



REGULAR MEETING AGENDA

November 05, 2013

8:30 AM

**Board of Supervisors
Ventura County**

**County Government Center
Hall of Administration
Board of Supervisors
Hearing Room
800 S. Victoria Avenue
Ventura, California 93009**

MICHAEL POWERS

County Executive Officer and
Clerk of the Board of Supervisors

BRIAN PALMER

Chief Deputy Clerk of the Board
(805) 654-2251

LEROY SMITH

County Counsel

WEB ACCESS

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Board Calendar, Agenda, Agenda
Items, and Summary of Actions

MEMBERS OF THE BOARD

**PETER C. FOY, District 4
CHAIR**

Simi Valley, Moorpark, Santa Susana Knolls, Box
Canyon, Chatsworth Peak, Home Acres, Sinaloa
Lake, and Tierra Rejada Valley

**STEVE BENNETT, District 1
VICE CHAIR**

San Buenaventura, Montalvo, Saticoy, Ojai Valley,
City of Ojai, Upper Ojai Valley, Riverpark, Northwest
Oxnard, North Coast and West Lockwood Valley

LINDA PARKS, District 2

Thousand Oaks, Newbury Park, Westlake Village, Oak
Park, Bell Canyon, Hidden Valley, Lake Sherwood,
Somis, Las Posas Valley, California State University
Channel Islands, Portions of the Oxnard Plain, Santa
Rosa Valley, Naval Base Ventura County Point Mugu,
California Air National Guard, and South Coast

KATHY I. LONG, District 3

Camarillo, Port Hueneme, Southeast Oxnard, East
Oxnard Plain, Santa Paula, Fillmore, Piru, East
Lockwood Valley, and Eastern Portion of Naval Base
Ventura County Port Hueneme

JOHN C. ZARAGOZA, District 5

Oxnard, Oxnard Shores, Mandalay Bay, Silver Strand,
Hollywood Beach, Hollywood By the Sea, Channel
Islands Harbor, El Rio, Nyeland Acres, Del Norte Area,
Oxnard College, Oxnard Plain, Strickland and Portion
of Naval Base Ventura County Port Hueneme

Persons who require accommodation for any audio, visual or other disability in order to review an agenda, or to participate in a meeting of the Board of Supervisors per the American Disabilities Act (ADA), may obtain assistance by requesting such accommodation in writing addressed to the Clerk of the Board, 800 South Victoria Avenue, Loc. #1920, Ventura, CA 93009 or telephonically by calling (805) 654-2251. Any such request for accommodation should be made at least 48 hours prior to the scheduled meeting for which assistance is requested.

All agenda reports and supporting data, including those filed in accordance with Government Code Section 54957.5 (b) (1) and (2) are available from the Clerk of the Board of Supervisors Office, Ventura County Government Center, Hall of Administration, 4th Floor, 800 South Victoria Avenue, Ventura, California. The same materials will be available and attached with each associated agenda item, when received, at the following website: www.countyofventura.org/bosagenda.

<u>LEGAL NOTICES</u>

Welcome to the Meeting of the Board of Supervisors of the County of Ventura, also sitting as the Governing Board of the County Service Districts, Fire Protection District, Lake Sherwood Community Services District, Watershed Protection District, Ventura County In-Home Supportive Services Public Authority, Ventura County Library, Ventura County Public Financing Authority, and the Waterworks Districts.

The following information is provided to help you understand, follow, and participate in the Board meeting:

Pursuant to California Government Code Section 54953 (a) et al., time is set aside for citizen presentations regarding County related matters. Those wishing to speak must fill out a speaker card and submit it to the Clerk. Speaker cards for issues not on the agenda must be submitted to the Clerk prior to the beginning of the public comment period. Speaker cards for Agenda items must be submitted before the item is taken up for consideration. The Clerk may not accept any additional speaker cards once an item commences.

Regular Agenda items are not Time Certain items and they will be heard at the Board's discretion, either before or after scheduled Time Certain Appointments and Hearings.

