

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
Gregory G. Diaz, City Attorney
Antoinette M. Mann, City Clerk



AMENDED 3/5/2021
Added Agenda Item 9M

AMENDED 3/4/2021
URL to Join WebEx Adjusted

REGULAR MEETING
MONDAY, MARCH 8, 2021
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=e3224754242add40fbc8c3bde1b089bda>

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 182 030 7863

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. **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, speakers will be promoted to "panelist" allow your camera to be turned on. 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.

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 LEGAL COUNSEL – EXISTING LITIGATION

Name of Case: Schweissing v. City of San Buenaventura, et al.
Ventura County Superior Court Case No.: 56-2019-00524183-CU-PA-VTA
Authority: Government Code §54956.9(d)(1)

2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Name of Case: City of San Buenaventura v. United Water Conservation District and Board of Directors of United Water Conservation District
Santa Barbara Superior Court Case No. 19CV06168
(Related to Case Nos. VENC100401714, 1414739, & 1467531)
Authority: Government Code Section 54956.9(d)(1)

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. Proclamation – International Women’s Day, March 8, 2021

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. CITY MANAGER COMMUNICATIONS

8. 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.



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 2021 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 2021 General Assembly.

9. **CONSENT ITEMS (Continued)**

9C. **[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 May 11, 2021](#)**

Staff: Gregory G. Diaz, City Attorney

RECOMMENDATION

Adopt the Resolution, title as follows:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, RECONFIRMING THE EXISTENCE OF A LOCAL EMERGENCY AND EXTENDING IT UNTIL MAY 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 MAY 11, 2021
RESOLUTION NO. 2021-_____

9D. **[Request for Authorization to Amend Outside Counsel Services Agreement with the Law Firm of Nossaman, LLP](#)**

Staff: Gregory G. Diaz, City Attorney

RECOMMENDATION

Authorize the City Attorney to enter into an amended legal services agreement with Nossaman, LLP for legal services regarding compliance with the Consent Decrees and the National Pollutant Discharge Elimination System permit, and obtaining other regulatory permits, in an amount not to exceed an additional \$114,500 to continue representation of the City.

9E. **[Consideration of an Addendum to the Existing Ground Lease Dated April 8, 1985 Between the City and Community Memorial Hospital of San Buenaventura, Inc., to Enable the Refinancing of The Hospital's Debt through a Federal Housing Administration Mortgage](#)**

Staff: Gregory G. Diaz, City Attorney

RECOMMENDATION

- a. Approve the Addendum to the 1985 Lease between the City and Community Memorial Hospital of San Buenaventura, Inc. to enable

9. CONSENT ITEMS (Continued)

the refinancing of the Hospital's debt through a Federal Housing Administration Mortgage with deletion of proposed subsection b) and all other references to the U.S. Department of Housing and Urban Development or its lender being able to purchase or otherwise acquire title to the property without the express consent of the City Council.

- b. Authorize the Mayor to execute the Lease Addendum on behalf of the City.

9F. General Plan Advisory Committee Member Appointee

Staff: Peter Gilli, Community Development Director

RECOMMENDATION

Approve the appointment of William McReynolds as a member of the General Plan Advisory Committee as appointed by Councilmember Brown as the Chair of the General Plan Advisory Committee.

9G. Approve and Award the Professional Services Agreement to Hinderliter de Llamas & Associates for Cannabis Consulting Services

Staff: Peter Gilli, Community Development Director

RECOMMENDATION

Approve and authorize the Mayor to execute a Professional Services Agreement with Hinderliter de Llamas & Associates to provide cannabis consulting services, term from July 1, 2021 to June 30, 2026, for a total contract amount of \$842,000, fully offset by cannabis application fees.

9. CONSENT ITEMS (Continued)

9H. [Authorize Refunding of Outstanding 2007 and 2010 Certificates of Participation, 2012 Lease Revenue Refunding Bonds, and Approve Engagement of Professional Services](#)

Staff: Michael Coon, Finance and Technology Director

RECOMMENDATION

Approve the refunding and adopt a Resolution titled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA APPROVING INSTITUTION OF PROCEEDINGS TO REFINANCE OUTSTANDING CERTIFICATES OF PARTICIPATION AND LEASE REVENUE BONDS, AND APPROVING ENGAGEMENT OF PROFESSIONAL SERVICES RELATING THERETO”

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA APPROVING INSTITUTION OF PROCEEDINGS TO REFINANCE OUTSTANDING CERTIFICATES OF PARTICIPATION AND LEASE REVENUE BONDS, AND APPROVING ENGAGEMENT OF PROFESSIONAL SERVICES RELATING THERETO

RESOLUTION NO. 2021-_____

9I. [Adopt Revised Benefits Resolution](#)

Staff: Danielle Keys, Human Resources Director

RECOMMENDATION

Adopt a revised resolution providing for Benefits and Additional Compensation for Unrepresented Employees in Salary Schedules “E”, “M”, “C”, and “D”, titled:

“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. 2020-061”

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. 2020-061 RESOLUTION NO. 2021-_____

9. CONSENT ITEMS (Continued)

9J. [Approve Arroyo Verde Playground Components Purchase](#)

Staff: Nancy O'Connor, Parks and Recreation Director

RECOMMENDATION

- a. Authorize the City Manager or designee to execute the necessary purchase agreements in a total amount not-to-exceed \$294,969.89 to the manufacturer Landscape Structures, through Sourcewell contract 030117-LSI valid through 4/14/2022. The new playground structures will be compliant with 2010 ADA Standards for Accessible Design.
- b. Authorize the Finance & Technology Department to increase the expense and revenue appropriations for this project by \$294,969.89, making the total project appropriations \$1,626,787.89.

