

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, JANUARY 13, 2020
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, Public Facilities Financing Authority and Parking Authority when Successor Agency, Public Facilities Financing Authority and Parking 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, Public Facilities Financing Authority and Parking 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, Public Facilities Financing Authority and Parking 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. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Title: City Manager

Authority: Government Code Section 54957

2. **CONFERENCE WITH LABOR NEGOTIATORS**

City Negotiators: Mayor Matt LaVere and Councilmember Nasarenko

Unrepresented Employee: City Manager

Authority: Government Code Section 54957.6

3. **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*

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

4. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Case Name: Foster v. City of Ventura

VCSC Case No.: 56-2019-00530381-CU-PO-VTA

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

5. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Property: 505 Poli Street, Ventura

Agency Negotiator: Alex McIntye, City Manager, Estelle Bussa, Economic Development Manager

Negotiating Parties: Alan Hiscocks – General Manager, Global Real Estate & Facilities, The Trade Desk

Under Negotiation: Price (Rent) and Terms of Payment

Authority: Government Code Section 54956.8

CS5. ADJOURNMENT

1. **CALL TO ORDER – REGULAR SESSION – 6:00 p.m.**

2. **ROLL CALL**

3. **PLEDGE OF ALLEGIANCE**

4. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS

4A. Police Department Update

4B. City of Ventura/County of Ventura Year-Round Homeless Shelter the ARCH
- All Roads Connect to Housing Update

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.

7. PUBLIC COMMUNICATIONS

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. Wells Center Bus Stop Upgrade Project – Award Construction Contract

Staff: Phillip L. Nelson, Public Works Director

RECOMMENDATION

- a. Approve awarding the contract and authorize the Mayor to execute an agreement with the lowest responsive and responsible bidder, Toro Enterprises, Inc., for adding an additional bus pad and shelter, sidewalk, ADA ramps, and landscaping, Specification No. 2018-023, in the amount of \$281,703.
- b. Authorize the encumbrance of contingency funds for the project in the amount of \$28,000 for use by the Public Works Director as needed during construction.

8. CONSENT ITEMS (continued)

- c. Increase project funding by \$63,000 in appropriations from Gas Tax Fund 12 and authorize Finance and Technology staff to assign and transfer increased appropriations to the proper funds, project and accounts.

8C. Montalvo Cell License Agreement – PM ID: 100207

Staff: Phillip L. Nelson, Public Works Director

RECOMMENDATION

Authorize the City Manager to execute a license agreement allowing NCWPCS MPL 25 – Year Sites Tower Holdings LLC to access its cellular site by crossing over City-owned property. The term of the license agreement is five years, January 13, 2020 through December 31, 2024.

8D. Approve Contract for 2020 Ventura Water Cost of Service and Rate Design Study

Staff: Susan Rungren, Ventura Water General Manager

RECOMMENDATION

- a. Approve and authorize the Mayor to execute an agreement with Raftelis Financial Consultants, Inc. for professional services associated with the 2020 Cost of Service and Rate Design Study to evaluate water and wastewater revenues for a period of 18 months, January 6, 2020 to June 30, 2021 for a not-to-exceed amount of \$187,000.00
- b. Authorize the City Manager or his designee to execute amendments, if necessary, in order to extend the term of the agreement or modify the Schedule of Compensation in an amount not-to-exceed \$38,000.00 in order to accommodate the need for further analysis or additional scope if required, pursuant to San Buenaventura Municipal Code section 4.600.200.
- c. Direct staff to request the Water Commission to review the updated 2020 Cost of Service and Rate Design Study for Ventura water and wastewater rates and make recommendations to Council at its conclusion.

8. **CONSENT ITEMS (continued)**

8E. Ordinance for Second Reading – Modifying Tree Advisory Committee to become the Tree Advisory Board (Hearing Body)

Antoinette M. Mann, City Clerk

RECOMMENDATION

Waive the second reading in full and adopt the Ordinance of the Council of the City of San Buenaventura, California, pertaining to modifying the Tree Advisory Committee to become the Tree Advisory Board (Hearing Body).

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING CHAPTER 2.450, "TREE ADVISORY COMMITTEE," OF THE SAN BUENAVENTURA MUNICIPAL CODE TO RENAME THE TREE ADVISORY BOARD AND REVISE THE DUTIES OF THE TREE ADVISORY BOARD (December 9, 2019 VOTE: 7-YES; 0-NO; 0-ABSENT) ORDINANCE NO. 2020-___

