

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

Jeannette Sanchez-Palacios
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, JULY 12, 2021

REGULAR MEETING – 6:00 P.M.

THE PUBLIC MAY ONLY ELECTRONICALLY ATTEND THE CITY COUNCIL MEETING AND PROVIDE PUBLIC COMMENT. CITY COUNCIL MEETING VIA TELECONFERENCE PER EXECUTIVE ORDER [N-29-20](#). COUNCIL CHAMBERS WILL NOT BE OPEN FOR THE PUBLIC FOR THIS MEETING. 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=ede21577729aed9f9b86b67cc14df954e>

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 182 176 3475

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” allowing 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.

Administrative Reports relating to this agenda are available in the City Clerk's Office, 501 Poli Street, Room 204, Ventura, during normal business hours as well as 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 for public review at the City Clerk's Office as well as 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 Principals 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. **Proclamation – July 2021 – Parks and Recreation 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**

8. **PUBLIC COMMUNICATIONS**

Per the City Council protocols, when Public Communications (for items not on the agenda) is at beginning of the meeting time is limited to 30 minutes and will continue speakers beyond the 30 minutes until the end of the agenda under the heading of “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.



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 City Council Minutes – May 24, 2021, May 27, 2021 and June 7, 2021

Staff: Antoinette M. Mann, City Clerk

RECOMMENDATION

Approve City Council Minutes for May 24, 2021 (Regular Meeting with Closed Session), May 27, 2021 (Special Closed Session) and June 7, 2021 (Special Meeting).

9C. Request for Authorization to Amend Outside Counsel Services Agreement with the Law Firm of Nossaman, LLP

Staff: Gregory G. Diaz, City Attorney

RECOMMENDATION

Authorize the City Attorney to enter into an amended legal services agreement with Nossaman, LLP for legal services regarding compliance with the Consent Decrees and the National Pollutant Discharge Elimination System permit, and obtaining other regulatory permits, in an amount not to exceed an additional \$200,000 to continue representation of the City.

9. **CONSENT ITEMS (continued)**

9D. **[Request for Authorization to Amend Outside Counsel Services Agreement with the Law Firm of Downey Brand, LLP for the Pending Litigation Matter Kessner, et al. v. City of Santa Clara, et al.](#)**

Staff: Gregory G. Diaz, City Attorney

RECOMMENDATION

Authorize the City Attorney to enter into an amended legal services agreement with Downey Brand, LLP for legal services regarding the litigation matter, in an amount not to exceed an additional \$75,000 to continue representation of the City.

9E. **[Second Amendment to Raimi + Associates, Inc. Agreement to Add Inclusionary Housing Ordinance to the Scope of Work](#)**

Staff: Peter Gilli, Community Development Director

RECOMMENDATION

Authorize the Mayor to execute the Second Amendment to Professional Services Agreement number 2019-116, executed January 13, 2020, with Raimi + Associates, Inc., expanding the Scope of Work to include the Inclusionary Housing Ordinance and adding funds of \$103,000 for a new not-to-exceed amount of \$2,486,814.

9F. **[Termination of Financial Advisory Professional Services Agreement](#)**

Staff: Michael Coon, Finance and Technology Director

RECOMMENDATION

Approve the termination of Agreement (Contract 2019-08), effective immediately with Hilltop Securities, Inc. to provide ongoing and transactional related advisory services.

9. **CONSENT ITEMS (continued)**

9G. [Approve the Fiscal Year 2021-2022 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 police services from July 1, 2021 – June 30, 2022 for the estimated cost of \$644,000.
- b. Authorize Finance and Technology to increase expenditure and revenue appropriations as needed in the General Categorical and Grant Fund, Police Department budget.

