

CITY OF VENTURA
CITY COUNCIL MINUTES



MONDAY, OCTOBER 9, 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 – DR. JEANNETTE SANCHEZ-
PALACIOS, DEPUTY MAYOR

Bill Ayub
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=m171aa7de2e2fecf03817ac352375ea79>

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: 2556 734 4370

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 – 5:01 p.m.

ROLL CALL

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

Absent: Halter

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 – EXISTING LITIGATION**
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)
2. **CONFERENCE WITH LEGAL COUNSEL**
Significant Exposure to Litigation - One Case
Authority: Government Code Section 54956.9(d)(2)
3. **CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION**
Name of Case: Irallex Investments, Inc. v. City of San Buenaventura
VCSC Case No. 2022-00572920-CUMC
Authority: Government Code Section 54956.9(d)(1)

ADJOURNMENT: 5:56 p.m.

CALL TO ORDER – REGULAR SESSION: 6:04 p.m.

ROLL CALL

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

Absent: Halter

Mayor Schroeder presiding

PLEDGE OF ALLEGIANCE: Councilmember Duran

SPECIAL PRESENTATIONS AND ANNOUNCEMENTS

- National Fire Prevention Week
- Ondulando - a Firewise USA Recognized Community
- National Hispanic Heritage Month

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

CITY COUNCIL COMMUNICATIONS

CITY MANAGER COMMUNICATIONS

PUBLIC COMMUNICATIONS:

Public Speakers: Michelle Nosco, Peter Hanson, Carol Spector, Farah Stack, Allison Maires, Rodney Smith, Kristen Kessler, George Naugles, Kathleen Wheeler, Jonathan Poo, Rose Rabinov, Knute Garcken, Jackie Woods, KC Rodriguez, Farid Hentabl, Michael Tanner, Lilith, Julie Henszey, James Hrabak, Ron Whitehurst, Jan Dietrick, Spencer Noren, Terry Foley, Trevor Gotsman

CONSENT ITEMS:

Supplemental Packet: Communications posted online.

Public Speakers: James Hrabak, Jasmine Duron, Spencer Noren

Action: M/S/C (Johnson/McReynolds) to approve the Consent Items, excluding Item 4 and Item 10, in one motion as presented.

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

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

CONSENT ITEMS (CONTINUED)

2. **Ordinance for Second Reading – An Ordinance of the City Council of the City of San Buenaventura Approving Text Amendments to the Zoning Ordinance of the City Of Ventura Municipal Code to Amend Section 24.238.020, Uses Permitted Harbor Commercial District, to Clarify Public Service Facilities are Generally Permitted to Facilitate the Construction of an Advanced Water Purification Facility, and to Amend the Local Implementation Plan of the Local Coastal Program**

Staff: Michael B. MacDonald, City Clerk

RECOMMENDATION

Waive the second reading in full and adopt the Ordinance of the City Council of the City of San Buenaventura, California, approving text amendments to the Zoning Ordinance to amend Section 24.238.020, Uses Permitted, Harbor Commercial District, to clarify public service facilities are generally permitted to facilitate the construction of an advanced water purification facility, amending the local implementation plan of the Local Coastal Program.

Action: Approved recommendation. Ordinance No. 2023-08.

3. **Resolution Amending the 2023 City Council Meeting Schedule**

Staff: Michael B. MacDonald, City Clerk

RECOMMENDATION

Adopt a Resolution amending the 2023 City Council Meeting schedule to redesignate the October 23, 2023 Workshop meeting to a regularly scheduled City Council meeting.

Action: Approved recommendation. Resolution No. 2023-73.

4. **2023-2024 City Council Goals Progress Update**

Staff: Bill Ayub, City Manager

RECOMMENDATION

Receive and file progress updates on the 2023-2024 City Council goals.

Action: No Speakers. M/S/C (McReynolds/Duran) to continue the item to December 18, 2023, to allow for more updates to be made by staff.

CONSENT ITEMS (CONTINUED)

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

5. Annual Report of the Mobile Home Rent Review Board

Staff: Neda Zayer, Interim Community Development Director

RECOMMENDATION

It is recommended the City Council receive and file the Mobile Home Rent Review Board Annual Report.

Action: Approved recommendation.

6. Acceptance of the Homeless Housing, Assistance, and Prevention-Round 4 Grant

Staff: Neda Zayer, Interim Community Development Director

RECOMMENDATION

- a. Adopt a Resolution accepting Ventura County Continuance of Care Alliance Homeless Housing, Assistance and Prevention-Round 4 (HHAP-4) grant for \$640,000.
- b. Approve and authorize the City Manager, or designee, to execute a Professional Services Agreement with Mercy House Transitional Living Center, Inc. for a not-to-exceed amount of \$640,000 for the term of November 1, 2023, to October 31, 2025.
- c. Authorize Finance Department to increase FY 2024 appropriations and revenues to the proper programs and accounts in the General and Categorical Grant Program Fund by \$318,000.

Action: Approved recommendation. Resolution No. 2023-74. Agreement No. 2023-086.

