, 2005.

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 agendized and the description of the agenda item.

12. **ADJOURNMENT TO MARCH 9, 2006**

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).

ITEM 7.A.

Minutes of November 10, 2005 Meeting



**VENTURA COUNCIL
OF GOVERNMENTS**

DRAFT MINUTES

Thursday, November 10, 2005

5:00 p.m.

City of Camarillo

Council Chambers

601 Carmen Drive, Camarillo, California 93010

1. **Call to Order:** Chair Hunter called the meeting to order at 5:08 p.m.
2. **Salute to the Flag:** Interim Executive Director Wally Bobkiewicz led the Salute.
3. **Roll Call:**

Member Jan McDonald	City of Camarillo
Member Ernie Villegas	City of Fillmore
Member Patrick Hunter	City of Moorpark
Member Thomas Holden	City of Oxnard
Member Jonathan Sharkey	City of Port Hueneme
Member Carl Morehouse	City of San Buenaventura
Member Paul Miller	City of Simi Valley
Member Jacqui Irwin	City of Thousand Oaks

4. **Public Comments:** None
5. **Board Member Comments:** None
6. **Approval of the Final Agenda:** Chair Hunter asked for the Board's consideration in moving Agenda Item 8A, the AB 939 issue, to the Consent Calendar. It was the consensus of the Board to move Agenda Item 8A to the Consent Calendar.

Member Sharkey moved approval of the Final Agenda, Member Villegas seconded the motion, which was carried unanimously by a voice vote.

MEMBERS

City of Camarillo
Jan McDonald, Member
Kevin Kildee, *Alternate*

City of Oxnard
Thomas Holden, Member
Tim Flynn, *Alternate*

City of Simi Valley
Paul Miller, Member
Steven Sojka, *Alternate*

City of Fillmore
Ernie Villegas, Member
Ken Smedley, *Alternate*

City of Port Hueneme
Jonathan Sharkey, Member
Murray Rosenbluth, *Alternate*

City of Thousand Oaks
Jacqui Irwin, Member
Dennis Gillette, *Alternate*

City of Moorpark
Patrick Hunter, Member
Clint D. Harper, *Alternate*

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

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

City of Ojai
Sue Horgan, Member
Rae Hanstad, *Alternate*

City of Santa Paula
Mary Ann Krause, Member
John Procter, *Alternate*

7. **Consent Calendar:**

8.A. **Authorization for Cover Letter – Concurrence with Report Findings Regarding Five-Year Countywide Integrated Waste Management Plan Review Report:**

Member Sharkey moved to approve the Consent Calendar; Member Villegas seconded the motion, which was carried unanimously by a voice vote.

8. **Order of Business**

8B. **Report on Advancement of Programs Identified in “Taking Action Regionally” and Confirmation of Santa Barbara/Ventura Issues Subcommittee:**

Member Villegas moved to receive the report and to confirm the continuation of the Santa Barbara/Ventura Issues Board Subcommittee; Member Sharkey seconded the motion, which was carried unanimously by a voice vote.

8C. **Development and Adoption of 2006 Workplan:**

Interim Executive Director Bobkiewicz presented a draft 2006 Workplan for VCOG's consideration, recommending adoption of the six items on the draft, with additional items to be incorporated as determined by VCOG. Upon discussion, there was consensus to add emergency preparedness to the Workplan. Member Villegas moved to adopt the 2006 Workplan and that it be a living document which may be modified as determined by VCOG. It was also the consensus of the Board to have an Ad Hoc committee work on emergency preparedness. Volunteers for this committee were Member McDonald, Member Villegas, Member Holden and Chair Hunter; Member Holden seconded the motion, which was carried unanimously by a voice vote.

8D. **2006 VCOG Dinner Meeting:**

Upon discussion, Interim Executive Director Bobkiewicz was directed to plan a dinner meeting at the Ronald Reagan Presidential Library in May or June 2006. The recommended meeting topic would be emergency preparedness/public safety. Governing bodies from the Cities, County, School Boards and Special Districts in Ventura County would be invited to attend.

9. **Agency Reports**

A. **Southern California Association of Governments**

Linda Jones from SCAG was in attendance at the meeting and talked about the Executive Director's Monthly Report from SCAG. Ms. Jones stated SCAG has received some financial resources to aid cities in Southern California and a new program called *2% Strategy Demonstration Projects*. Linda gave a handout on this and mentioned more information is on the SCAG website at www.socalcompass.org/2percent/services/.

B. Ventura County Transportation Commission:

In light of VCOG's discussions on issues of governance, Interim Executive Director Bobkiewicz was invited to attend the Ventura County Transportation Commission for an open dialogue. Executive Director Bobkiewicz stated there is a meeting being put together in January between the Chairs and Vice-Chairs of both groups and he will report back on the outcome.

