

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 30, 2020
CLOSED SESSION – 5:00 P.M.
REGULAR MEETING – 6:00 P.M.

IN ACCORDANCE WITH THE CALIFORNIA GOVERNOR'S EXECUTIVE STAY AT HOME ORDER AND THE COUNTY OF VENTURA HEALTH OFFICER DECLARED LOCAL HEALTH EMERGENCY AND BE WELL AT HOME ORDER RESULTING FROM THE NOVEL CORONAVIRUS (COVID-19), CITY HALL IS CLOSED TO THE PUBLIC. TO FIND OUT HOW YOU MAY ELECTRONICALLY ATTEND THE CITY COUNCIL MEETING AND PROVIDE PUBLIC COMMENT PLEASE REFER TO PAGE 2 OF THIS AGENDA.

PUBLIC PARTICIPATION OPTIONS to help reduce the spread of COVID-19:

1. Join a **WebEx meeting LIVE**. :
<https://cityofventura.webex.com/cityofventura/onstage/g.php?MTID=e4203573f2a89d2676134eea567b88ea6>
2. Watch **live streaming** or an archived video <https://www.cityofventura.ca.gov/718/Videos>
Cable TV - Channel 15, live and replayed as listed on CAPS media schedule.
3. Submit your comments via email **by 4:00 p.m. on the City Council meeting day**. Please submit your comment to the City Clerk using this form <https://www.cityofventura.ca.gov/1829/City-Council-Meeting-Electronic-Comment-> or send an email to cityclerk@cityofventura.ca.gov (up to 1000 characters) When sending an email, please indicate in the Subject Line, the Agenda item number (i.e. Item No. 8A). Your form/email will be read by City Council and placed into the item's record at the meeting.
4. When watching the live stream or WebEx meeting, submit a Public Comment (item 7) for items not on the day's agenda or comments on a specific agenda item as it is being heard, submit your comment to the City Clerk using this form <https://www.cityofventura.ca.gov/1829/City-Council-Meeting-Electronic-Comment-> or send an email to cityclerk@cityofventura.ca.gov (up to 1000 characters). Every effort will be made to read your comment into the record, but some comments may not be read due to time limitations. All comments received by the conclusion of the agenda item will be made part of the record.

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. **Refer to box above on how to submit**

comments, including public comments, to City Council before and during a live meeting.

Administrative Reports relating to this agenda are available 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 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: *Montano v. The Garage Bar, City of Ventura*

VCSC CASE NO.: 56-2019-00533795-CU-PO-VTA

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

2. CONFERENCE WITH LABOR NEGOTIATORS

City Negotiators: Alex D. McIntyre, City Manager and Elizabeth Foushee, Human Resources Director

Employee Organizations:

- a. Service Employees International Union (SEIU) Local 721
CTW, CLC, representing “G” (General), “S” (Supervisory),
and “Q” (Professional) Units
- b. Ventura Maintenance Employees Association (VMEA)
- c. Ventura Fire Management Association (VFMA)
- d. Ventura City Firefighters’ Association (VCFA)
- e. Ventura Police Management Association (VPMA)
- f. Ventura Police Officers’ Association (VPOA)
- g. Unrepresented employees

Authority: Government Code Section 54957.6

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. COVID-19 Status 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.

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. Request for Authorization to Extend Outside Counsel Services

Staff: Gregory G. Diaz, City Attorney

RECOMMENDATION

Authorize the City Attorney to enter into an extended legal services agreement with Nossaman, LLP for legal services regarding compliance with the Consent Decrees and the National Pollutant Discharge Elimination System permit, and obtaining other regulatory permits, in an amount not to exceed an additional \$200,000 to continue representation of the City.

8C. Designation of Agents for Governor’s Office of Emergency Services

Staff: Michael Coon, Finance and Technology Director

RECOMMENDATION

Approve a resolution designating the Finance and Technology Director, Accounting Manager, and the Emergency Services Manager as agents for the City of San Buenaventura with the Governor’s Office of Emergency Services.

RESOLUTION DESIGNATION OF APPLICANTS AGENT RESOLUTION FOR NON-STATE AGENCIES FOR THE CITY OF SAN BUENAVENTA FOR CAL OES ID NO 111-65042-00 RESOLUTION NO. 2020-_____

8. CONSENT ITEMS (continued)

8D. [City Workforce Update in Response to COVID-19 Pandemic](#)

Staff: Elizabeth Foushee, Human Resources Director

RECOMMENDATION

Receive and file the report.

8E. [Ordinance for Second Reading – Prohibiting Release of Balloons](#)

Staff: 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 Prohibiting Release of Balloons.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING CHAPTER 8.260, "BALLOON RELEASES," OF THE SAN BUENAVENTURA MUNICIPAL CODE TO PROHIBIT BALLOON RELEASES WITHIN THE CITY
ORDINANCE NO. 2020-_____

CITY COUNCIL/SUCCESSOR AGENCY CONSENT ITEM

8F. [Declaration of Surplus Property – Site 7](#)

Staff: Alex D. McIntyre, City Manager

RECOMMENDATION

- a. City Council to adopt a resolution contingently declaring City-owned parcels APN 073-0-041-190 and APN 073-0-041-030 to be surplus properties.
- b. Successor Agency to adopt a resolution declaring Successor Agency-owned parcels 073-0-041-160 and 073-0-041-040 to be surplus properties.

