

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



REGULAR MEETING

MONDAY, AUGUST 2, 2021

CLOSED SESSION – 5:00 P.M.

REGULAR MEETING – 6:00 P.M.

CITY HALL/COUNCIL CHAMBERS IS OPEN FOR THE PUBLIC TO ATTEND THIS MEETING. THE PUBLIC MUST WEAR MASKS AND SEATING WILL BE LIMITED. THE PUBLIC MAY ALSO ELECTRONICALLY ATTEND THE CITY COUNCIL MEETING AND PROVIDE PUBLIC COMMENT. CITY COUNCIL MEETING VIA TELECONFERENCE PER EXECUTIVE ORDER [N-29-20](#). 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=e3d4024b17a64bd9ea6e86f53a7f181ad>

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 182 175 9939

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” allowing 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.

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.



To Provide Public Comment Live at Closed Session: You must register using the Online [Speaker Registration Form](#) by Noon* on the City Council Meeting date. You will receive an email from the City Clerk's Office acknowledging and information about joining the meeting.

The Public can only attend the Public Comments portion of 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.

Persons wishing to address City Council should complete and submit a green "Speaker Form." If a member of the public wishes to comment on an item, complete a pink "Comment Form." Both forms are on a table inside the meeting room.

Administrative Reports relating to this agenda are available in the City Clerk's Office, 501 Poli Street, Room 204, Ventura, during normal business hours as well as 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 for public review at the City Clerk's Office as well as 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 – may 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 OR If you wish to speak at Closed Session, how to register if attending virtual OR you may speak in the Council Chambers.**

CS4. CLOSED SESSION – Council Chambers/Santa Cruz Conference Room. The Public may not participate in the Closed Session, other than submitting 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

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. Approval of City Council Minutes – December 14, 2020

Staff: Antoinette M. Mann, City Clerk

RECOMMENDATION

Approve City Council Minutes for December 14, 2020.

9. CONSENT ITEMS (continued)

9C. Designation of Voting Delegate and Alternate for 2021 League of California Cities Annual Conference

Introduced by: Mayor Sofia Rubalcava

RECOMMENDATION

Confirm the Mayor's appointment of Councilmember Sanchez-Palacios as the City's Voting Delegate and Mayor Rubalcava as the Alternate Voting Delegate for the League of California Cities 2021 Annual Conference.

9D. 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 November 8, 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 NOVEMBER 8, 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 NOVEMBER 8, 2021
RESOLUTION NO. 2021-_____

9E. Request for Authorization to Amend Outside Counsel Services Agreement with the Law Firm of Best, Best & Krieger, LLP for the Pending Litigation Matter Santa Barbara Channelkeeper v. State Water Resources Control Board and the City of San Buenaventura

Staff: Gregory G. Diaz, City Attorney

RECOMMENDATION

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 \$900,000 to continue representation of the City in the litigation matter of *Santa Barbara Channelkeeper v. State Water*

9. CONSENT ITEMS (continued)

Resources Control Board and the City of San Buenaventura, Los Angeles County Superior Court Case No. 19STCP01176 (formerly San Francisco County Superior Court Case No. CPF-14-513875), and related matters.

9F. Legal Services Agreement with Nossaman, LLP for the VenturaWaterPure Project

Staff: Gregory G. Diaz, City Attorney

RECOMMENDATION

Authorize the City Attorney to enter into a Legal Services Agreement with Nossaman, LLP and authorize the City Attorney to execute the same on behalf of the City in an amount not to exceed \$240,000.

9G. Consideration of Approving Contract Amendment Number Five with Tyler Technologies for License and Services Migration Agreement

Staff: Michael Coon, Finance and Technology Director

RECOMMENDATION

- a. Approve and authorize the Mayor to execute the Fifth Amendment to the License and Services Migration Agreement with Tyler Technologies, Inc. and add \$154,757 to the contract for a new total not-to-exceed amount of \$1,627,803.
- b. Authorize the Finance and Technology Department to make changes to expenditures and revenues in the proper, fund, project, and accounts necessary to increase appropriations by \$154,747 from the Information Technology Internal Service Fund (Fund 61) for the proposed contract amendment.