C. League of California Cities – No Report

D. Other Agencies – No Report

10. **Interim Executive Director Report:** None

11. **Request for Future Agenda Items:**

Chair Hunter requested the Administrative Committee consider the 2006 Legislative Agenda at its December meeting, with recommendations to be presented to the full Board at its January 2006 meeting.

12. **The meeting was adjourned at 5:43 p.m. to January 12, 2006.**

ITEM 7.B.

Update on Implementation of 2006 Workplan



**VENTURA COUNCIL
OF GOVERNMENTS**

MEMORANDUM

TO: Board of Directors
FROM: Wally Bobkiewicz, Interim Executive Director
SUBJECT: **Update on Implementation of 2006 Workplan**
DATE: January 5, 2006

Recommendation: It is recommended that the Board of Directors receive and file this update on implementation of the 2006 Workplan.

Discussion: The following is an overview of the status of the implementation of the 2006 Workplan.

1. AB 939 Task Force: There are no issues pending on this subject.
2. Regional Housing Needs Assessment: Staff is working with County of Ventura staff on setting up a briefing for the Board on upcoming issues regarding RHNA.
3. Future Governance Models: The Chairs and Vice Chairs of VCOG and VCTC met on December 16, 2005 to discuss this issue. A complete report on the meeting is found later in the meeting agenda.
4. Santa Barbara/Ventura County Issues: The Board subcommittee met on January 4, 2006 to discuss next steps. Members of the Ventura City Council are planning to meet with members of the Santa Barbara City Council to discuss issues of mutual interest. The subcommittee will meet again after this meeting.
5. Legislative Agenda: The agenda for 2006 is found later in this meeting agenda.
6. Informal Gatherings of Ventura County Officials: Staff is working on an event for June, 2006. Further direction is required and an item on this subject is found later in this meeting agenda.

7. Emergency Preparedness: The Board subcommittee has not been able to schedule a first meeting. The subcommittee will try and find a new date for a meeting in late January, early February.

ITEM 8.A.

Election of Chair and Chair-Elect



**VENTURA COUNCIL
OF GOVERNMENTS**

MEMORANDUM

TO: Board of Directors
FROM: Wally Bobkiewicz, Interim Executive Director
SUBJECT: **Election of Chair and Chair-Elect**
DATE: December 28, 2005

Recommendation: It is recommended that the Board of Directors consider Resolution No. 2006-01 changing procedure for election of Chair and Vice Chair.

Discussion: At the December 2, 2005 meeting of the Administration Committee, the election process for Chair and Chair-Elect was discussed. Under the 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.

Given the current discussions with the Ventura County Transportation Commission, the Administration Committee unanimously recommends that the Board consider a resolution that would allow Chair Patrick Hunter and Chair-Elect Mary Ann Krause to continue in their positions for an additional year. This will allow for a continuity of officers while VCOG examines different governance models.

Resolution No. 2006-01 provides for the continuation of the officers for an additional year.

Attachment

Resolution No. 2006-01.

VENTURA COUNCIL OF GOVERNMENTS RESOLUTION NO. 2006-01

A RESOLUTION OF THE GOVERNING BODY OF THE VENTURA COUNCIL OF GOVERNMENTS CHANGING PROCEDURE FOR ELECTION OF CHAIR AND CHAIR-ELECT FOR 2006

BE IT RESOLVED by the Governing Body of the Ventura Council of Governments as follows:

SECTION 1: The Governing Body finds as follows:

- A. Section 12 of the Ventura Council of Governments ("VCOG") Joint Powers Authority Agreement ("Agreement") outlines the election process for Chair and Chair-Elect of the VCOG Governing Body ("Board.")
- B. Section 12 of the Agreement allows for the Chair-Elect to be deemed elected to the position of Chair at the end of each calendar year to serve for one year and for the election of a Chair-Elect by the Board each year for a one-year term.
- C. Section 12 (a) of the Agreement allows the Board, by majority vote, to change the date for the election of the Chair-Elect and any such change shall only be applicable to the election specified by the Board.
- D. The Board has begun an examination of future governance models that may require a change in the composition of the Board.
- E. The Board believes that continuity of its officers is critical to this examination of governance models.
- F. The Board believes it is necessary to exercise the provisions of the Agreement to change the date of the election of officers for 2006.

SECTION 2: The Governing Body agrees to the following:

- A. Pursuant to Section 12 (a) of the Agreement, postpones the election of a new Chair-Elect until the first regular meeting of the Board in 2007.
- B. Confirms that the current Chair, Patrick Hunter of the City of Moorpark and current Chair-Elect, Mary Ann Krause of the City of Santa Paula, shall continue their terms until the last regular meeting of the Board in 2006.

SECTION 3.: This Resolution will become effective immediately upon adoption and will remain effective unless repealed or superseded.