9H. [Consideration of Resolution of Intention to Abandon a Portion of the Arundell Avenue Spur](#)

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

Adopt a Resolution Declaring the Intention to Vacate (abandon) a portion of the street right-of-way of the Arundell Avenue Spur and setting September 13, 2021 for a Public Hearing on this item. Resolution titled:

“A RESOLUTION OF INTENTION ADOPTED BY THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA FOR THE VACATION OF A PORTION OF THE ARUNDELL AVENUE SPUR”

A RESOLUTION OF INTENTION ADOPTED BY THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA FOR THE VACATION OF A PORTION OF THE ARUNDELL AVENUE SPUR
RESOLUTION NO. 2021-_____

9. CONSENT ITEMS (continued)

9I. [Consideration of Addendum No.1 to Final Environmental Impact Report on State Water Interconnection Project](#)

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

Adopt a Resolution certifying that City Council has reviewed and considered information contained in Addendum No. 1 and adopting Addendum No. 1 to the Certified Final Environmental Impact Report (EIR-7-19-51055) for the State Water Interconnection Project. Resolution titled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, ADOPTING ADDENDUM #1 TO THE CERTIFIED FINAL ENVIRONMENTAL IMPACT REPORT PREPARED FOR THE STATE WATER INTERCONNECTION PROJECT”

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, ADOPTING ADDENDUM #1 TO THE CERTIFIED FINAL ENVIRONMENTAL IMPACT REPORT PREPARED FOR THE STATE WATER INTERCONNECTION PROJECT / CASE NO. EIR-7-19-51055 / PROJECT# PROJ-13707 / STATE CLEARINGHOUSE NO. 2018031010
RESOLUTION NO. 2021-_____

9J. [Consideration of Approval of Construction Contract with Toro Enterprises, Inc. on Project 92916 – Community Park 2nd Entrance, Ramelli and Telephone](#)

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

- a. Waive all minor bid irregularities, approve and authorize the Mayor to execute contract with Toro Enterprises, Inc. in the amount of \$2,089,491.
- b. Authorize the Public Works Director or designee to execute future amendments to the contract up to a total maximum contingency of \$208,949 for a total not to exceed amount of \$2,298,440 and a total time extension of 180 calendar days.
- c. Authorize an increase to Capital Improvement Program Appropriations in the amount of \$1,424,313 from General Fund Unrestricted Fund Balance and authorize the Finance and

9. CONSENT ITEMS (continued)

Technology Director to assign increased budget appropriation and revenues to the proper funds, projects and accounts in the Fiscal Year 2021-2022 budget.

9K. [Approve Amendment to Professional Services Agreement with Carollo Engineers, Inc. to Develop the 2021 Wastewater Master Plan](#)

Staff: Susan Rungren, Ventura Water General Manager

RECOMMENDATION

Approve and authorize the Mayor to execute the First Amendment to the Professional Services Agreement with Carollo Engineers, Inc. (Agreement No. 2020-068), increasing the contract amount by \$415,424 plus additional contingency of \$41,000 for a total not-to-exceed amount of \$842,524 and extending the term of the contract through June 30, 2022.

9L. [Professional Services Agreement with Cardno, Inc. for Assistance with Implementing the Pre-Construction Assessment Program for the VenturaWaterPure Program](#)

Staff: Susan Rungren, Ventura Water General Manager

RECOMMENDATION

- a. Approve and authorize the Mayor to execute the Professional Service Agreement with Cardno, Inc.; term July 13, 2021 to June 30, 2024; not-to-exceed \$1,755,725 during the total duration of the contract pursuant to Section 4.600.140 of the Municipal Code.
- b. Authorize the City Manager or designee to execute amendments for the Professional Service Agreement with Cardno, Inc. not-to-exceed \$1,755,725 during the total duration of the contract, pursuant to Section 4.600.200 of the Municipal Code.

9. **CONSENT ITEMS (continued)**

9M. **[Professional Services Agreement with Rincon Consultants, Inc. for VenturaWaterPure Ocean Data Collection](#)**

Staff: Susan Rungren, Ventura Water General Manager

RECOMMENDATION

- a. Approve and authorize the Mayor to execute the Professional Service Agreement with Rincon Consultants, Inc.; term July 13, 2021 to December 31, 2022; not-to-exceed \$185,816, including a \$16,892 contingency, during the total duration of the contract pursuant to Section 4.600.140 of the Municipal Code.
- b. Authorize the City Manager or designee to execute amendments to the Professional Service Agreement with Rincon Consultants, Inc. during the total duration of the contract, pursuant to Section 4.600.200 of the Municipal Code.

