

CITY OF VENTURA
CITY COUNCIL MINUTES



MONDAY, OCTOBER 16, 2023
REVISED ON OCTOBER 13, 2023 ADDED NEW CLOSED SESSION ITEM 2

CLOSED SESSION – 5:00 P.M.
REGULAR MEETING – 6:00 P.M.

CITY COUNCIL CHAMBERS – CITY HALL – 501 POLI STREET, VENTURA, CA 93001

JOE SCHROEDER, MAYOR

Councilmembers:

DISTRICT 1 – LIZ CAMPOS
DISTRICT 2 – DOUG HALTER
DISTRICT 3 – MIKE JOHNSON

DISTRICT 6 – JIM DURAN
DISTRICT 5 – BILL MCREYNOLDS
DISTRICT 4 – DR. JEANNETTE SÁNCHEZ-
PALACIOS, DEPUTY MAYOR

Bill Ayub
City Manager

Andrew Heglund
City Attorney

Michael B. MacDonald
City Clerk

PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED IN A HYBRID MODEL WITH BOTH IN-PERSON ATTENDANCE AND VIRTUAL PARTICIPATION.

Live broadcasts of City Council meetings are available on Cable TV (Channel 15) and via internet accessible video stream at <https://www.cityofventura.ca.gov/718/Videos> or on YouTube at <https://www.YouTube.com/cityofventura/live>.

To access the meeting remotely: Join the WebEx meeting live at: <https://cityofventura.webex.com/cityofventura/j.php?MTID=m651541c35b5bfb486aa79e8c291a063a>

To request to speak on an item, use the chat function to notify the City Clerk by including the Item Agenda Number in your comment. The City Clerk will announce public speakers and promote them to a panelist, which will allow the use of camera and microphone. To join with audio only, call (213) 306-3065 and use access code: 2558 226 4135

Please be mindful that the meeting will be recorded, and all rules of procedure and decorum apply for in-person attendees and those participating virtually.

To submit written comments (up to 1,000 characters) for the City Council's consideration and inclusion in the public records, email cityclerk@cityofventura.ca.gov by 4:00 p.m. on the meeting date, or by using the public comment form at www.cityofventura.ca.gov/publicinput. Please include the Agenda Item Number in the subject

This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953. Any member of the public may attend this meeting. Questions regarding this matter may be addressed to Michael B. MacDonald, City Clerk, (805) 654-4787. The City Council may take action related to any subject listed on the Agenda. Meetings will adjourn at :00 p.m. Any items outstanding at that time will be deferred until the next regularly scheduled meeting.

CALL TO ORDER – CLOSED SESSION – 5:00 p.m.

ROLL CALL

Present: Councilmembers Duran, McReynolds, Halter, Campos, Deputy Mayor Dr. Sánchez-Palacios, and Mayor Schroeder

Absent: Councilmember Johnson

Mayor Schroeder presiding

PUBLIC COMMUNICATIONS:

Speakers: Graham LaBarge, Brandyn Johnson, Spencer Noren

CLOSED SESSION: *Teleconference/Video Conference Meeting. The Public may not participate in the Closed Session, other than for Public Comments.*

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Name of Case: Johnson v. City of San Buenaventura

Ventura County Superior Court Case no.: 2023CUWM014178

Authority: Government Code §54956.9(d)(1)

2. CONFERENCE WITH LABOR NEGOTIATORS

Agency Designated Representatives: Bill Ayub, City Manager, and Danielle Keys, Human Resources Director

Employee Organization: Ventura City Firefighters' Association (VCFA)

Authority: Government Code Section 54957.6

ADJOURNMENT: *Adjourn to Regular Meeting.*

CALL TO ORDER – REGULAR SESSION: 6:12 p.m.

ROLL CALL

Present: Councilmembers Duran, McReynolds, Halter, Campos, Deputy Mayor Dr. Sánchez-Palacios, and Mayor Schroeder

Absent: Councilmember Johnson

Mayor Schroeder presiding

PLEDGE OF ALLEGIANCE: Councilmember Doug Halter

SPECIAL PRESENTATIONS AND ANNOUNCEMENTS

- Breast Cancer Awareness Month
- Update by Police Chief Darin Schindler on VPD’s response to potential threats to places of worship and culture following global events of the past week.

CLOSED SESSION REPORT: City Attorney Andy Heglund reported that there was no reportable action.

CITY COUNCIL COMMUNICATIONS

CITY MANAGER COMMUNICATIONS

CONSENT ITEMS:

Supplemental Packet: Communications posted online.

Public Speakers: None

Action: M/S/C (McReynolds/Duran) to approve the Consent Items.

