

**MINUTES
REGULAR MEETING
OJAI CITY COUNCIL
TUESDAY, JANUARY 23, 2024, 6:00 PM
COUNCIL CHAMBERS, OJAI CITY HALL
401 SOUTH VENTURA STREET, OJAI, CA
WITH TELECONFERENCE OPTION (ZOOM)**

Mayor Stix called the Regular Meeting of the Ojai City Council to order on Tuesday, January 23, 2024 at 6:00 p.m.

ROLL CALL

On the call of the roll, the following were present in the Council Chambers: Mayor Stix, Mayor Pro Tem Francina, and Council Members Rule, Lang, and Whitman.

Also present in the Council Chambers: Interim City Manager Alameda, City Attorney Summers, Police Chief Newman, Interim Deputy City Clerk Montgomery

ABSENCES

None

PLEDGE OF ALLEGIANCE

Interim Deputy City Clerk Montgomery the Pledge of Allegiance.

APPROVAL OF AGENDA

Council Action:

Consent reached through the Mayor, to pull Item 6 from the January 23, 2024 Regular Meeting agenda for discussion.

Motion:

It was moved by Council Member Whitman, with a second by Council Member Lang, to approve the agenda of the January 23, 2024 City Council Regular Meeting, with Item 6 pulled as previously decided.

Council Action:

Unanimous consent reached though the Mayor, with five (5) in favor and zero (0) against.

Ayes: Stix, Francina, Rule, Lang, Whitman

Noes: None

Abstain: None

Absent: None

COMMISSION REPORTS

Arts Commission Chair West provided a report on the recent Arts Grants recipients which is on the Consent Calendar for Council ratification.

PUBLIC COMMUNICATIONS (30-MINUTE)

Public Communications is the time set aside during the meeting for members of the public to address the City Council on items of City business other than scheduled agenda items. Matters raised at this time may be briefly discussed by the Council, and will generally be referred to staff and/or placed on a subsequent agenda. Under State law, other than for emergency items, no action can be taken.

Public Comment

Ventura County Sheriff Jim Fryhoff said that Ojai was his former assignment, expressed gratitude to Chief Newman, and provided a positive update on the services provided by the County of Ventura.

Larry Steingold stated that the City-focused report was positive, said that more money should be coming into the City budget, and questioned a planning application and miscellaneous topics.

Nuri Ronaghy made statements regarding peace and unity, said other cities have passed resolutions related to a ceasefire, and highlighted that Ojai is an International City of Peace.

Carol Wade asked for Council to reconsider a ceasefire resolution on a meeting agenda and stated that standing for justice should occur at the municipal level.

N. Holmes said that the private business Ojai Valley Inn, and its relations in other private business, is related to the housing issues they believe are in the City and the current world conflicts.

Tim Krout requested that science, as it relates to sound travel, must be considered for pickleball.

Cyrus Mayer provided multiple greetings in the consideration of love and respect, recommended an additional future agenda item related to a proposed ceasefire resolution, and stated their account of current local events and world conflicts.

Abudu spoke about the activism of Dr. Martin Luther King Jr. as it relates to the current state of humankind.

Aviva Bernat said that a more complete voice related to current world conflicts is needed, stated that peace and safety is needed for positive change, and said that the former proposed resolution caused conflict instead of peace.

Eva Cristofalo Fernandez spoke about a past experience in the City Council Chambers where they felt unsafe, and spoke about violence toward women and the current state of humanity.

CONSENT CALENDAR (Items 1.a – 1.j)

All matters listed on the Consent Calendar are to be considered routine by the governing bodies, and will be enacted by one motion in the form listed. There will be no discussion of these items unless, before the governing body votes on the motion to adopt, specific items are removed from the Consent Calendar for separate motions.

- 1. a)** Waiver of Reading in Full of Any and All Ordinances Listed on this Agenda and provide that they be Read by Title only and Directing the Clerk to Assign an Ordinance Number Upon Successful Introduction.

b) City of Ojai Warrants for December 18, 2023 – January 07, 2024

RECOMMENDATION: Receive and file.

c) December 2023 Treasurer’s Monthly Report of Cash and Investments for the City of Ojai

RECOMMENDATION: Receive and file.

d) Minutes of the City Council; June 29, 2023, Special Meeting; December 11, 2023, Special Meeting/Adjourned Meeting; December 12, 2023, Special Meeting; December 18, 2023 Special Meeting/Closed Session; and December 18, 2023 Special Meeting

RECOMMENDATION: Approve.