10. APPOINTMENTS TO COUNCIL ADVISORY GROUPS

10A. Approve Reappointment Recommendations – Ventura Port District Board, Water Commission, Parks and Recreation Commission, Design Review Committee, Historic Preservation Committee and Local Construction Appeals Board

Introduced by: Councilmember Doug Halter,
Appointments Recommendation Chair

RECOMMENDATION

Approve the following appointments and reappointments, with the term of offices as listed:

Committee, Board of Commission	Appointee Name	Appointment		Term of Office
		New	Reappoint	
Ventura Port District Board	Jackie Gardina		√	July 1, 2021 – June 30, 2025
	Robert Bravo	√		July 12, 2021 – June 30, 2025
Water Commission - Professional Category	Gerhardt Hubner		√	July 1, 2021 – June 30, 2023
Water Commission – Non-Professional Category	Robert McCord		√	July 1, 2021 – June 30, 2025
Parks and Recreation Commission	Anthony Miller	√		July 12, 2021 – June 30, 2025
	Adam Nelson	√		July 12, 2021 – June 30, 2024
Design Review Committee	Roberto Leo	√		July 12, 2021 – June 30, 2025
Historic Preservation Committee	Elizabeth Soriano	√		July 12, 2021 – June 30, 2025
Local Construction Appeals Board	Laura Dunbar	√		July 12, 2021 – June 30, 2025
	William Cornell	√		July 12, 2021 – June 30, 2025

13. FORMAL ITEMS

13A. [Adoption of a Resolution Appointing an Interim Principal Civil Engineer](#)

Staff: Danielle Keys, Human Resources Director

RECOMMENDATION

Adopt a resolution appointing Jay Spurgin as interim Principal Civil Engineer. Resolution titled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, APPOINTING JAY SPURGIN AS INTERIM PRINCIPAL ENGINEER UNDER GOVERNMENT CODE SECTIONS 21221(h) and 7522.56”

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, APPOINTING JAY SPURGIN AS INTERIM PRINCIPAL ENGINEER UNDER GOVERNMENT CODE SECTIONS 21221(h) and 7522.56
RESOLUTION NO. 2021-___

12. PUBLIC HEARING ITEMS QUASI-JUDICIAL PROCEEDINGS

12A. [Appeal of the Planning Commission’s Approval of the Haley Point Project \(PROJ 14778\)](#)

Staff: Peter Gilli, Community Development Director

RECOMMENDATION

- a. Determine that the project qualifies for the Infill Development Projects – Class 32 exemption of the California Environmental Quality Act (CEQA).
- b. Adopt a resolution upholding the Planning Commission’s decision and approving the Formal Design Review, Planned Development Permit, Variances, and Vesting Tentative Tract Map. Resolution titled:

“A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN BUENAVENTURA DENYING AN APPEAL AND APPROVING A FORMAL DESIGN REVIEW, PLANNED DEVELOPMENT PERMIT, VESTING TENTATIVE TRACT

12A is a large file.

To view smaller segments of the report and to see items in color:

[12A Staff Report](#)

[12A Attachment A](#)

[12A Attachment B](#)

[12A Attachment C](#)

[12A Attachment D](#)

(Exhibit A in color so Attachment D is still a larger file)

**12. PUBLIC HEARING ITEMS (continued)
QUASI-JUDICIAL PROCEEDINGS**

MAP, AND VARIANCES FOR THE HALEY POINT PROJECT
LOCATED AT 2400 CHANNEL DRIVE”

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN BUENAVENTURA DENYING AN APPEAL AND APPROVING A FORMAL DESIGN REVIEW, PLANNED DEVELOPMENT PERMIT, VESTING TENTATIVE TRACT MAP, AND VARIANCES FOR THE HALEY POINT PROJECT LOCATED AT 2400 CHANNEL DRIVE / PROJECT – 14778 / CASE NOS. DRC-10-20-57-025, PD-10-20-57-027, TTM-10-20-57038 AND V-4-21-59563

RESOLUTION NO. 2021-____

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, July 7, 2021, at 6:15 p.m. on the City website, in the Public Meetings/Agenda Center: <https://www.cityofventura.ca.gov/AgendaCenter>