



CITY COUNCIL AGENDA
REVISED AGENDA ADDED CLOSED SESSION ITEM 3

MONDAY, JANUARY 23, 2023
REVISED ON JANUARY 19, 2023

CLOSED SESSION – 5:00 P.M.
REGULAR MEETING – 6:00 P.M.

CITY COUNCIL CHAMBERS – CITY HALL - 501 POLI STREET, VENTURA, CA 93001

JOE SCHROEDER, MAYOR

Councilmembers:

DISTRICT 1 – LIZ CAMPOS
DISTRICT 2 – DOUG HALTER
DISTRICT 3 – MIKE JOHNSON

DISTRICT 5 – BILL MCREYNOLDS
DISTRICT 6 – JIM DURAN
DISTRICT 4 – JEANNETTE SANCHEZ-
PALACIOS, DEPUTY MAYOR

Akbar Alikhan
Acting City Manager

Andrew Heglund
City Attorney

Michael B. MacDonald
City Clerk

PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED IN A HYBRID MODEL WITH BOTH IN-PERSON ATTENDANCE AND VIRTUAL PARTICIPATION.

Live broadcasts of City Council meetings are available on Cable TV (Channel 15) and via internet accessible video stream at <https://www.cityofventura.ca.gov/718/Videos> or on YouTube at <https://www.YouTube.com/cityofventura/live>.

To access the meeting remotely: Join the WebEx meeting live at: <https://cityofventura.webex.com/cityofventura/j.php?MTID=m9ca316bf56c0e0c13309acf4a35499f7>

To request to speak on an item, use the chat function to notify the City Clerk by including the Item Agenda Number in your comment. The City Clerk will announce public speakers and promote them to a panelist, which will allow the use of camera and microphone. To join with audio only, call (213) 306-3065 and use access code: 2550 567 5184

Please be mindful that the meeting will be recorded, and all rules of procedure and decorum apply for in-person attendees and those participating virtually.

To submit written comments (up to 1,000 characters) for the City Council's consideration and inclusion in the public records, email cityclerk@cityofventura.ca.gov by 4:00 p.m. on the meeting date, or by using the public comment form at www.cityofventura.ca.gov/publicinput. Please include the Agenda Item Number in the subject

This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953. Any member of the public may attend this meeting. Questions regarding this matter may be addressed to Michael B. MacDonald, City Clerk, (805) 654-4787. The City Council may take action related to any subject listed on the Agenda. Meetings will adjourn at 11:00 p.m. Any items outstanding at that time will be deferred until the next regularly scheduled meeting.

January 23, 2023

Ventura City Council Agenda
www.cityofventura.ca.gov

CALL TO ORDER – CLOSED SESSION – 5:00 p.m.

ROLL CALL

PUBLIC COMMUNICATIONS: *Public comments on Closed Session Items only.*

CLOSED SESSION: *Teleconference/Video Conference Meeting. The Public may not participate in the Closed Session, other than for Public Comments.*

1. **CONFERENCE WITH LABOR NEGOTIATORS**
City Negotiators: Joe Schroeder and Jeannette Sanchez-Palacios
Unrepresented Employee: Interim City Manager
Authority: Government Code Section 54957.6

2. **PUBLIC EMPLOYMENT**
Title: City Manager
Authority: Government Code Section 54957

3. **CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION**
One Case
Authority: Government Code Section 54956.9(d)(2)

ADJOURNMENT: *Adjourn to Regular Meeting.*

CALL TO ORDER – REGULAR SESSION – 6:00 p.m.: *The regular meetings of the San Buenaventura (Ventura) City Council also serve as regular meetings of the Successor Agency and Public Facilities Financing Authority when Successor Agency and Public Facilities Financing Authority items are listed on the agenda.*

ROLL CALL

PLEDGE OF ALLEGIANCE

SPECIAL PRESENTATIONS AND ANNOUNCEMENTS

- Update from Supervisor LaVere’s Office

- Business of the Month and Green Business Awards

- CAPS Media Presentation

CLOSED SESSION REPORT

CITY COUNCIL COMMUNICATIONS: *Per Government Code Section 54954.2(a)(2), the Council Communications section of the agenda provides City Council the opportunity to ask a question for clarification, make a brief announcement, or make a brief report on their own activities.*

