

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, DECEMBER 2, 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 – EXISTING LITIGATION**

Case Name: Bowman v. Ventura County Fairgrounds Foundation, et al.  
VCSC Case No.: 56-2019-00529183-CU-PO-VTA  
Authority: Government Code Section 54956.9(d)(1)

**2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Title: City Manager  
Authority: Government Code Section 54957

**CS5. ADJOURNMENT**

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

**2. ROLL CALL**

**3. PLEDGE OF ALLEGIANCE**

**4. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS**

A. Mayor for the Moment – Will Rogers Elementary School - Kindness

**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. Consideration of Ordinances Updating Chapters 18.250, 18.260, and 20.020 Pertaining to Special Events and Insurance as Directed by the City Council**

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 18.250, ‘USE OF PUBLIC STREETS AND OTHER RIGHTS-OF-WAY FOR PARADES, ATHLETIC EVENTS, BLOCK PARTIES, AND OTHER PUBLIC ASSEMBLIES,’ OF THE SAN BUENAVENTURA MUNICIPAL CODE TO MODIFY THE INSURANCE AND INDEMNIFICATION PROVISIONS AND TO REFLECT THE CURRENT CITY ORGANIZATIONAL STRUCTURE”

- b. 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 18.260, ‘USE OF PUBLIC FACILITIES FOR ASSEMBLIES, PUBLIC MEETINGS, AND OTHER ACTIVITIES,’ OF THE SAN BUENAVENTURA MUNICIPAL CODE TO MODIFY THE INSURANCE AND INDEMNIFICATION PROVISIONS AND TO REFLECT THE CURRENT CITY ORGANIZATIONAL STRUCTURE”

**8. CONSENT ITEMS (continued)**

- c. 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 20.020, ‘PERMITS AUTHORIZING EVENTS CONDUCTED IN CITY PARKS AND PARK FACILITIES,’ OF THE SAN BUENAVENTURA MUNICIPAL CODE TO ADJUST INSURANCE AND INDEMNIFICATION REQUIREMENTS FOR SPECIAL EVENTS”

- d. Schedule the second readings for the three introduced Ordinances at the December 9, 2019 City Council meeting.

- e. Adopt a Resolution, title as follows:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, APPROVING THE INSURANCE GUIDELINES PURSUANT TO CHAPTERS 18.250, 18.260, AND 20.020 OF THE SAN BUENAVENTURA MUNICIPAL CODE PERTAINING TO INSURANCE FOR SPECIAL EVENTS”

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING CHAPTER 18.250, ‘USE OF PUBLIC STREETS AND OTHER RIGHTS-OF-WAY FOR PARADES, ATHLETIC EVENTS, BLOCK PARTIES, AND OTHER PUBLIC ASSEMBLIES,’ OF THE SAN BUENAVENTURA MUNICIPAL CODE TO MODIFY THE INSURANCE AND INDEMNIFICATION PROVISIONS AND TO REFLECT THE CURRENT CITY ORGANIZATIONAL STRUCTURE  
ORDINANCE NO. 2019-\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING CHAPTER 18.260, ‘USE OF PUBLIC FACILITIES FOR ASSEMBLIES, PUBLIC MEETINGS, AND OTHER ACTIVITIES,’ OF THE SAN BUENAVENTURA MUNICIPAL CODE TO MODIFY THE INSURANCE AND INDEMNIFICATION PROVISIONS AND TO REFLECT THE CURRENT CITY ORGANIZATIONAL STRUCTURE  
ORDINANCE NO. 2019-\_\_\_

