

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

SPECIAL MEETING

TUESDAY, APRIL 7, 2020

IN ACCORDANCE WITH THE CALIFORNIA GOVERNOR'S EXECUTIVE STAY AT HOME ORDER AND THE COUNTY OF VENTURA HEALTH OFFICER DECLARED LOCAL HEALTH EMERGENCY AND BE WELL AT HOME ORDER RESULTING FROM THE NOVEL CORONAVIRUS (COVID-19), CITY HALL IS CLOSED TO THE PUBLIC.

City Council conducted this meeting in accordance with California Governor Newsom's Executive Orders N-20-20 and N-35-20 and COVID-19 pandemic protocols.

CS1. CALL TO ORDER – CLOSED SESSION

The San Buenaventura (Ventura) City Council met in Closed Session via teleconference from various Ventura locations at 4:32 p.m.

CS2. ROLL CALL

PRESENT: Councilmembers Friedman, Heitmann, Weir, Deputy Mayor Rubalcava and Mayor LaVere (all via conference call)

ABSENT: Councilmember Nasarenko and Brown

Mayor LaVere presided.

CS3. PUBLIC COMMUNICATIONS: None**CS4. CLOSED SESSION – conducted via conference call**

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Mele v. Aloha Steakhouse, et al.
VCSC case no. 56-2019-00526933-CU-PO-VTA
Authority: Government Code §54956.9(d)(1)

CS5. ADJOURNMENT

Closed Session adjourned at 4:44 p.m.

1. CALL TO ORDER – SPECIAL MEETING SESSION

The San Buenaventura (Ventura) City Council met in Regular Session utilizing WebEx Events Meeting software from various Ventura locations at 5:03 p.m.

2. ROLL CALL

PRESENT: Councilmembers Brown, Friedman, Weir, Deputy Mayor Rubalcava and Mayor LaVere (via teleconference/video conference)

ABSENT: Councilmembers Nasarenko and Heitmann

Mayor LaVere presided.

3. PLEDGE OF ALLEGIANCE

Mayor LaVere led the pledge of allegiance.

5:04 p.m. Councilmember Heitmann joined the meeting (via teleconference/video conference).

4. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS

City Manager Alex McIntyre, Emergency Services Manager Daniel Wall, Parks, Recreation & Community Partnerships Director Nancy O'Connor, Police Chief Darin Schindler, Fire Chief David Endaya, Ventura Water General Manager Susan Rungren, Public Works Director Phil Nelson, Community Development Director Peter Gilli and Finance and Technology Director Michael Coon gave details according to each department's COVID- 9 Update. PowerPoint presented on COVID-19 Financial Implications.

5. CLOSED SESSION REPORT

City Attorney Gregory G. Diaz stated City Council met in Closed session tonight with no reportable action on tonight's agenda. On March 2, 2020 pursuant to Government Code Section 54957.1, City Council met in Closed Session on the *Bennett v. City of San Buenaventura* matter as listed on the Closed Session Agenda. All City Councilmembers were present.

The City Council unanimously authorized the settlement of this case based on the fact that all pending litigation involving the Thomas Fire had been resolved which was the basis for withholding certain records. The settlement provides that the City will release to the petitioner all requested records excepting two that were prepared for litigation and the City's payment of the petitioner's fees in the amount of \$35,000. A copy of the settlement agreement may be requested from the City Clerk's Office.

6. CITY COUNCIL COMMUNICATIONS

Councilmember Friedmann requested tonight's meeting be adjourned in memory of Dr. Joe Spirito, former Ventura Unified School District Superintendent. Acknowledged and thanked Jeff Sukay, owner of Barber RV for donating 12 RVs to the Hospital for temporary housing for physicians.

