

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 22, 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: *Santa Barbara Channelkeeper v. State Water Resources Control Board and City of San Buenaventura*

Los Angeles Superior Court Case No.: 19STCP01176 (previously San Francisco Superior Court Case No.: CPF-14-513875)

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

2. CONFERENCE WITH LEGAL COUNSEL

Significant Exposure to Litigation: (one case)

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

3. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Name of Case: *City of San Buenaventura v. United Water Conservation District*

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

4. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS

- Green Business Recognition: The Vent Human Performance Center, Boho Chic, Leashless Brewing, Sunset Dental, Clean Planet Smog Check and Auto Repair and Reves de Sabine
- Presentation of 2019 Ventura County Fair Poster
- Amgen Tour 2019 Presentation

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. Additional Contract Resources for the Building and Safety Division of Community Development and Fire Prevention Division of the Fire Department

Staff: Peter Gilli, Community Development Director
David Endaya, Fire Chief

RECOMMENDATION

It is recommended that City Council authorize the Mayor to execute the following amendments:

- a. 8th amendment to Stuart Consulting, LLC adding \$305,000 for a new not-to-exceed contract amount of \$954,000.
- b. 8th amendment to R.W. Toedter adding \$10,000 for a new not-to-exceed contract amount of \$267,000.
- c. 4th amendment to Central Coast Access adding \$15,000 for a new not-to-exceed contract amount of \$145,000 and extending the term of the Agreement from December 31, 2019 to June 30, 2020.
- d. 4th amendment to CSG Consultants, Inc. adding \$55,000 for a new not-to-exceed contract amount of \$295,000 and extending the term of the Agreement from December 31, 2019 to June 30, 2020.
- e. 5th amendment to Collings & Associates, LLC adding \$202,000 for a new not-to exceed contract amount of \$452,375 and extending the term of the Agreement from December 31, 2019 to June 30, 2020.

8. CONSENT ITEMS (continued)

8C. Fiscal Year 2019-20 Annual Statement of Investment Policy

Staff: Michael Coon, Finance & Technology Director

RECOMMENDATION

Adopt a Resolution approving the Fiscal Year 2019-2020 Statement of Investment Policy, rescinding Resolution Number 2018-053.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, ACKNOWLEDGING RECEIPT AND FILING OF THE CITY'S FISCAL YEAR 2019-20 STATEMENT OF INVESTMENT POLICY

RESOLUTION NO. 2019-___

8D. Fourth Amendment to Professional Services Agreement with MuniServices

Staff: Michael Coon, Finance & Technology Director

RECOMMENDATION

Approve and authorize the Mayor to sign Amendment No. 4 with MuniServices, LLC extending the agreement through June 30, 2020; total contract not-to-exceed \$530,153.

8E. Second Amendment to LTAS Technologies, Inc., Agreement

Staff: Michael Coon, Finance & Technology Director

RECOMMENDATION

- a. Approve a total contract amount of \$74,000 for contract P2018-030 with LTAS Technologies, Inc., for Short Term Vacation Rental Compliance.
- b. Authorize the Director of Finance and Technology to execute the second amendment to the contract (including new schedule of compensation) extending the term from July 1, 2019 through June 30, 2020; and, when necessary, the third amendment extending the term from July 1, 2020 through June 30, 2021.

8. **CONSENT ITEMS (continued)**

8F. 2019 Ventura County Fair Contract

Staff: Ken Corney, Police Chief

RECOMMENDATION

- a. Approve the agreement with the 31st District Agriculture Association for security, traffic control and permit services for the 2019 Ventura County Fair in an amount not-to-exceed \$225,000.
- b. Authorize the City Manager to conduct all negotiations and execute and submit all documents with the 31st District Agriculture Association.
- c. Authorize Finance and Technology to make the necessary budget adjustments in the Police Department's FY 2019-20 General Grant and Categorical Fund budget.

8G. Increase Blanket Purchase Order Limit for Central Coast Engineering for Sidewalk Repair Work

Staff: Philip L. Nelson, Public Works Director

RECOMMENDATION

Approve an increase to the Fiscal Year 2018-19 Blanket Purchase Order by \$25,000 for Central Coast Engineering for sidewalk repair and replacement work for services from July 1, 2018 through June 30, 2019 for a new not-to-exceed amount of \$274,999, and authorize the Mayor to sign the Purchase Order.