PASSED AND ADOPTED this 12th day of January, 2006.

Patrick Hunter, Chair

ITEM 8.B.

Appointment of 2006 Administrative Committee



**VENTURA COUNCIL
OF GOVERNMENTS**

MEMORANDUM

TO: Board of Directors

FROM: Wally Bobkiewicz, Interim Executive Director

SUBJECT: **Appointment of 2006 Administrative Committee**

DATE: December 28, 2005

Recommendation: It is recommended that the Board of Directors consider the Chair's appointment of members of the 2006 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.

At the December 2, 2005 meeting of the Administrative Committee, Chair Hunter indicated his desire to keep the current members of the Administrative Committee: Chair Patrick Hunter, Chair-Elect Mary Ann Krause, Immediate Past Chair Jan McDonald and Members Jon Sharkey and Paul Miller.

ITEM 8.C.

Consideration of 2006 Legislative Agenda



**VENTURA COUNCIL
OF GOVERNMENTS**

MEMORANDUM

TO: Board of Directors

FROM: Wally Bobkiewicz, Interim Executive Director

SUBJECT: **Consideration of 2006 Legislative Agenda**

DATE: December 28, 2005

Recommendation: It is recommended that the Board of Directors consider the proposed Legislative Agenda for 2006.

Discussion: VCOG adopted a Legislative Agenda last year for the first time. Staff believes that this agenda will continue to serve the Board in 2006. At its December 2, 2005 meeting, the Administrative Committee reviewed the 2005 agenda and made changes in the areas of "Fiscal Impact," "Housing," "Solid Waste," and "Public Safety and Homeland Security." These changes are highlighted on the proposed Legislative Agenda, which is attached for your review.

Attachment:
Draft 2006 Legislative Agenda

DRAFT VCOG ANNUAL LEGISLATIVE AGENDA FOR ~~2005~~ 2006

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.

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.

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 ~~determine a "fair share" of new housing needed 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.

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 the development of a federal action plan for reducing air pollution from those sources solely under federal control such as ships and planes 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. ~~Support~~ 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.
3. Support regulations for local agencies to carry out the NPDES mission that are practical and capable of being implemented including taking into account economic considerations
4. 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 that would provide additional resources for commercial truck safety inspections and the enforcement of commercial truck vehicle codes.
- D. Support legislation that allows use of state and federal public safety grants for maintenance efforts in addition to service increases.
- E. Support maintenance of existing health care facilities within the county for emergency response with adequate funding and staffing.
- F. Support funding for all hazards, not just terrorism and encourage comprehensive All Hazards planning.
- G. Oppose a relaxation of 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.

ITEM 8.D.

Update on Discussions with Ventura County
Transportation Commission Regarding
Governance Changes



**VENTURA COUNCIL
OF GOVERNMENTS**

MEMORANDUM

TO: Board of Directors

FROM: Wally Bobkiewicz, Interim Executive Director

SUBJECT: **Update on Discussions with Ventura County Transportation Commission Regarding Governance Changes**

DATE: December 28, 2005

Recommendation: It is recommended that the Board of Directors receive report and provide direction to staff as appropriate.

Discussion: On December 16, 2005, representatives of VCOG and VCTC met to discuss issues regarding the two agencies. The details of the meeting are summarized in the attached memo.

Staff requests that the Board discuss the issues raised in the meeting and provide direction to staff as appropriate.

Attachment:

December 27, 2005 Memo – Summary of Meeting of VCOG and VCTC Chairs and Vice Chairs



**VENTURA COUNCIL
OF GOVERNMENTS**

MEMORANDUM

TO: Distribution

FROM: Wally Bobkiewicz, Interim Executive Director

DATE: December 27, 2005

SUBJECT: Summary of Meeting of VCOG and VCTC Chairs/Vice Chairs

On December 16, 2005, representatives of VCOG and VCTC met to discuss issues pertaining to potential changes to the governance of the organizations. Representing VCTC was Chair John Procter, Vice Chair John Flynn and Executive Director Ginger Gherardi. Representing VCOG was Vice Chair Mary Ann Krause and Interim Executive Director Wally Bobkiewicz. Also in attendance was Moorpark Assistant City Manager Hugh Riley. VCOG Chair Patrick Hunter was unable to attend because of a work related conflict.

The discussion was wide ranging; discussing the various issues involved with having VCOG and VCTC connect themselves together in a variety of scenarios. The following issues were identified:

Agency Structure: VCOG is a joint powers authority of the ten cities and the County. VCTC is a separate agency created by State statute. Any changes to VCOG would require a change to the JPA agreement. Any changes to VCTC would require State legislation. The group discussed the arrangement of other planning/transportation agencies in the State and focused on the San Bernardino Associated Governments (SANBAG). In San Bernardino, there is one Board that serves as the Board of Directors for SANBAG, the County Transportation Commission, County Transportation Authority, County Congestion Management Agency and the Service Authority for Freeway Emergencies. The agency does business as SANBAG. Currently the VCTC Board also serves as the Board of the Airport Land Use Commission, County Congestion Management Agency and the Service Authority for Freeway Emergencies.

