



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3050 • Sacramento, CA 95811

June 18, 2024

Leslie Rule

Via email: leslie.rule@ojai.ca.gov

Re: Complaint No. COM-06172024-01998; Leslie Rule

Dear Leslie Rule:

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the "Act").¹ The Enforcement Division has received the attached complaint alleging that you may have violated the Act's conflict of interest provisions. The complainant alleges:

Conflict of Interest

87306.5 - Conflict of Interest Code; Local

Not sure how to respond to the violation code section. It's section 18707. Recusal due to conflict of interest, which was not done. What are my recourses for this? Thank you.

At this time, we have not made any determination about the allegations made in the complaint. We are requesting information, including documentation, about the allegations described above. **Please submit your response in writing within 14 days** from the date of this letter to Jaleena Evans at jevans@fppc.ca.gov. Upon receipt of your response, we will review the information to determine whether or not to investigate the allegations.

Sincerely,

Christopher B. Burton

Christopher B. Burton, Assistant Chief
Enforcement Division

CBB:JE

¹ The Political Reform Act is contained in Government Code Sections 81000 through 91014.

This complaint concerns Councilmember Leslie Rule, Ojai City Council. Ms. Rule failed to recuse herself from a closed session meeting (May 14, 2024), that explicitly involved her personal finances. She was advised by the city attorney to recuse herself.

The only item to be discussed at this meeting was Ms. Rule's request that she be indemnified and defended by the City of Ojai in a lawsuit in which she is the defendant.

It appears Ms. Rule has violated the FPPC rules: Councilmember Leslie Rule's personal finances are explicitly involved in any decision or action taken concerning her claim that she is entitled to indemnification and defense for the debts she has incurred and will incur in defending litigation in which she was sued by a group of Ojai residents. The lawsuit is: "Byrne et. al v. Leslie Rule et. al." Ventura County Superior Court Case No. 2023CUMC008352. California Second Appellate District Case No. B332962. The case is currently pending in the California Second District Court of Appeal.

The financial impact on Ms. Rule is foreseeable given that she claims the City of Ojai, rather than herself, should bear the burden of legal expenses, legal costs, and defense, in her litigation. The financial impact on Ms. Rule is material in that the amount of money Council Member Rule could avoid and the City of Ojai could incur is in excess of \$100,000.

Please see the attached agenda and minutes from the May 14, 2024 meeting. The pertinent parts are highlighted in yellow for your convenience.

Thank you,

Leslie Hess



CITY COUNCIL MINUTES

REGULAR MEETING

TUESDAY, MAY 14, 2024, 6:00 PM

KENT HALL – CITY HALL CAMPUS – 111 W SANTA ANA ST, OJAI, CA

BETSY STIX, MAYOR

COUNCIL MEMBERS:

DISTRICT 1 – LESLIE RULE
DISTRICT 2 – RACHEL LANG

DISTRICT 3 – ANDREW WHITMAN
DISTRICT 4 – SUZA FRANCINA

BEN HARVEY
CITY MANAGER

MATTHEW SUMMERS
CITY ATTORNEY

WESTON MONTGOMERY
CHIEF DEPUTY CITY CLERK

**Additional Teleconference Meeting Location Available to the Public to Accommodate
Teleconferencing Council Member per California Government Code § 54953(b)(3):
200 E 64th St #8D, New York, NY 10065**

Mayor Stix called the Regular Meeting of the Ojai City Council to order on Tuesday, May 14, 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 Whitman (present remotely via telewebinar), and Council Members Rule, Lang, and Francina.

Also present in the Council Chambers: City Manager Harvey, Assistant City Manager Alameda, City Attorney Summers, Chief Deputy City Clerk Montgomery, Public Works Director Palmer, and Community Development Director Seibert.

ABSENCES

PLEDGE OF ALLEGIANCE

Chief Deputy City Clerk Montgomery led the Pledge of Allegiance.

APPROVAL OF AGENDA

Motion:

It was moved by Council Member Francina, with a second by Council Member Lang, to approve the agenda of the May 14, 2024, City Council Regular Meeting.

