



CITY COUNCIL AGENDA
REVISED AGENDA REORDERED ITEMS; REVISED ITEM 12 AND ITEM 13

MONDAY, MARCH 27, 2023
REVISED ON MARCH 24, 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 6 – JIM DURAN
DISTRICT 5 – BILL MCREYNOLDS
DISTRICT 4 – JEANNETTE SANCHEZ-
PALACIOS, DEPUTY MAYOR

Akbar Alikhan
Interim 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=m38eba7e18af880b893072398bed057f7>

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: 2557 346 0156

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.

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

2. **PUBLIC EMPLOYMENT PERFORMANCE EVALUATION**
Title: City Attorney
Authority: Government Code Section 54957

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

- International Women’s History Month Recognition

- Fire Hazard Reduction Program Update

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. **Agreement No. P2023-005 First Amendment with the Law Firm of Wood & Finck in the Curle v. Eat Sweet Farms, LLC, et al. Litigation Matter**

Staff: Andy Heglund, City Attorney

RECOMMENDATION

Authorize the City Attorney to enter into a First Amendment to Agreement No. P2023-005 with the law firm of Wood & Finck, in an amount not to exceed a total of \$200,000, to continue representation of the City in the Curle v. Eat Sweet Farms, LLC, et al litigation matter.

3. **Approval of City Council Minutes – Regular Meetings held on February 13, 2023 and February 27, 2023**

Staff: Michael MacDonald, City Clerk

RECOMMENDATION

Approve City Council Minutes for Regular Meetings held on February 13, 2023 and February 27, 2023.

4. **Professional Services Agreement No. 2018-10 Second Amendment with Versaterm and a New Memorandum of Understanding with the City of Santa Barbara**

Staff: Mitchell Cameron, Chief Technology Officer

RECOMMENDATION

- a. Authorize the Mayor to execute the Second Amendment to Professional Services Agreement No. 2018-010 with Versaterm Public Safety, Inc. in substantially the same form submitted in the amount of \$768,069.37 extending the term for five years to February 11, 2028.

CONSENT ITEMS (CONTINUED)

- b. Authorize the City Manager, or designee, to execute modifications to the Versaterm agreement up to \$76,807, which is a 10% contingency based on the total of the second amendment.
- c. Authorize the Mayor to execute a new five-year Memorandum of Understanding with the City of Santa Barbara in substantially the same form submitted for an amount of \$775,668.54 extending the term for five years to July 1, 2028.
- d. Authorize the City Manager or designee, to execute modifications to the Memorandum of Understanding, with expenditures not-to-exceed an additional \$77,567, which is a 10% contingency.

5. **[General Services Agreement No. P2022-003 Second Amendment with Central Coast Engineering, Inc. for Street and Sidewalk On-Call Construction Services](#)**

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

- a. Approve and authorize the Mayor or designee to execute contract Amendment No. 2 to General Service Agreement No. P2022-003 with Central Coast Engineering, Inc. in the amount of \$481,029 for a new total not-to-exceed contract amount of \$781,029, for the remainder of Fiscal Year 2023 and an additional three years of the five-year contract.
- b. Authorize the City Manager or designee to exercise the remaining options to extend the contract term through Fiscal Year 2026.

6. **[Construction Agreement No. PW23-11000 Contract with American Asphalt South, Inc. Pavement Maintenance – 2021-2022 Street Slurry Seal](#)**

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

- a. Approve the 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 consists of maintenance of existing facilities.
- b. Approve and authorize the Mayor to execute subject Agreement with American Asphalt South, Inc. in the amount of \$965,298 with a contract completion date of October 6, 2023.

CONSENT ITEMS (CONTINUED)

- c. Authorize the Public Works Director or designee to execute future amendments to subject Agreement up to a total maximum contingency of \$96,530 for a total not-to-exceed Agreement amount of \$1,061,828 and a total time extension of 60 calendar days.

