

CITY OF VENTURA CITY COUNCIL MINUTES

Mayor Erik Nasarenko

Neal Andrews, Deputy Mayor
Cheryl Heitmann, Councilmember
Jim Monahan, Councilmember

Carl E. Morehouse, Councilmember
Mike Tracy, Councilmember
Christy Weir, Councilmember

Mark D. Watkins, City Manager
Gregory G. Diaz, City Attorney
Antoinette M. Mann, City Clerk

JULY 11, 2016

The San Buenaventura (Ventura) City Council met in regular session in the City Hall Council Chambers, 501 Poli Street, Ventura at 6:12 p.m.

ROLL CALL

Present: Councilmembers Morehouse, Weir, Tracy, Heitmann, Monahan, Deputy Mayor Andrews and Mayor Nasarenko.

Absent: None.

Mayor Nasarenko presided.

PLEDGE OF ALLEGIANCE

Councilmember Monahan led the Pledge of Allegiance.

SPECIAL PRESENTATIONS AND ANNOUNCEMENTS

Marlyss Auster, President and CEO of the Visitors and Conventions Bureau, presented the Ventura Visitors and Convention Bureau Year End Activity Report and video.

CLOSED SESSION REPORT

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

CITY COUNCIL COMMUNICATIONS

Deputy Major Andrews requested the meeting be adjourned be in memory of Lynn Jacobs.

Councilmember Heitmann provided information about the upcoming Ventura Music Festivals; Family Reconnect Program fundraiser at Fox Fine Jewelry; professional accolades received for Ventura Water Manager Shana Epstein; and also requested the meeting be adjourned in memory of Lynn Jacobs.

Councilmember Monahan requested the meeting be adjourned in memory of the five fallen Dallas Texas Police Officers (Brent Thompson, Patrick Zamarripa, Michael Krol, Michael Smith and Lorne Ahrens).

PUBLIC COMMUNICATIONS

SPEAKERS

Members of the public: Matt Nehmer-Ventura College of Law, Suz Montgomery-Ventura Council for Seniors, John Whitman, Chuck Eskew, Mark Abbe, Ron DiSanto and John Johnson.

CITY COUNCIL CONSENT ITEMS

1. Minutes

RECOMMENDATION

Approve the special meeting minutes of June 13, 2016 as corrected (Deputy Major Andrews as in attendance and Mayor Nasarenko presiding); Approve the regular meeting of June 13, 2016 and special and regular meeting of June 20, 2016 as submitted.

Councilmember Tracy moved to approve the recommendation. Councilmember Heitmann seconded. The vote was as follows:

AYES: Councilmembers Morehouse, Weir, Tracy, Heitmann, Monahan, Deputy Mayor Andrews and Mayor Nasarenko.

NOES: None.

ABSENT: None.

Mayor Nasarenko declared the motion carried.

2. **Water Rights Dedication and Water Resource Net Zero Fee Ordinance (70)**

Waive the second reading in full and adopt an Ordinance of the Council of the City of San Buenaventura Enacting Chapter 22.180 of the San Buenaventura Municipal Code to Establish Water Rights Dedication and Water Resource Net Zero Requirements for New or Intensified Development.

SPEAKERS

Members of the public: Christine Rangel, Building Industry Association, Daniel Cormode and Richard Neve.

DOCUMENTS

Comment Form: Daniel Cormode

Correspondence: Lisabeth D. Rothman, Briscoe Ivester & Bazel LLP.

Councilmember Morehouse moved to approve the recommendation and adopt **Ordinance No. 2016-004**, entitled,

**AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF SAN BUENAVENTURA
ENACTING CHAPTER 22.180 OF THE SAN
BUENAVENTURA MUNICIPAL CODE TO
ESTABLISH WATER RIGHTS DEDICATION
AND WATER RESOURCE NET ZERO
REQUIREMENTS FOR NEW OR INTENSIFIED
DEVELOPMENT.**

Councilmember Weir seconded. The vote was as follows:

AYES: Councilmembers Morehouse, Weir, Tracy, Heitmann, Deputy Mayor Andrews and Mayor Nasarenko.

NOES: Councilmember Monahan.

ABSENT: None.

