

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, MARCH 18, 2019
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 Council Conference Room

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Name of Case: *Santa Barbara Channelkeeper v. State Water Resources Control Board and City of San Buenaventura*

San Francisco Superior Court Case No.: CPF-14-513875

Authority: Government Code Section 54956.9(d)(1)

2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Name of Case: *City of San Buenaventura v. United Water Conservation District and Board of Directors of United Water Conservation District*

California Second District Court of Appeal Case No.: B251810

Authority: Government Code Section 54956.9(d)(1)

CS5. ADJOURNMENT

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 – Junipero Serra Elementary School – Sportsmanship
- Census Presentation – “The Road to 2020 Census” – Jesse Gonzalez, Partnership Specialist, U.S. Census Bureau, Los Angeles Regional Census Center

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. Lease Agreement - City of San Buenaventura and Los Angeles SMSA Limited Partnership, d/b/a Verizon Wireless by AirTouch Cellular, to Operate a Cellular Site at 350 Summit Road, Ventura, CA (Grant Park)

Staff: Gregory G. Diaz, City Attorney

RECOMMENDATION

- a. Approve and authorize the Mayor to sign the Lease Agreement between the City of San Buenaventura and Los Angeles SMSA Limited partnership, d/b/a Verizon Wireless by AirTouch Cellular to continue to operate a cellular site at 350 Summit Road, Ventura, California (Grant Park).
- b. Designate the City Manager to act as the agent for the City to sign all related documents and subsequent amendments thereto to implement this Agreement.
- c. Authorize Finance and Technology to appropriate funds to the proper projects, accounts, and funds for reimbursement of expenses incurred by the City as a result of this lease agreement.

8. CONSENT ITEMS (continued)

8C. Consideration of 2019 Amgen Tour of California Cycling Race Contract with AEG and Agreement with Ventura Visitors and Convention Bureau for Hotel and Team Meal Requirements

Staff: Dave Ward, Interim Community Development Director

RECOMMENDATION

- a. Approve the proposed Amgen Tour of California Cycling Race Contract and authorize the City Manager to execute the Agreement on behalf of the City.
- b. Authorize the Interim Community Development Director to execute a Professional Services Agreement with Ventura Visitors and Convention Bureau in the amount of \$82,519 for hotel and team meal requirements for the 2019 Amgen Tour of California from funds already allocated by the City Council.

8D. Approval of Memorandum of Understanding Between the City and Ventura City Firefighters' Association; Adoption of Ventura City Firefighters' Unit Salary Resolution for 2018-2019 and 2019-2020; and Adoption of a Revised Salary Resolution for 2018-2019 and 2019-2020

Staff: Elizabeth Foushee, Human Resources Director

RECOMMENDATION

- a. Approve and authorize the City Manager to execute on behalf of the City the Memorandum of Understanding between the City and the Ventura City Firefighters' Association.
- b. Adopt a resolution Providing for a Systematic Classification of Positions and a Standardization of Salaries for Fire Unit Employees for the City (Salary Resolution) for 2018-2019 and 2019-2020 to reflect salary increased proposed herein for the Ventura Firefighters' Association.
- c. Adopt a revised resolution Providing for a Systematic Classification of Positions and a Standardization of Salaries of Certain Paid Officers and Employees of the City for 2018-2019 and 2019-2020 Fiscal Years (Salary Resolution) and previously approved actions (all employee groups except Ventura Police Officers' Association, Ventura Police Management Association, Ventura Maintenance Employees' Association, Service Employees International Union, Ventura Fire Management Association, and Ventura City Firefighters' Association) and rescinding Resolution 2019-002.

