

accident. Councilmember Andrews announced the following events: flu shots will be available to citizens at risk and Senior citizens on Tuesday October 22, 2002 at the Ventura Avenue Adult Center and on Tuesday October 29, 2002 at the Senior Recreation Center; and, health insurance counseling meetings for HMO insurance coverage for Senior citizens were scheduled from 10:30 to 11:30 a.m. for both Tuesday, October 29, 2002 at the Senior Recreation Center and Tuesday, November 12, 2002 at the Ventura Avenue Adult Center.

Councilmember Morehouse spoke about the success of two events held last Saturday including the 2002 Coastal Cleanup Day held along the Ventura Beach and the Downtown Rotary Club's event entitled "Making Magic" which was held at the Ventura High School Auditorium.

Councilmember Smith announced that a reunion and Midtown ArtFest are scheduled for this Saturday, September 28, 2002 from 12:00-6:00 p.m. at Washington Elementary School.

Deputy Mayor Brennan spoke about the 2002 Coastal Cleanup Day and thanked all the volunteers who participated. He announced that "Pier Under the Stars" is scheduled for October 5, 2002 from 5:00 to 8:00 p.m. Deputy Mayor Brennan reported that the State parks have been mandated to protect the Snowy Plover and that no dogs, leashed or unleashed, will be allowed on the beaches beginning November 1, 2002.

Councilmember Monahan congratulated the Chamber of Commerce on their Business Showcase last week and announced that the Ventura Boys and Girls Club Annual Garden Party will be held Sunday, September 29, 2002 from 2:00 to 5:00 p.m. at the Pierpont Inn.

CLOSED SESSION REPORT

City Attorney Bob Boehm announced there were no reportable items resulting from the closed session.

REPORTS – REGIONAL BOARDS/COMMISSIONS/COMMITTEES

Councilmember Morehouse announced that the next Comprehensive Plan Advisory Committee meeting is scheduled for Wednesday, October 2, 2002 from 6:00 to 8:00 p.m. at City Hall in the Community Meeting Room.

CITY COUNCIL CONSENT ITEMS

1. Agreements for Design Services During Construction and Construction Management - Valley Vista Tank Replacement (50)

RECOMMENDED ACTION

- a. Authorize the City Manager to enter into **Agreement No. 2002-49**, an Engineering Services Agreement with Flowers and Associates of Santa Barbara for engineering services during construction associated with the Valley Vista Water Tank Replacement Project for an amount not-to-exceed \$109,400, including a \$10,000 contingency; and
- b. Authorize the City Manager to enter into **Agreement No. 2002-50**, an Engineering Services Agreement with Kennedy/Jenks Consultants of Ventura for construction management services associated with the Valley Vista Water Tank Replacement Project for an amount not-to-exceed \$234,300, including a \$21,300 contingency.
- c. Increase \$174,842 appropriations in project 72-97842 from Water CIP Fund 72 retained earnings.

Councilmember Morehouse moved to approve the recommendation. Seconded by Councilmember Monahan. Upon call of the roll, the vote was as follows:

AYES: Councilmembers Smith, Morehouse, Andrews, Monahan, Brennan, and Di Giulio.

NOES: None.

ABSENT: Councilmember Friedman.

Mayor Di Giulio declared the motion carried.

2. Beach Water Quality Improvement Plan Funding (94)

RECOMMENDED ACTION

- a. Transfer \$97,394 from Wastewater Operations and appropriate \$12,606 from Stormwater Quality Program Reserves to the Beach Water Quality Improvement Plan to implement a Supplemental Environmental Project.

- b. Approve Fiscal Year 2002-03 budget adjustments to increase appropriations in Fund 01 in the amount of \$110,000. Authorize Administrative Services to assign the increased appropriations and revenues to the proper programs and accounts.

The following person(s) spoke:

Paul Jenkin, 86 San Clemente Street, representing Surfrider Foundation

Deputy Mayor Brennan moved to approve the recommendation. Seconded by Councilmember Andrews. Upon call of the roll, the vote was as follows:

AYES: Councilmembers Smith, Morehouse, Andrews, Monahan, Brennan, and Di Giulio.

NOES: None.

ABSENT: Councilmember Friedman.

Mayor Di Giulio declared the motion carried.

3. Cancellation of Meeting (40)

RECOMMENDED ACTION

Cancel the meeting scheduled for December 2, 2002.

Councilmember Morehouse moved to approve the recommendation. Seconded by Councilmember Monahan. Upon call of the roll, the vote was as follows:

AYES: Councilmembers Smith, Morehouse, Andrews, Monahan, Brennan, and Di Giulio.

NOES: None.

ABSENT: Councilmember Friedman.

Mayor Di Giulio declared the motion carried.

4. **Ventura Community Park – Amendment to Agreement 2001-18 for Design Services (50)**

Staff: Jim Walker, Community Services Director

RECOMMENDED ACTION

Authorize the City Manager to execute **Agreement No. 2002-51**, an Amendment to Agreement No. 2001-18, which increases the Professional Services Agreement with Moore, Iacofano, Goltsman, Inc. for the Ventura Community Park Project from \$1,435,194 to \$1,559,404 (an increase of \$124,210).

The following person(s) spoke:

David L. Norrdin, P. O. Box 6805
Brian Lee Rencher

Councilmember Smith moved to approve the recommendation. Seconded by Deputy Mayor Brennan. Upon call of the roll, the vote was as follows:

AYES: Councilmembers Smith, Morehouse, Andrews, Monahan, Brennan, and Di Guilio.

NOES: None.

ABSENT: Councilmember Friedman.

Mayor Di Guilio declared the motion carried.

