

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, FEBRUARY 24, 2020
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

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)

2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: Site 7: Surface parking lot generally located between California Street and Chestnut Street and between Main Street and Poli Street (APNs 073-0-041-160, 073-0-041-040, 073-0-041-190 and 073-0-041-030)

Agency Negotiators: Alex McIntyre, City Manager, Estelle Bussa, Economic Development Manager

Negotiating Parties: Alan Hiscocks, Global Real Estate Director, The Trade Desk

Under Negotiation: Price and Terms of Payment

Authority: Government Code Section 54956.8

CS5. ADJOURNMENT

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 a Moment – Juanamaria School – Respect
- B. Recognition of the 2019 City of Ventura Employee and Supervisor of the Year:
 - Foster McLean, Supervisor of the Year
 - Michael Acquarelli, Employee of the Year
- C. Proclamation - Suffragette Movement and 100th Anniversary of the 19th Amendment

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. [Approval of City Council Minutes – December 2, 2019; January 6, 2020; January 25, 2020; and January 27, 2020](#)

Staff: Antoinette M. Mann, City Clerk

RECOMMENDATION

Approve City Council Minutes from December 2, 2019; January 6, 2020; January 25, 2020; and January 27, 2020.

8. CONSENT ITEMS (continued)

8C. Request for Authorization to Extend Outside Counsel Services – Silver and Wright LLP for Representation of the City in Code Enforcement/Receivership Matters

Staff: Gregory G. Diaz, City Attorney

RECOMMENDATION

Authorize the City Attorney to execute Amendment No. 1 to Agreement No. P2018-143 with the law firm of Silver & Wright, LLP, adding \$320,000 to the amount of not-to-exceed compensation (for a total not-to-exceed amount of \$570,000), to allow Silver & Wright to continue to provide legal services related to code enforcement matters and receiverships for the Community Development Department.

8D. Enterprise Agreement for Geographic Information Systems

Staff: Michael Coon, Finance and Technology Director

RECOMMENDATION

Approve and authorize the Mayor to sign an enterprise license agreement with Environmental Systems Research Institute, Inc., effective March 2020 through April 2023, in the amount of \$166,250.

8E. Compliance with Civil Code 1798.90.55 (Use of Automated License Plate Reader Technology)

Staff: Ken Corney, Interim Chief of Police

RECOMMENDATION

- a. Acknowledge the opportunity for public comment in compliance with California Civil Code Section 1768.90.55 to permit the use of an Automated License Plate Reader technology by the City of Ventura.
- b. Accept and make part of the record any such public comments in the minutes, including noting if no public comments were received on this topic at the regularly scheduled public meeting of February 24, 2020.

8. CONSENT ITEMS (continued)

8F. Southern California Edison License Agreement for Bike Path at Saratoga and Walker Streets

Staff: Phillip L. Nelson, Public Works Director

RECOMMENDATION

Approve and authorize the City Manager to execute a license agreement with Southern California Edison, providing continued access to two portions of the Bike Path located at Saratoga and Walker Streets (PM ID: 100369); term of the license agreement: March 1, 2020 through February 28, 2025.

8G. Memorandum of Understanding - the Institute for Local Government for the Build, Organize, Optimize, Strengthen and Transform Sustainability Program

Staff: Phillip L. Nelson, Public Works Director

RECOMMENDATION

Approve and authorize the City Manager to sign a Memorandum of Understanding with the Institute for Local Government for the City of Ventura to participate in the Build, Organize, Optimize, Strengthen and Transform Sustainability Program.

8H. Mound Well 3, Enclosure and Site Improvements – Authorization to Advertise

Staff: Phillip L. Nelson, Public Works Director

RECOMMENDATION

- a. Approve the contract plans and specifications for Mound Well 3 – Enclosure and Site Improvements, Specification No. 2015-126.
- b. Authorize the advertisement for bids to be received on April 2, 2020 no later than 2:00 p.m. in the City Clerk's Office.

