



CITY COUNCIL AGENDA

MONDAY, SEPTEMBER 26, 2022

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

CITY COUNCIL CHAMBERS – CITY HALL - 501 POLI STREET, VENTURA, CA 93001

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

Alex D. McIntyre
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=m997f79285aeab42d860cc1d86ce3c113>

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: 2552 910 3770.

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 by 4:00 p.m. on the meeting date, or by using the public comment form at 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: City of San Buenaventura v. United Water Conservation District, et al.
Santa Barbara County Superior Court Case No. 19CV06168, pending before the Court of Appeal of the State of California, Second Appellate District, Division 6, Court of Appeal No. B312471.
Authority: Government Code Section 54956.9(d)(1)

2. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
Name of Case: Foster v. City of San Buenaventura
VCSC Case No. 56-2019-00530381-CU-PO-VTA
Authority: Government Code Section 54956.9(d)(1)

3. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**
Title: City Manager
Authority: Government Code Section 54957

4. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**
Title: City Attorney
Authority: Government Code Section 54957

ADJOURNMENT: *Adjourn to Regular Meeting.*

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

- Ventura Tree Alliance

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. **[Ordinance for Second Reading - an Ordinance of the City Council of the City of San Buenaventura, California, Repealing Ordinance No. 2020-013, which Temporarily Permitted the use of Recreational Vehicles on Private Property in Residential Zones as Housing](#)**

Staff: Michael B. MacDonald, City Clerk

RECOMMENDATION

Waive the second reading in full and adopt the Ordinance of the Council of the City of San Buenaventura, California, Repealing Ordinance No. 2020-013, which Temporarily Permitted the use of Recreational Vehicles on Private Property in Residential Zones as Housing for Quarantined Persons as a Result of Covid-19.

3. **[Fiscal Year 2023 Master Fee Schedule Revision](#)**

Staff: Peter Gilli, Community Development Director

RECOMMENDATION

Authorize the Mayor to approve the revision of page 19 of FY 2023 Master Fee Schedule - "Construction Permit Fees – State Mandated Services & Fees" to reflect accurate fee amounts.

CONSENT ITEMS (CONTINUED)

4. [Professional Services Agreement: Michael Baker International, Inc. for On-Call Environmental, Historic Resources, and Planning Consulting Services](#)

Staff: Peter Gilli, Community Development Director

RECOMMENDATION

- a. Authorize the Mayor to enter into a Professional Services Agreement with Michael Baker International, Inc. to conduct on-call environmental, historic, and planning services and to approve a not-to-exceed amount of \$600,000.
- b. Authorize the Finance Department to increase appropriations in the appropriate fiscal year upon receipt of developer/applicant deposits which are required prior to the start of any work related to the Professional Services Agreements.

5. [Resolution Authorizing the Examination of Transactions \(Sales\) and Use Tax Records](#)

Staff: Michael Coon, Chief Financial Officer

RECOMMENDATION

- a. Rescind Resolution 2022-060 titled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AUTHORIZING THE EXAMINATION OF TRANSACTIONS (SALES) AND USE TAX RECORDS”

- b. Adopt a new Resolution authorizing HdL Companies to examine on behalf of the City, transaction (sales) and use tax records held by the California Department of Tax and Fee Administration, Resolution titled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AUTHORIZING THE EXAMINATION OF TRANSACTIONS (SALES) AND USE TAX RECORDS”

CONSENT ITEMS (CONTINUED)

6. [Delegate to the Public Works Director the Authority to Execute 62 Three-Year On Call Professional Services Agreements](#)

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

Delegate to the Public Works Director the authority to execute the previously approved three-year on call professional services agreements.

7. [Professional Services Agreement 2017-063 Amendment 2: Task Order 11 with Rincon Consultants for Ventura Keys Maintenance Dredging Permit Services](#)

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

Approve and authorize the Mayor to execute Amendment 2 to Task Order 11 of Professional Services Agreement 2017-063 with Rincon Consultants, Inc. in the amount of \$10,148 for a new contract total of \$76,018.

