

CITY OF VENTURA  
**CITY COUNCIL MINUTES**

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**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

## **REGULAR MEETING**

**JUNE 10, 2019**

### **1. CALL TO ORDER – REGULAR SESSION**

The San Buenaventura (Ventura) City Council met in Regular Session in the City Hall Council Chambers, 501 Poli Street, Ventura at 6:13 p.m.

### **2. ROLL CALL**

**PRESENT:** Councilmembers Friedman, Brown, Heitmann, Weir and Deputy Mayor Rubalcava

**ABSENT:** Councilmember Nasarenko and Mayor LaVere

Deputy Mayor Rubalcava presided.

### **3. PLEDGE OF ALLEGIANCE**

Councilmember Heitmann led the pledge of allegiance.

#### **4. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS**

Deputy Mayor Rubalcava presented a Certificate of Recognition to the members of the Ventura High School Music Program and teacher Paul Hunt for achieving "Superior Gold" ratings at the Grand Nationals Adjudicators Invitational Festival.

Deputy Mayor Rubalcava presented a Certificate of Recognition to Noah Laber for his Grand National recognition as "Outstanding Soloist".

Councilmember Nasarenko arrived at 6:20 p.m.

Fire Chief David Endaya introduced EMS Coordinator Heather Ellis who gave a presentation on cardiac arrest. Members of the Fire Department were recognized for their actions in making a difference in the lives of seven individuals in the community in 2018.

#### **5. CLOSED SESSION REPORT**

City Attorney Gregory G. Diaz stated there was no Closed Session held tonight and there is no reportable action.

#### **6. CITY COUNCIL COMMUNICATIONS**

Councilmember Brown shared a presentation on her visit to Arroyo Verde Park.

Councilmember Heitmann requested tonight's meeting be adjourned in memory of Eugene (Gene) Kingsbury Martin.

#### **8. CONSENT ITEMS**

City Attorney Gregory G. Diaz made a technical correction on Consent Agenda Item 8F (Negotiated Professional Services Agreement between the City of San Buenaventura [as the City and as the Successor Housing Agency] and the Housing Authority of the City of San Buenaventura for Fiscal Years 2019-2021 Affordable Housing Program Administration) as the recommendation needs to be revised to reflect the Mayor/Chair to execute the contract and on Consent Agenda Item 8I (Pier Corrosion Repairs Professional Services Agreement) as the recommendation needs to be revised to reflect the Mayor to execute the contract.

Councilmembers Nasarenko and Heitmann had questions on Consent Agenda Item 8K (Street Resurfacing – Telegraph Road, Main Street to Mills Road – Award of Contract).

**8. CONSENT ITEMS (continued)**

Councilmember Friedman moved to approve the recommendation to:

**8A. Move all resolutions and ordinances presented tonight be deemed read by title only and all further reading be waived.**

Councilmember Nasarenko seconded. The vote was as follows:

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

Deputy Mayor Rubalcava declared the motion carried.

**8B. Approval of City Council Minutes – May 6, 2019, May 13, 2019 and May 20, 2019**

Councilmember Friedman moved to approve the recommendation to:

Approve the City Council minutes of May 6, 2019, May 13, 2019 and May 20, 2019.

Councilmember Nasarenko seconded. The vote was as follows:

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

Deputy Mayor Rubalcava declared the motion carried.

**8C. Request for Authorization to Extend Outside Counsel Services – Best Best & Krieger for advice regarding Telecommunication matters including updating or replacing the City's current Wireless Ordinance, Broadband, and other Telecommunication matters**

Councilmember Friedman moved to approve the recommendation to:

- a. Authorize the City Attorney to execute the Third Amendment to Legal Services Agreement No. 100004158 with Best, Best & Krieger on the City's behalf.
- b. Authorize the Interim Finance and Technology Director to take necessary budgetary actions to carry out this action.

