

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, APRIL 8, 2019

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 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.

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: *Topper v. Ventura County Animal Services, et al.*
VCSC Case No. 56-2017-00501883-CU-WM-VTA
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 - Sespe District - Ventura County Council, Boys Scouts of America

4. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS

- Sespe District - Ventura County Council, Boys Scouts of America – Eagle Scouts Recognition
- Proclamation – National Library Week – April 7-13, 2019
- Proclamation – Fair Housing Month – April 2019
- Dee Dowell Scholarship Fundraiser - Eco Extreme Mud Challenge Presentation - Ventura Police Officer's Association

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 – March 4, 2019

Staff: Antoinette M. Mann, City Clerk

RECOMMENDATION

Approve the City Council Minutes of March 4, 2019.

8C. Consideration of Request to Extend Outside Counsel Services [Best, Best & Krieger, LP] to Assist with Land Use Planning Law Services on an Interim Basis

Staff: Gregory G. Diaz, City Attorney

RECOMMENDATION

Authorize the City Attorney to execute a First Amendment to the Agreement with the law firm Best, Best and Krieger, LLP in an amount not-to-exceed an additional \$43,500 to continue to provide Land Use Planning Law Services on an interim basis.

8. CONSENT ITEMS (continued)

8D. Bridge Preventive Maintenance Project – Authorization to Execute Professional Services Agreement and Apply for Grant

Staff: Mary Joyce Ivers, Interim Public Works Director

RECOMMENDATION

- a. Approve the award of contract and authorize the Mayor to execute a Professional Services Agreement with TY Lin International to provide consultant services for preparation of project plans, specifications, and estimate for Bridge Preventive Maintenance for Measure O, Project Number 69022, in the amount of \$67,696; and the encumbrance of contingency funds for the project in the amount not-to-exceed \$6,796 for a total amount not-to-exceed \$74,592.
- b. Authorize the City Manager, or designee, to apply for and accept up to \$1.2 million in grant funds from the California Department of Transportation (Caltrans) Bridge Preventive Maintenance Program through the Federal Highway Administration for the purpose of bridge maintenance.
- c. Authorize the City Manager or designee, to act as agent for the City to conduct all negotiations and execute and submit all documents, including, without limitation, applications, agreements, amendments, and billing statements that may be necessary to accept the grant and complete the project.
- d. Authorize the Finance and Technology Department to assign appropriations to the proper funds, projects and accounts as they pertain to the grant, if accepted.

8E. Approval of Fiscal Year 2019-2020 State Road Repair and Accountability Act of 2017 Project List and Appropriate Funding (SB 1)

Staff: Mary Joyce Ivers, Interim Public Works Director

RECOMMENDATION

- a. Approve the Fiscal Year 2019-2020 Road Repair and Accountability Act of 2017 project list.
- b. Adopt a resolution for the Fiscal Year 2019-2020 Project List to add project(s) on the Road Repair and Accountability Act of 2017 project list.

8. CONSENT ITEMS (continued)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, ADOPTING THE FISCAL YEAR 2019-2020 LIST OF PROJECTS FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT RESOLUTION NO. 2019-____

8F. Mound Well 3 – Stormdrain and Transmission Line - Award of Construction Contract

Staff: Mary Joyce Ivers, Interim Public Works Director

RECOMMENDATION

- a. Approve the award of contract and authorize the Mayor to execute an agreement with the lowest responsive and responsible bidder Cedro Construction, Inc., for the Mound Well 3 – Stormdrain and Transmission Line, Specification No. 2015-126, in the amount of \$433,759.40.
- b. Authorize the encumbrance of contingency funds for the project in the amount not to exceed \$43,376.00 subject to approval by the Public Works Director during construction.

8G. Increase in Blanket Purchase Order Limit for Kadance Corporation

Staff: Susan Rungren, Interim Ventura Water General Manager

RECOMMENDATION

Approve an increase to the Fiscal Year 2018-19 Blanket Purchase Order by \$18,000 for Kadance Corporation for the supply of specialized biological additive in sewer collection system to aid in controlling sulfide formation within the wastewater system from \$247,000 to \$265,000.

8. CONSENT ITEMS (continued)

8H. 2019 Bureau of Reclamation WaterSMART: Water and Energy Efficiency Grants Resolution

Staff: Susan Rungren, Interim Ventura Water General Manager

RECOMMENDATION

- a. Adopt a resolution authorizing the Ventura Water General Manager, or designee, to apply for, receive grant funds, enter into a cooperative agreement, and administer a grant for up to \$1,500,000 for the 2019 Bureau of Reclamation WaterSMART: Water and Energy Efficiency Grants Program.
- b. Authorize the Ventura Water General Manager, or designee, to act as agent for the City to conduct all negotiations, execute and submit all documents, including, without limitation, applications, agreements, amendments, and billing statements that may be necessary to accept these grants and complete the project under the grant.
- c. Authorize Finance and Technology to assign increased appropriations to the proper funds, projects and accounts if the grant is awarded.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AUTHORIZING THE VENTURA WATER GENERAL MANAGER, OR DESIGNEE, TO APPLY FOR, RECEIVE FUNDS, ENTER INTO A COOPERATIVE AGREEMENT, AND ADMINISTER A GRANT FOR THE 2019 BUREAU OF RECLAMATION WATER AND ENERGY EFFICIENCY GRANT

RESOLUTION NO. 2019-____

11. PUBLIC HEARING ITEMS

11A. 2019-2020 Community Development Block Grant Funding Availability and Requests for Funding

Staff: Dave Ward, Interim Community Development Director

RECOMMENDATION

- a. Conduct a public hearing to receive public testimony regarding the 2019-2020 Community Development Block Grant funding requests, and;
- b. Receive and provide comments on the 2019-2020 Community Development Block Grant funding requests.

