

CITY OF VENTURA
CITY COUNCIL AGENDA

Supplemental Information Packet

**Public Communications Received by 4:00 p.m.
November 28, 2022**

Meeting of November 28, 2022

Supplemental Information:

Any agenda related public documents received and distributed to a majority of the City Council after the Agenda Packet is printed are included in Supplemental Packets. Supplemental Packets are produced as needed. The Supplemental Packet is 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 – www.cityofventura.ca.gov
<https://www.cityofventura.ca.gov/1236/City-Council-Public-Hearing-NoticesSuppl>

AGENDA ITEM

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Date: November 28, 2022

Council Action Date: November 28, 2022

CORRECTION TO STAFF REPORT**TO:** Honorable Mayor and City Council**FROM:** Andrew Heglund, City Attorney**SUBJECT:** REQUEST FOR AUTHORIZATION TO AMEND LEGAL SERVICES AGREEMENT WITH HAYNES & BOONE, LLP, BY INCREASING THE NOT TO EXCEED AMOUNT IN THE *MID-CENTURY INSURANCE COMPANY v. CITY OF SAN BUENAVENTURA* LITIGATION MATTER

The **RECOMMEDATION** section of this Staff Report misstated the new “not-to-exceed” amount. This section in its entirety should read as follows:

RECOMMENDATION

Authorize the City Attorney to enter into an amended legal services agreement with the law firm of Haynes and Boone, LLP, to increase the contract by \$50,000 for a new not-to-exceed amount of \$150,000 to continue representation of the City in the above referenced matter.

Prepared by: Andy H. Viets, Senior Assistant City Attorney

**6. ORDINANCES FOR SECOND READING –
ADOPTION OF STATE BUILDING STANDARDS CODES**

Tracy Oehler

From: Kathy Bremer
Sent: Monday, November 28, 2022 3:18 PM
To: City Clerk
Subject: -EXT- Consent Item #6, State Building Code

Comment re: Consent item #6 – State Building Code

Dear Council,

This consent item provides another opportunity for concerned community members to press for electrification of new construction in the City of Ventura. This is the easiest place to begin the process of electrification because it is a lot trickier to retrofit the thousands of older homes and buildings in our community. That too must also be accomplished.

Let's start as soon as possible. Electrification of all new construction should be a top priority on the 2023 City Council agenda.

Thank you for your consideration of this important issue.

Sincerely,
Kathy Bremer
Ventura

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**13. AMENDMENTS TO THE THOMAS FIRE
ORDINANCE (2018-016) TO EXTEND THE END DATE
OF THE ORDINANCE BY ONE YEAR**

Tracy Oehler

From: Ron Janes
Sent: Sunday, November 27, 2022 4:34 PM
To: City Clerk
Cc: Neda Zayer; Akbar Alikhan; Alex McIntyre
Subject: -EXT- Amendments to the Thomas Fire Ordinance (2018-016); Agenda Item #13;
11/28/2022 Action Date

To: Honorable Mayor and City Council
Akbar Alikhan, Acting City Manager
Neda Zayer, Acting Community Development Director

Subject: Amendments to the Thomas Fire Ordinance (2018-016) to Extend the End
Date of the Ordinance by One Year

Greetings,

As a Thomas Fire Victim who rebuilt under the Ordinance; I am familiar with both the initial benefits the ordinance provided, and now sadly the unintended negative impacts of its current utilization.

The current Thomas Fire Overlay Ordinance should NOT be extended in its current entirety. Instead it should be modified to clarify that it only applies to the original homeowners impacted by the Thomas Fire. That was the inspiring reason and purpose for its enactment; to "ASSIST IMPACTED HOMEOWNERS ON REBUILDING EFFORTS."

This intent to assist "HOMEOWNERS CHOOSING TO REBUILD" is clearly spelled out in the original Ordinance No. 2018-016. (See your Exhibit B, Sections HH, II, and JJ on page 5.) (See also Attachment A, the proposed new ordinance creating the extension, at Sections HH,II, and JJ at pages 4- 5)

Unfortunately many original homeowners were unable to rebuild, and their lots have been purchased by developers who are taking unfair advantage of this ordinance to build large, expensive homes that they could not build elsewhere in the City of Ventura without complying with the Hillside Voter Participation Area Measure. It has and threatens to continue causing destruction of views for original homeowners as well as changing the character of neighborhoods. Instead of leaving this loophole open, new property owners and developers should have to comply with the Hillside Measure which gives existing homeowners a voice when views or neighborhood consistency is threatened.

My neighbor David Hurst documented the impact of this situation in an email I've appended below. If the ordinance is continued, I would hope you will limit its benefits to the homeowners it was intended to help; and prevent the unintended negative consequences to the remaining property owners who have already endured enough heartbreak.

Thank you,

Ronald Janes

Ventura, Ca 93003

Councilor Halter,

I recently had a brief conversation with the city clerk who advised that the council will soon be considering extending the Thomas Fire Overlay Ordinance for a further year. The 5 year emergency ordinance expires on 4, Dec 2022

Some background. I live in the Skyline neighborhood (one of your constituents) on Rushmore Street and was one of the many in this neighborhood that lost a home in the Thomas fire. We have now rebuilt and been living in our new home for over 2 years. There are still several lots nearby that remain vacant and some for sale.

