

CITY OF VENTURA  
**CITY COUNCIL MINUTES**

**Mayor Erik Nasarenko**

**Neal Andrews, Deputy Mayor**  
**Cheryl Heitmann, Councilmember**  
**Matt LaVere, Councilmember**

**Jim Monahan, Councilmember**  
**Mike Tracy, Councilmember**  
**Christy Weir, Councilmember**

Mark D. Watkins, City Manager  
Gregory G. Diaz, City Attorney  
Antoinette M. Mann, City Clerk

**REGULAR MEETING**  
**FEBRUARY 6, 2017**

The San Buenaventura (Ventura) City Council met in regular session in the City Hall Council Chambers, 501 Poli Street, Ventura at 6:11 p.m.

**ROLL CALL**

Present: Councilmembers LaVere, Weir, Heitmann, Monahan and Mayor Nasarenko

Absent: Councilmember Tracy and Deputy Mayor Andrews

Mayor Nasarenko presided.

**PLEDGE OF ALLEGIANCE**

Councilmember LaVere led the pledge of allegiance.

**SPECIAL PRESENTATIONS AND ANNOUNCEMENTS**

Mayor Nasarenko recognized Carmen Curtis, The Aerial Studio, Tom Carroll, Provident Financial Group and Dr. Kristopher Skromme, Two Trees Optometry for achieving City of Ventura's Green Business Certifications and congratulated them for exemplary green business practices in the category of office/retail.

At 6:19 p.m. Councilmember Monahan absent; 6:20 p.m. present.

## **CLOSED SESSION REPORT**

City Attorney Gregory G. Diaz stated there was no reportable action.

## **CITY COUNCIL COMMUNICATIONS**

Councilmember Heitmann announced the upcoming Port District workshop on mussel cultivation on February 16 hosted by Ventura Shellfish Enterprise.

Councilmember Weir announced the Tall Ships will be at Ventura Harbor until February 15.

Councilmember Monahan announced the Saint Patrick's Day Parade will be on March 11 with Mary Osborn as the Grand Marshall.

## **PUBLIC COMMUNICATIONS**

### SPEAKERS:

Members of the public: Helen Yunker, Phoenix Neman, Sierra Manske, William White, Chuck Eskew, Matthew Decker, Nelson Wallace, Daniel Ohlinger, Valerie White, Gary Young, Rodger Lewis, Everard Ashworth, Lisa Bean, Mary Woggon, Paul White, Jill Martinez and Mitchell Jay Goldstein.

Correspondence: Everard Ashworth and Jill Martinez.

## **CITY COUNCIL CONSENT ITEMS**

### **1. Minutes**

Councilmember Weir moved to approve the recommendation to:

Approve the minutes of the special and regular meetings of January 9, 2017, the special meeting of January 14, 2017, and the special and regular meetings of January 23, 2017.

Councilmember LaVere seconded. The vote was as follows:

AYES: Councilmembers LaVere, Weir, Heitmann, Monahan and Mayor Nasarenko  
NOES: None  
ABSENT: Councilmember Tracy and Deputy Mayor Andrews

Mayor Nasarenko declared the motion carried.

**2. Second Reading - Adoption of Measure O Citizens Oversight Committee Ordinance (70)**

Councilmember Weir moved to approve the recommendation to:

Waive the second reading in full and adopt Ordinance No. 2017-003 amending Section 2.410.120 to the San Buenaventura Municipal Code pertaining to the establishment of a Citizens Oversight Committee.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING SECTION 2.410.120, "COMMISSIONS, BOARDS, AND COMMITTEES ESTABLISHED," OF THE SAN BUENAVENTURA MUNICIPAL CODE RECOGNIZING THE ESTABLISHMENT OF A CITIZENS OVERSIGHT COMMITTEE PURSUANT TO MEASURE O, "THE SAN BUENAVENTURA CITY CLEAN WATER / BEACHES / STREET REPAIRS / SAFETY MEASURE" ORDINANCE NO. 2017-003**

Councilmember LaVere seconded. The vote was as follows:

AYES: Councilmembers LaVere, Weir, Heitmann, Monahan and Mayor Nasarenko  
NOES: None  
ABSENT: Councilmember Tracy and Deputy Mayor Andrews

Mayor Nasarenko declared the motion carried.

**3. Recent Decision of the Planning Commission (80)****INFORMATION ONLY**

Planning Commission January 18, 2017 Action: Approved

PROJ-10656 – Case No. UP-5-16-34853; UP-1-17-38623

Request for a Use Permit for improvements to an existing parking lot in the Multiple Family Residential zone and for an Alcohol Use Permit allowing a Type 21 license (Off-sale General) that would allow sale of beer, wine, and distilled spirits for 7-Eleven. The new store would be open 24-hours each day/7 days per week and alcohol sale hours would be limited to 6AM to 10PM daily. The property includes an existing one-story grocery store, with 22 parking spaces, on a 23,213-square foot (0.53 acres) property. The customer service area for alcohol sales would be approximately 42 square feet of the 7-Eleven tenant space. The property is located at 505 North Ventura Avenue; 7-Eleven, c/o EBI Consulting, applicant; General Commercial (C-2) and Multiple Family Residential (R-3-5) zones.

