

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, MARCH 4, 2019

COUNCIL CHAMBERS, 501 POLI STREET, VENTURA

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 and Public Facilities Financing Authority when Successor Agency and Public Facilities Financing 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 and Public Facilities Financing 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 and Public Facilities Financing 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.

1. **CALL TO ORDER – REGULAR SESSION – 6:00 p.m.**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **SPECIAL PRESENTATIONS AND ANNOUNCEMENTS**

Proclamation – American Red Cross Month – March 2019

Proclamation – March 8, 2019 International Women’s Day

Green Business Recognition: J Wolf Catering and BBQ, Passport Habits and Salena Bracamontes State Farm Agency

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. [Approval of City Council Minutes – February 4, 2019, February 11, 2019 and February 25, 2019](#)

Staff: Antoinette M. Mann, City Clerk

RECOMMENDATION

Approve the Minutes of February 4, 2019, February 11, 2019 and February 25, 2019.

8. CONSENT ITEMS (continued)

8C. 2019 City Council Protocols Amendments

Staff: Antoinette M. Mann, City Clerk

RECOMMENDATION

- a. Adopt a Resolution amending the City Council Protocols entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING THE CITY COUNCIL PROTOCOLS FOR THE CONDUCT OF MEETINGS, POLICY MAKING, AND RELATED MATTERS TO REFLECT CHANGES DIRECTED AT THE JANUARY 19, 2019, SPECIAL CITY COUNCIL MEETING

- b. Adopt a Resolution to create the Standards of Operation Governing City Council Meetings entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, ESTABLISHING STANDARDS OF OPERATIONS GOVERNING CITY COUNCIL MEETINGS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING THE CITY COUNCIL PROTOCOLS FOR THE CONDUCT OF MEETINGS, POLICY MAKING, AND RELATED MATTERS TO REFLECT CHANGES DIRECTED AT THE JANUARY 19, 2019, SPECIAL CITY COUNCIL MEETING

RESOLUTION NO. 2019-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, ESTABLISHING STANDARDS OF OPERATIONS GOVERNING CITY COUNCIL MEETINGS

RESOLUTION NO. 2019-____

8. CONSENT ITEMS (continued)

8D. Designation of Voting Delegate – Southern California Association of Governments 2019 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 2019 Regional Conference and General Assembly.

8E. Councilmember Assignments – 2019 - Update

Introduced by: Mayor Matt LaVere

RECOMMENDATION

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

8F. Professional Services Agreement for Economic Base Analysis for the General Plan Update

Staff: Dave Ward, Interim Community Development Director

RECOMMENDATION

Authorize the Mayor to enter into Professional Services Agreement with Stanley R. Hoffman Associates to conduct an Economic Base Analysis for the General Plan Update and 2020-2025 Economic Development Strategy; not-to-exceed \$97,780; term March 5, 2019 – March 5, 2020.

8G. Additional Resources for Community Development – Third Amendment to Professional Services Agreement No. P2017-018 with Joyce Parker Bozylinski

Staff: Dave Ward, Interim Community Development Director

RECOMMENDATION

Authorize the Mayor to execute the Third Amendment to the Joyce Parker Bozylinski Professional Services Agreement No. P2017-018, dated August 16, 2016, adding \$15,000; for a new contract amount not-to-exceed \$59,605, extending the agreement from August 1, 2016 to June 30, 2020, and adjusting the schedule of compensation.

8. CONSENT ITEMS (continued)

8H. Mobile Home Rent Review Board Annual Report

Staff: Mary Eckman, Interim Finance and Technology Director

RECOMMENDATION

Receive the Mobile Home Rent Review Board Annual Report.

8I. Community Partnerships Granting Program – Awarding of Grants

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

RECOMMENDATION

- a. Approve the Community Partnerships grants as recommended, with funding as appropriated in the FY 2018-2019 Operating Budget.
- b. Appropriate funding for the second-year cycle as part of the FY 2019-2020 Operating Budget, contingent upon Council approved budget appropriations.
- c. Authorize the City Manager to approve and execute individual contracts with grant recipients.

8J. CAL FIRE Urban and Community Forestry Proposition 68 Parks and Water Bond Fund Grant Program Resolution

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

RECOMMENDATION

- a. Approve a resolution authorizing the City to submit an application to the California Department of Forestry and Fire Protection (CAL FIRE) for the Urban and Community Forestry Proposition 68 Grant Program requesting \$389,975 for Urban Forest Management and increasing the tree canopy in disadvantaged communities.
- b. Authorize the Parks, Recreation & Community Partnerships Director, by title, to act as the agent for the City to conduct all negotiations and execute and submit all documents, including, but not limited to, applications, contracts, amendments, payment requests, and compliance with all applicable current state and federal laws which may be necessary for the completion of the aforementioned.

