

CITY OF VENTURA
CITY COUNCIL AGENDA

Sofia Rubalcava
Mayor

Doug Halter
Councilmember District 2

Jim Friedman
Councilmember District 5

Mike Johnson
Councilmember District 3

Lorrie Brown
Councilmember District 6

Vacant
Councilmember District 4

Joe Schroeder, Deputy Mayor
Councilmember District 7

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



REGULAR MEETING
MONDAY, FEBRUARY 22, 2021
CLOSED SESSION – 5:00 P.M.
REGULAR MEETING – 6:00 P.M.

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. TO FIND OUT HOW YOU MAY ELECTRONICALLY ATTEND THE CITY COUNCIL MEETING AND PROVIDE PUBLIC COMMENT PLEASE REFER TO PAGE 2 OF THIS AGENDA.

PUBLIC PARTICIPATION OPTIONS to help reduce the spread of COVID-19:

1. Join a WebEx meeting LIVE:

<https://cityofventura.webex.com/cityofventura/onstage/g.php?MTID=ec7ee26ce242bf7ef8b3dff658547f4a7>

NOTE: WebEx link only works while meeting is LIVE. After meeting has ended, use the Archived Video link to view the meeting. You must join the WebEx Meeting to provide Public Comment - #5 below.

Join with only an “audio” connection: 1-408-418-9388 / Access Code 142 363 4111

WebEx recommends using Chrome, FireFox or Edge browsers when joining and providing live comment at the meeting. You are encouraged to download the WebEx App.

2. Watch a **live stream** of the meeting at <https://www.cityofventura.ca.gov/718/Videos>, YouTube at <https://www.YouTube.com/cityofventura/live> or on Cable TV – Channel 15, live and replayed as listed on CAPS media schedule.
3. Submit your comments via email **by 4:00 p.m. on the City Council meeting date to allow the comments to be read before the Meeting**. Please submit your comment to the City Clerk using this form www.cityofventura.ca.gov/publicinput or send an email to cityclerk@cityofventura.ca.gov (up to 1000 characters) When sending an email, please indicate in the Subject Line, the Agenda item number (i.e. Item No. 8A). Your form/email will be read by City Council and placed into the item’s record at the meeting.
4. When watching the live stream or WebEx meeting, submit a Public Comment using this form www.cityofventura.ca.gov/publicinput. Those emails will be provided to City Council following the meeting.



5. **To Provide Public Comment Live: You must attend the WebEx Meeting with audio connected to your computer/device**, you will see Chat feature on your screen. You can write, "I would like to speak on Agenda Item #__" in the Chat feature. During the discussion of that item, the Mayor will call for public comment. The City Clerk will announce those requesting to speak, speakers will be promoted to “panelist” allow your camera to be turned on. When you are finished, your mic will be muted and your camera disabled. For your audio to work, you MUST connect to the meeting with audio connected on your device – audio only connect will not work for this process.

The Regular Meetings of the San Buenaventura (Ventura) City Council also serve as regular meetings of the Successor Agency, Public Facilities Financing Authority and Parking Authority when Successor Agency, Public Facilities Financing Authority and Parking Authority items are listed on the agenda.

The public has the opportunity to address the City Council on any item appearing on the agenda. Persons wishing to address the City Council are limited to three minutes on any agenda item with a cumulative total of five minutes for all agenda items, except if there are one or more Successor Agency, Public Facilities Financing Authority and Parking Authority items on the agenda, members of the public shall have an additional total of three minutes on any agenda item with a cumulative total of five minutes for all agenda items to address all Successor Agency, Public Facilities Financing Authority and Parking Authority matters.

At the first regular meeting of the month, City Council has allocated a total of 30 minutes for members of the public to address City Council on items of City business other than scheduled agenda items near the beginning of the agenda and will continue speakers beyond the 30 minutes until the end of the agenda under the heading of "Public Communications". Individuals may not acquire additional time from other speakers during Public Communications but may do so on formal agenda items per City Council Protocols. City Council cannot take action on any items not on the agenda. These items may be referred to staff or scheduled on a future agenda. **Refer to box above on how to submit comments, including public comments, to City Council. You may also scan the QR Code to access the form to submit public comments or comments related to a specific agenda item via email before the meeting or during the meeting.**

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

Public Hearing Notices and any materials related to an agenda item submitted to the City Council after distribution of the agenda packet are available on the City's website – <https://www.cityofventura.ca.gov/1236/City-Council-Public-Hearing-NoticesSuppl>.

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.

CS1. CALL TO ORDER – CLOSED SESSION – 5:00 p.m.

