

CITY OF VENTURA

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# CITY COUNCIL ACTION AGENDA

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**Mayor Christy Weir**

**Bill Fulton, Deputy Mayor**  
**Neal Andrews, Councilmember**  
**Brian Brennan, Councilmember**

**Jim Monahan, Councilmember**  
**Carl E. Morehouse, Councilmember**  
**Ed Summers, Councilmember**

Rick Cole, City Manager  
Ariel Pierre Calonne, City Attorney  
Mabi Covarrubias Plisky, City Clerk

## **REGULAR MEETING**

**MONDAY, SEPTEMBER 8, 2008, 6:00 P.M.**

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

The regular meetings of the San Buenaventura (Ventura) City Council are also regular meetings of the Redevelopment Agency and the Public Facilities Financing Authority.

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 fill out 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 Council Chambers.

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 (a) there are one or more Redevelopment Agency 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 Redevelopment Agency matters; and/or (b) there are one or more 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 Public Facilities Financing Authority matters.

## **ROLL CALL**

**PRESENT: COUNCILMEMBERS BRENNAN, SUMMERS, MOREHOUSE, ANDREWS, MONAHAN, DEPUTY MAYOR FULTON, AND MAYOR WEIR.**

**ABSENT: NONE.**

**MAYOR WEIR PRESIDED.**

## **PLEDGE OF ALLEGIANCE**

## **SPECIAL PRESENTATIONS AND ANNOUNCEMENTS**

Mayor-for-a-Moment – Lina Ajao – Loma Vista Elementary School – Self-Control

## CITY COUNCIL COMMUNICATIONS

### CLOSED SESSION REPORT

### REPORTS – REGIONAL BOARDS/COMMISSIONS/COMMITTEES

This time is set aside to allow 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.

### PUBLIC COMMUNICATIONS

At the first regular meeting of the month, the 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, the City Council has discretion to limit the time for each speaker. Persons wishing to address the City Council should complete a green "Speaker Form."

### CITY COUNCIL 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 or the Administration 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**  
**RECOMMENDATION APPROVED**  
Staff: Elaine M. Preston, Deputy City Clerk

#### RECOMMENDATION

Approve the minutes of the regular meeting of July 28, 2008, and the special and regular meetings of August 4, 2008.

2. **Emergency Management Performance Grant (31)**  
**RECOMMENDATION APPROVED**  
Staff: Mike Lavery, Fire Chief

#### RECOMMENDATION

- a. Adopt **Resolution No. 2008-044** authorizing the City to accept a sub-grant from the Ventura County Sheriff's Office of Emergency Services (OES) under

the Fiscal Year 2008 Emergency Management Performance Grant (EMPG) in the amount of \$17,728 for Emergency Operations Center (EOC) related training and equipment.

- b. Authorize the City Manager or designee to act as agent for the City to conduct all negotiations and execute and submit all documents, including, without limitation, applications, agreements, amendments, and billing statements that may be necessary to accept the grant and complete the projects.
- c. Authorize the Finance and Technology Department to assign the increased appropriations and revenues to the General Grant and Categorical Fund, Fire Department budget, in the EMPG Grant Program, in the amount of \$17,728.

**3. National Endowment for the Arts Big Read Program (31)**

**RECOMMENDATION APPROVED**

Staff: Elena M. Brokaw, Community Services Director

RECOMMENDATION

- a. Adopt **Resolution No. 2008-045** authorizing the City to file a \$6,000 grant proposal with the National Endowment for the Arts (NEA) for the Cultural Affairs Division Big Read Program.
- b. Authorize the City Manager to act as agent for the City to conduct all negotiations and execute and submit all documents, including without limitation, applications, agreements, amendments, and billing statements that may be necessary to accept the grant and complete the project.
- c. In the event that the grant is awarded, approve budget adjustments to increase appropriations and revenues in the amount of \$6,000, and transfer \$2,000 from the Public Art Fund 19 and \$1,000 from the General Fund 01 for a total City budget of \$9,000.
- d. Authorize the Finance and Technology Department to assign the increased appropriations and revenues to the proper programs and accounts for their use as provided in the grant.

