

CITY OF VENTURA
CITY COUNCIL AGENDA

**REVISED AGENDA ADDED CLOSED SESSION ITEM AND ITEM 9M
REVISED ON 7/29/2022**

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
Andy Heglund, City Attorney
Michael B. MacDonald, City Clerk



REGULAR MEETING

MONDAY, AUGUST 1, 2022

COUNCIL CHAMBERS, 501 POLI STREET, VENTURA

CLOSED SESSION – 5:00 P.M.

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=m49ba3f21a301c682b815600067697d59>

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: 2556 833 1687

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.

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

Instructions for CLOSED SESSION ONLY

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 CLOSED SESSION Agenda item number (i.e. Item No. CS4). Your form/email will be read by City Council and placed into the item's record at the meeting.



The Public can only attend the Public Comments portion of Closed Session VIRTUALLY. Council Chambers are closed for this meeting. Join the Webex Meeting using the URL on page 2, at 4:45 p.m. to provide live Public Comments at the Closed Session.

Closed Session Meetings are not broadcasted or recorded.

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.

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

CS2. ROLL CALL

CS3. PUBLIC COMMUNICATIONS: Public comments on Closed Session Items only – may be submitted electronically prior to the closed session starting. **Refer to Page 3 of the Agenda on how to submit your Public Comments electronically to the City Clerk for the Closed Session If you wish to speak at Closed Session, you must join the Webex at 4:45 pm.**

CS4. 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 – EXISTING LITIGATION**
Name of Case: Santa Barbara Channelkeeper v. State Water Resources Control Board and City of San Buenaventura
Los Angeles Superior Court Case No.: 19STCP01176
(previously San Francisco Superior Court Case No.: CPF-14-513875)
Authority: Government Code Section 54956.9(d)(1)
2. **PUBLIC EMPLOYMENT**
Title: City Attorney and City Manager
Authority: Government code Section 54957.6
3. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
Name of Case: Mid-Century Insurance Co. v. City of San Buenaventura
Ventura County Superior Court Case no.: 56-2020-00544711-CU-IC-VTA
Authority: Government Code §54956.9(d)(1)

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**
5. **CLOSED SESSION REPORT**

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

8. PUBLIC COMMUNICATIONS

Per the City Council protocols, when Public Communications (for items not on the agenda) is at the beginning of 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. To provide LIVE public comments, you must join the Webex using the URL on page 2 of this agenda.



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. City Council Travel Report

Staff: Alex D. McIntyre, City Manager

RECOMMENDATION

Receive and file the Travel Report for Fiscal Year 2021-22.

9. CONSENT ITEMS (CONTINUED)

9C. [Approval of City Council Minutes](#)

Staff: Michael B. MacDonald, City Clerk

RECOMMENDATION

Approve the Regular Minutes of June 13, 2022, June 27, 2022, and the Special meeting of July 25, 2022.

9D. [Consideration of a Resolution Reconfirming the Findings to Allow City Council and all of its Subordinate Bodies to Meet Remotely Pursuant Assembly Bill 361](#)

Staff: Michael B. MacDonald, City Clerk

RECOMMENDATION

Adopt a Resolution making findings in accordance with Assembly Bill 361 and Government Code Section 54953(e), reconfirming the need for remote teleconference meetings of the City Council and all subordinate bodies of the City of San Buenaventura. Resolution titled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, RECONFIRMING THE FINDINGS IN SUPPORT OF REMOTE TELECONFERENCE MEETINGS OF THE CITY COUNCIL AND ALL CITY SUBORDINATE BODIES OF THE CITY OF SAN BUENAVENTURA IN ACCORDANCE WITH AB 361 AND GOVERNMENT CODE SECTION 54953(e)”

9E. [Community Development and General Plan Contract Updates](#)

Staff: Peter Gilli, Community Development Director

RECOMMENDATION

- a. Authorize the Mayor to execute the Fifteenth Amendment to Professional Services Agreement number 2017-011 with Stuart Consulting Services, LLC, adding FY22 funds of \$32,754 for a new not-to-exceed amount of \$2,686,754 to cover the cost of services through June 30, 2022 when the contract expired.
- b. Authorize the Mayor to execute the Second Amendment to Professional Services Agreement number P2022-038 with Bureau Veritas North America, Inc., adding FY23 funds of \$155,000 for a new not-to-exceed amount of \$215,000.