8H. State Water Project Contract – Authorization for One-Year Exchange of a Portion of the City's 2019 Allocation

Staff: Susan Rungren, Ventura Water General Manager

RECOMMENDATION

Authorize the City Manager to execute the required documents for an Agreement of a one-year exchange between the City and San Geronio Pass Water Agency for a portion of the City's 2019 State Water Project Allocation, consistent with the Water Commission's updated recommendation.

11. CITY COUNCIL/SUCCESSOR AGENCY PUBLIC HEARING ITEM

11A. Downtown Property-Based Business Improvement District Renewal for 2019-2029

Staff: Peter Gilli, Community Development Director

RECOMMENDATION

- a. Conduct a Public Hearing to receive ballots, tally ballots and declare ballot results for the Downtown Property-Based Business Improvement District.
- b. Adopt a Resolution to Renew the Downtown Property-Based Business Improvement District and confirm the assessments to be levied upon properties as described in the Management District Plan.
- c. Authorize the City Manager, subject to approval of the City Attorney, to prepare, execute and administer the attached operating agreement between the City and the non-profit management entity Downtown Ventura Property Owners Association dba Downtown Ventura Partners for continued administration of the Property-Based Business Improvement District from January 1, 2020 to December 31, 2029.
- d. Authorize Finance and Technology to adjust appropriations and expenditure as necessary from the City's General Fund, Asset Management Program, for the properties that are contained within the Successor Agency's Community Redevelopment Property Trust Fund as those properties are sold.
- e. Authorize the continued appropriation of the above stated amounts that could be increased by annual Consumer Price Index adjustments to the budget plans through FY 2029-30 with City Council annual adoption of the fiscal year assessments.
- f. Authorize the Finance and Technology Director to request the County of Ventura to collect the assessments for the Downtown Property-Based Improvement District each fiscal year, starting with FY 2019-20.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, RENEWING THE DOWNTOWN VENTURA PROPERTY BASED IMPROVEMENT DISTRICT AND LEVYING ASSESSMENTS PURSUANT TO THE PROPERTY AND BUSINESS IMPROVEMENT DISTRICT LAW OF 1994

RESOLUTION NO. 2019-___

11. CITY COUNCIL PUBLIC HEARING ITEMS

11B. Appeal of the Design Review Committee's Decision - Approving a Commercial Project located at 4250-4360 East Main Street, with Added Conditions Including the Requirement for Additional Landscaping and a Drive Aisle Crossing Through Two Existing Parking Rows (PROJ-12758) (Poinsettia Plaza – ALDI Grocery Store)

Staff: Peter Gilli, Community Development Director

RECOMMENDATION

- a. Conduct a Public Hearing.
- b. Adopt a Resolution upholding the appeal and approving the Formal Design Review for a new ALDI grocery store and refurbishment of the Poinsettia Plaza shopping center without a requirement for a new driveway aisle in the parking lot or the assignment of a Design Review Committee liaison.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, APPROVING AN APPEAL OF THE DESIGN REVIEW COMMITTEE AND APPROVING A FORMAL DESIGN REVIEW FOR 4250, 4300, 4360 EAST MAIN STREET AND 4673, 4687, 4711, 4731 TELEPHONE ROAD

RESOLUTION NO. 2019-__

11C. General Plan Amendment from Residential Medium to Residential Low and Zone Change from Two Family Residential (R-2) to Residential Planned Development (RPD-6U) and a Mitigated Negative Declaration (EIR3-15-27374) for a 3.42 Acre located at 8324 Telegraph Road; Corona Holdings, LLC, applicant (PROJ-8150) (Voelker Subdivision)

Staff: Peter Gilli, Community Development Director

RECOMMENDATION

- a. Conduct a Public Hearing on the proposed Mitigated Negative Declaration, General Plan Amendment and Zone Change.
- b. Adopt a Resolution approving a Mitigative Negative Declaration and a Mitigation Monitoring Program and reporting program, Case No. EIR-3-15-27373.

