

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
Andy Heglund, Interim City Attorney
Tracy Oehler, Interim City Clerk



REGULAR MEETING
MONDAY, FEBRUARY 28, 2022
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/j.php?MTID=mf0bfec3386184112f8b9075962ce4dc0>

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: 1-213-306-3065 / Access Code 2552 953 6894

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 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 using this form www.cityofventura.ca.gov/publicinput. Those emails will be provided to City Council following the meeting.



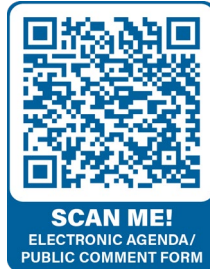
5. **Provide Public Comment Live when attending Virtually: You must attend the WebEx Meeting with audio connected to your computer/device,** you will see Chat feature on your screen. You can write, "I would like to speak on Agenda Item #__" in the Chat feature. During the discussion of that item, the 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 or send an email to 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.

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 LEGAL COUNSEL – EXISTING LITIGATION

Name of Case: *VCFPD v. Santa Clara Waste Water, et al.*

Ventura County Superior Court Case No.: 56-2016-00484523

Authority: Government Code §54956.9(d)(1)

2. CONFERENCE WITH LEGAL COUNSEL

Initiation of Litigation: One

Authority: Government Code Section 54956.9(d)(4)

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

4A. Civic Alliance State of the Region Report

5. CLOSED SESSION REPORT

6. CITY COUNCIL COMMUNICATIONS/REPORTS

Per Government Code Section 54954.2(a)(2), the Council Communications section of the agenda provides City Council members the opportunity to ask a question for clarification, make a brief announcement, or provide a brief report on his or her activities or the activities of the respective boards, commissions, or committees upon which they serve.

7. CITY MANAGER COMMUNICATIONS

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. Designation of Voting Delegate - Southern California Association of Governments 2022 to General Assembly

Introduced by: Mayor Rubalcava

RECOMMENDATION

Confirm the Mayor's appointment of Councilmember Lorrie Brown as the City's voting delegate for Southern California Association of Governments 2022 General Assembly.

9C. Consideration of a Resolution Making Required Finding to Continue to Allow City Council and all of its Subordinate Bodies to Meet Remotely Pursuant Assembly Bill 361

Staff: Tracy J. Oehler, Interim City Clerk

RECOMMENDATION

Adopt a Resolution making findings in accordance with Assembly Bill 361 and Government Code Section 54953(e), reconfirming the need for remote teleconference meetings of the City Council and all subordinate bodies of the City of San Buenaventura. Resolution titled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, RECONFIRMING THE NEED FOR REMOTE TELECONFERENCE MEETINGS OF THE CITY COUNCIL AND ALL CITY SUBORDINATE BODIES OF THE CITY OF SAN BUENAVENTURA IN ACCORDANCE WITH AB 361 AND GOVERNMENT CODE SECTION 54953(e)”

9. CONSENT ITEMS (continued)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, RECONFIRMING THE NEED FOR REMOTE TELECONFERENCE MEETINGS OF THE CITY COUNCIL AND ALL CITY SUBORDINATE BODIES OF THE CITY OF SAN BUENAVENTURA IN ACCORDANCE WITH AB 361 AND GOVERNMENT CODE SECTION 54953(e) RESOLUTION NO. 2022-____

9D. [Authorization to Apply for Grant Funds for the VenturaWaterPure Program](#)

Staff: Alex D. McIntyre, City Manager

RECOMMENDATION

- a. Authorize the Ventura Water General Manager, or designee, to apply for a grant for up to \$25,937,100 for the Bureau of Reclamation WaterSMART: Title XVI Water Reclamation and Reuse Projects.
- b. Direct staff to return to City Council after the grant application has been submitted for City Council to consider a resolution providing staff authorization for grant processing and administration.