Correspondence Agenda matters are being presented to the Board for information. These items require no action or are not ready for Board consideration. The Clerk of the Board may refer these matters to the County Departments and Agencies for acknowledgement, investigation and report back, direct action or response as appropriate. Report back to the Board may appear on Agenda for action by the Board of Supervisors or for informational purposes upon dates indicated below as appropriate.

Members of the public making oral presentations to the Board in connection with one or more agenda or non-agenda items at a single meeting are limited to a cumulative total of time not to exceed five (5) minutes for all of their oral presentations at such meeting unless otherwise provided. The entire public comment period is limited to no more than thirty (30) minutes total for all speakers. NOTE: The Chair may limit the number or duration of speakers on a matter pursuant to amended Resolution #205 of the Board of Supervisors establishing rules relating to oral presentations by members of the public dated September 18, 2001.

Members of the public who desire to augment their comments with visual or audio presentations using County equipment must submit their materials to the Clerk of the Board and the Chair for review before use of County equipment will be allowed. The review will be conducted to determine only whether the materials are on matters within the jurisdiction of the Board, would be disruptive of the meeting, or would foster illegality, such as identity theft. If it is determined the materials are about matters not within the Board's jurisdiction, or would be disruptive of the meeting, or would foster illegality, use of County equipment will not be allowed.

REMINDER: In order to minimize distractions during public meetings, all personal communication devices should be turned off or put in a non-audible mode.

OPENING

1. Call to Order.
2. Roll Call.
3. Moment of Inspiration.
4. Pledge of Allegiance to the Flag of the United States of America.
5. [Minutes of the Regular Meeting and Special Meeting of the County and Special Districts governed by the Board held Tuesday, October 22, 2013.](#)
6. Agenda Review - Consider and approve, by majority vote, minor revisions to Board items and/or attachments and any item added to, or removed/continued from, the Board of Supervisors Agenda.
7. Consent Agenda Items 10 – 17 - Review and approve unless an item is pulled for separate action by the Board and moved to the Regular agenda for consideration. Consent items are to be routine and non-controversial. All items are approved as recommended without discussion. (See Guidelines above)
8. Public Comments - Citizen presentations regarding County related matters NOT appearing on this agenda. (See Guidelines above)
9. Board Comments - Comments by Board members on matters they deem appropriate including memorial adjournments. A Board member may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities. A Board member may also provide a reference to staff or other resources for factual information, or request staff to report back to the body at a subsequent meeting concerning any matter. The Board may also direct staff to place a matter of business on a future agenda.

CONSENT AGENDA

COUNTY EXECUTIVE OFFICE

10. [Adoption of a Resolution Extending the Proclamation of a Local Emergency Declared on September 10, 2013, by the Board of Supervisors and Extended on October 8, 2013, in the Areas of Channel Islands Harbor and the Shoreline of the City of Port Hueneme.](#)
CEO RECOMMENDS APPROVAL AS PROPOSED

CONSENT AGENDA, CONTINUED**HEALTH CARE AGENCY - Behavioral Health**

11. [Approval of the Bylaws for the Ventura County Behavioral Health Advisory Board.](#)
CEO RECOMMENDS APPROVAL AS PROPOSED
12. [Ratification of, Approval of, and Authorization for, the Ventura County Behavioral Health](#)
Director, or Her Designee, to Sign the Third Amendment to the Agreement with Interface
Children & Family Services, to Decrease the Maximum Contract Amount to \$475,020 for
Children's Specialty Court Program Mental Health Services, Effective July 1, 2013 through
June 30, 2014.
CEO RECOMMENDS APPROVAL AS PROPOSED
13. [Ratification of, Approval of, and Authorization for, the Ventura County Behavioral Health](#)
(VCBH) Director, or Her Designee, to Sign the Department of Health Care Services
Performance Agreement Specifying the Annual Terms and Conditions Applicable to the
Provision and Funding of Mental Health Services, Effective July 1, 2013 through June 30,
2014; Approval of, and Authorization for, the VCBH Director, or Her Designee, to Sign Future
Amendments Within the Term of the Agreement that Make Corrections, Clarifications, and
Technical Changes Provided that the County Executive Office and County Counsel Approve of
the Changes and that the Changes are Consistent with the Original Purpose of the Agreement
and Do Not Result in Additional Costs to the County.
CEO RECOMMENDS APPROVAL AS PROPOSED

