

CITY OF VENTURA
CITY COUNCIL AGENDA

Mayor Neal Andrews

Cheryl Heitmann, Councilmember
Matt LaVere, Deputy Mayor
Jim Monahan, Councilmember

Erik Nasarenko, Councilmember
Mike Tracy, Councilmember
Christy Weir, Councilmember

Donald E. Penman, Interim City Manager
Gregory G. Diaz, City Attorney
Antoinette M. Mann, City Clerk

REGULAR MEETING

MONDAY, OCTOBER 29, 2018

COUNCIL CHAMBERS, 501 POLI STREET, VENTURA

CLOSED SESSION – 5:00 P.M.

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 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 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.

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.

CS1. CALL TO ORDER – CLOSED SESSION – 5:00 p.m.

CS2. ROLL CALL

CS3. PUBLIC COMMUNICATIONS: Public comments on Closed Session Items only.

CS4. CLOSED SESSION – City Manager’s Conference Room

CONFERENCE WITH LABOR NEGOTIATORS

City Negotiators:

Don Penman, Interim City Manager

Elizabeth Foushee, Human Resources Director

Employee Organizations:

a. Ventura Fire Management Association (VFMA)

b. Ventura City Firefighters’ Association (VCFA)

Authority: Government Code Section 54957.6

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

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS

Mayor For A Moment – Loma Vista Elementary School – Courtesy

Presentation - Ventura Police Community Foundation

Proclamation - Bells of Peace: A World War I Remembrance

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.

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.

8B. Consideration of Resolution Re-Confirming the Existence of a Local Public Health Emergency

Staff: Gregory G. Diaz, City Attorney

RECOMMENDATION

Adopt a Resolution re-confirming Local Public Health Emergency, title as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, RE-CONFIRMING THE EXISTENCE OF A LOCAL PUBLIC HEALTH EMERGENCY

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, RE-CONFIRMING THE EXISTENCE OF A LOCAL PUBLIC HEALTH EMERGENCY

RESOLUTION NO. 2018-____

8C. City Share for Architectural Plans for the Knoll Drive Homeless Shelter

Staff: Barry Fisher, Interim Assistant City Manager

RECOMMENDATION

- a. Authorize the expenditure of \$108,263 in Measure O funds previously designated for the Year-Round Homeless shelter acquisition and improvement costs in the 2018/2019 adopted budget for Architectural Consulting Services on the proposed 2323 Knoll Drive Homeless site.

8. CONSENT ITEMS (continued)

- b. Authorize the City Manager, subject to the City Attorney's approval as to form, to execute documents necessary to facilitate this request.
- c. Authorize Finance and Technology to assign current appropriations to the proper projects and accounts for their use.

8D. 2018/2019 Homeless Pilot Shelter Funding

Staff: Jeffrey Lambert, Community Development Director

RECOMMENDATION

- a. Authorize the reallocation of \$160,000 in Measure O funds previously designated for the Year-Round Homeless shelter acquisition/improvement costs to the 2018/2019 Homeless Pilot Shelter, and;
- b. Authorize Finance and Technology to assign reallocation from current appropriations to the proper projects and accounts for their use, and;
- c. Authorize the City Manager to execute an agreement with the City of Oxnard and the County of Ventura as appropriate that is approved as to form by the City Attorney and that meets the criteria for operational characteristics outlined in this Administrative Report.

8E. Ventura Veterans Home Development Site Additional Funding Request

Staff: Jeffrey Lambert, Community Development Director

RECOMMENDATION

- a. Authorize additional funding transferred from Fund Balance to Community Development in the amount of \$125,000 to fund Phase II environmental testing, Disposition and Development Agreement process, and financial review of final project proformas.
- b. Authorize the City Manager to amend the existing contract with Dyer Sheehan Group by \$50,000 to a not-to-exceed amount of \$210,000.
- c. Authorize Finance and Technology to assign/transfer appropriations from Fund Balance to the proper funds, projects and accounts in the Community Development Department budget for FY 2018-2019 in the amount of \$125,000.

8. CONSENT ITEMS (continued)

8F. Assignment and Assumption Mycol and Enhanced Landscape Management

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

RECOMMENDATION

- a. Authorize the Mayor to execute on behalf of the City Council the Assignment and Assumption Agreement and First Amendment between MyCol Inc., and Enhanced Landscape Management for landscape maintenance in various locations throughout the City of San Buenaventura.
- b. Authorize the Finance and Technology Department to transfer encumbrances and appropriations previously approved from MyCol Inc. to Enhanced Landscape Management within proper projects and accounts.

8G. Authorization to Execute Professional Services Agreement for On-Call Land Development Plan Review Services - Thomas Fire Recovery Action Plan Support

Staff: Mary Joyce Ivers, Interim Public Works Director

RECOMMENDATION

Approve and authorize the Mayor to execute a Professional Services Agreement with Kasraie Consulting to provide engineering services for On Call Land Development Plan Review Services in the amount not-to-exceed limit of \$50,000 per task order. The term of this five-year agreement is from October 23, 2018 to June 30, 2023.

