

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

REGULAR MEETING/WORKSHOP

MONDAY, OCTOBER 14, 2019

CS1. CALL TO ORDER – CLOSED SESSION

The San Buenaventura (Ventura) City Council met in Closed Session in the City Hall Council Chambers, 501 Poli Street, Ventura at 5:08 p.m.

CS2. ROLL CALL

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

ABSENT: None

Mayor LaVere presided.

CS3. PUBLIC COMMUNICATIONS – None

City Council convened in a closed session for the following purpose:

CS4. CLOSED SESSION – City Council Conference Room

1. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
Name of Case: *Howard v. City of San Buenaventura*
Ventura Superior Court Case No.: 56-2016-00489832-CU-EI-VTA
Authority: Government Code §54956.9(d)(1)
2. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
Name of Case: *Gerald Foreman v. City of San Buenaventura*
Workers' Compensation Appeals Board Numbers: ADJ11490924
Authority: Government Code Section 54956.9(d)(1)
3. **CONFERENCE WITH LEGAL COUNSEL**
Significant Exposure to Litigation: One (1) Case
Authority: Government Code Section 54956.9(d)(2)

CS5. ADJOURNMENT

Closed session adjourned at 5:55 p.m.

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 6:06 p.m.

2. ROLL CALL

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

ABSENT: None

Mayor LaVere presided.

3. PLEDGE OF ALLEGIANCE

Councilmember Heitmann led the pledge of allegiance.

5. CLOSED SESSION REPORT

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

6. CITY COUNCIL COMMUNICATIONS – None**11. PUBLIC HEARING ITEM****11A. Ventura Water Supply Projects Final Environmental Impact Report Certification and Project Approval**

The public hearing was opened.

City Clerk Antoinette M. Mann stated that affidavits of publication and posting are on file in the City Clerk's Office.

SPEAKERS

Presenters Ventura Water General Manager Susan Rungren,
Ventura Water Assistant General Manager-Operations
Gina Dorrington and Assistant City Attorney Miles
Hogan

Mary Lynn Coffee, Nossaman LLP Partner; Tom
Barnes, Environmental Science Associates Vice
President and Southern California Water Resources
Director; Annalisa Moe, Heal the Bay Water Quality
Scientist; Tevin Schmitt, Wishtoyo Foundation Staff
Scientist; Jean Melious, Nossaman LLP; Lydia Holmes
Carollo Engineers, Inc. National Manager –
Sustainable Solutions Group

Public Burt Handy and Brian Brennan, Casitas Municipal
Water District

DOCUMENTS

Correspondence Erin Wilson, California Department of Fish and Wildlife;
Roger B. Moore, Law Office of Roger B. Moore; and
Burt Handy

Handouts Burt Handy and Annalisa Moe, Heal the Bay Water
Quality Scientist

PowerPoints Staff and Burt Handy

Supplemental Packet

6:46 p.m. Councilmember Friedman absent; 6:47 p.m. present. 7:40 p.m.
Councilmember Nasarenko absent; 7:42 present.

11. PUBLIC HEARING ITEM (continued)

The public hearing was closed.

Councilmember Friedman moved to approve the recommendation to:

- a. Conduct a public hearing.
- b. Adopt a resolution certifying the Final Environmental Impact Report for the proposed Ventura Water Supply Projects. Resolution title:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE VENTURA WATER SUPPLY PROJECTS

RESOLUTION NO. 2019-052

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.

Councilmember Friedman moved to approve the recommendation to:

- c. Adopt a resolution adopting Findings and a Statement of Overriding Considerations, adopting a Mitigation, Monitoring, and Reporting Program, and approving the Ventura Water Supply Projects. Resolution titled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, APPROVING THE VENTURA WATER SUPPLY PROJECTS AND ADOPTING FINDINGS, A STATEMENT OF OVERRIDING CONSIDERATIONS, AND A MITIGATION, MONITORING, AND REPORTING PROGRAM

RESOLUTION NO. 2019-053

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.

13. WORKSHOP**13A. Managing Deployment of Small Wireless Facilities – Proposed Standards****SPEAKERS**

Presenters City Attorney Gregory Diaz, Senior Assistant City Attorney Andy Heglund and Public Works Director Philip Nelson

Gail Karish, Best Best & Krieger LLP Partner

DOCUMENT

PowerPoint

8:37 p.m. Councilmember Brown absent; 8:39 p.m. present. 8:48 p.m. Deputy Mayor Rubalcava absent; 8:50 p.m. present. 8:58 p.m. Councilmember Nasarenko absent; 9:07 p.m. present.

Councilmember Brown moved to approve the amended recommendation to:

- a. Adopt recommended standards as outlined in the table* and direct the City Manager to incorporate them into Administrative Policy No. 36.2.
- b. Bring back updated Administrative Policy 36.2 for ratification by City Council.

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.

**Table is listed as an Attachment to the October 14, 2019 minutes.*

RECESS

City Council went into recess at 9:46 p.m.

City Council reconvened at 9:57 p.m.

13. WORKSHOP (continued)

13B. Coastal Area Strategic Plan

SPEAKERS

Presenters City Manager Alex McIntyre; Parks, Recreation and Community Partnerships Director Nancy O'Connor; Public Works Director Philip Nelson; Assistant Police Chief Darin Schindler; Community Development Director Peter Gilli; Ventura Water General Manager Susan Rungren; and Ventura Fire Chief David Endaya

Public Grant Marcus

DOCUMENT

PowerPoint

City Council received the presentation on the Coastal Area Strategic Plan and information on what staff is currently working on towards this City Council Goal.

Councilmember Weir moved to hear new Agenda items past 10 p.m. and to hear Agenda Item 13C City Council Policy Consideration – Net Zero Fee Revisions this evening. Seconded by Councilmember Heitmann.

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

Mayor LaVere declared the motion carried 7-0.

13C. City Council Policy Consideration - Net Zero Fee Revisions

SPEAKERS

Presenters Mayor Matt LaVere and Councilmember Erik Nasarenko

13. WORKSHOP (continued)

Councilmember Nasarenko moved to approve the recommendation to:

This policy consideration, therefore, directs the City Manager to do the following:

- 1) Provide Council an update on how the \$562,216 collected to date in net zero fees is being spent or invested.
- 2) Develop demand factors for varied uses in order to make the net-zero fee more equitable.
- 3) Creating more commercial sub-classes (such as Restaurant, Office building, Industrial, Brewery, Shopping centers etc.).
- 4) Update demand factors for residential net-zero fees.
- 5) Address the issue of commercial/industrial tenant improvements and consider a proposal to base net-zero fee on water meter size and delta between demand factors.
- 6) Update the net-zero fee amount per ordinance which calls for updating the fee as part of the overall rate study (to include updated project costs).
- 7) Develop a timeline for the above actions, which includes the Water Commission being consulted as part of the process.

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 Mann declared the motion carried 7-0.

7. PUBLIC COMMUNICATIONS

SPEAKER Grant Marcus

DOCUMENTS

Comment Card Heather Baker

Handout Chuck Eskew

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

Meeting adjourned at 10:45 p.m.



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