It was discussed that VCOG's JPA agreement could be amended to have the VCTC Board serve as the Board of VCOG and that all VCOG responsibilities could be handled by a single agency (some of the many details discussed below). The By-Laws of VCOG (and perhaps VCTC) would also need to be amended to reflect operational changes. The Boards of VCTC and VCOG can amend their By-Laws themselves.

Under this scenario, VCTC does not change and no State laws would likely need to be changed. It remains a separate Commission. Its funding and projects remain with the Commission. However, one Board and one staff would manage the affairs of VCTC and VCOG as VCTC currently does also for the Airport Land Use Commission, County Congestion Management Agency and the Service Authority for Freeway Emergencies.

Funding: VCTC receives funding from a variety of state and federal sources. Costs for projects and administrative support are carefully tracked given the restrictions on the funding sources. VCTC's existing staff could do non-transportation work, but other funding would need to be identified for staff and projects. VCOG currently assesses its members annual dues which would need to continue for funding non-transportation projects. There is also grant funding for projects that could be identified to assist in VCOG projects.

Board Agendas/Meeting Length: VCTC expressed concern about the current allocated time for their meetings. Adding additional responsibilities to a single board could make the meetings go longer than available time. The group discussed how both VCTC and VCOG currently use their committee structures and there was discussion that committees could do more of the policy analysis on issues and bring formed recommendations to the full Board.

Board Membership: There was discussion about the current make-up of both the VCTC and VCOG Boards. With one Board, would the make up be the current VCOG (one from each city and one from the county), current VCTC (one from each city, each County Supervisor and two public members) or something else. State legislation would be required for any scenario except current VCTC Board serving as VCOG Board.

Staffing: All agreed that regardless of any changes with VCTC and VCOG, the existing VCTC staff would still be required to perform existing transportation work. There is the ability of the existing VCTC staff to perform functions for VCOG as long as funding for this was identified. VCTC staff already charge their time to a variety of functions and this could be extended for both existing VCOG responsibilities and some future projects. Additional staff or consultants could be hired as appropriate.

Name of Agency: There was much discussion about what a merged agency might be called. As described in San Bernardino, a single Board and staff serve five separate agencies and do business as the San Bernardino Associated Governments (SANBAG). A specific concern expressed by VCTC was that the transit operations of the agency are well known under their name and that could be a problem if conducted under another name. If the Board of VCTC becomes the Board of VCOG, it may be that the agency does business as VCOG, but VCTC also keeps some sort of identity. A new identity for VCTC's transit operations could also be crafted.

The group asked that a summary of the December 16, 2005 meeting be prepared and distributed to the agencies for further discussion by the VCTC and VCOG Boards. The VCTC Board meets next on January 6, 2006 and the VCOG Board on January 12,

2006. Based on comments from the Boards, staff will convene a next meeting of representatives from both agencies.

Distribution

VCTC Chair John Procter

VCOG Chair Patrick Hunter

VCTC Vice Chair John Flynn

VCOG Vice Chair Mary Ann Krause

VCTC Executive Director Ginger Gherardi

ITEM 8.E.

2006 VCOG Dinner Meeting



**VENTURA COUNCIL
OF GOVERNMENTS**

TO: Board of Directors
FROM: Wally Bobkiewicz, Interim Executive Director
SUBJECT: 2006 VCOG Dinner Meeting
DATE: December 28, 2005

Recommendation: It is recommended that the Board of Directors receive report and provide direction to staff as appropriate.

Discussion: At your November, 2005 meeting, the Board of Directors directed that a dinner meeting be planned at the Ronald Reagan Presidential Library in May or June 2006, on the topic of emergency preparedness/public safety. Staff has researched the availability of the facility and preliminarily estimated costs for such an event.

The Reagan Presidential Library Learning Center is available on June 8, 22 and 29 (all Thursdays); facility rental will cost \$2,000 plus a \$3 per person fee that provides access to the Library exhibits, including the new Air Force One Pavilion.

Meal options consist of offering an hors d'oeuvres reception, a buffet dinner or a sit down dinner service. The estimated per person cost for the hors d'oeuvres option would be \$25.75, while the buffet and sit down dinners are estimated at \$36.25 and \$39.25 per person, respectively.