PUBLIC WORKS AGENCY - County of Ventura

14. [Approval of the Plans and Specifications including, Addendum No. 1, for the Rice Avenue at](#)
Wooley Road Intersection Improvement Project Located in the Oxnard Plain Area; Waive Minor
Bid Irregularities; Award of, and Authorization for, the Public Works Agency Director to Execute
a Contract With Taft Electric Company of Ventura in the Amount of \$121,577, on the Basis of
the Lowest Responsible Bid; Specification No. RD13-09, Project No. 50341, Supervisorial
District No. 5.
CEO RECOMMENDS APPROVAL AS PROPOSED
15. [Approval of, and Authorization for, the Public Works Agency Director to Execute a Consulting](#)
Services Contract with Roesling Nakamura Terada Architects of San Diego for Architectural
and Engineering Services in the Amount of \$556,623 for Environmental Review, Permitting,
Design, and Construction Services for the Newbury Park Fire Station No. 35; Contract No.
AE14-021, Project No. ENT11201, Supervisorial District No. 2.
CEO RECOMMENDS APPROVAL AS PROPOSED

RESOURCE MANAGEMENT AGENCY - Environmental Health

16. [Receive and File the Hazardous Materials Discharge Reports for October 12, 2013 Through](#)
October 25, 2013 - Proposition 65.
CEO RECOMMENDS APPROVAL AS PROPOSED

CONSENT AGENDA, CONTINUED**UNSCHEDULED VACANCY NOTICE**

17. [Receive and File Unscheduled Vacancy Notices of Abbe Berns for the Oversight Board for the Successor Agency of the Former Redevelopment Agency for the City of Camarillo, Oversight Board for the Successor Agency of the Former Redevelopment Agency for the City of Ojai, Oversight Board for the Successor Agency of the Former Redevelopment Agency for the City of Port Hueneme, Oversight Board for the Successor Agency of the Former Redevelopment Agency for the City of Simi Valley, Oversight Board for the Successor Agency of the Former Redevelopment Agency for the City of Thousand Oaks, and John F. Johnston for the Ventura County Campaign Finance Ethics Commission.](#)
CEO RECOMMENDS APPROVAL AS PROPOSED

TIME CERTAIN ITEMS, PRESENTATIONS AND HEARINGS**10:00 A.M.**

18. [Public Hearing Regarding the Amendments to the Ventura County Ordinance Code Division 4, Chapter 4 \(Animals\), and Division 2, Chapter 4, Article 6 \(Kennels\), Including Mandatory Spay/Neuter for Dogs and Cats, Requirements for Breeding Permits for Dogs and Cats, Including a \\$100 Per Animal Fee for Annual Breeding Permit, Prohibition of the Sale of Certain Commercially Bred Animals, Provide for the Provisional Recission of Animal Nuisance Order Penalties Upon Specific Conditions, Describe the Appeal Process of a Hearing Officer's Decision after an Animal Nuisance Hearing, Address Failure to Quarantine, Address Permitting Animals to go Without Care, Address Rescue and Abandonment of Domestic Animals, Provide for Issuance of Wild Animal Facility Licenses, and Other Minor Text and Technical Corrections.](#)
(Health Care Agency - 15 Minutes)
CEO RECOMMENDS APPROVAL AS PROPOSED
READ IN TITLE ONLY, AND WAIVE FURTHER READING; SET SECOND HEARING ON DECEMBER 10, 2013.
19. [Receive and File a Presentation from the Human Services Agency as a Financial Empowerment Program Partner in the Volunteer Income Tax Assistance Program.](#)
(Human Services Agency - 15 Minutes)
CEO RECOMMENDS APPROVAL AS PROPOSED

REVISED
TIME CERTAIN ITEMS, PRESENTATIONS AND HEARINGS, CONTINUED

10:30 A.M.

