

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 J. Oehler, Interim City Clerk



REGULAR MEETING
MONDAY, MARCH 28, 2022
CLOSED SESSION – 5:00 P.M.
REGULAR MEETING – 6:00 P.M.

PUBLIC PARTICIPATION OPTIONS – VIRTUAL AND IN PERSON OPTIONS

1. Join a **WebEx meeting LIVE**:

<https://cityofventura.webex.com/cityofventura/j.php?MTID=mb89481afa9310442ba29d96fb69a7257>

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: / Access Code 2553 655 5860

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.
6. **Attend the meeting at City Hall.** Please note that the meeting will be a hybrid meeting, with attendees both in-person and 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: 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)

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. Red Cross Proclamation

4B. Community Recognition of Julie Tumamait-Stenslie, Tribal Woman Barbareno Ventureno Band of Mission Indians, in celebration of 2022 International Woman’s Day

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. Professional Services Agreement with Carollo Engineers for VenturaWaterPure Owner's Advisor

Staff: Alex D. McIntyre, City Manager

RECOMMENDATION

- a. Approve and authorize the Mayor to execute the Professional Service Agreement with Carollo Engineers; term March 21, 2022 to June 30, 2023; not-to-exceed \$3,403,155 during the total 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 Carollo Engineers not-to-exceed \$340,315 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.
- c. Authorize Finance and Technology to increase appropriations and the budget (CIP Spending Plan) in Project No. 97971, for a total appropriation and budget of \$638,941.16 in Fiscal Year 2021–22.

9. CONSENT ITEMS (continued)

9C. Professional Service Agreement with HDR Engineering, Inc. for VenturaWaterPure Ocean Outfall Pump Station Design

Staff: Alex D. McIntyre, City Manager

RECOMMENDATION

- a. Approve and authorize the Mayor to execute the Professional Service Agreement with HDR Engineering, Inc.; term March 28, 2022 to December 31, 2025; not-to-exceed \$3,080,900 during the total 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 HDR Engineering, Inc. not-to-exceed \$308,090 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.
- c. Authorize Finance and Technology to increase appropriations and the budget (CIP Spending Plan) in Project No. 97971 for a total appropriation and budget of \$589,805.16 in Fiscal Year 2021–22.

9D. Processing and Administration of Grant Funds for the VenturaWaterPure Program

Staff: Alex D. McIntyre, City Manager

RECOMMENDATION

- a. Adopt a resolution authorizing the Ventura Water General Manager, or designee, to apply for, receive funds, enter into a cooperative agreement, and administer a grant for up to \$14,026,650 for the 2022 Bureau of Reclamation's WaterSMART: Title XVI Water Reclamation and Reuse Projects. Resolution titled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AUTHORIZING THE VENTURA WATER GENERAL MANAGER, OR DESIGNEE, TO APPLY FOR, RECEIVE FUNDS, ENTER INTO A COOPERATIVE AGREEMENT, AND ADMINISTER A GRANT FOR THE 2022 BUREAU OF RECLAMATION TITLE XVI WATER RECYCLING PROJECTS UNDER THE WIIN ACT”

9. CONSENT ITEMS (continued)

- b. Authorize the Ventura Water General Manager, or designee, to act on the behalf of the City of Ventura to conduct all negotiations, execute and submit all documents, including but not limited to, applications, agreements, amendments, and billing statements that may be necessary to accept these grants and complete the project under the grant.
- c. Authorize the Finance and Technology Department to assign increased revenue and expense appropriations to the proper funds, projects, and accounts if a grant is awarded.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AUTHORIZING THE VENTURA WATER GENERAL MANAGER, OR DESIGNEE, TO APPLY FOR, RECEIVE FUNDS, ENTER INTO A COOPERATIVE AGREEMENT, AND ADMINISTER A GRANT FOR THE 2022 BUREAU OF RECLAMATION TITLE XVI WATER RECYCLING PROJECTS UNDER THE WIIN ACT
RESOLUTION NO. 2022-___

9E. Approve Estuary Fund Accounting Close-Out and Cash Transfer

Staff: Michael Coon, Finance and Technology Director

RECOMMENDATION

- a. Receive this written report on the financial history and closeout of the Estuary Protection Fund (Fund 75).
- b. Approve the transfer of existing cash balances in Fund 75 to the Wastewater Capital Fund (Fund 71).
- c. Approve the final accounting closeout procedures for Fund 75 as outlined.