CITY MANAGER COMMUNICATIONS

CONSENT ITEMS: *Matters appearing on the Consent Items are expected to be non-controversial and will be acted upon by City Council at one time without discussion unless a Councilmember, City Staff, or a member of the public requests an opportunity to address an item. Items removed from the Consent Calendar will be discussed at the beginning of the Formal Items. Approval by the City Council of Consent Items means the recommendation of Staff is approved along with the terms and conditions described in the Administrative Report.*

1. **Move all Resolutions and Ordinances presented tonight be deemed read by title only and all further reading be waived.**
2. **[Request for Authorization to Amend Outside Counsel Services – Silver and Wright LLP for Representation of the City in Code Enforcement/Receivership Matters](#)**

Staff: Andy Heglund, City Attorney

RECOMMENDATION

Authorize the City Attorney to execute Amendment No. 2 to Agreement No. P2018-143 with the law firm of Silver & Wright, LLP, adding \$150,000 to the amount of not-to-exceed compensation (for a total not-to-exceed amount of \$720,000), to allow Silver & Wright to continue to provide legal services related to code enforcement matters and receiverships for the Community Development Department.

3. **[Request for Authorization to Amend Outside Counsel Services – Best, Best & Krieger for On Call Services](#)**

Staff: Andy Heglund, City Attorney

RECOMMENDATION

Authorize the City Attorney to amend the legal services agreement with Best, Best and Krieger, LLP to increase the compensation to an amount not to exceed \$775,000 (increase of \$300,000).

CONSENT ITEMS (CONTINUED)

4. [Request for Authorization to Amend California Eminent Domain Law Group, APC, Outside Counsel Services Agreement for Analysis of Options to Acquire Streetlights, Including Eminent Domain](#)

Staff: Andy Heglund, City Attorney

RECOMMENDATION

Authorize the City Attorney to execute an amendment to the legal services agreement with the law firm of California Eminent Domain Law Group, APC, increasing the compensation amount by \$150,000 for a total not-to-exceed amount of \$255,000 for analysis of options to acquire streetlights, including eminent domain.

5. [Approval of City Council Minutes – Regular Meetings held on December 12, 2022 and Special Closed Session Meetings held on December 12, 2022 and December 19, 2022](#)

Staff: Michael MacDonald, City Clerk

RECOMMENDATION

Approve City Council Minutes for Regular Meetings held on December 12, 2022 and Special Closed Session Meetings held on December 12, 2022 and December 19, 2022.

6. [City Council Quarterly Travel Report](#)

Staff: Akbar Alikhan, Acting City Manager

RECOMMENDATION

Receive and file the Travel Report for Quarter 2 of Fiscal Year 2022/23.

7. [General Plan Advisory Committee Appointment](#)

Staff: Neda Zayer, Acting Community Development Director

RECOMMENDATION

Approve Lorrie Brown on the General Plan Advisory Committee as a member of the community.

CONSENT ITEMS (CONTINUED)

8. [Fire Department National Fire Protection Association Compliant Physicals](#)

Staff: David Endaya, Fire Chief

RECOMMENDATION

- a. Authorize the Mayor to execute a Professional Services Agreement with Pinnacle Training Systems to provide physical examinations for Fire Department staff for an initial period of two years with options to renew for three additional periods at an annual cost of \$150,000, cumulative five-year cost not to exceed \$750,000.
- b. Authorize the Fire Chief to execute future amendments to the agreement, specifically, the renewals for years two through five.

9. [Assistance to Firefighters Grant Application](#)

Staff: David Endaya, Fire Chief

RECOMMENDATION

Authorize the Fire Chief to submit four grant applications to FEMA Assistance to Firefighters Grant (AFG) program for \$4,205,900 for the purpose of purchasing one fire engine, an Urban Search & Rescue (US&R) response vehicle, self-contained breathing apparatus (SCBA) replacements for the department, and Hazardous Materials Technician certification training.