7. [Construction Contract PW23-1078 and Change Order No. 1 with Peter Lapidus Construction, Inc. on Project 97945 Ventura River Fish Passage Improvements at Foster Park – Phase 1](#)

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

Authorize the Public Works Director or their designee to approve Change Order No. 1 with Peter Lapidus Construction, Inc. for the Ventura River Fish Passage Improvements at Foster Park – Phase 1, for \$6,466 increasing the initial contract award amount of \$297,360 for a new not-to-exceed amount of \$303,826 with a contract completion date of April 30, 2023.

8. [Construction Contract Agreement PW23-1098 with J. Vega Engineering, Inc. on Project 97974 Waterline to Abandon an 8-Inch Waterline Under the Bike Path and Accept Related Easement Deed](#)

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

- a. Approve the Waterline – Abandon 8-Inch Waterline Under Bike Path project and determine that it is categorically exempt from the California Environmental Quality Act (CEQA) as defined in Article 19 Section 15302 (c) of the CEQA guidelines because it is considered a Class 2 exemption for the replacement or reconstruction of an existing utility system involving negligible to no expansion of capacity.
- b. Waive all minor bid irregularities, approve and authorize the Mayor to execute subject Agreement with J. Vega Engineering, Inc. in the amount of \$934,543 with a contract completion date of December 31, 2023.
- c. Authorize the Public Works Director or designee to execute future amendments to subject Agreement up to a total maximum contingency of \$280,000 for a total not-to-exceed Agreement amount of \$1,214,543 and a total time extension of 30 calendar days.

CONSENT ITEMS (CONTINUED)

- d. Approve and accept the attached Easement Deed (APN 063-0-140-515) granting a public utility easement to the City for access to install and maintain water main and appurtenances and authorize the City Manager to execute a Certificate of Acceptance.

9. [Professional Services Agreement with ERS Industrial Services, Inc. for Bailey Conditioning Plant Filter Rehabilitation](#)

Staff: Gina Dorrington, Ventura Water General Manager

RECOMMENDATION

- a. Approve and authorize the Mayor to execute a Professional Services Agreement with ERS Industrial Services, Inc. to provide the Bailey Conditioning Facility with a repaired filter and new media to keep the City in compliance with state regulations; agreement term from March 27, 2023 to December 31, 2023; agreement amount is \$168,140 plus a contingency of \$16,814 for a total not-to-exceed agreement amount of \$184,954.
- b. Authorize the Ventura Water General Manager to amend the contract to increase the compensation in an amount not to exceed \$16,814, or to extend the term for a period not to exceed six months.

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.*

10. [Approval of the Funding Plan for the Permanent Local Housing Allocation Program](#)

Staff: Neda Zayer, Interim Community Development Director

RECOMMENDATION

- a. Conduct a public hearing and receive comments regarding the proposed Permanent Local Housing Allocation Funding Plan.
- b. Adopt a Resolution approving the proposed Permanent Local Housing Allocation Funding Plan. Resolution titled:

“A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN BUENAVENTURA APPROVING A COMMITMENT OF 2019, 2020, AND 2021 PERMANENT LOCAL HOUSING ALLOCATION FUNDS”

PUBLIC HEARING ITEMS (CONTINUED)

- c. Authorize the Interim City Manager to execute a Commitment Letter to the Housing Authority of the City of San Buenaventura committing the 2019, 2020, and 2021 PLHA Allocations for the Permanent Supportive Housing project.
- d. Authorize the Finance Department to assign increased appropriations and revenues to the proper programs and accounts for their use as provided in the grant, if the grant is awarded.