**8. CONSENT ITEMS (continued)**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING CHAPTER 20.020, 'PERMITS AUTHORIZING EVENTS CONDUCTED IN CITY PARKS AND PARK FACILITIES,' OF THE SAN BUENAVENTURA MUNICIPAL CODE TO ADJUST INSURANCE AND INDEMNIFICATION REQUIREMENTS FOR SPECIAL EVENTS ORDINANCE NO. 2019-\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, APPROVING THE INSURANCE GUIDELINES PURSUANT TO CHAPTERS 18.250, 18.260, AND 20.020 OF THE SAN BUENAVENTURA MUNICIPAL CODE PERTAINING TO INSURANCE FOR SPECIAL EVENTS RESOLUTION NO. 2019-\_\_\_

**8C. Request for Authorization to Extend Outside Counsel Services – Olivarez Madruga Lemieux O’Neil, LLP in the Mele v. Aloha Steakhouse, et al., Litigation Matter**

Staff: Gregory G. Diaz, City Attorney

**RECOMMENDATION**

Authorize the City Attorney to enter into a First Amendment to Agreement No. P2019-059 with the law firm of Olivarez Madruga Lemieux O’Neill, LLP, in an amount not to exceed an additional \$250,000 to continue representation of the City in the litigation matter of Mele v. Aloha Steakhouse, et al.

**8D. Reject Bid Proposal - West Park Portland Loo Installation**

Staff: Nancy O’Connor, Parks, Recreation and Community Partnerships  
Director

**RECOMMENDATION**

Reject the bid submitted by David Atkin Construction, Inc. for West Park Portland Loo Installation Specification No. 2019-085, in the amount of \$136,767.00.

8. **CONSENT ITEMS (continued)**

**8E. Professional Service Agreement with Canon Corporation - Pierpont Neighborhood Stormwater Lift Stations Refurbishment**

Staff: Phillip L. Nelson, Public Works Director

**RECOMMENDATION**

Approve and authorize the Mayor to execute a Professional Services Agreement with Canon Corporation to provide professional engineering services associated with the Pierpont Stormwater Lift Station Upgrade project, in an amount not-to-exceed \$280,904. The total cost includes the contract amount of \$255,404 and a contingency of \$25,500.

**8F. Amendment to Professional Service Agreement with Filippin Engineering for Sewerline Replacement – Seaside Wastewater Force Main Project**

Staff: Phillip L. Nelson, Public Works Director

**RECOMMENDATION**

Approve and authorize the Mayor to sign the First amendment to Filippin Professional Service agreement with an increase in the amount of \$20,000 for a new not-to-exceed total of \$270,000.

**8G. Consideration of Ordinance Amending Certain Billing Procedures and Adding an Appeal Process in Compliance with the Water Shutoff Protection Act**

Staff: Susan Rungren, Ventura Water General Manager

**RECOMMENDATION**

- a. Introduce and waive the first reading of the ordinance amending certain utility billing procedures and adding an appeal process in compliance with the Water Shutoff Protection Act, entitled as follows:

“AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING SECTION 22.160.030 OF, AND ADDING SECTION 22.160.050 TO, THE SAN BUENAVENTURA MUNICIPAL CODE IN COMPLIANCE WITH THE WATER SHUTOFF PROTECTION ACT”

**8. CONSENT ITEMS (continued)**

- b. Set the second reading and adoption at the City Council meeting of December 9, 2020.

AN OF THE COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING SECTION 22.160.030 OF, AND ADDING SECTION 22.160.050 TO, THE SAN BUENAVENTURA MUNICIPAL CODE IN COMPLIANCE WITH THE WATER SHUTOFF PROTECTION ACT

ORDINANCE NO. 2019-\_\_\_\_

**11. PUBLIC HEARING ITEMS**

**11A. Olivas Park Specific Plan; an Addendum to the Olivas Park Drive Extension Project Final EIR; General Plan Amendment to Land Use Designations Figure 3-5 and Bicycle Facilities Figure 4-1; and Zoning Map Amendment**

