



CITY COUNCIL AGENDA

MONDAY, NOVEMBER 13, 2023

CLOSED SESSION – 5:00 P.M.
REGULAR MEETING – 6:00 P.M.

CITY COUNCIL CHAMBERS – CITY HALL – 501 POLI STREET, VENTURA, CA 93001

JOE SCHROEDER, MAYOR

Councilmembers:

DISTRICT 1 – LIZ CAMPOS
DISTRICT 2 – DOUG HALTER
DISTRICT 3 – MIKE JOHNSON

DISTRICT 6 – JIM DURAN
DISTRICT 5 – BILL MCREYNOLDS
DISTRICT 4 – DR. JEANNETTE SÁNCHEZ-
PALACIOS, DEPUTY MAYOR

Bill Ayub
City Manager

Andrew Heglund
City Attorney

Michael B. MacDonald
City Clerk

PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED IN A HYBRID MODEL WITH BOTH IN-PERSON ATTENDANCE AND VIRTUAL PARTICIPATION.

Live broadcasts of City Council meetings are available on Cable TV (Channel 15) and via internet accessible video stream at <https://www.cityofventura.ca.gov/718/Videos> or on YouTube at <https://www.YouTube.com/cityofventura/live>.

To access the meeting remotely: Join the WebEx meeting live at: <https://cityofventura.webex.com/cityofventura/j.php?MTID=m9530cb77da2ea68896ce9636119b8b32>

To request to speak on an item, use the chat function to notify the City Clerk by including the Item Agenda Number in your comment. The City Clerk will announce public speakers and promote them to a panelist, which will allow the use of camera and microphone. To join with audio only, call (213) 306-3065 and use access code: 2552 152 5771

Please be mindful that the meeting will be recorded, and all rules of procedure and decorum apply for in-person attendees and those participating virtually.

To submit written comments (up to 1,000 characters) for the City Council's consideration and inclusion in the public records, email cityclerk@cityofventura.ca.gov by 4:00 p.m. on the meeting date, or by using the public comment form at www.cityofventura.ca.gov/publicinput. Please include the Agenda Item Number in the subject

This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953. Any member of the public may attend this meeting. Questions regarding this matter may be addressed to Michael B. MacDonald, City Clerk, (805) 654-4787. The City Council may take action related to any subject listed on the Agenda. Meetings will adjourn at 11:00 p.m. Any items outstanding at that time will be deferred until the next regularly scheduled meeting.

CALL TO ORDER – CLOSED SESSION – 5:00 p.m.

ROLL CALL

PUBLIC COMMUNICATIONS: *Public comments on Closed Session Items only.*

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

Jensen v. City of San Buenaventura, et al.
Santa Barbara County Superior Court case no. 19CV05988
Authority: Government Code §54956.9(d)(1)

2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Name of Case: Diana Boydston v. City of Ventura, et al.
Ventura County Superior Court Case no.: 2023CUPP006589
Authority: Government Code §54956.9(d)(1)

ADJOURNMENT: *Adjourn to Regular Meeting.*

CALL TO ORDER – REGULAR SESSION – 6:00 p.m.: *The regular meetings of the San Buenaventura (Ventura) City Council also serve as regular meetings of the Successor Agency and Public Facilities Financing Authority when Successor Agency and Public Facilities Financing Authority items are listed on the agenda.*

ROLL CALL

PLEDGE OF ALLEGIANCE

SPECIAL PRESENTATIONS AND ANNOUNCEMENTS

- World AIDS Day
- Sister City Proclamation

CLOSED SESSION REPORT

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 their own activities.*

CITY MANAGER COMMUNICATIONS

CONSENT ITEMS: *Matters appearing on the Consent Items are expected to be non-controversial and will be acted upon by City Council at one time without discussion unless a Councilmember, City Staff, or a member of the public requests an opportunity to address an 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 Staff is approved along with the terms and conditions described in the Administrative Report.*

1. **Move all Resolutions and Ordinances presented tonight be deemed read by title only and all further reading be waived**

2. **Council Protocols Update Extension Request**

Staff: Michael MacDonald, City Clerk

RECOMMENDATION

Approve an extension for the City Council Protocols to return for Council's consideration in February 2024.