10. [Professional Services Agreement No. 2016-051 Seventh Amendment with HDR Engineering, Inc. for Design Services on Project 96928 Wastewater Plant - Aeration Blowers](#)

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

- a. Approve and authorize the Mayor to execute the 7th amendment to Professional Services Agreement 2016-051 with HDR Engineering, Inc. for a new contract completion date of June 30, 2023.
- b. Authorize the Public Works Director or designee to execute future amendments to subject agreement up to a total maximum contingency of \$20,000 for a total not to exceed contract amount of \$887,112 and a total time extension of 180 calendar days.

CONSENT ITEMS (CONTINUED)

11. [Design-Build Contract with Grindline Skateparks, Inc. on Project 92928 – Skateboard Park Improvements](#)

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

- a. Approve CIP Project 92928 – Skateboard Park Improvements Project and determine that it is categorically exempt from the California Environmental Quality Act (CEQA) as defined in Article 19 Section 15303 of the CEQA Guidelines because it is considered new construction or conversion of small structures.
- b. Approve and Authorize the Mayor to execute a Design-Build Contract with Grindline Skateparks, Inc. in the amount of \$1,819,609 with a contract completion date of December 31, 2024.
- c. Authorize the Public Works Director or designee to execute future amendments to subject the Design-Build Contract up to a total maximum contingency of \$181,961 for a total not-to-exceed Agreement amount of \$2,001,570 and a total time extension of 180 calendar days.

12. [Increase to Purchase Order P100008668 with Granite Construction Company for the Annual Supply of Asphalt Materials](#)

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

Approve and authorize the Mayor, or designee, to execute subsequent annual Blanket Purchase Orders with Granite Construction Company in the amount of \$1,875,000 for a new total not-to-exceed purchase order amount of \$2,175,000, cumulatively, for the remainder of Fiscal Year 2023 and the additional four years of the five-year contract.

CONSENT ITEMS (CONTINUED)

13. [Construction Contract with Union Engineering Company, Inc. for Project 96918, Phase B: Ventura Water Reclamation Facility Strain Press Platform](#)

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

- a. Approve the Ventura Water Reclamation Facility Strain Press Platform Project and determine that it is categorically exempt from the California Environmental Quality Act (CEQA) as defined in Article 19 Section 15301 (c) of the CEQA guidelines because it is considered Class 01 exemption for the repair, maintenance, or minor alteration of an existing facility involving negligible or no expansion of an existing use.
- b. Waive all minor bid irregularities, approve and authorize the Mayor to execute subject Agreement with Union Engineering Company, Inc in the amount of \$424,107 with a contract completion date of 120 consecutive calendar days from the date noted on the Notice to Proceed.
- c. Authorize the Public Works Director or designee to execute future amendments to subject Agreement up to a total maximum contingency of \$42,500 for a total not-to-exceed Agreement amount of \$466,607 and a total time extension of 180 calendar days.

14. [Professional Services Agreement PW22-1034 Task Order Number 003 for On-Call Professional Services with Kennedy Jenks Consultants, Inc. for the Saticoy Country Club Well 2 – Phase II Project](#)

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

Approve and authorize the Mayor to execute an amendment to Task Order Number 003 for On-Call Professional Services Agreement PW22-1034 with Kennedy Jenks Consultants, Inc. in the amount of \$59,935 for a new task order total of \$119,730.

PUBLIC HEARING ITEMS: Staff shall introduce the public hearing item and present their report to Council. Councilmembers may ask questions of staff if they desire. Any member of the public may speak or present evidence, after submitting a speaker card and being recognized by the Mayor. All rules of decorum apply during Public Hearings. Each member of the Council shall verbally disclose all ex parte communications concerning the subject of the hearing.

