REGULAR MEETING
MONDAY, JUNE 27, 2022
COUNCIL CHAMBERS, 501 POLI STREET, VENTURA

TELECONFERENCE LOCATION: 200 Nohea Kai Drive, Room 472, Lahaina, Hawaii 96761

REGULAR MEETING – 6:00 P.M.
PUBLIC PARTICIPATION OPTIONS – VIRTUAL AND IN PERSON OPTIONS

1. Join a WebEx meeting LIVE:
   https://cityofventura.webex.com/cityofventura/j.php?MTID=m63399c94f6ef7be6c9f176ab5cd664cf

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

   Join with only an “audio” connection: 2553 573 6747

   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. Provide Public Comment Live when attending Virtually: 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” allowing you to turn on your camera. 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. NOTE: When on a cell phone, you may need to scroll your screen to see the chat feature.

6. Attend the meeting at City Hall. Please note that the meeting will be a hybrid meeting, with attendees both in-person and virtually.
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 (Supplementals) are available on the City’s website – https://www.cityofventura.ca.gov/1236/City-Council-Public-Hearing-NoticesSuppl

Resource Items for the Public:

- City Council Protocols which includes Rules of Decorum for the Public
- City Council Goals 2021-2022
- Budget Principles 2021-2022
- City Charter

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

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS

   4A. Community Highlight of Dr. Minako Watabe

6. CITY COUNCIL COMMUNICATIONS/REPORTS

   Per Government Code Section 54954.2(a)(2), the Council Communications section of the agenda provides City Council members the opportunity to ask a question for clarification, make a brief announcement, or provide a brief report on his or her activities or the activities of the respective boards, commissions, or committees upon which they serve.

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. Appoint Councilmember Sanchez-Palacios to the Hope and Solutions Council Subcommittee

      Introduced by: Mayor Sofia Rubalcava

      RECOMMENDATION

      Appoint Councilmember Sanchez-Palacios to the Hope and Solutions Council Subcommittee, replacing Councilmember Brown.
9.  CONSENT ITEMS (CONTINUED)

9C.  Removal of Parks and Recreation Commissioner

Introduced by: Mayor Sofia Rubalcava

RECOMMENDATION

Remove Spencer Noren as a Parks and Recreation Commissioner effective immediately.

9D.  Approve Appointment and Reappointment Recommendations – Water Commission and the Ventura Port District

Introduced by: Councilmember Jeannette Sanchez-Palacios

RECOMMENDATION

a.  Approve the appointment of Anthony Rainey to the Ventura Port District for a term of June 30, 2022 through June 30, 2026.

b.  Approve the reappointments of Nova Clite and Susan Mulligan to the Water Commission for a term of June 30, 2022 through June 30, 2024.

9E.  Participation in Countywide Farmworker Housing Study

Staff: Alex D. McIntyre, City Manager

RECOMMENDATION

Authorize the Mayor to contribute $15,000 to the County of Ventura to conduct the 2022-2023 Farmworker Housing Study.

9F.  Consideration of A Resolution of the City Council of the City of San Buenaventura, California, Reconfirming the Existence of a Local Emergency and Extending it Until September 4, 2022

Staff: Andy Heglund, City Attorney

RECOMMENDATION

Adopt the Resolution, title as follows:

9G. **Request for Authorization to Amend Outside Counsel Services Agreement with the Law Firm of Best, Best & Krieger, LLP for the Pending Litigation Matter Santa Barbara Channelkeeper v. State Water Resources Control Board and the City of San Buenaventura**

Staff: Andy Heglund, City Attorney

**RECOMMENDATION**

Authorize the City Attorney to enter into an amended legal services agreement with the law firm of Best, Best and Krieger, LLP in an amount not to exceed an additional $460,000 to continue representation of the City in the litigation matter of Santa Barbara Channelkeeper v. State Water Resources Control Board and the City of San Buenaventura, Los Angeles County Superior Court Case No. 19STCP01176 (formerly San Francisco County Superior Court Case No. CPF-14-513875), and related matters.