8. CONSENT ITEMS (continued)

- d. Authorize Finance and Technology to adjust appropriations in the appropriate fiscal years affected by the terms of the agreement discussed in the report.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, PROVIDING FOR A SYSTEMATIC CLASSIFICATION OF POSITIONS AND A STANDARDIZATION OF SALARIES OF FIRE UNIT EMPLOYEES OF THE CITY FOR THE 2018-2019 AND 2019-2020 FISCAL YEARS RESOLUTION NO. 2019-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, PROVIDING FOR A SYSTEMATIC CLASSIFICATION OF POSTITIONS AND A STANDARDIZATION OF SALARIES OF CERTAIN PAID OFFICERS AND EMPLOYEES OF THE CITY FOR THE 2018-2019 AND 2019-2020 FISCAL YEARS AND RESCINDING RESOLUTION NO. 2019-002

RESOLUTION NO. 2019-____

8E. Amend Special Event Indemnification and Insurance Requirements

Staff: Elizabeth Foushee, Human Resources Director

RECOMMENDATION

- a. Amend the insurance requirements for Special Events based on a three-tiered structure and eliminate the requirement for vendor insurance for most Special Events.
- b. Direct the City Attorney to amend the indemnification language on the Special Event permit.
- c. Direct the City Attorney to draft an ordinance to amend the Municipal Code to reflect the changes that are adopted.

8F. Bus Stop Use Agreement with FlixBus

Staff: Mary Joyce Ivers, Interim Public Works Director

RECOMMENDATION

- a. Authorize the City Manager to execute the Bus Stop Use Agreement with FlixBus.
- b. Authorize the City Manager to delegate signing authority for future year contract extensions/amendments to Public Works Director absent substantial changes to agreement or performance issues by FlixBus.

8. CONSENT ITEMS (continued)

8G. Memorandum of Understanding with Ventura Unified School District – 6th Grade Bicycle Education Program

Staff: Mary Joyce Ivers, Interim Public Works Director

RECOMMENDATION

- a. Authorize the City Manager to execute the Memorandum of Understanding for a 6th Grade Bicycle Education Program with Ventura Unified School District.
- b. Authorize the City Manager to designate signing authority for future years to Public Works Director absent substantial changes to agreement.
- c. Authorize Finance and Technology to transfer funds to the proper fund, project and accounts in the FY 2018-2019 budgets and future budgets as appropriated and approved.

8H. Sewerline Replacement - Seaside Wastewater Force Main - Authorization to Execute Professional Services Agreement – Filippin Engineering, Inc. for Construction Management Services

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 \$134,640, and authorize contingency funds in the amount of \$13,464 for a total encumbrance of \$148,104.

8I. Sewerline Replacement - Seaside Wastewater Force Main - Authorization to Execute Professional Services Agreement with Padre Associates, Inc. for Environmental Consulting Services

Staff: Mary Joyce Ivers, Interim Public Works Director

RECOMMENDATION

Approve and authorize the Mayor to execute a Professional Services Agreement with Padre Associates, Inc. to provide environmental consulting services in the amount not-to-exceed \$135,390 and authorize contingency funds in the amount of \$13,539 for a total encumbrance of \$148,929.

8. CONSENT ITEMS (continued)

8J. State Water Project Contract – Authorization for One Year Transfer of 2019 Allocation

Staff: Susan Rungren, Interim General Water Director

RECOMMENDATION

Authorize the City Manager to execute the required documents for an Agreement of a one-year transfer between the City and San Geronio Pass Water Agency for the City's 2019 State Water Project Allocation, consistent with the Water Commission's recommendation.

8K. First Amendment to Professional Services Agreement between the City of San Buenaventura and Stantec Consulting Services Inc.

Staff: Susan Rungren, Interim General Water Director

RECOMMENDATION

Approve and authorize the Mayor to execute the First Amendment to Professional Services Agreement with Stantec Consulting Services Inc., modifying the term through December 31, 2019, and increasing the schedule of compensation by \$150,000; total contract not-to-exceed \$199,500 plus \$15,000 in contingency funds.

8L. Ordinance for Second Reading – Firearms and Ammunition Sales

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, CALIFORNIA, AMENDING DIVISION 24 OF THE SAN BUENAVENTURA MUNICIPAL CODE TO CREATE NEW USE TYPES AND DEFINITIONS FOR "FIREARM AND AMMUNITION SALES" AND TO AMEND THE M-1, M-2, AND MPD ZONES TO PERMIT FIREARM AND AMMUNITION SALES (Introduced 3/04/19; Vote:7-Yes; 0-No)

ORDINANCE NO. 2019-____

8. CONSENT ITEMS (continued)

8M. Additional Resources for Building and Safety, Fifth Amendment to Professional Services Agreement Structural Plan Check for Orion Structural, Inc.

