

STAFF REPORT
Meeting Date: May 19, 2004

Agenda Item 15

TO: LAFCO Commissioners

FROM: Everett Millais, Executive Officer

SUBJECT: Presentation - Formation of A Ventura County Regional Open Space District – INFORMATIONAL ONLY

The Ventura County Board of Supervisors has taken initial steps to form a Regional Open Space District. An application for District formation has been filed with LAFCO and a public hearing about the formation of such a District has been noticed for the Commission's June 9, 2004 meeting.

Basic background information about the Regional Open Space District is attached. At the May 19 meeting Chris Stephens, Ventura County Planning Director, and I will give the Commission a brief presentation about the Regional Open Space District, its status with the Board of Supervisors and LAFCO's role and responsibilities in considering the County's application for District formation.

COMMISSIONERS AND STAFF

COUNTY: Kathy Long Linda Parks <i>Alternate:</i> Steve Bennett	CITY: Evaristo Barajas, Chair Don Waunch <i>Alternate:</i> John Zaragoza	SPECIAL DISTRICT: Jack Curtis, Vice Chair Dick Richardson <i>Alternate:</i> Ted Grandsen	PUBLIC: Louis Cunningham <i>Alternate:</i> Kenneth M. Hess
EXECUTIVE OFFICER: Everett Millais	LAFCO ANALYST: Hollie Brunsky	OFFICE MANAGER/CLERK: Debbie Schubert	LEGAL COUNSEL: Noel Klebaum

Brief History of Ventura County Open Space District

- 1989 - Beyond Year 2000 Committee recommends formation of agriculture/open space land trust and/or open space district
- 1990 - Board of Supervisors appoints 11-member Agriculture Land Trust Advisory Committee (ALTAC) chaired by Third District Supervisor – other members represented agricultural community and public interest organizations
- 1992 - ALTAC provides recommendations to Board including a recommendation to determine voter support for forming and funding an open space district (OSD)
- 1997 - Board appoints 25-member Agricultural Policy Working Group (APWG) comprised of three Board members and representatives from seven agriculture-related cities, the agricultural community, public interest organizations and other stakeholders
- 1998 - APWG submits final report to Board including a recommendation to initiate a study on a voter-approved OSD and funding measure

Ventura County voters approve Advisory Measure A which recommended that an OSD should be formed to permanently protect open space and farmland
- 2002 - Legislature approves Ventura County's OSD enabling legislation

Board establishes 41-member Open Space District Advisory Committee (OSDAC) that represented many diverse interests
- 2003 - OSDAC submits final report to Board. Primary recommendation – OSD formation and funding ballot measure(s) should be submitted to voters in November 2004
- 2004 - On April 27th, Board reviewed findings from OSD/Transportation Funding Survey. Voted 5 to 0 to place OSD formation and funding measures (1/4-cent sales tax) on Nov. 2004 ballot

Open Space District Advisory Committee's

***Recommendations for
Forming, Funding & Governing
A Ventura County Regional
Open Space District***

June 2003



In November 1998, Ventura County voters decisively approved Advisory Measure A, which recommended ... an open space district be formed to permanently protect open space and agricultural lands.

...the Open Space District Advisory Committee (OSDAC) has recommended OSD ballot measures should be submitted to Ventura County voters in November 2004.

Introduction

Compared with neighboring counties to the south, Ventura County is blessed with a significant amount of “open space” – wild areas along rivers, fertile farmland and beautiful mountain vistas.

Many people in Ventura County want to ensure that a substantial portion of this open space remains just as it is. In November 1998, Ventura County voters decisively approved Advisory Measure A, which recommended, among other things, that an open space district be formed to permanently protect open space and agricultural lands.

Open Space Districts (OSD), similar to non-profit land trusts and conservancies, protect land using a combination of techniques including outright purchase or purchasing the “right” to develop the land (in voluntary transactions). These techniques for permanently protecting land have become very popular and successful – millions of acres have been protected nationwide.

OSD are not a new concept in California, with the first one approved by San Francisco Bay Area voters in 1934. California’s OSD now include East (San Francisco) Bay, Midpeninsula (San Francisco Peninsula), and Marin, Sonoma, Santa Clara, Los Angeles and Riverside Counties.

