

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 23, 2020**

**CLOSED SESSION – 5:00 P.M.**

**REGULAR MEETING – 6:00 P.M.**

**AMENDED**  
**11/20/2020**

**AGENDA ITEM 12D**  
**RECOMMENDATION**  
**ADJUSTED**

**AMENDED**  
**11/19/2020**

**AGENDA ITEM 12D ADDED**

**REPORT FOR AGENDA ITEM**  
**8C AMENDED/REPOSTED**

**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:**

### **NEW – ZOOM MEETING FOR CITY COUNCIL MEETING**

**Sign-up if you wish to speak and receive an email with instructions on how to join the meeting.**

### **WATCH THE MEETING:**

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.

### **SUBMIT PUBLIC COMMENT VIA EMAIL:**

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 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.

When watching the live stream meeting, you may submit Public Comments via email using the form [www.cityofventura.ca.gov/publicinput](http://www.cityofventura.ca.gov/publicinput)



### **PROVIDE PUBLIC COMMENT LIVE AT THE MEETING USING ZOOM:**

To speak on an agenda item, complete the online [Speaker Registration Form](#) by **4:00 p.m. on the City Council Meeting date.** If you wish to speak at the meeting, you will be asked to provide an email address and telephone number to allow the City to email you the Zoom meeting/connection instructions. You can select an audio only connection (telephone call) or connect with audio and video (join the Zoom meeting on your device).

You will receive an email about 1 hour before the meeting with instructions on how to join the meeting.

When connecting to the Zoom meeting to speak, you will be placed in a virtual “waiting area,” with your audio and video disabled, until it is your turn to speak.

Speaker Forms received after 4 p.m, including during the live meeting, may not allow staff to send Zoom meeting/connection instructions and allow you to join prior to Council voting on an agenda item.

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.

**Public Comments/Speaking:** 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.

**Public Communications:** 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 using an online form 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.**

**If you wish to speak at the meeting, see page 2 and submit a Speaker Registration Form by 4:00 p.m. on the City Council Meeting date.**

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 LEGAL COUNSEL**

Significant Exposure to Litigation: One Matter  
Matter: Shari Laccabue Personal Injury Claim  
City Claim Number: 4048  
Claims Administrator Claim Number: GHC0025483  
Authority: Government Code Section 54956.9(d)(2)

**2. CONFERENCE WITH LABOR NEGOTIATORS**

City Negotiators: Alex D. McIntyre, City Manager and Valerie Barroso, Interim Human Resources Director

Employee Organizations:

- a. Service Employees International Union (SEIU) Local 721 CTW, CLC, representing “G” (General), “S” (Supervisory), and “Q” (Professional) Units
- b. Ventura Maintenance Employees Association (VMEA)
- c. Ventura Fire Management Association (VFMA)
- d. Ventura City Firefighters’ Association (VCFA)
- e. Ventura Police Management Association (VPMA)
- f. Ventura Police Officers’ Association (VPOA)
- g. Unrepresented employees

Authority: Government code Section 54957.6

**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 – Worlds AIDS Day – December 1, 2020

4B. COVID-19 Status Update

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.

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. **[Request for Authorization to Amend Legal Services Agreement with Haynes & Boone, LLP, by increasing the not-to-exceed amount in the MID-CENTURY INSURANCE COMPANY v. CITY OF SAN BUENAVENTURA Litigation Matter](#)**

Staff: Gregory G. Diaz, City Attorney

**RECOMMENDATION**

Authorize the City Attorney to enter into an amended legal services agreement with the law firm of Haynes and Boone, LLP, to increase the not-to-exceed amount by an additional \$75,000 to continue representation of the City in the above referenced matter.

**8. CONSENT ITEMS (continued)**

**8C. [Approve 505 Poli Street 4th and 5th floor Lease Amendment](#)**

Staff: Alex D. McIntyre, City Manager

**RECOMMENDATION**

Approve and authorize the Mayor to sign the 505 Poli St. 4<sup>th</sup> and 5<sup>th</sup> floor Lease Amendment No. 1.

