

CITY OF VENTURA  
**CITY COUNCIL AGENDA**

**Matt LaVere**  
Mayor

**Lorrie Brown**  
Councilmember District 6

**Jim Friedman**  
Councilmember District 5

**Cheryl Heitmann**  
Councilmember At-Large

**Erik Nasarenko**  
Councilmember District 4

**Sofia Rubalcava**, Deputy Mayor  
Councilmember District 1

**Christy Weir**  
Councilmember At-Large

Alex D. McIntyre, City Manager  
Gregory G. Diaz, City Attorney  
Antoinette M. Mann, City Clerk

**REGULAR MEETING**

**MONDAY, OCTOBER 7, 2019**

**COUNCIL CHAMBERS, 501 POLI STREET, VENTURA**

**REGULAR MEETING – 6:00 P.M.**



The regular meetings of the San Buenaventura (Ventura) City Council also serve as regular meetings of the Successor Agency, Public Facilities Financing Authority and Parking Authority when Successor Agency, Public Facilities Financing Authority and Parking 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 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, Public Facilities Financing Authority and Parking 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, Public Facilities Financing Authority and Parking Authority matters.

At the first regular meeting of the month, City Council has allocated a total of 30 minutes for members of the public to address City Council on items of City business other than scheduled agenda items near the beginning of the agenda and will continue speakers beyond the 30 minutes until the end of the agenda under the heading of "Public Communications". Individuals may not acquire additional time from other speakers during Public Communications but may do so on formal agenda items per City Council Protocols. City Council cannot take action on any items not on the agenda. These items may be referred to staff or scheduled on a future agenda.

Persons wishing to address City Council should complete and submit a green "Speaker Form." If a member of the public wishes to comment on an item, complete a pink "Comment Form." Both forms are on a table inside the meeting room.

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 website – <https://www.cityofventura.ca.gov/AgendaCenter>.

Public Hearing Notices and any 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 as well as on the City's website – <https://www.cityofventura.ca.gov/1236/9455/City-Council-Public-Hearing-NoticesSuppl>.

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 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

**1. CALL TO ORDER – REGULAR SESSION – 6:00 p.m.**

**2. ROLL CALL**

**3. PLEDGE OF ALLEGIANCE**

**4. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS**

**4A.** Proclamation – National Community Planning Month, October 2019

**4B.** Proclamation – Code Enforcement Officer Appreciation Week – October 6, 2019 - October 12, 2019

**4C.** Recognition – Artist Michael Davis for the California Street Bridge Enhancement Project

**4D.** Presentation – No Place Like Home Funding by the Ventura County Behavioral Health Department

**5. CLOSED SESSION REPORT**

**6. 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.

**7. PUBLIC COMMUNICATIONS**

**8. CONSENT ITEMS**

Matters appearing on the Consent Calendar are expected to be non-controversial and will be acted upon by 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 the recommendation of the Administration is approved along with the terms and conditions described in the Administrative Report.

**8A. Move all resolutions and ordinances presented tonight be deemed read by title only and all further reading be waived.**

**8. CONSENT ITEMS (continued)**

**8B. [Approve Ventura Port District's Selection for Auditor](#)**

Staff: Michael Coon, Finance and Technology Director

RECOMMENDATION

Approve the Board of Port Commissioners' appointment of Brian Pendleton as the Auditor for the Ventura Port District.

**8C. [West Park Portland Loo Installation – Authorization to Advertise](#)**

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

RECOMMENDATION

Authorize the advertisement for bids for Westpark Portland Loo Installation Specification No. 2019-085 to be received on November 7, 2019, no later than 2:00 p.m., in the City Clerk's Office.

**8D. [Sewerline Replacement - Seaside Wastewater Force Main Project – Amendment No. 1 to Task Order No. 6 with Oakridge Geoscience, Inc.](#)**

Staff: Phillip L. Nelson, Public Works Director

RECOMMENDATION

Authorize Amendment No. 1 to Task Order No. 6 with Oakridge Geoscience, Inc. for an increase in the amount of \$20,000 for a new total task order amount of \$68,530.

**8E. [Authorization to Advertise Highway 126 Bike Path Gap Closure Project](#)**

Staff: Phillip L. Nelson, Public Works Director

RECOMMENDATION

- a. Approve contract plans and specifications for the Highway 126 Bike Path Gap Closure Project, Specification No. 2015-042.
- b. Authorize the advertisement for bids to be received on October 31, 2019, at 2:00 p.m. in the City Clerk's office.