e) Minutes of the Planning Commission; November 1, 2023, Regular Meeting; November 15, 2023, Regular Meeting, and December 6, 2023 Regular Meeting; and January 3, 2024

RECOMMENDATION: Receive and file.

f) Minutes of the Historic Preservation Commission November 9, 2023 and December 14, 2023

RECOMMENDATION: Receive and file.

g) Trolley Shelter Stop (TR-3003) – Award of Construction Contract

RECOMMENDATION: That the City Council:

1. Authorize the City Manager to execute Public Works Contract No. 2023-39 with McLeod Construction, Inc. in the amount of \$95,633.94, and authorize a 10% contingency in the amount of \$9,600 for unforeseen change orders that may be required for a total authorized expenditure of \$105,233.94.
2. Authorize an appropriation of \$60,000 for the Public Works Contract and contingency in the Capital Improvement Fund, Trolley Stop Shelters from available Measure “C” fund balance (to be reimbursed by CMAQ funding).

h) 2023-24 Art Grant Awards

RECOMMENDATION: That City Council ratify the City of Ojai Arts Commission funding recommendations for the 2023-24 Art Grants program.

i) Acceptance of Bicycle Repair Stations from the Ojai Civic Association and The Rotary Club of Ojai

RECOMMENDATION: That the City Council considers authorizing the Recreation Manager to accept a donation of bicycle repair stations from the Ojai Civic Association and The Rotary Club of Ojai.

j) Update Regarding the City’s Rent Stabilization and Just Cause Tenant Protection Ordinance

RECOMMENDATION: Receive and file.

Motion:

It was moved by Mayor Pro Tem Francina, with a second by Council Member Lang, to approve the Consent Calendar of the January 23, 2024 City Council Regular Meeting, with Items 1.g, 1.h, 1.i, and 1.j pulled for discussion.

Council Action:

Unanimous consent reached through the Mayor, with five (5) in favor and zero (0) against.

Ayes: Stix, Francina, Rule, Lang, Whitman
Noes: None
Abstain: None
Absent: None

Council Action:

Unanimous consent reached through the Mayor, to approve Items 1.g and 1.i from the Consent Calendar of the January 23, 2024 Regular Meeting agenda, after brief congratulations and statements.

Council Action:

Consent reached through the Mayor, to issue a pause on Item 1.h for review.

Ayes: Stix, Francina, Rule, Lang
Noes: None
Abstain: Whitman
Absent: None

Council Action:

Unanimous consent reached through the Mayor, to receive and file the Item 1.j report, with the direction to staff to return with the item on a future agenda.

Discussion

2. Proposed Employment Agreement for City Manager

RECOMMENDATION: That the City Council:

1. Receive public comment; and
2. Adopt resolution appointing Benjamin Harvey as City Manager and directing the Mayor to sign the proposed City Manager employment agreement with Mr. Harvey.

Public Comment

Via Zoom

Leticia Livia said positive statements about Benjamin Harvey.

C Madalone, Police Chief of Pacific Grove, said kind and caring statements about the strengths of Benjamin Harvey.

Motion:

It was moved by Council Member Whitman, with a second by Mayor Pro Tem Francina, to adopt the resolution appointing Benjamin Harvey as City Manager and direct the Mayor to sign the proposed City Manager employment agreement.

Roll Call:

On the call of the roll, the vote was five (5) in favor and zero (0) against.

Ayes: Francina, Lang, Whitman, Stix, Rule

Noes: None

Abstain: None

Absent: None

PUBLIC COMMUNICATIONS (REMAINDER)

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Public Comment

Nuria Rosa Christofala Fernandez recommended bringing back the proposed resolution related to ceasefire on a future meeting agenda and spoke about the seriousness of the conflicts in the world.

Alan Shore spoke about the current world conflicts and how Ojai is an International City of Peace.

Rev Marilyn Miller expressed gratitude to focusing efforts on city business and recommended that Council take no action to avoid further conflict.

Helena Pasquerella spoke about the hostages and those who have been killed in the current world conflicts, promoted an approval of a proposed ceasefire resolution, and stated their optimism toward future peace.

Ethan S. requested that the proposed ceasefire resolution be on a future meetings agenda.

Bevelyn Esparza reported on a proclamation provided by the city on Dr. Martin Luther King Jr Day and how they believe it is a contradiction of Council action related to the past meetings that were disrupted related to a proposed ceasefire resolution.

Grace Malloy said that they do not know how to express their view of the current world conflicts as it relates to the municipal level, said they are in favor of adoption of a proposed ceasefire resolution, and said that taking action against war crimes needs to be completed at the municipal level.