9E. [Accept and Approve the Local Agency Developer Improvement Fee Report, Fiscal Year Ended June 30, 2021](#)

Staff: Michael Coon, Finance and Technology Director

RECOMMENDATION

Per the California Government Code, and as specifically required by the Mitigation Fee Act and the Quimby Act:

- a. Accept the City's annual report and findings regarding developer fees; and
- b. Approve the reauthorization of the intended use of retained funds collected for improvements that remain unspent for more than five years.

9. CONSENT ITEMS (continued)

9F. [First Amendment and Contract Increase for Contract with Versaterm](#)

Staff: Michael Coon, Finance and Technology Director

RECOMMENDATION

Authorize the Mayor to execute the First Amendment to the Professional Services Agreement with Versaterm, Inc. for the total not-to-exceed by \$326,651 for the additional system components and annual maintenance fees for the remainder of the term for a new total not-to-exceed amount of \$1,336,842.

9G. [Second Amendment to Master Services Agreement with Unit4 Business Solutions](#)

Staff: Michael Coon, Finance and Technology Director

RECOMMENDATION

Approve and authorize the Mayor to execute the Second Amendment to the Master Services Agreement with Unit4 Business Solutions in the amount of \$8,656 for a new total not-to-exceed amount of \$528,656.

9H. [Request to Purchase Additional Licenses for Digital Health Department Software](#)

Staff: Michael Coon, Finance and Technology Director

RECOMMENDATION

- a. Authorize the Mayor to execute an Amendment with Tyler Technologies for the Digital Health Department licenses needed in the amount of \$5,328.
- b. Authorize the City Manager or designee to execute any necessary modifications or change orders for additional future system licenses, with expenditures not-to-exceed an additional \$10,000 for a total not-to-exceed amount of \$223,565.

9. CONSENT ITEMS (continued)

9I. [Authorization for Modifications to the State CALNET Contracts](#)

Staff: Michael Coon, Finance and Technology Director

RECOMMENDATION

Authorize the City Manager to approve and execute any needed current and future contract modifications and related documents as it pertains to the State CALNET contracts for a duration of five years for a total not-to-exceed amount of \$1,250,000.

9J. [Expansion of Skatepark at Westpark – Capital Improvement Project 92928](#)

Staff: Nancy O'Connor, Parks & Recreation Director

RECOMMENDATION

- a. Approve and accept \$1,990,000 in grant funds and authorize additional funds of \$322,000 from Parks Capital Fund (Fund 18) for the Skatepark at Westpark expansion improvements project.
- b. Authorize the Mayor to execute a contract with the grant provider (State of California) in a form to be approved by the City Attorney.
- c. Authorize the Finance and Technology Department to make the proper budgetary and accounting entries for recording increased revenue and expenditure appropriations to the proper programs and accounts, to include CIP Appropriations for use as provided in the grant.

9K. [Consideration of Professional Services Agreement with Waterways Consulting, Inc. for Fish Passage Improvements Design Services for Project 97945 – Ventura River Fish Passage Improvements at Foster Park - Phase 2](#)

Staff: Phillip L. Nelson, Public Works Director

RECOMMENDATION

- a. Approve and authorize the Mayor to execute subject Agreement with Waterways Consulting, Inc. in the amount of \$99,025 with a contract completion date of December 31, 2023.

9. CONSENT ITEMS (continued)

- b. Authorize the Public Works Director or designee to execute future amendments to subject Agreement up to a total maximum contingency of \$10,000 for a total not to exceed Agreement amount of \$109,025 and a total time extension of 180 calendar days.
- c. Authorize an increase to the Fiscal Year 2021-2022 budget in the amount of \$41,000 from the Water Capital Fund (Fund 72) and authorize the Finance and Technology Director to increase budget appropriations and revenues to the proper projects and accounts in the Fiscal Year 2021-2022.