Based on attendance projections of 100 and 200 persons, the following cost estimate comparisons for the meal options are provided:

HORS D'OEUVRES SERVICE			
	FACILITY	FOOD*	TOTAL
100 Persons	\$2,300	\$2,575	\$4,875
200 Persons	\$2,600	\$5,150	\$7,750

BUFFET DINNER SERVICE			
	FACILITY	FOOD*	TOTAL
100 Persons	\$2,300	\$3,625	\$5,925
200 Persons	\$2,600	\$7,250	\$9,850

SIT DOWN DINNER SERVICE			
	FACILITY	FOOD*	TOTAL
100 Persons	\$2,300	\$3,925	\$6,225
200 Persons	\$2,600	\$7,850	\$10,450

*Includes beverage service of sodas, water, and iced tea.

The adopted 2005-2006 VCOG budget has \$15,000 allocated for special projects.

It is recommended the Board of Directors select a preferred date for the event, and direct staff as to the type of meal to be served.

Upon Board direction, staff will work with the Administrative Committee to plan the program.

ITEM 8.F.

Legal Services Engagement with Jenkins & Hogin, LLP as Special Legal Counsel Related to Investigation of Future Governance Models for an Amount Not to Exceed \$10,000



**VENTURA COUNCIL
OF GOVERNMENTS**

MEMORANDUM

TO: Board of Directors

FROM: Wally Bobkiewicz, Interim Executive Director

SUBJECT: **Legal Services Engagement with Jenkins & Hogin, LLP as Special Legal Counsel Related to Investigation of Future Governance Models for an Amount Not to Exceed \$10,000**

DATE: November 29, 2005

Recommendation: It is recommended that the Board of Directors authorize the Interim Executive Director to execute an agreement with Jenkins & Hogin, LLP for legal services.

Discussion: As VCOG begins its discussions on proposed future governance models, I believe it is appropriate for the Board to have access to legal counsel. I am proposing the use of the Santa Paula City Attorney, Karl H. Berger, for these services. Mr. Berger is a partner in Jenkins & Hogin, LLP a municipal law firm which serves as City Attorney in ten cities including Santa Paula and Port Hueneme. The firm is also General Counsel for the South Bay Cities Council of Governments.

I believe that a \$10,000 limit at this point is prudent until the Board has a better understanding of the legal services it may require.

Attachment:
Proposed Legal Services Engagement

JENKINS & HOGIN, LLP
A LAW PARTNERSHIP

MICHAEL JENKINS
CHRISTI HOGIN
MARK D. HENSLEY
BRADLEY E. WOHLBERG
KARL H. BERGER
GREGG KOVACEVICH
JOHN C. COTTI
LINDA A. BURROWS
ERIKA R. AKLUF

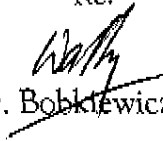
MANHATTAN TOWERS
1230 ROSECRANS AVENUE, SUITE 110
MANHATTAN BEACH, CALIFORNIA 90266
(310)643-8448 • FAX (310) 643-8441
WWW.LOCALGOVLAW.COM

WRITER'S EMAIL ADDRESS:
MJENKINS@LOCALGOVLAW.COM

November 2, 2005

Wally Bobkiewicz
Interim Executive Director
Ventura Council of Governments
970 Ventura Street, P.O. Box 569
Santa Paula, CA 93060

Re: *Legal Services Engagement*


Dear Mr. Bobkiewicz:

Thank you for the opportunity to serve as special counsel for the Ventura Council of Governments (VCOG). The purpose of this letter is to set forth the terms under which the Firm will from time to time when called upon by VCOG provide special legal consulting services to VCOG.

We will bill for services at the hourly rate of \$165 per hour for our services. We will not bill you for any expenses other than extraordinary on-line legal research, delivery charges and any expenses we incur on your behalf (without mark-up). We charge in tenth of an hour increments, will provide you with a detailed billing monthly and expect to be paid within thirty days of receipt of our invoice. We are very efficient and will endeavor to keep the cost of our services as low as possible.

JENKINS & HOGIN LLP

Wally Bobkiewicz
November 2, 2005
Page 2

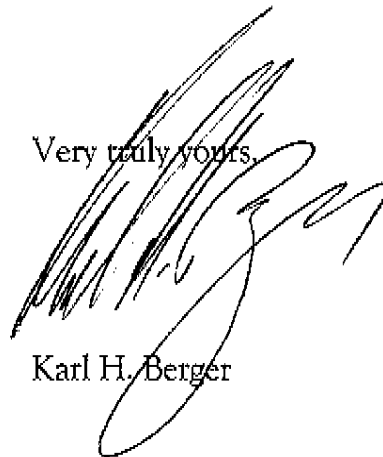
We maintain professional liability insurance in the amounts of \$2,000,000 per occurrence and \$4,000,000 aggregate. The Firm does not and will not discriminate on any basis prohibited by law.

Any dispute under this agreement must be resolved through binding arbitration. You may, of course, terminate this agreement at any time by providing the Firm written notice of termination.