Roll Call:

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

Ayes: Stix, Francina, Rule, Lang, Whitman

Noes: None

Abstain: None

Absent: None

PRESENTATION

Ray Powers from Ojai International City of Peace provided a presentation on the organization to Council.

COMMISSION REPORTS

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.

CONSENT CALENDAR (Items 1.a – 1.i)

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 April 01, 2024 – April 14, 2024**
RECOMMENDATION: Receive and file.
- c) **Minutes of the City Council for the: March 12, 2024, Regular Meeting; March 26, 2024 Regular Meeting; and April 9, 2024 Regular Meeting**
RECOMMENDATION: Approve.
- d) **Minutes of the Planning Commission for the: March 30, 2024, Regular Meeting; April 3, 2024 Regular Meeting; and April 17, 2024 Regular Meeting**

RECOMMENDATION: Receive and file.

- e) **Minutes of the Historic Preservation Commission for the: March 14, 2024, Regular Meeting**

RECOMMENDATION: Receive and file.

- f) **Authorize First Amendment with Kelly's Cleaning Supplies, Inc. – PW Agreement No. 2022-13A**

RECOMMENDATION: That the City Council Authorize the City Manager to execute the First Amendment to PW Agreement No. 2022-13 with Kelly's Cleaning Supplies, Inc. to modify approved fee schedule in Section 6.1 of the Agreement.

- g) **Authorize Third Amendment with Solid Waste Solutions, Inc. – PW Agreement No. 2024-02C**

RECOMMENDATION: That the City Council Authorize the City Manager to execute the Third Amendment to PW Agreement No. 2024-02 with Solid Waste Solutions to extend the term by two years, expiring June 30, 2026, with the rates listed in Exhibit "A" of the Amendment.

- h) **State of California Department of Parks and Recreation Grant Contract Resolution for the City of Ojai's Construction of Sarzotti Park Infrastructure**

RECOMMENDATION: That the City Council adopt the resolution to accept the Grant Contract from the State of California Parks and Recreation Department for the construction of Sarzotti Park infrastructure.

- i) **Authorize the Solicitation for Request for Proposals for Construction Management Services for the Pedestrian and Bike Safety Improvements Project: Maricopa Hwy (SR-33) ATP 02-07-168M - Federal Project #ATPL-5251(026) – ST-3047**

RECOMMENDATION: Authorize the solicitation for request for proposals for construction management services for the Pedestrian and Bike Safety Improvements Project: Maricopa Hwy (SR-33) ATP 02-07-168M - Federal Project #ATPL-5251(026), ST-3047.

Motion:

It was moved by Council Member Rule, with a second by Council Member Lang, to approve the Consent Calendar of the May 14, 2024 City Council Regular Meeting, with a minor modification to the Resolution of Item 1.h, to change "Recreation Manager" to "City Manager."

Roll Call:

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

Ayes: Stix, Francina, Lang, Rule, Whitman

Noes: None

Abstain: None

Absent: None

DISCUSSION

2. Approval of Memorandum of Understanding with Habitat for Humanity Ventura County, Inc. Regarding the Development and Management of Five Tiny Homes on the Property located at 408-410 North Montgomery Street, Ojai, with the City Retaining the Land

RECOMMENDATION: That the City Council:

1. Receive a Habitat for Humanity Presentation; and
2. Approve a Memorandum of Understanding with Habitat for Humanity Ventura County, Inc. Regarding the Development and Management of Five Tiny Homes on the Property located at 408-410 North Montgomery Street, Ojai, with the City Retaining the Land. The City's Approval of this MOU is exempt from review under the California Environmental Quality Act, per the California Code of Regulations, Title 14, CEQA Guidelines Section 15532 as an infill project.

Motion:

It was moved by Council Member Rule, with a second by Council Member Lang, to approve the Memorandum of Understanding as recommended, and add a section 6-c in "Responsibilities of Habitat" as an "All-Electric" clause, and modify the "Affordability" clause to, "not exceed 30% of the medium income in Ventura County."

