

CITY OF VENTURA
CITY COUNCIL AGENDA

Matt LaVere
Mayor

Lorrie Brown
Councilmember District 6

Jim Friedman
Councilmember District 5

Cheryl Heitmann
Councilmember At-Large

Erik Nasarenko
Councilmember District 4

Sofia Rubalcava, Deputy Mayor
Councilmember District 1

Christy Weir
Councilmember At-Large

Alex D. McIntyre, City Manager
Gregory G. Diaz, City Attorney
Antoinette M. Mann, City Clerk



REGULAR MEETING

MONDAY, NOVEMBER 9, 2020

CLOSED SESSION – 5:00 P.M.

REGULAR MEETING – 6:00 P.M.

IN ACCORDANCE WITH THE CALIFORNIA GOVERNOR'S EXECUTIVE STAY AT HOME ORDER AND THE COUNTY OF VENTURA HEALTH OFFICER DECLARED LOCAL HEALTH EMERGENCY AND BE WELL AT HOME ORDER RESULTING FROM THE NOVEL CORONAVIRUS (COVID-19), CITY HALL IS CLOSED TO THE PUBLIC. 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=ee43d67ca2b804bdfb4c5aa11b3e1191c>

NOTE: WebEx link only works while meeting is LIVE. After meeting has ended, use the Archived Video link to view the meeting. You must join the WebEx Meeting to provide Public Comment - #5 below.

Join with only an "audio" connection: 1-408-418-9388 / Access Code 126 471 5646
WebEx recommends using Internet Explorer or Edge when provide live comment at the meeting.

2. Watch **live streaming** or an Archived Video <https://www.cityofventura.ca.gov/718/Videos>
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 day.** 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 (item 7) for items not on the day's agenda or comments on a specific agenda item as it is being heard, 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). Every effort will be made to read your comment into the record, but some comments may not be read due to time limitations. All comments received by the conclusion of the agenda item will be made part of the record.



5. **To Provide Public Comment Live: 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 and unmute your mic allowing you to speak to the Mayor and Councilmembers. You will be heard, but not visible on screen. You will have 3 minutes to provide your comments. When you are finished, your mic will be muted.

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 are available on the City's website – <https://www.cityofventura.ca.gov/1236/City-Council-Public-Hearing-NoticesSuppl>.

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 2 of the Agenda on how to submit your Public Comments electronically to the City Clerk.**

CS4. CLOSED SESSION – Teleconference/Video Conference Meeting. The Public may not participate in the Closed Session, other than submitting Public Comments on topic via email.

1. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**
Property: 505 Poli Street, 4 and 5th Floors, Ventura, California
Agency Negotiators: Alex D. McIntyre, City Manager
Estelle Bussa, Economic Development Manager
Negotiating Parties: TTD by and through Michael Prabu of Cresa
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

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**

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. 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.



8. 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.

8A. Move all resolutions and ordinances presented tonight be deemed read by title only and all further reading be waived.

8B. Approval of City Council Minutes – September 2020

Staff: Antoinette M. Mann, City Clerk

RECOMMENDATION

Approve City Council Minutes for September 8, 2020, September 14, 2020, September 21, 2020 and September 28, 2020.

8C. Adopt Resolution Setting the 2021 City Council Meeting Schedule

Staff: Antoinette M. Mann, City Clerk

RECOMMENDATION

Adopt a Resolution setting the City Council 2021 meeting schedule.
Resolution titled:

8. CONSENT ITEMS (continued)

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA SETTING A CITY COUNCIL MEETING SCHEDULE FOR CALENDAR YEAR 2021”

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA SETTING A CITY COUNCIL MEETING SCHEDULE FOR CALENDAR YEAR 2021 RESOLUTION NO. 2020-_____

8D. Adopt Conflict of Interest Code Resolution - Biennial Review/Update

Staff: Antoinette M. Mann, City Clerk

RECOMMENDATION

Adopt a resolution updating the Conflict of Interest Code for the City of San Buenaventura, updating designated employees, officers and disclosure categories and rescinding Resolution No. 2018-062, entitled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA UPDATING DESIGNATED EMPLOYEES, OFFICERS, AND DISCLOSURE CATEGORY LIST FOR FAIR POLITICAL PRACTICES ACT REQUIREMENTS (CONFLICT OF INTEREST) AND RESCINDING RESOLUTION NO. 2018-062”