9L. [Senate Bill 1383 Local Assistance Grant Program](#)

Staff: Phillip L. Nelson, Public Works Director

RECOMMENDATION

- a. Approve the resolution authorizing the City to submit an application to the California Department of Resources Recycling and Recovery for any and all payment programs related to the Senate Bill 1383 Local Assistance Grant Program.
- b. Authorize the Public Works Director 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 projects and accounts for their use as provided in the grant if the grant is awarded.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA AUTHORIZING SUBMITTAL OF APPLICATION FOR PAYMENT PROGRAMS AND RELATED AUTHORIZATIONS

RESOLUTION NO. 2022-____

9. CONSENT ITEMS (continued)

9M. Consideration of Approval of Construction Contract with Toro Enterprises, Inc. for Project 91703 – Sidewalk and ADA Ramp Improvements Project

Staff: Phillip L. Nelson, Public Works Director

RECOMMENDATION

- a. Determine that the proposed project is categorically exempt from the California Environmental Quality Act (CEQA) as defined in Article 19 Section 15301 (c) of the CEQA guidelines because it is considered the repair, maintenance, or minor alteration of an existing street, sidewalk and gutter involving negligible or no expansion of an existing use.
- b. Waive all minor bid irregularities, approve and authorize the Mayor to execute the Public Works contract, Specification 2021-072 with Toro Enterprises, Inc. for the Sidewalk and ADA Ramp Improvements Project in the amount of \$308,180.50.
- c. Authorize the Public Works Director or designee to execute future amendments to Toro Enterprises, Inc. up to a total maximum contingency of \$30,818 for a total not-to-exceed Agreement amount of \$338,998.50 and a total time extension of 90 calendar days.

9N. Consideration of the Second Amendment to Professional Services Agreement 2019-040 with RRM Design Group for Civil Engineering Consulting Services on Project 93960 – Surfer’s Point Phase II

Staff: Phillip L. Nelson, Public Works Director

RECOMMENDATION

- a. Approve and authorize the Mayor to execute the Second Amendment to Professional Services Agreement 2019-040 with RRM Design Group in the amount of \$18,607 for a new contract total of \$372,972 and a contract completion date of June 30, 2022.
- b. Authorize the Public Works Director or designee to execute future amendments to subject agreement up to a total maximum contingency of \$11,393 for a total not to exceed contract amount of \$384,365.

9. CONSENT ITEMS (continued)

90. [First Amendment to General Services Agreement with Ferguson Enterprises for the Advanced Metering Infrastructure Project](#)

Staff: Susan Rungren, Ventura Water General Manager

RECOMMENDATION

Approve and authorize the Mayor to execute the First Amendment to General Services Agreement No. 2016-060 with Ferguson Enterprises in the amount of \$294,750, to convert to the Neptune 360 Data Management Platform and provide hosting services for five consecutive years. This addition and the adjustment of material quantities will result in a total not-to-exceed contract amount of \$9,191,076.32, which includes a previously approved contingency of \$200,000.

City Council also meeting as the Successor Housing Agency for Agenda Item 9P.

9P. [Approve the Sixth Amendment to the Dyer Sheehan Group Professional Services Agreement #2017-118 \(PO# 100004376\)](#)

Staff: Peter Gilli, Community Development Director

RECOMMENDATION

As the Successor Housing Agency:

- a. Approve and authorize the Mayor to execute the Sixth Amendment to the Dyer Sheehan Group Professional Services Agreement for the Ventura Veterans Home Development project public off-site improvements work; \$65,000 increase for a new not-to-exceed amount of \$352,500 and extending the term to June 30, 2022.
- b. Authorize the Finance and Technology Department to adjust appropriations in the Successor Housing Agency Fund by \$65,000 to cover this agreement increase.

13. FORMAL ITEMS

13A. Approve an Amendment to the City Manager’s Employment Agreement and Adopt a Resolution Amending the Compensation and Terms of the City Manager’s Employment Agreement; Adopt a Revised Salary Resolution

Introduced by: Sofia Rubalcava, Mayor
Joe Schroeder, Deputy Mayor

RECOMMENDATION

- a. Approve Amendment #3 to the City Manager’s Employment Agreement and adopt a resolution amending the compensation and terms of the City Manager’s Employment Agreement No. 2018-77 [“Agreement”] (1) amending Section 7.1 – Severance Pay from nine months to twelve months, and (2) amending Section 3.2 to provide a two percent merit salary increase.
- b. Adopt a Resolution Providing for a Systematic Classification of Positions and a Standardization of Salaries of Certain Paid Officers and Employees of the City of San Buenaventura as of February 28, 2022.