8. **CONSENT ITEMS (continued)**

8I. Surfers Point Beach Restoration Grant Application

Staff: Phillip L. Nelson, Public Works Director

RECOMMENDATION

- a. Approve a Resolution authorizing the City (City Manager, Public Works Director or City Engineer) to submit an application to the California Department of Parks and Recreation - Division of Boating and Waterways for a Shoreline Erosion Control and Public Beach Restoration Project for Surfers Point Beach.
- b. Authorize the City Manager as the agent for the City to conduct all negotiation and execute and submit all documents, including but not limited to applications, contracts and amendments, in compliance with all applicable current state law which may be necessary for the completion of the aforementioned.
- c. Authorize the Finance and Technology Department to assign increased appropriations and revenues to the proper programs and accounts for their use as provided in the grant, if the grant is awarded.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AUTHORIZING THE CITY MANAGER, OR DESIGNEE THEREOF, TO PREPARE A GRANT APPLICATION FOR THE RESTORATION OF THE BEACH AT SURFERS POINT

RESOLUTION NO. 2020-____

8J. Waterline – Eastside to Midtown Interconnection – Second Amendment to Professional Services Agreement for Environmental Review by Kennedy/Jenks Consultants

Staff: Phillip L. Nelson, Public Works Director

RECOMMENDATION

Approve and authorize the Mayor to execute the Second Amendment to the Professional Services Agreement with Kennedy/Jenks Consultants to provide environmental review services for the preparation of an initial study pursuant to California Environmental Quality Act; amended not-to-exceed amount of \$98,124; encumbrance of contingency funds for the project in the amount of \$6,820 for a new contract total amount of \$104,944.

8. CONSENT ITEMS (continued)

8K. Update on Net Zero Fee Revisions

Staff: Susan Rungren, Ventura Water General Manager

RECOMMENDATION

Receive an update and timeline on the requested actions identified in the October 14, 2019 City Council Policy Consideration.

9. APPOINTMENTS TO COUNCIL ADVISORY GROUPS

9A. Appointments Recommendation – Housing Authority City of San Buenaventura Board – Tenant Representatives

Introduced by: Councilmember Lorrie Brown

RECOMMENDATION

Approve the reappointments of Wanda Sumner and Barbara Keller as the Tenant Representatives to the Housing Authority City of San Buenaventura Board for a term of January 12, 2020 – January 12, 2022.

11. PUBLIC HEARING ITEM

11A. Extension to the Interim Urgency Ordinance - Accessory Dwelling Units

REQUIRES 4/5 APPROVAL TO PASS

Staff: Peter Gilli, Community Development Director

RECOMMENDATION

- a. Conduct a public hearing.
- b. Extend the Interim Urgency Ordinance for Accessory Dwelling Units through January 27, 2021.

AN INTERIM ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, PROHIBITING NEW ACCESSORY DWELLING UNITS EXCEPT THOSE THAT SATISFY SPECIFIED STANDARDS, DECLARING THE URGENCY THEREOF, AND FINDING THE ORDINANCE TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT ORDINANCE NO. 2020-____

12. FORMAL ITEMS

12A. Recycling and Food Waste Update

Staff: Phillip L. Nelson, Public Works Director

RECOMMENDATION

Receive a presentation providing an update on the state of municipal solid waste and food waste recycling in the city.

12B. Policy Consideration – Expanded Polystyrene Ban

Introduced by: Councilmember Christy Weir and Deputy Mayor Sofia Rubalcava

RECOMMENDATION

Direct staff to draft an ordinance that would enact a citywide ban on Expanded Polystyrene by requiring that all takeout food packaging and single-use food ware in restaurants be recyclable in our local municipal recycling program or biodegradable.

12C. Proposed 2020-2026 Capital Improvement Program Study Session

Staff: Phillip L. Nelson, Public Works Director

RECOMMENDATION

Conduct a study session regarding the proposed Capital Improvement Program for 2020-2026 and obtain feedback from City Council.

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 February 6, 2020 Actions: Approved PROJ-13658 – DRC6-19-50708

10-unit Apartment Development Located at 637 Sheridan Way - Formal Design Review for a new 10-unit apartment development with 13 on-site parking spaces, bicycle parking spaces, and landscaping proposed on a 12,500 square-foot (0.29 acre) project site. Access to the site exists from Sheridan Way via private driveway; Jason Rothman, applicant; Multiple Family (R-3-5) 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, February 19, 2020, at 5:30 p.m. in the City Clerk’s Office, on the City Hall Public Notices Board and on the internet.