

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

AMENDED
1/24/2020
ADDED ITEM NO. 8N

REGULAR MEETING
MONDAY, JANUARY 27, 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. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Name of Case: Frank Padilla v. City of San Buenaventura

Workers' Compensation Appeals Board Numbers: ADJ11011517; ADJ 3962846; ADJ4274397; ADJ10788022; ADJ7405237; ADJ4700001; ADJ3493410

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

2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Name of Case: *Santa Barbara Channelkeeper v. State Water Resources Control Board and City of San Buenaventura*

Los Angeles Superior Court Case No.: 19STCP01176 (previously San Francisco Superior Court Case No.: CPF-14-513875)

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

CS5. ADJOURNMENT

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

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS

A. Green Business Recognition: Food Forward, Industry Horror, Ventura Cryo, Blissful Cleaning Enterprise, The Sauna Studio and Pure Heart Skin Care

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.

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. Approval of City Council Minutes - September 9, 2019 (reapproval); September 16, 2019 (reapproval); October 7, 2019; October 14, 2019; November 4, 2019; November 18, 2019; November 26, 2019; December 9, 2019 and December 14, 2019

Staff: Antoinette M. Mann, City Clerk

RECOMMENDATION

Approve City Council Minutes from September 9, 2019 (reapproval); September 16, 2019 (reapproval); October 7, 2019; October 14, 2019; November 4, 2019; November 18, 2019; November 26, 2019; December 9, 2019 and December 14, 2019.

8C. Required Obedience to Traffic Ordinance; Chalking of Tires

Staff: Gregory G. Diaz, City Attorney

RECOMMENDATION

a. Introduce and approve the first reading of an ordinance, title as follows:

“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING IN ITS ENTIRETY, SECTION 16.115.070, ‘REQUIRED OBEDIENCE TO TRAFFIC ORDINANCE,’ OF CHAPTER 16.115, ‘ADMINISTRATION AND ENFORCEMENT,’ OF DIVISION 16, ‘VEHICLE AND TRAFFIC REGULATIONS,’ OF THE SAN BUENAVENTURA MUNICIPAL CODE RELATING TO OBEDIENCE TO TRAFFIC ORDINANCE”

b. Set the ordinance for second reading and adoption at the next regular City Council meeting, February 10, 2020.

8. CONSENT ITEMS (continued)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING IN ITS ENTIRETY, SECTION 16.115.070, 'REQUIRED OBEDIENCE TO TRAFFIC ORDINANCE,' OF CHAPTER 16.115, 'ADMINISTRATION AND ENFORCEMENT,' OF DIVISION 16, 'VEHICLE AND TRAFFIC REGULATIONS,' OF THE SAN BUENAVENTURA MUNICIPAL CODE RELATING TO OBEDIENCE TO TRAFFIC ORDINANCE
ORDINANCE NO. 2020-____

8D. [Information on Interpretation of Downtown Specific Plan as Applied to City Property at Santa Clara and Palm](#)

Staff: Gregory G. Diaz, City Attorney

RECOMMENDATION

City Council receive and file this report as an Information Only Item.

8E. [Contract with Community Access Partners of San Buenaventura, Inc.](#)

Staff: Barry Fisher, Deputy City Manager

RECOMMENDATION

- a. Approve and authorize the Mayor to execute an agreement with Community Access Partners of San Buenaventura, Inc. (CAPS) to operate the Public Education and Government Access Cable Channels and other services related to this function; February 1, 2020 - June 30, 2025.
- b. Adjust the necessary project budgets in the General Fund to offset the \$252,500 cost of the new CAPS contract.

8F. [Council Quarterly Travel Report](#)

Staff: Alex D. McIntyre, City Manager

RECOMMENDATION

Receive and file the Quarterly Travel Report for October through December 2019.

8. CONSENT ITEMS (continued)

8G. Council Assignments

Introduced by: Mayor Matt LaVere

RECOMMENDATION

Concur with the Mayor and approve Councilmembers assignments/appointments to various agencies, boards, committees, and liaison roles.

8H. Designation of Voting Delegate - Southern California Association of Governments 2020 Regional Conference and General Assembly

Introduced by: Mayor Matt LaVere

RECOMMENDATION

Confirm the Mayor's appointment of Councilmember Christy Weir as the City's Voting Delegate for Southern California Association of Governments 2020 Regional Conference and General Assembly.

8I. Consideration of Ordinance Adding Arts and Culture Commission and Repealing Cultural Affairs and Public Art Commissions

Staff: Nancy O'Connor, Parks, Recreation and Community Partnerships Director
Antoinette M. Mann, City Clerk

RECOMMENDATION

- a. Introduce and approve the first reading of the Ordinance, title as follows:

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, REPEALING CHAPTER 2.435, "CULTURAL AFFAIRS COMMISSION," OF THE SAN BUENAVENTURA MUNICIPAL CODE; REPEALING CHAPTER 2.445, "PUBLIC ART COMMISSION," OF THE SAN BUENAVENTURA MUNICIPAL CODE; AND ADDING CHAPTER 2.470, "ARTS AND CULTURE COMMISSION", TO THE SAN BUENAVENTURA MUNICIPAL CODE."