9. CONSENT ITEMS (CONTINUED)

- c. Authorize the Mayor to execute the First Amendment to Professional Services Agreement number P2022-041 with Michael Baker International, Inc., extending the term of the Agreement from September 27, 2021 to June 30, 2026 and adding FY23 funds of \$60,000 for a new not-to-exceed amount of \$120,000.
- d. Authorize the Mayor to execute the Fourth Amendment to Professional Services Agreement number 2019-116 with Raimi + Associates, Inc., adding FY23 funds of \$285,000 for a new not-to-exceed amount of \$2,771,814.
- e. Authorize Finance to increase the FY 2023 General Fund expenditures and appropriations by \$85,000.

9F. [Ordinance for Second Reading - An Ordinance of the City Council of the City of San Buenaventura, California, Amending, In Part, Division 24, Chapter 24.430 For Accessory Dwelling Unit Regulations](#)

Staff: Peter Gilli, Community Development Director

RECOMMENDATION

Waive the second reading in full and adopt Ordinance No. 2022-011 of the City Council of the City of San Buenaventura, California, Amending, In Part, Division 24, Chapter 24.430 For Accessory Dwelling Unit Regulations.

9G. [Revenue Enhancement Consulting and Management Services Professional Services Agreements](#)

Staff: Michael Coon, Chief Financial Officer

RECOMMENDATION

- a. Approve and authorize the Mayor to sign three Professional Services Agreements for Revenue Enhancement Consulting and Management Services for the City of Ventura.
 - 1. HdL Companies to provide Sales and Use and Transaction Tax Management and Auditing Services, and Business License Tax Discovery and Auditing Services with a not to exceed amount of \$350,000 for 5 years.
 - 2. HdL Coren & Cone to provide Property Tax Management and Information Services with a not to exceed amount of \$400,000 for 5 years.

9. CONSENT ITEMS (CONTINUED)

3. MuniServices, LLC to provide Transient Occupancy Compliance Review and Audit Services and Utility User Tax and Franchise Fee Compliance and Audit Services with a not to exceed amount of \$500,000 for 5 years.

b. Adopt a Resolution authorizing HdL Companies to examine on behalf of the City transaction (sales) and use tax records held by the California Department of Tax and Fee Administration, Resolution titled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AUTHORIZING THE EXAMINATION OF TRANSACTIONS (SALES) AND USE TAX RECORDS”

9H. [Adoption of Revised Salary Resolution for a Systematic Classification of Positions and a Standardization of Salaries of Supervisory Unit Employees](#)

Staff: Danielle Keys, Human Resources Director

RECOMMENDATION

a. Adopt a Resolution Providing for a Systematic Classification of Positions and a Standardization of Salaries of Supervisory Unit Employees as of August 6, 2022. Resolution titled:

“A RESOLUTION PROVIDING FOR A SYSTEMATIC CLASSIFICATION OF POSITIONS AND A STANDARDIZATION OF SALARIES OF SUPERVISORY UNIT EMPLOYEES OF THE CITY OF SAN BUENAVENTURA AS OF AUGUST 6, 2022”

9I. [Consideration of Professional Services Agreement with HDR for Environmental and Preliminary Engineering Services on Project No. 91060 – Main Street Bridge Replacement](#)

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

a. Approve and authorize the Mayor to execute subject Agreement with HDR in the amount of \$2,796,467 with a contract completion date of December 31, 2025.

9. CONSENT ITEMS (CONTINUED)

- b. Authorize the Public Works Director or designee to execute future amendments to subject Agreement up to a total maximum contingency of \$279,647 for a total not to exceed Agreement amount of \$3,076,114 and a total time extension of 180 calendar days.

9J. [Professional Services Agreement No. 2021-062: Approve Extension with Evoqua Water Technologies to provide the Granular Activated Carbon \(GAC\) Treatment](#)

Staff: Gina Dorrington, Ventura Water General Manager

RECOMMENDATION

Authorize the Mayor to approve and extend the Professional Services Agreement No. 2021-062 with Evoqua Water Technologies to provide the Granular Activated Carbon (GAC) Treatment System that is intended to reduce disinfection byproducts in drinking water from the AWTP. The term of the agreement will be updated from August 31, 2022 to June 30, 2023. No additional funds are being requested at this time.

