

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
MONDAY, APRIL 10, 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 6:05 p.m.

ROLL CALL

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

Absent: Councilmember Heitmann

Mayor Nasarenko presided.

PLEDGE OF ALLEGIANCE

Councilmember Monahan led the pledge of allegiance.

SPECIAL PRESENTATIONS AND ANNOUNCEMENTS

Pacific Chamber Singers, under the co-direction of Tara and Felix Eisenhauer, sang the National Anthem.

Mayor Nasarenko presented a Proclamation for National Library Week, April 9-15, 2017, to the Ventura County Library Executive Director Jackie Griffin, Ventura Friends of the Library President Kathy Thomson and Library Advisory Commission Chair Debbie Giles. Mayor Nasarenko thanked the Ventura County Library for providing our residents with outstanding library services.

SPECIAL PRESENTATIONS AND ANNOUNCEMENTS (continued)

Mayor Nasarenko presented a Proclamation for National Public Safety Telecommunicators Week, April 9-15, 2017, to Ventura Police Department Public Safety Dispatcher and 2016 Dispatcher of the Year Malea Munger, Ventura Police Department Sergeant Richard Payne and Commander Tom Higgins.

CLOSED SESSION REPORT

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

CITY COUNCIL COMMUNICATIONS

Councilmember Monahan requested the meeting be adjourned in memory of Roy Bender.

Deputy Major Andrews reminded everyone of the passing of Don Rickles and that humor is needed in our lives; announced the National Alliance on Mental Illness (NAMI) walk on May 6, 2017, on the Ventura Promenade and wished Ventura residents Happy Passover and Happy Easter.

Councilmember Weir reminded residents to hike the Ventura Botanical Gardens trail and enjoy the wildflowers.

PUBLIC COMMUNICATIONS

Speakers: Michael Tanner, William White, John Sanders Jones, Karen Lewis, Leo Lewis, Suz Montgomery and Chris Dryden.

Handouts: Leo Lewis and Suz Montgomery.

PowerPoint: John Sanders Jones

City Manager Mark D. Watkins advised that staff will follow-up with speakers on the Mobile Home Rent topic.

CITY COUNCIL CONSENT ITEMS

City Manager Mark D. Watkins advised that due to litigation, staff cannot comment on Agenda Item No.10.

1. Recent Decision of the Design Review Committee (80)**INFORMATION ONLY**

Design Review Committee March 15, 2017 Action: Approved

CITY COUNCIL CONSENT ITEMS (Continued)

PROJ-11244 – Case No. DRC-1-17-38786

Formal Design Review for an exterior façade paint modification to an existing 100-unit condominium complex located at 2741-2847 and 2985-3123 Harbor Boulevard; Ventura Keys Harbor Condominium Association, Applicant; R-3-3 Zone.

City Council received the information; no action taken.

2. Renaming the City Council Homelessness Subcommittee (40)

Councilmember Tracy moved to approve the recommendation to:

- a. Rename the City Council Homelessness Subcommittee to the City Council Homelessness and Affordable Housing Subcommittee.
- b. Adjust the City Council Protocols to reflect the name change.

Councilmember LaVere seconded. The vote was as follows:

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

Mayor Nasarenko declared the motion carried.

3. Third Amendment to Professional Services Agreement between the City of San Buenaventura and eNABLE LLC (50)

Councilmember Tracy moved to approve the recommendation to:

Approve and authorize the Mayor to execute Agreement No. 2013-048.3, third amendment to the Professional Services Agreement with eNABLE LLC, to increase the amount of the agreement an additional \$220,000 from \$530,000 to an amount not to exceed \$750,000 and extend the termination date from June 30, 2017 to June 30, 2018 for on-call professional technology services, as required.

DOCUMENTS

Supplemental Information

CITY COUNCIL CONSENT ITEMS (Continued)

Councilmember LaVere seconded. The vote was as follows:

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

Mayor Nasarenko declared the motion carried.

4. **Report on Downtown Wi-Fi and Options Available to Decommission or Replace the Service (31)**

Councilmember Tracy moved to approve the recommendation to:

Approve decommissioning the current system.

Councilmember LaVere seconded. The vote was as follows:

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

Mayor Nasarenko declared the motion carried.

