

CITY OF VENTURA  
**CITY COUNCIL MINUTES**

**Matt LaVere**  
Mayor

**Lorrie Brown**  
Councilmember District 6

**Erik Nasarenko**  
Councilmember District 4

**Jim Friedman**  
Councilmember District 5

**Sofia Rubalcava**, Deputy Mayor  
Councilmember District 1

**Cheryl Heitmann**  
Councilmember At-Large

**Christy Weir**  
Councilmember At-Large

Alex D. McIntyre, City Manager  
Gregory G. Diaz, City Attorney  
Antoinette M. Mann, City Clerk

**REGULAR MEETING**

**MONDAY, JANUARY 13, 2020**

**CS1. CALL TO ORDER – CLOSED SESSION**

The San Buenaventura (Ventura) City Council met in Closed Session in the City Hall Council Chambers, 501 Poli Street, Ventura at 5:13 p.m.

**CS2. ROLL CALL**

PRESENT: Councilmembers Nasarenko, Brown, Friedman, Weir, Heitmann, Deputy Mayor Rubalcava and Mayor LaVere

ABSENT: None

Mayor LaVere presided.

**CS3. PUBLIC COMMUNICATIONS – None**

**CS4. CLOSED SESSION – City Council Conference Room**

1. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Title: City Manager

Authority: Government Code Section 54957

**CS4. CLOSED SESSION (continued)**

2. **CONFERENCE WITH LABOR NEGOTIATORS**  
City Negotiators: Mayor Matt LaVere and Councilmember Nasarenko  
Unrepresented Employee: City Manager  
Authority: Government Code Section 54957.6
3. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**  
Name of Case: *City of San Buenaventura v. United Water Conservation District and Board of Directors of United Water Conservation District*  
Authority: Government Code Section 54956.9(d)(1)
4. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**  
Case Name: Foster v. City of Ventura  
VCSC Case No.: 56-2019-00530381-CU-PO-VTA  
Authority: Government Code Section 54956.9(d)(1)
5. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**  
Property: 505 Poli Street, Ventura  
Agency Negotiator: Alex McIntye, City Manager, Estelle Bussa, Economic Development Manager  
Negotiating Parties: Alan Hiscocks – General Manager, Global Real Estate & Facilities, The Trade Desk  
Under Negotiation: Price (Rent) and Terms of Payment  
Authority: Government Code Section 54956.8

**CS5. ADJOURNMENT**

Closed session adjourned at 6:07 p.m.

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**1. CALL TO ORDER – REGULAR SESSION**

The San Buenaventura (Ventura) City Council met in Regular Session in the City Hall Council Chambers, 501 Poli Street, Ventura at 6:08 p.m.

**2. ROLL CALL**

PRESENT: Councilmembers Nasarenko, Brown, Friedman, Weir, Heitmann, Deputy Mayor Rubalcava and Mayor LaVere

ABSENT: None

Mayor LaVere presided.

**3. PLEDGE OF ALLEGIANCE**

Mayor LaVere led the pledge of allegiance.

**4. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS**

Interim Chief of Police Ken Corney, Assistant Chief of Police Darrin Schindler, Commander Sam Arroyo, Assistant City Attorney Dirk DeGenna and David Russell from the County of Ventura’s District Attorney’s Office gave an update on the Ventura Police Department Patrol Task Force engagement efforts, criminal enforcement of the municipal code, social services available for individuals, highlighting the collaboration between the City, the County and other agencies to address homeless concerns.

Safe and Clean Program Manager Meredith Hart gave an update on the City of Ventura/County of Ventura Year-Round Homeless Shelter the ARCH; ribbon cutting is scheduled for Monday, January 27, 2020, from 11:00 a.m. to 12:30 p.m.

**AGENDA ITEM ADJUSTMENTS**

Mayor LaVere announced that Formal Agenda Item 12D (Surfer’s Point Phase 2 Progress Presentation) will be moved to following the Special Presentation Section.