8. [Consideration of Approval of the Purchase of Fire Station Alert System Equipment with US Digital Designs and the Consideration of Approval of a Job Order Contract with MTM Construction Incorporated to Install the Equipment](#)

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

- a. Authorize the Mayor to execute a purchase order not to exceed \$412,675, including applicable taxes and contingency of \$37,547; to US Digital Designs for the purchase of Fire Stations Fire Alarm Alerting System equipment per the National Purchasing Partners (NPPGov), a national cooperative procurement organization offering publicly solicited contracts to government entities nationwide.
- b. Authorize the City Manager to execute an amendment or change order to US Digital Designs' purchase order up to a not to exceed contingency amount of \$37,547 pursuant to Section 4.600.200 of the Municipal Code.
- c. Authorize the Mayor to execute a task order to MTM Construction, Inc. for a not to exceed amount of \$544,000 per Job Order Contract number 2021-078.

CONSENT ITEMS (CONTINUED)

- d. Authorized the City Manager to execute an amendment or change order to MTM Construction, Inc.'s purchase order up to a not to exceed contingency amount of \$81,875 pursuant to Section 4.600.190 and 4.600.200 of the Municipal Code.
- e. Authorize an Increase to Fiscal Year 2022 – 2023 budget and CIP appropriations in the amount of \$600,000 from the City Investment Plan Fund 01 General Fund and transfer to Fund 04 General CIP and authorize the Finance Department to assign increased budget appropriations and revenues to the proper, fund, project, and accounts for the purchase and installation of the fire alerting system.

9. **[Professional Services Agreement PW23-1073 First Amendment: Dixon Resources Unlimited for Parking Coordinator Services](#)**

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

Approve and authorize the Mayor to execute the First Amendment to Professional Services Agreement PW23-1073 with Dixon Resources Unlimited in the amount \$63,725 for a new contract total of \$114,705 and a contract completion date of February 28, 2023.

10. **[Consideration of Accepting a Grant Modifying the Capital Improvement Program and Approving a Professional Services Agreement for Project 91157- Ventura River Trail Improvements](#)**

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

- a. Amend the Fiscal Year 2023-2027 Capital Improvement Program and add Ventura River Trail Improvements Workplan, Project 91157.
- b. Approve Clean California Grant funds in the amount of \$4,999,188.
- c. Approve and authorize the Mayor to execute a Resolution accepting a grant from California Department of Transportation.
- d. Approve and authorize the Mayor to execute a Professional Services Agreement with Pacific Coast Land Design, Inc. for the Ventura River Trail Improvements in the amount of \$499,658 with a contract completion date of June 30, 2024.

CONSENT ITEMS (CONTINUED)

- e. Authorize the Public Works Director or designee to execute future amendments to subject Agreement up to a total maximum contingency of \$29,635 for a total not to exceed Agreement amount of \$529,293 and a total time extension of 180 calendar days.
- f. Authorize an increase in CIP appropriations in Fund 02, Grant Fund in the amount of \$4,999,188 with a budget amount of \$585,000 in FY22-23 and authorize the Chief Financial Officer to assign increased budget appropriations and revenues to the proper projects and accounts.

11. [Consideration of Reimbursement Agreement Between the Ventura Unified School District and the City of Ventura Regarding Crossing Guards for Fiscal Year 2023](#)

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

Approve and authorize the City Manager to execute the reimbursement agreement between the Ventura Unified School District and the City of Ventura regarding crossing guards for Fiscal Year 2023 in the amount of \$86,740.

12. [Approve Appointment and Reappointment Recommendations – Measure O Citizens Oversight Committee and Housing Authority Board](#)

Introduced by: Councilmember Jeannette Sanchez-Palacios

RECOMMENDATION

- a. Approve the appointments of Andrew Conli, Michael Marostica, and Kathy Bailey to the Measure O Citizens Oversight Committee for a term ending on June 30, 2026.
- b. Approve the reappointment of Karol Schulkin to the Housing Authority Board for a term ending on October 15, 2026.

