

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 20, 2017, 6:00 P.M.

The San Buenaventura (Ventura) City Council met in regular session in the City Hall Council Chambers, 501 Poli Street, Ventura at 6:07 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

Devin Kress, Boy Scout Troop 119, Ventura led the pledge of allegiance.

SPECIAL PRESENTATIONS AND ANNOUNCEMENTS

Mayor Nasarenko introduced Mayor for a Moment student Ramsha Beg, Junipero Serra Elementary School fifth grader, who read her essay on Responsibility. A Community Access Partners (CAPS) video about Ramsha Beg, Junipero Serra Elementary School and responsibility was shown. Mayor Nasarenko presented Ramsha Beg with a Key to the City.

Mayor Nasarenko and Sespe District Chair Michael Gildenpfennig, recognized 45 Boys Scouts, Sespe District, for earning their Eagle Scout Designation and presented each with a certificate of recognition.

CLOSED SESSION REPORT

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

CITY COUNCIL COMMUNICATIONS

Councilmember Weir reported attending the National League of Cities conference in Washington, D.C.

Deputy Mayor Andrews requested the meeting be adjourned in memory of Kristen Kay Etzler.

Councilmember Monahan requested the meeting be adjourned in memory of Wayne Anthony Brunkan.

Councilmember Heitmann announced an upcoming bike event, April 3, 2017 by the beach; will attend a ribbon cutting on March 22, 2017 at the Crowne Plaza; and requested the meeting be adjourned in memory of Katie Natalie Warner.

CITY COUNCIL CONSENT ITEMS

Councilmember Tracy requested that Agenda No. 7 be pulled from the Consent Agenda for comment by the City Attorney.

City Attorney Gregory G. Diaz commented on the correspondence received for Agenda No. 7 from Matthew D. Cubeiro, Michel & Associates, P.C.

1. **Westpark Turf and Lighting Improvement Project – Mitigated Negative Declaration (76)**

Councilmember Tracy moved to approve the recommendation to:

Adopt a resolution adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan for the proposed Westpark Community Center Improvements Project.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PLAN FOR THE WESTPARK COMMUNITY CENTER IMPROVEMENTS PROJECT
RESOLUTION NO. 2017-011

Councilmember LaVere 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. Westpark Community Center Sports Lighting Renovation (50)

Councilmember Tracy moved to approve the recommendation to:

- a. Authorize the City to enter into a contract not to exceed \$275,000 with Venco Electric, a lighting contractor, to install new LED Luminary Fixtures at Westpark, and to re-locate the lighting control panels.
- b. Authorize the Parks, Recreation and Community Partnerships Director to act as the agent for the City to conduct all negotiations and execute and submit all documents, including, but not limited to, contracts, amendments, payment requests, and compliance with all applicable current state and federal laws which may be necessary for the completion of the aforementioned.

Councilmember LaVere 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.

3. Acceptance of Ventura Police K-9 Unit Additional Team and Community Outreach Grant from the National Police Dog Foundation (31)

Councilmember Tracy moved to approve the recommendation to:

- a. Accept a grant from the National Police Dog Foundation (NPDF) to assist funding for a Police K-9 Officer and/or vehicle in the amount of \$180,000.
- 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, Police Department budget, in the amount of \$180,000.

Councilmember LaVere 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. Community Partnerships Granting Program (31)

DOCUMENTS

Comment Form: Jo Ann Wedding, Ventura Botanical Gardens.

Correspondence: Patricia Schultz, The Arc of Ventura County; Marc Wilde, Livingston Memorial Visiting Nurse Association; and Lynne West, Big Brothers Big Sisters of Ventura County.

Councilmember Tracy moved to approve the recommendation to:

- 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.

Councilmember LaVere 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. Buenaventura Golf Course Emergency Repair Project – Appropriations (50)

Councilmember Tracy moved to approve the recommendation to:

- a. Authorize the City Manager or designee to spend up to \$250,000 for repairs to Buenaventura Golf Course.
- b. Authorize the appropriation and transfer of \$250,000 from the Insurance Reserve in the Public Liability Fund to the Golf Fund for funding the repairs.
- c. Authorize Finance and Technology to adjust the associated budgetary accounts in the Public Liability Fund and Golf Fund to ensure proper accounting for the transfer, encumbered contracts and other expenses necessary to complete the repair.
- d. Authorize the City Manager and City Attorney to negotiate an amendment to the Kemper Sports Management agreement to accomplish the emergency repairs on an expedited basis and find pursuant to City Charter Section 1006 that the repairs are necessary to preserve property at the Buenaventura Golf Course such that the repairs can be let without competitive bidding.