8. CONSENT ITEMS (continued)

- c. Authorize the Finance and Technology Department to assign increased appropriations and revenues to the proper programs and accounts for their use as provided in the grant if the grant is awarded.

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN BUENAVENTURA FOR FUNDING FROM THE URBAN FORESTRY GRANT PROGRAM ENTITLED AS PROVIDED THROUGH THE CALIFORNIA PROPOSITION 568 BOND FUND

RESOLUTION NO. 2019-____

8K. City Fuel Pump Replacement Project Purchase Order Change Order

Staff: Mary Joyce Ivers, Interim Public Works Director

RECOMMENDATION

- a. Authorize the Mayor to execute Change Order Number 1 for the City Fuel Pump Replacement project, Purchase Order 100005624 with Puregreen Equipment Services, in the amount of \$116,149.41, increasing the total purchase order from \$132,704.90 to \$248,854.31.
- b. Authorize the City Manager to execute future change orders if needed to Puregreen Equipment Services for this purchase order in an amount not-to- exceed \$100,000 pursuant to Section 4.600.200 of the Municipal Code.

8L. Wastewater Plant – Headworks Building Demolition Award of Construction Contract

Staff: Mary Joyce Ivers, Interim Public Works Director

RECOMMENDATION

- a. Approve awarding of contract and authorize the Mayor to execute an agreement with the lowest responsive and responsible bidder, Standard Industries, Inc., for the Wastewater Plant – Headworks Building Demolition, Specification No. 2018-001, in the amount of \$194,721.
- b. Authorize the encumbrance of contingency funds for the project in the amount of \$19,472 for use by the Public Works Director as needed during construction.
- c. Authorize Finance and Technology to transfer and assign decreased appropriations to the proper funds, projects and accounts.

8. CONSENT ITEMS (continued)

8M. Wastewater Plant – Water Efficiency Landscape Improvements Award of Construction Contract

Staff: Mary Joyce Ivers, Interim Public Works Director

RECOMMENDATION

- a. Approve awarding of contract and authorize the Mayor to execute an agreement with the lowest responsive and responsible bidder, Clean Cut Landscape, Inc., for the Wastewater Plant – Water Efficiency Landscape Improvements Project, Specification No. 2017-024, in the amount of \$284,960.94.
- b. Authorize the encumbrance of contingency funds for the project in the amount of \$28,496 for use by the Public Works Director as needed during construction.
- c. Authorize Finance and Technology to transfer and assign increased appropriations to the proper funds, projects and accounts.

8N. Harbor Force Main – Seaward to Figueroa, Approval of Professional Services Agreement

Staff: Mary Joyce Ivers, Interim Public Works Director

RECOMMENDATION

Approve and authorize the Mayor to execute a Professional Services Agreement with Cannon Corporation for the engineering design services and engineering support during construction of the Harbor Force Main – Seaward to Figueroa, for an amount not-to-exceed \$303,000, plus a \$30,300 contingency; April 1, 2019 to March 31, 2020.

8O. License Agreement for XUS, LP, Owner of the Property at 204 East Main Street to Encroach into the Adjacent Public Right-of-Way

Staff: Mary Joyce Ivers, Interim Public Works Director

RECOMMENDATION

Authorize the Mayor to execute a License Agreement for ten years with XUS, LP, owner of the property at 204 East Main Street (Peirano's), to maintain a raised outdoor patio, trellis structure, landscape planters, and Americans with Disabilities Act access ramp that currently encroach into the public right-of-way adjacent to 204 East Main Street.

CITY COUNCIL AND SUCCESSOR AGENCY CONSENT ITEM

8P. Downtown Property-Based Business Improvement District Renewal and Petition Signature Request

Staff: Dave Ward, Interim Community Development Director

RECOMMENDATION

- a. Receive the attached documents from Downtown Ventura Partners regarding the renewal of the Downtown Property-Based Business Improvement District.
- b. Authorize the City Manager, representing the City of Ventura, to sign the Downtown Property-Based Improvement District Renewal petitions representing City owned properties.
- c. Authorize the Executive Director, representing the Successor Agency to the former Redevelopment Agency of the City of San Buenaventura, to sign the Downtown Property-Based Improvement District Renewal petition representing Successor Agency owned properties.