**4. National Endowment for the Arts Public Art Program Temporary Mural Project (31)**

**RECOMMENDATION APPROVED**

Staff: Elena M. Brokaw, Community Services Director

RECOMMENDATION

- a. Adopt **Resolution No. 2008-046** authorizing the City to file a \$5,000 grant proposal with the National Endowment for the Arts (NEA) for the Public Art Program Temporary Mural Project.
- b. Authorize the City Manager to act as agent for the City to conduct all negotiations and execute and submit all documents, including, without limitation, applications, agreements, amendments, and billing statements that may be necessary to accept the grant and complete the project.
- c. In the event that the grant is awarded, approve budget adjustments to increase appropriations and revenues in the Public Art Fund 19 in the amount of \$5,000.
- d. Authorize the Finance and Technology Department to assign the increased appropriations and revenues to the proper programs and accounts for their use as provided in the grant.

5. **Museum of Ventura County (50)**

**RECOMMENDATION APPROVED**

Staff: Elena M. Brokaw, Community Services Director

**RECOMMENDATION**

Award **Agreement No. 2008-028**, a three-year, \$75,000 contract with the Museum of Ventura County for Fiscal Years 2008-2009, 2009-2010, and 2010-2011 to support the ongoing operations of the organization.

6. **Wastewater Treatment Plant Improvements Project Advertisement for Bids (123)**

**RECOMMENDATION APPROVED**

Staff: Rick Raives, Assistant Public Works Director/City Engineer

**RECOMMENDATION**

Approve the contract plans and specifications for the Wastewater Treatment Plant Upgrades Nutrient Removal Improvements Project, Specification No. 2007-05, and authorize the advertisement for bids to be received on Tuesday, September 30, 2008, at 4:00 p.m., in the City Clerk's Office.

7. **Telephone Road Sewer Replacement Project Advertisement for Bids (94)**

**RECOMMENDATION APPROVED**

Staff: Rick Raives, Assistant Public Works Director/City Engineer

**RECOMMENDATION**

Approve the contract plans and specifications for the Telephone Road Sewer Replacement Project, Specification No. 2007-15, and authorize the advertisement for bids to be received on Tuesday, October 7, 2008, at 4:00 p.m., in the City Clerk's Office.

8. **Downtown Construction Contract Management Agreement (50)**

**RECOMMENDATION APPROVED**

Staff: Rick Raives, Assistant Public Works Director/City Engineer

RECOMMENDATION

- a. Authorize the City Manager to execute **Agreement No. 2008-004.1**, Amendment No. 1 to Engineering Services Agreement No. 2008-004 with Flowers & Associates, Inc., to continue providing contract management services during construction for the Downtown Water and Sewer Main Replacement Project in an amount not to exceed \$204,000, an increase of \$50,000.
- b. Increase \$625,000 in appropriations for Water Capital Improvement Plan Project and Wastewater Capital Improvement Plan Project retained earnings and authorize the Finance and Technology Department to assign increased revenues and expenses to the proper programs and accounts for the following:

\$225,000 for Downtown Sewer Line Replacement Project 96885

\$400,000 for Downtown Water Main Replacement Project 97901

9. **Community Park Sports Fields Contract Change Order (76)**

**RECOMMENDATION APPROVED**

Staff: Rick Raives, Assistant Public Works Director/City Engineer

RECOMMENDATION

Approve a contract change order for the Community Park Sports Fields Project, Specification No. 2007-03, to the construction contract with Union Engineering Company in an amount not to exceed \$27,888.

10. **Arroyo Verde Kiosk Replacement and Landscaping Improvements Project Award of Contract (76)**

**RECOMMENDATION APPROVED**

Staff: Rick Raives, Assistant Public Works Director/City Engineer

RECOMMENDATION

- a. Approve the award of contract and authorize the City Manager to execute an agreement with the lowest responsible bidder, American Landscape, Inc., for Specification No. 2007-08, Arroyo Verde Kiosk Replacement and Landscaping Improvements Project, in the amount of \$178,141.
- b. Increase project appropriations by \$52,000 and authorize the Finance and Technology Department to assign increased revenues and expenses from the Park and Recreation Service Area Mitigation Funds (Fund 18).