Mayor Nasarenko declared the motion carried.

3. **General Municipal Election November 8, 2016 Resolutions (55)**

RECOMMENDATION

- a. Adopt Resolution calling for the holding of a General Municipal Election on Tuesday, November 8, 2016, for the Election of Certain Officers as required by the provisions of the Charter and authorizing the submission of a Measure approving a Transaction and Use Tax; an Initiative Measure requiring a Vote

of the People to make certain Land Use changes for certain Agricultural and Hillside properties; and Measures amending the City Charter.

DOCUMENTS:

Comment Form: Carol Lindberg.

Councilmember Tracy moved to approve the recommendation and adopt **Resolution 2016-038**, entitled,

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION ON TUESDAY, NOVEMBER 8, 2016, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE CHARTER AND AUTHORIZING THE SUBMISSION OF A MEASURE APPROVING A TRANSACTION AND USE TAX; AN INITIATIVE MEASURE REQUIRING A VOTE OF THE PEOPLE TO MAKE CERTAIN LAND USE CHANGES FOR CERTAIN AGRICULTURAL AND HILLSIDE PROPERTIES; AND MEASURES AMENDING THE CITY CHARTER.

Councilmember Heitmann seconded. The vote was as follows:

AYES: Councilmembers Morehouse, Weir, Tracy, Heitmann, and Mayor Nasarenko.

NOES: Councilmember Monahan and Deputy Mayor Andrews.

ABSENT: None.

Mayor Nasarenko declared the motion carried.

- b. Adopt Resolution requesting the Board of Supervisors of the County of Ventura to Consolidate a General Municipal Election to be held on Tuesday, November 8, 2016 with the Statewide General Election to be held on that date pursuant to Elections Code Sections 10403, 10403.5 and 10418.

Councilmember Tracy moved to approve the recommendation and adopt **Resolution No. 2016-039**, entitled,

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF VENTURA TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2016, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THAT DATE PURSUANT TO ELECTIONS CODE SECTIONS 10403, 10403.5 AND 10418.

Councilmember Heitmann seconded. The vote was as follows:

AYES: Councilmembers Morehouse, Weir, Tracy, Heitmann, Monahan and Mayor Nasarenko.

NOES: Deputy Mayor Andrews.

ABSENT: None.

Mayor Nasarenko declared the motion carried.

- c. Adopt Resolution setting priorities for filing a written argument regarding the City's Revenue Measure, Save Our Agricultural Resources and Hillside Voter Participation Measure and City Charter Amendment Measures and Directing the City Attorney to prepare an Impartial Analysis for each Measure.

Councilmember Tracy moved to approve the recommendation and adopt **Resolution No. 2016-040**, entitled,

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA SETTING PRIORITIES FOR FILING A WRITTEN ARGUMENT REGARDING THE CITY'S REVENUE MEASURE, SAVE OUR AGRICULTURAL RESOURCES AND HILLSIDES VOTER PARTICIPATION MEASURE, AND CITY CHARTER AMENDMENT MEASURES AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS FOR EACH MEASURE.

Councilmember Heitmann seconded. The vote was as follows:

AYES: Councilmembers Morehouse, Weir, Tracy, Heitmann, Monahan and Mayor Nasarenko.

NOES: Deputy Mayor Andrews.

ABSENT: None.

Mayor Nasarenko declared the motion carried.

4. Recent Decisions of the Planning Commission and Design Review Committee (80)

INFORMATION ONLY

Design Review Committee and Planning Commission June 15, 2016, Actions: Approved.

PROJ-8479 – Case Nos. PD-7-15-29087, DRC-7-15-29091, LLA-7-15-29098 and EIR-7-15-29097

Request for Planned Development Permit, Design Review and Lot Line Adjustment to construct a new 72,200 square foot medical office building campus, including an Urgent Care facility open from 8:00 A.M. to 10:00 P.M., to be constructed in two phases, outdoor community spaces including a community garden, nature walk, and amphitheater on a vacant 7.58 acre property located at northwest corner of Market Street and Valentine Road and to adopt a Mitigated Negative Declaration; Kaiser Foundation Health Plan, Inc., applicant; Manufacturing Planned Development (MPD) Zone.

The City Council received the information.