**8. CONSENT ITEMS (continued)**

Councilmember Nasarenko seconded. The vote was as follows:

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

Deputy Mayor Rubalcava declared the motion carried.

**8D. Ordinance for Second Reading – Division 24 of the San Buenaventura Municipal Code to Amend “Alcoholic Beverage Establishments Use Permits” (PROJ-13286)**

Councilmember Friedman moved to approve the recommendation to:

Waive the second reading in full and adopt Ordinance, titled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING CHAPTER 24.460, ALCOHOLIC BEVERAGE ESTABLISHMENTS USE PERMITS, AMENDING SECTION 24.505.020 ENTITLED APPLICABILITY WITHIN CHAPTER 24.505 - DIRECTOR'S PERMIT PROCEDURE, AND DELETING SECTION 24.520.095 ENTITLED ADMINISTRATIVE ALCOHOLIC BEVERAGE USE PERMITS WITHIN CHAPTER 24.520 -THE USE PERMIT PROCEDURES (VOTE: 7-YES; 0-NO; 0-ABSENT)  
ORDINANCE NO. 2019-\_\_\_

Councilmember Nasarenko seconded. The vote was as follows:

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

Deputy Mayor Rubalcava declared the motion carried.

**8E. Fourth Amendment – Community Access Partners Agreement**

Councilmember Friedman moved to approve the recommendation to:

Authorize the City Manager to execute the fourth amendment to the agreement with Community Access Partners of San Buenaventura extending the term of the agreement six months (July 1, 2019 through December 31, 2019).  
AGREEMENT NO. 2016-038.4

**8. CONSENT ITEMS (continued)**

Councilmember Nasarenko seconded. The vote was as follows:

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

Deputy Mayor Rubalcava declared the motion carried.

**8F. Negotiated Professional Services Agreement between the City of San Buenaventura (as the City and as the Successor Housing Agency) and the Housing Authority of the City of San Buenaventura for Fiscal Years 2019-2021 Affordable Housing Program Administration**

Councilmember Friedman moved to approve the recommendation to:

- a. Approve and authorize the Mayor/Chair to execute a two-year negotiated Professional Services Agreement between the City of San Buenaventura, the City of San Buenaventura as Successor Housing Agency and the Housing Authority of the City of San Buenaventura related to the Affordable Housing Program for the twenty-four month period from July 1, 2019 to June 30, 2021. AGREEMENT NO. 2019-058
- b. Authorize Finance and Technology to assign annual appropriations to the proper funds, projects and accounts for both Fiscal Year 2019-2020 and Fiscal Year 2020-2021 in the amount of \$130,000 per fiscal year, a two-year total of \$260,000.

Councilmember Nasarenko seconded. The vote was as follows:

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

Deputy Mayor Rubalcava declared the motion carried.

**8. CONSENT ITEMS (continued)****8G. Urban Forestry Maintenance and Landscape Contracts**

Councilmember Friedman moved to approve the recommendation to:

- a. Authorize the Mayor to execute an annual General Service Agreement with West Coast Arborists for provision of tree trimming and maintenance services for an initial term of July 1, 2019 through June 30, 2021 with the option to extend for up to three one-year terms, not-to-exceed \$1,350,000 for FY 2019-20, (\$6,750,000 cumulative). AGREEMENT NO. 2019-059
  
- b. Authorize the Mayor to execute annual General Service Agreements with Landscape Development Inc. dba Enhanced Landscape Management, (\$787,488), Sunridge Landscape, Inc. (\$717,720), and Parkwood Landscape Maintenance, Inc. (\$477,192) for an initial term of July 1, 2019 through June 30, 2021 with the option to extend for up to three one-year terms, not-to-exceed \$991,200 for FY 2019-20 (\$4,956,000 cumulative). AGREEMENT NO. 2019-060  
AGREEMENT NO. 2019-061  
AGREEMENT NO. 2019-062
  
- c. Authorize the City Manager or designee to execute amendments to the General Service agreements in an amount not-to-exceed \$310,400 annually (\$1,552,000 cumulative).

