

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
10/8/2020

AGENDA ITEM 4B
ADDED

REGULAR MEETING / WORKSHOP

MONDAY, OCTOBER 12, 2020

CLOSED SESSION – 5:00 P.M.

REGULAR MEETING – 6:00 P.M.

IN ACCORDANCE WITH THE CALIFORNIA GOVERNOR'S EXECUTIVE STAY AT HOME ORDER AND THE COUNTY OF VENTURA HEALTH OFFICER DECLARED LOCAL HEALTH EMERGENCY AND BE WELL AT HOME ORDER RESULTING FROM THE NOVEL CORONAVIRUS (COVID-19), CITY HALL IS CLOSED TO THE PUBLIC. TO FIND OUT HOW YOU MAY ELECTRONICALLY ATTEND THE CITY COUNCIL MEETING AND PROVIDE PUBLIC COMMENT PLEASE REFER TO PAGE 2 OF THIS AGENDA.

PUBLIC PARTICIPATION OPTIONS to help reduce the spread of COVID-19:

1. Join a **WebEx meeting LIVE:**

<https://cityofventura.webex.com/cityofventura/onstage/g.php?MTID=ef04a046e6d534ce2d2f3fb80599991a>

NOTE: WebEx link only works while meeting is LIVE. After meeting has ended, use the Archived Video link to view the meeting. You must join the WebEx Meeting to provide Public Comment - #5 below.

Join with only an "audio" connection: 1-408-418-9388 / Access Code 126 960 3859
WebEx recommends using Internet Explorer or Edge when provide live comment at the meeting.

2. Watch **live streaming** or an Archived Video <https://www.cityofventura.ca.gov/718/Videos>
Cable TV - Channel 15, live and replayed as listed on CAPS media schedule.
3. Submit your comments via email **by 4:00 p.m. on the City Council meeting day.** Please submit your comment to the City Clerk using this form www.cityofventura.ca.gov/publicinput or send an email to cityclerk@cityofventura.ca.gov (up to 1000 characters) When sending an email, please indicate in the Subject Line, the Agenda item number (i.e. Item No. 8A). Your form/email will be read by City Council and placed into the item's record at the meeting.
4. When watching the live stream or WebEx meeting, submit a Public Comment (item 7) for items not on the day's agenda or comments on a specific agenda item as it is being heard, submit your comment to the City Clerk using this form www.cityofventura.ca.gov/publicinput or send an email to cityclerk@cityofventura.ca.gov (up to 1000 characters). Every effort will be made to read your comment into the record, but some comments may not be read due to time limitations. All comments received by the conclusion of the agenda item will be made part of the record.



5. **To Provide Public Comment Live: You must attend the WebEx Meeting with audio connected to your computer/device,** you will see Chat feature on your screen. You can write, "I would like to speak on Agenda Item #__" in the Chat feature. During the discussion of that item, the Mayor will call for public comment. The City Clerk will announce those requesting to speak and unmute your mic allowing you to speak to the Mayor and Councilmembers. You will be heard, but not visible on screen. You will have 3 minutes to provide your comments. When you are finished, your mic will be muted.

The Regular Meetings of the San Buenaventura (Ventura) City Council also serve as regular meetings of the Successor Agency, Public Facilities Financing Authority and Parking Authority when Successor Agency, Public Facilities Financing Authority and Parking 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, Public Facilities Financing Authority and Parking 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, Public Facilities Financing Authority and Parking 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. **Refer to box above on how to submit comments, including public comments, to City Council. You may also scan the QR Code to access the form to submit public comments or comments related to a specific agenda item via email before the meeting or during the meeting.**

Administrative Reports relating to this agenda are available 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 on the City's website – <https://www.cityofventura.ca.gov/1236/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 – must be submitted electronically prior to the closed session starting. **Refer to Page 2 of the Agenda on how to submit your Public Comments electronically to the City Clerk.**

CS4. CLOSED SESSION – Teleconference/Video Conference Meeting. The Public may not participate in the Closed Session, other than submitting Public Comments on topic via email.

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)

CS5. ADJOURNMENT

Adjourn to Regular Meeting

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

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS

4A. COVID-19 Status Update

4B. Recognition of Indigenous Peoples' Day – October 12, 2020

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. Consideration of a Resolution of the City Council of the City of San Buenaventura, California, Temporarily Waiving Fees for Outdoor Expansion of Business Operations and Reducing Certain Insurance Requirements

Staff: Gregory G. Diaz, City Attorney

RECOMMENDATION

- a. Determine that this action is exempt from CEQA because (1) it is not a project that would have significant effects on the environment (CEQA Guidelines Section 15061(b)(3)), and, (2) to the extent this action is determined to be a project, it is an action to mitigate or prevent an emergency (Gov't Code Section 21080(b)(4) and CEQA Guidelines Section 15269(c)).
- b. Adopt the Resolution, title as follows:

“A REVISED RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, TEMPORARILY WAIVING FEES FOR OUTDOOR EXPANSION OF BUSINESS OPERATIONS AND REDUCING CERTAIN INSURANCE REQUIREMENTS”

A REVISED RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, TEMPORARILY WAIVING FEES FOR OUTDOOR EXPANSION OF BUSINESS OPERATIONS AND REDUCING CERTAIN INSURANCE REQUIREMENTS

RESOLUTION NO. 2020-_____

8. CONSENT ITEMS (continued)

8C. [Approve First Amendment with Community Access Partners of San Buenaventura, Inc.](#)

Staff: Alex D. McIntyre, City Manager

RECOMMENDATION

Approve and authorize the Mayor to execute the first Amendment with Community Access Partners of San Buenaventura, Inc. to operate the Public Education and Government Access Cable Channels and other services related to this function; effective retroactively on July 1, 2020.