**8. CONSENT ITEMS (continued)**

**8F. [Heating, Ventilation and Air Conditioning Preventive Maintenance and Repair Services General Services Agreement – Increase Contract and Appropriations](#)**

Staff: Phillip L. Nelson, Public Works Director

**RECOMMENDATION**

- a. Authorize the Mayor to execute Amendment #3 to the Heating, Ventilation and Air Conditioning Preventive Maintenance and Repair General Services Agreement No. 2017-108 with ACCO Engineered Systems to increase the contract in the amount of \$555,000 for the contract terms of July 1, 2019 through June 30, 2022 for a total not-to-exceed amount of \$1,038,186.
- b. Authorize the City Manager or designee to execute modifications to the annual appropriations in an amendment, with total expenditures not-to-exceed \$1,238,186 over the term of the agreement, pursuant to Section 4.600.200 of the Municipal Code.
- c. Authorize an increase in budget appropriations in Facilities Fund 65 of \$125,078 for Fiscal Year 2019-20 and authorize the Finance and Technology Department to adjust the expense and revenue appropriations to the proper projects and accounts.

**8G. [General Services Agreement for On-Call Construction Services for the City's Wastewater System](#)**

Staff: Susan Rungren, Ventura Water General Manager

**RECOMMENDATION**

- a. Authorize the City Manager or designee to execute amendments for General Service Agreement P2019-064 with Central Coast Engineering not-to-exceed \$600,000 during the total duration of the contract, August 1, 2019 to June 30, 2020, pursuant to Section 4.600.200 of the Municipal Code.
- b. Authorize the City Manager or designee to execute amendments for General Service Agreement P2019-065 with Elite General Engineering, Inc. not-to-exceed \$1,500,000 during the total duration of the contract, August 1, 2019 to June 30, 2020 pursuant to Section 4.600.200 of the Municipal Code.

**8. CONSENT ITEMS (continued)**

- c. Authorize the City Manager or designee to execute amendments for General Service Agreement P2019-066 with Sam Hill and Sons, Inc. not-to-exceed \$1,500,000 during the total duration of the contract, August 1, 2019 to June 30, 2020, pursuant to Section 4.600.200 of the Municipal Code.

**8H. [General Services Agreement for Contract Environmental Laboratory Services for Water Quality Testing](#)**

Staff: Susan Rungren, Ventura Water General Manager

RECOMMENDATION

- a. Authorize the City Manager or designee to execute amendments for General Service Agreement P2019-067 with BC Laboratories, Inc. not-to-exceed \$1,500,000 during the total duration of the contract, August 1, 2019 to June 30, 2020, pursuant to Section 4.600.200 of the Municipal Code.
- b. Authorize the City Manager or designee to execute amendments for General Service Agreement P2019-069 with Weck Laboratories, Inc. not-to-exceed \$1,000,000 during the total duration of the contract, August 1, 2019 to June 30, 2020, pursuant to Section 4.600.200 of the Municipal Code.

**8I. [Professional Services Agreement with Kennedy/Jenks Consulting, Inc. for Grant Writing and Management Services for Ventura Water](#)**

Staff: Susan Rungren, Ventura Water General Manager

RECOMMENDATION

- a. Authorize the Mayor to execute a Professional Service Agreement with Kennedy/Jenks Consulting, Inc. for grant writing services and management not-to-exceed \$523,121, and a \$55,000 contingency for a total contract amount of \$578,121 during the three (3) terms of the contract, October 7, 2019 through September 30, 2022, pursuant to Section 4.600.140 of the Municipal Code.
- b. Authorize the City Manager or designee to execute amendments to Professional Services Agreement with Kennedy/Jenks Consulting, Inc. for grant writing services and management not-to-exceed a contract total of \$963,535 and five (5) year contract term, pursuant to Section 4.600.200 of the Municipal Code.

8. **CONSENT ITEMS (continued)**

8J. **Ordinances for Second Reading – Kellogg Apartment Project Zone Change, Medicinal Cannabis Delivery Services and 2019 Edition Building & Safety Codes**

Waive the second reading in full and adopt the Ordinance of the Council of the City of San Buenaventura, California, pertaining to:

**Kellogg Apartment Project Zone Change (58 Kellogg Street)**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA APPROVING A ZONE CHANGE FOR PROPERTY LOCATED AT 58 KELLOGG STREET (VOTE: 7-YES; 0- NO; 0-ABSENT)  
ORDINANCE NO. 2019-\_\_\_

**Medicinal Cannabis Delivery Services**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA AMENDING CHAPTER 6.420, "MEDICINAL CANNABIS DELIVERY SERVICES," OF THE SAN BUENAVENTURA MUNICIPAL CODE TO ALLOW FOR CANNABIS DELIVERY IN THE CITY OF SAN BUENAVENTURA (VOTE: 7-YES; 0- NO; 0-ABSENT)  
ORDINANCE NO. 2019-\_\_\_