5. **City Council Protocols Update (40)**
RECOMMENDED ACTION

Approve the changes to the following sections of the Council Protocols as contained in Attachment "A" of the Administrative Report:

- a. New section added, entitled, "COUNCIL COMMITTEES".
- b. Revisions to Section IX, entitled, "MEETINGS OF THE REDEVELOPMENT AGENCY".
- c. Revisions to Section X, entitled, "MEETINGS OF THE SAN BUENAVENTURA PUBLIC FACILITIES FINANCING AUTHORITY".

The following person(s) spoke:

Brian Lee Rencher

Mr. Rencher addressed the City Council during public comments and then refused to relinquish the podium after his allotted time stating: "I'm gonna hold on to this podium until you arrest me or you give me my right to speak – I'm not leavin' the podium." He was then admonished several times by Mayor Di Giulio that he was in violation of Section 403 (Disturbing a Public Meeting) of the California Penal Code and the Mayor called for a recess.

The City Council recessed at 8:09 p.m. and reconvened at 8:15 p.m.

Mr. Rencher was again admonished about disturbing a public meeting. The City Council recessed a second time after Mr. Rencher failed to cooperate.

The City Council recessed at 8:15 p.m., at which time Mr. Rencher was taken into custody by Corporal Brittle. The Council **reconvened at 8:17 p.m.**

Councilmember Morehouse moved to continue the item to September 30, 2002 in order to notice the meeting for the Public Facilities Financing Authority and Redevelopment Agency. The motion failed for lack of a second.

Councilmember Smith moved to approve the recommendation. Seconded by Deputy Mayor Brennan. Upon call of the roll, the vote was as follows:

AYES: Councilmembers Smith, Morehouse, Andrews, Brennan, and Di Giulio.

NOES: Councilmember Monahan.

ABSENT: Councilmember Friedman.

Mayor Di Giulio declared the motion carried

CITY COUNCIL FORMAL ITEMS

6. Community Partnership Grants (76)

RECOMMENDED ACTION

- a. Approve the Community Partnerships grants as recommended in Attachment I of the Administrative Report, with second year funding contingent upon Council budget appropriation as part of the 2003-04 FY Operating Budget.

- b. Authorize the City Manager to approve and execute individual contracts with grant recipients using Attachment III as the boilerplate template.

The following person(s) spoke:

Ginny Camarillo, 19 Stanislaus Avenue, representing Caregivers
Cynthia Salas, 1515 South Saticoy Avenue, representing Cabrillo Village
Susan Koller-van der Veen, 1305 Del Norte Road, #130, Camarillo, representing
Interface Childrens Family Services
Susan Friedman, 530 Hampshire Road, Westlake Village, representing The
Wellness Community Valley/Ventura
Jim White, 848 Danbury Court, representing ARC - Ventura County
Francisco Vasquez, 1515 South Saticoy Avenue, representing Cabrillo Village
Miguel Andress, 1515 South Saticoy Avenue, representing Cabrillo Village
Hector Martinez, 1107 Bath Lane, representing Cabrillo Improvement
Assocation
Sue Murphy, 4156 North Southbank Road, Oxnard, representing FoodShare
Margaret F. Reyes, 3000 West Leeward Way, Oxnard, representing the
Commission on Human Concerns

Councilmember Smith moved to approve the recommendation. Seconded by Deputy Mayor Brennan. Upon call of the roll, the vote was as follows:

AYES: Councilmembers Smith, Morehouse, Andrews,
Monahan, Brennan, and Di Guilio.

NOES: None.

ABSENT: Councilmember Friedman.

Mayor Di Guilio declared the motion carried.

PUBLIC COMMUNICATIONS

The following person(s) spoke:

Robert Miner, 112 Barry Drive
Will Thompson, 4628 Vanderbilt Court, representing Ventura Citizens for Hillside
Preservation
Camille Harris, 1741 Santa Ynez Street
Jim Hawk, 991 Via Ondulando
Ron Houck, 191 Southview Circle, representing Citizens for Measure A
Kathy Bremer, 450 Dorothy Avenue, representing Ventura Citizens for Hillside
Preservation

Hugh Oliver, 2131 El Jardin Avenue, representing Ventura Citizens for Hillside Preservation
Jim Prosser, 8469 Humboldt Street
Richard Roach, 67 Carr Drive, representing Citizens for Measure A
Margie Merryman, 67 Carr Drive, representing Citizens for Measure A

COUNCIL COMMUNICATIONS

Mayor Di Guilio referred to the public disruption that occurred earlier in the meeting and spoke about the public's right to speak freely in a civil manner during a City Council meeting, which is the appropriate way to conduct business in the City.

Councilmember Andrews announced the following events: Ventura Readers' Book Club which will meet the first Saturday of the month from 10:00 to 12:00 p.m. at the E.P. Foster Library; and, the Breakfast Seminars for Health on November 15, 2002 from 8:30 to 9:30 a.m. at the Pacific View Mall Food Court.

Councilmember Morehouse announced that the Area Agency on Aging meeting for Home Modification for Seniors is scheduled for Tuesday, September 24, 2002 at 1:00 p.m. and to contact the Agency for more information. He also spoke about the public comment presented this evening, in relation to the election of the Mayor by the public, and reported that the Council will review and make recommendations concerning any changes to the City's Charter in 2003.

Deputy Mayor Brennan thanked both the proponents and the opponents of Measure A for their comments and commended Councilmember Monahan for taking a stand in favor of Measure A.

Councilmember Smith reported that the City of San Buenaventura was one of the founding signatures on the Ahwahnee Principles and noted that if Measure A passes, the City Council will make sure that the development in the hillsides will follow Smart Growth practices.

ADJOURNMENT

There being no further business to transact, the Council adjourned at 10:28 p.m. in memory of Dwight Spargur.



Kimberly M. Rodrigues, CMC
Deputy City Clerk