**\*12. FORMAL ITEMS**

**\*12D. Surfer’s Point Phase 2 Progress Presentation**

SPEAKERS

Presenters                      Public Works Director Phillip Nelson and Engineering Services Manager Brad Starr

Public                              Brian Brennan, BEACON

DOCUMENT

PowerPoint

7:04 p.m. Councilmember Brown absent; 7:21 p.m. present. 7:07 p.m. Mayor LaVere absent; 7:10 p.m. present. 7:19 p.m. Councilmember Friedman absent; 7:20 p.m. present.

City Council received the presentation on the Surfer’s Point Phase 2 Project status update. No action taken.

**\*12. FORMAL ITEMS (continued)****\*12C. Barranca Vista Recreation Center Repairs and Refurbishment Project – Authorization to Re-advertise**

Mayor LaVere announced Formal Agenda Item 12C (Barranca Vista Recreation Center Repairs and Refurbishment Project – Authorization to Re-advertise) will be continued to the January 27, 2020 agenda. No action taken.

**5. CLOSED SESSION REPORT**

City Attorney Gregory G. Diaz stated City Council met in closed session tonight and there is no reportable action.

**6. CITY COUNCIL COMMUNICATIONS**

Councilmember Heitmann announced the 4<sup>th</sup> Annual Justice for All March & Rally at Plaza Park on January 18, 2020 at 10 a.m.

**7. PUBLIC COMMUNICATIONS****SPEAKERS**

Terrence Foley, Pierpoint Bay Community Council; Randy Haney, City of Ojai Councilmember; William Weirick, City of Ojai Councilmember; Laura Ward, Ojai Valley News Editor; Liz Campos; Gerardo Gallegos; Betsy Erickson; and Grant Marcus

Mayor LaVere announced the grand opening of the Southern California American Indian Resources Center on January 25, 2020 on behalf of Kawehi Brandow.

**DOCUMENT**

Handout

Betsy Erickson

**8. CONSENT ITEMS**

Councilmember Nasarenko pulled Consent Agenda Item 8D (Approve Contract for 2020 Ventura Water Cost of Service and Rate Design Study) for questions only. Questions were addressed and Consent Agenda Item 8D was included in the motion to approve the Consent Calendar.

Councilmember Weir pulled Consent Agenda Item 8B (Wells Center Bus Stop Upgrade Project – Award Construction Contract). Consent Agenda item 8B was addressed as a separate motion.

**8. CONSENT ITEMS (continued)**

Councilmember Nasarenko moved to approve the recommendation to:

**8A. Move all resolutions and ordinances presented tonight be deemed read by title only and all further reading be waived.**

Councilmember Heitmann seconded. The vote was as follows:

AYES: Councilmembers Nasarenko, Brown, Friedman, Weir,  
Heitmann, Deputy Mayor Rubalcava and Mayor LaVere  
NOES: None  
ABSENT: None

City Clerk Antoinette M. Mann declared the motion carried 7-0.

**\*8C. Montalvo Cell License Agreement – PM ID: 100207**

Councilmember Nasarenko moved to approve the recommendation to:

Authorize the City Manager to execute a license agreement allowing NCWPCS MPL 25 – Year Sites Tower Holdings LLC to access its cellular site by crossing over City-owned property. The term of the license agreement is five years, January 13, 2020 through December 31, 2024.  
AGREEMENT NO. 2020-001

Councilmember Heitmann seconded. The vote was as follows:

AYES: Councilmembers Nasarenko, Brown, Friedman, Weir,  
Heitmann, Deputy Mayor Rubalcava and Mayor LaVere  
NOES: None  
ABSENT: None

City Clerk Antoinette M. Mann declared the motion carried 7-0.

**8. CONSENT ITEMS (continued)****8D. Approve Contract for 2020 Ventura Water Cost of Service and Rate Design Study**

SPEAKER Ventura Water General Manager Susan Rungren

Councilmember Nasarenko moved to approve the recommendation to:

**RECOMMENDATION**

- a. Approve and authorize the Mayor to execute an agreement with Raftelis Financial Consultants, Inc. for professional services associated with the 2020 Cost of Service and Rate Design Study to evaluate water and wastewater revenues for a period of 18 months, January 6, 2020 to June 30, 2021 for a not-to-exceed amount of \$187,000.00 AGREEMENT NO. 2020-002
- b. Authorize the City Manager or his designee to execute amendments, if necessary, in order to extend the term of the agreement or modify the Schedule of Compensation in an amount not-to-exceed \$38,000.00 in order to accommodate the need for further analysis or additional scope if required, pursuant to San Buenaventura Municipal Code section 4.600.200.
- c. Direct staff to request the Water Commission to review the updated 2020 Cost of Service and Rate Design Study for Ventura water and wastewater rates and make recommendations to Council at its conclusion.