CONSENT ITEMS (CONTINUED)

7. **Professional Services Agreement with Federal Engineering for Project Management Services in Support of the Regional Radio Project**

Staff: Mitchell Cameron, Chief Technology Officer

RECOMMENDATION

- a. Approve and authorize the City Manager, or designee, to execute a Professional Services Agreement with Federal Engineering Inc. in the amount of \$327,534.
- b. Authorize the City Manager, or designee, to execute amendments to the Professional Services Agreement with Federal Engineering Inc. in the amount of \$32,753 for a total not-to-exceed amount of \$360,287.
- c. Authorize the Finance Department to make the necessary budget adjustments for the use of Investment Plan Funding.

Action: Approved recommendation. Agreement No. 2023-087.

8. **Grant Application with the California Public Utilities Commission for the Last Mile Federal Funding Account Grant**

Staff: Mitchell Cameron, Chief Technology Officer

RECOMMENDATION

- a. Authorize the City Manager, or designee, to apply for and execute all documentation and agreements necessary to apply for the Last Mile Federal Funding Account with the California Public Utilities Commission up to \$12,000,000.
- b. Authorize the City Manager, or designee, to administer the grant if awarded and execute any agreements as well as accept funds awarded through the California Public Utilities Commission.
- c. Authorize the Finance Department to increase appropriations in the General Grant and Categorical Fund if funds are awarded.
- d. Authorize the City Manager, or designee, to continue negotiations with Astound Broadband for a public-private partnership agreement concurrent with the grant application.

Action: Approved recommendation.

CONSENT ITEMS (CONTINUED)

9. **Resolution Approving an Application for Funding and Execution of a Grant from the California Department of Housing and Community Development, and Rescinding Resolution No. 2022-02**

Staff: Darin Schindler, Chief of Police

RECOMMENDATION

- a. Adopt Resolution approving grant applications for the State Community Development Block Grant Mitigation Program and authorizing the City Manager, or designee, to execute the grant documents, including the application and potential awards. Resolution titled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, APPROVING AN ALLOCATION OF FUNDING, AN APPLICATION FOR FUNDING, AND THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO FROM THE 2019-2020 FUNDING YEAR OF THE CDBG MITIGATION (CDBG-MIT) RESILIENT PLANNING AND PUBLIC SERVICES PROGRAM AND RESCINDING RESOLUTION NO. 2022-002”

- b. Accept the Community Based Block Grant Mitigation funds in the amount of \$590,295. Distribution of the Community Based Block Grant Mitigation funds as follows: Emergency Evacuation Plan in the amount of \$90,295; and Homeless Services and Support Task Force in the amount of \$500,000.

Action: Approved recommendation. Resolution No. 2023-075.

10. **Amend the Capital Improvement Program Workplan to Add Project 97998 – Nye 7 & 8 Conveyance Pipeline Reroute and approve Professional Services Agreement PW24-1123 with Flowers & Associates, Inc. for Design Services**

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

- a. Amend the Fiscal Year 2024-2028 Capital Improvement Program Workplan to add Project 97998 - Nye 7 & 8 Conveyance Pipe Reroute.
- b. Approve and authorize the City Manager, or designee, to execute subject Professional Services Agreement with Flowers & Associates, Inc. in the amount of \$230,990 with a contract completion date of May 31, 2024.

CONSENT ITEMS (CONTINUED)

- c. Authorize the City Manager, or designee, to execute future amendments to subject Agreement up to a total maximum contingency of \$22,800 for a total not-to-exceed Agreement amount of \$253,790.

Public Speakers: Burt Handy

Action: M/S/C (Sanchez-Palacios/Duran) to approve the staff recommendation. Agreement No. PW24-1123.

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

11. **Professional Services Agreement with Vorissis Engineering, Inc. for Permit Application Consulting for National Pollutant Discharge Elimination System Permit Renewal Application for Ventura Water**

Staff: Gina Dorrington, Ventura Water General Manager

RECOMMENDATION

- a. Approve and authorize the City Manager, or designee, to execute the Professional Service Agreement with Vorissis Engineering, Inc.; term October 23, 2023 to June 30, 2025 with not-to-exceed total of \$123,840 pursuant to Section 4.600.140 of the Municipal Code.
- b. Authorize the City Manager, or designee, to execute amendments for Professional Service Agreement with Vorissis Engineering, Inc. in a total contract amount not-to-exceed \$303,840 and an agreement term of up to five years, pursuant to Section 4.600.200 of the Municipal Code.

Action: Approved recommendation. Agreement No. 2023-088.

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.*

12. General Plan Update Draft Land Use Designations and Preferred Land Use Map *(Continued from September 25, 2023)*

Staff: Neda Zayer, Interim Community Development Director

RECOMMENDATION

Endorse the draft Land Use Designations and Preferred Land Use Map for the General Plan Update.

Supplemental Packet: Communications posted online.

