

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 23, 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**
Significant Exposure to Litigation (1 Case)
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

4A. Proclamation – The ARC of Ventura County Anniversary

4B. Proclamation – October 2, 2019 Clean Air Day

4C. Orchard Community Church and Church of the Foothills Donation to the Year-Round Shelter

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. Fire Department Budget Adjustment for Vehicle Purchase

Staff: David Endaya, Fire Chief

RECOMMENDATION

Authorize the Finance and Technology Department to transfer \$45,000 from the Fire Department's Designated Hazmat Penalties Reserve and adjust appropriations in the Fire Department Hazmat project to purchase a vehicle.

8C. Tyler Technologies Digital Health Department Software

Staff: David Endaya, Fire Chief
Michael Coon, Finance and Technology Director

RECOMMENDATION

- a. Authorize the Mayor, to execute a software implementation and licensing agreement with Tyler Technologies for the Digital Health Department software program in the initial amount of \$68,500 and \$129,462 in maintenance and support fees from September 23, 2019 – September 22, 2024.
- b. Authorize the City Manager or designee, to execute modifications to the agreement with Tyler Technologies, with expenditures not-to-exceed \$10,275 (approximately 15%) over the term of the agreement.
- c. Authorize the Finance and Technology Department to transfer \$78,775 (\$68,500 for initial implementation and \$10,275 as required) from the Fire Facility and Equipment Mitigation Fee to the Information Technology Internal Service Fund (61) and adjust appropriations as needed.

8. CONSENT ITEMS (continued)

8D. Acceptance of Fiscal Year 2019-2020 Office of Traffic Safety Selective Traffic Enforcement Program Grant

Staff: Ken Corney, Chief of Police

RECOMMENDATION

- a. Accept and authorize the City Manager to sign the Selective Traffic Enforcement Program grant from the Office of Traffic Safety for Fiscal Year 2019-2020 in the amount of \$180,000 to the Police Department.
- b. Authorize the Finance and Technology Department to assign the increased appropriations and revenues in the amount of \$180,000 to the Police Department's General Grant and Categorical Fund.

8E. California Street Bridge Pedestrian Enhancement Project – Amendment to Construction Contract and Contractor Change Order

Staff: Phillip L. Nelson, Public Works Director

RECOMMENDATION

Authorize a \$45,000 increase to the Construction Contract supporting the California Street Bridge Upgrade with Union Engineering, Inc. for a new total contract amount of \$1,571,891.40, including contingencies.

8F. Authorization to Advertise Wells Center Bus Stop Upgrade Project

Staff: Phillip L. Nelson, Public Works Director

RECOMMENDATION

- a. Approve contract plans and specifications for the Wells Center Bus Stop Upgrade Project, Specification No. 2018-023.
- b. Authorize the advertisement for bids to be received on November 7, 2019 at 2:00 p.m. in the City Clerk's Office.

9. APPOINTMENTS TO COUNCIL ADVISORY GROUPS

9A. Appointment of Planning Commissioners

Staff: Antoinette M. Mann, City Clerk

RECOMMENDATION

Approve Planning Commissioner appointments for each Councilmember as follows:

David Comden, Appointed by Mayor Matt LaVere
Term of Office: September 23, 2019 – December 2020

Lucas Zucker, Appointed by Deputy Mayor Sofia Rubalcava
Term of Office: September 23, 2019 – December 2022

Jennifer Miller, Appointed by Councilmember Christy Weir
Term of Office: September 23, 2019 – December 2020

Scott McCarty, Appointed by Councilmember Cheryl Heitmann
Term of Office: September 23, 2019 – December 2020

Nancy Francis, Appointed by Councilmember Erik Nasarenko
Term of Office: September 23, 2019 – December 2022

Jane Farkas, Appointed by Councilmember Jim Friedman
Term of Office: September 23, 2019 – December 2022

Kara Davis, Appointed by Councilmember Lorrie Brown
Term of Office: September 23, 2019 – December 2022

11. PUBLIC HEARING ITEMS

11A. Kellogg Apartment Project - Zone Change from Limited Industrial (M-1) to Multiple-Family (R-3-1) for a 0.77-acre property located at 58 Kellogg Street; Miller Family Trust, applicant (PROJ – 11817)

Staff: Peter Gilli, Community Development Director

RECOMMENDATION

- a. Conduct a Public Hearing on the proposed Mitigated Negative Declaration and Zone Change.