11. **Public Hearing and Adoption of the Fiscal Year 2024-2028 Capital Improvement Program**

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

- a. Conduct a Public Hearing on the amended proposed FYs 2024-2028 Capital Improvement Program.
- b. Adopt Resolutions approving the amended proposed FY 2024-2028 Capital Improvement Program in such a manner as to avoid creating potential conflicts of interest for City Councilmembers:
 - 1. Adopt a Resolution that approves projects 91134 - 2023 Westside Sidewalk Repair/ADA Improvements and 91136 - 2026 Westside Sidewalk Repair/ADA Improvements, 91146 Cemetery Park Parking Lot Improvements and 96973 – Sewerline Repair/Replacement Westside and with Councilmember Halter abstaining.
 - 2. Adopt a Resolution that approves projects 91131 - Street Resurfacing – Telegraph Rd. Ashwood to Victoria (SB-1) and 97955 - Waterline – Midtown to Westside Interconnect with Councilmember Johnson abstaining.
 - 3. Adopt a Resolution that approves project 98192 - Public Art – Wells Neighborhood Park with Deputy Mayor Sanchez-Palacios abstaining.
 - 4. Adopt a Resolution that approves projects 91071 Harmon Barranca Bike Path Corridor, 91158 Residential Street Sidewalk & HAWK Signal Project with Councilmember Duran abstaining.

PUBLIC HEARING ITEMS (CONTINUED)

5. Adopt a Resolution adopting the Fiscal Years 2024-2028 Capital Improvement Program adding project numbers 90109, 91158, 92950, 93112, 95134, 95135, 96974, 97011, 96971, 93973, 91159 and excluding projects numbers 91071, 91131, 91134, 91136, 91146, 91158, 96973, 97955, and 98192.
- c. Direct Staff to prepare a letter to Caltrans for the Mayor to sign regarding the Johnson Avenue on and off-ramp.

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.*

12. [Citywide Classification and Compensation Study](#) *(Revised Material Included)*

Staff: Danielle Keys, Human Resources Director

RECOMMENDATION

Receive the Citywide Classification and Compensation study report provided by Public Sector Personnel Consultants, which includes the consultant's findings and recommendations.

13. [Authorization for a Local Coastal Program Amendment for 2325 Vista Del Mar \(APN: 080-0-020-275\)](#) *(Supplemental Material Included)*

Staff: Neda Zayer, Interim Community Development Director

RECOMMENDATION

- a. Adopt a Resolution authorizing and directing staff to initiate a Local Coastal Program Amendment for 2325 Vista Del Mar (APN: 080-0-020-275. Resolution titled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AUTHORIZING THE INITIATION OF AN AMENDMENT TO THE CITY OF SAN BUENAVENTURA LAND USE PLAN COMPONENT OF THE CERTIFIED LOCAL COASTAL PROGRAM FOR 2325 VISTA DEL MAR DRIVE”

- b. Authorize staff to draft and execute a pass-through agreement by which KB Homes of Los Angeles, Inc. compensates the City for costs arising from hiring a consultant to assist the City with the Local Coastal Plan process and application.

**CITY COUNCIL AND PUBLIC FACILITIES FINANCING AUTHORITY
FORMAL ITEMS:**

14. [VenturaWaterPure Water Infrastructure Finance and Innovation Act Financing Agreements](#)

Staff: Gina Dorrington, Ventura Water General Manager

RECOMMENDATION

- a. Adopt a Resolution authorizing the execution and delivery of an installment sale agreement with the City of San Buenaventura Public Facilities Financing Authority, a Water Infrastructure Finance and Innovation Act (WIFIA) credit agreement with the U.S. Environmental Protection Agency, and a related term sheet to finance the Wastewater portion of the VenturaWaterPure project, entitled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AUTHORIZING THE EXECUTION AND DELIVERY OF AN INSTALLMENT SALE AGREEMENT WITH THE CITY OF SAN BUENAVENTURA PUBLIC FACILITIES FINANCING AUTHORITY, A WIFIA CREDIT AGREEMENT WITH THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY AND A RELATED TERM SHEET, FOR THE PURPOSE OF PROVIDING FINANCING FOR THE WASTEWATER PORTION OF THE VENTURAWATERPURE PROJECT, AND APPROVING RELATED DOCUMENTS AND ACTIONS”