Public Speakers: Mark Abbe, Barbara Brown, Karen Martin, Jason Martin, Roger Osborne, Scott Spencer, Christy Weir, Bob Guthrie, Sue Fischer, Sandy Lang, Camille Scott, Kathy Bremer, Mariza Sullivan, Alfredo Martinez, Steven Quat, Cherie Egbert, Marilyn Kellar, Miranda Hicks, Jasen Juarez, Carl Morehouse, Judy Eschman, Dawn Dyer, Spencer Noren

Action: M/S/C (McReynolds/Johnson) to discuss the College Area and Johnson Drive Maps which includes the Montalvo area.

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

Council Recess 9:48 p.m. – 10:12 p.m.

Action: M/S/C (McReynolds/Sanchez-Palacios) to approve the GPAC recommendation for Section 1 (Northern portion) of the Johnson Drive map.

FORMAL ITEMS (CONTINUED)

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

Councilmember Duran recused due to proximity of his business.

Action: M/S/C (Duran/McReynolds) to revise the Johnson Drive map section 1B (Southern) to Mixed Use 3 from Commercial.

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

Action: M/S/C (Duran/Johnson) to approve the Planning Commission recommendation for section 2 East of the Johnson Drive map changing to Light Industrial/Flex.

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

Action: M/S/C (McReynolds/Sanchez-Palacios) to approve the Planning Commission recommendation for section 2 West of the Johnson Drive map to Mixed Use 3.

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

Action: M/S/C (Duran/Johnson) to keep light industrial as light industrial in section 3 of the Johnson Drive map and the remaining as Mixed Use 3.

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

FORMAL ITEMS (CONTINUED)

- Action:** M/S/C (Johnson/Campos) to extend the meeting beyond 11 p.m. per the City Council Protocols.
- Vote:** Ayes: Duran, McReynolds, Johnson, Campos, Deputy Mayor Dr. Sanchez-Palacios, and Mayor Schroeder; Noes: None; Abstain: None; Absent: Halter
- Action:** M/S/C (McReynolds/Duran) to maintain a commercial designation for section 1 of the College Area map.
- Vote:** Ayes: Duran, McReynolds, Johnson, Deputy Mayor Dr. Sanchez-Palacios, and Mayor Schroeder; Noes: Campos; Abstain: None; Absent: Halter
- Action:** M/S/C (Johnson/Sanchez-Palacios) to approve the GPAC recommendation for section 2 of the College Area map.
- Vote:** Ayes: Duran, McReynolds, Johnson, Campos, Deputy Mayor Dr. Sanchez-Palacios, and Mayor Schroeder; Noes: None; Abstain: None; Absent: Halter
- Action:** M/S/C (Duran/Schroeder) to revise section 3 of the College Area map to a Neighborhood Center.
- Vote:** Ayes: Duran, Johnson, Campos, Deputy Mayor Dr. Sanchez-Palacios, and Mayor Schroeder; Noes: McReynolds; Abstain: None; Absent: Halter
- Action:** M/S/C (Johnson/McReynolds) to approve the GPAC recommendation for section 4 of the College Area map to Mixed Use 3.
- Vote:** Ayes: Duran, McReynolds, Johnson, Campos, Deputy Mayor Dr. Sanchez-Palacios, and Mayor Schroeder; Noes: None; Abstain: None; Absent: Halter

FORMAL ITEMS (CONTINUED)

Action: M/S/C (McReynolds/Campos) to continue the item to the October 23, 2023, City Council meeting.

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

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

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

13. POLICY CONSIDERATION – Remove Exemption Allowing Temporary Political Signs in the Public Right of Way (Continued from September 11, 2023)

Introduced by: Mike Johnson, Councilmember, District 3
Dr. Jeannette Sanchez-Palacios, Deputy Mayor, District 4

RECOMMENDATION

Direct staff to return with an amendment to City Ordinances, with findings to support, ending the special exemption temporary political signs currently receive in our sign Ordinance allowing them to be placed in the public right-of-way.

Public Speakers: James Hrabak, Spencer Noren

Action: M/S/C (Johnson/Sanchez-Palacios) to approve the recommendation, direct staff to prepare a staff report and Ordinance and send it to the Planning Commission, and return to Council in the first quarter of 2024 regarding the Local Coastal Plan amendment.

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

FORMAL ITEMS (CONTINUED)

14. **POLICY CONSIDERATION - Closed Session Minutes** *(Continued from September 11, 2023)*

Introduced by: Liz Campos, Councilmember, District 1

RECOMMENDATION

Request that the City Clerk's Office sit in on Closed Session to take minutes and control other important aspects generally handled by the Clerk's Office.

Action: No discussion. Item continued to October 23, 2023

15. **Spanish Language Interpretation and Translation for City Council Meetings**

Staff: Michael B. MacDonald, City Clerk

RECOMMENDATION

- a. Continue offering Spanish Interpretation services at City Council meetings on a by-request basis only, with a minimum of 72 hours advance notice.
- b. Continue to translate all City Council meeting agendas into Spanish.

Action: No discussion. Item continued to October 23, 2023

PUBLIC COMMUNICATIONS:

ADJOURNMENT

Meeting adjourned at 12:36 p.m.

The meeting adjourned in memory of David Olivas.

I hereby certify that this is a true and correct record of the City Council meeting held on October 9, 2023.



Michael B. MacDonald, CMC
City Clerk

