

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 27, 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:**

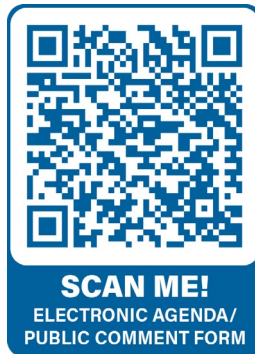
<https://cityofventura.webex.com/cityofventura/onstage/g.php?MTID=e0945073506fa6ad9239744d5b4d23532>

**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 182 840 8980

**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](http://www.cityofventura.ca.gov/publicinput) or send an email to [cityclerk@cityofventura.ca.gov](mailto: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](http://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](http://www.cityofventura.ca.gov/publicinput) or send an email to [cityclerk@cityofventura.ca.gov](mailto: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.

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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: April Moller v. Southern California Edison Company, et al.  
Ventura County Superior Court Case no.: 56-2021-00555896-CU-PO-VTA  
Authority: Government Code §54956.9(d)(1)

**2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Name of Case: Pam Rooney v. City of San Buenaventura  
Ventura County Superior Court Case no.: 56-2021-00552104-CU-PO-VTA  
Authority: Government Code §54956.9(d)(1)

**CS5. ADJOURNMENT**

Adjourn to Regular Meeting.

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

**2. ROLL CALL**

**3. PLEDGE OF ALLEGIANCE**

**4. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS**

**4A. Proclamation – Fire Prevention Week – October 3-9, 2021**

**4B. Update from Ventura County District Attorney Erik Nasarenko**

**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

## 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. [Request for Authorization to Amend Outside Counsel Services Agreement with the Law Firm of Rutan & Tucker, LLP in the Coalition of Historical Integrity 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. P2020-036 with the law firm of Rutan & Tucker, in an amount not to exceed an additional \$100,000, to continue representation of the City in the *Coalition of Historical Integrity* litigation matter.

**9C. [Request for Authorization to Amend Outside Counsel Services – Best, Best & Krieger for Representation of the City in the Las Posas Basin Litigation](#)**

Staff: Gregory G. Diaz, 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 \$100,000 to continue representation of the City in the litigation matter of *Las Posas Valley Water Rights Coalition, et al. v. Fox Canyon Groundwater Management Agency, et al.* (Super. Ct. Santa Barbara County, 2018, No. VENC100509700).

**9. CONSENT ITEMS (continued)**

**9D. [Adoption of Revised Salary Resolutions due to Changing Duties and Responsibilities of Existing Positions](#)**

Staff: Danielle Keys, Human Resources Director

**RECOMMENDATION**

- a. Adopt a Resolution Providing for a Systematic Classification of Positions and a Standardization of Salaries of Maintenance Unit Employees of the City of San Buenaventura as of October 2, 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 MAINTENANCE UNIT EMPLOYEES OF THE CITY OF SAN BUENAVENTURA AS OF OCTOBER 2, 2021”

- b. 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 October 2, 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 OCTOBER 2, 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 MAINTENANCE UNIT EMPLOYEES OF THE CITY OF SAN BUENAVENTURA AS OF OCTOBER 2, 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 OCTOBER 2, 2021

RESOLUTION NO. 2021-\_\_\_\_\_

## 9. CONSENT ITEMS (continued)

### 9E. [Consideration of Change Order to with ACCO Engineered Services - Police and Fire Headquarters Temporary Chiller](#)

Staff: Phillip Nelson, Public Works Director

#### RECOMMENDATION

- a. Authorize the Mayor to execute Change Order Number 6 for the Police and Fire Headquarters Temporary Chiller, Purchase Order 100006178 with ACCO Engineered Services, in the amount of \$85,905, increasing the total purchase order from \$265,847 to \$351,752.
- b. Authorize the City Manager to execute future change orders if needed to ACCO Engineered Services for \$57,270 for a total aggregate purchase order amount not-to-exceed \$409,022 pursuant to Section 4.600.200 of the Municipal Code.

### 9F. [Consideration of the First Amendment to the Cooperative Agreement between the City of Ventura and the Beach Erosion Authority for Clean Oceans and Nourishment for the Surfers Point Phase II Project 93960](#)

Staff: Phillip Nelson, Public Works Director

#### RECOMMENDATION

Approve and authorize the Mayor to execute the First Amendment to the Cooperative Agreement, Agreement No. 2019-039, with the Beach Erosion Authority for Clean Oceans and Nourishment with a new completion date of April 30, 2022.

