

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
MARCH 6, 2017

The San Buenaventura (Ventura) City Council met in regular session in the City Hall Council Chambers, 501 Poli Street, Ventura at 6:09 p.m.

ROLL CALL

Present: Councilmembers LaVere, Weir, Tracy, Heitmann, Monahan, Deputy Mayor Andrews and Mayor Nasarenko

Absent: None

Mayor Nasarenko presided.

PLEDGE OF ALLEGIANCE

Mayor Nasarenko led the pledge of allegiance.

SPECIAL PRESENTATIONS AND ANNOUNCEMENTS

City of Ventura Human Resources Director Elizabeth Foushee and City Manager Mark Watkins recognized the 2016 City of Ventura Employee of the Year, Tracey Coert, and Supervisor of Year, Thomas Hoffman. Tracy Coert and Thomas Hoffman received certificates and accolades for their dedication to the City.

Mayor Nasarenko presented a Proclamation for “Stop Human Trafficking and Sexual Slavery Awareness Day” March 8, 2017, to the Soroptimist International of Ventura. Past President and District Director Sherry Cash discussed event. Proclamation for the Soroptimist International of Ventura presented to Past President and District Director

Sherry Cash, Vice President Shirley Lorraine, and Board Members Kelly Patterson and Trevor Summerlin.

Mayor Nasarenko presented a Proclamation for “March 2017 as American Red Cross Month” to the Ventura County and Pacific Coast Chapters of the American Red Cross to the Executive Director Kimberly Coley and Chair of the Ventura County Chapter Melissa Livingston.

Ventura Fire Department Chief David Endaya and Emergency Management System Coordinator Heather Ellis announced February was American Heart Association Heart Month and introduced a life-saving downloadable application called PulsePoint.

6:32 p.m. Councilmember Tracy absent; 6:34 p.m. present.

CLOSED SESSION REPORT

City Attorney Gregory G. Diaz stated there was no reportable action. City Attorney Diaz stated that City Council will reconvene to closed session following the regular session and doesn't anticipate any reportable action.

PUBLIC COMMUNICATIONS

SPEAKERS

Members of the public: John Sanders Jones, Jeanne Daley, Samantha Eikenberry, Suz Montgomery, Sue Sandlin, Ron DiSanto, Michael Sullivan and Michael Tanner.

CITY COUNCIL COMMUNICATIONS

Councilmember Heitmann announced the Museum of Ventura County will have a pop-up exhibit called “A Woman's Place: The March on Washington” through March 25th in honor of Women's History month.

6:51 p.m. Councilmember Tracy absent; 6:53 p.m. present.

CITY COUNCIL CONSENT ITEMS

Agenda Item No. 6 was removed from the Consent Agenda for scheduling at a future meeting.

Councilmember Weir requested that Agenda Item No. 7 be pulled from the Consent Agenda for presentation by staff.

1. Minutes

Councilmember Tracy moved to approve the recommendation to:

Approve the minutes of the special and regular meetings of February 6, 2017 and February 13, 2017.

Councilmember Weir seconded. The vote was as follows:

AYES: Councilmembers LaVere, Weir, Tracy, Heitmann, Monahan, Deputy Mayor Andrews and Mayor Nasarenko

NOES: None

ABSENT: None

Mayor Nasarenko declared the motion carried.

2. Recent Decisions of the Planning Commission (80)**INFORMATION ONLY**

Planning Commission February 15, 2017 Action: Approved

PROJ-10408 – Case No. UP-3-16-33264

Request for an Alcohol Use Permit allowing a Type 21 license (Off-Sale General) that would allow the sale of beer, wine and distilled spirits for CVS Pharmacy. The new store would be open 24-hours each day/7days per week and daily alcohol sale hours would be Sunday through Saturday, 7:00 AM to 12:00 AM (midnight). The pharmacy and retail sales operation would occupy the entirety of an existing 15,216 square foot, one-story, commercial building with access to 54 total parking spaces. The alcohol customer service area would be limited to 152 square feet within the building located at 2260 East Thompson Boulevard; Garfield Beach CVS, LLC, applicant; General Urban (T4.5), Shopfront Overlay, and Single Family (R-1-6) zones.