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA UPDATING DESIGNATED EMPLOYEES, OFFICERS, AND DISCLOSURE CATEGORY LIST FOR FAIR POLITICAL PRACTICES ACT REQUIREMENTS (CONFLICT OF INTEREST) AND RESCINDING RESOLUTION NO. 2018-062
RESOLUTION NO. 2020-_____

8E. 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 11, 2021

Staff: Gregory G. Diaz, City Attorney

RECOMMENDATION

Adopt the Resolution, title as follows:

8. CONSENT 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 JANUARY 11, 2021”

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 11, 2021
RESOLUTION 2020-_____

8F. Adopt Proposition 68 Per Capita Grant Resolution

Staff: Nancy O'Connor, Parks and Recreation Director

RECOMMENDATION

- a. Adopt a Resolution authorizing the City to submit an application to the State of California Department of Parks and Recreation Office of Grants and Local Services for the Proposition 68 Per Capita Grant requesting funding. Resolution entitled:

“RESOLUTION OF THE CITY COUNCIL OF SAN BUENAVENTURA APPROVING APPLICATION FOR PER CAPITA GRANT FUNDS”

- b. Authorize the Parks and Recreation Director, by title, to act as the agent for the City to conduct all negotiations and execute and submit all documents, including, but not limited to, applications, contracts, amendments, payment requests, and compliance with all applicable current state and federal laws which may be necessary for the completion of the aforementioned.
- c. Authorize the Finance and Technology Department to assign increased appropriations and revenues to the proper programs and accounts for their use as provided in the grant if the grant is awarded.

RESOLUTION OF THE CITY COUNCIL OF SAN BUENAVENTURA
APPROVING APPLICATION FOR PER CAPITA GRANT FUNDS
RESOLUTION NO. 2020-_____

8. CONSENT ITEMS (continued)

8G. Approve Acceptance of the 2018 Justice Assistance Grant

Staff: Darin Schindler, Chief of Police

RECOMMENDATION

- a. Accept a Justice Assistance Grant in the amount of \$24,101 for the Police Department.
- b. Authorize the City Manager or designee to act as agent for the City to conduct all negotiations and execute and submit all documents, including, without limitation, applications, agreements, amendments, 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, within the Police Department budget, as necessary.

8H. Approve Third Amendment with Michael Baker International - Olivas Park Drive Levee Project

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

- a. Approve, and authorize the Mayor to execute, the Third Amendment to the Professional Services Agreement with Michael Baker International in the amount of \$26,900, for a new contract total of \$834,478 and a new contract completion date of December 31, 2021.
- b. Authorize increase in appropriations of \$26,900 in Project 91049, Olivas Levee, Transportation Fund (10) funded by deposits from property owners Allan Camp, John Hofer and Louis Wolff.

8. CONSENT ITEMS (continued)

8I. Amendment No. 14 (The Water Management Amendment) to the Water Supply Contract between the State of California Department of Water Resources and the Ventura County Watershed Protection District

Staff: Susan Rungren, Ventura Water General Manager

RECOMMENDATION

- a. Adopt a resolution directing the Ventura County Watershed Protection District to approve Amendment No. 14 (The Water Management Amendment) to the Water Supply Contract between the State of California Department of Water Resources and the Ventura County Watershed Protection District. Resolution titled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, DIRECTING THE VENTURA COUNTY WATERSHED PROTECTION DISTRICT TO APPROVE AMENDMENT NO. 14 (THE WATER MANAGEMENT AMENDMENT) TO THE WATER SUPPLY CONTRACT BETWEEN THE VENTURA COUNTY WATERSHED PROTECTION DISTRICT AND THE DEPARTMENT OF WATER RESOURCES ON BEHALF OF THE CITY OF SAN BUENAVENTURA”