**8D. [Approve Tyler Technologies – Fourth Amendment](#)**

Staff: Michael Coon, Finance and Technology Director

**RECOMMENDATION**

Approve and authorize the Mayor to execute the Fourth Amendment to the License and Services Migration Agreement with Tyler Technologies, Inc. for a total not-to-exceed amount of \$1,473,046.

**8E. [Approve Subrecipient Agreement for the Ventura County COVID-19 City Assistance Program](#)**

Staff: Michael Coon, Finance and Technology Director

**RECOMMENDATION**

Approve subrecipient agreement for the Ventura County COVID-19 City Assistance Program and authorize the Mayor and staff to sign all required documents related to the agreement.

**8F. [Approve Contract with Government Finance Officers Association for Enterprise Resource Planning Advisory Services](#)**

Staff: Michael Coon, Finance and Technology Director

**RECOMMENDATION**

Approve and authorize the Mayor to execute a Master Services Agreement with Government Finance Officers Association for Enterprise Resource Planning Advisory Services for a total not-to-exceed amount of \$199,400.

## 8. CONSENT ITEMS (continued)

### 8G. [Approve Amendment to the Professional Services Agreement with Raftelis Financial Consultants, Inc. for the 2020 Water and Wastewater Cost of Service Study](#)

Staff: Susan Rungren, Ventura Water General Manager  
Akbar Alikhan, Assistant City Manager

#### RECOMMENDATION

- a. Approve and authorize the Mayor to execute the First Amendment to the Professional Services Agreement with Raftelis Financial Consultants, Inc. (Agreement No. 2020-002) to amend the scope of services and increase authorized funding by \$62,500 for a contract total not-to-exceed amount of \$287,500.
- b. Authorize the City Manager or his designee to execute amendments, if necessary, in order to extend the term of the agreement in order to accommodate the need for further analysis or additional scope if required, pursuant to San Buenaventura Municipal Code section 4.600.200.

## 11. PUBLIC HEARING ITEMS

### 11A. [Adoption of Commercial Cannabis Program](#)

Staff: Peter Gilli, Community Development Director

#### RECOMMENDATION

- a. Conduct the public hearing.
- b. Determine that the enactment of these ordinances and resolutions are exempt under Section 15061(b)(3) of the State California Environmental Quality Act Guidelines since these actions merely implement a regulatory process for a limited number of cannabis businesses to operate in locations where similar types of businesses are already allowed to operate, therefore, these ordinances and resolutions do not have the potential to result in significant effects on the environment.
- c. Introduce and approve the first reading of the ordinance, titled as follows:

**11. PUBLIC HEARING ITEMS (continued)**

“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING CHAPTER 6.420, “CANNABIS DELIVERY SERVICES,” OF THE SAN BUENAVENTURA MUNICIPAL CODE TO ALLOW FOR COMMERCIAL CANNABIS BUSINESSES IN THE CITY OF SAN BUENAVENTURA”

- d. Set the second reading and adoption of the ordinance at the City Council meeting on December 7, 2020.
- e. Adopt a resolution establishing the maximum number of commercial cannabis businesses and buffers from sensitive uses, entitled:

“RESOLUTION OF THE CITY COUNCIL OF SAN BUENAVENTURA, CALIFORNIA, ESTABLISHING THE MAXIMUM NUMBER OF COMMERCIAL CANNABIS BUSINESSES PERMITTED TO OPERATE IN THE CITY AND BUFFERS FROM SENSITIVE USES”

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING CHAPTER 6.420, “CANNABIS DELIVERY SERVICES,” OF THE SAN BUENAVENTURA MUNICIPAL CODE TO ALLOW FOR COMMERCIAL CANNABIS BUSINESSES IN THE CITY OF SAN BUENAVENTURA  
ORDINANCE NO. 2020-\_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF SAN BUENAVENTURA, CALIFORNIA, ESTABLISHING THE MAXIMUM NUMBER OF COMMERCIAL CANNABIS BUSINESSES PERMITTED TO OPERATE IN THE CITY AND BUFFERS FROM SENSITIVE USES  
RESOLUTION NO. 2020-\_\_\_\_\_



## 12. FORMAL ITEMS

### 12A. [Receive Update on Long Range Financial Plan for Street Lighting District 36](#)

Staff: Phillip Nelson, Public Works Director

#### RECOMMENDATION

Receive and file an update regarding the long-range financial plan of Street Lighting District 36.

