

CITY OF VENTURA  
**CITY COUNCIL MINUTES**

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**Matt LaVere**  
Mayor

**Lorrie Brown**  
Councilmember District 6

**Jim Friedman**  
Councilmember District 5

**Cheryl Heitmann**  
Councilmember At-Large

**Erik Nasarenko**  
Councilmember District 4

**Sofia Rubalcava, Deputy Mayor**  
Councilmember District 1

**Christy Weir**  
Councilmember At-Large

Alex D. McIntyre, City Manager  
Gregory G. Diaz, City Attorney  
Antoinette M. Mann, City Clerk



**REGULAR MEETING**

**AUGUST 3, 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 5:01 p.m.

**CS2. ROLL CALL**

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

ABSENT: Councilmember Brown

**CS3. PUBLIC COMMUNICATIONS – None**

**CS4. CLOSED SESSION – Teleconference/Video Conference Meeting.** The Public may not participate in the Closed Session, other than submitting Public Comments on topic via email.

**1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Name of Case: Southern California Edison v. City of San Buenaventura,  
VCSC Case No.: 56-2019-00529216-CU-PO-VTA  
Authority: Government Code Section 54956.9(d)(1)

**CS5. ADJOURNMENT**

Adjourn to Regular Meeting at 6:20 p.m. to regular session

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

The San Buenaventura (Ventura) City Council met in Regular Session/Workshop utilizing WebEx Events Meeting software from various Ventura locations at 6:03 p.m.

**2. ROLL CALL**

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

ABSENT: Deputy Mayor Rubalcava

Mayor LaVere presided.

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

Mayor LaVere led the pledge of allegiance.

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

6:10 p.m. Deputy Mayor Rubalcava present

A COVID-19 Update was provided by City Manager Alex D. McIntyre, Police Chief Darin Schindler and Human Resources Director Elizabeth Foushee. An employee focused update was provided on the Police Department and for all City Employees.

A Main Street Moves Update was provided by Economic Development Manager Estelle Bussa and Downtown Ventura Partners Kevin Clerici. The update focused on the status of the conditions City Council added to the Main Street Moves project.

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

City Attorney Gregory Diaz stated City Council had no closed session tonight and there is no reportable action.

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

Councilmember Brown requested that tonight's meeting be adjourned in memory of Congressman John Lewis.

### **7. PUBLIC COMMUNICATIONS**

City Clerk Antoinette Mann stated that 9 emails were received with electronic communications. All names are reflected into the record:

#### DOCUMENTS

Comments-via Email	Joseph, Cheryl Denger, Joseph Ayala, Robert B. Citron, Barbara Evans, Brad Salmons, Marilyn Kellar, Zachary Novick, and Richard Todd
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Supplemental Packet	All Public Communications are listed and posted online
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### **8. CONSENT ITEMS**

Councilmember Nasarenko pulled Consent Agenda Items 8I Approve First Amendment with Water Systems Consulting, Inc. – Strategic Communications and Outreach for Ventura Water Projects), 8K (Approve Amendments to Professional

**8. CONSENT ITEMS (continued)**

Service Agreements to – Carollo Engineers and Environmental Science Associates – Support Permitting of the VenturaWaterPure Project) and 8M (Approve Second Amendment to Professional Services Agreement with Cannon Corporation - Ventura Water's Emergency Generators Project).

Councilmember Heitman pulled Consent Agenda Item 8L Approve Professional Service Agreement with Carollo Engineers, Inc. - Geotechnical Investigations to Support Outfall Design).

City Clerk Mann stated that there are three public speakers on the Consent Agenda Items (8F, 8K, and 8). Speakers are noted under each Consent Agenda Item.

Prior to City Council voting on the Consent Agenda Items, Councilmember Weir read the dollar amounts for all items to ensure the public is aware of the dollar amounts associated with City Council's approval.

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.**  
**RECOMMENDATION APPROVED**

Councilmember Nasarenko seconded. The vote was as follows:

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

City Clerk Antoinette M. Mann declared the motion carried, 7-0.

**8B. Request for Authorization to Increase the not-to-exceed Amount for Outside Counsel Services – Olivarez Madruga Lemieux O'Neil, LLP – in the Ventura29, LLC V. City of San Buenaventura Litigation Matte**

Councilmember Friedman moved to approve the recommendation to:

Authorize the City Attorney to enter into a First Amendment to Agreement no. P2020-003 with the law firm of Olivarez Madruga Lemieux O'Neill, LLP, in an amount not to exceed an additional \$200,000 to continue representation of the City in the litigation matter of Ventura29 LLC.

