

CITY OF VENTURA  
**CITY COUNCIL AGENDA**

**Mayor Erik Nasarenko**

**Neal Andrews, Deputy Mayor**  
**Cheryl Heitmann, Councilmember**  
**Matt LaVere, Councilmember**

**Jim Monahan, Councilmember**  
**Mike Tracy, Councilmember**  
**Christy Weir, Councilmember**

Mark D. Watkins, City Manager  
Gregory G. Diaz, City Attorney  
Antoinette M. Mann, City Clerk

**REGULAR MEETING**  
**MONDAY, AUGUST 7, 2017, 6:00 P.M.**  
**COUNCIL CHAMBERS, 501 POLI STREET, VENTURA**

The regular meetings of the San Buenaventura (Ventura) City Council also serve as regular meetings of the Successor Agency and Public Facilities Financing Authority when Successor Agency and Public Facilities Financing Authority items are listed on the agenda.

The public has the opportunity to address the City Council on any item appearing on the agenda. Persons wishing to address the City Council should complete and submit a green "Speaker Form." If a member of the public wishes to comment on an item and does not want to speak before the City Council, the person may complete a pink "Comment Form." Both forms are on a table inside the meeting room. Individuals may not acquire additional time from other speakers during Public Communications but may do so on formal agenda items, per City Council Protocols.

Persons wishing to address the City Council are limited to three minutes on any agenda item with a cumulative total of five minutes for all agenda items, except if there are one or more Successor Agency and Public Facilities Financing Authority items on the agenda, members of the public shall have an additional total of three minutes on any agenda item with a cumulative total of five minutes for all agenda items to address all Successor Agency and Public Facilities Financing Authority matters.

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**SPECIAL PRESENTATIONS AND ANNOUNCEMENTS**

Welcome Ventura Unified School District Superintendent – David Creswell

**CLOSED SESSION REPORT**

**CITY COUNCIL COMMUNICATIONS**

Per Government Code Section 54954.2 (a)(2), the Council Communications section of the agenda provides City Council the opportunity to ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities.

## PUBLIC COMMUNICATIONS

At the first regular meeting of the month, City Council has allocated a total of 30 minutes for members of the public to address the City Council on items of City business other than scheduled agenda items. Each speaker is limited to a cumulative total of five minutes for all presentations during this meeting. Should there be more than six speakers, City Council has discretion to limit the time for each speaker. Persons wishing to address City Council should complete a green "Speaker Form." Individuals may not acquire additional time from other speakers during Public Communications but may do so on formal agenda items, per City Council Protocols.

## CONSENT ITEMS

Matters appearing on the Consent Calendar are expected to be non-controversial and will be acted upon by the City Council at one time, without discussion, unless a Councilmember, the Administration, or a member of the public requests an opportunity to address any given item. Items removed from the Consent Calendar will be discussed at the beginning of the Formal Items. Approval by the City Council of Consent Items means that the recommendation of the Administration is approved along with the terms and conditions described in the Administrative Report.

### 1. [Minutes](#)

Staff: Antoinette M. Mann, City Clerk

#### RECOMMENDATION

Approve the minutes of the regular meeting of July 10, 2017, the special and regular meetings of July 17, 2017 and July 24, 2017.

### 2. [City Council Travel Report \(40\)](#)

Staff: Mark D. Watkins, City Manager

#### RECOMMENDATION

Receive and file the Quarterly Travel Report for April through June 2017.

### 3. [Request for Authorization to Extend Outside Counsel Services for Pending Litigation – Burke, Williams & Sorensen, LLP for the Green V City of San Buenaventura Matter \(38\)](#)

Staff: Gregory G. Diaz, City Attorney

#### RECOMMENDATION

Authorized the City Attorney to enter into an extended legal services agreement with Burk, Williams & Sorensen, in the amount not to exceed an additional \$130,000 to continue representation of the City in a lawsuit filed by Ellis Green against the City of San Buenaventura.

**CONSENT ITEMS (continued)**

**4. [Authorization of Professional Services Agreement with Environmental Science Associates for the Conceptual Design of Treatment Wetlands \(50\)](#)**

Staff: Joe McDermott, Acting Ventura Water General Manager

**RECOMMENDATION**

Approve and authorize the Mayor to execute a Professional Services Agreement with Environmental Science Associates for services associated with performing the conceptual design of Treatment Wetlands; September 1, 2017 to December 31, 2018; not-to-exceed \$303,130, including a \$27,557 contingency.