9H. Approve of Memorandum of Understanding Between the City and Ventura City Firefighters' Association; Adopt Revised Salary Resolution for Ventura City Firefighters' Association

Staff: Danielle Keys, Human Resources Director

RECOMMENDATION

- a. Approve and authorize the City Manager to execute on behalf of the City the Memorandum of Understanding between the City and the Ventura City Firefighters' Association.

9. CONSENT ITEMS (continued)

- b. Adopt a revised Resolution Providing for a Systematic Classification of Positions and a Standardization of Salaries for Fire Unit employees of the City (Salary Resolution) to reflect salary increases proposed herein for the Ventura City Firefighters' Association effective August 7, 2021. Resolution titled:

“A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN BUENAVENTURA PROVIDING FOR A SYSTEMATIC CLASSIFICATION OF POSITIONS AND A STANDARDIZATION OF SALARIES OF FIRE UNIT EMPLOYEES OF THE CITY OF SAN BUENAVENTURA AS OF AUGUST 7, 2021”

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN BUENAVENTURA PROVIDING FOR A SYSTEMATIC CLASSIFICATION OF POSITIONS AND A STANDARDIZATION OF SALARIES OF FIRE UNIT EMPLOYEES OF THE CITY OF SAN BUENAVENTURA AS OF AUGUST 7, 2021

RESOLUTION NO. 2021-_____

9I. Acceptance of Fiscal Year 2020 Homeland Security Grant to Purchase Vehicle Barrier Systems

Staff: Darin Schindler, Chief of Police

RECOMMENDATION

- a. Accept the FY 2020 Homeland Security Grant from the Office of Emergency Services in the amount of \$80,000 to purchase vehicle barrier systems.
- b. Authorize Finance and Technology to assign the increased appropriations and revenues to the General Grant and Categorical Fund, Police Department budget, as necessary.

9J. Rejecting All Bids for Project 91084 - Mission Park Main Street Frontage Improvements

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

Reject all bids that were received on June 10, 2021 for Project 91084 - Mission Park Main Street Frontage Improvements.

9. CONSENT ITEMS (continued)

9K. Consideration of Award of a Maintenance Services Contract Award for Citywide Traffic Striping Maintenance

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

- a. Approve and authorize the Mayor to execute subject Agreement with Super Seal and Stripe for two years of contracted services with an option for three additional one-year extensions for citywide traffic striping services with an I not-to-exceed amount of \$825,000.
- b. Authorize the Public Works Director to award up to three additional one-year options providing sufficient appropriations have been approved.

9L. Consideration of a License Agreement for the Willows Project Located East of the North Bank Drive and Johnson Drive Intersection – Temporary Private Use of Public Right-of-Way on North Bank Drive

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

- a. Approve and authorize the City Manager to execute a License Agreement with Palmer Ventura Properties, LP to use a portion of the public right-of-way on North Bank Drive between Johnson Drive and Elba Street for construction staging, delivery of materials, and installing a trailer coach to conduct sales and marketing operations as each of the foregoing are related to the Willows project.
- b. Authorize the Public Works Director to terminate the license agreement, if needed, in accordance with the provisions in the license agreement.
- c. Authorize the Finance Director to record the revenue collected from the approved fee in Fund 04 to be used on future capital projects.

9. CONSENT ITEMS (continued)

9M. Consideration of Award of a Professional Services Agreement with Carollo Inc. for Design Services on Project 96874 – Wastewater Plant Tertiary Filter Replacement

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

- a. Approve and authorize the Mayor to execute subject Agreement with Carollo, Inc. in the amount of \$2,223,643 with a contract completion date of September 1, 2023.
- b. Authorize the Public Works Director or designee to execute future amendments to subject Agreement up to a total maximum contingency of \$220,000 for a total not to exceed Agreement amount of \$2,443,643 and a total time extension of 180 calendar days.
- c. Authorize an increase in CIP Appropriations, project 96874, Wastewater Plant Tertiary Filter Replacement of \$644,844 to be funded from fund 71, Wastewater Capital CIP, allowing the Finance and Technology Department to assign increased appropriations and revenues to the proper projects and accounts.