If the foregoing accurately sets forth the terms of our expanded engagement, please sign at the bottom of this letter and return a copy for my files. Your signature below warrants that you have authority to enter into this agreement on behalf of VCOG.

I appreciate the opportunity to be of service to VCOG.

Very truly yours,



Karl H. Berger

Agreed:

Wally Bobkiewicz, on behalf of the
Ventura Council of Governments

ITEM 9

Agency Reports

EXECUTIVE DIRECTOR'S MONTHLY REPORT

JANUARY 2006

Each month I establish, with input from the Directors, the priority issues on which management and the staff focus. This report summarizes the work that was accomplished during the month as well as other items I feel will give the Council a better understanding of what the staff and I are doing to accomplish our performance objectives.

I. Improve the efficiency and accountability of management within the organization

- CFO Heather Copp has officially left SCAG, and on December 12th, Bert Becker, former CFO, assumed the role of Interim CFO until recruitment of the CFO position can be completed.
- The SCAG Audit Committee received a presentation from KPMG on the final audit report. The audit was to be presented to the Regional Council in January but it is still not finalized and is going through final KPMG internal review. It should be ready for RC review in February.
- The Audit Committee talked with Maura Twomey from Caltrans regarding training by Caltrans for the subregions, to be held January 11, 2006. However, it has to be cancelled and will be rescheduled.

II. Provide support to the Regional Council in providing direction and Leadership to SCAG

- On December 5th I briefed David Ryu, Deputy for Yvonne Burke, on Goods Movement.
- On December 6th I, Hasan Ikhata, and Don Rhodes met with Los Angeles Mayor Antonio Villaraigosa senior transportation staff at the Los Angeles City Hall. Representatives of Mayor Villaraigosa's staff included Deputy Mayor for Transportation Jaime de la Vega, Associate Director of Transportation Jim Bickhart and Transportation Policy Analyst Borja Leon. We gave the mayor's staff a briefing on the SCAG goods movement initiative and how it relates to legislation, such as Senator Perata's SB 1024, which will be considered during the coming months in the California Legislature. One topic of particular importance is the institutional framework for the funding, construction and operation necessary components of the goods movement system. We also discussed SCAG's participation in new planning efforts for the Los Angeles Regional Airports now that the existing plan has been withdrawn.
- On December 9th I, Hasan Ikhata, Karen Tachiki, and Heather Copp attended the Region-wide CEO Meeting. Three items were discussed. The first item was the comments on the Thailand Trade Agreement. The CEO's and myself decided to submit comments to the federal agencies. The comments focused basically on identifying the impact of such an agreement on our region. The second item was the MOU with the federal and state agencies. The CEOs of the Commissions pledged \$35,000 and staff from each of the Commissions to work on finalizing the MOU which include getting the signatories from the federal and state agencies. The third item included the institutional arrangement to implement the

Goods Movement project. The CEO's requested that SCAG arrange a meeting of the President/Chairperson of each Commission and SCAG, along with the Executive Directors of each agency to discuss at a policy level possible institutional arrangements for Goods Movement Implementation. Staff is attempting to schedule the meeting for sometime in January.

- Southwest Compact Task Force December 15, 2005 Meeting. Following up on the success of the September 29th Southwest Compact Bi-National Hearing the members of the Southwest Compact Task Force (Hon. Gene Daniels, Paramount; Hon. Richard Dixon, Lake Forest; Hon. Jon Edney, El Centro; Hon. Kathy McCullough, Lake Forest; Hon. Greg Pettis, Cathedral City; and Hon. Toni Young, Port Hueneme) received a presentation from Mr. David Perez-Tejada, International Relations Director, City of Mexicali, Mexico representing the Mayor of Mexicali. David outlined a substantive proposal for a Southwest Compact Summit to be held in Mexicali. The Southwest Compact Task Force agreed to hold the next Southwest Compact Summit in Mexicali on April 26 – 27, 2006 and to invite representatives from the throughout the Southwest United States and other northern Mexico states. The next Southwest Compact Task Force meeting is scheduled for January 19, 2006 and the task force members wish to extend an invitation for elected officials and others that want to participate to attend the next meeting.
- On Friday, December 16, 2005 the Hon. Ron Roberts, Chairman of SCAG's Tribal Government Relations Task Force, and Task Force members the Hon. Margaret Clark and the Hon. Robin Lowe represented SCAG at a meeting with Tribal Governments hosted by the Torres-Martinez Desert Cahuilla Indians. The Hon. Raymond Torres, Chairman of the Torres Martinez Indians thanked SCAG for their attendance and offered encouraging words regarding participation in the regional planning process. The purpose of the meeting was to provide the Tribal Governments with another opportunity to ask questions and provide comments regarding the draft by-laws that establish a role for Tribal Governments in SCAG and for SCAG to learn about Tribal Governments. Hasan Ikhata, Director of Planning & Policy spoke about SCAG's plans and programs and Karen Tachiki, Chief Legal Counsel presented the draft by-laws. Mr. Joe Loya, Property Resource Manager, and Torres Martinez gave a presentation on Tribal Governance, the role of Tribal Councils and how the tribal membership elects members to represent the tribe.
- On December 19th I gave a presentation on Compass, Goods Movement, and Global Gateways to Cerrell Associates, Inc.

