

**MOORPARK CITY COUNCIL  
AGENDA REPORT**

**TO:** The Honorable City Council

**FROM:** Jeremy Laurentowski, Parks and Recreation Director *SL*

**BY:** Jessica Sandifer, Program Manager *JS*

**DATE:** March 3, 2016 (CC Meeting of 03/16/16)

**SUBJECT:** Consider Status Update on Turf Conversion Projects; Approval of Amendment No. 6 to Agreement with Venco Western, Inc.; and Resolution Amending Fiscal Year 2015/16 Budget to Fund the Park Planting Project from the General Fund

**BACKGROUND**

On July 1, 2015, the City Council approved a Drought Action Plan (DAP) outlining the various actions the City should take to meet the State Water Resources Control Board (SWRCB) mandated water conservation reduction target of 32%. The DAP not only outlines how the City should conserve water within City operations but also to promote water conservation City-wide. Both components of the DAP are critical to meet the water conservation standard mandated by SWRCB. At the time of adoption of the DAP, the City Council approved funding to complete Phase I of the turf conversion projects at City parks. On August 19, 2015, staff requested funding to complete Phase I of the turf conversion projects at the Landscape Maintenance Districts (LMD) and various City properties.

**DISCUSSION**

On November 13, 2015, Governor Brown signed an executive order directing the SWRCB to extend the restrictions on urban water use until October 2016, if January was a dry month. The SWRCB extended the restrictions in February 2016.

The City of Moorpark's operational water use was reduced by 52% from June through December 2015, as compared to the same time period in 2013 per the requirements of the SWRCB. The City's operational water use includes all City parks, landscape maintenance districts and the various City owned buildings and properties, such as the Civic Center buildings and Community Center, Library, the Police Services Center, the Moorpark Public Services Facility, the Ruben Castro Human Services Center, and

Arroyo Vista Recreation Center. A comparison of the City's annual operational water usage between calendar years 2013 and 2015 shows a 45.6% reduction in water use. The total annual water savings is 101,714 hundred acre feet (HCF), which is equivalent to approximately 76,082,670 gallons of water. The items implemented by the DAP have directly contributed to the City's ability to exceed the 32% reduction goal required by the SWRCB.

The Council will recall that action items A.2.a and A.2.b of the DAP called for the turf removals at the City parks as well as the landscaping in the LMDs and various City facilities. For both projects staff prepared a phased approach that allowed immediate water savings to be achieved, while allowing time to design a drought tolerant or low water use plant palette for the designated renovation areas. Phase I in the parks eliminated the turf by utilizing chemical herbicides approved by the County of Ventura, Agricultural Commissioner's office, mowing the remaining turf down to the subgrade, removing the turf adjacent to sidewalks and other hardscape areas and covering the areas with wood chips. In the LMD areas, Phase I of this work included killing the turf and allowing the dead turf to remain in place, modifying the irrigation so that only the trees are watered, and placing bark mulch only around the trees. The dead turf and associated subgrade would be removed as a part of the larger renovation projects completed in Phase 2 of this work. This work will be completed at a later date.

### **FISCAL IMPACT**

To date the costs for turf removal project in the City's LMD's and various City properties has cost approximately \$309,625. However, Metropolitan Water District (MWD) has determined that all the LMD areas, which primarily consist of median islands and streetscapes, will be considered one project area for the purpose of a rebate application, and subject to a one time application cap of \$50,000. Staff formally appealed MWD's decision due to the fact that each LMD District is funded from an annual property tax assessment levied upon properties within the District, but was not successful. To date, staff has not received confirmation from MWD on the LMD rebates due to timing delays with the appeal process. Staff initially projected that the City would receive \$73,779 in rebates for the work in the LMD's. Based on the application cap, staff anticipates that the approved rebate will only be a fraction of staff's original estimate since there are not any LMD water meters that irrigate large turf areas. Even though several LMD water meters provide for irrigation water to large landscape areas overall, they only provide for a portion of the turf parkway along any particular streetscape. Staff will update the City Council when a final determination has been made regarding the City's applications.

