

CITY OF VENTURA
CITY COUNCIL ACTION AGENDA



Resolution No. 2023-013
Ordinance No. 2023-001

CITY COUNCIL AGENDA

MONDAY, MARCH 13, 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 6 – JIM DURAN
DISTRICT 5 – BILL MCREYNOLDS
DISTRICT 4 – JEANNETTE SANCHEZ-
PALACIOS, DEPUTY MAYOR**

**Akbar Alikhan
Interim 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.

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*To access the meeting remotely: Join the WebEx meeting live at:
<https://cityofventura.webex.com/cityofventura/j.php?MTID=m2849e472cef28331de2822e84eff5b5c>*

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 966 5919.

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: 5:03 p.m.

ROLL CALL

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

Absent: None

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 LEGAL COUNSEL – POTENTIAL LITIGATION**

One Case

Authority: Government Code Section 54956.9(d)(2)

2. **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

Authority: Government Code Section 54956.9(d)(1)

ADJOURNMENT: 5:55 p.m.

CALL TO ORDER – REGULAR SESSION:

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 Campos

SPECIAL PRESENTATIONS AND ANNOUNCEMENTS

- Introduction of Superintendent Dr. Antonio Castro, Ventura Unified School District

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

PUBLIC COMMUNICATIONS

Supplemental Packet: Communications posted online

Public Speakers: Laura Kinney, Judee Hauer, Terry Foley, Glenn Overley, Spencer Noren

CONSENT ITEMS:

Supplemental Packet: Communications posted online

Action: M/S/C (McReynolds/Duran) to approve the Consent Items 1-9 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.

2. **[Resolution Enabling City Council Use of Assembly Bill 2449 for Teleconferenced Meetings after Rescission of Statewide Emergency Declaration](#)**

Staff: Michael MacDonald, City Clerk

RECOMMENDATION

That the City Council adopt a Resolution, titled as follows:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA ALLOWING COUNCIL USE OF TELECONFERENCING OPTIONS AS ALLOWED UNDER ASSEMBLY BILL NO. 2449 AMENDING GOVERNMENT CODE SECTIONS 54953 AND 54954.2, AND DIRECTING STAFF TO MAKE SUCH CHANGES TO THE CITY’S AGENDA TEMPLATES AS MAY BE NECESSARY TO IMPLEMENT THE TELECONFERENCING PROCEDURES OF AB2449”

Action: Approved recommendation. Resolution No. 2023-013

CONSENT ITEMS (CONTINUED)

3. [Termination of the Collection of the Mobile Home Resident Litigation Reimbursement Fee](#)

Staff: Neda Zayer, Interim Community Development Director

RECOMMENDATION

- a. Adopt a Resolution amending Resolution No. 2022-027 containing the most recently revised schedule of fees, hourly rates, and equipment charges, to terminate the Resident Litigation Reimbursement fee. Resolution titled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING RESOLUTION NO. 2022-027, WHICH ADOPTED A REVISED SCHEDULE OF FEES, HOURLY RATES, AND EQUIPMENT CHARGES FOR VARIOUS CITY SERVICES, TO REMOVE THE MOBILE HOME RESIDENT LITIGATION REIMBURSEMENT FEE”

- b. Authorize the Finance Department to collect the outstanding balances from those parks that have not yet remitted final payment.

Action: Approved recommendation. Resolution No. 2023-014

4. [Ordinance for Second Reading – An Ordinance of the City Council of the City of San Buenaventura, California, Replacing Division 25 of the Municipal Code, in its Entirety, with Division 25, Entitled ‘Inclusionary Housing Program’ which includes Alternative Compliance Procedures such as In-Lieu Fees](#)

Staff: Neda Zayer, Interim Community Development Director

RECOMMENDATION

Waive the second reading in full and adopt the Ordinance of the City Council of the City of San Buenaventura, California, Replacing Division 25 of the Municipal Code, in its Entirety, with Division 25, Entitled ‘Inclusionary Housing Program’ which includes Alternative Compliance Procedures such as In-Lieu Fees.