Staff: Dave Ward, Interim Community Development Director

RECOMMENDATION

- a. Authorize the Mayor to execute the 5th amendment to Orion Structural, Inc., Professional Services Agreement No. 2019-003 dated October 10, 2016, adding \$400,000 for a new not-to-exceed contract amount of \$894,515.
- b. Authorize Finance and Technology to make necessary budget adjustments to appropriate \$400,000 from the General Fund's unreserved fund balance.

11. PUBLIC HEARING ITEMS

11A. Request for Call for Review Leap of Faith Formal Design Review – 2055 North Ventura Avenue

Staff: Dave Ward, Interim Community Development Director

Call for Review Requested by: Councilmembers Christy Weir, Cheryl Heitmann and Mayor Matt LaVere

REQUESTED ACTION

Review Design Review Committee Decision and Project Materials.

11B. Proposed 2018-2024 Capital Improvement Plan Public Hearing and Adoption (Second Year)

Staff: Mary Joyce Ivers, Interim Public Works Director

RECOMMENDATION

- a. Conduct a public hearing on the FY 2018-2024 Capital Improvement Plan.
- b. Add the following projects to the proposed FY 2018-2024 Capital Improvement Plan:
 - 1. 72132 City Hall East Re-Roof
 - 2. 72133 Police/Fire Headquarters Additional Parking

11. PUBLIC HEARING ITEMS (continued)

- c. Due to potential conflict of interests with the City Council, adopt the following resolutions approving the FY 2018-2024 Capital Improvement Plan with projects as listed:
 - 1. Adopt the Resolution that approves projects 72210 Pierpont Neighborhood Stormwater Lift Station and 97941 Waterline Replacement–Pierpont Lanes;
 - 2. Adopt the Resolution that approves projects 75253 Slurry Seal–Ondulando Neighborhood and 97948 Waterline Replacement–Ondulando Phase 4;
 - 3. Adopt the Resolution that approves project 97968 Emergency Generators–Various Sites.

- d. Adopt the Resolution adopting the remaining FY 2018-2024 Capital Improvement Plan including projects 72063, Thomas Fire – Arroyo Verde Playground Rebuild, 94631 Westpark – Portland Loo Restrooms, 72132 City Hall East Re-Roof, 72133 Police/Fire Headquarters Additional Parking, 97968 Emergency Generators – Various Sites, and 97969 Emergency Generators - Saticoy Country Club, and excluding projects numbers 72210, 97941, 75253, 97948 and 97968.

- e. Approve the addition of four (4) professional engineering and project management positions, funded by Capital Projects, in the Public Works Department to focus on delivering capital improvement projects.

- f. Authorize Finance and Technology Department to make the necessary budget adjustments.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, ADOPTING PROJECT NUMBERS 72210 AND 97941 IN THE CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS 2018-2024
RESOLUTION NO. 2019-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, ADOPTING PROJECT NUMBERS 75253 AND 97948 IN THE CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS 2018-2024
RESOLUTION NO. 2019-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, ADOPTING PROJECT NUMBER 97968 IN THE CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS 2018-2024
RESOLUTION NO. 2019-___

11. PUBLIC HEARING ITEMS (continued)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, ADOPTING THE CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS 2018-2024, INCLUDING PROJECT NUMBERS 72063, 94631, 72132, 72133, 97968, AND 97969, BUT EXCLUDING PROJECT NUMBERS 72210, 97941, 75253, 97948 AND 97968 RESOLUTION NO. 2019-___

12. FORMAL ITEMS

12A. Commissions, Boards and Committees – Status Update/Receive City Council Direction

Staff: Antoinette Mann, City Clerk

RECOMMENDATION

Receive a report on Commissions, Board and Committees and provide direction to staff on items of concerns which include appointment terms, member qualifications/categories, consolidation and dissolution which could affect upcoming scheduled recruitments.

12B. Museum of Ventura County Funding for Fiscal Year 2019-2020

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

RECOMMENDATION

- a. Provide direction regarding Funding with the Museum of Ventura County to support general operations through June 30, 2020.
- b. Authorize the City Manager to execute a Funding and Services Agreement not-to-exceed \$250,000, if approved by Council in the budget 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, March 13, 2019, at 5:30 p.m. in the City Clerk’s Office, on the City Hall Public Notices Board and on the internet.