City Council received the information.

**4. Amend Contract with MuniServices (50)**

Councilmember Weir moved to approve the recommendation to:

- a. Approve Agreement No. 2017-032.1 an amendment to an existing Utility Users Tax audit contract with MuniServices, LLC, dated July 1, 2014, in order to comply with added requirements from the State Board of Equalization for the analysis and auditing of prepaid wireless charges. The current contract expires on June 30, 2017, but it is anticipated that it will be extended at least 12 months.
- b. Adopt Resolution No. 2017-004 authorizing the examination of prepaid mobile telephony services surcharge and local charge records.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN  
BUENAVENTURA AUTHORIZING THE EXAMINATION OF PREPAID  
MOBILE TELEPHONY SERVICES SURCHARGE AND LOCAL CHARGE  
RECORDS  
RESOLUTION NO. 2017-004**

Councilmember LaVere seconded. The vote was as follows:

AYES: Councilmembers LaVere, Weir, Heitmann, Monahan and Mayor Nasarenko  
NOES: None  
ABSENT: Councilmember Tracy and Deputy Mayor Andrews

Mayor Nasarenko declared the motion carried.

**5. Fiscal Year 2016 Report on Local Agency Developer Improvement Fees (AB 1600) (31)**

Councilmember Weir moved to approve the recommendation to:

- a. Accept the annual report for fees as required by Government Code Sections 66000, 66001, 66006, and 66477.
- b. Make findings, based upon the attachments to the Administrative Report, as follows:
  - (1) Identify the purpose to which the fee is to be used;
  - (2) Demonstrate a reasonable relationship between the fee and the purpose for which it is charged;
  - (3) Identify all sources and amounts of funding anticipated to complete financing in incomplete improvements identified; and

- (4) Designate the approximate dates which the funding for incomplete improvements is expected to be deposited into the appropriate account or fund.
- c. Reauthorize the intended use of retained funds collected for improvements that remain unspent for more than five years.

Councilmember LaVere seconded. The vote was as follows:

AYES: Councilmembers LaVere, Weir, Heitmann, Monahan and Mayor Nasarenko  
NOES: None  
ABSENT: Councilmember Tracy and Deputy Mayor Andrews

Mayor Nasarenko declared the motion carried.

## **6. Acquisition of an Enterprise Content Management System (50)**

Councilmember Weir moved to approve the recommendation to:

- a. Approve the acquisition and ongoing annual maintenance of OnBase, an Enterprise Content Management System, from Konica Minolta Business Solutions U.S.A., Inc.
- b. Authorize the City Manager, or designee, to conduct all negotiations, and execute and submit all documents, including amendments, applications, and agreements that may be necessary to complete and enter into Agreement No. 2017-007 with Konica Minolta Business Solutions U.S.A., Inc. in the amount of \$202,845.00 for the acquisition of and the first year's maintenance fees for the OnBase System. Maintenance fees of \$17,970.00 will continue to be incurred on an annual basis beginning at the start of year 2 of the Agreement with Konica Minolta Business Solutions U.S.A., Inc., as set forth in the Master Services Agreement and Proposed Scope of Work.

Councilmember LaVere seconded. The vote was as follows:

AYES: Councilmembers LaVere, Weir, Heitmann, Monahan and Mayor Nasarenko  
NOES: None  
ABSENT: Councilmember Tracy and Deputy Mayor Andrews

Mayor Nasarenko declared the motion carried.

7. **Approve Grant of Easement to Southern California Edison Company; Williams Homes Development, Tract No. 5774 (104)**

Councilmember Weir moved to approve the recommendation to:

Approve and authorize the City Manager or designee to execute a Grant of Easement to the Southern California Edison Company to construct and maintain utilities to be constructed with Tract No. 5774.

Councilmember LaVere seconded. The vote was as follows:

AYES: Councilmembers LaVere, Weir, Heitmann, Monahan and Mayor Nasarenko  
NOES: None  
ABSENT: Councilmember Tracy and Deputy Mayor Andrews

Mayor Nasarenko declared the motion carried.

8. **Caltrans Master Agreement, Administering Agency, State Agreement for Federal-Aid Projects (50)**

Councilmember Weir moved to approve the recommendation to:

Approve and authorize the City Manager or designee to execute Master Agreement No. 2017-008, any subsequent modifications thereto, with the State Department of Transportation (Caltrans) for implementation of Federal Aid Projects.

Councilmember LaVere seconded. The vote was as follows:

AYES: Councilmembers LaVere, Weir, Heitmann, Monahan and Mayor Nasarenko  
NOES: None  
ABSENT: Councilmember Tracy and Deputy Mayor Andrews

Mayor Nasarenko declared the motion carried.

## **CITY COUNCIL FORMAL ITEMS**

9. **Park and Park Facility Exclusionary Ordinance (70)**

**SPEAKERS**

Staff/Presenters: City Attorney Gregory G. Diaz, Assistant City Attorney Dirk DeGenna, Police Chief Ken Corney, Sergeant Gerald Foreman and Community Development Director Jeffrey Lambert.