9. APPOINTMENTS TO COUNCIL ADVISORY GROUPS

9A. Appointments Recommendation – Ventura Port District Board

Introduced by: Councilmember Christy Weir

Approve the appointment of Jackie Gardina, Appointment Term of March 4, 2019 – June 30, 2020, to fill the unscheduled vacancy on the Ventura Port District Board.

11. PUBLIC HEARING ITEM

11A. Ordinance Amendment – Division 24 of the San Buenaventura Municipal Code to Create New Use Types and Definitions for “Firearm and Ammunitions Sales” and Amending the M-1, M-2 and MPD Zones to Permit Firearm and Ammunition Sales (PROJ-12723)

RECOMMENDATION

- a. Adopt the Negative Declaration Case No. OA-7-18-46110.

11. PUBLIC HEARING ITEM (continued)

- b. 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, AMENDING DIVISION 24 OF THE SAN BUENAVENTURA MUNICIPAL CODE TO CREATE NEW USE TYPES AND DEFINITIONS FOR "FIREARM AND AMMUNITION SALES" AND TO AMEND THE M-1, M-2, AND MPD ZONES TO PERMIT FIREARM AND AMMUNITION SALES

- c. Set the second reading of the Ordinance at the next regular City Council meeting of March 18, 2019.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING DIVISION 24 OF THE SAN BUENAVENTURA MUNICIPAL CODE TO CREATE NEW USE TYPES AND DEFINITIONS FOR "FIREARM AND AMMUNITION SALES" AND TO AMEND THE M-1, M-2, AND MPD ZONES TO PERMIT FIREARM AND AMMUNITION SALES

ORDINANCE NO. 2019-____

12. FORMAL ITEMS

12A. Council Chambers Technology Upgrade

Staff: Mary Eckman, Interim Finance and Technology Director and Antoinette M. Mann, City Clerk

RECOMMENDATION

- a. Authorize the Mayor to execute a Professional Services Agreement with Western Audio Visual to upgrade the City Council Chamber Audio-Visual system in an amount not-to-exceed \$294,864.70; for a term: March 4, 2019 to March 4, 2020.
- b. Authorize the Finance and Technology Department to appropriate Public Education Government Access (PEG) funds in the amount \$294,865 for the Audio-Visual equipment/system in the Council Chambers.

12. FORMAL ITEMS (continued)

12B. Purchase of Two Fire Engines

Staff: Mary Joyce Ivers, Interim Public Works Director

RECOMMENDATION

- a. Authorize the Mayor to execute a purchase order not to exceed \$1,494,714, which includes a discount of \$10,000, to South Coast Fire Equipment, Inc. (South Coast) for the purchase of two 2019 Pierce Fire Engines to replace a 1998 and a 2000 Fire Engine including applicable taxes and a Performance Bond.
- b. Authorize the City Manager to execute an amendment or change order to South Coast Fire Equipment, Inc. for this purchase order in a contingency amount not to exceed \$100,000 pursuant to Section 4.600.200 of the Municipal Code.
- c. Authorize \$140,000 to purchase Fire Suppression Tools and Equipment to outfit the two fire engines.
- d. Increase appropriations by \$429,715 from the Fire Apparatus Replacement Fund Balance and authorize the Finance and Technology Department to increase appropriations and revenues to the proper fund, project and accounts for the purchase of the two fire engines.

12C. Policy Direction for Revised Cannabis Ordinance in the City of Ventura and Development of Implementing Regulations

Staff: Gregory G. Diaz, City Attorney
Ken Corney, Police Chief
Dave Ward, Interim Community Development Director
Mary Eckman, Interim Finance and Technology Director

RECOMMENDATION

Consider revision of the City's cannabis ordinance based upon the recent adoption of new State rules and provide policy direction to City staff.

7. PUBLIC COMMUNICATIONS

14. PUBLIC NOTICES

Items listed under Public Notices are a matter of public record only. These items do not require City Council action.

[Recent Decisions of the Design Review Committee](#)

Design Review Committee February 20, 2019 Action: Approved PROJ-4428 – Case No. DRC-2-19-48946 & SV-6-18-45652

Formal Design Review of a Sign Variance to increase the maximum allowed sign area for a single tenant from 100 square feet to 794.88 square feet to install 3 – business identification signs, each sign is 159.96 square feet and 3 – decorative accessory signs, each 105 square feet placed on the north, south, and west building elevations of an existing 38,000 square foot commercial building located on a 1.33 acre parcel within the approximately 60 acre Pacific View Mall property at 3350 Telegraph Road; Megahertz Electric Signs and Lighting, applicant; Intermediate Commercial (C-1A) Zone.

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, February 27, 2019, at 5:30 p.m. in the City Clerk's Office, on the City Hall Public Notices Board and on the internet.