9H. **Approval of City Council Minutes – Regular Meetings held on April 25, 2022, May 9, 2022, and May 23, 2022; and Special Meetings held on May 3, 2022 and May 31, 2022**

Staff: Michael B. MacDonald, City Clerk

**RECOMMENDATION**

Approve City Council Minutes for Regular Meetings held on April 25, 2022, May 9, 2022, and May 23, 2022; and Special Meetings held on May 3, 2022 and May 31, 2022.

9I. **Ordinance for Second Reading - An Ordinance of the City Council of the City of San Buenaventura, California, Amending Section 16.110.010, ‘Definition of Words and Phrases,’ and Section 16.215.060, ‘Parking Space Markings,’**

Staff: Michael B. MacDonald, 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 16.110.010, ‘definition of words and phrases,’ and section 16.215.060, ‘parking space markings,’ of the San Buenaventura Municipal Code.
9. CONSENT ITEMS (CONTINUED)

9J. **Ordinance for Second Reading - An Ordinance of the Council of the City of San Buenaventura, California, Suspending Contributions from the Water and Wastewater Funds to the Public Art Fund for an Additional Period of Four Years**

Staff: Michael B. MacDonald, City Clerk

**RECOMMENDATION**

Waive the second reading in full and adopt the Ordinance of the Council of the City of San Buenaventura, California, Suspending Contributions from the Water and Wastewater Funds to the Public Art Fund for an Additional Period of Four Years.

9K. **2005 General Plan Annual Report**

Staff: Peter Gilli, Community Development Director

**RECOMMENDATION**

That the City Council receive and file the 2020/2021 General Plan Annual Report.

9L. **Community Development Contract Updates**

Staff: Peter Gilli, Community Development Director

**RECOMMENDATION**

a. Authorize the Mayor to execute the Fourteenth Amendment to Professional Services Agreement number 2017-011 with Stuart Consulting Services, LLC, adding Fiscal Year 2021 – 2022 funds of $20,000 for a new not-to-exceed amount of $2,654,000 to cover the cost of services through June 30, 2022, when the current contract expires.

b. Authorize the Mayor to execute the Ninth Amendment to Professional Services Agreement number 2018-010 with CSG Consultants, Inc., adding Fiscal Year 2021 – 2022 funds of $20,000 for a new not-to-exceed amount of $745,000 to cover the cost of services through June 30, 2022, when the current contract expires.

c. Authorize the Mayor to execute the First Amendment to Professional Services Agreement number P2022-035 with Shums Coda Associates, Inc., adding Fiscal Year 2021 – 2022 funds of $101,000 for a new not-to-exceed amount of $150,000 to cover the cost of services through June 30, 2022, when the current contract expires.
9. CONSENT ITEMS (CONTINUED)

d. Authorize the Finance Department to increase appropriations as needed from Fiscal Year 2021 – 2022 funds.

9M. Fiscal Year 2022–2023 Consolidated Annual Maintenance Assessment District Report

Staff: Michael Coon, Chief Financial Officer

RECOMMENDATION

Receive and file the Fiscal Year 2022–2023 Consolidated Annual Report for the Maintenance Assessment Districts.

9N. Approve the FY 22-23 First Extension to the Ventura County Medical Center Contract

Staff: Darin Schindler, Chief of Police

RECOMMENDATION

a. Approve and authorize the Mayor to execute the agreement between the City of Ventura and the County of Ventura for Ventura County Medical Center services from July 1, 2022 to June 30, 2023, for the estimated cost of $644,000.

b. Authorize the City Manager to conduct all negotiations and execute and submit all documents, including, but without limitation, applications, agreements, and billing statements that may be necessary for the agreement between the City of San Buenaventura and Ventura County Medical Center.

c. Authorize the Finance Department to increase expenditure and revenue appropriations by $153,822 in the General Categorical and Grant Fund, Police Department budget.

