



CITY COUNCIL AGENDA

MONDAY, NOVEMBER 28, 2022

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

CITY COUNCIL CHAMBERS – CITY HALL - 501 POLI STREET, VENTURA, CA 93001  
TELECONFERENCE LOCATION – 100 MILL ROAD, MCDONOUGH, GA 30253

SOFIA RUBALCAVA, MAYOR

Councilmembers:

DISTRICT 2 – DOUG HALTER  
DISTRICT 3 – MIKE JOHNSON  
DISTRICT 4 – JEANNETTE SANCHEZ-  
PALACIOS

DISTRICT 5 – JIM FRIEDMAN  
DISTRICT 6 – LORRIE BROWN  
DISTRICT 7 – JOE SCHROEDER, DEPUTY  
MAYOR

Akbar Alikhan  
Acting 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=mf9a1129bde79c092e1849410470be1fd>

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: 2555 978 6103

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](mailto: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](http://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**  
Name of Case: Santa Barbara Channelkeeper v. State Water Resources Control Board and City of San Buenaventura, Los Angeles Superior Court Case No.: 19STCP01176 (previously San Francisco Superior Court Case No.: CPF-14-513875)  
Authority: Government Code Section 54956.9(d)(1)
  
2. **CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION**  
Name of Case: City of San Buenaventura v. United Water Conservation District, et al., Santa Barbara County Superior Court Case No. 19CV06168  
Authority: Government Code Section 54956.9(d)(1)
  
3. **CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION**  
Three Cases  
Authority: Government Code Section 54956.9(d)(2)
  
4. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**  
Title: City Attorney  
Authority: Government Code 54957

**ADJOURNMENT:** *Adjourn to Regular Meeting.*

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**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 Proclamation
- Sister City Loreto
- Introduction of new Southern California Edison Government Relations Manager

## 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. **[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: Andy Heglund, 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 \$50,000 to continue representation of the City in the above referenced matter.

## CONSENT ITEMS (CONTINUED)

3. [Request for Authorization to Amend Legal Services Agreement with Engle Carobini, APLC, by Increasing the Not to Exceed Amount in the Howard v. County of Ventura Litigation Matter](#)

Staff: Andy Heglund, City Attorney

RECOMMENDATION

Authorize the City Attorney to enter into an amended Legal Services Agreement with the law firm of Engle Carobini, APLC, to increase the not-to-exceed amount by an additional \$100,000 to continue representation of the City in the above referenced matter.

4. [Request for Authorization to Amend Outside Counsel Services – Best, Best & Krieger for the Los Posas Groundwater Litigation and the Oxnard Plain Groundwater Litigation Services](#)

Staff: Andy Heglund, City Attorney

RECOMMENDATION

- a. Authorize the City Attorney to enter into an amended legal services agreement with the law firm of Best, Best and Krieger, LLP in an amount not to exceed an additional \$100,000 to continue representation of the City in the litigation matter of Las Posas Valley Water Rights Coalition, et al. v. Fox Canyon Groundwater Management Agency, et al. (Super. Ct. Santa Barbara County, 2018, No. VENC100509700).
- b. Authorize the City Attorney to enter into an amended legal services agreement with the law firm of Best, Best and Krieger, LLP in an amount not to exceed an additional \$75,000 to continue representation of the City in the litigation matter of OPV Coalition, et al. v. Fox Canyon Groundwater Management Agency, et al. (Super. Ct. Santa Barbara County, 2018, No. VENC100555357).

5. [Approval of City Council Minutes – Regular Meetings held on October 25, 2021, November 8, 2021, October 10, 2022, October 17, 2022, and October 24, 2022 and Special Meeting held on November 1, 2021](#)

Staff: Michael B. MacDonald, City Clerk

RECOMMENDATION

Approve City Council Minutes for Regular Meetings held on October 25, 2021, November 8, 2021, October 10, 2022, October 17, 2022, and October 24, 2022 and Special Meeting held on November 1, 2021.