9K. [Amendment No. 3 To Joint Powers Agreement No. 81-83 North Coast Sewerage to Declassify CSA 29 as an Industrial User](#)

Staff: Gina Dorrington, Ventura Water General Manager

RECOMMENDATION

Approve and authorize the City Manager to execute Amendment No. 3 to the Joint Powers Agreement No. 81-83 North Coast Sewerage with County Service Area No. 29.

9L. [Professional Services Agreement 2020-042: Consideration of the First Amendment with Hopkins Groundwater Consultants, Inc. for Planning and Implementation of Monitoring Well Design and Installation](#)

Staff: Gina Dorrington, Ventura Water General Manager

RECOMMENDATION

Approve and authorize the Mayor to execute the First Amendment to the Professional Services Agreement (No. 2020-042) with Hopkins Groundwater Consultants, Inc. to extend the term of the Agreement from September 30, 2022 to December 31, 2023.

9. CONSENT ITEMS (CONTINUED)

9M. [Main Street Moves Permit Indemnity](#)

Staff: Andy Heglund, City Attorney

RECOMMENDATION

Authorize the City Manager and City Attorney to modify the Main Street Moves Temporary Business Expansion Special Use Permit indemnity language to shift potential liability for the City's negligence and wrongful misconduct to the City.

13. FORMAL ITEMS

13A. [2022-2023 City Council Goals Progress Update](#)

(Continued from July 25, 2022)

Staff: Alex D. McIntyre, City Manager

RECOMMENDATION

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

13B. [Amendment of the Compensation and Terms of the City Attorney's and City Manager's Employment Agreements; and Adopt a Revised Salary Resolution for Unrepresented Employees](#)

(Continued from July 25, 2022)

Staff: Danielle Keys, Human Resources Director

RECOMMENDATION

- a. Adopt a Resolution amending the compensation and terms of the City Attorney's Employment Agreement No. 2022-019, providing a 5% cost-of-living adjustment, and a one-time, off-schedule lump sum payment of 1.75% in accordance with the City Attorney's Employment Agreement, Section 4.3.
- b. Adopt a Resolution amending the compensation and terms of the City Manager's Employment Agreement No. 2018-77, providing a 5% cost-of-living adjustment, and a one-time, off-schedule lump sum payment of 1.75% in accordance with the City Manager's Employment Agreement, Section 3.2.

13. FORMAL ITEMS (CONTINUED)

- c. Adopt a revised Resolution Providing for a Systematic Classification of Positions and a Standardization of Salaries of Certain Paid Officers and Employees of the City (Salary Resolution) to reflect salary and pay range increases proposed herein for the City Manager and City Attorney effective July 25, 2022. Resolution titled:

“A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN BUENAVENTURA PROVIDING FOR A SYSTEMATIC CLASSIFICATION OF POSITIONS AND A STANDARDIZATION OF SALARIES FOR CERTAIN PAID OFFICERS AND EMPLOYEES OF THE CITY OF SAN BUENAVENTURA AS OF JULY 25, 2022.”

13C. Consideration of an Agreement with SiFi Networks for a City-Wide Broadband Network

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

- a. Determine that the following exemptions to the California Environmental Quality Act (CEQA) in the State’s CEQA Guidelines apply to the proposed agreement with SiFi Networks Ventura LLC for installation of fiberoptic lines and supporting structures in the City’s rights-of-way and on private property: Section 15301 (Existing Facilities), Section 15303 (New Construction or Conversion of Small Structures), and Section 15304 (Minor Alterations to Land).
- b. Approve and Authorize the Mayor to sign a Master License and Encroachment Agreement for Fiber Optic Infrastructure with SiFi Networks Ventura LLC.

13D. 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 November 3, 2022 and Consideration of Repealing Related Emergency Ordinances and Resolution

Staff: Andy Heglund, City Attorney

RECOMMENDATION

- a. Adopt the Resolution, title as follows:

13. FORMAL ITEMS (CONTINUED)

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, RECONFIRMING THE EXISTENCE OF A LOCAL EMERGENCY AND EXTENDING IT UNTIL NOVEMBER 3, 2022”

- b. Provide direction to staff whether to return to repeal related emergency Ordinances and Resolutions.

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 Wednesday, July 27, 2022, at 5:30 p.m. on the City website, in the Public Meetings/Agenda Center: <https://www.cityofventura.ca.gov/AgendaCenter> and on the Public Notice Board at City Hall.