**5. [Adopt a Resolution for the Application and Administration of Grant Funds for the VenturaWaterPure Advanced Treatment, Reuse, and Diversion Infrastructure Project \(31\)](#)**

Staff: Joe McDermott, Acting Ventura Water General Manager

**RECOMMENDATION**

- a. Adopt a resolution authorizing the Ventura Water General Manager, or designee, to apply for, receive grant funds, enter into a cooperative agreement, and administer a grant for the 2017 Bureau of Reclamation Title 16 Grant Funds under the Water Infrastructure Improvements for the Nation Act.
- b. Authorize the Ventura Water General Manager, or designee, to act as agent for the City to conduct all negotiations, execute and submit all documents, including, without limitation, applications, agreements, amendments, and billing statements that may be necessary to accept these grants and complete the project under the grant.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AUTHORIZING THE VENTURA WATER GENERAL MANAGER, OR DESIGNEE, TO APPLY FOR, RECEIVE, AND ENTER INTO A COOPERATIVE AGREEMENT, AND ADMINISTER A GRANT FOR THE 2017 BUREAU OF RECLAMATION TITLE XVI WATER RECYCLING PROJECTS UNDER THE WIIN ACT RESOLUTION NO. 2017-\_\_\_\_

**CONSENT ITEMS (continued)**

**6. [Authorization of Professional Services Agreement with Bondy Groundwater Consulting, Inc. for the Mound Basin Aquifer Storage and Recovery Study \(50\)](#)**

Staff: Joe McDermott, Acting Ventura Water General Manager

RECOMMENDATION

Approve and authorize the Mayor to execute a Professional Services Agreement with Bondy Groundwater Consulting, Inc. for services associated with performing the Mound Basin Aquifer Storage and Recovery Study; August 11, 2017 thru December 31, 2018; not-to-exceed \$175,000, including a \$20,240 contingency.

**7. [Grand Jury Report Response – Water Considerations for Cities \(112\)](#)**

Staff: Joe McDermott, Acting Ventura Water General Manager

RECOMMENDATION

Approve the response to the Grand Jury Report titled Water Considerations for Cities and authorize the Mayor to sign the Report and Response Letter.

**8. [California Street Bridge Enhancement Project – Amendment to Design Contract and Contractor Change Order \(50\)](#)**

Staff: Tulson Clifford, Public Works Director

RECOMMENDATION

- a. Authorize the encumbrance of an additional \$29,000 to the existing Professional Services Agreement with HDR Engineering, Inc. (Agreement Number 100003582) for design engineering support in construction, for a total contract amount not-to-exceed \$105,950.
- b. Authorize an increase in contingency funding of \$83,681 to the Construction Contract with Union Engineering, for a total contingency contract amount of \$234,752.
- c. Authorize Finance to assign increased appropriations to the proper funds, projects and accounts.

## CONSENT ITEMS (continued)

### 9. [Request for Extension of Acting Appointment – Fleet Services Supervisor \(78\)](#)

Staff: Tulson Clifford, Public Works Director

#### RECOMMENDATION

Approve an extension of an Acting Appointment beyond 180 days, pursuant to City Personnel Rules and Regulations, Rule VI Appointment Section 8: Acting Appointments, Subsection 3, for Equipment Mechanic II, Donald Covarrubias, a Maintenance Unit employee appointed January 23, 2017, as Acting Public Works Supervisor, until October 30, 2017.

### 10. [Westside Bicycle and Pedestrian Facility Improvements Project – Award of Construction Contract \(88\)](#)

Staff: Tulson Clifford, Public Works Director

#### RECOMMENDATION

- a. Approve awarding of contract and authorize the Mayor to execute an agreement with the lowest responsive and responsible bidder, Granite Construction Company, for the Westside Bicycle and Pedestrian Improvements Project, Specification No. 2016-043, in the amount of \$866,115.
- b. Authorize the encumbrance of contingency funds for the project in the amount of \$86,611 for use by the Public Works Director during construction.

### 11. [Waterline Replacement Project – Ondulando Area Phase 4 – Authorization to Award \(123\)](#)

Staff: Tulson Clifford, Public Works Director

#### RECOMMENDATION

- a. Approve awarding of contract and authorize the Mayor to execute an agreement with the lowest responsive and responsible bidder, Granite Construction, Inc., for the Waterline Replacement Ondulando Area – Phase 4, Specification No. 2016-037, in the amount of \$1,986,816.00.
- b. Authorize the encumbrance of contingency funds for the project in the amount of \$199,000 for use by the Public Works Director during construction.

## CONSENT ITEMS (continued)

### 12. [Museum of Ventura County - Funding and Services Agreement \(50\)](#)

Staff: Nancy O'Connor, Parks, Recreation & Community Partnerships Director

#### RECOMMENDATION

- a. Approve and authorize the City Manager to execute a Funding and Services Agreement, including milestones, with the Museum of Ventura County for a term of six-months, August 1, 2017 - January 31, 2018; \$125,000 to support general operations.
- b. Authorize the Finance and Technology Department to transfer appropriations to the proper projects and accounts beginning in FY 2017-2018.