8. CONSENT ITEMS (continued)

8H. First Amendment to Professional Services Agreement – Kennedy/Jenks Consultants; Environmental Review for East to West Waterline Interconnect

Staff: Mary Joyce Ivers, Interim Public Works Director

RECOMMENDATION

Approve and authorize the City Manager to execute the First Amendment to the Professional Services Agreement with Kennedy/Jenks Consultants to provide environmental review services for preparation of an initial study pursuant to California Environmental Quality Act (CEQA), May 8, 2018 – December 18, 2018, in the amended not-to-exceed amount of \$80,520; and the encumbrance of contingency funds for the project in the amount of \$8,050 for a new total amount of \$88,570.

8I. Sewerline Replacement – Seaside Wastewater Force Main – Authorization to Execute Professional Services Agreement

Staff: Mary Joyce Ivers, Interim Public Works Director

RECOMMENDATION

Approve and authorize the Mayor to execute a Professional Services Agreement with Filippin Engineering, Inc. to provide construction management services, in the amount not-to-exceed \$200,000, and authorize the encumbrance of contingency funds in the amount of \$20,000 for a total encumbrance of \$220,000; term of agreement: November 1, 2018 – October 31, 2019.

8J. Fourth Amendment to Professional Services Agreement – Five Nine Productions; Video Production Services

Staff: Mary Joyce Ivers, Interim Public Works Director

RECOMMENDATION

Approve and authorize the Mayor to execute Amendment No. 4 to Professional Services Agreement No. P2017-055 with Five Nine Productions, adding \$36,000, for a total contract not-to-exceed amount of \$86,000.

8. CONSENT ITEMS (continued)

8K. Contributed Funds Agreement – Bureau of Reclamation for Proposed VenturaWaterPure Project

Staff: Kevin Brown, Ventura Water General Manager

RECOMMENDATION

Approve and authorize the Ventura Water General Manager to execute a Contributed Funds Agreement with the Bureau of Reclamation for regulatory work on the proposed VenturaWaterPure Project, and any necessary amendments thereto, in an amount not-to-exceed \$60,000.

9. APPOINTMENTS TO COUNCIL ADVISORY GROUPS – None

10. QUASI-JUDICIAL PROCEEDINGS – None

11. PUBLIC HEARING ITEM

11A. Amended General Plan Refinement Project for a Land Use Designation Change for a Portion of the Montalvo Planning Community and Update General Plan Figures 3-1, 3-3, 3-5

Staff: Jeffrey Lambert, Community Development Director

RECOMMENDATION

- a. Conduct a Public Hearing on amending a portion of the Montalvo Planning Community.
- b. Adopt the Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP) for, and approve a resolution approving the amendment to the Montalvo Planning Community and update to the General Plan figures to reflect previously approved General Plan Amendments, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA ADOPTING A MITIGATED NEGATIVE DECLARATION; APPROVING A MITIGATION MONITORING AND REPORTING PROGRAM; APPROVING AN AMENDMENT TO CHANGE THE GENERAL PLAN DESIGNATION FROM NEIGHBORHOOD MEDIUM TO NEIGHBORHOOD LOW IN THE PORTION OF THE MONTALVO PLANNING COMMUNITY

11. PUBLIC HEARING ITEM (continued)

CURRENTLY ZONED R-1-6 AND R-1-1AC; AND AMENDING GENERAL PLAN FIGURE 3-1 INFILL AREAS, FIGURE 3-3 PLANNING COMMUNITIES, AND FIGURE 3-5 GENERAL PLAN DIAGRAM TO REFLECT PREVIOUSLY APPROVED GENERAL PLAN AMENDMENTS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA ADOPTING A MITIGATED NEGATIVE DECLARATION; APPROVING A MITIGATION MONITORING AND REPORTING PROGRAM; APPROVING AN AMENDMENT TO CHANGE THE GENERAL PLAN DESIGNATION FROM NEIGHBORHOOD MEDIUM TO NEIGHBORHOOD LOW IN THE PORTION OF THE MONTALVO PLANNING COMMUNITY CURRENTLY ZONED R-1-6 AND R-1-1AC; AND AMENDING GENERAL PLAN FIGURE 3-1 INFILL AREAS, FIGURE 3-3 PLANNING COMMUNITIES, AND FIGURE 3-5 GENERAL PLAN DIAGRAM TO REFLECT PREVIOUSLY APPROVED GENERAL PLAN AMENDMENTS

RESOLUTION NO. 2018-____

12. FORMAL ITEMS

12A. Consideration of Ordinance Prohibiting Shared Mobility Devices in the City

Staff: Gregory G. Diaz, City Attorney

RECOMMENDATION

- a. Introduce and adopt by four-fifths vote an Emergency Ordinance, effective immediately, title as follows:

AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING DIVISION 8, 'PUBLIC HEALTH SAFETY REGULATIONS,' OF THE SAN BUENAVENTURA MUNICIPAL CODE BY THE ADDITION OF NEW CHAPTER 8.020, 'PROHIBITING THE USE OF SHARED MOBILITY DEVICES WITHIN THE CITY OF SAN BUENAVENTURA AND PROVIDING PENALTIES FOR VIOLATIONS,' AND DECLARING THE REASONS FOR SAID EMERGENCY

12. FORMAL ITEMS (continued)

AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING DIVISION 8, 'PUBLIC HEALTH SAFETY REGULATIONS,' OF THE SAN BUENAVENTURA MUNICIPAL CODE BY THE ADDITION OF NEW CHAPTER 8.020, 'PROHIBITING THE USE OF SHARED MOBILITY DEVICES WITHIN THE CITY OF SAN BUENAVENTURA AND PROVIDING PENALTIES FOR VIOLATIONS,' AND DECLARING THE REASONS FOR SAID EMERGENCY

ORDINANCE NO. 2018-____

- b. Introduce and approve the first reading of the Ordinance, title as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING DIVISION 8, 'PUBLIC HEALTH SAFETY REGULATIONS,' OF THE SAN BUENAVENTURA MUNICIPAL CODE BY THE ADDITION OF NEW CHAPTER 8.020, 'PROHIBITING THE USE OF SHARED MOBILITY DEVICES WITHIN THE CITY OF SAN BUENAVENTURA AND PROVIDING PENALTIES FOR VIOLATIONS'

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING DIVISION 8, 'PUBLIC HEALTH SAFETY REGULATIONS,' OF THE SAN BUENAVENTURA MUNICIPAL CODE BY THE ADDITION OF NEW CHAPTER 8.020, 'PROHIBITING THE USE OF SHARED MOBILITY DEVICES WITHIN THE CITY OF SAN BUENAVENTURA AND PROVIDING PENALTIES FOR VIOLATIONS'

ORDINANCE NO. 2018-____

- c. Set the second reading of the Ordinance introduced in recommendation B above at the next regular City council meeting at which notice can be provided.

12. FORMAL ITEMS (continued)

12B. 2019 Amgen Tour of California – Submit Letter of Intent as Host City

Staff: Jeffrey Lambert, Community Development Director

RECOMMENDATION

- a. Authorize the City Manager to submit a letter of intent to Amgen Tour of California indicating the City of Ventura's commitment to be a host for the men's stage finish and women's overall start and finish for the annual Amgen Tour of California cycling race on May 16, 2019, and;
- b. Authorize the Director of Finance and Technology to adjust existing citywide General Fund appropriations as necessary to ensure costs can be absorbed in the Non-Departmental General Fund budget; not to exceed \$177,492.

12C. Agreement in Principle – State Water Project Water Supply Contract Amendment for Water Management and California WaterFix

Staff: Kevin Brown, Ventura Water General Manager

RECOMMENDATION

Adopt a resolution directing the Ventura County Watershed Protection District to concur with the Agreement in Principle for the State Water Project Water Supply Contract Amendment for Water Management and California WaterFix as per Section III, Paragraph 1 of the Agreement in Principle.

RESOLUTION OF THE CITY OF COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, ADOPTING DIRECTION TO THE VENTURA COUNTY WATERSHED PROTECTION DISTRICT TO CONCUR WITH THE AGREEMENT IN PRINCIPLE FOR THE STATE WATER PROJECT WATER SUPPLY CONTRACT AMENDMENT FOR WATER MANAGEMENT AND CALIFORNIA WATERFIX AS PER SECTION III, PARAGRAPH 1 OF THE AGREEMENT IN PRINCIPLE ON BEHALF OF THE CITY OF SAN BUENAVENTURA

RESOLUTION OF THE CITY OF COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, ADOPTING DIRECTION TO THE VENTURA COUNTY WATERSHED PROTECTION DISTRICT TO CONCUR WITH THE AGREEMENT IN PRINCIPLE FOR THE STATE

12. FORMAL ITEMS (continued)

WATER PROJECT WATER SUPPLY CONTRACT AMENDMENT FOR WATER MANAGEMENT AND CALIFORNIA WATERFIX AS PER SECTION III, PARAGRAPH 1 OF THE AGREEMENT IN PRINCIPLE ON BEHALF OF THE CITY OF SAN BUENAVENTURA

RESOLUTION NO. 2018-____

12D. 2019 City Council Meeting Schedule

Staff: Antoinette M. Mann, City Clerk

RECOMMENDATION

Adopt a resolution establishing the City Council's meeting schedule for 2019, title as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, SETTING A CITY COUNCIL MEETING SCHEDULE FOR CALENDAR YEAR 2019

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, SETTING A CITY COUNCIL MEETING SCHEDULE FOR CALENDAR YEAR 2019

RESOLUTION NO. 2018-____

13. WORKSHOP – None

14. PUBLIC NOTICES – None

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 24, 2018, at 5:30 p.m. in the City Clerk's Office, on the City Hall Public Notices Board and on the internet.