Vote: Ayes: Duran, McReynolds, Halter, Campos, Deputy Mayor Dr. Sánchez-Palacios, and Mayor Schroeder; Noes: None; Abstain: None; Absent: Johnson

1. Move all Resolutions and Ordinances presented tonight be deemed read by title only and all further reading be waived.
2. Legal Services Agreement Amendment for Outside Counsel Services with Burke Williams & Sorenson for Human Resources Advice Services

Staff: Andy Heglund, City Attorney

RECOMMENDATION

Authorize the City Attorney to amend the legal services agreement with Burke Williams & Sorenson to increase the compensation by \$60,000 for a new not to exceed amount of \$120,000.

Action: Approved recommendation.

CONSENT ITEMS (CONTINUED)

3. **Legal Services Agreement Amendment for Outside Counsel Services with the Law Firm of Nossaman, LLP**

Staff: Andy Heglund, City Attorney

RECOMMENDATION

Authorize the City Attorney to enter into an amended legal services agreement with Nossaman, LLP for legal services regarding compliance with the Consent Decree and the National Pollutant Discharge Elimination System permit, and obtaining other regulatory permits, in an amount not to exceed an additional \$200,000 to continue representation of the City.

Action: Approved recommendation.

4. **Approval of City Council Minutes – Regular Meetings held on September 11, 2023, and September 25, 2023**

Staff: Michael MacDonald, City Clerk

RECOMMENDATION

Approve City Council Minutes for Regular Meetings held on September 11, 2023 and September 25, 2023

Action: Approved recommendation.

5. **City Council Quarterly Travel Report**

Staff: Bill Ayub, City Manager

RECOMMENDATION

Receive and file the Travel Report for Quarter 1 of Fiscal Year 2023/24.

Action: Approved recommendation.

6. **Downtown Parking Update Extension Request**

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

Approve an extension for the due date of the Downtown Parking Update to November 13, 2023.

Action: Approved recommendation.

PUBLIC HEARING ITEMS:

7. Amend Chapter 24.430 of the Municipal Code Regarding Accessory Dwelling Unit Regulations to Maintain Compliance with State Law

Staff: Neda Zayer, Interim Community Development Director

RECOMMENDATION

- a. Conduct a Public Hearing.
- b. Introduce and approve the first reading of the Ordinance, titled as follows:

“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING, IN PART, DIVISION 24, CHAPTER 24.430 RELATING TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS AND DETERMINING THE ORDINANCE TO BE STATUTORILY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT”

- c. Set the second reading and adoption of this Ordinance at the City Council meeting on November 13, 2023.
- d. Authorize staff to adjust the Ordinance if required or directed by California Coastal Commission (CCC) staff or the California Department of Housing and Community Development (HCD).

Supplemental Packet: Communications posted online

Public Speakers: None

Action: M/S/C (Sánchez-Palacios/Halter) to approve staff recommendation. Ordinance No. 2023-009.

Vote: Ayes: Duran, McReynolds, Halter, Campos, Deputy Mayor Dr. Sánchez-Palacios, and Mayor Schroeder; Noes: None; Abstain: None; Absent: Johnson

PUBLIC HEARING ITEMS (CONTINUED)

8. **Extension of Thomas Fire terms of Ordinance No. 2018-016 which Amended Certain Provisions Pertaining to Height Determinations and Implementation and Restating the Thomas Fire Rebuild Overlay Zone**

Staff: Neda Zayer, Interim Community Development Director

RECOMMENDATION

- a. Conduct a Public Hearing.
- b. Determine the adoption of the Ordinance is exempt from the provisions of the California Environmental Quality Act pursuant to Public Resources Code Section 21080(b)(3) and Section 21080(b)(4), and CEQA Guidelines Section 15269(a).
- c. Introduce and approve the first reading of the Ordinance to extend the Thomas Fire Overlay Zone regulations for an additional six months, titled as follows:

“AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, EXTENDING THE TERM OF ORDINANCE NO. 2018-016 WHICH AMENDED CERTAIN PROVISIONS PERTAINING TO HEIGHT DETERMINATIONS AND IMPLEMENTATION AND RESTATING THE THOMAS FIRE REBUILD OVERLAY ZONE”

- d. Set the second reading and adoption of this Ordinance at the City Council meeting on October 23, 2023.

PUBLIC HEARING ITEMS (CONTINUED)

Supplemental Packet: Communications posted online

Public Speakers: None

Action: M/S/C (McReynolds/Duran) to approve staff recommendation with the following amendments; to extend the Thomas Fire Overlay Zone regulations to December 31, 2025, to send out a notice by the end of the calendar year to the 59 property owners who have no permit on file that they have 24 months to submit an application, 12 months later send a 2nd notice, and 6 months following a third and final notice, and to not have staff come back with a program and budget for the hillside management program, instead allowing the General Plan to handle the discussion. Ordinance No. 2023-010.