5. Final Acceptance of Public Improvements for Tract No. 5433 - City Ventures' - Aldea Hermosa Project (104)

RECOMMENDATION

- a. Accept the public improvements associated with Tract No. 5433.
- b. Release the developer from the Agreement to Construct Improvements.
- c. Authorize the City Clerk to release the grading bonds, 90% of the faithful performance bonds, and 100% of the survey monuments bonds.
- d. Authorize the City Clerk to release the labor and materials bonds a minimum of 90 days from the date of final acceptance.

Councilmember Tracy moved to approve the recommendation. Councilmember Heitmann seconded. The vote was as follows:

AYES: Councilmembers Morehouse, Weir, Tracy, Heitmann, Monahan, Deputy Mayor Andrews and Mayor Nasarenko.

NOES: None.

ABSENT: None.

Mayor Nasarenko declared the motion carried.

CITY COUNCIL/SUCCESSOR AGENCY CONSENT PUBLIC HEARING

6. **Joint Public Hearing for Community Redevelopment Public Trust Fund Held Property Near the Southwest Corner of East Thompson Boulevard and South Figueroa Street, Ventura, CA (Site No. 6) APN 073-0-118-130 and 073-0-118-100 (80)**

RECOMMENDATION

That the Successor Agency to the Redevelopment Agency of the City of San Buenaventura:

- a. Adopt Resolution authorizing the transfer of Site No. 6 to the City of San Buenaventura pursuant to Health and Safety Code Section 34191.5 for disposition and development in accordance with the Long Range Property Management Plan, and related actions.

That the City Council:

- a. Receive the Summary Report pursuant to California Government Code Section 52201 for a Real Estate Purchase and Sale Agreement to sell Site No. 6.
- b. Adopt Resolution accepting the transfer of Site No. 6 from the Successor Agency pursuant to Health and Safety Code Section 34191.5, and approving and authorizing the City Manager to execute the Professional Service Agreement to sell Site No. 6 to Bruce Barrios and related actions.

The public hearing was opened.

Mayor/Successor Agency Chair Nasarenko reported that no additional compensation is being paid to members of the Council serving as the Successor Agency.

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

The public hearing was closed.

Council/Agency Member Morehouse moved to approve the recommendation and adopt **Resolution No. 2016-041**, entitled,

A RESOLUTION OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF SAN BUENAVENTURA AUTHORIZING THE TRANSFER OF SITE NO. 6 TO THE CITY OF SAN BUENAVENTURA PURSUANT TO HEALTH AND SAFETY CODE SECTION 34191.5 FOR DISPOSITION AND DEVELOPMENT IN ACCORDANCE WITH THE LONG RANGE PROPERTY MANAGEMENT PLAN, AND RELATED ACTIONS;

and **Resolution No. 2016-042**, entitled,

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA ACCEPTING THE TRANSFER OF SITE NO. 6 FROM THE SUCCESSOR AGENCY PURSUANT TO HEALTH AND SAFETY CODE SECTION 34191.5, AND APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE PROFESSIONAL SERVICE AGREEMENT TO SELL SITE NO. 6 TO BRUCE BARRIOS AND RELATED ACTIONS.

Council/Agency Member Weir seconded. The vote was as follows:

AYES: Council/Agency Members Morehouse, Weir, Tracy, Heitmann, Monahan, Deputy Mayor/Vice Chair Andrews and Mayor/Chair Nasarenko.

NOES: None.

ABSENT: None.

Mayor/Chair Nasarenko declared the motion carried.

CITY COUNCIL CONSENT PUBLIC HEARING

7. **Establishment of Maintenance Assessment District (MAD) No. 26 for Property Located at the Southeast Corner of Telegraph Road and Saticoy Avenue, Tract No. 5774 - Williams Homes - The Farm (28)**

RECOMMENDATION

- a. Adopt Resolution establishing Maintenance Assessment District No. 26 for maintenance of street lighting, street pavement, stormwater treatment, park parcels, alleys, landscape, hardscape and irrigation system improvements within and adjacent to Tract No. 5774.
- b. Approve and authorize the City Manager to execute **Agreement No. 2016-041**, a joint use agreement, and any future modification to the agreement, with the State of California Department of Transportation to access the State Route 126 Freeway right of way through a proposed wall along Blackburn Road.