Staff: Peter Gilli, Community Development Director

**RECOMMENDATION**

- a. Conduct a Public Hearing on the Olivas Park Specific Plan.
- b. Adopt a resolution approving an Addendum to the Olivas Park Drive Extension Project Final Environmental Impact Report.
- c. Adopt a resolution approving the General Plan Amendment to amend Figure 3-5 General Plan Diagram and Figure 4-1 Bicycle Facilities.
- d. Adopt a resolution approving the Olivas Park Specific Plan.
- e. Introduce and waive the first reading of an ordinance approving the Olivas Park Specific Plan and Zoning Map Amendment.
- f. Set the ordinance for a second reading and adoption at the City Council meeting of December 9, 2019.
- g. Authorize staff to revise/amend the Olivas Park Specific Plan to incorporate appropriate comments and issues raised by the public at the hearing or by City Council.



**11. PUBLIC HEARING ITEMS (continued)**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, APPROVING AMENDMENT TO GENERAL PLAN FIGURE 3-5 DIAGRAM AND FIGURE 4-1 BICYCLE FACILITIES FOR THE OLIVAS PARK DRIVE EXTENSION PROJECT AND OLIVAS PARK SPECIFIC PLAN

RESOLUTION NO. 2019-\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, APPROVING THE OLIVAS PARK SPECIFIC PLAN

RESOLUTION NO. 2019-\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, ADOPTING AN ADDENDUM TO THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE OLIVAS PARK DRIVE EXTENSION PROJECT

RESOLUTION NO. 2019-\_\_\_

AN ORDINANCE OF THE CITY OF SAN BUENAVENTURA APPROVING THE OLIVAS PARK SPECIFIC PLAN AND RELATED ZONE CHANGE

ORDINANCE NO. 2019-\_\_\_

**11B. Historic Landmark Designation Request - Group of Buildings at 257 South Hemlock Street, 1199 East Thompson Boulevard and 273-279 South Hemlock Street (PROJ-12771 and 12773)**

Staff: Peter Gilli, Community Development Director

**RECOMMENDATION**

- a. Conduct a Public Hearing.
- b. Adopt a resolution designating 257 South Hemlock Street as Landmark No. 114.
- c. Adopt a resolution designating the Leon Walker Building located at 273-279 South Hemlock Street as Landmark No. 115.
- d. Adopt a resolution designating the Leon Walker Building located at 1199 East Thompson Boulevard as Landmark No. 116.

**11. PUBLIC HEARING ITEMS (continued)**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, DESIGNATING 257 SOUTH HEMLOCK STREET A LANDMARK

RESOLUTION NO. 2019-\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, DESIGNATING THE LEON WALKER BUILDING A LANDMARK

RESOLUTION NO. 2019-\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, DESIGNATING THE LEON WALKER BUILDING A LANDMARK

RESOLUTION NO. 2019-\_\_\_

**11C. Issuance of Tax-Exempt Obligations Not to Exceed \$39,700,000 for the 131-Unit Affordable Multi-Family Rental Housing Westview Village I Project**

Staff: Peter Gilli, Community Development Director

**RECOMMENDATION**

- a. Conduct a Public Hearing.
- b. Adopt a Resolution approving issuance of tax-exempt obligations not to exceed \$39,700,000 to the Housing Authority of the City of San Buenaventura to provide for the demolition of 72 existing public housing units and new construction of 131 multi-family apartments.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, APPROVING THE REISSUANCE OF TAX-EXEMPT OBLIGATIONS TO VILLAGES AT WESTVIEW I LP

RESOLUTION NO. 2019-\_\_\_

**11D. Issuance of Tax-Exempt Obligations Not to Exceed \$60,000,000 for the 105-Unit Affordable Multi-Family Rental Housing Westview Village III Project**

Staff: Peter Gilli, Community Development Director

**RECOMMENDATION**

- a. Conduct a Public Hearing.