7. PUBLIC COMMUNICATIONS

City Clerk Antoinette Mann read the following names of electronic communications into the record:

Comments-via Email

Courtney Hayes, Kelle Evans, Marri Zinkewich, Martine Sanchez, John Whitman, George Robertson, Patti Felker-Breiner, Ellen Farewell, Suzanne McCombs, Noni Alderman, Laura Kinney, Artie Maidman, Jeff Thomas, Terrence Foley, Kimberly Landberg (2), Donna Benton, Mary Beth Boruff , Patricia Jirkovsky, and Michelle Clark

7. PUBLIC COMMUNICATIONS (continued)

Supplemental Packet All Public Communications are listed and posted online

12. FORMAL AGENDA ITEMS

12A. Consideration of Temporary Park and Beach Closure Ordinance

SPEAKERS

Presenters City Attorney Gregory G. Diaz, Assistant City Attorney Megan Lorenzen and Parks, Recreation & Community Partnerships Director Nancy O Connor

DOCUMENTS

City Clerk Antoinette Mann read the following electronic communications into the record for items received before 4 p.m. Communications received following 4 p.m. are noted but were not read during the meeting:

Comments-via Email Andrew Hecker* (3), Allie Morgan, Anna Hosking and Burt Handy

*Mr. Hecker submitted a video but the City Clerk was unable to play the video during the meeting.

PowerPoint

Supplemental Packet All Public Communications are listed and posted online

For all Formal Agenda Items this evening, City Attorney Gregory D. Diaz provided the history of COVID-19 that applies to all Formal Agenda Items. That history was presented to City Council so that they understand and apply this history to all Formal Agenda Items under consideration this evening.

4/5 Vote is required for the Emergency Ordinance to Pass

12. FORMAL AGENDA ITEMS (continued)

Councilmember Friedman moved to approve the recommendation to:

Introduce and adopt as an Emergency Ordinance after making the findings required by the Charter the Emergency Ordinance, title as follows:

“AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, ADDING CHAPTER 8.1000, ‘TEMPORARY PARK AND BEACH CLOSURE,’ TO THE SAN BUENAVENTURA MUNICIPAL CODE AND DECLARING THE URGENCY THEREOF”

AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, ADDING CHAPTER 8.1000, ‘TEMPORARY PARK AND BEACH CLOSURE,’ TO THE SAN BUENAVENTURA MUNICIPAL CODE AND DECLARING THE URGENCY THEREOF
ORDINANCE NO. 2020-011

Councilmember Weir seconded. The vote was as follows:

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

City Clerk Antoinette M. Mann declared the motion carried, 6-1 with Councilmember Nasarenko absent.

12B. Consideration of Emergency Ordinance – Enable City Officers to Issue Administrative Citations with Respect to Violations of the Ventura County Health Officer’s Orders Issued in Conjunction with Declared Local Health Emergencies and Making the Penalty for Violations Consistent with State Law Ordinance

SPEAKERS

Presenters City Attorney Gregory G. Diaz, Senior Assistant City Attorney Andy Viets and Police Chief Darin Schindler

DOCUMENTS

City Clerk Antoinette Mann read the following electronic communications into the record for items received before 4 p.m. Communications received following 4 p.m. are noted but were not read during the meeting:

12. FORMAL AGENDA ITEMS (continued)

Comments-via Email Suzanne McCombs, Artie Maidman, Jeff Jirkovsky, Terrence Foley, Patricia Jirkovsky and Allie Morgan

PowerPoint

Supplemental Packet All Public Communications are listed and posted online

4/5 Vote is required for this Emergency Ordinance to pass

Councilmember moved Friedman to approve the recommendation to:

Introduce and adopt as an Emergency Ordinance after making the findings required by the Charter the Emergency Ordinance, title as follows:

“AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING CHAPTER 2.370, “CITY EMERGENCY ORGANIZATION AND FUNCTIONS,” OF THE SAN BUENAVENTURA MUNICIPAL CODE TO ENABLE CITY OFFICERS TO ISSUE ADMINISTRATIVE CITATIONS WITH RESPECT TO VIOLATIONS OF THE VENTURA COUNTY HEALTH OFFICER’S ORDERS ISSUED IN CONJUNCTION WITH DECLARED LOCAL HEALTH EMERGENCIES, EMERGENCY ACTIONS OF THE CITY, AND MAKING THE AMOUNT OF THE PENALTY FOR VIOLATIONS CONSISTENT WITH STATE LAW”

AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING CHAPTER 2.370, “CITY EMERGENCY ORGANIZATION AND FUNCTIONS,” OF THE SAN BUENAVENTURA MUNICIPAL CODE TO ENABLE CITY OFFICERS TO ISSUE ADMINISTRATIVE CITATIONS WITH RESPECT TO VIOLATIONS OF THE VENTURA COUNTY HEALTH OFFICER’S ORDERS ISSUED IN CONJUNCTION WITH DECLARED LOCAL HEALTH EMERGENCIES, EMERGENCY ACTIONS OF THE CITY, AND MAKING THE AMOUNT OF THE PENALTY FOR VIOLATIONS CONSISTENT WITH STATE LAW

ORDINANCE NO. 2020-012

Councilmember Brown seconded. The vote was as follows:

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

City Clerk Antoinette M. Mann declared the motion carried, 6-1 with Councilmember Nasarenko absent.

12. FORMAL AGENDA ITEMS (continued)

12C. Consideration of Temporarily Permitting Use of Recreational Vehicles on Private Property in Residential Zones as Housing for Quarantined Persons Ordinance

SPEAKERS

Presenters City Attorney Gregory G. Diaz and Senior Assistant City Attorney Andy Heglund

DOCUMENTS

PowerPoint

4/5 Vote is required for the Emergency Ordinance to Pass

Councilmember Weir moved to approve the recommendation to:

Introduce and adopt as an Emergency Ordinance after making the findings required by the Charter the Emergency Ordinance, title as follows:

“AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, TEMPORARILY PERMITTING THE USE OF RECREATIONAL VEHICLES ON PRIVATE PROPERTY IN RESIDENTIAL ZONES AS HOUSING FOR QUARANTINED PERSONS AS A RESULT OF COVID-19”

AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, TEMPORARILY PERMITTING THE USE OF RECREATIONAL VEHICLES ON PRIVATE PROPERTY IN RESIDENTIAL ZONES AS HOUSING FOR QUARANTINED PERSONS AS A RESULT OF COVID-19 ORDINANCE NO. 2020-013

Councilmember Friedman seconded. The vote was as follows:

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

City Clerk Antoinette M. Mann declared the motion carried, 6-1 with Councilmember Nasarenko absent.

12. **FORMAL AGENDA ITEMS (continued)**

12D. **Consideration of Amendment to Temporary Eviction Moratorium Ordinance**

SPEAKERS

Presenters City Attorney Gregory G. Diaz and Assistant
City Attorney Megan Lorenzen

DOCUMENTS

City Clerk Antoinette Mann read the following electronic communications into the record for items received before 4 p.m.

Comments-via Email Daniel Yukelson, Apartment Association of
Greater Los Angeles

PowerPoint

Supplemental Packet All Public Communications are listed and posted
online

4/5 Vote is required for the Emergency Ordinance to Pass

Councilmember Brown moved to approve the recommendation to:

Introduce and adopt as an Emergency Ordinance after making the findings required by the Charter the Emergency Ordinance, title as follows:

“AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING SECTION 6.1020.020, ‘TEMPORARY EVICTION MORATORIUM,’ OF THE SAN BUENAVENTURA MUNICIPAL CODE AND DECLARING THE URGENCY THEREOF”

AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING SECTION 6.1020.020, ‘TEMPORARY EVICTION MORATORIUM,’ OF THE SAN BUENAVENTURA MUNICIPAL CODE AND DECLARING THE URGENCY THEREOF
ORDINANCE NO. 2020-014

12. FORMAL AGENDA ITEMS (continued)

Councilmember Friedman seconded. The vote was as follows:

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

City Clerk Antoinette M. Mann declared the motion carried, 6-1 with Councilmember Nasarenko absent.

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

Mayor LaVere asked for Council to come back and meet for STVR (Short Term Vacation Rentals) to address rules during the state of emergency.

Councilmember Brown thanked the City Attorney, City Manager, City Clerk and Mayor for the City doing a great job during this time.

Mayor LaVere applauded the City team for adjusting the best as possible to provide services during this time.

16. CITY MANAGER COMMUNICATIONS

City Manager Alex McIntyre reminded Council about the Elected Officials briefing call every Wednesday at 10 a.m.

17. ADJOURNMENT

Meeting adjourned at 7:34 p.m. in memory of Dr. Joe Spirito.



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