### 12B. [Proposed Resident-Initiated Sidewalk Repairs Reimbursement Program](#)

Staff: Phillip Nelson, Public Works Director  
Nancy O'Connor, Parks and Recreation Director

#### RECOMMENDATION

- a. Approve the Resident-Initiated Sidewalk Repairs Reimbursement Program as presented.
- b. Direct staff to include an appropriation of \$350,000 from the Measure O Transaction and Use tax fund in Fiscal Year 2021 – 2022 budget and consider seeking Community Development Block Grant funds in 2021.
- c. Direct Staff to return to Council with a Resolution to implement the program.

## 12. FORMAL ITEMS (Continued)

### City Council also meeting as the Public Facilities Financing Authority for Agenda Item 12C

#### 12C. [Authorize Refinancing of Outstanding 2012 and 2014 Water and Wastewater Revenue Bonds and a 2008 Loan from the Safe Drinking Water State Revolving Fund](#)

Staff: Michael Coon, Finance and Technology Director

#### RECOMMENDATION

- a. Adopt a resolution authorizing the issuance and sale of refunding water revenue bonds to refinance outstanding obligations of the water system, entitled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AUTHORIZING THE ISSUANCE AND SALE OF REFUNDING WATER REVENUE BONDS TO REFINANCE OUTSTANDING OBLIGATIONS OF THE WATER SYSTEM, AND APPROVING RELATED DOCUMENTS AND ACTIONS”

- b. Adopt a resolution authorizing the issuance and sale of refunding wastewater revenue bonds to refinance outstanding obligations of the wastewater system, entitled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AUTHORIZING THE ISSUANCE AND SALE OF REFUNDING WASTEWATER REVENUE BONDS TO REFINANCE OUTSTANDING OBLIGATIONS OF THE WASTEWATER SYSTEM, AND APPROVING RELATED DOCUMENTS AND ACTIONS”

- c. Approve the Financing Plan and all related documents and agreements in substantially final form.
- d. Authorize the Finance and Technology Department to appropriate the funds and make the necessary revenue and expenditure appropriation adjustments for all transactions associated with the issuance of the 2020 Water Refinancing Bonds and 2020 Wastewater Refinancing Bonds.

**12. FORMAL ITEMS (Continued)**

As the City of San Buenaventura Public Facilities Financing Authority:

- e. Adopt a resolution authorizing the execution and delivery of escrow agreements relating to the refunding of outstanding 2012 and 2014 Water Revenue Bonds and approving any related actions, entitled:

“A RESOLUTION OF THE CITY OF SAN BUENAVENTURA PUBLIC FACILITIES FINANCING AUTHORITY AUTHORIZING THE EXECUTION AND DELIVERY OF ESCROW AGREEMENTS RELATING TO THE REFUNDING OF OUTSTANDING 2012 SERIES B WATER REVENUE BONDS AND 2014 SERIES C WATER REVENUE BONDS OF THE AUTHORITY, AND APPROVING RELATED ACTIONS”

- f. Adopt a resolution authorizing the execution and delivery of escrow agreements relating to the refunding of outstanding 2014 Wastewater Revenue Bonds and approving any related actions, entitled:

“A RESOLUTION OF THE CITY OF SAN BUENAVENTURA PUBLIC FACILITIES FINANCING AUTHORITY AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT RELATING TO THE REFUNDING OF OUTSTANDING 2014 SERIES C WASTEWATER REVENUE BONDS OF THE AUTHORITY, AND APPROVING RELATED ACTIONS”