**2019 Edition Building & Safety Codes Updates**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA ADOPTING BY REFERENCE THE 2019 EDITION OF THE CALIFORNIA BUILDING CODE AND AMENDING CERTAIN PROVISIONS THEREOF THROUGH EXPRESS FINDINGS OF LOCAL NECESSITY (VOTE: 7-YES; 0- NO; 0-ABSENT)  
ORDINANCE NO. 2019-\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA ADOPTING BY REFERENCE THE 2019 EDITION OF THE CALIFORNIA PLUMBING CODE AND AMENDING CERTAIN PROVISIONS THEREOF THROUGH EXPRESS FINDINGS OF LOCAL NECESSITY (VOTE: 7-YES; 0- NO; 0-ABSENT)  
ORDINANCE NO. 2019-\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA ADOPTING BY REFERENCE THE 2019 EDITION OF THE CALIFORNIA MECHANICAL CODE AND AMENDING CERTAIN PROVISIONS THEREOF THROUGH EXPRESS FINDINGS OF LOCAL NECESSITY (VOTE: 7-YES; 0- NO; 0-ABSENT)  
ORDINANCE NO. 2019-\_\_\_

**8. CONSENT ITEMS (continued)**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA ADOPTING BY REFERENCE THE 2019 EDITION OF THE CALIFORNIA ELECTRICAL CODE AND AMENDING CERTAIN PROVISIONS THEREOF THROUGH EXPRESS FINDINGS OF LOCAL NECESSITY (VOTE: 7-YES; 0- NO; 0-ABSENT)

ORDINANCE NO. 2019-\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA ADOPTING BY REFERENCE THE 2019 EDITION OF THE CALIFORNIA RESIDENTIAL CODE AND AMENDING CERTAIN PROVISIONS THEREOF THROUGH EXPRESS FINDINGS OF LOCAL NECESSITY (VOTE: 7-YES; 0- NO; 0-ABSENT)

ORDINANCE NO. 2019-\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA ADOPTING BY REFERENCE THE 2019 EDITION OF THE CALIFORNIA EXISTING BUILDING CODE AND AMENDING CERTAIN PROVISIONS THEREOF THROUGH EXPRESS FINDINGS OF LOCAL NECESSITY (VOTE: 7-YES; 0- NO; 0-ABSENT)

ORDINANCE NO. 2019-\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA ADOPTING BY REFERENCE THE 2019 EDITION OF THE CALIFORNIA FIRE CODE AND AMENDING CERTAIN PROVISIONS THEREOF THROUGH EXPRESS FINDINGS OF LOCAL NECESSITY

ORDINANCE NO. 2019-\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, ADOPTING BY REFERENCE THE 2018 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE AND AMENDING CERTAIN PROVISIONS THEREOF (VOTE: 7-YES; 0- NO; 0-ABSENT)

ORDINANCE NO. 2019-\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA ADOPTING BY REFERENCE THE 2019 EDITION OF THE CALIFORNIA ENERGY CODE, THE 2019 EDITION OF THE CALIFORNIA GREEN BUILDING STANDARDS CODE, THE 2019 EDITION OF THE CALIFORNIA REFERENCED STANDARDS CODE, THE 2019 EDITION OF THE ADMINISTRATIVE CODE AND THE 2019 EDITION OF THE CALIFORNIA HISTORICAL BUILDING CODE (VOTE: 7-YES; 0- NO; 0-ABSENT)

ORDINANCE NO. 2019-\_\_\_



## 9. APPOINTMENTS TO COUNCIL ADVISORY GROUPS

### 9A. [Appointment Recommendations – Parks and Recreation Commission, Historic Preservation Committee and Senior Strategic Ad-Hoc Committee](#)

Introduced by: Councilmember Christy Weir

#### RECOMMENDATION

Approve the appointments:

- a. Parks and Recreation Commission:
  - Spencer Noren (Reconfirm Appointment), Term: 10/7/2019 – 6/30/2023
  - Donald Wood, Term: 10/7/2019 – 6/30/2022
- b. Historic Preservation Committee:
  - Paul Muller, Term: 10/7/2019 – 6/30/2021
  - Laura O’Neill, Term: 10/7/2019 – 6/30/2023
  - Rachel Perzel, Term: 10/7/2019 – 6/30/2023
- c. Senior Strategic Planning Ad-Hoc Committee:
  - Marisue Eastlake, Term: 10/7/2019 – completion of task (approximately 6 months)

