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VENTURA COUNTY SUPERIOR COURT

CITY OF
VENTURA

July 24, 2006

JUL 26 2006

City Council

Carl E. Morehouse, AICP, Mayor
Christy Weir, Deputy Mayor
Neal Andrews, Councilmember
Brian Brennan, Councilmember
Bill Fulton, Councilmember
James L. Monahan, Councilmember
Edward W. Summers, Councilmember

OFFICE OF THE
PRESIDING JUDGE

The Honorable John R. Smiley, Presiding Judge
Superior Court of California, Ventura County
Hall of Justice, #2120
800 South Victoria Avenue
Ventura CA 93009

RECEIVED

OCT 10 2006

VENTURA COUNTY
GRAND JURY

Dear Judge Smiley:

This letter is in response to the Grand Jury request for information on the actions the City of Ventura has taken with respect to the Grand Jury's investigation relating to Cemetery Memorial Park.

Regarding Recommendation R-01, The Grand Jury requests the City of Ventura publish the schedule for implementing its plans to improve Cemetery Memorial Park:

The Ventura City Council adopted the City's 2006-2011 Capital Improvement Project Plan (CIP) on March 28, 2005. The CIP Plan includes Project #93014 – a project for improving Cemetery Memorial Park (project sheet attached). The CIP budgetary process includes review and discussion by City Council and final adoption of projects prior to April 1st of each fiscal year. In accordance with the Grand Jury's request, we have attached a copy of the March 28, 2005 City Council minutes in which the current 2006-2011 CIP plan was adopted (Item 6, page 4).

The CIP project sheet provides milestones and expected dates of completion. The first step was the selection of a consulting professional experienced in urban park design and public art for a public outreach process resulting in the development of a befitting memorial commemorating those interred in Cemetery Memorial Park. Interviews for the architect/artist team were held June 15, 2006. Selection of the consultant is expected in August 2006. Preliminary and final design phases will begin after consultant selection.

The City Council has appropriated funding for design and construction of the Cemetery Memorial Park Improvement Project.

Honorable John R. Smiley, Presiding Judge
Superior Court of California, Ventura County
July 17, 2006
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Regarding Recommendation R-02. The Grand Jury requests the City of Ventura to allocate sufficient funds to Improve Cemetery Memorial Park.

Funding for Capital Improvement Projects spans a number of fiscal years and depends on the cost of the milestones as projects move forward. As you will note on the attached CIP project sheet, we expect the City Council to authorize funds for the park improvements in the 2006-07 fiscal year when we expect to go out for construction bids. Your request for the City Council to fund the construction phase of the project has been forwarded to the City Council.

We trust this information addresses the Grand Jury's request for an update.

Sincerely,



Rick Cole
City Manager

Attachments: Cemetery Memorial Park Improvement
City Council minutes from March 14, 2005

C: Mike Montoya, Parks Manager
Sonia Hehir, Deputy City Attorney

Project ID: 93014
 Fund: 04 CIP GENERAL
 Program Area: Parks & Recreation

Project Name: **Carmelley Memorial Park Improvement**
 Coordinator: Jerry Reed - Parks Supervisor
 Place: Midtown
 Strategy 1: OUR NATURAL COMMUNITY
 Strategy 2: OUR NATURAL COMMUNITY
 Strategy 3:

Objective 1: Restoration
 Objective 2: Public Sector Greening
 Objective 3:
 Percent 1: 50
 Percent 2: 50
 Percent 3: 0
 Project Type: CIP
 Priority: Medium

Project Description:
 Design and construct improvements that include the removal and redevelopment of the parking lot; repair the existing rock wall and stairways; and redesign, replace and add new perimeter landscaping and irrigation. A recent study indicated that the rock wall is structurally sound but needs cosmetic repairs. During development of the preliminary plan, public input will be sought regarding specific improvements. Public input includes construction of a memorial which will be partially funded by Public Art.

Project Justification / Significance of Improvement / Status Update
 The hardscape of the park has deteriorated due to age and earth movement. Landscaping is inadequate, old, and in need of improvement. This project is part of the City's beautification efforts and is in response to increased park usage.