**8. CONSENT ITEMS (continued)**

Councilmember Nasarenko seconded. The vote was as follows:

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

City Clerk Antoinette M. Mann declared the motion carried, 7-0.

**8C. Consideration of a Request for Authorization to Amend Outside Council and Communications Services**

Councilmember Friedman moved to approve the recommendation to:

- a. Authorize the City Attorney to enter into an amended legal services agreement with the law firm of Best, Best and Krieger, LLP in an amount not to exceed an additional \$900,000 to continue representation of the City in the litigation matter of *Santa Barbara Channelkeeper v. State Water Resources Control Board and the City of San Buenaventura*, Los Angeles County Superior Court Case No. 19STCP01176 (formerly San Francisco County Superior Court Case No. CPF-14-513875), and related matters.
- b. Authorize the City Attorney to enter into an amended services agreement with the communications firm of Mustang Marketing in an amount not to exceed an additional \$50,000.

Councilmember Nasarenko seconded. The vote was as follows:

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

City Clerk Antoinette M. Mann declared the motion carried, 7-0.

**8D. Designation of Voting Delegate and Alternate for 2020 League of California Cities Virtual Annual Conference**

Councilmember Friedman moved to approve the recommendation to:

Confirm the Mayor's appointment of Deputy Mayor Rubalcava as the City's Voting Delegate and Councilmember Brown as the Alternate Voting

**8. CONSENT ITEMS (continued)**

Delegate for the League of California Cities 2020 Virtual Annual Conference.

Councilmember Nasarenko seconded. The vote was as follows:

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

City Clerk Antoinette M. Mann declared the motion carried, 7-0.

**8E. Approve Second Amendment to Professional Services Agreement - Ventura Visitors and Convention Bureau 2021 Contract**

Councilmember Friedman moved to approve the recommendation to:

Approve and authorize the Mayor to execute the Second Amendment to a Professional Services Agreement with the Ventura Visitor and Convention Bureau, extending the current term through June 30, 2021; monthly payment of \$61,997.84. AGREEMENT NO. 2015-020.2

Councilmember Nasarenko seconded. The vote was as follows:

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

City Clerk Antoinette M. Mann declared the motion carried, 7-0.

**8F. Grand Jury Response – Cybersecurity Strategies for Cities in Ventura County**

SPEAKER                      George Amandola

DOCUMENTS

Comments-via Email              Anonymous

Supplemental Packet              All Public Communications are listed and posted online

**8. CONSENT ITEMS (continued)**

Councilmember Friedman moved to approve the recommendation to:

Authorize the Mayor to approve the Grand Jury Response to the Grand Jury Report titled Cybersecurity Strategies for Cities in Ventura County.

Councilmember Nasarenko seconded. The vote was as follows:

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

City Clerk Antoinette M. Mann declared the motion carried, 7-0.

**8G. Mound Well 2, Well Drilling – Award Contract to Zim Industries, Inc.**

Councilmember Friedman moved to approve the recommendation to:

- a. Approve the contract and authorize the Mayor to execute an agreement with the lowest responsive and responsible bidder, Zim Industries, Inc., for the Mound Well 2, Well Drilling Project, Specification 2019-052, in the amount of \$1,310,795.

AGREEMENT NO. S2019-052

- b. Authorize the encumbrance of contingency funds for the project in the amount not-to-exceed \$131,080 subject to approval by the Public Works Director during construction.

Councilmember Nasarenko seconded. The vote was as follows:

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

City Clerk Antoinette M. Mann declared the motion carried, 7-0.

**8. CONSENT ITEMS (continued)****8H. Approve Systems & Software, Inc. Agreement and Project Management Costs for the Ventura Water Billing System Upgrade**

Councilmember Friedman moved to approve the recommendation to:

- a. Approve and authorize the Mayor to execute Systems & Software, Inc. Hosting Agreement, Amendment No. 5 for an amount not-to-exceed \$606,364, inclusive of a 10% contingency.  
AGREEMENT NO. 2040-043  
AGREEMENT NO. 2013-029.5
- b. Approve project management costs for the Ventura Water Billing System Upgrade in an amount not to exceed \$75,000.

Councilmember Nasarenko seconded. The vote was as follows:

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

City Clerk Antoinette M. Mann declared the motion carried, 7-0.

