

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, SEPTEMBER 9, 2019

COMMUNITY MEETING ROOM, 501 POLI STREET, ROOM 202

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: *Navarro/Irby v. City of San Buenaventura, et al.*
VCSC case no. 56-2018-00514262-CU-PA-VTA

Crowder v. City of San Buenaventura, et al.
VCSC case no. 56-2018-00514397-CU-PA-VTA

McEnulty v. Crowder
VCSC case no. 56-2018-00521569-CU-PA-VTA

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

2. 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)

Name of Case: *Stephen Bennett v. City of San Buenaventura et al.*
Ventura County Superior Court Case No. 56-2019-00531733-CU-WM-VTA
Authority: Government Code Section 54965.9(d)(1)

3. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: City Attorney
Authority: Government Code 54957

CS5. ADJOURNMENT

**1. CALL TO ORDER – REGULAR SESSION – 6:00 p.m.
COMMUNITY MEETING ROOM, ROOM 202**

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS

- A. September 11 – National Day of Service and Remembrance
- B. Recognition of Ashley Bautista for receiving the California Peace Officers Association 12 Under 12 Award and the International Association of Chiefs of Police 40 Under 40 Award
- C. Green Business Recognition: The Surfrider Foundation, Mountain Beach, Grassroots Yoga, Birkenstock Footprints of Ventura, Hypercat, Inc. and Latitudes Fine Art Gallery
- D. Ventura Visitors and Convention Bureau Year End Report and Presentation
- E. Presentation on “Wildfire Mitigation” by Rondi Guthrie, Government Relations Manager, Southern California Edison

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.**

8. CONSENT ITEMS (continued)

8B. [Approval of City Council Minutes – July 15, 2019, July 22, 2019, August 5, 2019 and August 22, 2019](#)

Staff: Antoinette M. Mann, City Clerk

RECOMMENDATION

Approve the Minutes of July 15, 2019, July 22, 2019, August 5, 2019 and August 22, 2019.

8C. [City Council Quarterly Travel Report \(April – June 2019\)](#)

Staff: Alex D. McIntyre, City Manager

RECOMMENDATION

Receive and file the Quarterly Travel Report for April through June 2019.

8D. [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 the law firm of Best, Best and Krieger, LLP in an amount not-to-exceed an additional \$1,300,000 to continue representation of the City in the litigation matter of Santa Barbara Channelkeeper v. State Water Resources Control Board and the City of San Buenaventura, Los Angeles County Superior Court Case No. 19STCP01176 (formerly San Francisco County Superior Court Case No. CPF-14-513875), and related matters.

8E. [Purchase of Water Truck for Delivery of Recycled Water to Street Trees and Parks](#)

Staff: Nancy O'Connor, Parks, Recreation and Community Partnerships Director
Phillip L. Nelson, Public Works Director

RECOMMENDATION

- a. Authorize the City Manager to execute a purchase order not-to-exceed \$133,000, to Plumbers Depot, Inc., for the purchase of one

8. CONSENT ITEMS (continued)

4,000-gallon water truck for Parks, Recreation and Community Partnerships.

- b. Authorize the City Manager to execute an amendment or change order to Plumbers Depot, Inc., for this contract pursuant to Section 4.600.200 of the Municipal Code with an aggregate contract not-to-exceed \$147,000.

8F. [Amend General Services Agreement - Stormwater Treatment Device Maintenance - Downstream Services, Inc.](#)

Staff: Phillip L. Nelson, Public Works Director

RECOMMENDATION

Authorize the Mayor, pursuant to Section 4.600.200 of the Municipal Code, to execute Amendment No. 4 to General Services Agreement No. 100003595 with Downstream Services, Inc. for services through June 30, 2020 for a new not-to-exceed amount of \$300,000.

8G. [Pump Station – Seaward/Poli Upgrade Project - Award of Construction Contract](#)

Staff: Phillip L. Nelson, 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, Central Coast Engineering for the Pump Station – Seaward/Poli Upgrade Project, Specification 2017-018, in the amount of \$814,401.00.
- b. Authorize the encumbrance of contingency funds for the project in the amount not-to-exceed \$81,440 subject to approval by the Public Works Director during construction.

8. CONSENT ITEMS (continued)

8H. [Outreach Homeless Services Worker Partnership](#)

Staff: Alex D. McIntyre, City Manager

- a. Authorize the City Manager to sign a professional services agreement, in substantially the form submitted, with the County of Ventura for a 19-month pilot program for an Outreach Homeless Services Worker assigned full-time to the City of Ventura.
- b. Authorize Finance and Technology to reallocate \$32,383 from the reserve for future allocation within Measure O to the City Manager's Safe and Clean 2.0 project in the FY 2019-20 budget.