Councilmember LaVere 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. Police/Fire Headquarters Heating, Ventilation and Air Conditioning Renovations Project; Authorization to Advertise (88)

Councilmember Tracy moved to approve the recommendation to:

- a. Approve the contract plans and specifications for the Police/Fire Headquarters Heating, Ventilation and Air Conditioning (HVAC) Renovations Project, Specification No. 2016-030 and authorize the advertisement for bids to be received on Thursday, April 13, 2017, at 2:00 p.m., in the City Clerk's Office.
- b. Authorize the Finance and Technology Department to transfer funds and adjust expenditure and revenue appropriations to the proper programs and accounts.

Councilmember LaVere 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.

8. Ordinance for Second Reading - Measure N - Election Process for City Council (70)

Councilmember Tracy moved to approve the recommendation to:

Waive the second reading in full and adopt an ordinance, titled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING THE SAN BUENAVENTURA MUNICIPAL CODE BY THE ADDITION OF CHAPTER 2.100, "CITY COUNCIL – GENERAL PROVISIONS, AND SECTION 2.100.010, ELECTIONS PROCESS FOR CITY COUNCIL, AS A RESULT OF THE VOTERS' ADOPTION OF MEASURE "N" AT THE NOVEMBER 8, 2016 GENERAL MUNICIPAL ELECTION
(Introduced 3/13/17; Vote: 6-Yes; 0-No; 1-Absent) ORDINANCE NO. 2017-007

Councilmember LaVere 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.

7. Ordinance for Second Reading - Firearms and Ammunition Sales (70)

DOCUMENTS

Correspondence: Matthew D. Cubeiro, Michel & Associates, P.C.

Email: Jenny

Councilmember Tracy moved to approve the recommendation to:

Waive the second reading in full and adopt an ordinance, titled:

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 (Introduced 3/6/17; Vote 6- Yes: 1- No)
ORDINANCE NO. 2017-006

Councilmember LaVere 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.

APPOINTMENT TO CITY COUNCIL ADVISORY GROUP

9. Appointment to City Council Advisory Group (30)

Councilmember Weir moved to approve the recommendation to:

Approve the reappointment of Paul Meehan to the Ventura County Air Pollution Control District Advisory Committee, term January 9, 2017 to January 9, 2021.

Councilmember Heitmann 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.

PUBLIC HEARINGS**10. Proposed 2016 – 2022 Capital Improvement Plan and Adoption (2nd Year) (31)**

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: Public Works Director Tulson Clifford, Fleet and Facilities Manager Mary Joyce Ivers and City Transportation Manager Tom Mericle.

DOCUMENTS

PowerPoint

The public hearing was closed.

6:50 p.m. Councilmember Tracy absent; present 6:52 p.m.

6:50 p.m. Councilmember LaVere absent.

Due to potential conflicts of interest, Mayor Nasarenko stated that Councilmembers will be asked to leave the Council Chambers and resolutions will be adopted approving specific projects. Mayor Nasarenko requested that Councilmembers LaVere and Heitmann leave the Chambers due to potential conflict of interest.

6:54 p.m. Councilmember Heitmann absent.

Councilmember Weir moved to approve the recommendation to:

Adopt resolution approving Project 72210 in the Fiscal Year 2016-2022 CIP.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CA, ADOPTING PROJECT NUMBER 72210 IN THE FISCAL YEAR 2016-2022 CAPITAL IMPROVEMENT PLAN

RESOLUTION NO. 2017-012

Deputy Mayor Andrews seconded. The vote was as follows:

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

Mayor Nasarenko declared the motion carried.

Councilmembers LaVere and Heitmann present at 6:55 p.m.

Mayor Nasarenko requested that Councilmember Monahan leave the chambers due to potential conflict of interest.

6:55 p.m. Councilmember Monahan absent.