**11. Grand Jury Response – Ventura Port District Delivery of Fire Services (121)**

**RECOMMENDATION APPROVED**

Staff: Mike Lavery, Fire Chief

RECOMMENDATION

Approve the proposed response to the Grand Jury's findings, and authorize the City Manager to transmit the response.

**12. Living Wage Annual Report (50)**

**RECOMMENDATION APPROVED**

Staff: Jay Panzica, Chief Financial Officer

RECOMMENDATION

- a. Receive the annual Living Wage Report.
- b. Approve the City's request for a continued exemption of the living wage provisions for the Evergreen Alliance Golf Limited (EAGL) contract through July 30, 2009.
- c. Approve **Agreement No. 2003-052.2**, contract amendment, to existing Amendment No. 2003-052.1 to extend the living wage exemption for EAGL through July 30, 2009.

**13. Employee Health Insurance for 2009 (50)**

**RECOMMENDATION APPROVED**

Staff: Jenny Roney, Human Resources Director

RECOMMENDATION

Authorize the City Manager to sign the Anthem/Blue Cross health insurance contract, **Agreement No. 2008-029**, for calendar year 2009.

**14. Designation of Voting Delegate and Alternate Voting Delegates for the 2008 League of California Cities Annual Conference (40)**

**RECOMMENDATION APPROVED**

Introduced by: Mayor Christy Weir

RECOMMENDATION

Confirm the appointment of Councilmember Carl E. Morehouse as the City's voting delegate, and Councilmembers Jim Monahan and Brian Brennan as alternate voting delegates for the League of California Cities 2008 Annual Conference.

**APPOINTMENTS TO COUNCIL ADVISORY GROUPS**

**15. Council Advisory Group Appointments (30)**

**RECOMMENDATION APPROVED**

Introduced by: Councilmember Ed Summers

RECOMMENDATION

- a. Appoint Martin A. Armstrong to the Parks and Recreation Commission to serve a partial term expiring May 1, 2010.
- b. Confirm the appointment of Tyson Cline as Member on the Design Review Committee for a partial term expiring April 1, 2009, (concurrent term Historic Preservation Committee).
- c. Confirm the appointment of Tyson Cline as Member on the Historic Preservation Committee for a partial term expiring on April 1, 2009, (concurrent term Design Review Committee).

**16. Citizen View Protection Task Force Appointments (40/80)**

**RECOMMENDATION APPROVED AND CONFIRMED APPOINTMENT OF CHAMBER OF COMMERCE REPRESENTATIVE RANDY HINTON, VISITOR AND CONVENTION BUREAU REPRESENTATIVE OSCAR PENA, VCORD REPRESENTATIVE DIANE UNDERHILL, EAST VENTURA COMMUNITY COUNCIL REPRESENTATIVES DAN CORMODE AND RICHARD PILLOW, WESTSIDE COMMUNITY COUNCIL REPRESENTATIVES JUANITA VEGA AND ROGER CASE, MIDTOWN COMMUNITY COUNCIL REPRESENTATIVES KAREN FLOCK AND DAVID FERRIN, AND BUILDING INDUSTRY ASSOCIATION REPRESENTATIVE RICHARD NYZNYK; RETURN TO CONFIRM NOMINEE REPRESENTING THE CITY'S ENVIRONMENTAL GROUPS; AND ALLOW ORGANIZATIONS TO HAVE ALTERNATES IF THEY CHOSE**

Introduced by: Councilmember Ed Summers

RECOMMENDATION

- a. Approve the appointment of Rob Corley, past member of the Comprehensive Plan Advisory Committee.

- b. Approve the appointment of Douglas Halter, past member of the Seize the Future Citizen Outreach Committee.
- c. Approve the appointment of Brett Becker and Lisa Burton as at-large members.
- d. Approve the appointment of nominees from the respective groups.