**8J. Approve Professional Services Agreement with Kennedy/Jenks Consultants Inc. - 2020 Urban Water Management Plan**

Councilmember Friedman moved to approve the recommendation to:

Approve and authorize the Mayor to enter into a Professional Services Agreement with Kennedy/Jenks Consultants Inc. to provide consultant services to develop the City's 2020 Urban Water Management Plan, from August 4, 2020 through December 31, 2021, for \$103,000 plus a contingency of \$10,000 for a total not-to-exceed amount of \$113,000.  
AGREEMENT NO. 2020-040

Councilmember Nasarenko seconded. The vote was as follows:

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

City Clerk Antoinette M. Mann declared the motion carried, 7-0.



8. CONSENT ITEMS (continued)

**8N. Approve Professional Services Agreement with Hopkins Groundwater Consultants, Inc. - Hydrogeological Investigations to Support Groundwater Replenishment**

Councilmember Friedman moved to approve the recommendation to:

- a. Approve and authorize the Mayor to execute the Professional Services Agreement with Hopkins Groundwater Consultants, Inc.; August 17, 2020 – September 30, 2022; in an amount not-to-exceed \$320,000 during the total duration of the contract pursuant to Section 4.600.140 of the Municipal Code. AGREEMENT NO. 2020-042
- b. Authorize the City Manager or designee to execute amendments to the Professional Services Agreement with Hopkins Groundwater Consultants, Inc. not to exceed \$320,000 during the total duration of the contract, pursuant to Section 4.600.200 of the Municipal Code.

Councilmember Nasarenko seconded. The vote was as follows:

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

City Clerk Antoinette M. Mann declared the motion carried, 7-0.

**8O. Ordinance for Second Reading – Amending Chapter 24.264, Manufacturing Planned Development (M-P-D) Zone – Section 24.264.030-Subject to a Use Permit**

Councilmember Friedman moved to approve the recommendation to:

Waive the second reading in full and adopt the Ordinance of the Council of the City of San Buenaventura, California, Amending Chapter 24.264, Manufacturing Planned Development (M-P-D) Zone – Section 24.264.030-Subject to a Use Permit.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING CHAPTER 24.264, MANUFACTURING PLANNED DEVELOPMENT (M-P-D) ZONE – SECTION 24.264.030-SUBJECT TO A USE PERMIT  
 ORDINANCE NO. 2020-021

**8. CONSENT ITEMS (continued)**

Councilmember Nasarenko seconded. The vote was as follows:

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

City Clerk Antoinette M. Mann declared the motion carried, 7-0.

**City Council also meeting as the Successor Housing Agency**

Mayor LaVere stated for the record that no additional compensation is paid to City Council while serving as the Successor Housing Agency

**8P. Authorization for Existing Loans Receivable Payment Term Adjustments due to COVID-19**

Councilmember Friedman moved to approve the recommendation to:

- a. Authorize the City Manager/Executive Director to negotiate revised payment terms for existing loans when needed by borrower to assist in financial stability during COVID-19 crisis and to execute any amended loan documents that reflect the revised payment terms.
- b. Authorize City Attorney/Agency Attorney to draft any required amended loan documents to comply with the negotiated payment term adjustments, or to comply with requirements of any senior lender for an existing loan.
- c. Authorize Finance & Technology to make any adjustments to existing loan balances as required by the revised payment terms.
- d. Authorize the City Manager/Executive Director to end the time frame of when payment term adjustments can be requested by borrower due to end of COVID-19 crisis.

Councilmember Nasarenko seconded. The vote was as follows:

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

City Clerk Antoinette M. Mann declared the motion carried, 7-0.

8. CONSENT ITEMS (continued)

**\*8I. Approve First Amendment with Water Systems Consulting, Inc. – Strategic Communications and Outreach for Ventura Water Projects**

SPEAKERS

City Manager Alex D. McIntyre and Ventura Water General Manager Susan Rungren

Councilmember Nasarenko moved to approve the recommendation to:

- a. Approve and authorize the Mayor to execute the First Amendment to the Professional Services Agreement with Water Systems Consulting, Inc. (Agreement No. 2019-017) for Strategic Communications and Outreach for Ventura Water Projects; extending the term from October 15, 2020 through April 30, 2022; increase authorized funding by \$288,075 for a total contract amount of \$708,125. AGREEMENT NO. 2019-017.1
- b. Authorize the City Manager or designee to execute amendments for Professional Service Agreement with Water Systems Consulting, Inc. not-to-exceed \$708,125 during the total duration of the contract, pursuant to Section 4.600.200 of the Municipal Code.

