

CITY OF VENTURA  
**CITY COUNCIL ACTION AGENDA**



Resolution No. 2023-005  
Ordinance No. 2023-001

CITY COUNCIL AGENDA  
**REVISED AGENDA ADDED CLOSED SESSION ITEM 3**  
MONDAY, JANUARY 23, 2023  
**REVISED ON JANUARY 19, 2023**

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

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

JOE SCHROEDER, MAYOR

Councilmembers:

DISTRICT 1 – LIZ CAMPOS  
DISTRICT 2 – DOUG HALTER  
DISTRICT 3 – MIKE JOHNSON

DISTRICT 5 – BILL MCREYNOLDS  
DISTRICT 6 – JIM DURAN  
DISTRICT 4 – JEANNETTE SANCHEZ-  
PALACIOS, DEPUTY MAYOR

Akbar Alikhan  
Acting 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=m9ca316bf56c0e0c13309acf4a35499f7>

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: 2550 567 5184

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](mailto: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](http://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.

January 23, 2023

Ventura City Council Minutes  
[www.cityofventura.ca.gov](http://www.cityofventura.ca.gov)

**CALL TO ORDER – CLOSED SESSION:** 5:05 p.m.

**ROLL CALL**

**Present:** Councilmembers Duran, McReynolds, Johnson, Halter, Deputy Mayor Sanchez-Palacios, and Mayor Schroeder

**Absent:** Campos

Mayor Schroeder presiding

**PUBLIC COMMUNICATIONS:** None

**CLOSED SESSION:** *Teleconference/Video Conference Meeting. The Public may not participate in the Closed Session, other than for Public Comments.*

1. **CONFERENCE WITH LABOR NEGOTIATORS**  
City Negotiators: Joe Schroeder and Jeannette Sanchez-Palacios  
Unrepresented Employee: Interim City Manager  
Authority: Government Code Section 54957.6
2. **PUBLIC EMPLOYMENT**  
Title: City Manager  
Authority: Government Code Section 54957
3. **CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION**  
One Case  
Authority: Government Code Section 54956.9(d)(2)

**ADJOURNMENT:** 6:04 p.m.

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**CALL TO ORDER – REGULAR SESSION:** 6:13 p.m.

**ROLL CALL**

**Present:** Councilmembers Duran, McReynolds, Johnson, Halter, Campos, Deputy Mayor Sanchez-Palacios, and Mayor Schroeder

**Absent:** None

Mayor Schroeder presiding

**PLEDGE OF ALLEGIANCE:** Councilmember McReynolds

## SPECIAL PRESENTATIONS AND ANNOUNCEMENTS

- Update from Supervisor LaVere's Office
- Business of the Month and Green Business Awards
- CAPS Media Presentation

**CLOSED SESSION REPORT:** City Attorney Andy Heglund reported that there was no reportable action.

**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:

**Supplemental Packet:** Communications posted online.

**Public Speakers:** Glenn Overley

**Action:** M/S/C (Johnson/Halter) to approve the Consent Items in one motion as presented.

**Vote:** All Ayes

1. **Move all Resolutions and Ordinances presented tonight be deemed read by title only and all further reading be waived.**

**Action:** Approved recommendation.

## CONSENT ITEMS (CONTINUED)

2. [Request for Authorization to Amend Outside Counsel Services – Silver and Wright LLP for Representation of the City in Code Enforcement/Receivership Matters](#)

Staff: Andy Heglund, City Attorney

RECOMMENDATION

Authorize the City Attorney to execute Amendment No. 2 to Agreement No. P2018-143 with the law firm of Silver & Wright, LLP, adding \$150,000 to the amount of not-to-exceed compensation (for a total not-to-exceed amount of \$720,000), to allow Silver & Wright to continue to provide legal services related to code enforcement matters and receiverships for the Community Development Department.

**Action:** Approved recommendation.

3. [Request for Authorization to Amend Outside Counsel Services – Best, Best & Krieger for On Call Services](#)

Staff: Andy Heglund, City Attorney

RECOMMENDATION

Authorize the City Attorney to amend the legal services agreement with Best, Best and Krieger, LLP to increase the compensation to an amount not to exceed \$775,000 (increase of \$300,000).

**Action:** Approved recommendation.

4. [Request for Authorization to Amend California Eminent Domain Law Group, APC, Outside Counsel Services Agreement for Analysis of Options to Acquire Streetlights, Including Eminent Domain](#)

Staff: Andy Heglund, City Attorney

RECOMMENDATION

Authorize the City Attorney to execute an amendment to the legal services agreement with the law firm of California Eminent Domain Law Group, APC, increasing the compensation amount by \$150,000 for a total not-to-exceed amount of \$255,000 for analysis of options to acquire streetlights, including eminent domain.

**Action:** Approved recommendation.

## CONSENT ITEMS (CONTINUED)

5. [Approval of City Council Minutes – Regular Meetings held on December 12, 2022 and Special Closed Session Meetings held on December 12, 2022 and December 19, 2022](#)

Staff: Michael MacDonald, City Clerk

### RECOMMENDATION

Approve City Council Minutes for Regular Meetings held on December 12, 2022 and Special Closed Session Meetings held on December 12, 2022 and December 19, 2022.