Councilmember Nasarenko seconded. The vote was as follows:

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

Deputy Mayor Rubalcava declared the motion carried.

**8H. Ventura Police Department Tow Company Agreement Fiscal Year 2019-2020**

SPEAKER Robert Schaefer

Councilmember Friedman moved to approve the recommendation to:

Approve and authorize the City Manager to execute the Ventura Police Department Tow Company Agreement for Fiscal Year 2019-2020.  
AGREEMENT NO. 2019-063

Councilmember Nasarenko seconded. The vote was as follows:

**8. CONSENT ITEMS (continued)**

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

Deputy Mayor Rubalcava declared the motion carried.

**8I. Pier Corrosion Repairs Professional Services Agreement**

Councilmember Friedman moved to approve the recommendation to:

Approve and authorize the Mayor to execute a Professional Services Agreement with Noble Consultants, Inc., for engineering design services and engineering support during construction of the first phase of the Pier Corrosion Repairs project for an amount of \$98,537, plus a \$15,000 contingency; total not-to-exceed amount \$113,537.

AGREEMENT NO. 2019-064

Councilmember Nasarenko seconded. The vote was as follows:

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

Deputy Mayor Rubalcava declared the motion carried.

**8J. Lease Agreement for Gary and Pamela Roach's Continued Use of City-owned Property Adjoining 1658 Buena Vista Street**

Councilmember Friedman moved to approve the recommendation to:

Authorize the City Manager to execute a Lease Agreement with Gary and Pamela Roach to lease a small portion of City owned property adjoining their residence for the continued use of a basketball/play area.

AGREEMENT NO. 2019-065

Councilmember Nasarenko seconded. The vote was as follows:

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

Deputy Mayor Rubalcava declared the motion carried.

**8. CONSENT ITEMS (continued)****8K. Street Resurfacing – Telegraph Road, Main Street to Mills Road - Award of Contract**

Staff: Public Works Director Phillip Nelson and Principal Civil Engineer Brad Starr

Councilmember Friedman moved to approve the recommendation to:

- a. Approve awarding of contract and authorize the Mayor to execute an agreement with the lowest responsive and responsible bidder, Toro Enterprises, Inc., for the Street Resurfacing – Telegraph Road, Main Street to Mills Road, Specification No. 2018-007, in the amount of \$1,490,249. AGREEMENT NO. S2018-007
- b. Authorize the encumbrance of contingency funds for the project in the amount of \$149,025 for use by the Public Works Director as needed during construction. The total contract amount will not exceed \$1,639,274.
- c. Authorize the transfer from the following enterprise funds and increase appropriations in the Street Resurfacing – Telegraph Road, Main Street to Mills Road Project (69019/91079) for the adjustment of sewer manholes and water valves to grade:
  - i. \$27,000 Wastewater Maintenance Operations (Fund 51)
  - ii. \$32,000 Water Distribution Operations (Fund 52)
- d. Authorize Finance and Technology to transfer appropriated funds to the proper funds, projects and accounts.

Councilmember Nasarenko seconded. The vote was as follows:

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

Deputy Mayor Rubalcava declared the motion carried.



**8. CONSENT ITEMS (continued)****8L. Hydrogeological Consulting Services – Two-Year Professional Service Agreement with Hopkins Groundwater Consultants**

Councilmember Friedman moved to approve the recommendation to:

Approve and authorize the Mayor to sign a Professional Services Agreement, with Hopkins Groundwater Consultants Inc. to provide on-going hydrogeological groundwater services; July 1, 2019 to June 30, 2021; in the amount of \$209,000 and authorize the encumbrance of contingency funds in the amount of \$20,900 for a total not-to-exceed amount of \$229,900.

AGREEMENT NO. 2019-066

Councilmember Nasarenko seconded. The vote was as follows:

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

Deputy Mayor Rubalcava declared the motion carried.

