

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, JULY 15, 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: *Howard v. City of San Buenaventura* Ventura Superior Court  
Case No.: 56-2016-00489832-CU-EI-VTA  
Authority: Government Code §54956.9(d)(1)
  
2. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**  
Property: 505 Poli Street, 4 & 5th Floors, Ventura, California  
Agency Negotiator: Alex D. McIntyre, City Manager  
Estelle Bussa, Economic Development Manager  
Negotiating Parties: TTD by and through Carlo Brignardello of Cresa  
Under Negotiation: Price (Rent) and Terms of Payment of a Lease  
Authority: Government Code Section 54956.8

**CS5. ADJOURNMENT**

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1. **CALL TO ORDER – REGULAR SESSION – 6:00 p.m.**
  2. **ROLL CALL**
  3. **PLEDGE OF ALLEGIANCE**
  4. **SPECIAL PRESENTATIONS AND ANNOUNCEMENTS**
  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 – May 6, 2019 (Amended), June 3, 2019, June 10, 2019 and June 24, 2019**

Staff: Antoinette M. Mann, City Clerk

### RECOMMENDATION

City Council approve the City Council Minutes for May 6, 2019 (amended), June 3, 2019, June 10, 2019 and June 24, 2019.

**8C. Proposition 68 Statewide Park Development and Community Revitalization Program Grant Resolution**

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

### RECOMMENDATION

- a. Adopt a resolution authorizing the City to submit an application to the State of California Department of Parks and Recreation Office of Grants and Local Services for the Proposition 68 Statewide Park Development and Community Revitalization Program requesting \$2 million dollars for expansion of the skatepark at Westpark.
- 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.
- d. Amend the Fiscal Year 2018-2024 Capital improvement Plan to update project 71043 funding status from Unfunded Pending Project to Potential Grant funded project and increase the cost of the project from \$1.6 million to \$2 million dollars.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, APPROVING THE APPLICATION FOR STATEWIDE PARK DEVELOPMENT AND COMMUNITY REVITALIZATION PROGRAM GRANT FUNDS

RESOLUTION NO. 2019-\_\_\_

**8D. [Waterline Replacement Project – Ondulando Area Phase 4 – Authorization to Amend Construction Contract](#)**

Staff: Phillip Nelson, Public Works Director

**RECOMMENDATION**

- a. Approve to amend the construction contract with Granite Construction, Inc., for additional work required to complete the Waterline Replacement – Ondulando Area Phase 4 Project, Specification No. 2016-037, in the amount of \$85,000, and authorize the City Manager to sign related documents to implement the amendment. The construction contract will be amended from \$2,185,816 to \$2,270,816.
- b. Authorize Finance and Technology to increase and transfer appropriations to the proper funds, projects, and accounts.

**8E. [Lease Renewal Agreement - City of Ventura and Aloha Steakhouse, Inc., PM ID: 100013, \(Jim Avrea\) for the City-owned restaurant located at 330 and 364 California Street within the Beachfront Parking Structure](#)**

Staff: Phillip Nelson, Public Works Director

**RECOMMENDATION**

Authorize the Mayor to execute a Lease Renewal Agreement for ten (10) years from April 1, 2019 to March 31, 2029 with Aloha Steakhouse Inc., for City-owned property commonly known as Aloha Steakhouse; monthly rent \$15,665.00 in Year 1.

**8. CONSENT ITEMS (continued)**

**8F. [Wellness District Parking Lot and Alley Improvements – Authorization to Advertise](#)**

Staff: Phillip Nelson, Public Works Director

**RECOMMENDATION**

Approve the contract plans and specifications for the Wellness District Parking Lot and Alley Improvements Project, Specification No. 2019-051, and authorize the advertisement for bids to be received on August 29, 2019 at 2:00 p.m. in the City Clerk's office.

**8G. [Citywide Security Guard Services General Services Agreement](#)**

Staff: Phillip Nelson, Public Works Director; Nancy O'Connor, Parks, Recreation and Community Partnerships Director and Susan Rungren, Ventura Water General Manager

**RECOMMENDATION**

- a. Authorize the Mayor to enter into a General Services Agreement with Dial Security, Inc., whose proposal staff determined to be the most responsive to the Request for Proposals, in the amount of \$229,167, including living wage costs, for a period of an 11-month initial term (August 1, 2019 to June 30, 2020) with the option to extend for up to four years, in an amount not-to-exceed \$1,229,167.
- b. Authorize the City Manager or designee to execute amendments for this contract, pursuant to Section 4.600.200 of the Municipal Code.

