

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
5/3/19
CORRECTED
TYPOGRAPHICAL
ERROR - CONSENT
ITEM HEADER

REGULAR MEETING

MONDAY, MAY 6, 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: Magaña v. City of San Buenaventura

Workers' Compensation Appeals Board Numbers: ADJ11327996

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

2. CONFERENCE WITH LEGAL COUNSEL

Significant Exposure to Litigation: Two Cases

Authority: Government Code Section 54956.9(d)(2)

CS5. ADJOURNMENT

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

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS

- Recognition – Arroyo Verde Park Trails – Boy Scout Troop 111, Ventura, CA
- Green Business Recognition: Ecugreen, Harvest Café and Central Coast Center for Integrative Health
- Recognition – Sharon Troll
- Presentation of Certificate – Special Olympics Torch Run

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 Minutes – March 18, 2019, March 25, 2019 and April 15, 2019](#)

Staff: Antoinette M. Mann, City Clerk

RECOMMENDATION

Approve the Minutes for March 18, 2019, March 25, 2019 and April 15, 2019.

8C. [Request for Authorization to Extend Outside Counsel Services with the law firm of Colantuono, Highsmith & Whatley, PC for the Pending Litigation Matter City of San Buenaventura v. United Water Conservation District](#)

Staff: Gregory G. Diaz, City Attorney

RECOMMENDATION

Authorize the City Attorney to enter into an extended legal services agreement with the law firm of Colantuono, Highsmith, & Whatley, PC in an amount not to exceed an additional \$30,000 to continue representation of the City in the litigation matter City of San Buenaventura v. United Water Conservation District.

8. CONSENT ITEMS (continued)

8D. [Payment Authorization - SoftChoice Corporation](#)

Staff: Mary Eckman, Interim Finance and Technology Director

RECOMMENDATION

Authorize the City Manager to approve payment in the amount of \$40,260.00 to SoftChoice Corporation for the additional licenses required to maintain the Microsoft Enterprise Agreement before a new contract is issued through a competitive bidding process later this year.

8E. [Beachfront Parking Structure – Structural Analysis Professional Services Agreement](#)

Staff: Mary Joyce Ivers, Interim Public Works Director

RECOMMENDATION

Approve and authorize the City Manager to execute a Professional Services Agreement with Cannon Corporation for the structural analysis of the Beachfront Parking Structure for \$76,600, plus an \$8,000 contingency' for an amount not-to-exceed \$84,600

8F. [Telegraph Road Anacapa Middle School Safe Routes to School Project–Award of Construction Contract and Increase Project Funding](#)

Staff: Mary Joyce Ivers, Interim Public Works Director

RECOMMENDATION

- a. Approve awarding of contract and authorize the Mayor to execute an agreement with the responsive and responsible bidder, Toro Enterprises, Inc., for the road widening and repaving on Telegraph Road between Mills Road and Ashwood Avenue, installation of flashing beacons, and new traffic signal system, Specification No. 2016-032, in the amount of \$1,913,525.
- b. Authorize the encumbrance of contingency funds for the project in the amount of \$191,353 for use by the Public Works Director as needed during construction.
- c. Increase project funding by \$1,666,942 in appropriations from Gas Tax Fund 12 (2106/2107) and authorize Finance and Technology staff to assign increased appropriations to the proper funds, project and accounts.

8. CONSENT ITEMS (continued)

8G. [Surfer's Point Managed Retreat, Phase 2 – Authorization to Execute Cooperative Agreement](#)

Staff: Mary Joyce Ivers, Interim Public Works Director

RECOMMENDATION

- a. Amend the Fiscal Year 2018-2024 Capital Improvement Plan to add Surfers Point – Phase II (72502).
- b. Authorize the Mayor to execute a Cooperative Agreement with Beach Erosion Authority for Oceans and Nourishment allowing the use of Proposition 1 Grant Funding (P01-2-07) for the City to perform the final design for Surfer's Point Managed Retreat, Phase 2, in the amount not-to-exceed \$354, 365.
- c. Authorize the Finance and Technology Department to assign appropriations to the proper fund, project, and accounts for this CIP project if the grant is approved.

8H. [Surfer's Point Managed Retreat, Phase 2 – Authorization to Execute Professional Services Agreement](#)

Staff: Mary Joyce Ivers, Interim Public Works Director

RECOMMENDATION

- a. Authorize the Mayor to execute a Professional Services Agreement with RRM Design Group to provide consultant services for the final design of Surfers Point Managed Retreat-Phase 2, Project Number 72502, in the amount of \$296,593, and authorize the encumbrance of contingency funds in the amount of \$57,772 for a total encumbrance not-to-exceed amount of \$354,365.
- b. Authorize the Finance and Technology Department to assign appropriations to the proper fund, project, and accounts for this CIP project if the grant is approved.