**11. PUBLIC HEARING ITEMS (continued)**

- b. Adopt a Resolution approving issuance of tax-exempt obligations not-to-exceed \$60,000,000 to the Housing Authority of the City of San Buenaventura to provide for the acquisition, construction and development of 105 affordable, multi-family rental apartments.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA,

RESOLUTION NO. 2019-\_\_\_\_

**12. FORMAL ITEMS**

**12A. Naming of City/County Year-Round Homeless Shelter**

Staff: Alex D. McIntyre, City Manager

**RECOMMENDATION**

- a. Approve naming the City/County Year-Round Homeless Shelter The ARCH – All Roads Connect to Housing.
- b. Approve dedicating the commons room in honor of Former Mayor Neal Andrews.

**12B. Consideration of Emergency “Just Cause for Eviction” Ordinance**

Staff: Gregory G. Diaz, City Attorney

**RECOMMENDATION**

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, ADDING CHAPTER 6.1010, ‘JUST CAUSE FOR EVICTION,’ TO THE SAN BUENAVENTURA MUNICIPAL CODE AND DECLARING THE URGENCY THEREOF”

AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, ADDING CHAPTER 6.1010, ‘JUST CAUSE FOR EVICTION,’ TO THE SAN BUENAVENTURA MUNICIPAL CODE AND DECLARING THE URGENCY THEREOF”

ORDINANCE NO. 2019-\_\_\_\_

## 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

#### **Planning Commission November 13, 2019 Actions: Approved PROJ-10870 – UP-1-19-48563**

Century Theater Alcohol Use Permit – Request to rescind an Planning Commission Resolution No. CD-2017-10 containing a condition for a Type 41 license (On-sale Beer and Wine – Eating Place) that limits the serving size of beer to 16 ounces and replace with an Alcohol Use Permit allowing a Type 41 (On-sale Beer and Wine – Eating Place) that increases the serving size for beer to 25 ounces for Century Theaters located at 555 East Main Street in an Urban Core (T6.1) zone; Cinemark USA, Inc., applicant.

#### **Planning Commission November 13, 2019 Actions: Approved PROJ-13257 – UP-1-19-48863**

MidiCi Pizza Alcohol Use Permit – Request to allow a Type 47 license, On-sale General – Eating Place for MidiCi Pizza, a new pizza restaurant located at 512 East Main Street in the Urban Core (T6.1) zone. The restaurant will have an indoor dining only and Alcohol sale hours would be limited from 10:00 AM to 1:00 AM daily, in conjunction with food service; Nadia Alshamy, applicant.

### Recent Decisions of the Design Review Committee

#### **Design Review Committee November 20, 2019 Actions: Approved PROJ-10870 – UP-1-19-48563**

Sespe Building Color Change – Formal Design Review for a façade remodel consisting of a new paint scheme applied to the single commercial building located at 374 Poli Street; Angie Hecht, applicant; Urban Core (T6.1) zone.

#### **Design Review Committee November 20, 2019 Actions: Approved PROJ-12651 – DRC-6-19-50711 & SV-6-18-45759**

Horizon Veterinary Sign Variance – Formal Design Review of a new Sign Program and a Sign Variance to increase the maximum allowed sign area from 40 square-feet per building to up to 240 square-feet of wall signage per building and the use of two monument signs for two, two-story, commercial office buildings of 56,120 square feet and 50,486 square feet on 6.4 acres located at 5200 and 5280 Valentine Road; Vogue Sign Company, applicant; Manufacturing Planned Development (MPD) zone.

**14. PUBLIC NOTICES (continued)**

**Design Review Committee November 20, 2019 Actions: Approved  
PROJ-12757 – DRC-7-18-46217 & SV-7-18-46216**

Big Brand Tires Sign Program and Color Change – Formal Design Review of a new Sign Program to allow up to four wall signs and two monument signs for two buildings with four tenants in excess of the 100 square-feet of total signage allowed in the zone, plus a change in paint color for the showroom building located at 3650 East Main Street; James Hann, applicant; General Commercial (C-2) and Commercial (C) 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, November 27, 2019, at 5:30 p.m. in the City Clerk's Office, on the City Hall Public Notices Board and on the internet.