Ventura County Open Space District

Ventura County’s OSD “authorizing legislation” (AB 1145) requires that voters must approve the formation of an OSD and voters or property owners must approve its funding. Like Ventura County, several other counties have received State authorization but haven’t yet implemented their OSD’s including Napa, Sacramento, San Bernardino, San Diego and Santa Barbara Counties.

In March 2002, the Ventura County Board of Supervisors established an Open Space District Advisory Committee (OSDAC) consisting of 41 members representing diverse interests.

The Committee and its Working Subcommittee met a total of 27 times during the period April 2002 through June 2003. The OSDAC’s main task is to advise the Board of Supervisors on OSD issues including formation, funding, territory, project criteria and governance.

Before an election can occur, the authorizing legislation requires the Board of Supervisors to adopt a resolution that specifies the name of the OSD, governance structure including ward boundaries, territory, funding, and election procedures. Although the Board will make the final decision on the timing of an election(s), the OSDAC has recommended that OSD ballot measures should be submitted to Ventura County voters in November 2004.

Executive Summary

The following briefly describes the Open Space District Advisory Committee's (OSDAC) recommendations regarding the purpose, features, territory, funding, governance and structure of the proposed Ventura County Regional Open Space District.

PURPOSE

The primary function of the OSD is to preserve, enhance and/or restore agricultural and natural resources of Ventura County for the enjoyment and benefit of present and future residents. The OSD's acquisitions could include agricultural and open space lands and parkland and land conservation options would involve both fee purchase and the purchase of conservation easements. The OSD will not have the power of eminent domain – acquisition transactions would involve only willing sellers.

PROPERTY ACQUISITIONS

Future acquisitions must meet or exceed Eligibility Standards and Selection Criteria included in the General, Agricultural, Open Space and Parkland categories. Each acquisition must meet all of the standards in the General category and must meet one or more of the standards in the other three categories.

TERRITORY

The territory of the OSD should be countywide in scope (boundaries the same as Ventura County) and should include all incorporated cities and all unincorporated county territory.

FUNDING SOURCE

The OSD should be funded by a 10-year revenue measure. A ⅛-cent sales tax, or if special enabling legislation is not enacted in 2004, a ¼-cent sales tax, are the recommended funding measures. If neither sales tax option is feasible, a benefit assessment district should be established. A minimum of 85% of the OSD's revenue should be used for acquisition purposes – remaining funds could be used for administration, operations, maintenance or acquisition.

FUNDING DISTRIBUTION

Acquisition funds should be allocated according to Geographic Distribution (see Exhibit 1) and a Flexibility Fund. The boundaries of the three geographic distribution areas should remain fixed during the 10-year term but revenue distribution should be population-based. At the end of ten years, each geographic area should receive an equal distribution of funds. Up to 10% of the acquisition funds (Flexibility Fund) could fund projects of special merit that do not meet the geographic distribution criteria.

