

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
10/31/2019
ADDED CLOSED
SESSION ITEMS NO. 3 & 4

REGULAR MEETING

MONDAY, NOVEMBER 4, 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, 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.

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**
Initiation of Litigation (1 case)
Authority: Government Code Section 54956.9(d)(4)
2. **CONFERENCE WITH LEGAL COUNSEL**
Name of Case: City of San Buenaventura v. United Water Conservation District and Board of Directors of United Water Conservation District
Authority: Government Code Section 54956.9(d)(1)
3. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
City of San Buenaventura v. Southern California Edison
Ventura County Superior Court case no. 56-2018-00514648-CU-PO-VTA
Judicial Council Coordination Proceeding #4965 (Los Angeles County Superior Court)
Authority: Government Code Section 54956.9(d)(1)
4. **CONFERENCE WITH LEGAL COUNSEL**
Significant Exposure to Litigation (multiple cases)
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. Industrial Hemp Presentation by Andy Calderwood, Deputy Agricultural Commissioner
- 4B. CAPS Media Presentation on Services by Patrick Davison, Executive Director

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 – September 9, 2019, September 16, 2019 and September 23, 2019

Staff: Antoinette M. Mann, City Clerk

RECOMMENDATION

Approve the City Council Minutes for September 9, 2019, September 16, 2019 and September 23, 2019.

8C. 2020 City Council Meeting Schedule

Staff: Antoinette M. Mann, City Clerk

RECOMMENDATION

Adopt a resolution establishing the City Council 2020 meeting schedule entitled:

“RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA SETTING A CITY COUNCIL MEETING SCHEDULE FOR CALENDAR YEAR 2020”

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA SETTING A CITY COUNCIL MEETING SCHEDULE FOR CALENDAR YEAR 2020

RESOLUTION NO. 2019-____

8. **CONSENT ITEMS (continued)**

8D. 2020 Election – Amendment to the Ceiling Expenditure and Contribution Limits

Staff: Antoinette M. Mann, City Clerk

RECOMMENDATION

Amend the voluntary ceiling expenditure limit to \$37,000 for the 2020 Election and establish the limit for a single source contribution not-to-exceed \$350.00 for a City Council candidate accepting the voluntary expenditure limits and not-to-exceed \$175.00 for a City Council candidate that declines the voluntary expenditure limits.

8E. City Council Quarterly Travel Report

Staff: Alex D. McIntyre, City Manager

RECOMMENDATION

Receive and file the Quarterly Travel Report for July through September 2019.

8F. Request for Authorization to Extend Outside Counsel Services – Best, Best & Krieger for Representation of the City in Las Posas Valley Water Rights Coalition, et al. v. Fox Canyon Groundwater Management Agency, et al. (Superior Court Santa Barbara County, 2018, No. VENCI00509700)

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 \$100,000 to continue representation of the City in the litigation matter of *Las Posas Valley Water Rights Coalition, et al. v. Fox Canyon Groundwater Management Agency, et al.* (Super. Ct. Santa Barbara County, 2018, No. VENCI00509700).

8. CONSENT ITEMS (continued)

8G. Request for Authorization to Amend Agreement for Outside Counsel Services (Best, Best & Krieger, LLP) Related to Telecommunications

Staff: Gregory G. Diaz, City Attorney

RECOMMENDATION

Authorize the City Attorney to amend the legal services agreement with Best, Best and Krieger, LLP to increase the compensation to an amount not-to-exceed \$165,000 (increase of \$40,000).

8H. Authorization – Contract for Financial Advisory Services

Staff: Michael Coon, Finance and Technology Director

RECOMMENDATION

- a. Authorize the Mayor to enter into a Professional Services Agreement with Hilltop Securities for the period of three (3) years, October 1, 2019 to September 30, 2022, for a not-to-exceed amount of \$75,000; or \$125,000 if the option to extend for two (2) additional one-year extension is exercised.
- b. Authorize the City Manager or his designee, to execute amendments to the Professional Services Agreement, not-to-exceed \$140,000 over the term of the Agreement.
- c. Authorize the City Manager or his designee to execute amendments to the Professional Services Agreement to extend the term of the Agreement should the City wish to exercise the option to extend for two additional one-year extensions.

8I. Eastwood Park License Agreement

Staff: Phillip L. Nelson, Public Works Director

RECOMMENDATION

Authorize the City Manager to execute a License Agreement with Mission Plaza Townhome Association to control pedestrian access to a portion of the alley walkway in Eastwood Park by installing and maintaining gates at each entrance.