Councilmember Brown seconded. The vote was as follows:

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

City Clerk Antoinette M. Mann declared the motion carried, 7-0.

**\*8K. Approve Amendments to Professional Service Agreements to – Carollo Engineers and Environmental Science Associates – Support Permitting of the VenturaWaterPure Project**

SPEAKERS

Staff City Manager Alex D. McIntyre and Ventura Water General Manager Susan Rungren

Public Burt Handy

**8. CONSENT ITEMS (continued)**DOCUMENTS

Comments-via Email	Lisa Edwards, Kathy Thomson, and Burt Handy (2)
Supplemental Packet	All Public Communications are listed and posted online

Councilmember Nasarenko moved to approve the recommendation to:

- a. Approve and authorize the Mayor to execute the Third Amendment to the Professional Services Agreement with Carollo Engineers, Inc. (Agreement No. 2017-035) for services associated with Engineers Report and Permitting for VenturaWaterPure Advanced Treatment, Reuse, and Diversion Infrastructure Project and additional support for California Environmental Quality Act /National Environmental Policy Act process; extending term through December 31, 2021 increase authorized funding by \$100,223 for a contract total not-to-exceed \$1,295,808.00. AGREEMENT NO. 2017-035.3
- b. Approve and authorize the Mayor to execute the Third Amendment to the Professional Services Agreement with Environmental Science Associates (Agreement No. 2017-016) for California Environmental Quality Act / National Environmental Policy Act Environmental Review Services of the VenturaWaterPure Advanced Treatment, Reuse and Diversion Infrastructure Project; extending term through December 31, 2023; increase authorized funding by \$183,690 for a contract total not-to-exceed \$1,487,503.00. AGREEMENT NO. 2017-016.3

Councilmember xxx seconded. The vote was as follows:

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

City Clerk Antoinette M. Mann declared the motion carried, 7-0.

**8. CONSENT ITEMS (continued)**

**\*8L. Approve Professional Service Agreement with Carollo Engineers, Inc. - Geotechnical Investigations to Support Outfall Design**

SPEAKERS

Staff                                  Ventura Water General Manager Susan Rungren

Public                                  Burt Handy

Councilmember Heitmann moved to approve the recommendation to:

- a. Approve and authorize the Mayor to execute the Professional Service Agreement with Carollo Engineers, Inc.; term August 17, 2020 to December 31, 2021; not-to-exceed \$1,300,000 during the total duration of the contract pursuant to Section 4.600.140 of the Municipal Code.                                  AGREEMENT NO. 2020-041
  
- b. Authorize the City Manager or designee to execute amendments for Professional Service Agreement with Carollo Engineers, Inc. not-to-exceed \$1,300,000 during the total duration of the contract, pursuant to Section 4.600.200 of the Municipal Code.
  
- c. Authorize Finance and Technology to increase the Fiscal Year 2020-21 budget (CIP Spending Plan) by \$550,000 to support the contract.

Councilmember Brown seconded. The vote was as follows:

AYES:                  Councilmembers Nasarenko, Brown, Friedman, Weir, Heitmann, Deputy Mayor Rubalcava and Mayor LaVere

NOES:                  None

ABSENT:              None

City Clerk Antoinette M. Mann declared the motion carried, 7-0.

**\*8M. Approve Second Amendment to Professional Services Agreement with Cannon Corporation - Ventura Water’s Emergency Generators Project**

SPEAKERS

Ventura Water General Manager Susan Rungren and Public Works Director Phil Nelson

**8. CONSENT ITEMS (continued)**

Councilmember Nasarenko moved to approve the recommendation to:

- a. Approve and authorize the Mayor to execute the Second Amendment to the Professional Services Agreement with Cannon Corporation; term extending June 30, 2020 through June 30, 2021; with no funding increases. **AGREEMENT NO. 2018-103.2**
- 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 December 30, 2021.

Councilmember Brown seconded. The vote was as follows:

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

City Clerk Antoinette M. Mann declared the motion carried, 7-0.

**9. APPOINTMENTS TO COUNCIL ADVISORY GROUPS**

**9A. Appointments Recommendation – Ventura Port District Board**

DOCUMENTS

Comments-via Email	Ventura Harbor Tenants
Supplemental Packet	All Public Communications are listed and posted online

Councilmember Brown moved to approve the recommendation to:

Appoint Brian Brennan as a Ventura Port District Board Member, Term Ending June 30, 2024.

Mayor LaVere seconded. The vote was as follows:

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

City Clerk Antoinette M. Mann declared the motion carried, 7-0.

