

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, SEPTEMBER 13, 2021

CLOSED SESSION – 5:00 P.M.

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=e478cd34b32c829b444bb557fe9f63cb2>

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: 1-408-418-9388 / Access Code 182 221 2037

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.

NOTE THAT THE COUNCIL CHAMBERS IS NOT OPEN FOR THIS MEETING. THE PUBLIC MUST ATTEND 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.



To Provide Public Comment Live at Closed Session: **If you wish to attend virtually, you must register using the Online [Speaker Registration Form](#) by Noon* on the City Council Meeting date. You will receive an email from the City Clerk's Office acknowledging and information about joining the meeting.**

The Public can only attend the Public Comments portion of Closed Session VIRTUALLY. Council Chambers are closed for this meeting.

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 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 OR If you wish to speak at Closed Session, how to register and attend virtually. NOTE that the Council Chambers is closed to the Public for this meeting.**

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: Kenneth Welch v. City of San Buenaventura
Workers' Compensation Appeals Board Number: ADJ12565774
Authority: Government Code Section 54956.9 (d) (1)

2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Name of Case: Robert Neary v. City of San Buenaventura
Workers' Compensation Appeals Board Numbers: ADJ11112726,
ADJ11115212, ADJ11112724
Authority: Government Code Section 54956.9 (d) (1)

3. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Name of Case: Christopher Wilson v. City of San Buenaventura
Workers' Compensation Appeals Board Numbers: To Be Determined
Claim Number: 20009108
Authority: Government Code Section 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

4A. Proclamation – September 2021 – Emergency Preparation Month

4B. "TEAM Award" to Aquatic Staff for their Lifesaving Actions

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.

9. CONSENT ITEMS (continued)

9B. [Approval of City Council Minutes – June 2021, July 2021, August 2021](#)

Staff: Antoinette M. Mann, City Clerk

RECOMMENDATION

Approve City Council Minutes for June 14, 2021, June 21, 2021 (Special Meeting), June 28, 2021, July 12, 2021, July 19, 2021 (Workshop), July 26, 2021 and August 2, 2021.

9C. [Removal of Gary Jacobs, Mobile Home Rent Review Board Member – Non-Compliance with Mandated Ethics Training](#)

Staff: Antoinette M. Mann, City Clerk

RECOMMENDATION

- a. Receive findings that Gary Jacobs, Mobile Home Rent Review Board Member, is in non-compliance with his mandated Ethics Training, (due January 14, 2021) is cause for his removal following the San Buenaventura Municipal Code Chapter 2.410, Section 2.410.230.
- b. Confirm removal is cause for Gary Jacobs, Mobile Home Rent Review Board Member, resulting in his immediate removal from the Board and a vacancy created thereby.

9D. [Adopt Resolution Setting the 2022 City Council Meeting Schedule](#)

Staff: Antoinette M. Mann, City Clerk

RECOMMENDATION

Adopt a Resolution setting the City Council 2022 meeting schedule.
Resolution titled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA SETTING A CITY COUNCIL MEETING SCHEDULE FOR CALENDAR YEAR 2022”

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA SETTING A CITY COUNCIL MEETING SCHEDULE FOR CALENDAR YEAR 2022 RESOLUTION NO. 2021-_____

9. CONSENT ITEMS (continued)

9E. [Professional Services Agreement for Peer Support Outreach Worker – Safe and Clean Initiative](#)

Staff: Alex D. McIntyre, City Manager

RECOMMENDATION

- a. Authorize the Mayor to sign a professional services agreement, in substantially the form submitted, with Downtown Ventura Partners for a two-year Peer Support Outreach Worker; October 1, 2021-September 30, 2023, not-to-exceed \$62,400.
- b. Authorize the Finance and Technology Department to assign increased appropriations and revenues to the proper programs and accounts for use as provided in the Homeless Housing Assistance & Prevention Program Grant.

9F. [First Amendment to City/County Shelter Financial Support Agreement](#)

Staff: Alex D. McIntyre, City Manager

RECOMMENDATION

Authorize the Mayor to sign, in substantially the form submitted, the First Amendment to Agreement To Provide Financial Support for Permanent, Year-Round Shelter Serving Homeless Individuals and Families Between the City of San Buenaventura and The County of Ventura, allowing for inflation adjustments utilizing the Los Angeles/Long Beach Consumer Price Index.

9G. [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 \$75,000 to continue representation of the City in the litigation matters *City of San Buenaventura v. United Water Conservation District* and related matters.