PUBLIC HEARING ITEMS: *Staff shall introduce the public hearing item and present their report to Council. Councilmembers may ask questions of staff if they desire. Any member of the public may speak or present evidence, after submitting a speaker card and being recognized by the Mayor. All rules of decorum apply during Public Hearings. Each member of the Council shall verbally disclose all ex parte communications concerning the subject of the hearing.*

13. Mills Act Contract for Historic Landmark No. 50 – Bert Shaw House
(Continued to October 10, 2022)

Staff: Peter Gilli, Community Development Director

RECOMMENDATION

- a. Conduct a Public Hearing.
- b. Adopt a Resolution approving a Mills Act contract for Historic Landmark No. 50 “Bert Shaw House” located at 1141 Poli Street, (PROJ-15133).

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.*

14. Consideration of Addendum to the Final Environmental Impact Report for the VenturaWaterPure Program

Staff: Alex D. McIntyre, City Manager

RECOMMENDATION

Adopt a Resolution certifying that City Council has reviewed and considered information contained in the Addendum and adopting the Addendum to the Certified Final Environmental Impact Report (EIR-9-19-52130, SCH 2017111004) for the Ventura Water Supply Projects, including the VenturaWaterPure Program. Resolution titled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, ADOPTING ADDENDUM TO THE CERTIFIED FINAL ENVIRONMENTAL IMPACT REPORT PREPARED FOR THE VENTURA WATER SUPPLY PROJECTS, INCLUDING THE VENTURAWATERPURE PROGRAM”

FORMAL ITEMS (CONTINUED)

15. POLICY CONSIDERATION – Financial Policy Review

Introduced by: Councilmember Lorrie Brown
Mayor Sofia Rubalcava

RECOMMENDATION

- a. Review City’s administrative policies, “Guidelines for City Expenditures Related to Employee Events and Meetings” (APP No. 12.17), “Authorization and Allowances for Travel and Meeting Expenses” (APP No. 14.9), and “City Credit Card Program” (APP No. 18.7).
- b. Receive response from the Finance Department regarding City expenditures, specific to recent travel and credit card use by city management.
- c. Receive draft updates to “Authorization and Allowances for Travel and Meeting Expenses” (APP No. 18.7) and provide comment on administrative policy.

16. POLICY CONSIDERATION – Forensic Audit

Introduced by: Councilmember Mike Johnson
Councilmember Jeannette Sanchez-Palacios
Councilmember Doug Halter

RECOMMENDATION

Direct staff to hire an independent auditing firm to conduct a City-wide audit of (1) meal and travel expenses, (2) the use of city credit cards and reimbursements, and (3) the refurbishment and redecoration of City facilities, for the last 3 years. The audit should evaluate compliance with the City’s Administrative Policies & Procedures, Generally Accepted Accounting Principles, and state/federal law. Expenses claimed by City Councilmembers should also be included in the audit.

FORMAL ITEMS (CONTINUED)

17. [Consideration of a Grant of Quitclaim Deed to the Owners of the Hawaiian Village Apartments at 998 Church Street](#) (Continued from September 12, 2022)

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

Adopt a Resolution declaring the City property (APN 072-0-116-300) to be “exempt surplus land”, transfer the property to the adjacent property owner and authorize the City Manager to execute the Quitclaim Deed. *(This action requires an affirmative vote of five members of the Council)*

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.

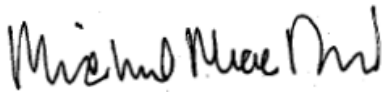
Live Spanish interpretation will be available. No advanced request for interpretation services required. La traducción al español estará disponible en vivo. No es necesario solicitar la traducción al español anticipadamente.

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, September 22, 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