Planning Commission February 15, 2017 Action: Approved

PROJ-7813 – Case No. DRC-11-14-25174; PDA-11-14-25173; TPM-11-14-25175; EIR-11-14-25176

Request for Formal Design Review, Planned Development Permit Amendment, and Tentative Tract Map Amendment to an approved mixed use development resulting in two new mixed-use podium buildings containing 33 residential units, including 7 live/work units and four inclusionary units and 1,370 of stand-alone retail and the replacement of a subterranean parking garage with an at-grade parking garage with 88 parking spaces on an approximately 1.44 acre property located at 1350 and 1490 North Ventura Avenue and the western terminus of Carr Drive; JPA Strategic Group, Inc.; General Commercial (C-2) zone.

City Council received the information.

3. Acceptance of Fiscal Year 2016 Emergency Management Performance Grant (31)

Councilmember Tracy moved to approve the recommendation to:

- a. Accept a grant from the Ventura County Sheriff's Office of Emergency Services (OES) for Fiscal Year 2016 in the amount of \$29,492 to fund Emergency Operations Center (EOC) related equipment for the City of Ventura.
- b. Authorize the City Manager to conduct all negotiations and execute and submit all documents, including, without limitation, applications, agreements, and billing statements that may be necessary to accept the grant and complete the project.
- c. Authorize Finance and Technology to assign the increased appropriations and revenues to the General Grant and Categorical Fund, Fire Department budget, within the Program Emergency Management Performance Grant (EMPG) in the amount of \$29,492.

Councilmember Weir seconded. The vote was as follows:

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

Mayor Nasarenko declared the motion carried.

4. Final Acceptance of Public Improvements – Tract No. 5631 – La BARRANCA Project – Developer Williams Homes (104)

Councilmember Tracy moved to approve the recommendation to:

- a. Accept the public improvements associated with Tract No. 5631.
- b. Release the developer from the "Agreement to Construct Improvements."
- c. Authorize the City Clerk to release the grading bonds, 90% of the faithful performance bonds, and 100% of the survey monuments bonds.
- d. Authorize the City Clerk to release the labor and materials bonds a minimum of 90 days from the date of final acceptance.

Councilmember Weir seconded. The vote was as follows:

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

Mayor Nasarenko declared the motion carried.

5. Asset and Maintenance Management System Software Renewal (50)

Councilmember Tracy moved to approve the recommendation to:

- a. Authorize the Mayor to execute an Amendment to Agreement No. 2011-048 with Lucity, Inc., in the amount of \$271,070.51; for an upgrade, five-year renewal through May 31, 2021, and comprehensive support of the Asset and Maintenance Management System Software.
- b. Authorize the Finance and Technology Department to transfer \$18,270.15 from Gas Tax fund balance to fund the transportation related portions of the software and assign the increased appropriations to the proper programs and accounts in the Water and Wastewater Enterprise Funds.

Councilmember Weir seconded. The vote was as follows:

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

Mayor Nasarenko declared the motion carried.

6. Community Partnerships Granting Program (31)

- a. Approve the Community Partnerships grants as recommended with second year funding contingent upon Council budget appropriation as part of the 2017-2018 Fiscal Year Operating Budget.
- b. Authorize the City Manager to approve and execute individual contracts with grant recipients.

DOCUMENTS

Comment Form: Jo Ann Wedding

Supplemental Information Packet.

Agenda Item No. 6 was removed from the Consent Agenda; no action taken.

7. **Community Development Project Preliminary Check-in Report and Presentation; Director's Update on New State Housing Laws (80)**

RECOMMENDATION

Receive the Community Development Project Preliminary Check-in Report and Presentation

SPEAKERS

Staff/Presenters: Community Development Director Jeffrey Lambert.

DOCUMENTS

PowerPoint

City Council received the report.

PUBLIC HEARING

8. **General Plan Amendment Prescreen to modify the existing land use Designation from Neighborhood Low to Neighborhood Medium on property located at 85 Duvali Drive; MJL Capital Partners, LLC, Applicant (PROJ-7736) (62)**

The public hearing was opened.

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

SPEAKERS

Staff/Presenters: Community Development Director Jeffrey Lambert, Scott Kolwitz and Associate Planner Donald Nielsen.