III. SCAG Operations

- Recruitments

Director of Intergovernmental Relations - Second interviews with the top four candidates will be held by Executive Management and RC members on January 12th. The final selection is expected in January.

Chief Financial Officer - a nationwide search is underway with the initial review of applications on January 27, 2006.

Manager of Finance - a search is underway with the initial review of applications on January 27, 2006.

Several other staff level recruitments are underway.

- Employee Benefits. SCAG changed life and disability insurance carriers in December resulting in enough premium savings to add an Employee Assistance Program for all staff. The new plan went into effect December 1st at no additional cost to SCAG. Employee orientation training was provided to all employees on the new program in January.
- Employee Wellness Program. Human Resources implemented a monthly focus on wellness campaign in January 2006. All employees were provided with an annual Wellness calendar with monthly themes. Monthly health and wellness brown bag sessions will be offered to employees each month to promote the campaign and SCAG's commitment to a healthy workforce.

IV. Implement Adopted Regional Plans

- Compass 2% Strategy Update. This month SCAG entered into a multi-year contract with Fregonese Calthorpe Associates to assist in Compass implementation and growth forecasting. One of our first priorities will be to develop the scopes of work for our first round of 2% Strategy Demonstration Projects. We are pleased to announce that we will be partnering with the Cities of Montclair and Rolling Hills Estates and Supervisor Yvonne Burke's District in Los Angeles County on local plans/projects that are consistent with the Compass Principles. We are continuing to accept applications for additional Demonstration Projects for our next round of selection. I ask that you to encourage your colleagues to apply for these free resources.
- Goods Movement. Staff continues to present and seek peer review on the Port and Modal Elasticity Study and our related work on the value of productivity gains to shippers and transportation companies. To date, the Port and Modal Elasticity Study has received much attention and has been referenced in a number of goods movement initiatives and articles.

SCAG also continues to participate in the development of Phase II of the State Goods Movement Action Plan. I represent SCAG on the Integrating Working Group and as co-chair of the Community Impact Mitigation and Workforce Development working group along with Angelo Logan of East Yard Communities for Environmental Justice. On December 14th, a meeting of the Community Impact Mitigation and Workforce Development Working Group was held in Long Beach as part of the state's Goods Movement Action Plan. This was the working group's third meeting, and it was attended by about 45 members of the community, business representatives, educational groups, and local government. The participants agreed that it should become a matter of state policy for new goods movement projects to have a Community Advisory Committee similar to that used for the I-710 process. This approach would help to ensure that infrastructure development and environmental impact mitigation can progress simultaneously. It will also help to ensure that no action is taken that will worsen any existing impact.

A Southern California comment letter is currently being drafted on the environmental review of the proposed U.S.-Thailand Free Trade Agreement. The intent of the comment is to emphasize to the federal government the localized impacts of international trade and the federal obligation to assist in addressing those impacts. This item has been agendaized for action by the SCAG Regional Council on January 5th. SCAG will submit comments with any revisions as needed.

V. Develop Additional Planning Efforts

- Blueprint Grant Application. We've received confirmation from Caltrans that SCAG has been awarded between \$1,119,000 and \$1,258,450 for Year 1 (FY2005-2006) of our Blueprint grant application. The final amount will be based on a review of our updated scope of work submitted in December 2005. Awards for Year 2 will be subject to the success of Year 1 and will require reapplication by July 1, 2006. We are confident that the success of our Year 1 work program will merit additional funds to complete our proposed work program to achieve regional land use, transportation and housing goals through regional and local decision-making.
- 2005/2006 Economic Forecast Conference, January 26, 2005. On January 26, SCAG will stage its ninth annual Regional Economic Forecast Conference. Each year staff chooses a different venue for this event in various locations around the region. The venue chosen is one that will attract a substantial audience to hear the economic outlook for the region. This year the conference will be held in the beautiful Front Runner restaurant at Santa Anita Park in Arcadia. In keeping with the venue the theme for this year's conference is "The Race is On . . ."

In addition to the always well received economic forecasts for the SCAG region and its counties for the next two years, I will moderate a panel of experts in various fields who will be addressing the high stakes "races" that the region risks losing: the races to reduce congestion and pollution, to provide adequate and affordable housing, to create enough jobs, and to compete in the global economy. The panel's topics are linked to SCAG's new State of the Region report, which will be released about two weeks prior to the Conference.