Councilmember Heitmann seconded. The vote was as follows:

AYES: Councilmembers Nasarenko, Brown, Friedman, Weir,  
Heitmann, Deputy Mayor Rubalcava and Mayor LaVere  
NOES: None  
ABSENT: None

City Clerk Antoinette M. Mann declared the motion carried 7-0.

**8. CONSENT ITEMS (continued)****8E. Ordinance for Second Reading – Modifying Tree Advisory Committee to become the Tree Advisory Board (Hearing Body)**

Councilmember Nasarenko moved to approve the recommendation to:

Waive the second reading in full and adopt the Ordinance of the Council of the City of San Buenaventura, California, pertaining to modifying the Tree Advisory Committee to become the Tree Advisory Board (Hearing Body).

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING CHAPTER 2.450, "TREE ADVISORY COMMITTEE," OF THE SAN BUENAVENTURA MUNICIPAL CODE TO RENAME THE TREE ADVISORY BOARD AND REVISE THE DUTIES OF THE TREE ADVISORY BOARD (December 9, 2019 VOTE: 7-YES; 0-NO; 0-ABSENT) ORDINANCE NO. 2020-001

Councilmember Heitmann seconded. The vote was as follows:

AYES: Councilmembers Nasarenko, Brown, Friedman, Weir, Heitmann, Deputy Mayor Rubalcava and Mayor LaVere  
 NOES: None  
 ABSENT: None

City Clerk Antoinette M. Mann declared the motion carried 7-0.

**8F. Ordinance for Second Reading – Tobacco Retailer Licenses****SPEAKERS**

Public Connall Cook-Tate; Nicholas Miranda; Constance Peach, Luna Vapes; Susan Seiler; Roni Khaloian; Sarkis Abdulhaj; George Jonsan; Rima Khoury, Hookah Chamber of Commerce; Jaime Rojas, National Association of Tobacco Outlets; and Sabrina Rodriguez, Ventura Unified School District

**DOCUMENTS**

Handouts Nicholas Miranda; Rima Khoury, Hookah Chamber of Commerce; and Jaime Rojas, National Association of Tobacco Outlets

**8. CONSENT ITEMS (continued)**

Councilmember Nasarenko moved to approve the recommendation to:

Waive the second reading in full and adopt the Ordinance of the Council of the City of San Buenaventura, California, pertaining to Tobacco Retailer Licenses.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING CHAPTER 8.350, 'SMOKING REGULATIONS,' OF THE SAN BUENAVENTURA MUNICIPAL CODE TO PROHIBIT THE SALE OF FLAVORED TOBACCO PRODUCTS IN THE CITY OF SAN BUENAVENTURA; AND ADDING CHAPTER 6.410, 'TOBACCO RETAILER LICENSES,' TO THE SAN BUENAVENTURA MUNICIPAL CODE TO PROVIDE REGULATIONS AND A LICENSING PROCESS FOR TOBACCO RETAILERS (December 9, 2019 VOTE: 7-YES; 0-NO; 0-ABSENT) ORDINANCE NO. 2020-002

Councilmember Heitmann seconded. The vote was as follows:

AYES: Councilmembers Nasarenko, Brown, Friedman, Weir, Heitmann, Deputy Mayor Rubalcava and Mayor LaVere  
 NOES: None  
 ABSENT: None

City Clerk Antoinette M. Mann declared the motion carried 7-0.

**\*8B. Wells Center Bus Stop Upgrade Project – Award Construction Contract**

SPEAKER Public Works Director Phillip Nelson

DOCUMENTS

PowerPoints Councilmember Weir and Staff

Councilmember Weir moved to approve the recommendation to:

- a. Approve awarding the contract and authorize the Mayor to execute an agreement with the lowest responsive and responsible bidder, Toro Enterprises, Inc., for adding an additional bus pad and shelter, sidewalk, ADA ramps, and landscaping, Specification No. 2018-023, in the amount of \$281,703. AGREEMENT NO. S2018-023



**8. CONSENT ITEMS (continued)**

- b. Authorize the encumbrance of contingency funds for the project in the amount of \$28,000 for use by the Public Works Director as needed during construction.
- c. Increase project funding by \$63,000 in appropriations from Gas Tax Fund 12 and authorize Finance and Technology staff to assign and transfer increased appropriations to the proper funds, project and accounts.