20. [Approve the Purchase of Real Property Located at 1911 Williams Drive, Oxnard; Direct the Public Works Agency Director, or His Designee, to Execute the Agreement of Purchase and Sale of Said Property with MSP 1911 Williams, LLC, the Escrow Instructions and Related Documents with Chicago Title Escrow Required to Close the Transaction Upon Review and Approval by County Counsel; Waive Board Policy Prohibiting Inclusion of Attorney's Fees Provision in County Contracts for the Escrow Agreement for this Sale; Authorize the Director of the General Services Agency, or His Designee, to Negotiate and Execute a Professional Services Contract with Dave Szany to Provide Design Services for Tenant Improvements for an Amount Not to Exceed \\$200,000; Authorize the Auditor Controller to Make Payment in an Amount Not to Exceed \\$22,760,000 to Complete the Transaction; Authorize the Auditor Controller to Prepare the Necessary Accounting Transactions for this Purchase. Supervisorial District No. 5.](#)

RECOMMENDATION NO. 6 REQUIRES 4/5THS VOTE

(Public Works Agency - 15 Minutes)

CEO RECOMMENDS APPROVAL AS PROPOSED

21. [Presentation of the First Quarter Budget Report and Approval of Fiscal Year 2013-14 Adjustment Recommendations; Authorize the County Executive Office to Contribute \\$5,000 in Minor Contributions, Not to Exceed a Total Amount of \\$25,000 per year; Authorize Information Technology Systems Department to Make a \\$5,000 Contribution to Economic Development Collaborative Ventura County.](#)

RECOMMENDATION NOS. 1, 2, 3, 6, 8, 9, 10, AND 11 REQUIRE 4/5THS VOTE

(County Executive Office - 15 Minutes)

CEO RECOMMENDS APPROVAL AS PROPOSED

11:00 A.M.

22. [Receive and File an Overview Presentation Regarding County-Maintained Bridge Conditions.](#)
All Supervisorial Districts.

(Public Works Agency - 30 Minutes)

CEO RECOMMENDS APPROVAL AS PROPOSED

TIME CERTAIN ITEMS, PRESENTATIONS AND HEARINGS, CONTINUED**12:00 P.M.**

Closed Session - It is the intention of the Ventura County Board of Supervisors, Ventura County Fire Protection District Board, the In-Home Supportive Services (IHSS) Public Authority Board, and Ventura County Watershed Protection District Board to meet in Closed Session to consider the following items at 12:00 p.m. or earlier based on Agenda progress:

BEFORE THE VENTURA COUNTY BOARD OF SUPERVISORS:23. **[CONFERENCE WITH LABOR NEGOTIATORS \(Gov. Code, § 54957.6\)](#)**

COUNTY DESIGNATED REPRESENTATIVE: Catherine Rodriguez, Matt Carroll

EMPLOYEE ORGANIZATIONS:

California Nurses Association

Criminal Justice Attorneys' Association of Ventura County

International Union of Operating Engineers, Local 501

Service Employees International Union, Local 721

Specialized Peace Officers' Association of Ventura County

Ventura County Deputy Sheriffs' Association

Ventura County Professional Peace Officers Association

Ventura County Sheriff's Correctional Officers' Association

Ventura Employees Association

UNREPRESENTED EMPLOYEES:

Management, Confidential Clerical and Other Unrepresented Employees.

24. **[CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION \(Gov. Code, § 54956.9\)](#)**

PURSUANT TO GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (d)(1):

NAME OF CASE: John Capella v. County of Ventura, Ventura County Superior Court Case No. 56-2012-00417463-CU-PO-VTA.