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AUTHORIZING THE ISSUANCE AND SALE OF REFUNDING WATER REVENUE BONDS TO REFINANCE OUTSTANDING OBLIGATIONS OF THE WATER SYSTEM, AND APPROVING RELATED DOCUMENTS AND ACTIONS

RESOLUTION NO. 2020-\_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AUTHORIZING THE ISSUANCE AND SALE OF REFUNDING WASTEWATER REVENUE BONDS TO REFINANCE OUTSTANDING OBLIGATIONS OF THE WASTEWATER SYSTEM, AND APPROVING RELATED DOCUMENTS AND ACTIONS

RESOLUTION NO. 2020-\_\_\_\_\_

**12. FORMAL ITEMS (Continued)**

A RESOLUTION OF THE CITY OF SAN BUENAVENTURA PUBLIC FACILITIES FINANCING AUTHORITY AUTHORIZING THE EXECUTION AND DELIVERY OF ESCROW AGREEMENTS RELATING TO THE REFUNDING OF OUTSTANDING 2012 SERIES B WATER REVENUE BONDS AND 2014 SERIES C WATER REVENUE BONDS OF THE AUTHORITY, AND APPROVING RELATED ACTIONS  
RESOLUTION NO. 2020- \_\_\_\_\_

A RESOLUTION OF THE CITY OF SAN BUENAVENTURA PUBLIC FACILITIES FINANCING AUTHORITY AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT RELATING TO THE REFUNDING OF OUTSTANDING 2014 SERIES C WASTEWATER REVENUE BONDS OF THE AUTHORITY, AND APPROVING RELATED ACTIONS  
RESOLUTION NO. 2020- \_\_\_\_\_

**12D. [POLICY CONSIDERATION – Waive Fees for Nonprofit Youth Sports Leagues During State of Emergency and to Impose Fines for Illegal Use of City Athletic Fields/Facilities](#)**

Introduced by: Mayor Matt LaVere  
Councilmember Friedman  
Councilmember Nasarenko

**RECOMMENDATION**

- a. An ordinance that will waive fees for Ventura-based non-profit youth sports leagues who wish to use City fields and facilities during the local state of emergency.
- b. An ordinance that will create a fine structure for those individuals and groups who are illegally using City fields and facilities.
- c. Funding options for council to consider to offset the losses in revenue as a result of the fee waivers.

## 14. PUBLIC NOTICES

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

### 14A. [Public Notice – Submittal of Final Map for Tract No. 5632-2](#)

**Location:** South of Telegraph Road and west of Wells Road

**Developer:** Parklands Ventura, LLC

**Description of Subdivision:** Second phase of the Parklands project which includes sixty-three single family dwellings and sixty-one condominium units.

Parklands Ventura, 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, City Council will be sent a notice that the City Engineer will be considering the map for approval and the City Clerk will provide public notice to that effect.

### 14B. [Public Notice – Submittal of Final Map for Tract No. 5632-3](#)

**Location:** South of Telegraph Road and west of Wells Road

**Developer:** Parklands Ventura, LLC

**Description of Subdivision:** Third phase of the Parklands project which includes fifty-two single family dwellings and twenty-five condominium units.

Parklands Ventura, 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, City Council will be sent a notice that the City Engineer will be considering the map for approval and the City Clerk will provide public notice to that effect.

## 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 18, 2020 at 7:15 p.m. on the City website, in the Public Meetings/Agenda Center: <https://www.cityofventura.ca.gov/AgendaCenter>

Amended Agenda posted on Thursday, November 19, 2020 at 2:15 p.m. on the City website, in the Public Meetings/Agenda Center: <https://www.cityofventura.ca.gov/AgendaCenter>

Second Amended Agenda posted on Friday, November 20, 2020 at 12:45 p.m. on the City website, in the Public Meetings/Agenda Center: <https://www.cityofventura.ca.gov/AgendaCenter>