**8M. Third Amendment to Master Computer Software Agreement with Systems & Software, Inc.**

Councilmember Friedman moved to approve the recommendation to:

Authorize the Mayor to execute Amendment No. 3 to Agreement No. 2013-029, the Master Computer Software Agreement with Systems & Software, Inc., for additional services in Fiscal Year 2019-20 for software maintenance and support at \$130,130.52 and additional maintenance services to support Advanced Metering Infrastructure Modules which integrate with the City's Utility Billing system, enQuesta in the amount of \$65,415.38, staff training at \$24,765.00 and contingency funding of \$22,031.10 for a total not-to-exceed amount of \$242,342.00.

AGREEMENT NO. 2013-029.3

Councilmember Nasarenko seconded. The vote was as follows:

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

Deputy Mayor Rubalcava declared the motion carried.

**8. CONSENT ITEMS (continued)****8N. Asset and Maintenance Management Lucity Amendment**

Councilmember Friedman moved to approve the recommendation to:

- a. Approve and authorize the Mayor to execute an Amendment to Agreement No. 2011-048 with Lucity, Inc., in the amount of \$9,650.00 for a total encumbrance not-to-exceed \$280,720.51; for Tune Up Services of Progress – Remote and Tune Up Service – Onsite and Remote will be provided by Vendor for Fiscal Year 2019-2020. AGREEMENT NO. 2011-048.2
- b. Authorize City Manager or designee to sign for any future amendments up to an amount not to exceed \$15,000.00.

Councilmember Nasarenko seconded. The vote was as follows:

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

Deputy Mayor Rubalcava declared the motion carried.

**8O. Second Amendment to Extend Professional Services Agreement with Environmental Science Associates for Conceptual Design and Technical Report of Treatment Wetlands**

Councilmember Friedman moved to approve the recommendation to:

Approve and authorize the Mayor to execute the Second Amendment to the Professional Services Agreement with Environmental Science Associates (Agreement No. 2017-119) for services associated with performing Conceptual Design and Technical Report of Treatment Wetlands; extending term through December 31, 2019. AGREEMENT NO. 2018-067.2

Councilmember Nasarenko seconded. The vote was as follows:

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

Deputy Mayor Rubalcava declared the motion carried.

**8. CONSENT ITEMS (continued)****8P. Fourth Amendment to Professional Services Agreement - ENS Resources, Inc.**

Councilmember Friedman moved to approve the recommendation to:

- a. Approve and authorize the Mayor to execute the Fourth Amendment to the Professional Services Agreement with ENS Resources, Inc.; term extending January 25, 2016 through October 30, 2019; contract amount of \$376,000 increasing by \$48,000 for a total not-to-exceed amount of \$424,000. AGREEMENT NO. 2019-067.4
- b. Authorize the Ventura Water General Manager, pursuant to San Buenaventura Municipal Code Section 4.600.200, to execute a future amendment to the contract to extend the term up to June 30, 2020; for an additional contract amount up to \$96,000, for a total not-to-exceed amount up to \$520,000.00.

Councilmember Nasarenko seconded. The vote was as follows:

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

Deputy Mayor Rubalcava declared the motion carried.

**9. APPOINTMENTS TO COUNCIL ADVISORY GROUPS****9A. Appointments Recommendation – Ventura Port District Board and Downtown Parking Advisory Committee****SPEAKER**

Public Samuel Sadove, Ventura Harbor Marine Associates

Councilmember Weir moved to approve the recommendation to:

Approve the following appointments recommended by the Appointments Recommendation Committee:

- a. Ventura Port District:
  - Michael Blumenberg, Term: July 1, 2019 – June 30, 2023

**9. APPOINTMENTS TO COUNCIL ADVISORY GROUPS (continued)**

- b. Downtown Parking Advisory Committee:
- Marina Porter (City Resident), Term: July 5, 2019 – June 30, 2023
  - Carl Morehouse (City Resident), Term: July 5, 2019 – June 30, 2023

Councilmember Friedman seconded. The vote was as follows:

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

Deputy Mayor Rubalcava declared the motion carried.