8. CONSENT ITEMS (continued)

8I. [Barranca Vista Center Repairs and Refurbishment, 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, Tomar Construction, Inc., for the Barranca Vista Center Repairs and Refurbishment Project, Specification No. 2018-002, in the amount of \$478,000.
- b. Authorize the encumbrance of contingency funds for the project in the amount of \$47,800 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.

8J. [Authorization for Cash Advance and Repayment with the Upper Ventura River Groundwater Agency](#)

Staff: Susan Rungren, Interim Ventura Water General Manager

RECOMMENDATION

Authorize the City Manager to execute an agreement with the Upper Ventura River Groundwater Agency to provide up to \$45,000 for administrative costs associated with the development of a Groundwater Sustainability Plan.

11. PUBLIC HEARING ITEMS

11A. [Adoption of the 2019-2020 Annual Action and Funding Plan – Community Development Block Grant and HOME Investment Partnerships Programs](#)

Staff: Peter Lyons, Interim Community Development Director

RECOMMENDATION

- a. Conduct a public hearing and receive public testimony.

11. PUBLIC HEARING ITEMS (continued)

- b. Adopt the Resolution approving the 2019-2020 Annual Action and Funding Plan for Community Development Block Grants and HOME Investment Partnership Grants.
- c. Authorize the City Manager to submit the Action and Funding Plan to the U.S. Department of Housing and Urban Development and to execute all appropriate certifications.
- d. Authorize the Community Development Director, to include the Interim Community Development Director, to execute Subrecipient and Loan Agreements, as necessary, for 2019-2020 CDBG funding, and to adjust funding of a project as needed and according to the Citizen Participation Plan, including making adjustments for the allocation and expenditure of prior and current year program income up to ten percent (10%) per project.
- e. Authorize Finance and Technology to make necessary changes to revenues and expenditures in the 2019-2020 operating budget per the approved Action and Funding Plan.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA ADOPTING THE 2019-2020 ANNUAL ACTION AND FUNDING PLAN, AND AUTHORIZING THE CITY MANAGER TO APPLY FOR COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME FUNDING
RESOLUTION NO. 2019-___

11B. [Issuance of Tax-Exempt Obligations Not to Exceed \\$25,000,000 for the 50-Unit Affordable Multi-Family Rental Housing Willett Ranch, a Senior Apartment Project](#)

Staff: Peter Lyons, Interim Community Development Director

RECOMMENDATION

- a. Conduct a Tax Equity and Fiscal Responsibility Act Public Hearing in relation to Willett Ranch.
- b. Adopt a Resolution approving issuance by the Housing Authority of the City of San Buenaventura (herein referred to as the "Housing Authority") of tax-exempt obligations not to exceed \$25,000,000 to assist the yet-to-be-formed California Limited Partnership in the new construction of 50 apartments located at 54 and 55 Willett Street (formerly 2686 North Ventura Avenue).

11. PUBLIC HEARING ITEMS (continued)

- c. Designate the yet-to-be-formed California limited partnership as the owner of the development. The partnership will be composed of a Managing General Partner (Homecomings, Inc., a non-profit affiliate of the Housing Authority, will be the sole member of the LLC general partner) and a tax credit investor limited partner.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA APPROVING THE ISSUANCE OF TAX-EXEMPT OBLIGATIONS BY THE HOUSING AUTHORITY OF THE CITY OF SAN BUENAVENTURA FOR THE WILLETT SENIOR APARTMENTS
RESOLUTION NO. 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](#)

Planning Commission April 10, 2019 Action: Approved PROJ-11664 – Case No. UP-7-17-41154 & UP-7-17-41259

Request for a Bar, Tavern, Night Club Use Permit that will allow live music entertainment and an ABC License Type 48 (On-Sale General for Public Premise) that will allow an alcoholic beverage establishment for The Grape. Live music entertainment and alcohol sales will occur daily from 10:00 a.m. to 12:00 midnight. The Grape will occupy a 6,131 square-foot tenant space within an approximately 10,000 square-foot building on a 14,336 square-foot parcel located at 2733 East Main Street with a split zoning consisting of the Urban Center (T5.2) and Special District Hospital 1 (SD-H1).

Design Review Committee April 17, 2019 Action: Approved PROJ-10662– Case No. DRC-11-18-48014

Formal Design Review for an Amendment to a previously approved Façade Modification for an existing two-story, 6,262 square foot commercial building on a 0.40-acre parcel located at 2301 South Victoria Avenue; Main Street Architects + Planners, Inc., applicant; Urban General (T4.9), Parkway Overlay 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 Thursday, May 2, 2019, 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 May 3, 2019 at 3:30 p.m.