Councilmember Friedman seconded. The vote was as follows:

AYES: Councilmembers Nasarenko, Brown, Friedman, Weir,  
Heitmann, Deputy Mayor Rubalcava and Mayor LaVere  
NOES: None  
ABSENT: None

City Clerk Antoinette M. Mann declared the motion carried 7-0.

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

The public hearing was opened.

City Clerk Antoinette M. Mann stated that affidavits of publication and posting are on file in the City Clerk's Office.

**SPEAKERS**

Presenters Community Development Director Peter Gilli and Senior Planner Jennie Buckingham

Housing Authority of the City of San Buenaventura  
Chief Executive Officer Denise Wise, Housing  
Authority Senior Developer Karen Flock and Housing  
Authority Bond Counsel

**DOCUMENT**

PowerPoint

The public hearing was closed.

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

8:27 p.m. Councilmember Nasarenko absent. 8:27 p.m. Councilmember Weir absent; 8:30 p.m. present. 8:27 p.m. Councilmember Heitmann absent; 8:30 p.m. present.

Councilmember Brown moved to approve the recommendation to:

- a. Conduct a Public Hearing.
- 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 APPROVING THE ISSUANCE OF TAX-EXEMPT OBLIGATIONS TO VILLAGES AT WESTVIEW III  
RESOLUTION NO. 2020-001

Councilmember Friedman seconded. The vote was as follows:

AYES: Councilmembers Brown, Friedman, Deputy Mayor Rubalcava and Mayor LaVere  
NOES: None  
ABSENT: Councilmembers Nasarenko, Weir and Heitmann

City Clerk Antoinette M. Mann declared the motion carried, 4-0 with Councilmembers Nasarenko, Weir and Heitmann absent.

**11B. Appeal of the Design Review Committee's Decision Approving a Sign Program and Sign Variance for Poinsettia Plaza, with Conditions Added to Remove Tenant Names from Monument Signs (PROJ-12758) (Poinsettia Plaza Sign Program)**

The public hearing was opened.

City Clerk Antoinette M. Mann stated that affidavits of publication and posting are on file in the City Clerk's Office.

8:32 p.m. Councilmember Brown absent; 8:41 p.m. present.

**SPEAKERS**

Presenters Community Development Director Peter Gilli and Associate Planner Tim Rosenstein

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

Applicants Andrew Garabediam, At Art Sign Company; Jay Gangwal, IRA Capital; Daniel Sitz, IRA Capital and Matthew Baca, ALDI

DOCUMENT

PowerPoint

The public hearing was closed.

Councilmember Friedman moved to approve the recommendation to:

- a. Conduct a Public Hearing.
- b. Adopt a Resolution upholding the appeal and approving the Formal Design Review for a Sign Program and Sign Variance for Poinsettia Plaza with tenant names on all monument signs.

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA UPHOLDING AN APPEAL AND APROVING A FORMAL DESIGN REVIEW AND SIGN VARIANCE FOR A SIGN PROGRAM WITH TENANT NAMES ON MONUMENT SIGNS AND LARGER SIGNS FOR ANCHOR TENANTS FOR POINSETTIA PLAZA SHOPPING CENTER RESOLUTION NO. 2020-002

Councilmember Brown seconded. The vote was as follows:

AYES: Councilmembers Brown, Friedman, Weir, Heitmann, Deputy Mayor Rubalcava and Mayor LaVere  
 NOES: Councilmember Nasarenko  
 ABSENT: None

City Clerk Antoinette M. Mann declared the motion carried, 6-0 with Councilmember Nasarenko absent.

**11C. Historic Landmark Designation Request for “Willett Ranch” Buildings Located at 181 and 197 Klamath Street (PROJ-12828)**

The public hearing was opened.