## CONSENT ITEMS (CONTINUED)

6. [Ordinances for Second Reading – Adoption of State Building Standards Codes](#)

Staff: Michael B. MacDonald, City Clerk

RECOMMENDATION

Waive the second reading in full and adopt Ordinance Nos. 2022-013 through 2022-021 of the City Council of the City of San Buenaventura, California, adopting by reference the 2022 California Building Code, Plumbing Code, Mechanical Code, Electrical Code, Residential Code, Existing Building Code, Fire Code, Energy Code, and 2021 International Maintenance Code.

7. [Adopt Resolution Setting 2023 City Council Meeting Schedule](#)

Staff: Michael B. MacDonald, City Clerk

RECOMMENDATION

Adopt a Resolution setting the City Council 2023 meeting schedule. Resolution titled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA SETTING A CITY COUNCIL MEETING SCHEDULE FOR CALENDAR YEAR 2023”.

8. [Professional Services Agreement PW23-1087 with Kennedy/Jenks Consultants, Inc. for Design Services on Project Number 97972, Relocate Day Road Booster Pump Station to Bailey](#)

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

- a. Approve and authorize the Mayor to execute an Agreement with Kennedy/Jenks Consultants, Inc. in the amount of \$432,000 with a contract completion date of December 31, 2023.
- b. Authorize the Public Works Director or designee to execute future amendments to subject Agreement up to a total maximum contingency of \$43,000 for a total not to exceed Agreement amount of \$475,000 and a total time extension of 180 calendar days.

## CONSENT ITEMS (CONTINUED)

9. [DKF Solutions, LLC Professional Services Agreement for State Water Resources Control Board and Cal/OSHA Compliance and Training Modules for Ventura Water and Wastewater Staff](#)

Staff: Gina Dorrington, Ventura Water General Manager

RECOMMENDATION

- a. Approve and authorize the Mayor to execute a Professional Services Agreement with DKF Solutions, LLC for State Water Resources Control Board and Cal/OSHA Compliance Program and Training Modules for Ventura Water and Wastewater staff for a contract amount of \$263,070 and contingency amount of \$26,307 for a Not-to-Exceed total of \$289,377.
- b. Authorize the City Manager or designee to execute amendments to the Professional Service Agreement during the total duration of the contract, pursuant to Section 4.600.200 of the Municipal Code, in an amount not to exceed \$26,307 in contingency.

**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. [Professional Services Agreement with Kennedy/Jenks Consultants, Inc. for Membrane Bioreactor and Ultraviolet Light Disinfection Design](#)  
(Continued from November 14, 2022)

Staff: Gina Dorrington, Ventura Water General Manager

RECOMMENDATION

- a. Approve and authorize the Mayor to execute a Professional Services Agreement with Kennedy/Jenks Consultants, Inc.; term November 14, 2022 to December 31, 2024; not-to-exceed \$11,375,125 during the duration of the contract pursuant to section 4.600.140 of the Municipal Code.
- b. Authorize the City Manager or designee to execute amendments for the Professional Service Agreement with Kennedy/Jenks, Inc. up to \$568,756 for a total contract not to exceed amount of \$11,943,881 during the total duration of the contract, pursuant to Section 4.600.200 of the Municipal Code and a total time extension of 365 calendar days.

## FORMAL ITEMS (CONTINUED)

11. [Consideration of Various Agreements with Workday, Inc. and Collaborative Solutions, LLC, Related to the Acquisition of a New Enterprise Resource Planning System](#) (Continued from November 14, 2022)

Staff: Michael Coon, Chief Financial Officer

### RECOMMENDATION

- a. Approve and authorize the Mayor to execute a contract for subscription rights, training, and delivery assurance services with Workday, Inc., which consists of a master subscription agreement and the following order forms, in an amount not to exceed \$9,371,330, subject to annual appropriations from the City Council:
  1. Order Form #00369349.0 for subscription rights in a not to exceed amount of \$8,997,798 with an end date of November 20, 2037.
  2. Order Form #00375269.0 for Workday Training in a not to exceed amount of \$212,028 with an end date of November 20, 2025.
  3. Order Form #00375267.0 for Workday Delivery Assurance in a not to exceed amount of \$161,504 with an end date of October 22, 2024.
- b. Approve and authorize the Mayor to execute a master service agreement with Collaborative Solutions, LLC. to provide software implementation services for the deployment of Workday software in a not to exceed amount of \$3,052,659 with a contract completion date of August 9, 2024.
- c. Authorize the City Manager to execute future amendments to the Workday contract for subscription rights up to a total maximum contingency of \$899,779 for total not to exceed amount of \$9,897,577.
- d. Authorize the City Manager to execute future amendments to the master service agreement with Collaborative Solutions, LLC, up to a total maximum contingency of \$305,266 for total not to exceed agreement amount of \$3,357,925 and total time extension of 90 days.