Councilmember Weir moved to approve the recommendation to:

Adopt Resolution approving Project 91048 and 92912 in the Fiscal Year 2016-2022 CIP.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CA, ADOPTING PROJECT NUMBER 91048 AND 92912 IN THE FISCAL YEAR 2016-2022 CAPITAL IMPROVEMENT PLAN
RESOLUTION NO. 2017-013

Deputy Mayor Andrews seconded. The vote was as follows:

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

Mayor Nasarenko declared the motion carried.

Councilmember Monahan present at 6:56 p.m.

Mayor Nasarenko requested that Councilmember Tracy leave the chambers due to potential conflict of interest.

6:56 p.m. Councilmember Tracy absent.

Councilmember Weir moved to approve the recommendation to:

Adopt Resolution approving Project 73079 in the Fiscal Year 2016-2022 CIP.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CA, ADOPTING PROJECT NUMBER 73079 IN THE FISCAL YEAR 2016-2022 CAPITAL IMPROVEMENT PLAN
RESOLUTION NO. 2017-014

Councilmember Monahan seconded. The vote was as follows:

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

Mayor Nasarenko declared the motion carried.

Councilmember Tracy present at 6:57 p.m.

Councilmember Weir moved to approve the recommendation to:

- a. Adopt Resolution adopting the remaining Fiscal Year 2016-2022 CIP including Projects: 66121-Stanley Avenue and Highway 33 Interchange Improvement, 75218-Montalvo Safe Routes to School Improvements, 75219-Harmon Barranca Bike Path Corridor, 74081-Wastewater Plant Security Fence, 74082-Wastewater Seaside Transfer Station Improvements, and 73090-Circulation Improvements, Canyon Reservoir, and excluding Projects 72210, 91048, 92912, and 73079.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, ADOPTING THE FISCAL YEAR 2016-2022 CAPITAL IMPROVEMENT PLAN, INCLUDING PROJECT NUMBERS 66121, 75218, 75219, 74081, 74082, AND 73090, BUT EXCLUDING PROJECT NUMBERS 72210, 91048, 92912, AND 73079 RESOLUTION NO. 2017-015

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.

11. Emergency Shelter Zoning Ordinance and Map Amendment; Project 11216 (70)

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, City Attorney Gregory G. Diaz, Planning Manager Dave Ward and Planning Consultant Joyce Parker-Bozylinski.

Members of the public: Stephanie Caldwell, Homeless Stakeholder Group; Frank Maggio, Homeless Stakeholder Group; Judy Alexandre, Ventura Social Services Task Force; John Sanders Jones, Ventura House Farmworkers Committee; Jeanne Daley; Steven Karnazes, Ventura Social Services Task Force and Winter Warming Shelter Operator; Thomas Elewaut, Mission San Buenaventura and Ventura Interfaith Ministerial Association; Tanya Arnold; Jonathan Hall, First Christian Church and Aerator Dinner Church; Reverend Dana Worsnod, Unitarian Universalist Church of Ventura; Maryellen Benedetto, Ventura National Association of Social Workers; Cappi Patterson, Buddy Nation; Kate Mills, Ventura Social Services Task Force; Michael J. Tanner; Benjamin Unseth, Project Understanding; and Dan Long.

DOCUMENTS

PowerPoint (2)

Comment Forms: Rabbi Lisa Hochberg-Miller, Ventura Interfaith Ministerial Association, and Karen Kinrose.

Correspondence: Vicki Laux, Janice Brumby, Carl Morehouse, James E. Perero, Cassie Lawhead, Greg Van Ness, Judy Alexandre, John Richey, Robb Pelmear, Morton Mayer, Claudia Armann, Ray, Jennifer Taylor, Seth Taylor, Ann Romero, Todd Collart and Elizabeth Helms.

Petition submitted by Kate Mills.

The public hearing was continued to April 10, 2017.

Councilmember Weir moved to approve the recommendation to:

Adjust proposed ordinance with the following changes and bring back to City Council on April 10, 2017 (continued Public Hearing) for consideration.