8. CONSENT ITEMS (continued)

8J. Keys Dredging – Approval of the Lease with California State Lands Commission - Lease No. PRC 8786.9

Staff: Phillip L. Nelson, Public Works Director

RECOMMENDATION

Approve the lease with the California State Lands Commission Lease No. PRC 8786.9, and authorize the Mayor to sign the approved lease.

8K. Montalvo Safe Routes to School, Cypress Point Gap Closure, and Complete Streets Project – Approve Plans, Specifications, and Estimate Phase

Staff: Phillip L. Nelson, Public Works Director

RECOMMENDATION

Authorize the City Manager to enter into a Professional Services Agreement with LIN Consulting Inc. to provide Engineering Services for the Montalvo Safe Routes to School project from November 5, 2019 - October 29, 2020 for \$166,569.33, plus contingency of \$17,000, for a total not-to-exceed amount of \$183,569.33.

8L. Purchase of Ford Utility Police Patrol Vehicles

Staff: Phillip L. Nelson, Public Works Director

RECOMMENDATION

Authorize the Mayor to execute a purchase order not-to-exceed \$258,152, to Theodore Robbins Ford of Costa Mesa for the purchase of seven (7) Ford Utility Police patrol vehicles.

8. CONSENT ITEMS (continued)

8M. Wellness District Parking Lot and Alley Improvements - Award Construction Contract

Staff: Phillip L. Nelson, Public Works Director

RECOMMENDATION

- a. Approve awarding the contract and authorize the Mayor to execute an agreement with the lowest responsive and responsible bidder, J&H Engineering General Construction, Inc., for repaving the parking lot west of and adjacent to the Community Memorial Hospital, including replacing parking lot lighting, reconfiguring the parking layout and adding raised landscaped curbed islands, Specification No. 2019-051, in the amount of \$410,786.20.
- b. Authorize the encumbrance of contingency funds for the project in the amount of \$41,000 for use by the Public Works Director as needed during construction.

9. APPOINTMENTS TO COUNCIL ADVISORY GROUPS

9A. Appointments Recommendation – Housing Authority Board and Design Review Committee

Introduced by: Councilmember Weir

RECOMMENDATION

Approve Board and Committee appointments:

- a. Housing Authority Board:
 - Jim White (Reappointment), Term: 11/4/2019 – 10/15/2023
- b. Design Review Committee:
 - Daniel Saltee, Term: 11/4/2019 – 6/30/2023

12. FORMAL ITEMS

12A. Measure O Strategic Planning Principles

Staff: Michael Coon, Finance and Technology Director

RECOMMENDATION

Accept this report and establish strategic principles regarding the prioritization of Measure O expenditures.

12B. Quarterly Financial Report

Staff: Michael Coon, Finance and Technology Director

RECOMMENDATION

Receive the First Quarter Interim Budget Report for Fiscal Year 2019-2020.

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 Design Review Committee

Design Review Committee October 22, 2019 Actions: Approved

PROJ-12758 – DRC-5-19-50301 and SV-5-19-50300

Poinsettia Plaza Master Sign Program – Formal Design Review of a new Sign Program for Poinsettia Plaza shopping center and Sign Variance to allow anchor tenant signs larger than code allows, secondary façade signs larger than the code allows, an additional monument sign, and monument signs larger than code allows with additional tenant signage. The proposed Sign Program is for a 157,010 square-foot shopping center on 12 acres lot located at 4250, 4300, 4360 East Main Street and 4673, 4687, 4711, 4731 Telephone Road; Daniel Sitz, applicant; Commercial Planned Development (CPD) zone.

PROJ-13189 – SV-12-18-48381

76 Gas Station Sign Variance – Formal Design Review of a Sign Variance amendment for a new monument sign that is 46.8 square- feet in size instead of the allowed 40 square-feet, and 10 feet tall instead of the allowed 6 feet, at an approximately 4,600 square-foot 1 and 2 story 76 gas station convenience store with attached car wash on 1.07 acre lot located at 2757 Johnson Drive; Perry Builders, Inc., applicant; Manufacturing Planned Development (MPD) zone.

14. PUBLIC NOTICES (continued)

PROJ-06811 – COD-9-19-52025

The Willows at Ventura (formerly known as Ravello project) – Confirmation of Details to conduct a 50% review for an approved mixed-use development consisting of 306 residential apartment units and 5,000 square feet of commercial space on 8.03 acre parcel located at the southeast corner of North Bank Drive and Johnson Drive; Palmer Ventura Properties, LP, applicant; Mixed-Use Development (MXD) zone.

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, October 30, 2019, at 5:30 p.m. in the City Clerk's Office, on the City Hall Public Notices Board and on the internet. Amended agenda posted October 31, 2019 at 1:00 p.m.