## 11. PUBLIC HEARING ITEMS

### 11A. PROJ 12960 – Cairns Zone Change – 5450 Foothill Road Zone Change from Single Family Residential – 1 acre (R-1-1AC) to Residential Planned Development – 4 units/acre (RPD-4)

The public hearing was opened.

City Clerk Antoinette M. Mann stated the affidavits of publication are in route from the Star and the Public Hearing notice is on file in the City Clerk's office. Due to COVID-19, the Affidavits of Publication are delayed.

#### SPEAKERS

Presenters Community Development Director Peter Gilli, Senior Planner Maruja Clensay, City Manager Alex D. McIntyre, City Attorney Gregory G. Diaz, and City Clerk Antoinette Mann

Applicant Nancy Cairns and Kevin Waldron

#### DOCUMENTS

Comments-via Email Jonathan and Hani Geske, Andre Casanave, and Jennifer McBain

PowerPoint

Supplemental Packet All Public Communications are listed and posted online

Following Staff and the Applicants presentation, Public Speakers stated that they had not received a notice for the Public Hearing. City Council went into Recess so that Staff could review files.

## RECESS

8:49 p.m. City Council went into Recess

9:06 p.m. City Council Reconvened

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

Staff was unable to ascertain if the postcards had been mailed for the hearing during the Council Meeting.

Councilmember Friedman moved the recommendation to:

Continue the Public Hearing to September 14, 2020. If the Public Hearing was not properly noticed, the Public Hearing will be noticed and held on September 14, 2020. No action taken on this item.

Councilmember Weir seconded. The vote was as follows:

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

City Clerk Antoinette M. Mann declared the motion carried, 7-0.

**11B. Approval of the Permanent Local Housing Allocation Plan**

The public hearing was opened.

City Clerk Antoinette M. Mann stated the affidavits of publication are in route from the Star and the Public Hearing notice is on file in the City Clerk’s office. Due to COVID-19, the Affidavits of Publication are delayed.

**SPEAKERS**

Presenters                                  Community Development Director Peter Gilli  
and City Manager Alex D. McIntyre

**DOCUMENTS**

Comments-via Email                      Margarita H de Escontria, Cabrillo Economic  
Development Corporation; and Veronica  
Garcia, Peoples Self-Help Housing

PowerPoint

Supplemental Packet                      Supplemental Memo related to Agenda Item  
11B prepared by Community Development  
Director Peter Gilli



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

All Public Communications are listed and posted online

The public hearing was closed.

Councilmember Brown made the motion to accept the recommendation with a modification to all the funding focused on the 301(a)(1) (the predevelopment, development, acquisition, rehabilitation, and preservation of multifamily, residential live-work, rental housing that is Affordable to Extremely low-, Very low-, Low-, or Moderate-income households, including necessary Operating subsidies) plan instead of focusing on all three of the plans staff had recommended.

- a. Conduct a public hearing and receive comments regarding the Draft Permanent Local Housing Allocation Plan.
- b. Adopt a resolution approving the Permanent Local Housing Allocation Plan and modify the application with the stated focus stated above.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, TO ADOPT A PERMANENT LOCAL HOUSING ALLOCATION PROGRAM PLAN RESOLUTION NO. 2020-\_\_\_\_  
RESOLUTION NO. 2020-043

Councilmember Nasarenko seconded. The vote was as follows:

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

City Clerk Antoinette M. Mann declared the motion carried, 7-0.

**11C. Consideration of First Reading of an Ordinance of the City Council of the City of San Buenaventura, California, Amending Chapter 24.565 of the San Buenaventura Municipal Code to Eliminate the Call for Review Process**

The public hearing was opened.

City Clerk Antoinette M. Mann stated the affidavits of publication are in route from the Star and the Public Hearing notice is on file in the City Clerk's office. Due to COVID-19, the Affidavits of Publication are delayed.

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

SPEAKERS

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

DOCUMENT

PowerPoint

The public hearing was closed.

