

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



AMENDED 10/22/2021

Added 13C – Page 11

REGULAR MEETING
MONDAY, OCTOBER 25, 2021
CLOSED SESSION – 5:00 P.M.
REGULAR MEETING – 6:00 P.M.

In accordance with **AB 361**, this meeting will be held by teleconference, and there will not be a physical location from which the public may attend. **THE PUBLIC MAY ONLY ELECTRONICALLY ATTEND THE MEETING AND MAY PROVIDE PUBLIC COMMENT THROUGH THE VIRTUAL MEETING. COUNCIL CHAMBERS WILL NOT BE OPEN FOR THE PUBLIC FOR THIS MEETING.** The public will have access to remotely observe the meeting and address the City Council as outlined below **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:

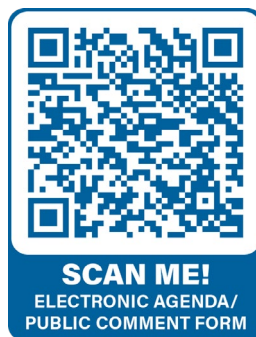
<https://cityofventura.webex.com/cityofventura/onstage/g.php?MTID=e9e5984161ba69a4d39cafbfbf3ea8fd4>

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 182 931 7621
To hear the meeting / you are unable to provide Live Comments in this mode

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 – must 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 OR if you wish to speak at Closed Session, how to register**

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: Snow v. City of San Buenaventura

Workers' Compensation Appeals Board Number: to be assigned

Claim Number: 20010540

Authority: Government Code Section 54956.9(d)(1)

2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Name of Case: Rudolf Livingston v. City of San Buenaventura

Workers' Compensation Appeals Board Numbers: ADJ10679628, ADJ10870190, ADJ10871189

Authority: Government Code Section 54956.9(d)(1)

3. PUBLIC EMPLOYMENT: City Attorney

Authority: Government Code Section 54957

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 – October 2021 as “Oaktober” - Oak Awareness 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

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. Consideration of a Resolution to Allow City Council and all of its Subordinate Bodies to Meet Remotely Pursuant to the Brown Act As Amended by Assembly Bill 361

Staff: Antoinette M. Mann, City Clerk

RECOMMENDATION

Adopt a Resolution making findings in accordance with Assembly Bill 361 and Government Code Section 54953(e), authorizing 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, AUTHORIZING 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)”

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AUTHORIZING 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)
RESOLUTION 2021-_____

9. CONSENT ITEMS (continued)

9C. [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 January 7, 2022](#)

Staff: Gregory G. Diaz, City Attorney

RECOMMENDATION

Adopt the Resolution, title as follows:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, RECONFIRMING THE EXISTENCE OF A LOCAL EMERGENCY AND EXTENDING IT UNTIL JANUARY 7, 2022”

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, RECONFIRMING THE EXISTENCE OF A LOCAL EMERGENCY AND EXTENDING IT UNTIL JANUARY 7, 2022

RESOLUTION 2021-_____

9D. [Approve Acceptance of Fiscal Year 2020 Assistance to Firefighters Grant](#)

Staff: David Endaya, Fire Chief

RECOMMENDATION

- a. Accept a grant from the Department of Homeland Security for the FY 2020 Assistance to Firefighters Grant program for the purchase of 65 handheld radios in the amount of \$112,875.
- b. Authorize the City Manager to conduct all negotiations and execute and submit all documents, including, without limitation, applications, agreements, and billing statements that may be necessary to accept the grant and complete the project.
- c. Authorize Finance and Technology to assign the increased appropriations and revenues to the General Grant and Categorical Fund, Fire Department budget, as necessary.

9. CONSENT ITEMS (continued)

9E. [Consideration of a Second Amendment to Professional Services Agreement with Simpson Gumpertz & Heger on Project 69011 - City Hall Terra Cotta Maintenance](#)

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

Approve and authorize the Mayor to execute the Second Amendment for the Professional Services Agreement 2018-047 with Simpson Gumpertz & Heger (SGH) with a new contract completion date of December 31, 2022.

9F. [Consideration of the Fourth Amendment to the Professional Services Agreement with Michael Baker International for Design Services on the Olivas Park Drive Roadway Extension Project 91019 - Revise the Design of Drainage and Reclaimed Water Pipelines](#)

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

Approve and authorize the Mayor, to execute the Fourth Amendment to the Professional Services Agreement (No. 2015-005) with Michael Baker International in the amount of \$79,160 for a new contract not-to-exceed amount of \$1,130,311 and a new contract completion date of June 30, 2022.

9. CONSENT ITEMS (continued)

9G. Consideration of Rent Relief for Certain City Tenants Due to the COVID-19 Pandemic

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

- a. Approve the COVID-19 rent repayment plan for Eric’s Beach House Fish in the amount of \$151,779; and Aloha Steakhouse in the amount of \$6,070.
- b. Approve COVID-19 rent forgiveness for those tenants effected by City facilities being closed April and May 2020 as shown in the table below.