**Action:** Approved recommendation.

6. [City Council Quarterly Travel Report](#)

Staff: Akbar Alikhan, Acting City Manager

### RECOMMENDATION

Receive and file the Travel Report for Quarter 2 of Fiscal Year 2022/23.

**Action:** Approved recommendation.

7. [General Plan Advisory Committee Appointment](#)

Staff: Neda Zayer, Acting Community Development Director

### RECOMMENDATION

Approve Lorrie Brown on the General Plan Advisory Committee as a member of the community.

**Action:** Approved recommendation.

8. [Fire Department National Fire Protection Association Compliant Physicals](#)

Staff: David Endaya, Fire Chief

### RECOMMENDATION

- a. Authorize the Mayor to execute a Professional Services Agreement with Pinnacle Training Systems to provide physical examinations for Fire Department staff for an initial period of two years with options to renew for three additional periods at an annual cost of \$150,000, cumulative five-year cost not to exceed \$750,000.

## CONSENT ITEMS (CONTINUED)

- b. Authorize the Fire Chief to execute future amendments to the agreement, specifically, the renewals for years two through five.

**Action:** Approved recommendation. Agreement No. 2023-003

### 9. [Assistance to Firefighters Grant Application](#)

Staff: David Endaya, Fire Chief

#### RECOMMENDATION

Authorize the Fire Chief to submit four grant applications to FEMA Assistance to Firefighters Grant (AFG) program for \$4,205,900 for the purpose of purchasing one fire engine, an Urban Search & Rescue (US&R) response vehicle, self-contained breathing apparatus (SCBA) replacements for the department, and Hazardous Materials Technician certification training.

**Action:** Approved recommendation.

### 10. [Professional Services Agreement No. 2016-051 Seventh Amendment with HDR Engineering, Inc. for Design Services on Project 96928 Wastewater Plant - Aeration Blowers](#)

Staff: Phillip Nelson, Public Works Director

#### RECOMMENDATION

- a. Approve and authorize the Mayor to execute the 7th amendment to Professional Services Agreement 2016-051 with HDR Engineering, Inc. for a new contract completion date of June 30, 2023.
- b. Authorize the Public Works Director or designee to execute future amendments to subject agreement up to a total maximum contingency of \$20,000 for a total not to exceed contract amount of \$887,112 and a total time extension of 180 calendar days.

**Action:** Approved recommendation. Agreement No. 2016-051.7

## CONSENT ITEMS (CONTINUED)

11. [Design-Build Contract with Grindline Skateparks, Inc. on Project 92928 – Skateboard Park Improvements](#)

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

- a. Approve CIP Project 92928 – Skateboard Park Improvements Project and determine that it is categorically exempt from the California Environmental Quality Act (CEQA) as defined in Article 19 Section 15303 of the CEQA Guidelines because it is considered new construction or conversion of small structures.
- b. Approve and Authorize the Mayor to execute a Design-Build Contract with Grindline Skateparks, Inc. in the amount of \$1,819,609 with a contract completion date of December 31, 2024.
- c. Authorize the Public Works Director or designee to execute future amendments to subject the Design-Build Contract up to a total maximum contingency of \$181,961 for a total not-to-exceed Agreement amount of \$2,001,570 and a total time extension of 180 calendar days.

**Action:** Approved recommendation. Agreement No. 2023-004

12. [Increase to Purchase Order P100008668 with Granite Construction Company for the Annual Supply of Asphalt Materials](#)

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

Approve and authorize the Mayor, or designee, to execute subsequent annual Blanket Purchase Orders with Granite Construction Company in the amount of \$1,875,000 for a new total not-to-exceed purchase order amount of \$2,175,000, cumulatively, for the remainder of Fiscal Year 2023 and the additional four years of the five-year contract.

**Action:** Approved recommendation.

## CONSENT ITEMS (CONTINUED)

13. [Construction Contract with Union Engineering Company, Inc. for Project 96918, Phase B: Ventura Water Reclamation Facility Strain Press Platform](#)

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

- a. Approve the Ventura Water Reclamation Facility Strain Press Platform Project and determine that it 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 Class 01 exemption for the repair, maintenance, or minor alteration of an existing facility involving negligible or no expansion of an existing use.
- b. Waive all minor bid irregularities, approve and authorize the Mayor to execute subject Agreement with Union Engineering Company, Inc in the amount of \$424,107 with a contract completion date of 120 consecutive calendar days from the date noted on the Notice to Proceed.
- c. Authorize the Public Works Director or designee to execute future amendments to subject Agreement up to a total maximum contingency of \$42,500 for a total not-to-exceed Agreement amount of \$466,607 and a total time extension of 180 calendar days.

**Action:** Approved recommendation. Agreement No. S2021-018

14. [Professional Services Agreement PW22-1034 Task Order Number 003 for On-Call Professional Services with Kennedy Jenks Consultants, Inc. for the Saticoy Country Club Well 2 – Phase II Project](#)

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

Approve and authorize the Mayor to execute an amendment to Task Order Number 003 for On-Call Professional Services Agreement PW22-1034 with Kennedy Jenks Consultants, Inc. in the amount of \$59,935 for a new task order total of \$119,730.