11B. 2019 Home Investment Partnerships Program Expiring Funds Funding Plan

Staff: Dave Ward, Interim Community Development Director

RECOMMENDATION

- a. Conduct a public hearing and receive public testimony.
- b. Adopt a Resolution approving the 2019 Home Investment Partnerships Program Expiring Funds Funding Plan.
- c. Authorize the Interim Community Development Director to execute a Loan Agreement to the Housing Authority of the City of San Buenaventura for Westview Village, Phase I.
- d. Authorize the Interim Finance and Technology Director to make the necessary changes to revenues and expenditures in Fund 32 to reflect the allocation and expenditure plan within the attached Resolution.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA AUTHORIZING THE HOME INVESTMENT PARTNERSHIPS ACT (HOME) PROGRAM EXPIRING FUNDS FUNDING PLAN
RESOLUTION NO. 2019-_____

12. FORMAL ITEMS

12A. Safe and Clean Presentation

Staff: Ken Corney, Police Chief

RECOMMENDATION

Receive a presentation updating the City's Safe and Clean efforts.

12B. Consideration of Emergency Ordinance Relating to the Regulation of Small Wireless Facilities

Staff: Mary Joyce Ivers, Interim Public Works Director

RECOMMENDATION

Adopt by a four-fifths vote, an emergency ordinance, titled:

“AN EMERGENCY ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, PROVIDING ADMINISTRATIVE AUTHORITY TO THE CITY MANAGER TO APPROVE SMALL WIRELESS FACILITIES CONSISTENT WITH THE ADMINISTRATIVE GUIDELINES TO BE PROMULGATED BY THE CITY MANAGER CONSISTENT WITH APPLICABLE FEDERAL LAWS”

AN EMERGENCY ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, PROVIDING ADMINISTRATIVE AUTHORITY TO THE CITY MANAGER TO APPROVE SMALL WIRELESS FACILITIES CONSISTENT WITH THE ADMINISTRATIVE GUIDELINES TO BE PROMULGATED BY THE CITY MANAGER CONSISTENT WITH APPLICABLE FEDERAL LAWS
ORDINANCE 2019-_____

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 Planning Commission and Design Review Committee:

14. PUBLIC NOTICES (continued)

**Planning Commission March 13, 2018 Action: Approved
PROJ-12985 – Case No. UP-10-18-47698**

Alcohol Use Permit allowing an ABC License Type 47 (On-Sale General for Bona Fide Public Eating Place) that would allow an alcoholic beverage establishment for a new restaurant, Finney's Crafthouse and Kitchen. Alcohol sales and service are requested to occur Sunday through Saturday 9:00 AM to 1:00 AM, food service would cover the same hours. The restaurant will occupy a 5,113 square-foot tenant space, which includes a 4,050 square-foot ground floor and 1,063 square-foot mezzanine, on the first floor of a four-story, 17,775 square-foot commercial building. The customer service areas will include 903 square-feet in the mezzanine and 1,790 square-feet on the ground floor. The building occupies a 5,000 square-foot parcel at 494 East Main Street; Steve Rawlings, applicant; Urban Core (T6.1) Zone.

**Design Review Committee March 20, 2019 Action: Approved
PROJ-12758 – Case No. DRC-12-18-48184 & PDA-12-18-48186**

Formal Design Review for the demolition of a 15,650 square-foot portion of an existing 153,204 square-foot one-story retail shopping center (Poinsettia Plaza) and construction of a new 19,353 square-foot building in its place to house an ALDI grocery store, resulting in a 156,907 square-foot shopping center. The project includes a concurrent minor variance request to reduce the rear yard setback from 20 feet to 2 feet along the western property line and a variance to allow an 8-foot-high wall in the same location to accommodate and screen the new loading dock associated with the ALDI addition. The parking lot would be modified to incorporate pedestrian paths that would reduce the number of vehicle parking spaces from 626 to 615 vehicle parking spaces while providing 54 bike parking spaces. Work also includes comprehensive façade refurbishments for the remaining buildings and comprehensive landscaping improvements throughout the approximately 11.66 acres project site across 4 parcels located at 4250, 4300, 4360 East Main Street and 4673, 4687, 4711, 4731 Telephone Road in the Commercial Planned Development (CPD) Zone.

**Design Review Committee March 20, 2019 Action: Approved
PROJ-12937 – Case No. DRC-10-18-47344 & SV-10-18-47345**

Formal Design Review for a new Sign Program and a Sign Variance to increase the maximum allowed sign area from one 20 square-foot per tenant to two 40 square-foot and one 49 square-foot signs the north façade and three 20 square-foot signs on the south façade of an existing two-story, 37,340 square-foot office building on a 77,201 square-foot lot located at 1500 Palma Drive in the Manufacturing Planned Development (MPD) zone.

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, April 3, 2019, at 5:30 p.m. in the City Clerk's Office, on the City Hall Public Notices Board and on the internet.