5. **Third Amendment to Professional Services Agreement between the City of San Buenaventura and Carl Warren and Company for Third-Party Liability Claims Administration Services (50)**

Councilmember Tracy moved to approve the recommendation to:

Approve and authorize the Mayor to execute Agreement No. 2016-037.3, third amendment to Carl Warren and Company Professional Services Agreement dated June 9, 2015, adding \$20,000 for a new total contract amount of \$60,000.

Councilmember LaVere seconded. The vote was as follows:

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

Mayor Nasarenko declared the motion carried.

CITY COUNCIL CONSENT ITEMS (Continued)**6. Avenue Library Sublease Amendment (50)**

Councilmember Tracy moved to approve the recommendation to:

Approve Agreement No. 2017-018, first amendment to the Sublease Agreement between the City and the County of Ventura for the Casa de Anza Building located at 606 North Ventura Avenue.

Councilmember LaVere seconded. The vote was as follows:

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

Mayor Nasarenko declared the motion carried.

7. Land and Water Conservation Fund Grant (31)

Councilmember Tracy moved to approve the recommendation to:

- a. Authorize the City to receive \$1.5 million in grant funding from the California Department of Parks and Recreation for Land and Water Conservation Fund for the development of the Kellogg Avenue site on the Westside of Ventura.
- b. Authorize the Parks, Recreation and Community Partnerships Director, by title, to act as the agent for the City to conduct all negotiations and execute and submit all documents, including, but not limited to, applications, contracts, amendments, payment requests, and compliance with all applicable current state and federal laws which may be necessary for the completion of the aforementioned.
- c. Authorize the Finance and Technology Department to transfer Land and Water Conservation Fund grant funding to Trust for Public Land as needed for construction of Kellogg Park.
- d. Authorize the Finance and Technology Department to transfer all current and future Kellogg Park donation funding to Trust for Public Land as needed for construction of Kellogg Park, phase one.
- e. Authorize the Finance and Technology Department to assign increased appropriations and revenues to the proper programs and accounts for their use as provided in the grant and the donations.

CITY COUNCIL CONSENT ITEMS (Continued)

Councilmember LaVere seconded. The vote was as follows:

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

Mayor Nasarenko declared the motion carried.

8. Landscape and Tree Maintenance General Services Agreements Amendments (50)

Councilmember Tracy moved to approve the recommendation to:

- a. Pursuant to Section 4.600.200 of the San Buenaventura Municipal Code, authorize the City Manager or designee to execute General Services Agreement No. 2014-020.3, third amendment to the General Services Agreement with West Coast Arborists extending the agreement to execute year four (Fiscal Year 2017-2018) and year five (Fiscal Year 2018-2019) of the General Services Agreement for the Option to Extend for Good Performance; not-to-exceed \$450,000 annually; not-to-exceed \$2,150,000 for the five-year contract. Execute Agreement No. 2014-020.4, the fourth amendment to the General Services Agreement with West Coast Arborists and approve the amendment in the amount of up to \$150,000, for a Fiscal Year 2016-2017 contract value of \$550,000, for emergency tree work needed in Fiscal Year 2016-2017; not-to-exceed amount of \$2,300,000 for the five-year contract.
- b. Pursuant to Section 4.600.200 of the Municipal Code, authorize the City Manager or designee to execute Agreement No. 2014-021.2, second amendment to the General Services Agreement with Mycol, Inc., extending the agreement to execute year four (Fiscal Year 2017-2018) and year five (Fiscal Year 2018-2019) for the Option to Extend for Good Performance; not-to-exceed \$500,000 annually; not-to-exceed \$2,227,104 for the five-year contract.
- c. Pursuant to Section 4.600.200 of the Municipal Code, authorize the City Manager or designee to execute Agreement No. 2014-022.2, second amendment to the General Services Agreement with Sunridge Landscaping, extending the agreement to execute year four (Fiscal Year 2017-2018) and year five (Fiscal Year 2018-2019) for the Option to Extend for Good Performance; not-to-exceed \$425,000 annually; not-to-exceed \$1,892,568 for the five year contract.