11. PUBLIC HEARING ITEMS (continued)

- b. Adopt a Resolution approving a Mitigated Negative Declaration and Mitigated Monitoring Program, Case No. EIR-10-17-42279.
- c. Introduce and waive the first reading of an Ordinance approving a Zone Change from Limited Industrial (M-1) to Multiple-Family (R-3-1) for the developed property located at 58 Kellogg Street (APN 071-0-032-030), Case No. Z-3-18-44462.
- d. Set the second reading and adoption at the City Council meeting of October 7, 2019.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA ADOPTING A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE KELLOGG APARTMENT PROJECT LOCATED AT 58 KELLOGG STREET RESOLUTION NO. 2019-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA APPROVING A ZONE CHANGE FOR PROPERTY LOCATED AT 58 KELLOGG STREET ORDINANCE NO. 2019-___

11B. Amendment and Adoption of State Construction Codes

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

RECOMMENDATION

- a. Conduct a Public Hearing.
- b. Introduce and waive the first reading of the ordinances; adopting by reference the 2019 Editions of the California Building Code, Electrical Code, Fire Code, Mechanical Code, Plumbing Code, Existing Building Code, Residential Code, Green Building Standards Code, Historical Building Code, Energy Code, Referenced Standards Code, Administrative Code and 2018 Edition International Maintenance Code and amending certain provisions thereof through express findings of local necessity.
- c. Set the second readings and adoptions at the City Council meeting of October 7, 2019.

11. PUBLIC HEARING ITEMS (continued)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA ADOPTING BY REFERENCE THE 2019 EDITION OF THE CALIFORNIA BUILDING CODE AND AMENDING CERTAIN PROVISIONS THEREOF THROUGH EXPRESS FINDINGS OF LOCAL NECESSITY
ORDINANCE NO. 2019-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA ADOPTING BY REFERENCE THE 2019 EDITION OF THE CALIFORNIA PLUMBING CODE AND AMENDING CERTAIN PROVISIONS THEREOF THROUGH EXPRESS FINDINGS OF LOCAL NECESSITY
ORDINANCE NO. 2019-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA ADOPTING BY REFERENCE THE 2019 EDITION OF THE CALIFORNIA MECHANICAL CODE AND AMENDING CERTAIN PROVISIONS THEREOF THROUGH EXPRESS FINDINGS OF LOCAL NECESSITY
ORDINANCE NO. 2019-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA ADOPTING BY REFERENCE THE 2019 EDITION OF THE CALIFORNIA ELECTRICAL CODE AND AMENDING CERTAIN PROVISIONS THEREOF THROUGH EXPRESS FINDINGS OF LOCAL NECESSITY
ORDINANCE NO. 2019-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA ADOPTING BY REFERENCE THE 2019 EDITION OF THE CALIFORNIA RESIDENTIAL CODE AND AMENDING CERTAIN PROVISIONS THEREOF THROUGH EXPRESS FINDINGS OF LOCAL NECESSITY
ORDINANCE NO. 2019-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA ADOPTING BY REFERENCE THE 2019 EDITION OF THE CALIFORNIA EXISTING BUILDING CODE AND AMENDING CERTAIN PROVISIONS THEREOF THROUGH EXPRESS FINDINGS OF LOCAL NECESSITY
ORDINANCE NO. 2019-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA ADOPTING BY REFERENCE THE 2019 EDITION OF THE CALIFORNIA FIRE CODE AND AMENDING CERTAIN PROVISIONS THEREOF THROUGH EXPRESS FINDINGS OF LOCAL NECESSITY
ORDINANCE NO. 2019-___

11. PUBLIC HEARING ITEMS (continued)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, ADOPTING BY REFERENCE THE 2018 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE AND AMENDING CERTAIN PROVISIONS THEREOF

ORDINANCE NO. 2019-____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA ADOPTING BY REFERENCE THE 2019 EDITION OF THE CALIFORNIA ENERGY CODE, THE 2019 EDITION OF THE CALIFORNIA GREEN BUILDING STANDARDS CODE, THE 2019 EDITION OF THE CALIFORNIA REFERENCED STANDARDS CODE, THE 2019 EDITION OF THE ADMINISTRATIVE CODE AND THE 2019 EDITION OF THE CALIFORNIA HISTORICAL BUILDING CODE

ORDINANCE NO. 2019-____

12. FORMAL ITEMS

[12A. San Buenaventura Municipal Code – Medicinal Cannabis Delivery Services; Amending Chapter 6.420 “Medicinal Cannabis Delivery Services” to Allow for Cannabis Delivery in the City of San Buenaventura – Ordinance Introduction](#)