9O. Approve the FY 2022-2023 First Extension to the School Resource Officer Agreement with the Ventura Unified School District

Staff: Darin Schindler, Chief of Police

RECOMMENDATION

a. Accept the FY 2022-2023 First Extension Agreement for Police Services between the City of San Buenaventura and the Ventura Unified School District (VUSD) for School Resource Officers (SRO).
9. CONSENT ITEMS (CONTINUED)

b. Authorize the Mayor to conduct all negotiations and execute and submit all documents, including, but without limitation, applications, agreements, and billing statements that may be necessary for the agreement between the City of San Buenaventura and the Ventura Unified School District for School Resource Officers.

c. Authorize the City Manager to execute up to three additional one-year extensions.

9P. Amendment to City Municipal Code on Animals, Amendment to 5-year Animal Services Agreement with the County of Ventura, and approval of FY 22-23 Service Level Agreement

Staff: Darin Schindler, Chief of Police

RECOMMENDATION

a. Find the Ordinance to be exempt from the California Environmental Quality Act based on Section 15061(b)(3).

b. Introduce and waive the first reading of the Ordinance, title as follows:

“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING CHAPTER 8.050, ‘ANIMALS,’ OF THE SAN BUENAVENTURA MUNICIPAL TO ADOPT BY REFERENCE THE COUNTY OF VENTURA’S ANIMAL CONTROL ORDINANCE”

c. Set the second reading and adoption at the City Council meeting of July 11, 2022.

d. Approve and authorize the Mayor to sign the Revised Animal Services 3-year agreement.

e. Approve and authorize the Mayor to sign the FY22-23 Service Level agreement between the City of Ventura and the County of Ventura for animal services from July 1, 2022, to June 30, 2023, for $700,000.
9. CONSENT ITEMS (CONTINUED)

9Q. Approve the 2022 Ventura County Fair Agreement

Staff: Darin Schindler, Chief of Police

RECOMMENDATION

a. Approve the agreement with the 31st District Agriculture Association for security, traffic control, and permit services for the 2022 Ventura County Fair in an amount not-to-exceed $230,000.

b. Authorize the City Manager to conduct all negotiations and execute and submit all documents with the 31st District Agriculture Association.

c. Authorize the Finance Department to adjust revenue and expenditure appropriations in the Police Department’s FY 2022 – 2023 General and Categorical Grant Fund budget.

9R. Agreements with The Haven at Ventura, LLC Regarding Public Improvements, Ongoing Maintenance and Certain Easements Related to the Coastline Ventura Apartments Project at the Downtown Triangle Site

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

a. Authorize the City Manager or designee to execute the Declaration of Covenants and Agreement Regarding Developer’s Ongoing Obligations Related to the Coastline Ventura Apartments Project.

b. Authorize the City Manager or designee to negotiate and finalize the Construction and Maintenance Agreement with Union Pacific Railroad for the Ash Street Railroad Crossing Improvements.

c. Authorize the City Manager or designee to execute the Public Improvement Agreement with the Haven at Ventura, LLC for the Ash Street Railroad Crossing Improvements.

d. Approve the Resolution of Abandonment of identified easements that are not needed and authorize the City Manager or designee to record the necessary documents.
9. CONSENT ITEMS (CONTINUED)

9S. **Consideration of Approval of Construction Contract with Toro Enterprises, Inc. for Project 91070 – Montalvo Safe Routes to School Improvements**

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

a. Determine that the proposed project 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 the repair, maintenance, or minor alteration of an existing street, sidewalk and gutter involving negligible or no expansion of an existing use.

b. Waive all minor bid irregularities, approve and authorize the Mayor to execute the Public Works contract, Specification 2021-004 with Toro Enterprises, Inc. for the Montalvo Safe Routes to School Improvements Project in the amount of $2,000,515.

c. Authorize the Public Works Director or designee to execute future amendments to Toro Enterprises, Inc. up to a total maximum contingency of $200,051 for a total not-to-exceed Agreement amount of $2,200,565 and a total time extension of 180 calendar days.