**Action:** Approved recommendation. Agreement No. PW22-1034.3



**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.*

**City Council Recess 8:43 p.m. – 9:02 p.m.**

**15. [Appeal of the Community Development Director’s Approval of the Fritch Residence Project \(PROJ 15454\) Case No. DIR-3-22-62180](#)**

Staff: Neda Zayer, Acting Community Development Director

**RECOMMENDATION**

- a. Determine that the New Construction or Conversion of Small Structures – Class 3 exemption of the California Environmental Quality Act (CEQA) Guidelines applies to the project.
- b. Adopt a Resolution denying the appellant’s appeal and upholding the Community Development Director’s approval of the Thomas Fire Modification Permit (PROJ-15454). Resolution titled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA DENYING THE APPELLANT’S APPEAL AND UPHOLDING THE COMMUNITY DEVELOPMENT DIRECTOR’S APPROVAL OF THE THOMAS FIRE MODIFICATION PERMIT FOR THE FRITCH RESIDENCE PROJECT, A ONE-STORY SINGLE FAMILY RESIDENTIAL DEVELOPMENT LOCATED AT 196 NOB HILL LANE”

**Supplemental Packet:** Communications posted online.

**Ex Parte Communication:** None

**Public Speakers:** Steve Knoll

**Action:** M/S/C (Sanchez-Palacios/Halter) to revise the staff recommendation, in agreement with both the applicant and appellant, as follows: 17 foot 5 ½ inch primary ridgeline for the entryway, secondary ridgelines not to exceed the height of the garden wall of the adjacent property and adjust the library fireplace to include side ventilation. Resolution No. 2023-005

**Vote:** All Ayes

**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.*

16. **Construction Contract with Sam Hill & Sons, Inc. for Project No. 97955 Waterline – Midtown to Westside Interconnect**

Staff: Phillip Nelson, Public Works Director

**RECOMMENDATION**

- a. Approve and authorize the Mayor to execute subject Agreement with Sam Hill & Sons, Inc. in the amount of \$10,999,999 with a contract completion date of September 30, 2024.
- b. Authorize the Public Works Director or designee to execute future amendments to subject Agreement up to a total maximum contingency of \$1,100,000 for a total not-to-exceed Agreement amount of \$12,099,999 and a total time extension of 180 calendar days.

**Public Speakers:** Spencer Noren

**Action:** M/S/C (Halter/McReynolds) to approve the staff recommendation. Agreement No. S2017-017

**Vote:** All Ayes

17. **2022-2023 City Council Goals Progress Update**

Staff: Akbar Alikhan, Acting City Manager

**RECOMMENDATION**

Receive and file progress update on the 2022-2023 City Council goals.

**Supplemental Packet:** Communications posted online.

**Public Speakers:** George Amandola, Spencer Noren

**Action:** M/S/C (McReynolds/Halter) to receive and file the City Council Goals Progress Update.

**Vote:** All Ayes

## FORMAL ITEMS (CONTINUED)

18. [Fiscal Year 2024 Budget Workshop #1](#)

Staff: Michael Coon, Chief Financial Officer

RECOMMENDATION

- a. Receive the Mid-Year Financial Update of the four primary funds.
- b. Receive the General Fund 5-Year Forecast.

**Public Speakers:** George Amandola

**Action:** M/S/C (Halter/Duran) to receive and file the Mid-Year Financial Update and the General Fund 5-Year Forecast.

**Vote:** All Ayes

19. [Transmittal of the Proposed Changes for the Fiscal Years 2024-2028 Capital Improvement Plan](#)

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

Receive and file the Proposed Changes to the Approved Capital Improvement Plan for Fiscal Years 2023-2027 to be incorporated into the Proposed Capital Improvement Plan for Fiscal Years 2024-2028.

**Public Speakers:** George Amandola, Spencer Noren

**Action:** M/S/C (Halter/Duran) to hear a new item beyond 10 p.m., per the Council Protocols.

**Vote:** Ayes: Duran, McReynolds, Halter, Campos, Deputy Mayor Sanchez-Palacios, and Mayor Schroeder;  
Noes: Johnson; Abstain: None; Absent: None

**Action:** M/S/C (Duran/Johnson) to receive and file the Proposed Changes for the Fiscal Years 2024-2028 Capital Improvement Plan.

**Vote:** All Ayes

## FORMAL ITEMS (CONTINUED)

**Action:** M/S/C (Johnson/Campos) to extend beyond 11 p.m., per the Council Protocols.

**Vote:** All Ayes

## PUBLIC COMMUNICATIONS

**Public Speakers:** Terrence Foley, Spencer Noren, Maria Ventura

## ADJOURNMENT

Adjourned at 11:08 p.m.

I hereby certify that this is a true and correct record of the City Council meeting held on January 23, 2023.

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Michael B. MacDonald, CMC  
City Clerk

DRAFT