9N. Consideration of Approval of Contract Amendment No. 2 to General Services Agreement – Storm Drain On-Call Construction Services – Sam Hill and Sons, Inc.

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

Approve and authorize the Mayor to execute Amendment No. 2 to General Service Agreement No. P2020-026 with Sam Hill and Sons, Inc. in the amount of \$1,280,000, for a new total not-to-exceed contract amount of \$1,530,000.

9. CONSENT ITEMS (continued)

90. Site Use Agreement with the Mound Basin Groundwater Sustainability Agency and the State of California Department of Water Resources

Staff: Susan Rungren, Ventura Water General Manager

RECOMMENDATION

Authorize the City Manager to execute a Site Use Agreement with the Mound Basin Groundwater Sustainability Agency and the State of California Department of Water Resources for a monitoring well cluster at the Ventura Water Reclamation Facility property.

10. APPOINTMENTS TO COUNCIL ADVISORY GROUPS

10A. Approve Reappointment Recommendations – Ventura Port District Board, Mobile Home Rent Review Board and Arts and Culture Commission

Introduced by: Councilmember Doug Halter

RECOMMENDATION

Approve the following reappointments:

Committee, Board of Commission	Appointee Name	Appointment		Term of Office
		New	Reappoint	
Ventura Port District Board	Jackie Gardina		√	July 1, 2021 – June 30, 2025
	Christopher Stevens		√	July 1, 2021 – June 30, 2025
Mobile Home Rent Review Board	Terrence Towner		√	January 2, 2021 – January 1, 2025
Arts and Culture Commission	Banks Staples Pecht		√	July 1, 2021 – June 30, 2025

12. PUBLIC HEARING ITEMS

12A. Water Resources Net Zero Fee Update

Staff: Susan Rungren, Ventura Water General Manager

RECOMMENDATION

- a. Conduct a Public Hearing and consider adopting a proposed Resolution updating the Water Resource Net Zero Fee. Resolution titled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, UPDATING THE WATER RESOURCE NET ZERO FEE IN ACCORDANCE WITH SECTION 22.180.040 OF CHAPTER 22.180 OF DIVISION 22 OF THE SAN BUENAVENTURA MUNICIPAL CODE”

- b. Accept the “City of San Buenaventura - Evaluation of a Water Resource Net Zero Fee Report: 2021 Update” dated July 19, 2021 prepared by Raftelis Financial Consultants, Inc. which updates the cost basis for the Water Resource Net Zero Fee. The proposed updated fee is \$22,806 per acre-foot per year of additional water demand.
- c. Accept the Water Rights Dedication and Net Zero Fee Nexus Report: 2021 Update dated July 19, 2021, which outlines the continued need for the Water Rights Dedication and Water Resource Net Zero Policy, including the Net Zero Fee.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, UPDATING THE WATER RESOURCE NET ZERO FEE IN ACCORDANCE WITH SECTION 22.180.040 OF CHAPTER 22.180 OF DIVISION 22 OF THE SAN BUENAVENTURA MUNICIPAL CODE

RESOLUTION 2021-_____

JOINT MEETING – CITY COUNCIL AND PLANNING COMMISSION

Roll Call for Planning Commission

13. FORMAL ITEMS

13A. Preliminary Draft Housing Element

Staff: Peter Gilli, Community Development Director

RECOMMENDATION

Review and provide feedback on the preliminary draft Housing Element.

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

This agenda was posted on Wednesday, July 28, 2021, at 5:45 p.m.. on the City website, in the Public Meetings/Agenda Center: <https://www.cityofventura.ca.gov/AgendaCenter>