9. CONSENT ITEMS (continued)

9H. [Request for Authorization to Amend Outside Counsel Services Agreement with the Law Firm of Lewis Brisbois Bisgaard & Smith LLP in the Jennifer Jan Jensen v. City of San Buenaventura Litigation Matter](#)

Staff: Gregory G. Diaz, City Attorney

RECOMMENDATION

Authorize the City Attorney to enter into a First Amendment to Agreement No. P2020-004 with the law firm of Lewis Brisbois, in an amount not to exceed an additional \$300,000 to continue representation of the City in the Jennifer Jan Jensen litigation matter.

9I. [Request for Authorization to Amend Outside Counsel Services Agreement with the Law Firm of Olivarez Madruga Lemieux O'Neill LLP in the Deneau v. City of San Buenaventura Litigation Matter](#)

Staff: Gregory G. Diaz, City Attorney

RECOMMENDATION

Authorize the City Attorney to enter into a First Amendment to Agreement no. P2020-044 with the law firm of Olivarez Madruga Lemieux O'Neill, LLP, in an amount not to exceed an additional \$150,000 to continue representation of the City in the Deneau litigation matter.

9J. [Adoption of Revised Salary Resolutions](#)

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 September 18, 2021. 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 OF SUPERVISORY UNIT EMPLOYEES OF THE CITY OF SAN BUENAVENTURA AS OF SEPTEMBER 18, 2021”

9. CONSENT ITEMS (continued)

- b. Adopt a Resolution Providing for a Systematic Classification of Positions and a Standardization of Salaries of Professional Unit Employees as of September 18, 2021. 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 OF PROFESSIONAL UNIT EMPLOYEES OF THE CITY OF SAN BUENAVENTURA AS OF SEPTEMBER 18, 2021”

- c. Adopt a Resolution Providing for a Systematic Classification of Positions and a Standardization of Salaries of Certain Paid Officers and Employees of the City of San Buenaventura as of September 18, 2021. 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 OF CERTAIN PAID OFFICERS AND EMPLOYEES OF THE CITY OF SAN BUENAVENTURA AS OF SEPTEMBER 18, 2021”

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN BUENAVENTURA PROVIDING FOR A SYSTEMATIC CLASSIFICATION OF POSITIONS AND A STANDARDIZATION OF SALARIES OF SUPERVISORY UNIT EMPLOYEES OF THE CITY OF SAN BUENAVENTURA AS OF SEPTEMBER 18, 2021
RESOLUTION NO. 2021-_____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN BUENAVENTURA PROVIDING FOR A SYSTEMATIC CLASSIFICATION OF POSITIONS AND A STANDARDIZATION OF SALARIES OF PROFESSIONAL UNIT EMPLOYEES OF THE CITY OF SAN BUENAVENTURA AS OF SEPTEMBER 18, 2021
RESOLUTION NO. 2021-_____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN BUENAVENTURA PROVIDING FOR A SYSTEMATIC CLASSIFICATION OF POSITIONS AND A STANDARDIZATION OF SALARIES OF CERTAIN PAID OFFICERS AND EMPLOYEES OF THE CITY OF SAN BUENAVENTURA AS OF SEPTEMBER 18, 2021
RESOLUTION NO. 2021-_____

9. CONSENT ITEMS (continued)

9K. Fiscal Year 2021-2022 School Resource Officer Agreement with the Ventura Unified School District

Staff: Darin Schindler, Chief of Police

RECOMMENDATION

- a. Accept and authorize the Mayor to approve the Agreement for Police Services between the City of San Buenaventura and the Ventura Unified School District for School Resource Officers; for the term of July 1, 2021, to June 30, 2022, with four optional extension periods of 1 year each.
- 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.

9L. Approval of Fiscal Year 2021-2022 State Road Repair and Accountability Act of 2017 Project List and Appropriate Funding (Senate Bill 1)

Staff: Phillip L. Nelson, Public Works Director

RECOMMENDATION

- a. Approve the Fiscal Year 2021-2022 Road Repair and Accountability Act of 2017 project list.
- b. Adopt a resolution for the Fiscal Year 2021-2022 Project List to add the Victoria Resurfacing project to the Road Repair and Accountability Act of 2017 project list. Resolution titled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, ADOPTING THE FISCAL YEAR 2021-2022 LIST OF PROJECTS FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT”

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, ADOPTING THE FISCAL YEAR 2021-2022 LIST OF PROJECTS FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT RESOLUTION NO. 2021-_____

9. CONSENT ITEMS (continued)

9M. [Consideration of Approval of a Job Order Contract with MTM Construction Inc.](#)

Staff: Phillip L. Nelson, Public Works Director

RECOMMENDATION

Approve and authorize the Mayor to execute an Agreement with MTM Construction, Inc., City of Industry, California; for a Job Order Contract for a not-to-exceed amount of \$3,000,000; Contract Term: 12 months from City Council approval OR expenditure to the maximum value, whichever comes first. Optional two (2) one-year extensions may be granted in accordance with scope and general terms.