9T. **General Services Agreement with ACCO Engineered Systems for Heating, Ventilation and Air Conditioning Preventive Maintenance and Repair Services**

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

a. Approve and authorize the Mayor to sign an agreement with ACCO, in the amount of $244,594 for an initial term of July 1, 2022 through June 30, 2023 and an option to extend for up to four one-year terms for a total not-to-exceed amount of $1,798,583, including contingencies of up to $100,000 each year.

b. Authorize the City Manager or designee to execute up to four one-year contract extensions.

c. Authorize the City Manager or designee to execute future modifications in an amendment, up to a total maximum contingency of $100,000 annually.
9. CONSENT ITEMS (CONTINUED)

9U. Avenue Treatment Plant Membrane Replacement Project

Staff: Gina Dorrington, Ventura Water General Manager

RECOMMENDATION

Authorize the Mayor to execute the agreement with SUEZ Water Technologies & Solutions for the purchase of the replacement train and membrane modules at the Avenue Treatment Plant.

9V. Request for Authorization of Amendment No. 11 to the Master Service Agreement with Systems & Software, Inc.

Staff: Gina Dorrington, Ventura Water General Manager

RECOMMENDATION

Approve and authorize the Mayor to execute Amendment No. 11 to Agreement No. 2013-029, with Systems & Software, Inc., adding $326,966 to the not-to-exceed compensation to allow Systems & Software, Inc. to continue to provide software support for the utility billing and Advanced Metering Infrastructure systems through June 30, 2023.

9W. Approve Lucity Asset Management Software and Service Agreement Amendment for Fiscal Year 2022-2023

Staff: Gina Dorrington, Ventura Water General Manager

RECOMMENDATION

a. Authorize the Mayor to approve an amendment to the Service Agreement with CentralSquare Technologies, LLC. to provide Lucity Asset Management Software, licensing, consulting services on demand, and Public Administration add-on for Public Works; Amendment term June 1, 2022 – June 30, 2023, for an increase in the not-to-exceed amount of $61,222.73.

b. Pursuant to San Buenaventura Municipal Code Section 4.600.200, authorize the City Manager to execute amendments to the agreement up to $6,122.27 in contingency funding for Fiscal Year 2022-2023.
9. CONSENT ITEMS (CONTINUED)

9X. **WaterWise Consulting, Inc. Professional Services Agreement Amendments**

Staff: Gina Dorrington, Ventura Water General Manager

RECOMMENDATION

a. Approve and authorize the Mayor to execute the Second Amendment to the Professional Services Agreement with WaterWise Consulting, Inc. (Agreement No. 2019-124) for administration of the Water Wise Incentive Program; extending term through June 30, 2023; increase contract amount by $201,420 not to exceed $631,420.

b. Approve and authorize the Mayor to execute the Fourth Amendment to the Professional Services Agreement with WaterWise Consulting, Inc. (Agreement No. 2018-019) for administration of the Irrigation Retrofit Program; extending term through June 30, 2023; decrease contract amount by $56,048 not to exceed $434,249.

c. Approve and authorize the Mayor to execute the Fourth Amendment to the Professional Services Agreement with WaterWise Consulting, Inc. (Agreement No. 2019-087) for administration of the Instant Hot Water Recirculating Pump Program; extending term through June 30, 2023; decrease contract amount by $22,840 not to exceed $473,660.