## 12. FORMAL ITEMS

### 12A. Disposition and Development Agreement with A Community of Friends and U.S. Veterans to Purchase City-owned Vacant Parcel located adjacent to the Veteran's Home of California – Ventura on Telephone Road for an Affordable Veterans Housing Development

Staff: Peter Gilli, Community Development Director

#### RECOMMENDATION

- a. Adopt a resolution approving a Disposition and Development Agreement by and between the City of San Buenaventura and the development team of A Community of Friends and United States Veterans Initiative for development of the Ventura Veterans Home Development Site.
- b. Authorize the City Manager to enter into a Disposition and Development Agreement with A Community of Friends and United States Veterans Initiative for the development of an affordable veteran's housing community located on the vacant ±9.68 acre City-owned site directly adjacent to the existing Veterans Home of California – Ventura on Telephone Road.
- c. Authorize the sale of the Ventura Veterans Home Development Site as contained with the executed Disposition and Development Agreement and any amendments.
- d. Authorize the City Manager, or his designee, to execute any documents related to the sales transaction including grant deed transfer and escrow.
- e. Authorize the Department of Finance & Technology to adjust appropriations and expenditures as necessary to carry out actions associated with the sale of the Project.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, APPROVING A DISPOSITION AND DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF SAN BUENAVENTURA AND THE DEVELOPMENT TEAM OF A COMMUNITY OF FRIENDS AND UNITED STATES VETERANS INITIATIVE AND APPROVING THE SALE OF REAL PROPERTY FROM THE CITY TO THE DEVELOPMENT TEAM OF A COMMUNITY OF FRIENDS AND UNITED STATES VETERANS INITIATIVE FOR DEVELOPMENT OF THE VENTURA VETERANS HOME DEVELOPMENT SITE LOCATED AT 10900 TELEPHONE ROAD RESOLUTION NO. 2019-\_\_\_\_

12. FORMAL ITEMS (continued)

12B. [Adoption of a Resolution Appointing an Interim Assistant Community Development Director](#)

Staff: Elizabeth Foushee, Human Resources Director

RECOMMENDATION

Adopt a Resolution appointing Peter Lyons as Interim Assistant Community Development Director.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, APPOINTING PETER LYONS AS INTERIM ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR UNDER GOVERNMENT CODE SECTIONS 21221(h) AND 7522.56  
RESOLUTION NO. 2019-\_\_\_\_

12C. [State Water Interconnection Project Final Environmental Impact Report Certification and Project Approval](#)

Staff: Susan Rungren, Ventura Water General Manager

<a href="#"><u>Advanced Item</u></a>
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RECOMMENDATION

- a. Adopt a resolution certifying that the City Council has reviewed and considered the information contained in the Final Environmental Impact Report for the proposed State Water Interconnection Project, making mitigation findings pursuant to Section 15091 of the California Environmental Quality Act guidelines, and adopting a Mitigation, Monitoring, and Reporting Program.
- b. Approve the State Water Interconnection Project and direct staff to prepare and file a Notice of Determination with the County Clerk's Office and proceed with the process of selecting a consultant for final design.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT, ADOPTING FINDINGS, AND ADOPTING A MITIGATION, MONITORING, AND REPORTING PROGRAM FOR THE STATE WATER INTERCONNECTION PROJECT  
RESOLUTION NO. 2019-\_\_\_\_



## 12. FORMAL ITEMS (continued)

### 12D. [Policy Consideration – Electronic Cigarette Ordinance](#)

Introduced by: Mayor LaVere and Councilmember Heitmann

#### **RECOMMENDATION**

Direct staff to draft a City Ordinance which bans the sale of all flavored tobacco products in Ventura, including e-cigarettes, oils, cigarillos, cigarettes and loose tobacco; prohibits new tobacco retail licenses within 1,000 feet of any school; and, establishes an annual tobacco retail licensing fee in an amount sufficient to provide necessary funds to enforce this new ordinance.

## 14. PUBLIC NOTICES

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

### 14A. [Recent Decisions of the Design Review Committee and Planning Commission](#)

Design Review Committee and Planning Commission June 19, 2019  
Actions: Approved

**PROJ-8150 – GPA-3-15-27374, Z-3-15-27378, TTM-3-15-27377, PD-3-15-27375, and DRC-3-15-27372 & EIR-3-15-27373**

Voelker Subdivision: Request for Formal review of a General Plan Amendment to change the land use designation from Neighborhood Medium to Neighborhood Low, a Zone Change from Two Family Residential (R-2) to Residential Planned Development (RPD-6U), a Planned Development Permit, a Tentative Tract Map, Design Review and Mitigated Negative Declaration, for the subdivision and redevelopment of a single parcel consisting of the demolition of an existing 1½-story single-family residence and the construction of 19 single family residential units on a 3.42 acre lot located at 8324 Telegraph Road; Corona Holdings LLC, applicants.

## 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, July 10, 2019, at 5:30 p.m. in the City Clerk's Office, on the City Hall Public Notices Board and on the internet.