9. CONSENT ITEMS (continued)

9F. Consideration of Approval of Construction Contract with Toro Enterprises, Inc. for Project 91027 - Ventura River Trail – Sheridan Way Bike Path Link 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 15311 of the CEQA guidelines because it consists of construction of minor structures accessory to institutional facilities.
- b. Waive all minor bid irregularities, approve and authorize the Mayor to execute the Public Works contract, Specification 2019-065 with Toro Enterprises, Inc. for the Ventura River Trail – Sheridan Way Bike Path Link Project in the amount of \$312,614.
- c. Authorize the Public Works Director or designee to execute future amendments to Toro Enterprises, Inc. up to a total maximum contingency of \$46,892 for a total not-to-exceed Agreement amount of \$359,506 and a total time extension of 180 calendar days.
- d. Authorize Finance and Technology Department to make the proper budgetary and accounting entries for recording increased revenue and expenditure appropriations in the proper programs and accounts to include increasing budget from CIP appropriations to execute this project.

9G. Consideration of a License Agreement with the Owner of the Property at 1888 East Thompson Boulevard for the Private Use of Property in the Public Right-of-Way

Staff: Phillip L. Nelson, Public Works Director

RECOMMENDATION

Authorize the City Manager to execute a License Agreement with Matt Bailey of the Buenaventura Development Company LLC, owner of the property at 1888 East Thompson Boulevard, to install and maintain planter boxes, a raised concrete patio, concrete paved stairs, an accessible ramp with handrails, and canopy support columns within the public right-of-way adjacent to 1888 East Thompson Boulevard.

9. CONSENT ITEMS (continued)

9H. Consideration of a License Agreement with the Owner of the Property at 1293 Buena Vista Street for the Private Use of Property in the Public Right-of-Way

Staff: Phillip L. Nelson, Public Works Director

RECOMMENDATION

Authorize the City Manager to execute a License Agreement with Rose C. Rabinov Trust, owner of the property at 1293 Buena Vista Street, to maintain portions of an existing staircase, existing garage, and retaining walls within the public right-of-way of Buena Vista Street.

9I. Consideration of a License Agreement with the Owner of the Property at 527 Via Cielito for the Private Use of Property in the Public Right-of-Way

Staff: Phillip L. Nelson, Public Works Director

RECOMMENDATION

Authorize the City Manager to execute a License Agreement with Patricia Wiker and Carol Cole, Co-trustees of the Wiker Survivor's Trust utta August 6, 1982, owners of the property at 527 Via Cielito, to install and maintain retaining walls and a rolling gate within the unimproved portion of the public right-of-way on Via Cielito.

9J. Consideration of Authorization to Advertise the Notice Inviting Bids for Project 91070 – Montalvo Safe Routes to School Improvements

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. Approve the contract plans and specifications for the Montalvo Safe Routes to School Improvement Project, Specification No. 2021-04.

9. CONSENT ITEMS (continued)

- c. Authorize the advertisement of the Notice Inviting Bids to be received at a time and place established by the Public Works Director.

9K. Reject All Bids and Authorize Staff to Rebid Project No. 69030 – Pierpont Neighborhood Lift Stations - Weymouth

Staff: Phillip L. Nelson, Public Works Director

RECOMMENDATION

- a. Reject all bids that were received on February 3, 2022 for Project 69030 - Pierpont Neighborhood Lift Stations – Weymouth.
- b. Authorize Public Works staff to rebid Project 69030, Pierpont Neighborhood Lift Stations – Weymouth after the plans and specifications have been revised to reduce construction cost.