Excluding staff time, to date \$177,302 has been spent on the work required to remove the turf in the Parks. Staff has submitted rebate applications and has received preliminary approval for all thirteen applications totaling \$516,400. Staff has determined that an additional \$175,000 will be needed to install trees and shrubs where the turf has been removed in order to successfully apply for the rebates. Staff has obtained

competitive bids for this work. Venco Western, Inc. had the lowest bid for the park planting project, which includes an itemized cost for various shrub sizes, including the installation of irrigation to the plant material. The bid results are as follows:

Venco Western, Inc.:

1 gallon plant including irrigation	\$18.72
5 gallon plant including irrigation	\$39.21
15 gallon plant including irrigation	\$191.36

Valley Crest Landscape, Inc.:

1 gallon plant including irrigation	\$57.00
5 gallon plant including irrigation	\$79.00
15 gallon plant including irrigation	\$197.00

Oakridge Landscape, Inc.:

1 gallon plant including irrigation	\$24.00
5 gallon plant including irrigation	\$48.50
15 gallon plant including irrigation	\$301.00

Staff is recommending awarding a contract to Venco Western, Inc. in the amount of \$175,000 to complete the park planting project. This project will complete the work that is required to apply for final approval for the turf removal rebates. Staff will prepare a series of planting layouts for each park that will include a variety of California native and drought tolerant plant material based on an overall project of budget of \$175,000, and the itemized costs for the work. The funds will be budgeted in the Park Maintenance Division and costs will be allocated to each individual park. Staff is confident that the rebates for the turf removals in the City parks will fully offset the costs of this work. However, it is important to note that although the City of Moorpark has received approval for a maximum rebate amount of \$516,400, the actual rebate amount could be less as determined by MWD. The program requirements are not well defined and the review process is based solely on an evaluation of the project by MWD staff.

**STAFF RECOMMENDATION (ROLL CALL VOTE)**

1. Approve Amendment No. 6 with Venco Western, Inc. for the park planting project in the amount of \$175,000, and authorize the City Manager to sign the Amendment, subject to final language approval of the City Manager; and
2. Adopt Resolution No. 2016-\_\_\_\_\_ appropriating \$175,000 from the General Fund Reserve (1000) for the planting project at the City parks.

Attachments:

1. Agreement
2. Resolution No. 2016-\_\_\_\_\_

**ATTACHMENT 1**

**AMENDMENT NO. 6  
TO AGREEMENT BETWEEN THE CITY OF MOORPARK AND  
VENCO WESTERN, INC. FOR LANDSCAPE MAINTENANCE SERVICES**

This Amendment No. 6 to the Agreement between the City of Moorpark, a municipal corporation ("City"), and Venco Western, Inc., a corporation ("Contractor"), for landscape maintenance services at City Parks ("Agreement"), is made and entered into the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**RECITALS**

WHEREAS, on June 27, 2013, the City and Contractor entered into an Agreement to have the Contractor perform landscape maintenance services at City Parks; and

WHEREAS, on March 18, 2014, the City and Contractor amended the Agreement and entered into and approved Amendment No. 1 to increase the compensation for landscape refurbishment services on Tierra Rejada Road; and

WHEREAS, on August 26, 2014, the City and Contractor amended the Agreement and entered into and approved Amendment No. 2 to extend the term for one (1) additional year expiring on September 30, 2015, and provide the compensation for services to be performed by Contractor for the additional extension period as provided in the Agreement; and

WHEREAS, on July 27, 2015, the City and Contractor amended the Agreement and entered into and approved Amendment No. 3 to increase the compensation for turf conversion projects at City parks; and

WHEREAS, on September 4, 2015, the City and Contractor amended the Agreement and entered into and approved Amendment No. 4 for services to be performed by Contractor for turf conversion projects in the City's Landscape Maintenance Districts (LMD) as outlined in Exhibit J, and also extended the Agreement for one additional year, to expire on September 30, 2016, and provide the compensation for services to be performed by Contractor for the additional extension period as provided in the Agreement; and

WHEREAS, on December 15, 2015, the City and Contractor amended the Agreement and entered into and approved Amendment No. 5 to reduce the monthly landscape maintenance service cost from twenty-seven thousand sixty-seven dollars (\$27,067.00) and include Walnut Acres Park monthly service cost of six hundred fifty-five dollars (\$655.00), for a new monthly total of twenty-six thousand eight hundred thirty-eight dollars (\$26,838.00), for a total annual reduction in maintenance costs of two thousand seven hundred forty-eight (\$2,748), as outlined in Exhibit K, and document said Agreement to amend by jointly approving Amendment No. 5 to the Agreement.

WHEREAS, City and Contractor now desire to amend the Agreement for additional services related to planting plants and modifying irrigation at various parks for

a not-to-exceed amount of \$175,000, based on the per plant pricing listed in Exhibit L and document said Agreement to amend by jointly approving Amendment No. 6 to the Agreement.