Jon Drucker said there are misuses of language related to the current world conflicts, stated various acts of cruelty related to the conflicts, and opposed a proposed ceasefire resolution.

Allan Greenberg said it is the duty of the Council to make difficult decisions, stated action on the municipal level should be analyzed on its effectiveness, and opposed City Council action on world conflicts.

Leora Lezak said they are calling out for the Council to take action on the current world conflicts, spoke on their account of grieving related to cruelty in the world, and that they wish for actions of peace.

Bill Miley stated that the City should represent the residents and adopt future actions to serve the community.

Nora Herald questioned future meetings related to the current world conflicts take place outside of Council Chambers and City Hall.

Austin Ringelstein stated disagreement with a previous speaker related to harmful speech, stated they are a veteran and experience the weight of the trauma of war, expressed how the traumas are now currently happening in the world conflicts, and said they wish for action from City Council and a proposed ceasefire resolution.

DISCUSSION

3. Nomination and Appointment of Mayor Pro Tempore

RECOMMENDATION: That the City Council adopt a Resolution appointing a new Mayor Pro Tem for a one-year term.

No Public Comment

Motion:

It was moved by Council Member Rule, with a second by Mayor Pro Tem Francina, to reappoint Mayor Pro Tem Francina to the position of Mayor Pro Tem for 2024.

Roll Call:

NO COUNCIL ACTION TAKEN

Motion:

It was moved by Council Member Rule to appoint Council Member Lang to the position of Mayor Pro Tem for 2024.

MOTION FAILED TO RECEIVE A SECOND

Motion:

It was moved by Mayor Stix, with a second by Council Member Whitman, to appoint Council Member Whitman to the position of Mayor Pro Tem for 2024, and to adopt the accompanying Resolution.

Roll Call:

On the call of the roll, the vote was three (3) in favor and two (2) against.

Ayes: Stix, Lang, Whitman

Noes: Rule, Francina

Abstain: None

Absent: None

4. Selection of Council Representatives to Local, County and Regional Boards

RECOMMENDATION: That the City Council review current assignments and appoint Council representatives and alternates to 14 local, county, and regional boards, plus one City of Ojai board.

No Public Comment

Motion:

It was moved by Council Member Francina, with a second by Council Member Lang, to approve the appointments to regional boards and committees for the year 2024, as decided by the full Council.

Roll Call:

On the call of the roll, the vote was five (5) in favor and zero (0) against.

Ayes: Stix, Rule, Lang, Whitman, Francina

Noes: None

Abstain: None

Absent: None

5. Authorize the City Manager to Execute a Grant Application Seeking Competitive Grant Funding Under the State of California Encampment Resolution Funding Program, Round 3 (ERF-3-R)

RECOMMENDATION: That the City Council authorize the City Manager to execute a Grant Application seeking competitive grant funding under the State of California Encampment Resolution Funding Program, Round 3 (ERF-3-R).

Public Comment

Leeana McNeilly said they take issue with the lack of notification and engagement with neighboring residents of the City Hall Campus and stated their objections to the proposed plan and location.

Bradley Smith said they do not support the proposed plan and encampment solutions presented and questioned the budget costs and grant information.

Marcy said solutions are needed to house individuals, recommended more transparency for the public, and questioned the timeline of the proposal.

Chrystie said the lack of security at the City Hall Campus needs to be identified and recommended a County partnership.

Larry Steingold questioned the total cost of the proposal and stated their view of the current situation.

David Chapman stated their concerns with the current state of the encampments as it relates to health risks and risk of fire.

Curtis Kisecht said they have experienced negative interactions with those who are unhoused, stated disdain with the communication with residents, and recommended

waiting to develop a further plan.

Aimee Mendoza stated they are a neighboring resident and that they have experienced safety issues at residential homes from individuals who are staying in the encampment.

Bill Miley said they support submitting a grant application but recommended that the budget be finalized, and recommended using a different property solution like a motel or County land.

Nora Herald said they recommend proceeding with the grant application and stated they are leaving the Ojai Valley because of related issues around housing the unhoused.

Ted McCormick stated past examples of housing solutions and stated they hope for positive solutions for those who are experiencing homelessness in the City and valley.

Cyrus Mayer said they are in favor of proceeding with the grant and said solutions often push individuals out of the area but that Ojai should support individuals within the area.

Dave Patrick stated they have noticed change in the neighborhood surrounding City Hall as a resident and stated they believe that more planning is needed before decision making.

Eva Christofalo Fernandez said they are concerned about the language used referring to those who are unhoused and recommended more sensitivity to those who are experiencing life in the encampment.