8F. Ordinance for Second Reading – Tobacco Retailer Licenses

Antoinette M. Mann, City Clerk

RECOMMENDATION

Waive the second reading in full and adopt the Ordinance of the Council of the City of San Buenaventura, California, pertaining to Tobacco Retailer Licenses.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING CHAPTER 8.350, 'SMOKING REGULATIONS,' OF THE SAN BUENAVENTURA MUNICIPAL CODE TO PROHIBIT THE SALE OF FLAVORED TOBACCO PRODUCTS IN THE CITY OF SAN BUENAVENTURA; AND ADDING CHAPTER 6.410, 'TOBACCO RETAILER LICENSES,' TO THE SAN BUENAVENTURA MUNICIPAL CODE TO PROVIDE REGULATIONS AND A LICENSING PROCESS FOR TOBACCO RETAILERS (December 9, 2019 VOTE: 7-YES; 0-NO; 0-ABSENT) ORDINANCE NO. 2020-___

11. PUBLIC HEARING ITEMS

11A. Issuance of Tax-Exempt Obligations Not-to-Exceed \$60,000,000 for the 105-Unit Affordable Multi-Family Rental Housing Westview Village III Project

Staff: Peter Gilli, Community Development Director

RECOMMENDATION

- a. Conduct a Public Hearing.
- b. Adopt a Resolution approving issuance of tax-exempt obligations not-to-exceed \$60,000,000 to the Housing Authority of the City of San Buenaventura to provide for the acquisition, construction and development of 105 affordable, multi-family rental apartments.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA APPROVING THE ISSUANCE OF TAX-EXEMPT OBLIGATIONS TO VILLAGES AT WESTVIEW III
RESOLUTION NO. 2020-___

11B. Appeal of the Design Review Committee's Decision Approving a Sign Program and Sign Variance for Poinsettia Plaza, with Conditions Added to Remove Tenant Names from Monument Signs (PROJ-12758) (Poinsettia Plaza Sign Program)

Staff: Peter Gilli, Community Development Director

RECOMMENDATION

- a. Conduct a Public Hearing.
- b. Adopt a Resolution upholding the appeal and approving the Formal Design Review for a Sign Program and Sign Variance for Poinsettia Plaza with tenant names on all monument signs.

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA UPHOLDING AN APPEAL AND APPROVING A FORMAL DESIGN REVIEW AND SIGN VARIANCE FOR A SIGN PROGRAM WITH TENANT NAMES ON MONUMENT SIGNS AND LARGER SIGNS FOR ANCHOR TENANTS FOR POINSETTIA PLAZA SHOPPING CENTER
RESOLUTION NO. 2020-___

11. PUBLIC HEARING ITEMS (continued)

11C. Historic Landmark Designation Request for “Willett Ranch” Buildings Located at 181 and 197 Klamath Street (PROJ-12828)

Staff: Peter Gilli, Community Development Director

RECOMMENDATION

- a. Conduct a Public Hearing.
- b. Adopt a Resolution designating the four structures located at 181 and 197 Klamath Street (Willett Ranch Buildings) as Historic Landmarks, Landmark No. 113.

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA DESIGNATING THE "WILLETT RANCH" BUILDINGS LOCATED AT 181 AND 197 KLAMATH STREET A LANDMARK, LANDMARK NO. 113 RESOLUTION NO. 2020-____

11D. Adoption of Tobacco Retailer License Fees

Staff: Gregory G. Diaz, City Attorney
Michael Coon, Finance and Technology Director

RECOMMENDATION

- a. Conduct a Public Hearing.
- b. Adopt a Resolution adopting Tobacco Retailer License Fees. Fees will be effective February 1, 2020.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA ADOPTING A SCHEDULE OF FEES FOR SERVICES RELATING TO TOBACCO RETAILER LICENSING RESOLUTION NO. 2020-____

12. FORMAL ITEMS

12A. Fiscal Year 2019 Comprehensive Annual Financial Report

Staff: Michael Coon, Finance and Technology Director

RECOMMENDATION

Receive the Comprehensive Annual Financial Report with the Independent Auditors' Report for the City of San Buenaventura for Fiscal Year ended June 30, 2019.

12B. Budget Workshop 1

Staff: Michael Coon, Finance and Technology Director

RECOMMENDATION

- a. Receive the Mid-Year Financial Update of the four primary funds.
- b. Receive the 5-year forecast scenarios for the General Fund.

12C. Barranca Vista Recreation Center Repairs and Refurbishment Project – Authorization to Re-advertise

Staff: Phillip L. Nelson, Public Works Director

RECOMMENDATION

- a. Approve contract plans and specifications with the options and elements approved by City Council for the Barranca Vista Recreation Center Repairs and Refurbishment, Specification No. 2018-002.
- b. Authorize the advertisement for bids to be received at a date and time to be determined by the Public Works Director but no later than March 31, 2020. Bid will be submitted and opened by the City Clerk's Office.

12. FORMAL ITEMS (continued)

12D. Surfer's Point Phase 2 Progress Presentation

Staff: Phillip L. Nelson, Public Works Director

RECOMMENDATION

Receive a presentation on the Surfer's Point Phase 2 Project status.

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, January 8, 2020, at 5:30 p.m. in the City Clerk's Office, on the City Hall Public Notices Board and on the internet.