MILESTONES	Capital Expenses												
	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	OPERATING BUDGET IMPACT						
Preliminary Design/Planning												FY 2006-07	\$0
Final Design												FY 2007-08	\$0
CEQA Review												FY 2008-09	\$0
ROW Acquisition												FY 2009-10	\$0
Award of Contract												FY 2010-11	\$0
Construction													

USE OF FUNDS	Prior Year Estimated Cost	Current Estimated Cost	Submitted Cost Thru 8/31/06	Expenses						5 Year Total	Future Years	Project Total	
				2006-07	2007-08	2008-09	2009-10	2010-11					
Project Management	28,000	15,000	0							15,000	0	15,000	
Preliminary Design/Planning	5,000	0	0							0	0	0	
Final Design	26,000	60,000	0							60,000	0	60,000	
ROW Acquisition	0	0	0							0	0	0	
Construction	190,000	300,000	0		300,000	0	0	0	0	300,000	0	300,000	
Construction Management	3,000	30,000	0		30,000	0	0	0	0	30,000	0	30,000	
Public Art	1,000	30,000	0		29,000	0	0	0	0	30,000	0	30,000	
Annual Total	253,000	435,000	0		359,000	0	0	0	0	435,000	0	435,000	
Cumulative Total													435,000

SOURCE OF FUNDS	Appropriations as of 8/31/05	Through 8/31/06	Expenses						5 Year Total	Future Years	Project Total		
			2006-07	2007-08	2008-09	2009-10	2010-11						
04 - CIP GENERAL FUND	230,000	0								435,000	0	435,000	
Annual Funded Total													
Annual Unfunded Total													
Annual Total													
Cumulative Total													435,000



City of San Buenaventura
CITY COUNCIL ACTION AGENDA
Mayor Brian Brennan

Carl Morehouse, Deputy Mayor
Neal Andrews, Councilmember
Bill Fulton, Councilmember

James L. Monahan, Councilmember
Sandy E. Smith, Councilmember
Christy Weir, Councilmember

Rick Cole, City Manager
Robert G. Boehm, City Attorney
Mabi Covarrubias Plisky, City Clerk

REGULAR MEETING
MONDAY, MARCH 28, 2005, 7:00 P.M.
COUNCIL CHAMBER, 501 POLI STREET, VENTURA

The regular meetings of the 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 you wish to comment on an item and do not want to speak before the City Council, you may complete a pink "Comment Form." Both forms are on the table inside the City Council Chamber door.

Persons wishing to address the City Council are limited to a cumulative total of 5 minutes to address all agenda items, except that (i) where there is 1 or more Redevelopment Agency items on the agenda, members of the public shall have an additional total of 5 minutes to address all Redevelopment Agency matters; and/or (ii) where there is 1 or more Public Facilities Financing Authority items on the agenda, members of the public shall have an additional total of 5 minutes to address all Public Facilities Financing Authority matters.

ROLL CALL

Present: Councilmembers Smith, Weir, Fulton, Andrews, Monahan, Morehouse, and Brennan.

Absent: None.

Mayor Brennan presided.

PLEDGE OF ALLEGIANCE

SPECIAL PRESENTATIONS AND ANNOUNCEMENTS

CITY COUNCIL COMMUNICATIONS

CLOSED SESSION REPORT

REPORTS – REGIONAL BOARDS/COMMISSIONS/COMMITTEES

This time is set aside to allow members of the City Council 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.

CITY MANAGER'S REPORT

Police Department Volunteer in Policing Presentation

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 member of the City Council 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: Roxanne Fiorillo, Assistant City Clerk

RECOMMENDATION

Approve the minutes of the regular and special meetings of March 14, 2005.

2. **Intersection Improvements – Telephone Road and Olivas Park Drive
Authorization to Advertise (98)**

RECOMMENDATION APPROVED

Staff: Thomas Mericle, City Transportation Engineer

RECOMMENDATION

Approve the contract plans and specifications for the Intersection Improvements at Telephone Road and Olivas Park Drive, Specification No. 2004-08, and authorize the advertisement for bids to be received on Tuesday, April 19, 2005, at 4:00 p.m., in the City Clerk's Office.

CITY COUNCIL CONSENT ITEMS (contd.)

3. **Stanley Avenue Improvements Phase II Authorizatlon to Advertise (98)**

RECOMMENDATION APPROVED

Staff: Don Villafana, Principal Civil Engineer

RECOMMENDATION

Approve the contract plans and specifications for the Stanely Avenue Improvements Phase II Project, Specification No. 2004-11, and authorize the advertisement for bids to be received on Tuesday, April 19, 2005, at 4:00 p.m., in the City Clerk's Office.