### 9G. [Consideration of the First Amendment to the Professional Services Agreement 2019-040 with the RRM Design Group for Civil Engineering Consulting Services for the Surfers Point Phase II Project 93960](#)

Staff: Phillip Nelson, Public Works Director

#### RECOMMENDATION

Approve and authorize the Mayor to execute the First Amendment to the Professional Services Agreement, Agreement No. 2019-040, with the RRM Design Group in the amount \$57,772 for a new contract total of \$354,365 and a contract completion date of June 30, 2022.



## 9. CONSENT ITEMS (continued)

### 9H. [Approval of Second Amendment to Memorandum of Agreement to Provide Equal Cost Sharing for Santa Clara River Bacteria Monitoring and Reporting Program](#)

Staff: Phillip Nelson, Public Works Director

#### RECOMMENDATION

Approve and authorize the Mayor to execute Amendment No. 2 to Memorandum of Agreement Among City of Fillmore, City of Oxnard, City of Santa Paula, City of San Buenaventura, County of Ventura, and Ventura County Watershed Protection District to Provide Equal Cost Sharing for Santa Clara River Bacteria Monitoring and Reporting Program to commit to 18-months contribution of a not-to-exceed amount of \$27,790 and extend the term of the Memorandum of Agreement through March 21, 2023.

### 9I. [Ventura Water Reclamation Facility Mixed Media Filter Rehabilitation Project](#)

Staff: Susan Rungren, Ventura Water General Manager

#### RECOMMENDATION

- a. Approve and authorize the Mayor to enter into a Professional Service Agreement with ERS Industrial Services, Inc. for the rehabilitation of Tertiary Mixed Media Filter #1 at the Ventura Water Reclamation Facility Contract for a Contract Sum not-to-exceed \$338,320, and contingency amount of \$33,832 for Not-to-Exceed total of \$372,152; term: October 1, 2021 to June 30, 2022.
- b. Authorize the City Manager or designee to execute amendments for Professional Service Agreement with ERS Industrial Services, Inc. not-to-exceed \$372,152 during the total duration of the contract, pursuant to Section 4.600.200 of the Municipal Code.

**9. CONSENT ITEMS (continued)**

**9J. [Resolution to Approve the Transfer of the City's 2021 State Water Project Table A Water Supply Allocation to San Gorgonio Pass Water Agency](#)**

Staff: Susan Rungren, Ventura Water General Manager

**RECOMMENDATION**

Adopt a Resolution authorizing the transfer of the City's 2021 State Water Project Table A Allocation to San Gorgonio Pass Water Agency. Resolution titled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, APPROVING THE TRANSFER OF 500 ACRE-FEET OF THE CITY'S 2021 STATE WATER PROJECT TABLE A WATER SUPPLY TO SAN GORGONIO PASS WATER AGENCY”

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, APPROVING THE TRANSFER OF 500 ACRE-FEET OF THE CITY'S 2021 STATE WATER PROJECT TABLE A WATER SUPPLY TO SAN GORGONIO PASS WATER AGENCY

RESOLUTION NO. 2021-\_\_\_\_\_

### 13. FORMAL ITEMS

#### 13A. [Adopt a Resolution Setting the 2022 City Council Meeting Schedule](#)

Staff: Antoinette M. Mann, City Clerk

##### RECOMMENDATION

- a. Review proposed meeting schedules and select either a two meeting with quarterly workshops schedule or a three meeting a month schedule.
- b. 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-\_\_\_\_\_

#### 13B. [Consideration of Utilizing an Electronic Speaker Timer for City Councilmembers during Questions, Comments, and Deliberation on Agenda Items](#)

Staff: Antoinette M. Mann, City Clerk

##### RECOMMENDATION

- a. Review options and provide direction to staff on utilizing a timer during Councilmember questions, comments, and deliberations; addressing stopping/pausing during staff/consultant/developer responses to Councilmembers; who will see the timer; and how the Mayor will indicate when the allotted time is reached.
- b. Update the City Council protocols to include the electronic speaker timer data.

## 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, September 22, 2021 at 12:45 p.m. on the City website, in the Public Meetings/Agenda Center: <https://www.cityofventura.ca.gov/AgendaCenter>