To produce the conference, staff formed two teams: a Program Planning Group, headed by the Hon. Jon Edney, councilmember from the City of El Centro and a Regional Council member, developed the theme and program. A Production Team developed strategies for funding and conference logistics. All RC members and policy committee members are invited to attend at no charge. Please contact Bruce DeVine.

- Air Quality. Under State law, SCAG is responsible for preparing and approving portions of the Air Quality Management Plan (AQMP) for the South Coast Air Basin and the Coachella Valley. SCAG has been coordinating with the Air District, the Air Resources Board, and other agencies to begin the development of the Draft 2007 AQMP. In December, staff participated in the first of a series of monthly meetings of the South Coast Air Quality Management District's Advisory Group for the 2007 AQMP.
- CEQA Reform. Staff continues to participate in statewide legislative discussions on CEQA and other planning and development issues. The Regional Council, in December, provided guidance for staff within the context of the Legislative Program.
- SAFETEA-LU Implementation. Jim Gosnell and others attended the CALCOG/Regional Coordination Group Meetings in Sacramento on November 14th to discuss numerous aspects of implementing the legislation at the State level. There was an additional meeting with several MPOs and Caltrans to review the distribution formula used by the State for FHWA planning money. There will be no change to the formula.
- CEQA Reform. Staff continues to participate in statewide legislative discussions on CEQA and other planning and development issues. The Regional Council, in December, provided guidance for staff

within the context of the Legislative Program.

The Schwarzenegger Administration has concluded the formal efforts of its CEQA Advisory Group by its meeting on December 13, 2005 which I and members of the staff attended. The basic premises involved in the discussions are that a statewide planning and regulatory scheme should facilitate the following:

- Housing production adequate to meet the statewide, regional, and local need
- Protection of the environment focusing on habitat and open space
- Protection of productive farmland
- Orderly and efficient land use and development that facilitates transportation and air quality performance

Further, these basic objectives should be met by undertaking planning processes that are geared to meet distinct, quantifiable performance standards for housing, environmental protection, and transportation. Finally, the working group process has sought to bring forward finance proposals that support these various activities.

Two workshops of the Regional Council and its Policy Committee are scheduled for January 2006 in order to discuss in more detail the concepts that have emerged from this effort. At this time, there are no additional meetings of the CEQA Advisory Group scheduled. SCAG staff expects that the administration and other participants will come forward shortly with detailed legislative proposals, with subsequent discussions to follow.

VI. Data & Planning Methods

Performance Assessment and Monitoring

- 2005 State of the Region Release. Staff will provide a copy of the 2005 State of the Region Report and Report Card to Regional Council Members at the January 5, 2006 meeting. A press conference is also scheduled on January 5th, from 10:00 am to 11:00 am, at SCAG offices. The press conference will be moderated by Mayor Ron Loveridge who has been serving as the Chair of the Benchmarks Task Force that provides guidance to staff on the State of the Region efforts. Other press conference panelists are scheduled to include SCAG President, SCAG 1st Vice President, Benchmarks Task Force Vice Chair and SCAG Executive Director. At the November 2005 meeting, staff briefed the Regional Council on highlights of the 2005 State of the Region Report.
- Travel Model Improvement. Training in the operation of the new SCAG Travel Simulation Model using TransCAD modeling software was conducted by the Caliper Corporation during December with participation by staff from SCAG, Los Angeles DOT, and Caltrans. The training included intensive reviews of each model component as well as the programming language that will enable users to develop, refine and customize specialized applications and reports of model output.
- The USDOT's Volpe Center from Cambridge, MA is collaborating with ISD staff in conducting the 3rd and final national expert and peer review on the SCAG Travel Model Improvement Project to be held on

January 9-10, 2006. Noted modeling experts from FHWA, FTA, MPOs, universities, and private consultants have been selected to participate in this peer review.

VII. Legislative Program

- On December 13th, Senator Torlakson hosted a field hearing at SCAG on S.B. 1024, a \$10.275 billion infrastructure bond measure that includes funding for transportation, housing, water quality and flood control. I gave a presentation on what this bill means for Southern California and received favorable responses from Senators. Once the legislature reconvenes in January, there will be a great deal of activity on this bill and we will be monitoring it closely.
- Staff also continues to work on language pertaining to protection for JPA's under S.B.90 (1972) and on legislation regarding CEQA reform. We are also discussing what tools are needed to allow tribal nations to actively participate in SCAG's JPA.
- SCAG has begun planning the 2006 Southern California Consensus Trip to Washington, DC which is currently planned for the week of February 6th, 2006. Representatives will be advocating support for our regional goods movement strategy as well as looking forward to the reauthorization of AIR-21, the federal aviation bill, and to the upcoming 2009 reauthorization of SAFETEA-LU.

HAPPY NEW YEAR