15. [Appeal of the Community Development Director's Approval of the Fritch Residence Project \(PROJ 15454\) Case No. DIR-3-22-62180](#)

Staff: Neda Zayer, Acting Community Development Director

RECOMMENDATION

- a. Determine that the New Construction or Conversion of Small Structures – Class 3 exemption of the California Environmental Quality Act (CEQA) Guidelines applies to the project.
- b. Adopt a Resolution denying the appellant's appeal and upholding the Community Development Director's approval of the Thomas Fire Modification Permit (PROJ-15454). Resolution titled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA DENYING THE APPELLANT'S APPEAL AND UPHOLDING THE COMMUNITY DEVELOPMENT DIRECTOR'S APPROVAL OF THE THOMAS FIRE MODIFICATION PERMIT FOR THE FRITCH RESIDENCE PROJECT, A ONE-STORY SINGLE FAMILY RESIDENTIAL DEVELOPMENT LOCATED AT 196 NOB HILL LANE"

FORMAL ITEMS: The public may comment on each item listed on the agenda for Formal Items as the item is taken up. Formal Items may be reordered at the discretion of the Chair. The public may speak up to three (3) minutes on each agenda item.

16. [Construction Contract with Sam Hill & Sons, Inc. for Project No. 97955 Waterline – Midtown to Westside Interconnect](#)

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

- a. Approve and authorize the Mayor to execute subject Agreement with Sam Hill & Sons, Inc. in the amount of \$10,999,999 with a contract completion date of September 30, 2024.
- b. Authorize the Public Works Director or designee to execute future amendments to subject Agreement up to a total maximum contingency of \$1,100,000 for a total not-to-exceed Agreement amount of \$12,099,999 and a total time extension of 180 calendar days.

FORMAL ITEMS (CONTINUED)

17. [2022-2023 City Council Goals Progress Update](#)

Staff: Akbar Alikhan, Acting City Manager

RECOMMENDATION

Receive and file progress update on the 2022-2023 City Council goals.

18. [Fiscal Year 2024 Budget Workshop #1](#)

Staff: Michael Coon, Chief Financial Officer

RECOMMENDATION

- a. Receive the Mid-Year Financial Update of the four primary funds.
- b. Receive the General Fund 5-Year Forecast.

19. [Transmittal of the Proposed Changes for the Fiscal Years 2024-2028 Capital Improvement Plan](#)

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

Receive and file the Proposed Changes to the Approved Capital Improvement Plan for Fiscal Years 2023-2027 to be incorporated into the Proposed Capital Improvement Plan for Fiscal Years 2024-2028.

PUBLIC COMMUNICATIONS: *In compliance with Government Code Section 54954.3, Public Communications is that portion of Council meetings set aside for members of the public to address City Council on items of any City business other than scheduled agenda items. Comments are limited to items within the subject matter jurisdiction of the City and are limited to no more than three (3) minutes. Per the City Council Protocols, speakers may not cede their time to another speaker. If there are more than ten (10) Public Communications speakers, each speaker's time shall be reduced from three (3) minutes so that all speakers have an equal time to speak. City Council cannot act on any items not on the agenda.*

ADJOURNMENT

Communications to the City Council are public record and will become part of the City's electronic records, which are accessible through the City's website. Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to the City Council, will become part of the public record. If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service to the City Clerk's Office at 501 Poli Street, Room 204, Ventura, CA 93001. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the City Clerk Department for further information.

In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact the City Clerk's Office at (805) 658-4787 or the California Relay Service at (866) 735-2929. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Live Spanish interpretation will be available. No advanced request for interpretation services required.

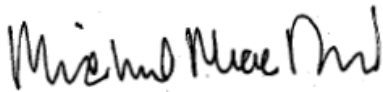
La traducción al español estará disponible en vivo. No es necesario solicitar la traducción al español anticipadamente.

Administrative Reports relating to this agenda are available on the City's website – <https://www.cityofventura.ca.gov/AgendaCenter>.

Resource Items for the Public:

- [City Council Protocols](#) which includes Rules of Decorum for the Public
- [City Council Goals](#)
- [Budget Principles](#)
- [City Charter](#)

This agenda was posted on Wednesday, January 18, 2023, at 6:30 p.m. in the City Clerk's Office, on the City Hall Public Notices Board and on the internet.



Michael B. MacDonald, CMC
City Clerk