Members of the public: Brian Appel, MJL Capital Partners, LLC; Robert Schilken; and Michael Sullivan.

DOCUMENTS

PowerPoint (2)

Correspondence: Richard Blue, Blue Green Properties, and Kathy Bremer.

The public hearing was closed.

Councilmember Tracy moved to approve the recommendation to:

Adopt a resolution approving a Preliminary Screening for a proposed amendment to the General Plan that would change the Land Use Designation from Neighborhood Low to Neighborhood Medium on property located at 85 Duvali Drive with proposed amended language added to Section 5 “The City Council also supports the applicant to study a solution to concerns with interim access and traffic flow related to an associated development proposal, and for the applicant to outreach during the formal process to include neighbors, Foothill Technology High School, Ventura Community College District and the College Area Community Council.”

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA APPROVING A PRELIMINARY SCREENING FOR A PROPOSED GENERAL PLAN AMENDMENT TO MODIFY THE EXISTING LAND USE DESIGNATION FROM NEIGHBORHOOD LOW TO NEIGHBORHOOD MEDIUM ON PROPERTY LOCATED AT 85 DUVALI DRIVE

RESOLUTION NO. 2017-008

Councilmember Monahan seconded. The vote was as follows:

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

Mayor Nasarenko declared the motion carried.

CITY COUNCIL FORMAL ITEMS

9. Consideration of Firearms and Ammunition Sales Ordinances (70)

SPEAKERS

Staff/Presenters: City Attorney Gregory G. Diaz

Member of the public: Michael Sullivan

DOCUMENTS

PowerPoint

Correspondence: Steve Svete, Rincon Consultants, and Kathy Bremer.

Page 4 of proposed Ordinance.

7:53 p.m. Councilmember Tracy absent; 8:00 p.m. present.

Councilmember Tracy moved to approve the recommendation to:

- a. Introduce and waive the first reading of the Ordinance, title as follows:
- b. Set the Ordinance for a second reading and adoption; and,
- c. Decline to take action on the zoning and licensing of firearms and ammunition dealers in light of Proposition 63 and the 2016 State Legislation.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING DIVISION 6, 'BUSINESS REGULATIONS,' OF THE SAN BUENAVENTURA MUNICIPAL CODE TO ADD A NEW CHAPTER 6.211, 'SECURITY MEASURES FOR AMMUNITION RETAILERS,' THERETO

ORDINANCE NO. 2017-____

Councilmember Monahan seconded. The vote was as follows:

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

Mayor Nasarenko declared the motion carried.

10. Post-Storm Update (88)

SPEAKERS

Staff/Presenters: City Manager Mark D. Watkins, Public Works Director Tulson Clifford, Ventura Fire Chief David Endaya, Parks, Recreation and Community Partnerships Director Nancy O'Connor, Environmental Services Manager Joe Yahner and City Transportation Manager Tom Mericle.

8:30 p.m. Councilmembers Heitmann and Weir absent; 8:34 p.m. both present.

DOCUMENTS

PowerPoint

RECOMMENDATION

Receive oral report.

City Council received the report; no action taken.

8:46 p.m. Councilmember Tracy absent; 8:47 p.m. present.

PUBLIC COMMUNICATIONS

SPEAKERS

Members of the public: Mitchell Goldstein and Lisa Bean.

Correspondence: Lisa Bean

CITY COUNCIL COMMUNICATIONS/ REPORTS – REGIONAL BOARDS/COMMISSIONS/COMMITTEES

Councilmember Monahan invited all residents to attend the St. Patrick's Day parade to be held March 11th on Main Street.

Councilmember Weir will be absent from the March 13, 2017 City Council meeting because she is attending the National League of Cities Conference.

CITY MANAGER COMMUNICATIONS

City Manager Mark D. Watkins announced Ventura Water: Take 1 presentations will be held March 22, 2017 at Channel Islands National Park Visitors Center and highlighted March 13 and 20, 2017 future City Council agenda items.

ADJOURNMENT

The meeting was recessed at 9:07 p.m. to Closed Session. Closed Session was adjourned at 10:45 p.m.

Antoinette M. Mann, MMC, CRM
City Clerk