CITY COUNCIL CONSENT ITEMS (Continued)

- d. Pursuant to Section 4.600.200 of the Municipal Code, authorize the City Manager or designee to execute Agreement 2014-023.2, second amendment to the General Services Agreement with Parkwood Landscape Maintenance, extending the agreement to execute year four (Fiscal Year 2017-2018) and year five (Fiscal Year 2018-2019) for the Option to Extend for Good Performance; not-to-exceed \$175,000 annually; not-to-exceed \$776,400 for the five year contract.
- e. Pursuant to Section 4.600.200 of the Municipal Code, authorize the City Manager or designee to execute Agreement No. 2015-032.1, first amendment to the General Services Agreement at Community Park with Sunridge Landscaping, extending the agreement to execute year three (Fiscal Year 2017-2018), year four (Fiscal Year 2018-2019), and year five (Fiscal Year 2019-2020) for the Option to Extend for Good Performance; not-to-exceed \$170,796 annually; not-to-exceed \$853,980 for the five year contract.

Councilmember LaVere seconded. The vote was as follows:

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

Mayor Nasarenko declared the motion carried.

9. **Sole Source Purchase – Water Storage Tank Circulation Improvements Project (88)**

Councilmember Tracy moved to approve the recommendation to:

Approve and authorize the Mayor to execute a sole source purchase order in the amount not to exceed \$294,492 to Medora Corporation for the purchase of seven water mixing systems to be installed at various water tanks.

Councilmember LaVere seconded. The vote was as follows:

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

Mayor Nasarenko declared the motion carried.

CITY COUNCIL CONSENT ITEMS (Continued)**10. Letter of Support for Ventura River Basin Study (123)****SPEAKERS**

Public: Ben Pitterle, Santa Barbara Channelkeeper.

Councilmember Tracy moved to approve the recommendation to:

Authorize the Mayor to sign a letter of support to the Bureau of Reclamation to develop a Basin Study for the Ventura River Watershed.

Councilmember LaVere seconded. The vote was as follows:

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

Mayor Nasarenko declared the motion carried.

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

The public hearing, continued from March 20, 2017 was re-opened.

City Clerk Mann stated that public hearing continuation notice was posting and is on file in the City Clerk's Office.

SPEAKERS

Presenters: Community Development Director Jeffrey Lambert, City Attorney Gregory G. Diaz, Planning Manager Dave Ward and Planning Consultant Joyce Parker-Bozylinski.

7:08 p.m. Councilmember Monahan absent; 7:09 present.

Public: Cappi Patterson, Buddy Nation; Stephanie Caldwell, Ventura Chamber of Commerce; and Matt Hoit.

DOCUMENTS

PowerPoint

PUBLIC HEARINGS (Continued)

Comment Form: Jill Martinez

Correspondence: Kate Mills

7:23 p.m. Councilmember LaVere absent; 7:24 present.

Councilmember Weir moved to approve the recommendation to:

- a. Conclude continued public hearing from March 20, 2017 to consider the changes made to the proposed ordinance.
- b. Adopt the Negative Declaration and all related actions, pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15074, for Case No. EIR-1-17-3866 as contained in the Ordinance.
- c. Introduce and waive the first reading of the Emergency Shelter Zoning Ordinance and Map Amendment, Case No. OA-1-17-3866, and authorize staff to revise/amend Section 26 of the Ordinance to incorporate appropriate comments and issues raised by the public or City Council at the continued public hearing.
- d. Set the proposed ordinance for a second reading and adoption at the City Council meeting of April 17, 2017.
- e. Authorize the Finance and Technology Director to make a one-time transfer of \$35,000 from General Fund Contingency to the Community Development General Fund appropriations in Fiscal Year 2017-2018 to be used for the permit entitlement process of an Emergency Shelter with Full Support Services established in the Emergency Shelter Overlay District.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING DIVISION 24, "ZONING REGULATION," OF THE SAN BUENAVENTURA MUNICIPAL CODE TO PROVIDE REGULATIONS AND AUTHORIZATIONS FOR EMERGENCY SHELTERS IN CERTAIN ZONES; ADDING BY A CHANGE OF ZONE THE EMERGENCY SHELTER OVERLAY ZONE (ES) TO CERTAIN PROPERTIES; AND CHANGING THE OFFICIAL ZONING MAP TO REFLECT THE ES OVERLAY ZONE

ORDINANCE NO. 2017-___

PUBLIC HEARINGS (Continued)

Councilmember LaVere seconded. The vote was as follows:

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

Mayor Nasarenko declared the motion carried.