Tenant	Rent Relief Recommended
Beach House Fish	\$40,180
Aloha Steakhouse	\$31,330
Crowne Plaza Harbor Garage	\$9,700
MW Multimedia	\$6,880
Focus on the Masters	\$14,080
Al-Anon	\$2,560
TOTAL	\$104,730

- c. Approve COVID-19 rent relief for tenants on Main Street during the period of Main Street Move from June 1, 2020 through December 31, 2021 as shown in the table below.

Tenant	Rent Relief Recommended
Café Fiore Patio	\$54,853
Lure Patio	\$3,919
Busy Bee Patio	\$1,900
El Rey Cantina Patio	\$2,256
LC Imports Pizza (former Sicily)	\$2,850
Snapper Jacks Patio	\$1,639
Peiranos Patio	\$4,750
Rice by Mama Patio	\$3,800
Discovery Patio	\$7,917
TOTAL	\$83,884

13. FORMAL ITEMS

13A. [Introduction of an Ordinance Requiring Organics Recycling in Compliance with State Law](#)

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

- a. Determine that the ordinance is exempt from California Environmental Quality Act (CEQA) under CEQA Guideline Section 15061 (b)(3), because the enhanced solid waste regulations, as provided for in the proposed ordinance, will not have a significant effect on the environment, and the new requirements strengthen the City's handling of solid waste for the protection of the environment.
- b. Introduce and approve the first reading of the ordinance, titled as follows:

“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING, IN PART, ARTICLES 1-3 AND ADDING ARTICLE 5 TO CHAPTER 6.500, ‘COLLECTION OF SOLID WASTE’ TO MAKE CHANGES TO THE CITY’S SOLID WASTE RECYCLING PROGRAM”

- c. Set the second reading and adoption of the Ordinance at the City Council meeting on November 8, 2021.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING, IN PART, ARTICLES 1-3 AND ADDING ARTICLE 5 TO CHAPTER 6.500, ‘COLLECTION OF SOLID WASTE’ TO MAKE CHANGES TO THE CITY’S SOLID WASTE RECYCLING PROGRAM.

13B. [Fiscal Year 2021 – 2022 1st Quarter Financial Update](#)

Staff: Michael Coon, Finance and Technology Director

RECOMMENDATION

Receive the Fiscal Year 2021 – 2022 1st Quarter Financial Update.

13. FORMAL ITEMS (continued)

13C. [Relocation of the Players Casino to the Derby Club at the Ventura County Fairgrounds](#)

Staff: Gregory G. Diaz, City Attorney

RECOMMENDATION

- a. Adopt an exemption from the provisions of the California Environmental Quality Act pursuant to the California Environmental Quality Act Guidelines Section 15323, (Class 23, Normal Operations of Facilities for Public Gatherings) and in the alternative that the exemption found in California Environmental Quality Act Guidelines Section 15061(b)(2) the commonsense exemption applies because the card room is simply relocating an existing facility to an existing facility.
- b. Adopt a Resolution authorizing the relocation of the Players Casino to the Derby Club at the Ventura County Fairgrounds, title as follows:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, APPROVING THE RELOCATION OF THE PLAYERS CASINO TO THE DERBY BUILDING LOCATED AT THE VENTURA COUNTY FAIRGROUNDS"
- c. Introduce and approve the first reading of the Ordinance, title as follows:

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING SECTION 10.750.220, 'TERMINATION OF LEGAL NONCONFORMING USE,' OF THE SAN BUENAVENTURA MUNICIPAL CODE TO ELIMINATE THE PROHIBITION AGAINST A BREAK OF ONE-YEAR OR MORE IN OPERATIONS FOR ANNEXED CARD ROOMS IN ORDER FOR SUCH CARD ROOMS TO MAINTAIN NONCONFORMING STATUS"
- d. Approve and authorize the Mayor to execute on behalf of the City Council the Agreement for the Payment In Lieu of Taxes.
- e. Authorize the City Manager to take actions to accomplish the approvals above and to execute any additional documents to carry out this approval, subject to the City Attorney's approval as to form.

13. FORMAL ITEMS (continued)

- f. Set the second reading and adoption of the Ordinance at the City Council meeting on November 8, 2021.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, APPROVING THE RELOCATION OF THE PLAYERS CASINO TO THE DERBY BUILDING LOCATED AT THE VENTURA COUNTY FAIRGROUNDS RESOLUTION NO. 2021-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING SECTION 10.750.220, "TERMINATION OF LEGAL NONCONFORMING USE," OF THE SAN BUENAVENTURA MUNICIPAL CODE TO ELIMINATE THE PROHIBITION AGAINST A BREAK OF ONE-YEAR OR MORE IN OPERATIONS FOR ANNEXED CARD ROOMS IN ORDER FOR SUCH CARD ROOMS TO MAINTAIN NONCONFORMING STATUS ORDINANCE 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, October 20, 2021 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.

Amended agenda was posed on Friday, October 22, 2021 at 12:15 pm 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.