GOVERNANCE

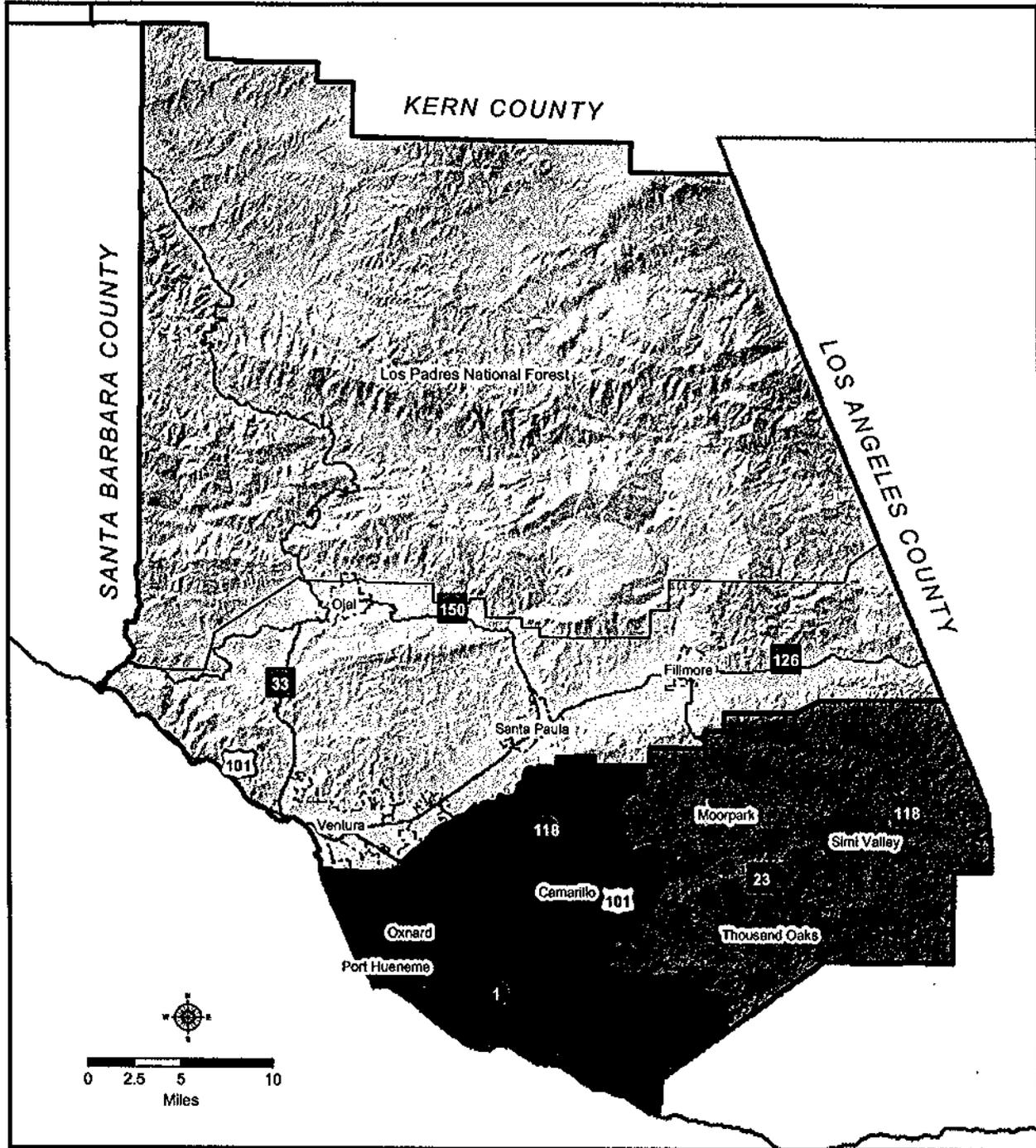
After reviewing the three OSD governance options (appointed or directly elected board of directors or Board of Supervisors), the OSDAC has a

STRUCTURE

strong preference for an (Board of Supervisors) appointed five-member board of directors. The City Selection Committee should nominate three of the directors and the Board should nominate two directors. Regardless of the governing option selected, the OSD's board of directors should appoint a diverse Advisory Committee and a 3-member Fiscal Oversight Committee.

The OSD should function primarily as a pass-through agency – i.e., usually, it does not own or manage land but it selects land acquisitions, collects revenue, and distributes the funding to appropriate agencies and organizations. The OSD should only accept land or assets if no other agencies or organizations are willing to administer, operate and maintain the land. Agencies and organizations that receive OSD funding must agree to land sale and change-in-land-use restrictions and other conditions mandated by the OSD.

**Exhibit 1
OPEN SPACE DISTRICT - GEOGRAPHIC DISTRIBUTION AREAS**



Geographic Distribution Areas		Cities
	North (Fillmore, Ojai, Santa Paula, Ventura)	National Forest Boundaries
	East (Moorpark, Simi Valley, Thousand Oaks)	
	West (Camarillo, Oxnard, Port Hueneme)	

Disclaimer: This map was created by the Ventura County Resource Management Agency, Planning Division, which is designed and operated solely for the convenience of the County and related public agencies. The County does not warrant the accuracy of this map and no decision involving a risk of economic loss or physical injury should be made in reliance thereon.

Ventura County Resource Management Agency
Planning Division
March 2003