### 13. [Ordinance for Second Reading – Amending the Zoning Ordinance Regulating Adult Businesses and Amending Chapter 24.492 which regulates the Locational criteria for Adult Businesses and Amending Chapter 6.900 which Regulates the Application for Adult Business Regulatory License \(70\)](#)

Staff: Antoinette M. Mann, City Clerk

#### RECOMMENDATION

Waive the second reading in full and adopt an ordinance, titled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA AMENDING CHAPTER 24.492 REGULATING THE LOCATIONAL CRITERIA AND ZONING FOR ADULT BUSINESSES AND AMENDING CHAPTER 6.900 PROVIDING LICENSING AND DEVELOPMENT STANDARDS FOR ADULT BUSINESSES (Introduced 7/17/17; Vote 7-Yes; 0-No)  
ORDINANCE NO. 2017-\_\_\_

## APPOINTMENTS TO CITY COUNCIL ADVISORY GROUPS

### 14. [Appointment Recommendations – Historic Preservation Committee, Planning Commission and Design Review Committee \(30\)](#)

Introduced by: Councilmember Weir

#### RECOMMENDATION

Approve the following appointments recommended by the Appointments Recommendation Committee:

- a. Historic Preservation Committee: Dena Mercer and Tyson Cline (reappointment), August 7, 2017 – June 30, 2021
- b. Design Review Committee: Tyson Cline (reappointment), August 7, 2017 – June 30, 2021.

**APPOINTMENTS TO CITY COUNCIL ADVISORY GROUPS (continued)**

- c. Planning Commission: Rob Corley (reappointment) and Laura Kay Dunbar (reappointment), August 7, 2017 – June 30, 2017.

**PUBLIC HEARINGS**

**15. [Appeal of Local Housing Appeals Board Decision, 51 South Oak Street \(80\)](#)**

Staff: Jeffrey Lambert, Community Development Director

RECOMMENDATION

Continue Public Hearing to date uncertain.

**16. [Dissolution of Maintenance Assessment District No. 25 and Establishment of Maintenance Assessment District No. 27 for Property Located at the Southwest Corner of Telegraph Road and Wells Road – Tract No. 5632 - The Parklands Project \(28\)](#)**

Staff: Tulson Clifford, Public Works Director

RECOMMENDATION

- a. Adopt a resolution ordering the dissolution of Maintenance Assessment District No. 25.
- b. Adopt a resolution establishing Maintenance Assessment District No. 27 (Parklands) for maintenance of street lighting, street pavement, stormwater treatment, park parcels, alleys, landscape, hardscape and irrigation system improvements within, and adjacent to, Tract No. 5632.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, ORDERING THE DISSOLUTION OF MAINTENANCE ASSESSMENT DISTRICT NO. 25

RESOLUTION NO. 2017-\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, ESTABLISHING MAINTENANCE ASSESSMENT DISTRICT NO. 27 AND LEVYING ANNUAL ASSESSMENT ON LOTS AND PARCELS WITHIN THE DISTRICT

RESOLUTION NO. 2017-\_\_\_\_

## FORMAL ITEM

### 17. [Safe and Clean Update – Parks Division \(76\)](#)

Staff: Nancy O'Connor, Parks, Recreation & Community Partnerships Director  
Tulson Clifford, Public Works Director

#### RECOMMENDATION

Receive an oral report providing an update on the Public Works Department and the Parks Division's efforts on behalf of Safe and Clean Ventura.

## PUBLIC NOTICES

Items listed under Public Notices are a matter of public record only. These items do not require City Council action.

### 18. [Recent Decisions of the Design Review Committee \(80\)](#)

Design Review Committee July 19, 2017 Action: Approved

PROJ-11281 – Case No. DRC-2-17-38944

Formal Design Review for a new exterior paint scheme to the existing one-story 3,084 square foot fast-food drive-through restaurant located at 2800 Johnson Drive; Dan Osran, applicant; CPD zone.

### 19. [Public Notice – Approval of Final Map for Tract No. 5685](#)

Location: Southwest corner of East Main and South Ash Streets; Developer: Historic Lodge Development, LP; Description of Subdivision: A mixed-use development consisting of fifteen residential condominiums and one commercial condominium.

## PUBLIC COMMUNICATIONS

### CITY COUNCIL COMMUNICATIONS/ REPORTS – REGIONAL BOARDS/COMMISSIONS/COMMITTEES

Per Government Code Section 54954.2 (a)(2), the Council Communications section of the agenda provides City Council the opportunity to ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities. Councilmembers serving on regional boards, commissions, or committees to present a verbal report to the full City Council on the activities of the respective boards, commissions, or committees upon which they serve.



## CITY MANAGER COMMUNICATIONS

### ADJOURNMENT

Administrative Reports relating to this agenda are available in the City Clerk's Office, 501 Poli Street, Room 204, Ventura, during normal business hours as well as on the City's Web Site – [www.cityofventura.ca.gov](http://www.cityofventura.ca.gov). Materials related to an agenda item submitted to the City Council after distribution of the agenda packet are available for public review at the City Clerk's Office.

This agenda was posted on Wednesday, August 2, at 5:00 p.m. in the City Clerk's Office, on the City Hall Public Notices Board, and on the Internet.

In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact the City Clerk's Office at (805) 658-4787 or the California Relay Service at (866) 735-2929. Notification by Thursday, August 3, 2017, at 12:00 p.m. will enable the City to make reasonable arrangements for accessibility to this meeting.