- b. Adopt a Resolution authorizing the execution and delivery of an installment sale agreement with the City of San Buenaventura Public Facilities Financing Authority, a WIFIA credit agreement with the U.S. Environmental Protection Agency, and a related term sheet to finance the Water portion of the VenturaWaterPure project, entitled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AUTHORIZING THE EXECUTION AND DELIVERY OF AN INSTALLMENT SALE AGREEMENT WITH THE CITY OF SAN BUENAVENTURA PUBLIC FACILITIES FINANCING AUTHORITY, A WIFIA CREDIT AGREEMENT WITH THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY AND A RELATED TERM SHEET, FOR THE PURPOSE OF PROVIDING FINANCING FOR THE WATER PORTION OF THE VENTURAWATERPURE PROJECT, AND APPROVING RELATED DOCUMENTS AND ACTIONS”

CITY COUNCIL AND PUBLIC FACILITIES FINANCING AUTHORITY FORMAL ITEMS (CONTINUED)

- c. Approve the Financing Plan and all related documents and agreements in substantially final form.
- d. Authorize the Finance Department to appropriate the funds and make the necessary appropriation adjustments for all transactions associated with the issuance of the 2023 installment sale agreements.
- e. Authorize the City Manager, or designee, to act on behalf of the City of Ventura to conduct all negotiations, execute and submit all documents for these agreements.

As the City of San Buenaventura Public Facilities Financing Authority:

- f. Adopt a Resolution authorizing the execution and delivery of an installment sale agreement with the City of San Buenaventura, a WIFIA credit agreement with the U.S. Environmental Protection Agency, and a related assignment agreement and term sheet to provide financing for the Wastewater portion of VenturaWaterPure project, entitled:

“A RESOLUTION OF THE CITY OF SAN BUENAVENTURA PUBLIC FACILITIES FINANCING AUTHORITY AUTHORIZING THE EXECUTION AND DELIVERY OF AN INSTALLMENT SALE AGREEMENT WITH THE CITY OF SAN BUENAVENTURA, A WIFIA CREDIT AGREEMENT WITH THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY AND A RELATED ASSIGNMENT AGREEMENT AND TERM SHEET, FOR THE PURPOSE OF PROVIDING FINANCING FOR THE WASTEWATER PORTION OF THE VENTURAWATERPURE PROJECT, AND APPROVING RELATED DOCUMENTS AND ACTIONS”

- g. Adopt a Resolution authorizing the execution and delivery of an installment sale agreement with the City of San Buenaventura, a WIFIA credit agreement with the U.S. Environmental Protection Agency, and a related assignment agreement and term sheet to provide financing for the Water portion of VenturaWaterPure project, entitled:

“A RESOLUTION OF THE CITY OF SAN BUENAVENTURA PUBLIC FACILITIES FINANCING AUTHORITY AUTHORIZING THE EXECUTION AND DELIVERY OF AN INSTALLMENT SALE AGREEMENT WITH THE CITY OF SAN BUENAVENTURA, A WIFIA CREDIT AGREEMENT WITH THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY AND A RELATED ASSIGNMENT AGREEMENT AND TERM SHEET, FOR THE PURPOSE OF PROVIDING FINANCING FOR THE WATER PORTION OF THE VENTURAWATERPURE PROJECT, AND APPROVING RELATED DOCUMENTS AND ACTIONS”

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.

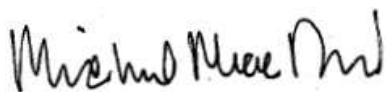
La traducción al español estará disponible en vivo. No es necesario solicitar la traducción al español anticipadamente.

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](#)

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This agenda was posted on Tuesday, March 21, 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

March 27, 2023

Ventura City Council Agenda  
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