

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, NOVEMBER 8, 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 CITY COUNCIL 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=e59ca0c272bc3124dd3c2e78ecf9d0140>

**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 182 780 7863

**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.



**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.

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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 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 REAL PROPERTY NEGOTIATORS**

Property: Approximately 10.03-acre parcel located at the southeast corner of Harbor Boulevard and Olivas Park Drive, Ventura, California identified as APN 138-0-050-090

Agency Negotiators: Linda Sumansky, VenturaWaterPure Program Director; Heather Johnson, Hamner, Jewell & Associates

Negotiating Parties: June Shozi, Manager, Shozi Ventura, LLC

Under Negotiation: Price and terms of payment

Authority: Government Code Section 54956.8

**2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Title: City Manager

Authority: Government Code 54957

**3. PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Title: City Attorney

Authority: Government Code 54957

**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**
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. 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. Request to Waive Planning Application Fees for 263 S. Pacific Avenue**

Staff: Peter Gilli, Community Development Director

RECOMMENDATION

Authorize the Planning Division to waive all fees, resulting in waiving \$9,894.08 for adding a rooftop deck at 263 S. Pacific Avenue.

**9C. Request for Authorization to Amend Professional Services Agreement with LTAS Technologies, Inc.**

Staff: Peter Gilli, Community Development Director

RECOMMENDATION

Authorize the Mayor to execute the Fourth Amendment to Professional Services Agreement number 2019-079 (P2018-030) with LTAS Technologies, Inc. for an extended term of September 1, 2017 through June 30, 2022 and approve a new not-to-exceed amount of \$83,840 to continue with the short-term vacation rental compliance services.

**9D. Professional Services Agreement with Executech Utah, LLC and Evergreen Services Group, LLC – Laptop Deployment**

Staff: Michael Coon, Finance and Technology Director

RECOMMENDATION

Authorize the Mayor to execute a Professional Services Agreement with Executech Utah, LLC and Evergreen Services Group, LLC in the amount of \$85,000.

## 9. CONSENT ITEMS (continued)

### 9E. [Consideration of Amendment 1 to Task Order 11 with Rincon Consultants for Ventura Keys Maintenance Dredging Permit Services](#)

Staff: Phillip Nelson, Public Works Director

#### RECOMMENDATION

- a. Approve and authorize the Mayor to execute Amendment 1 to Task Order 11 of Professional Services Agreement 2017-063 with Rincon Consultants, Inc. in the amount of \$36,575 for a new contract total of \$65,870 and a contract completion date of January 1, 2024.
- b. Authorize the Public Works Director or designee to execute future amendments to subject agreement up to a total maximum contingency of \$5,425 for a total not-to-exceed contract amount of \$71,295 and a total time extension of 550 calendar days.

### 9F. [Authorize Participation in the California Water and Wastewater Arrearage Payment Program](#)

Staff: Susan Rungren, Ventura Water General Manager

#### RECOMMENDATION

- a. Authorize Ventura Water to apply and participate in the State Water Resources Control Board's California Water and Wastewater Arrearage Payment Program to assist Ventura Water customers with unpaid water due to the COVID-19 pandemic.
- b. Authorize the Ventura Water General Manager to execute and submit all documents, including, without limitation, applications, agreements, billing statements, and any required reporting that may be necessary to accept the funds and participate in the program.
- c. Authorize the Finance and Technology Department to receive the program funds and assign them to the proper funds, projects, and accounts, apply credits to eligible customer accounts, and return unused funds to the State consistent with program requirements.



## 9. CONSENT ITEMS (continued)

### 9G. [Amendment to Saticoy Lemon Water Well Agreement](#)

Staff: Susan Rungren, Ventura Water General Manager

#### RECOMMENDATION

Authorize the City Manager to execute the Amendment to Saticoy Lemon Water Well Agreement for the continued operation of the existing private water well; extend the agreement for five additional years from October 1, 2021 to October 1, 2026.

### 9H. [2021 Department of Water Resources Urban and Multibenefit Drought Relief Grant Program](#)

Staff: Susan Rungren, Ventura Water General Manager

#### RECOMMENDATION

- a. Authorize the Ventura Water General Manager, or designee, to apply for, receive grant funds, enter into a cooperative agreement, and administer a grant for up to \$9,000,000 for the 2021 Department of Water Resources Urban and Multibenefit Drought Relief Grant Program.
- b. Authorize the Ventura Water General Manager, or designee, to act as agent for the City to conduct all negotiations, execute and submit all documents, including, without limitation, applications, agreements, amendments, and billing statements that may be necessary to accept these grants and complete the project under the grant.
- c. Authorize Finance and Technology to assign increased appropriations to the proper funds, projects, and accounts if the grant is awarded.