9N. [Consideration of Purchase of Wastewater Vacuum Truck for Ventura Water](#)

Staff: Phillip L. Nelson, Public Works Director

RECOMMENDATION

- a. Authorize the Mayor to execute a purchase order not-to-exceed \$513,957 to Plumbers Depot, Inc. for the purchase of one 2022 wastewater vacuum truck.
- b. Authorize the City Manager to execute future amendments to the purchase order with Plumbers Depot, Inc. for a contingency amount of \$20,000 and a total aggregate contract not-to-exceed amount of \$533,957.

9O. [Consideration of the Second Amendment to Professional Services Agreement 2019-117 with Cannon Corporation for Civil Engineering Consulting Services for the Pierpont Neighborhood Stormwater Lift Station Project 69030](#)

Staff: Phillip L. Nelson, Public Works Director

RECOMMENDATION

Approve and authorize the Mayor to execute the second amendment to Professional Services Agreement 2019-117 with Cannon Corporation for a time extension only, with a new contract completion date of December 30, 2022.

9. CONSENT ITEMS (continued)

9P. Approval of Utility Billing Positions in the Ventura Water Department

Staff: Susan Rungren, Ventura Water General Manager
Michael Coon, Finance and Technology Director

RECOMMENDATION

Authorize the reallocation of the vacant full time equivalent Senior Civil Engineer position to a full time equivalent Senior Accounting Assistant position and add a new full time equivalent Utilities Service Representative position. The two positions will be assigned to the Ventura Water Department, Utility Billing Division.

12. PUBLIC HEARING ITEMS

12A. Consideration of Abandonment of a Portion of Church Street West of North Ann Street

Staff: Phillip L. Nelson, Public Works Director

RECOMMENDATION

Adopt the proposed Resolution ordering the abandonment of a portion of Church Street west of North Ann Street. Resolution titled:

“A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF SAN BUENAVENTURA ORDERING THE VACATION AND ABANDONMENT OF A PORTION OF CHURCH STREET WEST OF NORTH ANN STREET”

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF SAN BUENAVENTURA ORDERING THE VACATION AND ABANDONMENT OF A PORTION OF CHURCH STREET WEST OF NORTH ANN STREET
RESOLUTION NO. 2021-_____

12. PUBLIC HEARING ITEMS (continued)

12B. [Consideration of Abandonment of a Portion of the Arundell Avenue Spur](#)

Staff: Phillip L. Nelson, Public Works Director

RECOMMENDATION

Adopt the attached Resolution ordering the abandonment (vacation) of a portion of the Arundell Avenue Spur. Resolution titled:

“A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF SAN BUENAVENTURA ORDERING THE VACATION AND ABANDONMENT OF A PORTION OF THE ARUNDELL AVENUE SPUR”

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF SAN BUENAVENTURA ORDERING THE VACATION AND ABANDONMENT OF A PORTION OF THE ARUNDELL AVENUE SPUR RESOLUTION NO. 2021-_____

13. FORMAL ITEMS

13A. [Olivas Park Road Extension Development Agreement Terms](#)

Staff: Alex D. McIntyre, City Manager

RECOMMENDATION

Endorse staff's recommendation on the 15 deal points, mutually agreed-upon by staff and the property owners.

13. FORMAL ITEMS (continued)

13B. [POLICY CONSIDERATION – Electronic Timing for Councilmembers](#)

Introduced by: Councilmember Jeannette Sanchez-Palacios
Councilmember Jim Friedman

RECOMMENDATION

- a. Council to direct staff to establish an electronic timer protocol for Councilmember speaking time following the times: five minutes for initial questions, followed by 10 minutes for follow-up questions, comments and deliberations. If more time is needed, another five minutes would be granted after all councilmembers have been given an opportunity to speak during the second round of questions, comments and deliberations.
- b. Update the City Council protocols to include the electronic timer information and times.

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 Thursday, September 9, 2021, at 10:00 a.m. on the City Hall Public Notice Boards and on the City website, in the Public Meetings/Agenda Center: <https://www.cityofventura.ca.gov/AgendaCenter>