



# Wal-Mart can't be stopped; but Super Wal-Mart might be

The ballot initiative can only do so much



By [Paul Sisolak](#) 12/04/2008

A decision last week by the Ventura City Council to place an initiative restricting big box chain stores on November 2009 ballots, rather than adopt an ordinance for it, was not an unexpected move, according to opponents sworn to halt a Wal-Mart coming to the city's Victoria Avenue business corridor.

Members of the Stop Wal-Mart Coalition, CAUSE and Livable Ventura, three activist groups who have lobbied vigorously to prevent the chain retailer from implementing its proposed plans to take up the empty store space once occupied by a K-Mart, say they are happy the future of Wal-Mart will come at the hands of

voters, but had hoped an immediate action by the council would be taken at the Nov. 24 session.

“We expected them to take the action that they did. We support putting it to the voters,” said Das Williams, a member of Livable Ventura.

“We’re a little bit concerned,” he continued. “We believe it would have been better to adopt it now to provide some certainty to the people of Ventura.”

Concern and certainty are two words that could be utilized in defining the Wal-Mart scenario since local public outcry arose in the past few years. The anti-Wal-Mart community has railed against the retailer’s questionable business practices, effects the store could have on traffic along Victoria, and the potential for usurping revenues from its competitors.

The council’s posing of an initiative to the voters was undoubtedly influenced by the groups’ collection of more than 12,000 signatures on a petition, according to Ed Lacey of Livable Ventura.

“I think they (the City Council) articulated a number of different reasons,” Lacey said. “One that made sense was they weren’t sure if people signing the petitions were indicating they wanted the ordinance in place or they wanted a chance to vote on it.”

That’s partially why the city’s deputy mayor, Bill Fulton, voted in favor of a ballot initiative over an ordinance.

“I’m always reluctant to simply establish an initiative” as law, he said.

But there’s more to it than that. In the case of Wal-Mart, the council’s decision allows voters a whole year to better acquaint themselves with an issue that has the potential for confusion. It’s better because adoption of a retail ordinance, says Rick Cole, Ventura’s city manager, may have come as a big surprise to some people expecting a total and climactic ban on Wal-Mart, forever, from Ventura.

“It isn’t an opportunity to vote yes or no on Wal-Mart,” explains Cole. “It’s an opportunity to vote on stores more than 90,000 square feet, with space devoted to food. If you vote yes or no on this initiative based on whether or not you like Wal-Mart, you are seriously misinformed.”

That means that if the initiative passes next November, Wal-Mart, which holds a long-term ground lease on the vacant, 100,000-square foot-plus property, wouldn't be barred from moving in. It would only be prevented from becoming a "supercenter" — it couldn't expand to more than 90,000 square feet or sell groceries of any kind. It could potentially spare grocers like Trader Joe's, in the same shopping plaza, and Ralph's, across the street on Victoria, from losing business to Wal-Mart.

If the initiative passes, it would also place the same limitations on every large retailer looking to set foot in Ventura, except for wholesale membership clubs — the Costcos and Sam's Clubs of the world — which are exempt.

"As it's written, it would apply to anybody," says Nelson Hernandez, head of the city's community development department. "We can't have a law that says 'Wal-Mart.' We have to treat everybody equally, and that would apply to Target or any other retailer that would come around."

Livable Ventura is fine with that. Their stance: it's not the company, but the size of the big box establishment that will ruin Ventura's character. A Wal-Mart, they maintain, will not only discourage smaller, independently-run businesses from even trying their retail hand against the Bentonville, Ark., discount giant, but drive away the ones that are here.

"Generally," he said, "people understand that you can't do an ordinance that specifically says Wal-Mart can't open a store; it has to be generic in nature. What we're talking about are big-box stores of any kind. Wal-Mart was the trigger that started the whole thing, but they understand it's not just Wal-Mart."

So Venturans may need to be patient until next November for closure on the debate, but that doesn't mean Wal-Mart has to wait that long to move into its new digs — the question is, when?

According to Cole, all has been quiet on the Wal-Mart front.

"They've been publicly very close mouthed about their plans," he says.

This year, small tidbits of those plans have emerged. In June, the Reporter broke news that Wal-Mart was looking to reuse the empty K-Mart facility, instead of tearing it down, to avoid a lengthy environmental review process. Some design talk with the City Council resulted in a concept for a two-story Wal-Mart structure, with lower-level parking to alleviate overcrowding the already-cramped Victoria

parking lot. There were even rumors in the late summer of Wal-Mart's plans to move in discreetly during the middle of the night.

There's also nothing that excludes Wal-Mart's departure, or from another retailer taking up the lease.

"Given the changing face of retail, anything could happen," said Cole.

Aaron Rios, a spokesman for Wal-Mart, could not be reached for comment.

Livable Ventura's plans now are to extend its efforts into the campaign season.

"We'll probably try to set up some outreach," said Lacey.

(Calls seeking comment from the United Food and Commercial Workers' local union in Camarillo were not returned.)

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