4. **Transfer of Water Allocation Agreement (50)**

RECOMMENDATION APPROVED

Staff: Don Davis, Utilities Manager

RECOMMENDATION

- a. Review and accept the "Agreement and General Release" for the transfer of water allocation from Sherwin Acres Mutual Water Company to Saticoy Country Club between the City of San Buenaventura and the Saticoy Country Club.
- b. Authorize the City Manager to sign Agreement 2005-017.

REDEVELOPMENT AGENCY CONSENT ITEM

5. **Exclusive Negotiation Agreement between the Redevelopment Agency and Artspace Projects, Inc. (50)**

RECOMMENDATION APPROVED

Staff: Susan Daluddung, Community Development Director

RECOMMENDATION

Approve and authorize the Executive Director to enter into Exclusive Negotiation Agreement RA 05-002 (ENA) between the Redevelopment Agency (RDA) and Artspace Projects, Inc., to include the disposition and development of RDA owned parcel numbers 073-0-111-110, 073-0-111-120, and 073-0-111-090 located at Thompson Boulevard and Ventura Avenue within the Merged Downtown Redevelopment Project Area.

CITY COUNCIL/REDEVELOPMENT AGENCY PUBLIC HEARING

6. Fiscal Year 2005-2010 Capital Improvement Project (CIP) Plan (31)

RECOMMENDATION APPROVED

Staff: Sandra De La Riva, Budget and Finance Manager

RECOMMENDATION

- a. Continue with the public hearing started on February 28, 2005, and continued to March 14, 2005, for the Fiscal Year (FY) 2005-2010 Capital Improvement Project (CIP) Plan.
- b. Close the public hearing and make any CIP Plan adjustments necessary and/or desirable to the City Council and the Redevelopment Agency (RDA).
- c. Adopt Resolution No. 2005-030/RA2005-001 that sets forth the FY 2005-2010 CIP Plan.

CITY COUNCIL FORMAL ITEMS

7. Federal Transportation Funds -- Projects for Fiscal Year 2005-2006 through Fiscal Year 2008-2009 (107)

RECOMMENDATION APPROVED

Staff: Rick Raives, City Engineer

RECOMMENDATION

- a. Authorize the City Manager to file applications with the Ventura County Transportation Commission (VCTC) for Federal Surface Transportation Program (STP) and Congestion Mitigation and Air Quality (CMAQ) funds for Fiscal Years 2005-06 through 2008-09 for the following projects:
 1. Regional Surface Transportation Program (RSTP) -- Stanley Avenue/Highway 33 Interchange
 2. Congestion Mitigation and Air Quality (CMAQ) -- Surfer's Point Managed Retreat
 3. Transportation Enhancement (TE) -- Landscape Median Reconstruction
- 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.

CITY COUNCIL FORMAL ITEMS (contd.)

- c. Approve budget adjustments to increase appropriations and revenues in the event the City receives the grants. Authorize the Administrative Services Department to assign the increased appropriations and revenues to the proper programs and accounts for their use as provided by the grants.

8. Reorganization of Planning Commission and Design Review Committee (30)

RECOMMENDATION APPROVED AS AMENDED

Staff: Susan Daluddung, Community Development Director

RECOMMENDATION

- a. Seek City Council direction on combining the Planning Commission and the Design Review Committee into one project review board.
- b. Direct staff to convene a task force consisting of members of interested parties, which could include City Council, City staff, current or past board members, one or more consultants who have worked with the City, and the general community to determine how a new board should be composed and operate.
- c. Request that the Appointments Committee consider holding over the current appointees, where possible, until the task force has made its recommendations.

PUBLIC COMMUNICATIONS

CITY COUNCIL COMMUNICATIONS

ADJOURNMENT 10:21 p.m.

Administrative Reports relating to this agenda are available in the City Clerk's Office, Room 204, 501 Poli Street, Ventura, as well as the City's Web Page - www.ci.ventura.ca.us.

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 72 HOURS PRIOR TO THE MEETING WILL ENABLE THE CITY TO MAKE REASONABLE ARRANGEMENTS TO ENSURE ACCESSIBILITY TO THIS MEETING.