Members of the public: Benjamin Unseth, Michael Sullivan, Kathleen Shore, John Sanders Jones, Pam Marshall, Judee Hauer and Michael Tanner.

At 7:43 p.m. Councilmember Monahan absent; 7:44 p.m. present. At 7:53 p.m. Mayor Nasarenko absent. Councilmember Heitmann presided over meeting. At 7: 57 p.m. Mayor Nasarenko present, Councilmember Heitmann absent; 8:01 p.m. present.

### DOCUMENTS

PowerPoint

Comment Forms: Esther Solkin

Correspondence: Kevin Clerici, Anthony Krzywicki and Karen Szatkowski.

Councilmember Weir moved to approve the recommendation to:

- a. Introduce and waive the first reading of an ordinance, title as follows:

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, ADDING CHAPTER 20.052, "PARK AND PARK FACILITY EXCLUSIONS," TO THE SAN BUENAVENTURA MUNICIPAL CODE** **ORDINANCE NO. 2017-\_\_\_\_**

- b. Set the ordinance for second reading and adoption at the next regular City Council meeting.

Councilmember Monahan seconded. The vote was as follows:

AYES: Councilmembers LaVere, Weir, Heitmann, Monahan and Mayor Nasarenko  
NOES: None  
ABSENT: Councilmember Tracy and Deputy Mayor Andrews

Mayor Nasarenko declared the motion carried.

### **10. Fiscal Year 2015-2016 Comprehensive Annual Financial Report (CAFR) for the City of San Buenaventura (31)**

#### SPEAKERS

Staff/Presenters: Finance and Technology Director Gilbert Garcia, Accounting Manager Bridgett McInally and White Nelson Diehl Evans, LLP Partner Robert Callanan.

At 8:11 p.m. Councilmember LaVere absent; 8:13 p.m. present. At 8:21 p.m. Councilmember Monahan absent; 8:24 p.m. present.

Member of the public: Daniel Cormode

### DOCUMENTS

PowerPoint

Correspondence: Daniel Cormode

City Council received the Comprehensive Annual Financial Report (CAFR) with the Independent Auditors' Report for the City of San Buenaventura for fiscal year ended June 30, 2016.

## **CITY COUNCIL WORKSHOP**

### **11. Discussion of City-owned Property: 505 Poli Street (86)**

At 8:24 p.m. Councilmember Weir absent; 8:28 p.m. present.

### SPEAKERS

Staff/Presenters: Assistant City Manager Dan Paranick, City Manager Mark D. Watkins, Public Works Director Tullson Cliford, Economic Development Manager Leigh Eisen and Facilities Manager MaryJoyce Ivers.

Members of the public: Donna Granata, James Webb, Sean Bhardwaj, Karen Hoffberg, Merrill Whatley, Matthew Folton, Topher Grant and Judee Houer.

At 8:59 p.m. Mayor Nasarenko absent. Councilmember Heitmann presided over meeting.  
At 9:07 p.m. Mayor Nasarenko present.

### DOCUMENTS

PowerPoint

Correspondence: Donna Granata, Doug Parent, David B. Lantrip, Tina Reyes, Patrick Fagan, Amanda Boudria and Paul Perry.



Councilmember Weir moved to approve the recommendation to:

Utilizing Staff Option 3, D in staff report: Keep the property (505 building and the Crime Lab). Staff to identify potential costs for 505 building improvements, partners, advisory board members, prioritizing incubator use and parking supply. Speak with Electrical Union (International Brotherhood of Electrical Workers Local 952) on cleaning-up the Crime Lab; obtain offer in writing. Staff to prepare estimate for crime lab occupancy.

Councilmember Monahan seconded. The vote was as follows:

AYES: Councilmembers LaVere, Weir, Heitmann, Monahan and Mayor Nasarenko  
NOES: None  
ABSENT: Councilmember Tracy and Deputy Mayor Andrews

Mayor Nasarenko declared the motion carried.

## **PUBLIC COMMUNICATIONS**

### SPEAKERS

Members of the public: Camille Harris, Ron DiSanto and Michael Tanner.

Correspondence: Ron DiSanto.

## **CITY COUNCIL COMMUNICATIONS**

Councilmember Monahan requested the meeting be adjourned in memory of Dr. Leonard King.

Councilmember Heitmann inquired on the City's responsibility related to mobile home parks/rent control. City Manager Mark D. Watkins stated staff will provide an update to Council.

## **REPORTS – REGIONAL BOARDS/COMMISSIONS/COMMITTEES**

None

## **CITY MANAGER COMMUNICATIONS**

City Manager Mark D. Watkins stated the 2016 Employee and Supervisor of the Year awards will be on February 16; Measure O Oversight Board Committee recruitment until February 24; highlighted future City Council agenda topics.

## **ADJOURNMENT**

The meeting was adjourned at 9:47 p.m. in memory of Dr. Leonard King.

Antoinette M. Mann, MMC, CRM  
City Clerk