Staff: Gregory G. Diaz, City Attorney
Michael Coon, Finance and Technology Director

RECOMMENDATION

- a. Introduce and waive the first reading of an ordinance amending Municipal Code Section 6.420, related to Medicinal Cannabis Delivery Services. Ordinance titled as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA AMENDING CHAPTER 6.420, “MEDICINAL CANNABIS DELIVERY SERVICES,” OF THE SAN BUENAVENTURA MUNICIPAL CODE TO ALLOW FOR CANNABIS DELIVERY IN THE CITY OF SAN BUENAVENTURA

- b. Set the second reading and adoption of the proposed ordinance at the City Council meeting of October 7, 2019.

12. FORMAL ITEMS (continued)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA AMENDING CHAPTER 6.420, "MEDICINAL CANNABIS DELIVERY SERVICES," OF THE SAN BUENAVENTURA MUNICIPAL CODE TO ALLOW FOR CANNABIS DELIVERY IN THE CITY OF SAN BUENAVENTURA ORDINANCE NO. 2019-___

12B. Consideration of Resolution Declaring the Need for the City of San Buenaventura Parking Authority

Staff: Gregory G. Diaz, City Attorney

RECOMMENDATION

- a. That the City Council adopt a Resolution, title as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, DECLARING THE NEED FOR THE CITY OF SAN BUENAVENTURA PARKING AUTHORITY TO FUNCTION WITHIN THE CITY AND NAMING THE CITY COUNCIL AS MEMBERS OF THE PARKING AUTHORITY

- b. That, at the conclusion of tonight's City Council meeting, the City Council, acting as the City of San Buenaventura Parking Authority, hold a special meeting for the purposes of finalizing the formation of the Parking Authority.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, DECLARING THE NEED FOR THE CITY OF SAN BUENAVENTURA PARKING AUTHORITY TO FUNCTION WITHIN THE CITY AND NAMING THE CITY COUNCIL AS MEMBERS OF THE PARKING AUTHORITY RESOLUTION NO. 2019-___

CITY OF SAN BUENAVENTURA PARKING AUTHORITY

12C. Consideration of Parking Authority Bylaws and Conflict of Interest Code

Staff: Gregory G. Diaz, City Attorney

RECOMMENDATION

- a. That the City of San Buenaventura Parking Authority ("Parking Authority") adopt a Resolution adopting Bylaws for the Parking Authority, title as follows:

12. FORMAL ITEMS (continued)

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF SAN BUENAVENTURA PARKING AUTHORITY APPROVING AND ADOPTING THE BYLAWS OF THE CITY OF SAN BUENAVENTURA PARKING AUTHORITY; ESTABLISHING THE TIME AND PLACE OF REGULAR MEETINGS; DESIGNATING A NEWSPAPER OF GENERAL CIRCULATION FOR PUBLICATION OF NOTICES AND AUTHORIZING AND DIRECTING THE FILING OF A STATEMENT OF FACTS

- b. That the Parking Authority adopt a Resolution adopting by reference the City of San Buenaventura's Conflict of Interest Code for the Parking Authority, tiled as follows:

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF SAN BUENAVENTURA PARKING AUTHORITY ADOPTING BY REFERENCE THE CONFLICT OF INTEREST CODE OF THE CITY OF SAN BUENAVENTURA AS THE CONFLICT OF INTEREST CODE FOR THE AUTHORITY

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF SAN BUENAVENTURA PARKING AUTHORITY APPROVING AND ADOPTING THE BYLAWS OF THE CITY OF SAN BUENAVENTURA PARKING AUTHORITY; ESTABLISHING THE TIME AND PLACE OF REGULAR MEETINGS; DESIGNATING A NEWSPAPER OF GENERAL CIRCULATION FOR PUBLICATION OF NOTICES AND AUTHORIZING AND DIRECTING THE FILING OF A STATEMENT OF FACTS

PA RESOLUTION NO. 2019-___

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF SAN BUENAVENTURA PARKING AUTHORITY ADOPTING BY REFERENCE THE CONFLICT OF INTEREST CODE OF THE CITY OF SAN BUENAVENTURA AS THE CONFLICT OF INTEREST CODE FOR THE AUTHORITY

PA RESOLUTION NO. 2019-___

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 19, 2019, at 5:30 p.m. in the City Clerk's Office, on the City Hall Public Notices Board and on the internet.