8. CONSENT ITEMS (continued)

- b. Set the second reading and adoption of the Ordinance at the City Council's meeting of February 10, 2020.
- c. Direct the City Clerk to open recruitment for the Arts and Culture Commission.
- d. Direct staff to return to City Council with a recommendation on updates to the Library Advisory Commission's role, duties, and size.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, REPEALING CHAPTER 2.435, "CULTURAL AFFAIRS COMMISSION," OF THE SAN BUENAVENTURA MUNICIPAL CODE; REPEALING CHAPTER 2.445, "PUBLIC ART COMMISSION," OF THE SAN BUENAVENTURA MUNICIPAL CODE; AND ADDING CHAPTER 2.470, "ARTS AND CULTURE COMMISSION", TO THE SAN BUENAVENTURA MUNICIPAL CODE
ORDINANCE NO. 2020-____

ALTERNATE ORDINANCE FOR POSSIBLE ADOPTION

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, REPEALING CHAPTER 2.435, "CULTURAL AFFAIRS COMMISSION," OF THE SAN BUENAVENTURA MUNICIPAL CODE; REPEALING CHAPTER 2.440, "LIBRARY ADVISORY COMMISSION," OF THE SAN BUENAVENTURA MUNICIPAL CODE; REPEALING CHAPTER 2.445, "PUBLIC ART COMMISSION," OF THE SANBUENAVENTURA MUNICIPAL CODE; AND ADDING CHAPTER 2.470, "ARTS, CULTURE AND LIBRARY COMMISSION," TO THE SAN BUENAVENTURA MUNICIPAL CODE
ORDINANCE NO. 2020-____

8J. [Memorandum of Understanding and Services Agreement with Ventura Unified School District for Program Enrichment for After School Kids and After School Education and Safety After-School Programs](#)

Staff: Nancy O'Connor, Parks, Recreation and Community Partnerships
Director

RECOMMENDATION

- a. Authorize the Mayor or designee to execute the Memorandum of Understanding between the City and Ventura Unified School District for Program Enrichment for After School Kids after-school programming; July 1, 2019 to June 30, 2022.

8. CONSENT ITEMS (continued)

- b. Authorize the Mayor or designee to execute the After-School Grant Program and Services Agreement between the City and Ventura Unified School District for After School Education and Safety programming; July 1, 2019 to June 20, 2020.

8K. [Memorandum of Understanding - City of Ventura and Cycle California Coast Regarding the Establishment of a Formal Collaborative Relationship](#)

Staff: Phillip L. Nelson, Public Works Director

RECOMMENDATION

- a. Approve and authorize the Mayor to execute a Memorandum of Understanding between the City of Ventura and Cycle California Coast.
- b. Authorize an annual financial contribution to Cycle California Coast in the amount of \$1,000 per year.

8L. [Mound Well Number 3 Storm Drain and Transmission Line Project – Amendment to Contractor Change Order](#)

Staff: Phillip L. Nelson, Public Works Director

RECOMMENDATION

Approve and authorize an increase in contract funding of \$47,000 to the Construction Contract with Cedro Construction, Inc. for a new total contract amount of \$480,759.40.

8M. [Transmittal of the Proposed 2020-2026 Capital Improvement Plan](#)

Staff: Phillip L. Nelson, Public Works Director

RECOMMENDATION

Receive the Proposed Capital Improvement Plan for 2020-2026 in accordance to the City Charter.

8. CONSENT ITEMS (continued)

8N. Utilization of the City's State Water 2020 Carryover

Staff: Susan Rungren, Ventura Water General Manager

RECOMMENDATION

- a. Authorize sale of 1,000 acre-feet of the City's 2020 State Water Carryover to United Water Conservation District in exchange for \$53,470.
- b. Authorize the City Manager to execute the necessary agreements and documentation for the above subject to approval as to form by the City Attorney's Office.

12. FORMAL ITEMS

12A. Cannabis Policy Discussion

Staff: Barry Fisher, Deputy City Manager

RECOMMENDATION

- a. Provide staff direction on whether cannabis businesses should be allowed in the City and what restrictions should be implemented.
- b. Provide staff with direction on whether the City should place a cannabis tax measure on the ballot for the November 3, 2020 election.

12B. Policy Direction and Interim Urgency Ordinance Adoption for Accessory Dwelling Units

Requires 4/5THS – Six Affirmative Votes

Staff: Peter Gilli, Community Development Director

RECOMMENDATION

- a. Adopt an interim Urgency Ordinance for Accessory Dwelling Units.
- b. Direct staff to return on February 24, 2020 to conduct a Public Hearing to extend the interim Urgency Ordinance for Accessory Dwelling Units

14. PUBLIC NOTICES (continued)

**Planning Commission January 15, 2020 Actions: Approved
PROJ-13866 – DRC-9-19-52260, E-9-19-52262, W-9-19-52265**

Citrus III Multi-family Residential Project:

Request for an Amendment to extend the entitlement permits for an additional two years to a previously approved 43-unit, multi-family residential project on a 1.6-acre site located at 11101 Carlos Street; Chuck Miller, applicant; zoned Urban General (T4.10) and Commerce (C).

**Planning Commission January 15, 2020 Actions: Denied
PROJ-10997 – APL-11-19-52977**

Appeal for 3034 Serano Avenue Administrative Variance Denial:

Request for an Appeal of the denial of an Administrative Variance to permit an existing, non-compliant fence and hedges exceeding the maximum allowed height on parcel located 3034 Sereno Avenue in the Single Family (R-1-6) zone; Khris Kircher, applicant; Case No.: APL-11-19-52977.

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 22, 2020, at 5:30 p.m. in the City Clerk's Office, on the City Hall Public Notices Board and on the internet. Amended agenda posted January 24, 2020 at 4:30 p.m.