9. APPOINTMENTS TO COUNCIL ADVISORY GROUPS

9A. [Appointment Recommendation – Senior Strategic Planning Ad-Hoc Committee](#)

Introduced by: Councilmember Christy Weir

RECOMMENDATION

Approve the appointments of Gregory Boudreaux, Stanlee Cox, John Darling, Lynn Kipp, Suz Montgomery and William Nelson to the Senior Strategic Planning Ad-Hoc Committee, for approximately six months or until the senior strategic plan is developed at which time the ad-hoc committee is terminated.

11. PUBLIC HEARING ITEM

11A. [Appeal of the Design Review Committee's Decision Approving a Sign Program and Sign Variance for 2879 Seaborg Avenue, with Conditions Added to Reduce Allowed Sizes and Deny a Second Monument Sign on Seaborg Avenue \(PROJ-8096\) \(Victoria Corporate Center Sign Program\)](#)

Staff: Peter Gilli, Community Development Director

RECOMMENDATION

Adopt a resolution upholding the appeal and approving the Formal Design Review for a Sign Program and Sign Variance for Victoria Corporate Center.

11. PUBLIC HEARING ITEM (continued)

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN BUENAVENTURA UPHOLDING AN APPEAL AND APPROVING A FORMAL DESIGN REVIEW AND SIGN VARIANCE FOR A SIGN PROGRAM WITH A 100 SQUARE-FOOT LIMIT ON PRIMARY SIGNS FOR 2879 SEABORG AVENUE RESOLUTION 2019-_____

12. FORMAL ITEMS

12A. [Fiscal Year 2019-2020 Council Goal Update](#)

Staff: Alex D. McIntyre, City Manager

RECOMMENDATION

Receive an update on the Fiscal Year 2019-2020 Council Goals.

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 & Design Review Committee](#)

Planning Commission & Design Review Committee August 21, 2019 Action: Approved

PROJ-11817 – DRC-9-17-42165, PD-10-17-42278, Z-3-18-44462 & EIR-10-17-42279

58 Kellogg Street Apartments – Request for a Zone Change from Limited Industrial (M-1) to Multi-Family Residential (R-3-1, 800-foot minimum lot area for each dwelling unit), Formal Design Review, and a Planned Development Permit for the demolition of two industrial buildings (approximately 4,200 square feet) and constructing two 3-story residential apartment buildings containing 30 units totaling 21,826 square feet with 40 grade-level parking spaces located on a 33,800 square feet (0.77 acre) property located at 58 Kellogg Street in the Limited Industrial Zone (M-1); Miller Family Trust, applicant.

14. PUBLIC NOTICES (continued)

Planning Commission August 21, 2019 Action: Approved **PROJ-12758 – PDA-1-18-48185**

Poinsettia Plaza (Aldi) Modifications – Request for Planned Development Permit Amendment for the demolition of a 15,650 square foot portion of an existing shopping center and construction of a new 19,456 square-foot building in its place to house an ALDI grocery store, with a Concurrent Minor Variance for a 2-foot setback along Donlon Street whereas setback 30 feet is required by the Tract, and 20 feet as required by the CPD zoning regulations, and a Concurrent Minor Variance to allow an 8-foot tall wall along Donlon Street to screen the new loading dock, where 6-feet is the maximum allowed. Work including comprehensive façade refurbishment for the remaining buildings, replanting landscaping throughout the center, and a pedestrian path from Telephone Road through the parking lot to the ALDI store. With this project, the shopping center would consist of a 157,010 square-feet with 615 parking spaces and 54 bike parking spaces on an approximately 11.7 acres across 4 parcels located at 4250, 4300, 4360 East Main Street; 4673, 4687, 4711, 4731 Telephone Road in the Commercial Planned Development zone (CPD); Sean Unsell, Retail Design Collaborative, applicant.

Design Review Committee September 4, 2019 Action: Approved **PROJ-11817 – DRC-10-18-47325 & W-10-18-47326**

Trade Desk Signage – Formal Design Review for a new Sign Program and a Warrant by Trade Desk to allow for a new sign to deviate from the locational criteria and be located above the first floor on a 6,440 square foot (0.14 acre) lot located at 60 South California Street in the Urban Core (T6.1) Zone; Michelle LaVallee, applicant.

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