The public hearing was opened.

The following was entered into the record:

- (1) Maintenance Assessment District No. 26, The Farm Project, Tract No. 5774, was conducted under the provisions of Chapter 4.300 of the Municipal Code in conformance with the requirements of Article XIII D of the California Constitution for the purpose of levying a proposed maintenance assessment against real property in the City of San Buenaventura described in the engineer's report included in the Administrative Report.
- (2) The proposed assessment is to be levied for the purpose of funding the annual maintenance costs of public improvements to be constructed within the public rights of way and other public places that specially benefit the property or properties subject to the assessment.
- (3) These assessment district proceedings are being conducted as summary proceedings authorized by Article 5, Chapter 4.300 of the Municipal Code because they were initiated by a 100% property owner petition included in the Administrative Report.
- (4) The nature of the improvements to be maintained with the revenues from the district assessments consists of street lighting, street pavements, storm water treatment, park parcels, alleys, landscape, hardscape, and irrigation system improvements.

- (5) Based on the special benefit of these improvements to the property owners within the maintenance assessment district, the annual assessment per unit would vary between \$446 and \$584 depending on the location and type of dwelling.
- (6) The property owner petition and engineer's report were admitted into evidence.
- (7) The City Clerk verified the petition had been signed by 100% of the property owners within the boundaries of the assessment district; that although the property owner expressly waived the right to notice of the hearing, a public hearing notice was mailed; that the property owner expressly waived the right to an assessment district election, and authorized acceptance of the petition as the ballot in favor of the assessment district; and that 100% of the property owner within the boundaries of the assessment district had voted in favor of levying an annual assessment against the property in the amount, for the period, and for the purposes set forth in the engineer's report.

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

DOCUMENTS

City Engineer's Memorandum dated July 6, 2016.

The public hearing was closed.

Councilmember Tracy moved to approve the recommendation and adopt Resolution No. 2016-043, entitled,

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF SAN BUENAVENTURA
ESTABLISHING MAINTENANCE ASSES-
MENT DISTRICT NO. 26 FOR MAINTENANCE
OF STREET LIGHTING, STREET PAVEMENT,
STORMWATER TREATMENT, PARK PAR-
CELS, ALLEYS, LANDSCAPE, HARDSCAPE
AND IRRIGATION SYSTEM IMPROVEMENTS
WITHIN AND ADJACENT TO TRACT NO. 5774.**

Councilmember Weir seconded. The vote was as follows:

AYES: Councilmembers Morehouse, Weir, Tracy, Heitmann, Monahan,
Deputy Mayor Andrews and Mayor Nasarenko.

NOES: None.

ABSENT: None.

Mayor Nasarenko declared the motion carried.

CITY COUNCIL FORMAL ITEMS

Agenda Item No. 9 was heard out of order.

9. Community Homelessness Workshop Follow Up; Next Steps (108)

RECOMMENDATION

- a. Receive Homelessness Workshop summary report, Ken Lee Consulting report on the April 18, 2016 City Council Community Homelessness Workshop.
- b. Receive a City and Ventura County staff presentation related to potential next steps for a community driven process to address opportunities, barriers and gaps in the system of care.
- c. Based on the results of the Homelessness Workshop, adopt a homeless services and housing policy statement as follows: (1) take actions to implement the Housing Element programs and housing production goals, (2) acknowledge service gap and the need for the development of local public and private funding for temporary bridge housing of all types (with focus on shelter beds and transitional living units), (3) commit to the Continuum of Care Pathways to Home coordinated entry program, and (4) confirm the City's commitment to the previously adopted Safe and Clean Public Places Initiative.
- d. Direct staff to return to City Council with an ordinance amendment to allow sheltering and services in a new zone or overlay – Mixed Planned Development Sheltering (MPDS); MPDS to include minimum operational conditions for the purposes of framing the Conditional Use Permit review and approval process, with a targeted timeline to return to City Council by March 2017. Incorporate stake holders as identified and Ventura Police Department.
- e. Direct staff to develop a limited subsidized CUP program also to be returned for City Council approval by March 2017.
- f. Direct staff to work closely with a coalition lead by the Continuum of Care Board and staff, to also include County agency staff, the business community, faith-based organizations and local advocacy groups toward an Action Plan to implement the City's policy statement as outlined in C(3).
- g. Direct staff to begin the planning process for a winter warming shelter program in partnership with the City of Oxnard and the County of Ventura.