## FORMAL ITEMS (CONTINUED)

- e. Authorize Finance to amend appropriations as needed throughout the implementation of Workday to transfer monies from the City's various funds to the Information Technology Internal Service Fund to cover each fund's proportional cost of the implementation.

12. **Management Report on the Refurbishment and Redecoration of City Facilities for the Last Three Years and First Amendment with BKM Office Environments** *(Continued from November 14, 2022)*

Staff: Andy Heglund, City Attorney

### RECOMMENDATION

- a. Receive and file Management Report on the refurbishment and redecoration of City facilities for the last three years.
- b. Approve and authorize the Mayor to execute the First Amendment to General Services Agreement 2022-196 with BKM Office Environments, Inc., in the amount of \$210,000 for a new contract total of not-to-exceed \$510,000.
- c. Authorize the City Manager to execute an amendment or change order to BKM Office Environments, Inc. purchase order up to a not-to-exceed contingency amount of \$50,000 pursuant to Section 4.600.200 of the Municipal Code and a total time extension of 180 calendar days.
- d. Authorize the City Manager or designee to execute a task order to MTM Construction, Inc. for \$130,000 per Job Order Contract number 2021-078.
- e. Authorize the City Manager to execute an amendment or change order to MTM Construction, Inc.'s task order up to a not-to-exceed contingency amount of \$13,000 pursuant to Section 4.600.190 and 4.600.200 of the Municipal Code and a total time extension of 180 calendar days.
- f. Authorize an increase to Fiscal Year 2023 appropriations in the amount of \$388,000; \$314,000 from the Information Technology Fund 61, and \$74,000 from Facilities Fund 65.



## FORMAL ITEMS (CONTINUED)

13. [Amendments to the Thomas Fire Ordinance \(2018-016\) to Extend the End Date of the Ordinance by One Year](#)

Staff: Neda Zayer, Acting Community Development Director

### RECOMMENDATION

- a. Determine the adoption of the Emergency Ordinance is exempt from the provisions of the California Environmental Quality Act pursuant to Public Resources Code Section 21080(b)(3) and Section 21080(b)(4), and CEQA Guidelines Section 15269(a).
- b. Introduce and adopt by four-fifths vote an emergency Ordinance extending the term of Ordinance No. 2018-006 and Ordinance No. 2018-016 to December 4, 2023, entitled:

"AN EMERGENCY ORDINANCE OF THE COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, EXTENDING THE TERM OF ORDINANCE NO. 2018-006 WHICH PERMITTED THE USE OF RECREATIONAL VEHICLES ON PRIVATE PROPERTY FOR TEMPORARY HOUSING AND USE OF STORAGE CONTAINERS FOR TEMPORARY ON-SITE STORAGE IN THE AREA IMPACTED BY THE THOMAS FIRE; AND EXTENDING THE TERM OF ORDINANCE NO. 2018-016 WHICH AMENDED CERTAIN PROVISIONS PERTAINING TO HEIGHT DETERMINATIONS AND IMPLEMENTATION AND RESTATING THE THOMAS FIRE REBUILD OVERLAY ZONE"

**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.*

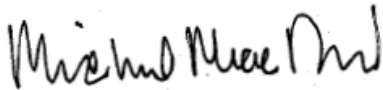
*La traducción al español estará disponible en vivo. No es necesario solicitar la traducción al español anticipadamente.*

*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 2021-2022](#)
- [Budget Principles 2021-2022](#)
- [City Charter](#)

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This agenda was posted on Wednesday, November 23, 2022, at 3:30 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