8D. [Approval to Apply for Caltrans Highway Safety Improvement Program Grant](#)

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

- a. Authorize the City Manager, or designee, to apply for and accept up to \$3,534,300 in grant funds from the California Department of Transportation for the purpose of funding Phase I of the Traffic Signal System Upgrade Project.
- b. Authorize the City Manager or designee, to act as agent for the City to conduct all negotiations and execute and submit all documents, including, without limitation, applications, agreements, amendments, and billing statements that may be necessary to accept the grant and complete the project.
- c. Authorize Finance and Technology, upon award, to assign increased appropriations in the amount of \$3,534,300 in the General Grant Categorical Fund (02) to the proper project(s) and account(s) for their use as provided in the grant if the grant is awarded.
- d. Authorize Finance and Technology, upon award, to assign increased appropriations of \$1,200,000, as match to the Caltrans Highway Safety Improvement Program Grant from the Riverpark Settlement funds, Transportation Fund (10) to the proper project(s) and account(s) for their use as provided in the grant if the grant is awarded.

8. CONSENT ITEMS (continued)

- e. Authorize Finance and Technology, upon award, to assign increased appropriations of \$763,500, as match to the Caltrans Highway Safety Improvement Program Grant from Measure O Fund (05) fund balance, to the proper project(s) and account(s) for their use as provided in the grant if the grant is awarded.

8E. [Approve Emergency Rehabilitation - Ventura Water Reclamation Facility - Tertiary Mixed Media Filter](#)

Staff: Susan Rungren, Ventura Water General Manager

RECOMMENDATION

Approve the Emergency Purchase Order for ERS Industrial Services, Inc. to perform emergency tertiary mixed media filter rehabilitation and in the amount of \$300,000.00.

12. FORMAL ITEMS

12A. [Emergency Streamlining Ordinance Status Report](#)

Staff: Peter Gilli, Community Development Director

RECOMMENDATION

Receive and file this six-month status report.

12B. [Parking Fees at Marina Park and Harbor Parking Garage](#)

Staff: Nancy O'Connor, Parks and Recreation Director
Phil Nelson, Public Works Director

RECOMMENDATION

- a. Amend collection of daily parking fees at Marina Park to weekends only.
- b. Continue daily parking fees at Harbor Parking garage, use only the fees that are needed to offset the additional costs due to COVID in the beach area, and direct any remaining funds to Parking District.

12. FORMAL ITEMS (continued)

12C. Commercial Tenant Protections

Staff: Gregory G. Diaz, City Attorney

RECOMMENDATION

- a. Introduce and adopt as an Emergency Ordinance, after making the findings required by the Charter, the Emergency Ordinance, title as follows:

“AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING CHAPTER 6.1020, ‘TEMPORARY EVICTION MORATORIUM,’ OF THE SAN BUENAVENTURA MUNICIPAL CODE AND DECLARING THE URGENCY THEREOF”

- b. Determine that this action is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 21080(b)(4) and CEQA Guidelines section 15269(c) regarding actions to mitigate or prevent an emergency.

AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING CHAPTER 6.1020, ‘TEMPORARY EVICTION MORATORIUM,’ OF THE SAN BUENAVENTURA MUNICIPAL CODE AND DECLARING THE URGENCY THEREOF
ORDINANCE NO. 2020-_____

13. WORKSHOP

13A. Commercial Cannabis Program Framework

Staff: Peter Gilli, Community Development Director

RECOMMENDATION

That the City Council endorse the overall process for the commercial cannabis program:

- a. Direct staff to withdraw the City-initiated ordinances and cease developing the commercial cannabis program if the November 2020 cannabis tax initiative does not pass;

13. WORKSHOP (continued)

- b. Direct staff to return to City Council for formal adoption of the commercial cannabis program on November 23, 2020 if the cannabis tax initiative does pass, and that the program should include:
 1. The intent to open the application period in January 2021;
 2. A five phase process that includes the City Manager, or designee, to award cannabis permits;
 3. Allowance for a maximum of five retail and ten industrial cannabis businesses within the City;
 4. Allowance for retail cannabis businesses to be eligible to apply for permits in any zoning district that allows retail uses, and for industrial cannabis businesses to be eligible to apply for permits in any zoning district that allows industrial uses;
 5. Use State recommended buffers to sensitive uses, consisting of all schools with any K-12 students, all daycare, and all youth centers, which will eliminate eligibility to apply for permits for locations within these buffers;
 6. Any other direction City Council would like to provide.

7. PUBLIC COMMUNICATIONS

Refer to Page 2 of the Agenda on how to submit your Public Comments electronically to the City Clerk or scan this QR Code to access the form.



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, October 7, 2020 at 5:00 p.m. on the City website, in the Public Meetings/Agenda Center: <https://www.cityofventura.ca.gov/AgendaCenter>

Amended Agenda posted on Thursday, October 8, 2020 at 5:00 p.m. on the City website, in the Public Meetings/Agenda Center: <https://www.cityofventura.ca.gov/AgendaCenter>