12. 2017-2018 Community Development Block Grant Funding Availability and Requests for Funding (108)

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

Presenters: Community Development Director Jeffrey Lambert, Planning Manager Dave Ward, Associate Planner Andrea Palmer and Senior Planner Jennie Buckingham.

Public: Marvin Boateng, Economic Development Collaborative-Ventura County; Evelina Ochoa, Women's Economic Ventures; Angela Rosales, Women's Economic Ventures; Jason Meek and Rena Sepulveda, Turning Point Foundation; Brittany Venia, Peoples' Self-Help Housing; Derek Stalcup, Ventura County Libraries; and Karen Flock, Housing Authority of the City of San Buenaventura.

DOCUMENTS

PowerPoint

Comment Form: Jill Martinez

Handout: Rena Sepulveda

The public hearing was closed.

PUBLIC HEARINGS (Continued)

- a. Receive and provide comments on the 2017-2018 Community Development Block Grant (CDBG) funding requests.
- b. Conduct a public hearing to receive public testimony regarding the CDBG funding requests report. No specific action is requested at this time, as a public hearing for approving the Action Plan will be held at the May 8, 2017 City Council meeting.

City Council received the information; no action taken.

8:12 p.m. Councilmember Weir and Councilmember Monahan absent; 8:15 p.m. present.

CITY COUNCIL FORMAL ITEMS**13. Special Event Permitting and Grants Program (76)****SPEAKERS**

Presenters: Parks, Recreation and Community Partnership Director Nancy O'Connor, Human Resources Director Elizabeth Foushee, Parks, Recreation and Community Partnership Manager Denise Sindelar and Risk Manager Lisa Oland.

8:23 p.m. Mayor Nasarenko absent; 8:24 p.m. present. 8:24 p.m. Councilmember Tracy absent; 8:33 p.m. present. 9:06 p.m. Councilmember Tracy absent; 9:16 p.m. present.

Public: Michael MacDonald, Diversity Collective Ventura County; Jim Rice, Peirano's Market; Ellyn Dembowski, Downtown Rotary Club; Ross Emery, Road Show Revival; Toni Guy and Mary Galvin, Ventura Charter School; Vincenzo Giammanco, California Beer Festival; Jen Livia, Ventura Marathon; Stephanie Caldwell, Ventura Chamber of Commerce; Kat Merrick, Totally Local Ventura County; Chipper "Bro" Bell, Aloha Beach Festival; David Deutsch, NAMI Ventura County; Roberta Griego, NAMI Ventura County; Brian Brennan, St. Patrick's Day Parade; J.R. Ford; Tammy White; and Kevin Clerici, Downtown Ventura Organization/Downtown Ventura Partners.

DOCUMENTS

PowerPoint

CITY COUNCIL FORMAL ITEMS (Continued)

Correspondence: Alison Carlson, Mary Galvin, Kevin Clerici, Vincenzo Giammanco, and Paul D. White.

Comment Form: Ben Dewitt, Steve Doll and Jen Livin.

Councilmember Weir moved to approve the recommendation to:

- a. Postpone any decision for tonight and to develop a stakeholders group to discuss the special events permits process and convened a meeting.
- b. Stakeholders group to discuss the City's special permits process. Provide in writing to the stakeholders group what other cities are doing (Santa Barbara, Camarillo, Oxnard, and Thousand Oaks) include actual costs, to allow for comparison. Provide examples of events showing current pricing and insurance limits with proposed increase and how they will affect these events. Include a discussion on vendor's insurance policies (umbrella policy vs. individual policies). In addition to cost, discuss how to make the special permit process "friendlier" for the applicants, clearly layout the permit requirements, timely responses and including timelines. City does need to look at our risk, to be responsible to the tax payers and not to unnecessarily put our funds at risks. Tiers for insurance are appropriate but discuss with the stakeholders the layout for the tiers so ensure they are realistic.
- c. City staff and the stakeholders group to develop a recommendation, that may include a phased approach for increased insurance limits and bring it back to council at a fairly soon meeting date.