CS2. ROLL CALL

CS3. PUBLIC COMMUNICATIONS: Public comments on Closed Session Items only – must be submitted electronically prior to the closed session starting. **Refer to Page 2 of the Agenda on how to submit your Public Comments electronically to the City Clerk.**

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: Fitch v. City of San Buenaventura, et al.
Ventura County Superior Court Case no.: 56-2018-00514516-CU-PO-VTA
Authority: Government Code §54956.9(d)(1)

2. CONFERENCE WITH LABOR NEGOTIATORS

City Negotiators: Alex D. McIntyre, City Manager and Danielle Keys, Human Resources Director

Employee Organizations:

- a. Service Employees International Union (SEIU) Local 721 CTW,CLC, representing “G” (General), “S” (Supervisory), and “Q” (Professional) Units
- b. Ventura Maintenance Employees Association (VMEA)
- c. Ventura Fire Management Association (VFMA)
- d. Ventura City Firefighters’ Association (VCFA)
- e. Ventura Police Officers’ Association (VPOA)
- f. Unrepresented employees

Authority: Government code Section 54957.6

CS5. ADJOURNMENT

Adjourn to Regular Meeting

1. CALL TO ORDER – REGULAR SESSION – 6:00 p.m.

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS

4A. Proclamation declaring February 2021 as Black History Month

5. CLOSED SESSION REPORT

6. 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 his or her own activities.

7. CITY MANAGER COMMUNICATIONS

9. CONSENT ITEMS

Matters appearing on the Consent Calendar are expected to be non-controversial and will be acted upon by City Council at one time without discussion unless a Councilmember, the Administration, or a member of the public requests an opportunity to address any given 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 the Administration is approved along with the terms and conditions described in the Administrative Report.

9A. Move all resolutions and ordinances presented tonight be deemed read by title only and all further reading be waived.

9B. Approval of Minutes – November 23, 2020 and December 7, 2020

Staff: Antoinette M. Mann, City Clerk

RECOMMENDATION

Approve City Council Minutes for November 23, 2020 and December 7, 2020.

9C. Approve Appointment of Ventura Water Pure Ad Hoc Committee Members

Introduced by: Mayor Sofia Rubalcava

RECOMMENDATION

Concur with the Mayor and approve appointment of Councilmember Friedman and Deputy Mayor Schroeder to the Ventura Water Pure Ad Hoc Committee.

9. CONSENT ITEMS (continued)

9D. [Request for Authorization to Amend Outside Counsel Services with the Law Firm of Colantuono, Highsmith & Whatley, PC for the Pending Litigation Matter City of San Buenaventura V. United Water Conservation District](#)

Staff: Gregory G. Diaz, City Attorney

RECOMMENDATION

Authorize the City Attorney to enter into an amended legal services agreement with the law firm of Colantuono, Highsmith & Whatley, PC to increase an amount not-to-exceed an additional \$50,000 to continue representation of the City in the litigation matters City of San Buenaventura v. United Water Conservation District and related matters.

9E. [2021-2022 Legislative Platform](#)

Staff: Barry Fisher, Deputy City Manager

RECOMMENDATION

Approve the 2021-2022 Legislative Platform.

9F. [Approve Parking Lot Lease Extension with Realco Properties, Ltd., for the Property Behind Addresses 418 through 424 East Main Street for the Purpose of Providing Alleyway Public Access and Public Parking](#)

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

Authorize the City Manager to execute an extension to the subject lease extending the lease to June 30, 2022 with a provision to automatically renew on an annual basis unless terminated by either party.

9. CONSENT ITEMS (continued)

9G. [Approve Award of a Construction Contract to FS Contractors, Inc. for the Midtown Commons Parking Lot Improvements Project](#)

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

- a. Waive all Minor Bid Irregularities, Approve and authorize the Mayor to sign the Public Works Contract, Specification 2020-049 with FS Contractors, Inc. on Project 69029 – Commons Midtown Parking Lot Improvements in the amount of \$204,401.
- b. Authorize the Public Works Director to execute amendments to the subject Public Works Contract up to a total maximum contingency of \$20,440 for a maximum contract total of \$224,841, and a total time extension of thirty calendar days.

9H. [Approve Professional Services Agreement with Kennedy/Jenks Consultants Inc. – Disinfection Byproduct Reduction Improvements at the Avenue Water Treatment Plant](#)

Staff: Susan Rungren, Ventura Water General Manager

RECOMMENDATION

Approve and authorize the Mayor to enter into a Professional Services Agreement with Kennedy/Jenks Consultants Inc. to provide consultant services to reduce disinfection byproducts in drinking water from the Avenue Water Treatment Plant; agreement term March 1, 2021 to December 31, 2022; agreement amount is \$157,925 plus a contingency of \$15,792.50 for a total not-to-exceed amount of \$173,717.50.