**11. PUBLIC HEARING ITEM****11A. Authorize the 2019 HOME Investment Partnerships Act Notice of Funding Availability Funding Plan**

The public hearing was opened.

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

**SPEAKERS**

Presenters	Interim Community Development Director Peter Lyons and Associate Planner Andrea Palmer
Public	Karen Flock, Housing Authority of the City of San Buenaventura and Jacqueline Pollino, Cabrillo Economic Development Corp.

**DOCUMENT**

Correspondence	Kevin Clerici, Downtown Ventura Partners and James Forsythe, Westside Community Council
PowerPoint	
Supplemental Packet	

The public hearing was closed.

Councilmember Brown moved to approve the recommendation to:

**11. PUBLIC HEARING ITEM (continued)**

- a. Conduct a Public Hearing and receive public testimony.
- b. Adopt the attached Resolution approving the City's 2019 HOME Investment Partnerships Act Notice of Funding Availability Funding Plan.
- c. Authorize the Community Development Director, including the Interim, to execute Agreements for 2019 HOME Investment Partnerships Act Notice of Funding Availability funding.
- d. Authorize Finance and Technology to make necessary changes to revenues and expenditures in the FY 2019-2020 operating budget to reflect approval of the new allocation and expenditure plans.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AUTHORIZING THE 2019 HOME INVESTMENT PARTNERSHIPS ACT (HOME) PROGRAM NOFA FUNDING PLAN  
RESOLUTION NO. 2019-027

Councilmember Heitmann seconded. The vote was as follows:

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

Deputy Mayor Rubalcava declared the motion carried.

**12. FORMAL ITEMS****12A. Final 2019 Comprehensive Water Resources Report****SPEAKERS**

Presenters Ventura Water General Manager Susan Rungren  
and Ventura Water-Water Resource Planning  
Manager Betsy Cooper

Public Burt Handy, Duane Georgeson and Laurie  
Rutledge

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

Comment Card	Vince Carrasco
Correspondence	Margaret O'Malley, Gerald Wilson, Burt Handy, Brian Haueter, Ellen Kelley and Corey Scalise
Handout	Duane Georgeson and Burt Handy
PowerPoint	
Supplemental Packet	

Councilmember Weir moved to approve the recommendation to:

- a. Receive the 2019 Comprehensive Water Resources Report.
- b. Confirm that the City should remain in a Stage 3 Water Shortage Event based on current supply projections referenced in the Final 2019 Comprehensive Water Resources Report and triggers as described in the 2015 Water Shortage Event Contingency Plan.

Councilmember Heitmann seconded. The vote was as follows:

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

Deputy Mayor Rubalcava declared the motion carried.

**12B. Community Development Project Preliminary Check-In Report and Presentation**SPEAKERS

Presenters Interim Community Development Director Peter Lyons and Principal Planner Scott Kolwitz

DOCUMENT

Comment Card Leslie Purcell

**12. FORMAL ITEMS (continued)**

PowerPoint

City Council received the Community Development Project Preliminary Check-in Report and Presentation.

8:14 p.m. Councilmember Friedman absent; 8:16 p.m. present.

**7. PUBLIC COMMUNICATIONS**

SPEAKER

Ron DiSanto

**15. CITY COUNCIL COMMUNICATIONS/REPORTS – REGIONAL  
BOARDS/COMMISSIONS/COMMITTEES – None****16. CITY MANAGER COMMUNICATIONS – None****17. ADJOURNMENT**

Adjourn to the Regular Meeting on June 24, 2019 and cancelling the Regular Meeting of June 17, 2019.

Meeting adjourned at 8:31 p.m. in memory of Eugene (Gene) Kingsbury Martin.



Tracy Oehler, MPPA, MMC  
Assistant City Clerk