11. PUBLIC HEARING ITEMS (continued)

- c. Adopt a Resolution approving a General Plan Amendment to General Plan Figure 3-5 to change the General Plan land use designation from Neighborhood Medium to Neighborhood Low for the developed property located 8324 Telegraph Road (APN 088-0-281-040), Case No. GPA-3-15-27374.
- d. Introduce and waive the first reading of an Ordinance approving a Zone Change from Two Family Residential (R-2) to Residential Planned Development (RPD-6U) for a developed property located at 8324 Telegraph Road (APN 088-0-281-040), Case No. Z-3-15-27378.
- e. Set the Ordinance for a second reading and adoption at the City Council meeting of August 5, 2019.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING (MMRP) AND REPORTING PROGRAM FOR THE VOELKER SUBDIVISION PROJECT LOCATED AT 8324 TELEGRAPH ROAD

RESOLUTION NO. 2019-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, APPROVING A GENERAL PLAN AMENDMENT TO GENERAL PLAN FIGURE 3-5 TO CHANGE THE GENERAL PLAN DESIGNATION FROM NEIGHBORHOOD MEDIUM TO NEIGHBORHOOD LOW FOR THE VOELKER SUBDIVISION PROJECT LOCATED AT 8324 TELEGRAPH ROAD

RESOLUTION NO. 2019-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, APPROVING A ZONE CHANGE FROM TWO FAMILY RESIDENTIAL (R-2) TO RESIDENTIAL PLANNED DEVELOPMENT - SIX UNITS (RPD-6U) FOR THE PROPERTY LOCATED AT 8324 TELEGRAPH ROAD

ORDINANCE NO. 2019-___

12. FORMAL ITEMS

12A. Consideration of Ordinance Modifying the Appointment Process to the Planning Commission to Have Individual Commissioners Appointed by Individual City Councilmembers

Staff: Gregory G. Diaz, City Attorney

RECOMMENDATION

- a. 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 CHAPTER 2.415, ‘PLANNING COMMISSION,’ TO HAVE PLANNING COMMISSIONERS APPOINTED BY INDIVIDUAL CITY COUNCILMEMBERS AND FOR OTHER PURPOSES”

- b. Set the second reading and adoption of the Ordinance at the City Council’s meeting of August 5, 2019.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING CHAPTER 2.415, ‘PLANNING COMMISSION,’ TO HAVE PLANNING COMMISSIONERS APPOINTED BY INDIVIDUAL CITY COUNCILMEMBERS AND FOR OTHER PURPOSES ORDINANCE NO. 2019-___

12B. Lease Agreement for the Fourth and Fifth Floors at 505 Poli Street

Staff: Alex D. McIntyre

RECOMMENDATION

Approve the Lease Agreement in substantially the form submitted between The Trade Desk and the City of Ventura, commencing on or before April 1, 2020. The Mayor is authorized to execute the Lease, including any modifications that do not substantially change the Lease as submitted and subject to the recommendation of the City Manager and the approval by the City Attorney.

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.

[Public Works Department – Final Tract Map Under Review by the City Engineer per Ordinance 2001-011](#)

Submittal of Final Map for Tract No. 5646
Location: 1570 East Thompson Boulevard
Developer: Ventura29, LLC

Description of Subdivision: A mixed-use development consisting of twenty-nine residential condominiums and one commercial condominium.

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

Design Review Committee July 17, 2019 Action: Approved
PROJ-8096 – DRC-11-18-47884 & SV-11-18-48146

Victoria Corporate Center Sign Program: Formal Design Review of a new Sign Program and a Sign Variance that allows up to 140 square-feet of wall signage and two monument signs instead of 200 square-feet of wall signage and three monument signs as requested by the applicant for an existing 43,696 square-foot 1-story, light industrial building on a 1.48 acre lot, situated within an approximately 16 acre development with the building and approximately 2.3 acres of parking lot and driveways constructed, located at 2879 Seaborg Avenue; Dave Tilsner, applicant; Mixed Use (MXD) 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 Thursday, July 18, 2019, at 5:30 p.m. in the City Clerk's Office, on the City Hall Public Notices Board and on the internet.