25. **[CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION \(Gov. Code, § 54956.9\)](#)**

PURSUANT TO GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (d)(1):

NAME OF CASE: Robert Brooks v. County of Ventura, Ventura County Superior Court Case No. 56-2013-00442638-CU-PT-VTA.

26. **[CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION \(Gov. Code, § 54956.9\)](#)**

PURSUANT TO GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (d)(1):

NAME OF CASE: Spiess Construction Company v. County of Ventura, Office of Administrative Hearings Case No. A-0010-2012.

TIME CERTAIN ITEMS, PRESENTATIONS AND HEARINGS, CONTINUED

27. [CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION \(Gov. Code, § 54956.9\)](#)

INITIATION OF LITIGATION PURSUANT TO SUB-DIVISION (d)(4) OF SECTION 54956.9:
One case.

BEFORE THE VENTURA COUNTY FIRE PROTECTION DISTRICT BOARD:

28. [CONFERENCE WITH LABOR NEGOTIATORS \(Gov. Code, § 54957.6\)](#)

COUNTY DESIGNATED REPRESENTATIVES: Catherine Rodriguez, Matt Carroll
EMPLOYEE ORGANIZATION: Ventura County Professional Firefighters Association.

BEFORE THE VENTURA COUNTY IHSS PUBLIC AUTHORITY BOARD:

29. [CONFERENCE WITH LABOR NEGOTIATORS \(Gov. Code, § 54957.6\)](#)

COUNTY DESIGNATED REPRESENTATIVES: Catherine Rodriguez, Matt Carroll
EMPLOYEE ORGANIZATION: Service Employees International Union, Local 6434.

REGULAR AGENDA**AUDITOR-CONTROLLER**

30. [Receive and File the Annual Review of Accounts or Funds Containing Developer Fees as of June 30, 2013; Find that there is a Reasonable Relationship Between the Fees and the Purpose for Which they are Committed; and Find that Anticipated Fund Sources, Amounts, and Dates of Receipt of Funding to Complete Projects, and the Date of Construction Commencement, are Identified and Designated as Required by Government Code Sections 66000, 66001, and 66006.](#)

CEO SUPPORTS RECOMMENDATION

BOARD OF SUPERVISORS

31. [Recommendation of Supervisor Foy to Cancel the November 26, 2013 Board of Supervisors Meeting; Direct the Clerk of the Board to Reschedule any Public Hearings that were Scheduled for that Date.](#)

RESOURCE MANAGEMENT AGENCY

32. [Adoption of a Resolution, and Approval of, the Policy and Process for Naming or Renaming Existing Public and Private Roads and County Highways in the Unincorporated Areas of Ventura County; and Authorization for the Planning Director to Hear Under Said Policy, Naming Requests Made by Private Parties and Non-County Public Agencies.](#)

CEO RECOMMENDS APPROVAL AS PROPOSED

REGULAR AGENDA, CONTINUED**POLICY MATTERS**

33. [Recommendation of Supervisor Zaragoza to Dissolve the El Rio Roger Jones Community Center Recreation Advisory Commission, Transfer Duties to the El Rio/Del Norte Municipal Advisory Council \(El Rio MAC\) and El Rio MAC Related Matters, Including Appointments and Re-appointments.](#)

CORRESPONDENCE AGENDA**Receive and File Correspondence Agenda Items 34 Through 35 - Communications Received and Filed by the Clerk of the Board on Behalf of the Board of Supervisors, with Copies Furnished as Indicated.**

34. [Receive and File Correspondence from Tony Fiori, Tori Shuken, and Jon Shuken of Vista Honda, Regarding Notice Pursuant to the California Worker Adjustment and Retraining Notification Act of the Termination of 87 Employees of Vista Honda Located at 6450 Auto Center Drive, Ventura; No Bumping Rights Will Exist.](#)
35. [Correspondence from Lucas Thayer Regarding the Bus System.](#)