Immediately across the street is a vacant lot waiting for development by a new lot owner. Whilst, I do not object in principle to extending the emergency ordinance by 1 year to help those people who lost their homes in the fire that are still struggling with the rebuild process, my fear is there are only few of these and property developers have moved in. I have a copy of the original 1972 sales brochure for the Skyline Heights development. It shows 5 basic tract house designs where a 2 story structure had a square footage of a little under 1800 sq ft. (my property was one of the original 2 story homes at 1704 sq ft. It is true people built extensions to increase size by following the planning commission variance process but, recently post Thomas fire, new construction of replacement properties under the emergency ordinance are significantly larger. Here is a listing of recent new homes completed and immediately put up for sale.

5501 Kalis 2520 sq ft
5515 Kalis 3375 sq ft
5543 Kalis 2875 sq ft
657 Alverstone 2970 sq ft
528 Skyline 2900 sq ft
630 Skyline 3200 sq ft
525 Valley View 3096 sq ft
531 Valley View 2907 sq ft

My concern and that of my neighbors, the vacant corner lot immediately across the street is now owned by a property developer who will attempt to build a significantly larger property. This will affect our views. As previously mentioned, it would be unreasonable not to allow for a similar structure that existed before the Thomas fire but, anything larger is a direct impact on neighboring properties. My suggestion to you and the city council, is extend the emergency ordinance for one year but caveats with it being applicable only to existing property owners prior to the Thomas fire. That way any new lot owner i.e. lot purchased after the fire, would need to use the planning variance process for their new construction meaning the planning commission is the approval source with the full council for final appeals. This provides neighbors with protections such as formal noticing and use of story poles to determine view lines etc. I believe currently the Community Director has discretionary powers to approve new plans in a fast track process and my fear is plans can and will be approved without any notice to anyone impacted.

I encourage you to give this consideration and I would be happy to meet with you to explain further should you desire.

Thank you for your consideration

David Hurst

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Tracy Oehler

From: b heck
Sent: Sunday, November 27, 2022 9:49 PM
To: City Clerk
Subject: -EXT- Nov.28, 2022 Agenda item 13 / Thomas Fire

To the Attention of the Ventura City Council Members,

Timeline of events:

- * December 4, 2017 Thomas Fire ignites.
 - * @ March 2019 VCFD indicates the fire most likely was ignited by Edison utilities.
 - * Discussions of Bellwether hearings to be held in Los Angeles.
 - * Bellwether hearings announced...Feb, April, June 2020, but don't proceed.
 - * By 2020, Edison pays local Cities / Counties 150 million in claims.
 - * During 2021... an agreement is reached, there will be no Bellwether hearings.
 - * By 2021, Edison pays insurance company claims 1.2 billion.
 - * December 2021, Edison to pay Calif Public Utilities Commission 550 million.
- * Now maybe it's time for the individual property owners.
As Attorney Alexander Robertson said in the VC Star...mediation is a slow process
...many can't build without settlement from Edison.

I don't believe that in a year I can have my claim settled & processed with Edison and have plans ready and the permit to build.

I have no idea on what my budget will be for the rebuild which determines the scope of the plans.

And I don't want to lose the "2017 permit fee schedule" when my plans are ready.
Please be sure this is addressed.

Sincerely,
B. Heckenlively

Sent from my iPad

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PUBLIC COMMUNICATIONS

From: Glenda Jackson
Sent: Monday, November 21, 2022 7:25 AM
To: City Clerk
Subject: -EXT- COMMENT 88 UNIT AT FRONT AND KALORAMA

I am opposed to approval of this project. The design is not in keeping with the look of the area. It's blocking views and too dense. It looks like a building you would see on Wilshire Blvd in Los Angeles, not in our coastal community.

When I worked for the City of Ventura from 1988 to 2000, there were design standards. The State Court of Appeals building is an example.

It's very disappointing to see what's happening to our town. Under the guise of "affordable housing," gargantuan structures are going in at a record pace. Overbuilding is happening. Who can afford \$3500/month rent?

From the standpoint of someone who has led historical walking tours of Ventura since 1997, it's a shame to see the HUGE downtown building that are going in. Even Santa Barbara has building requirements for a 1920s 1930s look. Our Planning Commission, DRC and City Council honestly don't seem to care anymore.

It looks like our City is caving in to developers dollars.

I stand with hundreds of Ventura residents (I moved here in 1975) who oppose this project.

Glenda Jackson

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Tracy Oehler

From: Dave
Sent: Sunday, November 27, 2022 8:30 AM
To: Council
Subject: -EXT- Poor tree choice
Attachments: IMG_20221124_133246.jpg

My neighbors and I aren't thrilled with the choice of trees in the east side of the public parking lot between S. Katherine Dr. and Hartman. Whenever the east winds blow the fallen leaves wind up in our driveways. The pine needles are bad enough, but most of that mess fetches up against the curb. Picture of a fraction of the problem is enclosed.

Dave Thoma

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Tracy Oehler

From: Angel Mendez
Sent: Monday, November 28, 2022 12:47 PM
To: City Clerk
Subject: -EXT- Public comment on out of topic from agenda

Hello, I was recently looking over the \$319 million stadium pitch project posted on VC star. I really love the idea of renovating the fair and adding new stores and dining locations. I have some questions on the stadium itself on whether it will be the new places where concerts for the fair are going to be at. Also, I notice they pushed the rodeo area more west and added an area for rides. Will that expand the spaces for more rides or will we lose space? The comparison from google maps and the plan project suggest expanding. I also like the addition of a parking structure being built. I noticed one is located in the fairgrounds near the planned rodeo area. Will that be accessible for the public during the fair or only to fair workers? Also a very off topic question, but the holidays are here so have the city planned or planning to collaborate with other cities in the county to bring back the sleigh of lights that flew around ventura during christmas eve. It was a great experience for the 35 years that made our city and county unique compared to others since that was our holiday tradition which can bring back good memories for residents during the holidays.

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