Action: Approved recommendation. Ordinance No. 2023-001

CONSENT ITEMS (CONTINUED)

5. [Professional Services Agreement with Lorri J. Santamaría, Ph.D. for Diversity, Equity, and Inclusion Evaluation](#)

Staff: Akbar Alikhan, Interim City Manager

RECOMMENDATION

- a. Approve and authorize the Mayor to execute a Professional Services Agreement with Lorri J. Santamaría, Ph.D. to perform a Diversity, Equity, and Inclusion Evaluation for the City of Ventura in the amount of \$67,990 and a completion date of May 20, 2024.
- b. Authorize the City Manager or designee to execute future amendments to the subject Agreement of a maximum contingency of \$6,799 for a total not to exceed Agreement amount of \$74,789 and a total time extension of up to 90 calendar days.

Action: Approved recommendation. Agreement No. 2023-014

6. [Audio-Visual Upgrades for Community Meeting Room and Santa Cruz Conference Room](#)

Staff: Mitchell Cameron, Chief Technology Officer

RECOMMENDATION

- a. Approve and authorize the Mayor to execute a Professional Services Agreement with Western Audio Visual for the Audio-Visual Upgrade Project in the amount of \$221,747.
- b. Authorize the City Manager or designee to execute any necessary modifications or change orders for the Audio-Visual Upgrade Project, with expenditures not-to-exceed an additional \$33,000 for a total not-to-exceed amount of \$254,747.

Action: Approved recommendation. Agreement No. 2023-015

CONSENT ITEMS (CONTINUED)

7. [Memorandum of Agreement No. 2016-055 Third Amendment with Various Agencies to Provide Equal Cost Sharing for Santa Clara River Bacteria Monitoring and Reporting Program](#)

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

Approve and authorize the Mayor to execute Amendment No. 3 to Memorandum of Agreement Among City of Fillmore, City of Oxnard, City of Santa Paula, City of San Buenaventura, County of Ventura, and Ventura County Watershed Protection District to Provide Equal Cost Sharing for Santa Clara River Bacteria Monitoring and Reporting Program to commit to 24-months contribution of a not-to-exceed amount of \$13,207 and extend the term of the Memorandum of Agreement through March 21, 2025.

Action: Approved recommendation. Agreement No. 2016-055.3

8. [Professional Services Agreement PW23-1091 with Kennedy Jenks Consultants, Inc. for Civil Engineering Services on Project 97945 – Well – Repair and Restoration of Intake Structure](#)

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

- a. Approve and authorize the Mayor to execute the subject agreement with Kennedy Jenks Consultants Inc. in the amount of \$56,083 with a contract completion date of August 30, 2023.
- b. Authorize the Public Works Director or designee to execute future amendments to subject agreement up to a total maximum contingency of \$5,600 for a total not to exceed contract amount of \$61,683 and a total time extension of 180 calendar days.

Action: Approved recommendation. Agreement No. PW23-1091

CONSENT ITEMS (CONTINUED)

9. [Sole Source of Standard Equipment for Ventura Water](#)

Staff: Gina Dorrington, Ventura Water General Manager

RECOMMENDATION

Adopt a Resolution and find it to be in the City's best interest and authorize the waiver of formal purchase bidding requirements relating to Single/Sole Source and Sole Brand Purchases and approve the Standard Equipment List for the Ventura Water Department for the next three years, pursuant to Section 4.600.040 of the San Buenaventura Municipal Code. Resolution titled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, FINDING IT TO BE IN THE CITY'S BEST INTEREST AND AUTHORIZING THE WAIVER OF FORMAL BIDDING REQUIREMENTS FOR THE STANDARD EQUIPMENT LIST FOR THE VENTURA WATER DEPARTMENT FOR THE NEXT THREE YEARS"

Action: Approved recommendation. Resolution No. 2023-015

10. [Professional Services Agreement No. 2023-006 First Amendment with Water Systems Consulting for Strategic Communications Support for the VenturaWaterPure Program](#)

Staff: Gina Dorrington, Ventura Water General Manager

RECOMMENDATION

- a. Approve and authorize the Mayor to execute the First Amendment to the Professional Services Agreement (No. P2023-006) with Water Systems Consulting in the amount of \$197,240 for a new contract total of \$257,140; term extended to June 30, 2024.
- b. Authorize the VenturaWaterPure Director or designee to execute future amendments to subject agreement up to a total maximum contingency of \$12,857 for a total not to exceed contract amount of \$269,997 and extend the contract term for a period not to exceed one year.