Chris Barton questioned whether encampment residents were personally invited to the Council meeting and stated they hope their perspective becomes heard.

Ethan S. suggested involvement of those who are living in the encampment.

Lori Siegmund said they support perusing a grant for support but said that as a neighbor they are concerned with the lack of notification.

Jessica McCrea said they are in support of perusing a grant for support but stated they are not pleased with the location in the proposal and that they recommend more effort in planning a location.

Ruth Miller stated support for proceeding with the grant application as a task force member for the unhoused.

Betsy VanLeit and Kathy Nolan stated support for proceeding with the grant application as task force members for the unhoused.

Brian Aikens spoke about the property deed of the City Hall Campus property and how it relates to the historic nature and use of the property.

Leora Lezak stated they are in support of grant application, said they are concerned with the standard language used to discuss the individuals who are unhoused, and said they are concerned about hiding the housing solution.

Nuria Rosa Cristofalo Fernandez said more feedback is needed from those who are currently living in the encampment.

Doug LaBarre questioned different locations as solutions along with the proposal.

Jerry O'Dell said they are requesting that their integrity be honored as a resident of the encampment, said they are approachable, and hoped for more interaction with the residents of the encampment during the search for a solution.

Via Zoom

Anita said more evaluation is needed with the proposal.

Motion:

It was moved by Council Member Rule, with a second by Council Member Francina, to authorize the City Manager to execute a Grant Application seeking competitive grant funding under the State of California Encampment Resolution Funding Program, Round 3 (ERF-3-R), and direct the City Manager to engage with the Green Coalition as a stakeholder in the working group related to the project.

Roll Call:

On the call of the roll, the vote was three (3) in favor and two (2) against.

Ayes: Francina, Lang, Rule

Noes: Stix, Whitman

Abstain: None

Absent: None

6. General Plan Update, Including Budgetary Adjustments, Timeline Adjustments and Next Steps

RECOMMENDATION: That the City Council That City Council review the information and consider the following:

1. Open the matter for public comment;
2. Consider authorizing the Interim City Manager to enter into a contract extension with amendments as identified within this report which includes adjustments to scope, timeline, review, and budget with Raimi and Associates.
3. Consider adjustments in the contracted budget for the General Plan Update effort total \$174,857 and are further discussed in the Financial portion of this report and included as Attachment A.
4. Review and consider providing direction on which climate option to proceed; climate action plan or climate element. The information on the climate action matter is further described in the report and provided as Attachment B.
5. Review and consider providing direction on whether to move forward with the Tourism Management matter, which is also being referred to as the Economic Management matter. The information on tourism management is further described in the report and provided as Attachment B.

Item 6 was pulled by Council action to a future agenda.

PUBLIC HEARING

7. First Reading and Introduction of Revisions to Title 10. Including Amendments to Several Chapters, Articles, and Sections within Title 10 of the Ojai Municipal Code and Including Those Revisions Previously Approved By City Council Associated with Ordinance No. 938 – Formula Business Ordinance Revisions

RECOMMENDATION: That the City Council:

1. Open the public hearing, accept public testimony, and close the public hearing; and
2. Introduce an Ordinance of the City of Ojai’s City Council (Attachment A) amending Title 10 of the Ojai Municipal Code.

Item 7 was continued to a future agenda.

8. Draft Ordinance regarding amendments to existing unlawful short-term, transient, and vacation rentals to further strengthen the City’s prohibition on short-term rentals within the City Pursuant to Title 4, Chapter 24 (Prohibition on Advertising for Unlawful Short-Term, Transient, and Vacation Rentals). Applicant – City Initiated

RECOMMENDATION: That the City Council:

1. Open the public hearing, accept public testimony, and close the public hearing; and
2. Consider Introduction of an Ordinance (Attachment A) of the City Council Title 4, Chapter 24 (Prohibition on Advertising for Unlawful Short-Term, Transient, and Vacation Rentals) regarding unlawful short-term, transient, and vacation rentals.

Item 8 was continued to a future agenda.

COUNCIL MEMBER’S REPORTS

None

CITY MANAGER’S REPORT

None

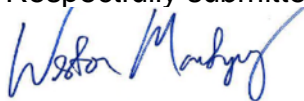
FUTURE AGENDA ITEMS

None

ADJOURNMENT

Mayor Stix adjourned the January 23, 2024 Regular Meeting of the City Council at 11:25 p.m., until the next Regular Meeting on February 13, 2024 at 6:00 p.m.

Respectfully submitted:



Weston Montgomery
Interim Deputy City Clerk