9Y. **Approve Amendment to Services Agreement with Michael K Nunley & Associates, Inc. to Develop the 2020 Water System Master Plan**

Staff: Gina Dorrington, Ventura Water General Manager

RECOMMENDATION

Approve and authorize the Mayor to execute the Second Amendment to the Professional Services Agreement with MKN & Associates, Inc. (Agreement No. 2020-067), to extend the term of the contract through December 31, 2022.
12. PUBLIC HEARING ITEMS

12A. Streamlining in the Coastal Zone – Ordinance for Second Reading, Resolution for Local Coastal Program amendment and Interpretation

Staff: Peter Gilli, Community Development Director

RECOMMENDATION

a. Waive the second reading in full and adopt the Ordinance of the City Council of the City of San Buenaventura, California, adopting a Streamlining Ordinance for the Coastal Zone.

b. Determine that the Local Coastal Program Amendment resolution is exempt from the California Environmental Quality Act (Public Resources Code Section 21080.9) because it is an approval by a local government necessary for the preparation and adoption of a local coastal program amendment and the burden of CEQA compliance is shifted from the City to the California Coastal Commission.

c. Adopt a resolution authorizing the submittal of the Local Coastal Program Amendment to the California Coastal Commission, entitled:


d. Endorse an interpretation by the Community Development Director titled “Interpretation for the Role of PC, DRC, and HPC in the Coastal Zone.”

12B. Adoption of the 2022-2023 Annual Action and Funding Plan – Community Development Block Grant and HOME Investment Partnerships Programs, and Approval of the 2019-2020 CDBG-CV Action Plan Amendment

Staff: Peter Gilli, Community Development Director

RECOMMENDATION

a. Conduct a public hearing and receive comments.
12. PUBLIC HEARING ITEMS (CONTINUED)

b. Adopt a Resolution to approve the following for U.S. Department of Housing and Urban Development submission:
   1. The 2022-2023 Action and Funding Plan that details the goals and uses of CDBG and HOME funds
   2. Substantial Amendment to the FY 2019-2020 CDBG-CV Action Plan
   3. CDBG Funding in the amount of $794,420, including $653,426 in 2022-23 entitlement funding, $106,000 in CDBG-CV CARES Act funding, and $34,994 in carryover funds, as described in Exhibit A
   4. The 2022-2023 HOME award in the amount of $475,934 for eligible program activities


d. Authorize the Finance and Technology Department to make necessary changes to revenues and expenditures in the 2022-2023 operating budget per the approved Action Plan.

e. Authorize the Community Development Director, or his designee, to execute Subrecipient and Loan Agreements, as necessary, for 2022-2023 CDBG funding, and to adjust funding of a project, as needed, based on grant award by U.S. Department of Housing and Urban Development and according to the Citizen Participation Plan, including adjustments to the allocations and expenditures of prior and current year program income up to ten percent per project.

13. FORMAL ITEMS

13A. Building Permit Review Process Update and Agreements for Citywide Plan Review Services

Staff: Peter Gilli, Community Development Director

RECOMMENDATION

a. Receive the update on the building permit review process.

b. Authorize the Mayor to execute a one-year Negotiated Professional Services Agreement with Shums Coda for Citywide Plan Review Services on behalf of the City in Fiscal Year 2022-2023, for a not-to-exceed amount of $500,000 dollars for one fiscal year.
12. **FORMAL ITEMS (CONTINUED)**

c. Authorize the Mayor to execute a one-year Negotiated Professional Services Agreement with InterWest for Citywide Plan Review Services on behalf of the City in Fiscal Year 2022-2023, for a not-to-exceed amount of $500,000 dollars for one fiscal year.

d. Authorize the Mayor to execute a one-year Negotiated Professional Services Agreement with NV5 for Citywide Plan Review Services on behalf of the City in Fiscal Year 2022-2023, for a not-to-exceed amount of $500,000 dollars for one fiscal year.

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.

17. **ADJOURNMENT**

This agenda was posted on Thursday, June 23, 2022, at 4:30 p.m. on the City website, in the Public Meetings/Agenda Center: [https://www.cityofventura.ca.gov/AgendaCenter](https://www.cityofventura.ca.gov/AgendaCenter) and on the Public Notice Board at City Hall.