- h. Direct staff to continue to work towards development of a housing program for Veterans at 10800 Telephone Road.
- i. Direct staff to propose an MOU with the County for the continuation and maintenance of the COC.

SPEAKERS:

Staff: Community Development Director Jeffrey Lambert, Community Services Manager Peter Brown and Assistant Police Chief Dave Wilson.

Members of the public: Barry Zimmerman, Director, Human Services Agency, County of Ventura; Christy Madden, Ventura County Executive Office; Marissa Mach, Ventura County Human Services Agency; Tara Carruth, Ventura County Continuum of Care Coordinator; James A. Ayars, Ventura Interfaith Ministerial Association; John Sander Jones; Paul White, Quality of Life Ventura; Valerie White, Quality Of Life Ventura; Laurie Martin, Quality Of Life Ventura; Lisa Hochberg-Miller, VIMA; Debra Fox; Judy Alexandre, Ventura Social Services Task Force; Benjamin Unseth, Project Understanding.org; Jim Keesling, Kevin Clerici, Downtown Stakeholders; Stephanie Caldwell, Ventura Chamber of Commerce; Claudia Armann; Eileen McCarthy, Affordable Housing Advocate; Shannon Fredericks; Lorrie Brown and George Amanrola.

DOCUMENTS:

Comment Forms: Laurie Martin, Lynn Geller, Tracy McAulay, Esther and Ira Sorkin, Marilyn Kellar, Karen Flock, Jeremy Heidrick, Julie Heidrick, Rick Martin, Margarita H. De Escontrias, Sue Brinkmeyer, Charles Secrete, Mason Jones, Ann Bryson, Nancy L. Tomhave, Katharine Merrill, Celia Ortenberg, Linda Fiench, James A. Merrill, Ruth Owens, Al Geller, Valerie White, Geoffrey Dann and Sharon Lee Kufeldt.

Correspondence: Marilyn Kellar, Sue Brinkmeyer, Andrea Oliver Battaglia, Jerry Breiner and Neal Ortenberg.

PowerPoint.

The City Council recessed at 9:47 p.m. and reconvened at 10:04 p.m.

Deputy Mayor Andrews moved to approve the recommendation with modifications to items d, f, and g, and the addition of items h and i. Mayor Nasarenko seconded.

The vote was as follows:

AYES: Councilmembers Morehouse, Weir, Tracy, Heitmann, Monahan, Deputy Mayor Andrews and Mayor Nasarenko.

NOES: None.

ABSENT: None.

Mayor Nasarenko declared the motion carried.

8. Request for Proposals for Site No. 7 and Adjacent City-owned Parcels, Located at 535 East Main Street of the Approved Long Range Property Management Plan for Real Property Assets of the former Redevelopment Agency of the City of San Buenaventura (consists of APN 073-0-041-160, 073-0-041-040, 073-0-041-190 and 073-0-041-030) (80)

Agenda Item No. 8 was moved to July 25, 2016.

PUBLIC COMMUNICATIONS

There were no speakers.

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

Deputy Mayor Andrews requested an additional adjournment in memory of Bob Daily.

Councilmember Morehouse reported on his attendance at the Gold Coast Transit, Southern California Association of Governments, and Ventura County Transportation Commission meetings.

CITY MANAGER COMMUNICATIONS

City Manager Watkins stated the "Notice to Voters" regarding the City's tax measure was sent to all registered voter households; the oil spill in Hall Canyon; and highlighted future City Council agenda items.

ADJOURNMENT

The meeting was adjourned at 10:54 p.m. in memory of Bob Daily, Lynn Jacobs and the five fallen Dallas Police Officers (Lorne Ahrens, Michael Krol, Michael Smith, Brent Thompson and Patrick Zamarripa).

Antoinette M. Mann, MMC, CRM
City Clerk

July 11, 2016

Ventura City Council Minutes
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