3. **Approval of City Council Minutes – Regular Meetings held on October 9, 2023, October 16, 2023, October 23, 2023, and Special Meeting held on October 30, 2023**

Staff: Michael MacDonald, City Clerk

RECOMMENDATION

Approve City Council Minutes for Regular Meetings held on October 9, 2023, October 16, 2023, October 23, 2023, and Special Meeting held on October 30, 2023.

4. **Professional Services Agreement PW23-1072 Third Amendment with Noble Consultants, Inc. for Design Services on Ventura Pier Fire Line Repair, Project 62414**

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

Approve and authorize the City Manager, or designee, to execute the third amendment to Professional Services Agreement Number PW23-1072 with Noble Consultants, Inc. for a new contract completion date of July 30, 2024.

CONSENT ITEMS (CONTINUED)

5. [General Services Agreement P2020-037 Fourth Amendment with Performance Pipeline Technologies for Storm Drain On-Call Construction Services](#)

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

Approve and authorize the City Manager, or designee, to execute the Fourth Amendment to General Services Agreement No. P2020-037 with Performance Pipeline Technologies to increase the contract in the amount of \$228,145, for a new total not-to-exceed contract amount of \$528,145.

6. [Resolution of Intention to Vacate a Portion of the Public Alley North of Thompson Boulevard and Between South Ann Street and South Hemlock Street](#)

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

Adopt a Resolution declaring the Intention to Vacate (abandon) a portion of the public alley north of Thompson Boulevard and between South Ann Street and South Hemlock Street.

7. [Construction Contract PW24-1128 with Toro Enterprises, Inc. on Project 91157 - Ventura River Trail Improvements](#)

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

- a. Approve the Ventura River Trail Improvements project and determine that it is categorically exempt from the California Environmental Quality Act (CEQA) as defined in Article 19 Section 15301 Class 1 (c) of the CEQA guidelines because it is considered maintenance of an existing bicycle and pedestrian trail with no expansion of existing or former use.
- b. Waive all Minor Bid Irregularities, Approve and Authorize the City Manager, or designee, to execute subject Agreement with Toro Enterprises, Inc. in the amount of \$3,635,660 with a contract completion date of June 30, 2023.
- c. Authorize the City Manager, or designee, to execute future amendments to subject Agreement up to a total maximum contingency of \$364,000 for a total not-to-exceed Agreement amount of \$3,999,660.

CONSENT ITEMS (CONTINUED)

8. [Procurement Agreements for Membrane Bioreactor and Ultraviolet Light Disinfection Equipment](#)

Staff: Gina Dorrington, Ventura Water General Manager

RECOMMENDATION

- a. Approve and authorize the City Manager, or designee, to execute an Agreement with Veolia WTS Systems USA, Inc. for the Membrane Bioreactor System Equipment for the amount of \$5,761,557.
- b. Approve and authorize the City Manager, or designee, to execute an Agreement with Trojan Technologies Group ULC for Ultraviolet Disinfection System Equipment for the amount of \$2,930,388.
- c. Approve and authorize the City Manager, or designee, to assign “Stage 2” of the equipment procurement agreements to the Construction Manager At Risk (CMAR) Contractor upon the City’s award of the CMAR Construction Contract.
- d. Authorize an increase in CIP appropriations in the amount of \$9,662,627 in the Wastewater Capital Fund (Fund 71).
- e. Authorize an increase in budget appropriations in the Fiscal Year 2024 budget in the amount of \$10,856,978 in the Wastewater Capital Fund (Fund 71) and in the amount of \$217,170 in the Water Capital Fund (Fund 72).

PUBLIC HEARING ITEM: *Staff shall introduce the public hearing item and present their report to Council. Councilmembers may ask questions of staff if they desire. Any member of the public may speak or present evidence, after submitting a speaker card and being recognized by the Mayor. All rules of decorum apply during Public Hearings. Each member of the Council shall verbally disclose all ex parte communications concerning the subject of the hearing.*

9. [Mills Act Contracts for Historic Landmarks – Historic Landmark No. 118 – Brown Busch House and Historic Landmark No. 117 – George Zander Men’s Clothing Store](#)

Staff: Neda Zayer, Interim Community Development Director

RECOMMENDATION

- a. Conduct a Public Hearing.