Councilmember Friedman moved to approve the recommendation to:

- a. Conduct the public hearing.
- b. Determine that the commonsense exemption from the California Environmental Quality Act (CEQA) found in Section 15061(b)(3) of the State CEQA Guidelines applies and adopt said exemption based on the fact the proposal before the City Council simply amends the process for the City Council to hear appeals of development applications can be determined with certainty will not have a significant impact on the environment and thus not subject to CEQA.
- c. Introduce and approve the first reading of the ordinance, titled as follows:  
  
"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING CHAPTER 24.565, "APPEAL PROCEDURE," OF THE SAN BUENAVENTURA MUNICIPAL CODE TO ELIMINATE THE CALL FOR REVIEW PROCESS"
- d. Set the second reading and adoption of the Ordinance at the City Council meeting of September 14, 2020.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING CHAPTER 24.565, "APPEAL PROCEDURE," OF THE SAN BUENAVENTURA MUNICIPAL CODE TO ELIMINATE THE CALL FOR REVIEW PROCESS  
ORDINANCE NO. 2020-\_\_\_\_\_

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

Councilmember Nasarenko seconded. The vote was as follows:

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

City Clerk Antoinette M. Mann declared the motion carried, 4-3 with Councilmembers Weir Heitmann and Deputy Mayor Rubalcava dissenting.

Councilmember Brown moved to continue the meeting past 10:00 p.m.

Councilmember Nasarenko seconded. The vote was as follows:

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

City Clerk Antoinette M. Mann declared the motion carried, 7-0.

**12. FORMAL ITEMS**

**12A. Capital Improvement Program Quarterly Update – 4<sup>th</sup> Quarter Fiscal Year 2019-2020**

SPEAKER

Presenter Public Works Director Phillip Nelson

DOCUMENT

PowerPoint

City Council received the Capital Improvement Program Quarterly Report for the 4<sup>th</sup> Quarter for Fiscal Year 2019-2020.

**12. FORMAL ITEMS (Continued)**

Councilmember Friedman moved to continue the meeting past 11:00 p.m.

Councilmember Heitmann seconded. The vote was as follows:

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

City Clerk Antoinette M. Mann declared the motion carried, 7-0.

**12B. Energy Action Plan and Electric Vehicle Blueprint Update****SPEAKERS**

Presenters Public Works Director Phillip Nelson and  
Environmental Services Specialists Brandon  
Kaysen and Lars Davenport

**DOCUMENT**

PowerPoint

City Council received a presentation providing an update on the City's  
Energy Action Plan and Electric Vehicle Blueprint.

**14. PUBLIC NOTICES****14A. Recent Decisions of the Planning Commission****Planning Commission June 24, 2020 Action:**

**APPROVED: PROJ-12960 – EIR-10-18-47475; TPM-10-18-37475; PD-9-19-52182; Z-10-18-37475**

Cairns Residence Design Review, Planned Development Permit, Tentative Parcel Map located at 5450 Foothill Road - Request for Formal Design and Planned Development review of a Tentative Parcel Map for four new lots and remainder parcel on a vacant 1.5-acre site in the Single Family Residential – 1 Acre (R-1-1AC) zone district with a land use designation of Neighborhood Low. The proposed subdivision includes a Zone Change from the R-1-1AC, to Residential Planned Development – 4 units/acre (RPD-4).

**14. PUBLIC NOTICES (continued)****Planning Commission July 22, 2020 Action:****APPROVED: PROJ-10148 – DRC-11-15-31517; W-1-20-54082; E-12-19-53357; ACDP-11-15-31520; TTM-12-19-53356**

Front Street Mixed-Use Design Review, Warrants, Exceptions, a Coastal Development Permit and a Tentative Tract Map located at 275 S. Laurel Street - Request for Formal Design Review, Warrants, Exceptions, a Coastal Development Permit and a Tentative Tract Map for the demolition of five commercial industrial buildings and construction of a 3.5-story mixed-use building with 46 condominium units including five low-income affordable units and approximately 6,384-square feet of ground floor commercial with 84 parking spaces on a 35,600-square foot site in the Neighborhood Center (T5.1) zone within the Downtown Specific Plan.

**7. PUBLIC COMMUNICATIONS - None****15. CITY COUNCIL COMMUNICATIONS/REPORTS – REGIONAL BOARDS/COMMISSIONS/COMMITTEES**

Councilmember Brown read excerpt from an essay written by Congressman John Lewis, as a tribute to Senator John Lewis since we are adjourning in his memory this evening.

Councilmember Heitmann reminded residents to complete their Census.

Councilmember Weir stated there is a vacancy on the Casitas Water Board that will be on the November 3, 2020. Encouraged interested residents to look into running.

**16. CITY MANAGER COMMUNICATIONS – None****17. ADJOURNMENT**

Mayor LaVere announced that the next City Council meeting is Monday, September 14. Meeting adjourned in memory of Congressman John Lewis at 11:15 p.m.



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

\*Items heard out of order