## 11. PUBLIC HEARING ITEM

### 11A. [Adoption of Cannabis Delivery Permit Fees](#)

Staff: Michael Coon, Finance and Technology Director

#### RECOMMENDATION

Adopt a resolution adopting new regulatory fees for cannabis delivery permits, effective November 1, 2019.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA ADOPTING A SCHEDULE OF FEES FOR SERVICES RELATING TO CANNABIS DELIVERY SERVICE PERMITS  
RESOLUTION NO. 2019-\_\_\_

## 12. FORMAL ITEMS

### 12A. [Amendment of the Compensation and Terms of the City Attorney's Employment Agreement](#)

Introduced by: Mayor Matt LaVere and Councilmember Erik Nasarenko

#### RECOMMENDATION

Adopt a resolution amending the compensation and terms of the City Attorney's Employment Agreement No. 2014-026, providing a 4% merit increase to the City Attorney's base salary, 2.25% cost-of-living adjustment, 1% of base salary contribution into a 401(a) deferred compensation program, a \$750 per month increase to a Retirement Health Savings account, and a \$150 per month increase to his auto allowance effective the first pay period following City Council approval in accordance with the City Attorney's Employment Agreement, Sections 3.2, 4.3, and 4.4.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING (1) RESOLUTION 2019-029 AND (2) THE COMPENSATION AND TERMS OF EMPLOYMENT FOR THE POSITION OF CITY ATTORNEY

RESOLUTION NO. 2019-\_\_\_\_

### 12B. [Barranca Vista Recreation Center Repairs and Refurbishment Project Authorization to Re-advertise](#)

Staff: Phillip L. Nelson, Public Works Director

#### RECOMMENDATION

- a. Approve contract plans and specifications for the Barranca Vista Recreation Center Repairs and Refurbishment, Specification No. 2018-002.
- b. Authorize the advertisement for bids to be received on October 31, 2019 at 2:00 p.m. in the City Clerk's office.

12. FORMAL ITEMS (continued)

12C. [Amendment No. 14 - Water Supply Contract between the State of California Department of Water Resources and the Ventura County Watershed Protection District](#)

Staff: Susan Rungren, Ventura Water General Manager

RECOMMENDATION

Adopt a resolution to extend the water supply contract between the Ventura County Watershed Protection District and the California Department of Water Resources, extending contract until 2085.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA DIRECTING THE VENTURA COUNTY WATERSHED PROTECTION DISTRICT TO APPROVE AMENDMENT NO. 14 (CONTRACT EXTENSION AMENDMENT) TO THE WATER SUPPLY CONTRACT BETWEEN THE VENTURA COUNTY WATERSHED PROTECTION DISTRICT AND THE DEPARTMENT OF WATER RESOURCES ON BEHALF OF THE CITY OF SAN BUENAVENTURA RESOLUTION NO. 2019-\_\_\_

12D. [Utilization of the City's Remaining State Water Allocation for 2019](#)

Staff: Susan Rungren, Ventura Water General Manager

RECOMMENDATION

- a. Authorize transfer of 4,625 acre-feet of the City's 2019 allocation to United Water Conservation District for \$247,310.
- b. Authorize storing the City's remaining 2019 allocation (1,525 acre-feet) with either Metropolitan Water District of Southern California or the California Department of Water Resources.
- c. Authorize the City Manager to execute the necessary agreements and documentation for the above subject to approval as to form by the City Attorney's Office.

## 12. FORMAL ITEMS (continued)

### 12E. [Net Zero Fee Revisions](#)

Introduced by: Mayor Matt LaVere and Councilmember Erik Nasarenko

#### RECOMMENDATION

This policy consideration, therefore, directs the City Manager to do the following:

- 1) Provide Council an update on how the \$562,216 collected to date in net zero fees is being spent or invested.
- 2) Develop demand factors for varied uses in order to make the net-zero fee more equitable.
- 3) Creating more commercial sub-classes (such as Restaurant, Office building, Industrial, Brewery, Shopping centers etc.).
- 4) Update demand factors for residential net-zero fees.
- 5) Address the issue of commercial/industrial tenant improvements, and consider a proposal to base net-zero fee on water meter size and delta between demand factors.
- 6) Update the net-zero fee amount per ordinance which calls for updating the fee as part of the overall rate study (to include updated project costs).
- 7) Develop a timeline for the above actions, which includes the Water Commission being consulted as part of the process.

## 7. PUBLIC COMMUNICATIONS

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

Per Governmental 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, commission, or committees upon which they serve.

### 16. CITY MANAGER COMMUNICATIONS

### 17. ADJOURNMENT

This agenda was posted on Wednesday, October 2, 2019, at 5:30 p.m. in the City Clerk's Office, on the City Hall Public Notices Board and on the internet.