9. **CONSENT ITEMS (continued)**

9I. [Ordinance for Second Reading – Ordinance of the City Council of the City of San Buenaventura, California, Amending Chapter 6.420 “Cannabis Delivery Services, of the San Buenaventura Municipal Code to allow for Commercial Cannabis Businesses in the City of San Buenaventura](#)

Staff: Antoinette M. Mann, City Clerk

RECOMMENDATION

Waive the second reading in full and adopt the Ordinance of the City Council of the City of San Buenaventura, California, Amending Chapter 6.420 “Cannabis Delivery Services, of the San Buenaventura Municipal Code to allow for Commercial Cannabis Businesses in the City of San Buenaventura.

Ordinance introduced and approved by the City Council on February 8, 2021 (Vote: 4-Yes [Councilmembers Brown, Halter, Friedman and Deputy Mayor Schroeder]; 2-No [Councilmember Johnson and Mayor Rubalcava] with 1-Vacant Position [District 4 City Councilmember]).

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING CHAPTER 6.420, “CANNABIS DELIVERY SERVICES,” OF THE SAN BUENAVENTURA MUNICIPAL CODE TO ALLOW FOR COMMERCIAL CANNABIS BUSINESSES IN THE CITY OF SAN BUENAVENTURA
ORDINANCE 2021-_____

9J. [Ordinance for Second Reading – Ordinance of the City Council of the City of San Buenaventura, California, Amending Section 24.105.200 “Prohibited and Restricted Cannabis Activities” of the San Buenaventura Municipal Code to Allow for Certain Commercial Cannabis Activities in Certain City Zones](#)

Staff: Antoinette M. Mann, City Clerk

RECOMMENDATION

Waive the second reading in full and adopt the Ordinance of the City Council of the City of San Buenaventura, California, Amending Section 24.105.200 “Prohibited and Restricted Cannabis Activities” of the San Buenaventura Municipal Code to Allow for Certain Commercial Cannabis Activities in Certain City Zones.

9. CONSENT ITEMS (continued)

Ordinance introduced and approved by the City Council on February 8, 2021 (Vote: 4-Yes [Councilmembers Brown, Halter, Friedman and Deputy Mayor Schroeder]; 2-No [Councilmember Johnson and Mayor Rubalcava] with 1-Vacant Position [District 4 City Councilmember]).

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING SECTION 24.105.200, "PROHIBITED AND RESTRICTED CANNABIS ACTIVITIES," OF THE SAN BUENAVENTURA MUNICIPAL CODE TO ALLOW FOR CERTAIN COMMERCIAL CANNABIS ACTIVITIES IN CERTAIN CITY ZONES
ORDINANCE 2021-_____

12. PUBLIC HEARING

12A. [Establishing the Ventura Tourism Marketing District](#)

Staff: Alex D. McIntyre, City Manager

RECOMMENDATION

Conduct a Public Hearing on Establishing the Ventura Tourism Marketing District to receive public testimony, allowing members of the public to provide comments on the establishment of the Ventura Tourism Marketing District.

13. FORMAL ITEMS

13A. [Adoption of City Council Protocols, Budget Principles, and 2021-2022 Goals](#)

Staff: Alex D. McIntyre, City Manager

RECOMMENDATION

- a. Adopt a Resolution reconfirming the City Council Protocols entitled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, RECONFIRMING THE CITY COUNCIL PROTOCOLS FOR THE CONDUCT OF MEETINGS, POLICY MAKING, AND RELATED MATTERS”

- b. Approve the Budget Principles for Fiscal Year 2021-2022, including Measure O fund principles and budget-balancing principles related to COVID impacts.
- c. Adopt the 2021-2022 City Council Goals developed during the January 23, 2021 City Council Goals Session.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, RECONFIRMING THE CITY COUNCIL PROTOCOLS FOR THE CONDUCT OF MEETINGS, POLICY MAKING, AND RELATED MATTERS RESOLUTION NO. 2021-_____

13B. [Conduct a Study Session on the Proposed 2020-2026 Capital Improvement Program \(2nd Year\)](#)

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

Conduct a study session regarding the proposed 2nd Year of the Capital Improvement Program for 2020-2026 and provide staff with feedback on the proposed Program changes.

8. PUBLIC COMMUNICATIONS

Refer to Page 2 of the Agenda on how to submit your Public Comments electronically to the City Clerk or scan this QR Code to access the form.



16. CITY COUNCIL COMMUNICATIONS/REPORTS – REGIONAL BOARDS/COMMISSIONS/COMMITTEES

Per Governmental 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 his or her own activities. Councilmembers serving on regional boards, commissions, or committees to present a verbal report to the full City Council on the activities of the respective boards, commission, or committees upon which they serve.

17. ADJOURNMENT

This agenda was posted on Wednesday, February 17 at 6:45 p.m. on the City website, in the Public Meetings/Agenda Center: <https://www.cityofventura.ca.gov/AgendaCenter>