Public Speakers: Scott McCarty

Action: M/S/C (Sanchez-Palacios/McReynolds) to approve the staff recommendation. Agreement No. 2023-006.1

CONSENT ITEMS (CONTINUED)

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

PUBLIC HEARING ITEM

11. [HOME American Rescue Plan \(ARP\) Allocation Plan](#)

Staff: Neda Zayer, Interim Community Development Director

RECOMMENDATION

- a. Conduct a Public Hearing to obtain input on the City's HOME American Rescue Plan (ARP) Allocation Plan.
- b. Adopt by Resolution the City's HOME-ARP Allocation Plan for submittal to the U.S. Department of Housing and Urban Development (HUD). Resolution titled:

"A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN BUENAVENTURA APPROVING A SUBSTANTIAL AMENDMENT TO THE CITY'S PROGRAM YEAR 2021 ANNUAL ACTION PLAN IDENTIFYING PROGRAMS AND ACTIVITIES FOR HOME-ARP FUNDING, AUTHORIZING ITS SUBMISSION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, AND ACCEPTING HOME-ARP GRANT FUNDS FOR PROGRAMS AND ACTIVITIES IN THE ALLOCATION PLAN"

- c. Approve the Substantial Amendment of the City's Program Year 2021 Annual Action Plan to include the HOME Allocation Plan.
- d. Authorize the Interim City Manager to sign all necessary documents to submit the City's HOME-ARP Allocation Plan to HUD.

Supplemental Packet: Communications posted online.

Public Speakers: Scott McCarty, Spencer Noren

Action: M/S/C (Johnson/Halter) to approve the staff recommendation. Resolution No. 2023-016

Vote: All Ayes

FORMAL ITEMS

12. [VenturaWaterPure Water Infrastructure Finance and Innovation Act Loan Information](#)

Staff: Gina Dorrington, Ventura Water General Manager

RECOMMENDATION

- a. Receive and file this written report and an oral presentation providing information on the U.S. Environmental Protection Agency's (EPA) Water Infrastructure Finance and Innovation Act (WIFIA) Credit Agreements.
- b. Provide direction to staff on any additional information desired in preparation for consideration of the loan agreement on March 27.

Action: No speakers. Received and filed presentation and update from staff.

13. [Spanish Language Interpretation at City Council Meetings](#)

Staff: Michael MacDonald, City Clerk

RECOMMENDATION

- a. Continue live two-way Spanish interpretation for all City Council meetings for the next six months.
- b. Direct staff to begin a pilot program for translating the City Council agendas into Spanish.
- c. Report back to Council in six months with an update on the program.

Public Speakers: KC Rodriguez, Francisco Figueroa, Ivone Quintero-Cagnacci, Miguel Rodriguez, Matt Bello, Ofelia Rodriguez

Action: M/S/C (Johnson/Campos) to approve the staff recommendation.

Vote: All Ayes

Council Recess 9:28 p.m. – 9:47 p.m.

FORMAL ITEMS (CONTINUED)

14. [Conduct a Study Session for the Proposed Fiscal Year 2024-2028 Capital Improvement Program](#) *(Continued from February 27, 2023)*

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

Conduct a study session regarding the proposed changes to the Approved Capital Improvement Program for Fiscal Years 2023-2027 to be incorporated into the Proposed Capital Improvement Plan for Fiscal Years 2024-2028 and provide staff with feedback on the proposed Program.

Public Speaker: Spencer Noren

Action: Presentation made, discussion held, and Council provided feedback.

15. [Acceptance of SAFER Grant for 13 Firefighter Paramedics](#)

Staff: David Endaya, Fire Chief

RECOMMENDATION

- a. Authorize the City Manager, or designee, to accept grant funds from the Department of Homeland Security (DHS) under the Staffing for Adequate Fire and Emergency Response program in the amount of \$7,637,360.
- 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 the Finance Department to increase the General Grant and Categorical Fund appropriations and revenues in the appropriate fiscal year and project(s) and account(s) for use as provided in the grant for a total estimated amount of \$1.9 million.

Supplemental Packet: Communication posted online.

Public Speaker: Spencer Noren

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

FORMAL ITEMS (CONTINUED)

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

Action: M/S/C (Halter/McReynolds) to extend the meeting beyond 11 p.m. per the Council Protocols.

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

Action: M/S/C (Sanchez-Palacios/Campos) to approve the staff recommendation.

Vote: All Ayes

PUBLIC COMMUNICATIONS

Public Speakers: None

ADJOURNMENT

Adjourned at 11:15 p.m.

Meeting adjourned in honor of Laurie Flack and Patti Channer.

I hereby certify that this is a true and correct record of the City Council meeting held on March 13, 2023.

Michael B. MacDonald, CMC
City Clerk