**NOW, THEREFORE, it is mutually agreed by and between the parties to the Agreement as follows:**

I. Section 1, SCOPE OF SERVICES, is amended by replacing the first three paragraphs in their entirety as follows:

“City does hereby retain Contractor in a contractual capacity to provide landscape maintenance services, plus additional repair and installation services, related to City parks and miscellaneous City properties, as set forth in Exhibits A, B, C, D, E, F, G, H, I, J, K, and L, which exhibits are attached and incorporated herein by this reference as though set forth in full and hereinafter referred to as the “Proposal”. Where said Scope of Services is modified by this Agreement, or in the event there is a conflict between the provisions of said Scope of Services and this Agreement, the language contained in this Agreement shall take precedence.

Contractor shall perform the tasks described and set forth in Exhibits A, B, C, D, E, F, G, H, I, J, K, and L, all of which are attached hereto and incorporated herein by this reference as though set forth in full. Contractor shall complete the tasks according to the schedule of performance which is also set forth in Exhibits A, B, C, D, E, F, G, H, I, J, K, and L.

Compensation for the services to be performed by Contractor shall be in accordance with Exhibits D, H, I, J, K, and L. Compensation is increasing for the additional landscaping services by a value of one hundred seventy-five thousand dollars (\$175,000.00) for a total increase from one million four hundred fifty-six thousand nine hundred sixty-five dollars (\$1,456,965.00) to one million six hundred thirty-one thousand nine hundred sixty-five dollars (\$1,631,965.00). Compensation shall not exceed the rates shown on Exhibits D, H, I, J, K, and L. Approval of additional related maintenance, repair, and installation services during the term of this Agreement to be paid out of the contingency funding shall require a written Work Order executed by both parties. Payment by City to Contractor shall be as described in this Agreement.”

II. Section 2, PAYMENT, is amended by replacing paragraph one in its entirety as follows:

“The City agrees to pay Contractor monthly, in accordance with the terms as set forth in Exhibits D, H, I, J, K, and L based upon actual time spent on the above tasks. This amount shall not exceed total contract value one million six hundred thirty-one thousand nine hundred sixty-five dollars (\$1,631,965.00), during the Agreement Term.

Scope of Services	Amount	Contingency	TOTAL
Initial 15-month Maintenance Service per Agreement	\$ 406,005	\$ 25,000	\$ 431,005
Second year of Maintenance Service per Agreement	\$ 324,804	\$ 25,000	\$ 349,804
Amendment No. 1 Tierra Rejada Refurbishment	\$ 33,216		\$ 33,216
Amendment No. 2 Extend Term of Agrmnt	\$ -	\$ -	\$ -
Amendment No. 3 Park Turf Conversion	\$ 123,169	\$ 18,476	\$ 141,645
Amendment No. 4 LMD Extend Services	\$ 324,804	\$ 25,000	\$ 349,804
Amendment No. 4 LMD Turf Conversion	\$ 140,217	\$ 14,022	\$ 154,239
Amendment No. 5 Reduction of services	\$ (2,748)		\$ (2,748)
<b>Sub-Total</b>	<b>\$ 1,349,467</b>	<b>\$ 107,498</b>	<b>\$ 1,456,965</b>
Amendment No. 6 Park Planting	\$ 175,000	\$ -	\$ 175,000
<b>Sub-Total</b>	<b>\$ 175,000</b>	<b>\$ -</b>	<b>\$ 175,000</b>
<b>TOTAL</b>	<b>\$ 1,524,467</b>	<b>\$ 107,498</b>	<b>\$ 1,631,965</b>

III. Remaining Provisions:

Except as revised by this Amendment No. 6, all of the provisions of the Agreement shall remain in full force and effect.

In Witness Whereof, the parties hereto have caused this Agreement to be executed the day and year first above written.

CITY OF MOORPARK

VENCO WESTERN, INC.

\_\_\_\_\_  
Steven Kueny, City Manager

\_\_\_\_\_  
Linda Burr, President

Attest:

\_\_\_\_\_  
Maureen Benson, City Clerk

EXHIBIT L

ATTACHMENT 1

**BID PROPOSAL**  
TO BE EXECUTED  
BY BIDDER AND SUBMITTED WITH BID

CITY OF MOORPARK  
MOORPARK, CALIFORNIA

Park Planting Project  
Moorpark, California

Bids to Be Received – March 4, 2016 at 10:00 a.m.

CONTRACTOR

Name VENCO WESTERN INC

Street Address 2400 EASTMAN AVE

City OXNARD State CA Zip Code 93030

Telephone Number \_\_\_\_\_  
Contractor's License No. 562295 Class C27, Expiration Date 4/30/2017

The undersigned swears under penalty of perjury that the information regarding the Contractor's License is true and correct.