Councilmember Tracy seconded. The vote was as follows:

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

Mayor Nasarenko declared the motion carried.

CITY COUNCIL FORMAL ITEMS (Continued)

For Agenda Item Nos. 14 and 15, Mayor Nasarenko requested that City Manager Mark D. Watkins and City Attorney Gregory G. Diaz leave the dais and requested that Assistant City Manager Dan Paranick and Assistant City Attorney Andy Viets join the dais.

14. Amend the Compensation and Terms of the City Manager's Employment Agreement (50)**SPEAKERS**

Presenters: Mayor Nasarenko and Human Resources Director Elizabeth Foushee.

Councilmember Tracy moved to approve the recommendation to:

Adopt a resolution amending the compensation and terms of the City Manager's Employment Agreement No. 2013-007, providing a 2% salary increase to the City Manager's base salary effective the first pay period following City Council approval and a one-time performance based payment of 3% in accordance with the City Manager's Employment Agreement, Sections 3.4 and 3.5., Agreement No. 2013-007.2.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENA-VENTURA AMENDING (1) RESOLUTION NO. 2016-061, AND (2) THE COMPENSATION AND TERMS OF EMPLOYMENT FOR THE POSITION OF CITY MANAGER

RESOLUTION NO. 2017-016

Councilmember Weir seconded. The vote was as follows:

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

NOES: None

ABSENT: Councilmember Heitmann

Mayor Nasarenko declared the motion carried.

15. Amendment of the Compensation and Terms of the City Attorney's Employment Agreement (50)**SPEAKERS**

Presenters: Mayor Nasarenko and Human Resources Director Elizabeth Foushee.

CITY COUNCIL FORMAL ITEMS (Continued)

Councilmember Monahan moved to approve the recommendation to:

Amend the compensation and terms of the City Attorney's Employment Agreement No. 2014-026, providing a 4.5 % salary increase to the City Attorney's base salary effective the first pay period following City Council approval in accordance with the City Attorney's Employment Agreement, Section 3.2., Agreement No. 2014-026.3.

Councilmember LaVere seconded. The vote was as follows:

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

Mayor Nasarenko declared the motion carried.

10:02 p.m. Deputy Mayor Andrews absent; 10:05 p.m. present.

City Manager Mark D. Watkins and City Attorney Gregory G. Diaz returned to the dais.

16. Water Services Agreement between the City of San Buenaventura and Casitas Municipal Water District (50)

SPEAKERS

Presenters: City Manager Mark D. Watkins, Assistant City Attorney Miles Hogan and Acting General Manager Ventura Water Joe McDermott.

Public: Daniel Cormode

DOCUMENTS

PowerPoint

Correspondence: Daniel Cormode (2), Kioren Moss and Bob McCord.

Councilmember Tracy moved to approve the recommendation to:

Move the Water Services Agreement between the City of San Buenaventura and the Casitas Municipal Water District (Casitas) which authorizes the City to purchase water from Casitas through 2047 to return to City Council on May 8, 2017, for consideration.

CITY COUNCIL FORMAL ITEMS (Continued)

Councilmember LaVere seconded. The vote was as follows:

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

Mayor Nasarenko declared the motion carried.

PUBLIC COMMUNICATIONS

Speakers: Michael Tanner and Lisa Bean.

10:29 p.m. Councilmember Monahan absent; 10:30 p.m. present.

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

Councilmember LaVere reported attending the Regional Defense Partnership 21st Century (RPD-21) lobbying trip in Washington, D.C. in late March 2017.

Councilmember Tracy reported that John Moore, Editor for the Ventura County Star, retired on April 7, 2017 and was presented with a Key to the City.

CITY MANAGER COMMUNICATIONS

City Manager Mark D. Watkins highlighted future City Council agenda topics.

ADJOURNMENT

Meeting adjourned at 10:38 p.m. in memory of Roy Bender and Don Rickles.

Antoinette M. Mann, MMC, CRM
City Clerk