9. CONSENT ITEMS (continued)

- 9I. [Ordinance for Second Reading – 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](#)

Staff: Antoinette Mann, City Clerk

RECOMMENDATION

Waive the second reading in full and Adopt the 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 Introduced and First Reading Approved by the City Council on October 25, 2021 [Vote: 6-Yes; 0-No; 1-Absent (Councilmember Johnson)].

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 NONCON-FORMING STATUS ORDINANCE NO. 2021-\_\_\_\_

**9. CONSENT ITEMS (continued)**

**9J. [Ordinance for Second Reading – 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](#)**

Staff: Antoinette Mann, City Clerk

**RECOMMENDATION**

Waive the second reading in full and adopt the 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.

Ordinance Introduced and First Reading Approved by the City Council on October 25, 2021 [Vote: 6-Yes; 0-No; 1-Absent (Councilmember Johnson)].

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  
ORDINANCE 2021-\_\_\_\_\_

**13. FORMAL ITEMS**

**13A. [Adoption of a “Fire Prone Area Zone” Emergency Ordinance](#)**

Staff: Gregory G. Diaz, City Attorney

**RECOMMENDATION**

Introduce and adopt as an Emergency Ordinance, after making the findings required by the Charter, the Emergency Ordinance, title as follows:

“AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING DIVISION 14, “FIRE AND HAZARDOUS MATERIAL REGULATIONS,” OF THE SAN BUENAVENTURA MUNICIPAL CODE TO ADD SECTION 14.200, “FIRE PRONE AREA ZONE””

AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING DIVISION 14, “FIRE AND HAZARDOUS MATERIAL REGULATIONS,” OF THE SAN BUENAVENTURA MUNICIPAL CODE TO ADD SECTION 14.200, “FIRE PRONE AREA ZONE”  
ORDINANCE 2021-\_\_\_\_\_

### 13. FORMAL ITEMS (continued)

#### 13B. [Groundwater Sustainability Agencies and Associated Groundwater Sustainability Plan Update](#)

Staff: Susan Rungren, Ventura Water General Manager

##### RECOMMENDATION

Review and receive this written report and receive an oral update on the status of local Groundwater Sustainability Agency Plans.

#### 13C. [Main Street Moves Conceptual Design and Use](#)

Staff: Alex D. McIntyre, City Manager

##### RECOMMENDATION

- a. As part of the permanent Main Street Moves program, direct staff to implement the permanent full closure of Main Street from Fir Street to the western boundary of the San Buenaventura Mission, retaining the existing curb and gutter configuration, including:
  - Obtaining bids for the design and installation of bollards to be approved at a future City Council meeting;
  - Obtaining a contract with an environmental consultant to begin the environmental review;
  - Obtaining a contract with a transportation consultant to begin a traffic study;
  - Developing a fee structure for use of the public right-of-way.
- b. As part of the permanent Main Street Moves program, direct staff to implement street eateries configuration for businesses fronting California Street, between Santa Clara Street and Main Street, while allowing for vehicular traffic on California Street.
- c. If a permanent Main Street Moves program is not established in time for businesses to operate outdoors by Summer 2022, authorize the use of a flexible closure program for Main Street that could operate under a special events permit – to be used until the full-time permanent closure is established.
- d. Direct staff to develop design standards for streateries, with a fortified standard for application on streets open to vehicular traffic and a separate standard for streets closed to vehicular traffic.

## 15. PUBLIC NOTICES

Items listed under Public Notices are a matter of public record only. These items do not require City Council action.

### 15A. [Public Notice – Submittal of Final Map for Tract No. 5961](#)

This serves as Public Notice that the City Engineer has received the subdivision final map for the project described below in accordance with Section 26.100.220 of the City of San Buenaventura Municipal Code.

<b>Location:</b>	8324 Telegraph Road
<b>Tract Number:</b>	5961
<b>Developer:</b>	MC Voelker 18, LLC
<b>Description:</b>	A subdivision consisting of nineteen residential lots for single family purposes

The Developer, MC Voelker 18, LLC, has submitted a final map, which is being reviewed for completeness and conformance with the tentative map. When the final map is deemed to be complete for filing, the City Clerk will provide public notice to that effect.

## 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, November 4, 2021, at 5:15 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.