City Clerk Antoinette M. Mann stated that affidavits of publication and posting are on file in the City Clerk’s Office.

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

Presenters                      Community Development Director Peter Gilli and  
Associate Planner Tim Rosenstein

DOCUMENT

PowerPoint

The public hearing was closed.

Councilmember Friedman moved to approve the recommendation to:

- a.     Conduct a Public Hearing.
- b.     Adopt a Resolution designating the four structures located at 181 and  
197 Klamath Street (Willett Ranch Buildings) as Historic Landmarks,  
Landmark No. 113.

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN  
BUENAVENTURA, CALIFORNIA DESIGNATING THE "WILLETT RANCH"  
BUILDINGS LOCATED AT 181 AND 197 KLAMATH STREET A  
LANDMARK, LANDMARK NO. 113                      RESOLUTION NO. 2020-003

Councilmember Heitmann seconded. The vote was as follows:

AYES:            Councilmembers Brown, Friedman, Weir, Heitmann, Deputy  
Mayor Rubalcava and Mayor LaVere  
NOES:            Councilmember Nasarenko  
ABSENT:        None

City Clerk Antoinette M. Mann declared the motion carried, 6-0 with  
Councilmember Nasarenko absent.

**RECESS**

City Council went into recess at 9:04 p.m.

City Council reconvened at 9:19 p.m.

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

**11D. Adoption of Tobacco Retailer License Fees**

The public hearing was opened.

City Clerk Antoinette M. Mann stated that affidavits of publication and posting are on file in the City Clerk's Office.

SPEAKERS

|            |  |
|------------|--|
| Presenters | Finance and Technology Director Michael Coon                 |
|            | Consultant Terry Madsen, ClearSource<br>Financial Consulting |

DOCUMENT

PowerPoint

The public hearing was closed.

Councilmember Weir moved to approve the recommendation to:

- a. Conduct a Public Hearing.
- b. Adopt a Resolution adopting Tobacco Retailer License Fees. Fees will be effective February 1, 2020.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA ADOPTING A SCHEDULE OF FEES FOR SERVICES RELATING TO TOBACCO RETAILER LICENSING  
RESOLUTION NO. 2020-004

Councilmember Heitmann seconded. The vote was as follows:

|         |   |
|---------|---|
| AYES:   | Councilmembers Brown, Friedman, Weir, Heitmann, Deputy Mayor Rubalcava and Mayor LaVere |
| NOES:   | Councilmember Nasarenko   |
| ABSENT: | None  |

City Clerk Antoinette M. Mann declared the motion carried, 6-0 with Councilmember Nasarenko absent.

## 12. FORMAL ITEMS

### 12A. Fiscal Year 2019 Comprehensive Annual Financial Report

#### SPEAKERS

Presenters Finance and Technology Director Michael Coon  
and Accounting Manager Bridgette McNally

Auditor Bob Callanan, CPA, White Nelson Diehl  
Evans LLP

Public Burt Handy

#### DOCUMENTS

Handouts Staff and Burt Handy

PowerPoint

City Council received the Comprehensive Annual Financial Report and the Independent Auditors' Report for the City of San Buenaventura for Fiscal Year ended June 30, 2019.

### 12B. Budget Workshop 1

#### SPEAKERS

Presenters City Manager Alex McIntyre and Finance and  
Technology Director Michael Coon

#### DOCUMENT

PowerPoint

City Council received the Mid-Year Financial Update of the four primary funds and the 5-year forecast scenarios for the General Fund.

### 12C. Barranca Vista Recreation Center Repairs and Refurbishment Project – Authorization to Re-advertise

Formal Agenda Item 12C (Barranca Vista Recreation Center Repairs and Refurbishment Project – Authorization to Re-advertise) was continued to January 27, 2020. No action will be taken.

## 7. PUBLIC COMMUNICATIONS – None

15. **CITY COUNCIL COMMUNICATIONS/REPORTS – REGIONAL  
BOARDS/COMMISSIONS/COMMITTEES – None**
16. **CITY MANAGER COMMUNICATIONS – None**
17. **ADJOURNMENT**

Meeting adjourned at 10:22 p.m.



Antoinette M. Mann, MPPA, MMC, CRM  
City Clerk