## CITY COUNCIL FORMAL ITEMS

### 17. Citizen View Protection Task Force Staffing Options (80)

**RECOMMENDATION APPROVED AND DIRECTED THAT THE TASK FORCE COMMITTEE BE PROVIDED THE OPTION OF NOT USING EITHER CONSULTANT AND THAT THE COMMITTEE'S CHOICE BE RATIFIED BY THE CITY COUNCIL**

Staff: Nelson Hernandez, Community Development Director  
RECOMMENDATION

Proceed with Option 1 of the Administrative Report to outsource the entire task force support to the Town Architect.

### 18. 2007-2008 Report Card and Twelve-Month Summary (42)

**RECEIVED THE REPORT CARD AND HIGHLIGHT SUMMARY**

Staff: Anne Hallock, Civic Engagement Manager

RECOMMENDATION

Receive the 2007-2008 Report Card and twelve-month highlight summary.

### 19. Fiscal Year 2008-2009 Priority Project Goals and Controls (42)

**RECOMMENDATION APPROVED AND ADDED THE FOLLOWING: 1) PROMENADE PARKING STRUCTURE ITEM; 2) AN AFFORDABLE HOUSING GOAL WITH PERFORMANCE BASED CONTROLS; 3) PROVIDE PREVIOUS GOALS AND CONTROLS IN FUTURE REPORTING; AND 4) RETURN WITH A STATUS REPORT ON INCOME PRODUCING PROPERTIES**

Staff: Rick Cole, City Manager

RECOMMENDATION

- a. Consider and confirm the priority projects.
- b. Concur with the combining of General Plan Strategic Visions for the purpose of tracking our Performance Measures and Priority Project Goals and Controls.



20. **Civic Engagement Update (76)**

**DEFERRED**

Staff: Anne Hallock, Civic Engagement Manager

**RECOMMENDATION**

Receive an update on Civic Engagement and provide comments on the concepts presented in the 2005 General Plan and Civic Engagement White Paper.

21. **Request for Policy Consideration – Ventura Youth Correctional Facility/Prison (40)**

**RECOMMENDATION APPROVED**

Introduced by: Mayor Christy Weir

**RECOMMENDATION**

Support opposing the proposed conversion of the Ventura Youth Correctional Facility campus to a State Prison Hospital as well as forwarding a letter of opposition to the Federal Receiver.

22. **Request for Policy Consideration – Affordable Housing for Low and Very Low-Income Segments (40)**

**RECOMMENDATION APPROVED**

Introduced by: Councilmember Ed Summers

**RECOMMENDATION**

- a. Establish the creation of affordable housing for the low and very low-income segments of the community as a Council priority for the City's work plan.
- b. Direct the City Manager to work with appropriate staff through the Housing Element process and implementation of the 10-year Strategy to End Homelessness to develop specific programs and action items including funding sources to ensure the creation of the City's allocated housing stock for the above income levels.

23. **Request for Policy Consideration – Out of State Travel (40)**

**RECOMMENDATION APPROVED**

Introduced by: Mayor Christy Weir

**RECOMMENDATION**

Authorize out-of-state travel for Mayor Christy Weir to attend the International Conference on Creative Tourism in Santa Fe, New Mexico, from September 28 – October 1, 2008.

**PUBLIC COMMUNICATIONS**

## CITY COUNCIL COMMUNICATIONS

### ADJOURNMENT

**10:09 P.M.**

Administrative Reports relating to this agenda are available in the City Clerk's Office, 501 Poli Street - Room 204, Ventura, as well as on the City's Web Site – [www.cityofventura.net](http://www.cityofventura.net). 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, September 3, 2008, at 4:00 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 special assistance to participate in this meeting, please contact the City Clerk's Office at 658-4787 or the California Relay Service. Notification by Thursday, September 4, 2008, at 12:00 p.m. will enable the City to make reasonable arrangements to ensure accessibility to this meeting.