Signature of Bidder Vincent P. Ben Title President

PROPOSED SCHEDULE OF WORK AND PRICES – SCHEDULE A

Item	Description	Qty	Unit	Total
1	1 gallon plant including irrigation system	1	EA	18.72
1	5 gallon plant including irrigation system	1	EA	39.21
1	15 gallon plant including irrigation system	1	EA	191.36

Work completed by: **Campus Park April 8, 2016**  
**All other locations April 29, 2016**

JANICE S. PARVIN  
Mayor

ROSEANN MIKOS, Ph.D.  
Councilmember

KEITH F. MILLHOUSE  
Councilmember

DAVID POLLOCK  
Councilmember

MARK VAN DAM  
Councilmember

**BID PROPOSAL (continued)**

*TO BE EXECUTED  
BY BIDDER AND SUBMITTED WITH BID*

Bid Due Date/Time: March 4, 2016 at 10:00 a.m.

The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into Contract with the City of Moorpark to perform the Work as specified or indicated in said Contract Documents entitled: *Park Planting Project*

Bidder accepts all of the terms and conditions of the Contract Documents, including without limitations, those in the Informal Bid Proposal, Project Plans and Specifications.

This Bid will remain open for a 90-day period. By signing this bid proposal, the Bidder agrees to enter into a Contract within the time and in the manner as required in the Bid documents. **Bidder understands that by submitting this bid, bidder is agreeing to furnish the insurance certificates, endorsements, and Bonds as required by the Contract Documents. Contractor understands that failure to provide the insurance certificates, endorsements and bonds will cause City to terminate the bid award and award the bid to the next lowest bidder.**

Bidder has examined copies of all the Contract Documents through and inclusive of the following Bid Addenda (receipt of which is hereby acknowledged):

Bid Addenda Number: \_\_\_\_\_ Date: \_\_\_\_\_  
Bid Addenda Number: \_\_\_\_\_ Date: \_\_\_\_\_

Bidder has familiarized themselves with the nature and extent of the Contract Documents, the Work, the site together with the surrounding environment and locality, the legal requirements involved (including all applicable federal, state and local laws, ordinances, rules, regulations, codes, etc.) and the conditions affecting costs, progress or performance of the Work and has made such independent investigations as Bidder deems necessary.

To all the foregoing said Bidder further agrees to complete the Work required under the Contract Documents within the Contract Time stipulated within the Contract Documents, and to accept in full payment therefore the Contract Price named in the aforementioned Bid Schedule(s).

The bid must be signed in the name of the bidder and must bear the signature in longhand of the person duly authorized to sign for the Contractor.

Bidder: Venco Western, Inc.

By: Michael D. Ben  
(Signature — Authorized Representative)

Title: President Dated: 3/4/2016

**ATTACHMENT 2**

RESOLUTION NO. 2016-\_\_\_\_\_

A RESOLUTION OF CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, AMENDING THE FISCAL YEAR 2015/2016 BUDGET BY APPROPRIATING \$175,000 FROM THE GENERAL FUND (1000) FOR PLANTING PROJECTS AT VARIOUS CITY PARKS

WHEREAS, on June 17, 2015, the City of Moorpark adopted the Operating and Capital Improvement Projects budget for Fiscal Year (FY) 2015/16; and

WHEREAS, a staff report has been presented to the City Council requesting approval of Amendment No. 6 to Venco Western's Agreement for planting projects at various City parks; and

WHEREAS, a budget amendment of \$175,000 from the General Fund is being requested to fund the planting projects at various City parks; and

WHEREAS, Exhibit "A", attached hereto and made a part hereof, describes said budget amendments and the resultant impact to the budget line items.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. A budget amendment of \$175,000 from the General Fund (1000) as more particularly described in Exhibit "A", attached hereto, is hereby approved.

SECTION 2. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED AND ADOPTED this 16<sup>th</sup> day of March, 2016.

\_\_\_\_\_  
Janice S. Parvin, Mayor

ATTEST:

\_\_\_\_\_  
Maureen Benson, City Clerk

Exhibit A – Budget Amendment

**EXHIBIT A**

**BUDGET AMENDMENT FOR  
GENERAL FUND RESERVE (1000)  
FOR TURF CONVERSION PROJECTS AT CITY PARKS  
FY 2015/16**

**FUND BALANCE ALLOCATION:**

Fund Title	Fund-Account Number	Amount
GENERAL FUND	1000-5500	\$ 175,000.00
Total		\$ 175,000.00

**EXPENDITURE APPROPRIATION:**

Account Number	Current Budget	Revision	Amended Budget
1000.7800.0000.9331	\$ -	\$ 175,000.00	\$ 175,000.00
Total	\$ -	\$ 175,000.00	\$ 175,000.00

Finance Approval: 