12. PUBLIC HEARING ITEM

12A. Public Hearing and Adoption of the Fiscal Year 2023-2027 Capital Improvement Program

Staff: Phillip L. Nelson, Public Works Director

RECOMMENDATION

- a. Approve the changes to the proposed Fiscal Years 2023-2027 Capital Improvement Program as described in this Staff Report.
- b. Conduct a Public Hearing on the amended proposed Fiscal Years 2023-2027 Capital Improvement Program.
- c. Adopt Resolutions approving the amended proposed Fiscal Years 2023-2027 Capital Improvement Program in such a manner as to avoid creating potential conflicts of interest for City Councilmembers:

12. PUBLIC HEARING ITEM (continued)

1. Adopt a Resolution that approves projects 91134 - 2023 Westside Sidewalk Repair/ADA Improvements and 91136 - 2026 Westside Sidewalk Repair/ADA Improvements with Mayor Rubalcava and Councilmember Halter abstaining.
2. Adopt a Resolution that approves projects 91133 - 2024 Downtown & Wellness Sidewalk Repair/ADA Improvements and 91137 - 2027 Downtown & Wellness Sidewalk Repair/ADA Improvements with Councilmembers Halter and Johnson abstaining.
3. Adopt a Resolution that approves project 91146 Cemetery Park Parking Lot Improvements with Councilmember Halter abstaining.
4. Adopt a Resolution that approves projects 91091 - 2022 Eastside Sidewalk Repair/ADA Improvements and 91135 - 2025 Eastside Sidewalk Repair/ADA Improvements with Councilmembers Brown, Friedman, and Sanchez-Palacios abstaining.
5. Adopt a Resolution that approves project 98192 - Public Art – Wells Neighborhood Park with Councilmember Sanchez-Palacios abstaining.
6. Adopt a Resolution that approves project 91131 - Street Resurfacing - Telegraph Road - Ashwood to Victoria with Councilmember Johnson abstaining.
7. Adopt a Resolution that approves project 97955 – Waterline - Midtown to Westside Interconnection with Mayor Rubalcava abstaining.
8. Adopt a Resolution adopting the Fiscal Years 2023-2027 Capital Improvement Program excluding projects 91134 – 2023 Westside Sidewalk Repair/ADA Improvements, 91136 – 2026 Westside Sidewalk Repair/ADA Improvements, 91133 - 2024 Downtown & Wellness Sidewalk Repair/ADA Improvements, 91137 2027- Downtown & Wellness Sidewalk Repair/ADA Improvements, 91146 Cemetery Park Parking Lot Improvements, 91091- 2022 Eastside Sidewalk Repair/ADA Improvements, 91135 - 2025 Eastside Sidewalk Repair/ADA Improvements, 98192 - Public Art – Wells Neighborhood Park, 91131 – Street Resurfacing – Telegraph Road - Ashwood to Victoria, and 97955 – Waterline – Midtown to Westside Interconnection.

12. PUBLIC HEARING ITEM (continued)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, ADOPTING PROJECT NUMBERS 91134 and 91136 IN THE CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEARS 2023-2027 RESOLUTION NO. 2022-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, ADOPTING PROJECT NUMBERS 91133, 91137, and 91146 IN THE CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEARS 2023-2027 RESOLUTION NO. 2022-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, ADOPTING PROJECT NUMBERS 91091, 91135, and 98192 IN THE CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEARS 2023-2027 RESOLUTION NO. 2022-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, ADOPTING PROJECT NUMBERS 91131 and 97955 IN THE CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEARS 2023-2027 RESOLUTION NO. 2022-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, ADOPTING THE CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEARS 2023-2027, EXCLUDING PROJECT NUMBERS 91131, 91133, 91134, 91135, 91136, 91137, 91146, 91091, 98192, AND 97955 RESOLUTION NO. 2022-___

13. FORMAL ITEMS

13A. Adoption of a Resolution Appointing Andy Heglund to the Position of City Attorney and Approving an Employment Agreement that Establishes Salary and Benefits for the Position of City Attorney

Introduced by: Mayor Sofia Rubalcava

RECOMMENDATION

Adopt a resolution appointing Andrew Heglund to the position of City Attorney and approving an employment agreement that establishes salary and benefits for the position of City Attorney.

13. FORMAL ITEMS (continued)

13B. General Plan Update Progress Report and Draft Vision Statement

Staff: Peter Gilli, Community Development Director

RECOMMENDATION

- a. Receive the progress report; and
- b. Endorse the draft Vision.

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 March 23, 2022, at 8:00 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.