Vote: Ayes: Duran, McReynolds, Halter, Campos, Deputy Mayor Dr. Sánchez-Palacios, and Mayor Schroeder; Noes: None; Abstain: None; Absent: Johnson

FORMAL ITEMS: *The public may comment on each item listed on the agenda for Formal Items as the item is taken up. Formal Items may be reordered at the discretion of the Chair. The public may speak up to three (3) minutes on each agenda item.*

9. Main Street Moves Update

Staff: Bill Ayub, City Manager

RECOMMENDATION

Provide staff direction for the next steps with Main Street Moves.

Supplemental Packet: Communications posted online

Public Speakers: Wendell Liljedahl, Martha Cantos, Colby Holman, Natalie Bruton, Lynette Hale-Lee, Christy Weir, Bryan-Michael Miller, Cheryl Heitmann, Tina Thayer, Alex Schneider, Kevin Clerici, Spencer Noren, Michelle Ramirez, Kevin Seghos, Joseph Rule, Johnathan Puu

FORMAL ITEMS (CONTINUED)

Action: M/S/C (Sánchez-Palacios/Campos) to continue on an interim basis with the full closure, that staff will continue to develop and finalize the guidelines on the parklets, that staff will explore short-term parking for food pickup, that staff will return to the Council concurrently with the presentation of the Design Guidelines with a mechanism for transitioning the liability risk from DVO/DVP to the City, and that California street will remain in its current configuration, adding that to the CEQA analysis.

Vote: Ayes: Duran, McReynolds, Halter, Campos, Deputy Mayor Dr. Sánchez-Palacios, and Mayor Schroeder; Noes: None; Abstain: None; Absent: Johnson

Action: M/S/C (Halter/Sánchez-Palacios) to hear a new item beyond 10 p.m. per the City Council Protocols.

Vote: Ayes: McReynolds, Halter, Deputy Mayor Dr. Sánchez-Palacios, and Mayor Schroeder; Noes: Campos, Duran; Abstain: None; Absent: Johnson

10. **Amend the FY24-28 Capital Improvement Program Workplan to Add Project 93710 – Interim Fire Station No. 7**

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

- a. Amend the Fiscal Year 2024-2028 Capital Improvement Program Workplan to move Project 93710 – Interim Fire Station No. 7 from an Unplanned Project to the Workplan and add Project 93114 – Fire Station No. 7 Permanent Facility to the FY 2024-2028 CIP Unplanned Project list.
- b. Authorize an increase in budget appropriations for Fiscal Year 2024 in the General Capital Improvement Fund (Fund 04) in the amount of \$4,886,571.

FORMAL ITEMS (CONTINUED)

- c. Authorize a transfer to the General Capital Improvement Fund (Fund 04) from the Developer Improvement Fund (Fund 16) (\$1,765,600) and the General Fund (Fund 01) (\$3,120,971).
- d. Authorize an increase in CIP Appropriations in the General Capital Improvement Fund (Fund 04) for Interim Fire Station No. 7 (Project 93710) in the amount of \$4,886,571.

- Supplemental Packet:** Communications posted online
- Public Speakers:** Amy Cherrie, Spencer Noren, Burt Handy
- Action:** M/S/C (Campos/Halter) to extend the meeting beyond 11 p.m. per the City Council Protocols.
- Vote:** Ayes: Duran, McReynolds, Halter, Deputy Mayor Dr. Sánchez-Palacios, and Mayor Schroeder; Noes: Campos; Abstain: None; Absent: Johnson
- Action:** M/S/F (McReynolds/Halter) to approve staff recommendation with the amendments; install large photo-voltaic system, conduit running for all electric vehicles at parking stalls, truck bays pre-wired for electric fire trucks, electric heat pump system, kitchen pre-wired for induction cooking, and if possible, a battery storage system. In addition, have staff conduct a study connecting the “missing piece” of Alessandro Drive.
- Vote:** Ayes: McReynolds, Halter, and Mayor Schroeder; Noes: Duran, Campos, Deputy Mayor Dr. Sánchez-Palacios; Abstain: None; Absent: Johnson (**vote fails**)

FORMAL ITEMS (CONTINUED)

Action: M/S/C (McReynolds/Campos) to continue item to be brought back to Council by the end of the calendar year.

Vote: Ayes: Duran, McReynolds, Halter, Campos, Deputy Mayor Dr. Sánchez-Palacios, and Mayor Schroeder; Noes: None; Abstain: None; Absent: Johnson

11. Facilities Program Update

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

Receive an update on city-owned Facilities, their current condition, and plans for repairs, maintenance, and rehabilitation efforts to provide healthy and safe facilities for the City of Ventura.

Supplemental Packet: Communications posted online.

Public Speakers: None

Action: Item continued to a future meeting.

PUBLIC COMMUNICATIONS:

Public Speakers: Johnathan Puu, Spencer Noren

ADJOURNMENT

Meeting adjourned at 12:43 p.m. in memory of Suze Montgomery and Mr. McBaine

I hereby certify that this is a true and correct record of the City Council meeting held on October 16, 2023.



Darrick Ryser
Deputy City Clerk