1. Add emergency event temporary beds:
 - a. Section 24.437.030.A – Number of Beds
The maximum number of beds permitted in an emergency shelter shall not exceed fifty-five.
 1. Emergency Event Temporary Beds. The Community Development Director with the concurrence of the City Manager may authorize a temporary increase of beds and the duration of stay when a severe weather event or other emergency event occurs. The exact number of additional temporary beds shall be determined during the Use Permit review.
 - b. Section 24.437.030.Q – Management and Operations Plan
 7. Temporary Beds Plan during Emergency event – identify the number, location and spacing of temporary beds and other support equipment for adequate building occupancy clearance by the Fire Marshall and Chief Building Official.
2. Add operating standards for day services.
3. Limit Day Service and Minimal Service Shelters to zones as follows:
 - Day Service - Limit zones where Day Services are allowed: Prohibit Day Service in R1, R1B, R2, R2B, R3 and MHP and allow Day Service with a Use Permit in RPD, PO, C1, C1A, C2, CPD, MXD, M1, M2, MPD, and H.
 - Minimal Service Shelter - Limit zones where Minimal Service Shelters are allowed: only allow by-right in the M1 and M2 zones; prohibit this use in all other zones
4. Full service shelters in the Overlay Zone, limit shelters to one, unless there is a need to separate by gender or age (population); in which case the maximum number of shelters would be two.

Councilmember Heitmann 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.

RECESS

City Council recess at 9:23 p.m. City Council reconvened at 9:42 p.m.

CITY COUNCIL FORMAL ITEMS**12. Fiscal Years 2017-2018 Budget Workshop No. 2 (31)****SPEAKERS**

Staff/Presenters: Finance and Technology Director Gilbert Garcia, Assistant City Manager Dan Paranick, and Deputy Finance and Technology Director Mary Eckman.

DOCUMENTS

PowerPoint

City Council received the information; reviewed and provided comment/direction regarding the budget report.

Motion by Councilmember Heitmann that the City Council meeting continue past 11:00 p.m. Seconded by Councilmember LaVere.

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.

13. Authorization of Professional Services Agreement with Environmental Science Associates for California Environmental Quality Act / National Environmental Policy Act Environmental Review Services of the VenturaWaterPure Advanced Treatment, Reuse and Diversion Infrastructure Project (50)

There was a joint presentation for Agenda Item Nos. 13 and 14.

SPEAKERS

Staff/Presenters: Ventura Water General Manager Shana Epstein, Ventura Water Assistant General Manager Joe McDermott, Assistant City Attorney Miles Hogan and Wastewater Utility Manager Gina Dorrington.

Member of the public: Brian Brennan

DOCUMENTS

PowerPoint

Correspondence: Daniel Cormode

Councilmember LaVere moved to approve the recommendation to:

- a. Approve and authorize Mayor to execute Professional Services Agreement No. 2017-016 with Environmental Science Associates (ESA) for services associated with performing California Environmental Quality Act (CEQA)/ National Environmental Policy Act (NEPA) environmental review for the VenturaWaterPure Advanced Treatment, Reuse and Diversion Infrastructure Project in an amount not-to-exceed \$1,030,989.96, including a \$93,726.36 contingency.
- b. Authorize the Finance and Technology Department to transfer \$1,030,990 in appropriations from CIP Project No. 96940, Recycled Waterline – Purewater Pipelines to Project No. 74059, Wastewater Plant - Advanced Treatment Potable Reuse.

Councilmember Heitmann 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.

14. Approve a Memorandum of Agreement to Implement Tertiary Treated Flows Consent Decree and Stipulated Dismissal in Wishtoyo Foundation/Ventura Coastkeeper and Heal the Bay Inc., v. City of San Buenaventura Case No.: CV 10-02072-GHK (PJWx) (50)

Councilmember LaVere moved to approve the recommendation to:

Authorize Ventura Water General Manager to execute Memorandum of Agreement No. 2017-017 to Implement Tertiary Treated Flows Consent Decree and Stipulated Dismissal in Wishtoyo Foundation/Ventura Coastkeeper and Heal the Bay Inc., v. City of San Buenaventura (MOA).

Councilmember Heitmann 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.

Mayor Nasarenko thanked Ventura Water General Manager Shana Epstein for her service and accomplishments to the City over the past six years and wished her good luck on her new position.

PUBLIC COMMUNICATIONS

SPEAKERS

Member of the public: Lisa Bean

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

None

CITY MANAGER COMMUNICATIONS

City Manager Mark D. Watkins reminded residents that Ventura Water: Take1 awards will be held March 22, 2017; highlighted future City Council agenda topics.

ADJOURNMENT

Meeting adjourned at 11:27 p.m. in memory of Kristen Kay Etzler, Wayne A. Brunkan and Katie N. Warner.

Antoinette M. Mann, MMC, CRM
City Clerk