9K. [Approve Acceptance of the 2019 and 2020 Justice Assistance Grants](#)

Staff: Darin Schindler, Chief of Police

RECOMMENDATION

- a. Accept the 2019 Justice Assistance Grant in the amount of \$26,747 and the 2020 Justice Assistance Grant in the amount of \$24,589 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.

9. **CONSENT ITEMS (Continued)**

9L. **Reject All Bids and Authorize Staff to Rebid Project 92916 - Community Park 2nd Entrance, Ramelli and Telephone**

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

- a. Reject all bids that were received on February 11, 2021 for Project 92916 - Community Park 2nd Entrance, Ramelli and Telephone.
- b. Authorize the City Engineer to rebid Project 92916 - Community Park 2nd Entrance, Ramelli and Telephone after the plans and specifications have been reviewed.

9M. **Approve Declaration of Emergency Pursuant to Keys Stub Channel Dredging Needs and Adoption of Resolution**

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

- a. Adopt Resolution for the Ventura Inner Harbor Stub Channel emergency dredging, titled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, DECLARING AN EMERGENCY AND AUTHORIZING THE DIRECTOR OF PUBLIC WORKS/CITY ENGINEER TO WORK WITH THE GENERAL MANAGER OF THE VENTURA PORT DISTRICT TO PURSUE AN EMERGENCY DREDGING PERMIT FOR BOTH THE VENTURA HARBOR AND THE ENTRY CHANNEL TO THE VENTURA KEYS AND OUTLET FROM THE ARRUNDELL BARRANCA”

- b. Authorize the City Manager, or his designee the Public Works Director, to execute amendments to take any action required to respond to the emergency.
- c. Authorize the City Manager, or his designee the Public Works Director, to submit any/all emergency permit applications and documents required to support this action’s completion.

9. CONSENT ITEMS (Continued)

- d. Authorize the City Manager, or his designee the Public Works Director, to procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, DECLARING AN EMERGENCY AND AUTHORIZING THE DIRECTOR OF PUBLIC WORKS/CITY ENGINEER TO WORK WITH THE GENERAL MANAGER OF THE VENTURA PORT DISTRICT TO PURSUE AN EMERGENCY DREDGING PERMIT FOR BOTH THE VENTURA HARBOR AND THE ENTRY CHANNEL TO THE VENTURA KEYS AND OUTLET FROM THE ARRUNDELL BARRANCA
RESOLUTION 2021-_____

10. APPOINTMENTS TO COUNCIL ADVISORY GROUPS

10A. [Approve Reappointment Recommendation – Ventura County Air Pollution Control District Advisory Committee](#)

Introduced by: Councilmember Doug Halter, Chairperson – Appointments Recommendation Committee

RECOMMENDATION:

Approve the reappointment of Paul Meehan to the Ventura County Air Pollution Control District Advisory Committee; Term of Office – January 9, 2021 – January 9, 2025.

12. PUBLIC HEARING ITEMS

12A. [Adoption of Commercial Cannabis Business Permit Fees](#)

Staff: Peter Gilli, Community Development Director
Michael Coon, Finance and Technology Director

RECOMMENDATION

- a. Conduct the public hearing.
- b. Determine that the enactment of this resolution is exempt from the California Environmental Quality Act (Public Resources Code Section 21080(b)(8)) because it establishes a fee for the purpose of meeting operating expenses.

12. PUBLIC HEARING ITEMS (Continued)

- c. Adopt a resolution approving the new Commercial Cannabis Permit Application Fees, Permit Appeal Fees, and corresponding background checks, to be effective April 1, 2021, entitled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, ADOPTING A SCHEDULE OF FEES FOR SERVICES RELATING TO COMMERCIAL CANNABIS PERMITS”

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, ADOPTING A SCHEDULE OF FEES FOR SERVICES RELATING TO COMMERCIAL CANNABIS PERMITS
RESOLUTION NO. 2021-_____

13. FORMAL ITEMS

13A. [Approval for Two Additional Ventura Water Pure Positions](#)

Staff: Alex McIntyre, City Manager

RECOMMENDATION

Authorize a new full time equivalent Engineer position (may be filled at the Principal, Senior, or Assistant/Associate Civil Engineer level, depending on qualifications) and a new full time equivalent Secretary for the VenturaWaterPure project.

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.



16. 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.

17. ADJOURNMENT

Second Amended agenda was posed on Friday, March 5, 2021 at 12:15 p.m. on the City website, in the Public Meetings/Agenda Center: <https://www.cityofventura.ca.gov/AgendaCenter>

Amended agenda was posed on Thursday, March 4, 2021 at 11:30 a.m. on the City website, in the Public Meetings/Agenda Center: <https://www.cityofventura.ca.gov/AgendaCenter>

This agenda was posted on Wednesday, March 3, 2021 at 8:00 p.m. on the City website, in the Public Meetings/Agenda Center: <https://www.cityofventura.ca.gov/AgendaCenter>