CITY COUNCIL/SUCCESSOR AGENCY CONSENT ITEM (continued)

8. CONSENT ITEMS (continued)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, DECLARING TWO REAL PROPERTY PARCELS IDENTIFIED AS APN 073-0-041-190 AND APN 073-0-041-030 TO BE SURPLUS RESOLUTION NO. 2020-_____

A RESOLUTION OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, DECLARING TWO REAL PROPERTY PARCELS IDENTIFIED AS APN 073-0-041-160 AND APN 073-0-041-040 TO BE SURPLUS RESOLUTION NO. 2020-_____

11. PUBLIC HEARING ITEM

11A. [2020-2026 Capital Improvement Plan Adoption](#)

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

- a. Conduct a public hearing on the Fiscal Years 2020-2026 Capital Improvement Plan.
- b. Adopt a Resolution Temporarily Designating the City Council as the Planning Agency for the Limited Purpose of Determining the Consistency of the Capital Improvement Program with the Comprehensive and General Plans and Adopting a Statement of Consistency for the Proposed Capital Improvement Plan.
- c. Adopt a Resolution adopting the Fiscal Years 2020-2026 Capital Improvement Plan excluding Project Numbers 69030, 97941, 73121, 73117, and 73113. Adopt the Resolution that adopts the Fiscal Years 2020-2026 Capital Improvement Plan excluding project numbers Projects 69030 – Pierpont Neighborhood Stormwater Lift Stations, 97941- Waterline Replacement – Pierpont Lanes; and 73121 Waterline – Abandon 8-inch Bike Path Line , Project 73117 – Tank – 860 Zone Storage, and Project 73113 – Waterline 210/260 Zone Pipeline Realignment.
- d. Adopt Resolutions approving the Fiscal Years 2020-2026 Capital Improvement Plan for specific projects, allowing potential conflicts of interests for City Councilmembers to be addressed:

11. PUBLIC HEARING ITEM (continued)

1. Adopt the Resolution that approves Projects 69030 – Pierpont Neighborhood Stormwater Lift Stations, 97941- Waterline Replacement – Pierpont Lanes; and 73121 Waterline – Abandon 8-inch Bike Path Line in the Fiscal Years 2020-2026 Capital Improvement Plan.
2. Adopt the Resolution that approves Project 73117 – Tank – 860 Zone Storage in the Fiscal Years 2020-2026 Capital Improvement Plan.
3. Adopt the Resolution that approves Project 73113 – Waterline 210/260 Zone Pipeline Realignment in the Fiscal Years 2020-2026 Capital Improvement Plan.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, TEMPORARILY DESIGNATING THE CITY COUNCIL AS THE PLANNING AGENCY FOR THE LIMITED PURPOSE OF DETERMINING THE CONSISTENCY OF THE CAPITAL IMPROVEMENT PLAN WITH THE COMPREHENSIVE AND GENERAL PLANS AND ADOPTING A STATEMENT OF CONSISTENCY FOR THE PROPOSED CAPITAL IMPROVEMENT PLAN

RESOLUTION NO. 2020- _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, ADOPTING THE CAPITAL IMPROVEMENT PLAN FOR FISCAL YEAR 2020 – 2026, EXCLUDING PROJECT NUMBERS 69030, 97941, 73121, 73117, AND 73113

RESOLUTION NO. 2020- _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, ADOPTING PROJECT NUMBERS 69030, 97941, 73121 IN THE CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS 2020-2026

RESOLUTION NO. 2020- _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, ADOPTING PROJECT NUMBER 73117 IN THE CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS 2020-2026

RESOLUTION NO. 2020- _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, ADOPTING PROJECT NUMBER 73113 IN THE CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS 2020-2026

RESOLUTION NO. 2020- _____

12. FORMAL AGENDA ITEMS

- 12A. [An Emergency Ordinance Suspending Automatic Approval Deadlines for All Land Use, Subdivision, and Zoning Applications, Applications for Installation of Wireless Telecommunication Equipment and Issuance of Building Permits](#)

4/5 Vote is required for the Emergency Ordinance to Pass

Staff: Gregory G. Diaz, City Attorney

RECOMMENDATION

Introduce and adopt the Emergency Ordinance after making the findings required by the Charter. Emergency Ordinance titled:

"AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, SUSPENDING AUTOMATIC APPROVAL DEADLINES FOR ALL LAND USE, SUBDIVISION, AND ZONING APPLICATIONS, APPLICATIONS FOR INSTALLATION OF WIRELESS TELECOMMUNICATION EQUIPMENT, AND ISSUANCE OF BUILDING PERMITS"

AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, SUSPENDING AUTOMATIC APPROVAL DEADLINES FOR ALL LAND USE, SUBDIVISION, AND ZONING APPLICATIONS, APPLICATIONS FOR INSTALLATION OF WIRELESS TELECOMMUNICATION EQUIPMENT, AND ISSUANCE OF BUILDING PERMITS ORDINANCE NO. 2020-_____

- 12B. [Consideration of Temporary Eviction Moratorium Ordinance](#)

4/5 Vote is required for the Emergency Ordinance to Pass

Staff: Gregory G. Diaz, City Attorney

RECOMMENDATION

Introduce and adopt as an Emergency Ordinance after making the findings required by the Charter the Emergency Ordinance, title as follows:

"AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, ADDING CHAPTER 6.1020, 'TEMPORARY EVICTION MORATORIUM,' TO THE SAN BUENAVENTURA MUNICIPIAL CODE AND DECLARING THE URGENCY THEREOF" AN EMERGENCY ORDINANCE OF THE CITY

12. FORMAL AGENDA ITEMS (continued)

COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA,
ADDING CHAPTER 6.1020, 'TEMPORARY EVICTION MORATORIUM,'
TO THE SAN BUENAVENTURA MUNICIPAL CODE AND DECLARING
THE URGENCY THEREOF ORDINANCE NO. 2020-_____

7. PUBLIC COMMUNICATIONS

Refer to Page 2 of the Agenda on how to submit your Public Comments electronically to the City Clerk

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 Friday, March 27, 2020, at 9:00 a.m. on the internet and public notice board at City Hall