PUBLIC HEARING ITEM (CONTINUED)

- b. Adopt a Resolution approving Mills Act contracts for:
 1. Historic Landmark No. 118 “Brown Busch” located at 10807 Telegraph Rd, (PROJ-23-364)
 2. Historic Landmark No, 117 “George Zander Men’s Clothing Store” located at 384 E Main Street, (PROJ-23-0330)

FORMAL ITEMS: *The public may comment on each item listed on the agenda for Formal Items as the item is taken up. Formal Items may be reordered at the discretion of the Chair. The public may speak up to three (3) minutes on each agenda item.*

10. [Status Update on Undergrounding Utilities City-Wide](#)

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

Direct Staff to hold a Workshop on undergrounding city-wide utilities by March 30, 2024, where City Council will make a decision on which Rule 20A project to pursue.

11. [Downtown Parking Update](#)

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

- a. Approve and authorize the City Manager, or designee, to execute subject Agreement with TRC Parkitects, LLC in the amount of \$207,220 with a contract completion date of February 28, 2025.
- b. Authorize the City Manager, or designee, to execute future amendments to subject Agreement up to a total maximum contingency of \$20,722 for a total not-to-exceed Agreement amount of \$227,942 and a total time extension of 180 calendar days.
- c. Authorize the use of General Fund Investment Plan funding that was previously designated for Mission Park-Main Street Frontage Improvements in the amount of \$227,942.
- d. Authorize the Finance Department to transfer \$227,942 from the General Fund (Fund 01) to the Parking District (Fund 30) to support the contract.

FORMAL ITEMS (CONTINUED)

- e. Authorize the Finance Department to increase budget appropriations in the Fiscal Year 2024 budget in the amount of \$227,942 in the Downtown Parking District Fund (Fund 30), project budget 62633.

12. [VenturaWaterPure and Wastewater Capital Improvement Plan Membrane Bioreactor/Ultraviolet Light Project Update and Authorization to Apply for Grant Funds](#)

Staff: Gina Dorrington, Ventura Water General Manager

RECOMMENDATION

- a. Receive a written report and presentation that provides an update on the VenturaWaterPure Program and Wastewater Capital Improvement Plan Membrane Bioreactor/Ultraviolet Light Project.
- b. Authorize the Ventura Water General Manager, or designee, to apply for up to \$125,000,000 in grants under the United States Bureau of Reclamation WaterSMART: Large-Scale Water Recycling Projects for Fiscal Years 2023 and 2024 grant program.

PUBLIC COMMUNICATIONS: *In compliance with Government Code Section 54954.3, Public Communications is that portion of Council meetings set aside for members of the public to address City Council on items of any City business other than scheduled agenda items. Comments are limited to items within the subject matter jurisdiction of the City and are limited to no more than three (3) minutes. Per the City Council Protocols, speakers may not cede their time to another speaker. If there are more than ten (10) Public Communications speakers, each speaker's time shall be reduced from three (3) minutes so that all speakers have an equal time to speak. City Council cannot act on any items not on the agenda.*

ADJOURNMENT

Communications to the City Council are public record and will become part of the City's electronic records, which are accessible through the City's website. Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to the City Council, will become part of the public record. If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service to the City Clerk's Office at 501 Poli Street, Room 204, Ventura, CA 93001. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the City Clerk Department for further information.

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.

Live Spanish interpretation will be available. No advanced request for interpretation services required.

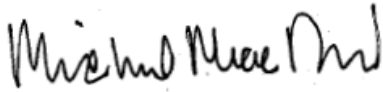
La traducción al español estará disponible en vivo. No es necesario solicitar la traducción al español anticipadamente.

Administrative Reports relating to this agenda are available on the City's website – <https://www.cityofventura.ca.gov/AgendaCenter>.

Resource Items for the Public:

- [City Council Protocols](#) which includes Rules of Decorum for the Public
- [City Council Goals](#)
- [Budget Principles](#)
- [City Charter](#)

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~ This agenda was posted on Monday, November 7, 2023, at 2:00 p.m. in the City Clerk's Office, on the City Hall Public Notices Board and on the internet.



Michael B. MacDonald, CMC  
City Clerk