- b. Authorize the City Manager to execute any documents necessary on behalf of the City of San Buenaventura to affect Amendment No. 14 (The Water Management Amendment) to the State Water Project Water Supply Contract between the Ventura County Watershed Protection District and the California Department of Water Resources for the benefit of the City of San Buenaventura.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, DIRECTING THE VENTURA COUNTY WATERSHED PROTECTION DISTRICT TO APPROVE AMENDMENT NO. 14 (THE WATER MANAGEMENT AMENDMENT) TO THE WATER SUPPLY CONTRACT BETWEEN THE VENTURA COUNTY WATERSHED PROTECTION DISTRICT AND THE DEPARTMENT OF WATER RESOURCES ON BEHALF OF THE CITY OF SAN BUENAVENTURA
RESOLUTION 2020-_____

8. CONSENT ITEMS (continued)

8J. Ordinance for Second Reading – Ordinance of the City Council of the City of San Buenaventura, California, Adding Chapter 8.030, Regulating Expanded Polystyrene Food Containers to the San Buenaventura Municipal Code

Staff: Antoinette M. Mann, City Clerk

RECOMMENDATION

Waive the second reading in full and adopt the Ordinance of the Council of the City of San Buenaventura, California, Adding Chapter 8.030, Regulating Expanded Polystyrene Food Containers to the San Buenaventura Municipal Code.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, ADDING CHAPTER 8.030, REGULATING EXPANDED POLYSTYRENE FOOD CONTAINERS TO THE SAN BUENAVENTURA MUNICIPAL CODE

ORDINANCE NO. 2020-_____

12. FORMAL ITEMS

12A. Adopt the 2020 City Tree Master Plan

Staff: Nancy O'Connor, Parks and Recreation Director

RECOMMENDATION

Adopt the 2020 City Tree Master plan and direct staff to continue following and supporting the major policies of the plan.

12B. Parking Fees at Marina Park and Harbor Parking Garage

Staff: Nancy O'Connor, Parks & Recreation Director
Phil Nelson, Public Works Director

RECOMMENDATION

- a. Continue to charge for parking at Marina Park and the Harbor Parking Structure in order to cover the costs of keeping the beaches and restrooms open.

12. FORMAL ITEMS (continued)

- b. Deposit all revenues collected from the Harbor Parking garage that are not needed to cover the costs of keeping the beaches and restrooms open into the Parking District Fund.

12C. Adopt Benefits Resolution for 2020-21 and Approve Side Letters of Agreement with Employee Groups

Staff: Valerie Barroso, Interim Human Resources Director

RECOMMENDATION

- a. Adopt a Resolution providing for Benefits and Additional Compensation for Unrepresented Employees in Salary Schedules “E”, “M”, “C” and “D” (Benefits Resolution) effective June 29, 2020 and Rescinding Resolution No. 2020-039.
- b. Approve and authorize the City Manager to execute on behalf of the City Side Letters of Agreement rescinding merit and step increase suspensions as specifically agreed upon by each bargaining unit as follows:
 - 1. Service Employees International Union, Local 721, General, Professional, and Supervisory Employees
 - 2. Ventura Police Officers’ Association
 - 3. Ventura Police Management Association
 - 4. Ventura City Firefighters’ Association
 - 5. Ventura City Fire Management Association
 - 6. Ventura Maintenance Employees’ Association

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN BUENAVENTURA PROVIDING FOR BENEFITS AND ADDITIONAL COMPENSATION FOR UNREPRESENTED EMPLOYEES IN SALARY SCHEDULES “E”, “M”, “C” AND “D” EFFECTIVE JUNE 29, 2020 AND RESCINDING RESOLUTION NO. 2020-039

RESOLUTION NO 2020-_____

12D. Deferral of Business License Taxes

Staff: Michael Coon, Finance and Technology Director

RECOMMENDATION

Authorize staff to close the business license tax deferral program.

7. 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.



15. 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.

16. CITY MANAGER COMMUNICATIONS

17. ADJOURNMENT

This agenda was posted on Wednesday, November 4, 2020 at 6:00 p.m. on the City website, in the Public Meetings/Agenda Center: <https://www.cityofventura.ca.gov/AgendaCenter>