

August 11, 2009

EXHIBIT 5

RESPONSE TO 2008-09 GRAND JURY REPORT

“Land Use Permitting Process: Get to Excellence Plan”

FROM

**Board of Supervisors
County Executive Officer**

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County Executive Office MEMORANDUM

Exhibit 6

DATE: July 22, 2009

SUBJECT: Responses to 2008-2009 Grand Jury Report "Land Use Permitting Process "Get to Excellence Plan"" from the Ventura County Board of Supervisors and County Executive Officer

FINDINGS

F-01. In 2007, members of the BOS and CEO concluded that something needed to be done to address the increasing number of complaints regarding the discretionary land use permitting process.

RESPONSE: Concur.

F-02. In 2007, the County issued a contract to consultant Thomas Berg to evaluate the discretionary land use permitting process which resulted in the Berg Report released in early 2008.

RESPONSE: Concur.

F-03. In April of 2008, the County assigned an Assistant CEO to head a committee of County executives to oversee the development and implementation of new procedures, protocols, and other changes to address the permitting problems. This resulted in a program known as the "Get to Excellence Plan."

RESPONSE: Partially concur. The Get to Excellence Plan represents only a portion of the efforts underway to improve the County's discretionary permitting process. The Get to Excellence Plan is the result of an internal staff Lean Six Sigma discretionary permitting process improvement project. Several of the recommendations from the previously referenced Berg Report were approved by the Board of Supervisors separately and are being implemented concurrently, but outside of the Get to Excellence Plan.

F-04. According to an article published in the Ventura County Star, dated September 4, 2008, there were 352 discretionary planning applications processed by the RMA between January 2006 and December 2007. The average time to process from customer application to approval was: [Ref-02]

- Projects approved by the BOS 340 days
- Projects approved by the Planning Commission 366 days

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- Conditional use permits 184 days
- Major modifications 325 days
- Minor modifications 251 days
- Parcel maps 405 days
- Planned developments 285 days
- Parcel map waiver lot line adjustments 191 days
- Large lot subdivisions 487 days

RESPONSE: Concur.

F-05. Applicants are charged an hourly fee for processing requests.

RESPONSE: Concur.

F-06. The "Get to Excellence Plan" identifies 23 projects, nine of which were completed as of May 6, 2009.

RESPONSE: Concur. The number of items currently completed as of the date of this response is thirteen.

F-07. Periodic stakeholder meetings are being held to provide status and feedback on the proposed changes, as well as any other permit related problems.

RESPONSE: Concur

F-08. The CEO provides periodic briefings to the BOS on the progress of the "Get to Excellence Plan."

RESPONSE: Concur

F-09. The County anticipates full implementation of the "Get to Excellence Plan" in the Fall of 2009. However, the current budgetary crisis may cause some Berg Report recommendations and some plan action items to be delayed or not implemented.

RESPONSE: Partially concur. Completion of several Get to Excellence Plan deliverables will extend into the winter due to a combination of staff constraints, greater than anticipated effort and the need for extensive stakeholder vetting of three remaining deliverables.

F-10. A high level "Intake Coordinator" position has been created and filled to implement one-stop application submittals. County officials state this is having positive results.

RESPONSE: Concur.

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F-11. To date, there has been little change in the RMA Planning Division personnel that were in place at the time that public complaints were received.

RESPONSE: Do not concur. Two of Planning's three section managers, an additional manager and five staff have left employment since the start of the County's process improvement efforts began. These departures represent approximately twenty percent of the department's workforce and sixty percent of the department's management ranks.

RECOMMENDATIONS

R-01. Both the BOS and CEO should continue frequent and in-depth reviews of the progress and metrics of the Berg Report recommendations and the "Get to Excellence Plan" related to the land use permitting process.

RESPONSE: Concur. As noted in the response to item F-03, the Board approved a number of recommendations from the Berg Report outside of the Get to Excellence Plan. Among those was the establishment of a Management Oversight Committee with representatives from a number of agencies involved in the discretionary permitting process. That committee has and will continue to meet regularly to track the progress of the Get to Excellence Plan as well as monitor the overall discretionary permitting process.

R-02. The CEO should continue to hold stakeholder meetings until all parties agree they are no longer needed.

RESPONSE: Partially Concur. The County does not expect that meetings will never be needed; we intend to hold stakeholder meetings whenever there are ordinance or process changes dialogue and/or training of our customers would be helpful.

R-03. After implementation of the "Get to Excellence Plan," the CEO should establish and maintain a committee of qualified County executives to oversee the performance of departments involved in the land use permitting process and monitor complaints from users.

RESPONSE: Concur. As noted in the response to item R-01, an Inter-agency Oversight Committee (IOC) was created in April of 2008 specifically for this purpose. As stated in the recommendation approved by the Board in June 2008, the IOC will continue meeting on a regularly scheduled basis with the primary charter of: 1) Defining metrics to be used to assess and monitor the discretionary land use review and permitting process and 2) Ensuring that appropriate process improvements are implemented to meet and improve those metrics.

R-04. The CEO and/or RMA should make personnel changes, if required to achieve the goals of the "Get to Excellence Plan" in a timely manner.

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RESPONSE: Partially Concur. This Board and the County Executive office hold all County managers and staff responsible for ensuring their areas of responsibility is operating efficiently and effectively. However, as noted in the Berg Report, the problems with the discretionary permitting process were systemic and not the result of the behavior or shortcoming of personnel involved with the system. This statement aside, the Get To Excellence Plan (GTEP) was developed by managers and staff involved in the discretionary permit process. To date, these same managers and staffs have demonstrated strong commitment to implementing the changes called for in the Plan.