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN BUENAVENTURA AMENDING THE COMPENSATION AND TERMS OF EMPLOYMENT FOR THE POSITION OF CITY MANAGER
RESOLUTION NO. 2022-___

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN BUENAVENTURA PROVIDING FOR A SYSTEMATIC CLASSIFICATION OF POSITIONS AND A STANDARDIZATION OF SALARIES OF CERTAIN PAID OFFICERS AND EMPLOYEES OF THE CITY OF SAN BUENAVENTURA AS OF FEBRUARY 28, 2022
RESOLUTION NO. 2022-___

13B. Introduce Ordinance Adopting New District Map

Staff: Tracy J. Oehler, Interim City Clerk

RECOMMENDATION

- a. Determine that this action is exempt under Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines because it is not a “project” as defined by CEQA that would have significant effects on the environment.

13. FORMAL ITEMS (continued)

- b. Introduce and waive the first reading of the ordinance, titled as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING IN PART, CHAPTER 2.210, "CITY COUNCIL," OF THE SAN BUENAVENTURA MUNICIPAL CODE TO UPDATE CITY COUNCIL VOTING DISTRICT BOUNDARIES AND REFERENCES

- c. Set the second reading and adoption of this ordinance at the City Council meeting on March 21, 2022.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING IN PART, CHAPTER 2.210, "CITY COUNCIL," OF THE SAN BUENAVENTURA MUNICIPAL CODE TO UPDATE CITY COUNCIL VOTING DISTRICT BOUNDARIES AND REFERENCES
ORDINANCE NO. 2022-___

13C. [Creation of Information Technology Department](#)

Staff: Michael Coon, Finance and Technology Director

RECOMMENDATION

- a. Determine that the enactment of procedures and regulations restructuring the Finance and Technology Department into two separate departments pursuant to this Ordinance is determined to be exempt under Section 15061(b)3 of the of Title 14 of the California Code of Regulations because the enactment of this ordinance does not have the potential to result in significant effects on the environment.
- b. Introduce and waive the first reading of an ordinance amending various sections of the Municipal Code, titled as follows:

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING VARIOUS SECTIONS OF THE SAN BUENAVENTURA MUNICIPAL CODE TO SEPARATE THE INFORMATION TECHNOLOGY DIVISION FROM THE FINANCE AND TECHNOLOGY DEPARTMENT BY CREATING A SEPARATE DEPARTMENT OF INFORMATION TECHNOLOGY"
- c. Set the second reading and adoption of the Ordinance at the City Council meeting on March 21, 2022.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING VARIOUS SECTIONS OF THE SAN BUENAVENTURA MUNICIPAL CODE TO SEPARATE THE INFORMATION TECHNOLOGY DIVISION FROM THE FINANCE AND TECHNOLOGY DEPARTMENT BY CREATING A SEPARATE DEPARTMENT OF INFORMATION TECHNOLOGY
 ORDINANCE NO. 2022-___

13D. Conduct a Study Session for the Proposed Fiscal Year 2023-2027 Capital Improvement Program

Staff: Phillip L. Nelson, Public Works Director

RECOMMENDATION

Conduct a study session regarding the proposed Capital Improvement Program for 2023-2027 and provide staff with feedback on the proposed Program.

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 – Approval of Final Map for Tract No. 5883-2

This serves as Public Notice that the City Engineer is reviewing for approval the subdivision map for the project described below in accordance with Section 26.100.220 of the City of San Buenaventura Municipal Code. See Attachment A for a site location map.

Location:	Phase 2 of the Westview Village Project at 995 Riverside Street
Tract Number:	5883-2
Developer:	Housing Authority of the City of San Buenaventura
Description:	A subdivision consisting of one residential lot and a public park parcel

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.



17. ADJOURNMENT

This agenda was posted on Thursday 24, 2022, at 2:30 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.