Roll Call:

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

Ayes: Rule, Francina, Lang, Stix, Whitman

Noes: None

Abstain: None

Absent: None

PUBLIC COMMUNICATIONS (REMAINDER)

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 HEARING

3. Levy and Collection of Assessments for Landscape and Lighting District No. 1, Plaza Maintenance Assessment District No. 2, and Landscape and Lighting District No. 3 for FY 2024/25

RECOMMENDATION: That the City Council:

1. Conduct a Public Hearing to receive public testimony relative to the established assessments for Landscape and Lighting District No. 1, Plaza Maintenance Assessment District No. 2, and Landscape and Lighting District No. 3; and
2. Adopt a resolution ordering the work and levying the assessments for Landscape and Lighting District No. 1, Plaza Maintenance Assessment

District No. 2, and Landscape and Lighting District No. 3 without an increase for FY 2024/25; and

3. Direct the City Clerk to transmit the necessary documents to the County of Ventura for the levying and collection of property assessments for said Districts.

Mayor Stix opened the Public Hearing.

Mayor and City Council took public comment (none).

Mayor Stix closed the Public Hearing.

Motion:

It was moved by Council Member Lang, with a second by Council Member Rule, to adopt a resolution ordering the work and levying the assessments for Landscape and Lighting District No. 1, Plaza Maintenance Assessment District No. 2, and Landscape and Lighting District No. 3 without an increase for FY 2024/25, and to direct the City Clerk to transmit the necessary documents to the County of Ventura for the levying and collection of property assessments for said Districts.

Roll Call:

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

Ayes: Whitman, Rule, Stix, Lang, Whitman

Noes: None

Abstain: None

Absent: None

DISCUSSION

4. Initiative Measure to Keep Pickleball Courts Open at City Hall – Sufficient Petition Results Verified and City Council Consideration of Options Per Elections Code Section 9215

RECOMMENDATION: That the City Council:

1. Receive the City Clerk's Signature Verification Certificate and Petition Result Breakdown from the Ventura County Elections Division regarding the sufficient petition titled, "Initiative Measure to Keep Pickleball Courts Open at City Hall;" and
2. Take public comment on this matter; and
3. Provide direction regarding of the following options per Elections Code Section 9215 regarding the Certified Petition for a Pickleball Initiative Ordinance:
 - a. Adopt the Pickleball Initiative Ordinance,
 - b. Submit the Pickleball Initiative Ordinance to the City's voters at the November 5, 2024 General Municipal Election, or
 - c. Order Staff to Prepare a Report on the Pickleball Initiative Ordinance's Impacts per Elections Code section 9212.

Motion:

It was moved by Council Member Francina , with a second by Council Member Lang, to order Staff to prepare a report on the pickleball initiative ordinance's impacts per Elections Code section 9212, with impacts to include; 1) the City's fiscal impact; 2) land use effects; 3) community commerce; 4) effects of the initiative on City power over the land and the Council's future powers over the site if the initiative were to be adopted by the voters or the Council; 5) current available property sites in addition to Soule Park; 6) answers, in a concise, FAQ format, to the questions raised by the public comments; and 7) litigation risks.

Roll Call:

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

Ayes: Francina, Lang, Rule, Stix, Whitman

Noes: None

Abstain: None

Absent: None

5. Pickleball Soule Park (PK-3041) – Award of Public Works Contract

RECOMMENDATION: That the City Council:

1. Authorize the City Manager to execute Public Works Contract No. 2024-07 with Pacific Tennis Courts, Inc. in the amount of \$524,500.00 and authorize a 15% contingency in the amount of \$78,675.00 for unforeseen change orders that may be required for a total authorized expenditure of \$603,175.00, for a Pickleball Facility at Soule Park.
2. Authorize the City Manager to approve a budget transfer from Account No. 031-1604-0817-008 to Account No 031-1602-0802-106 in the amount of \$507,075.

Motion:

It was moved by Council Member Lang, with a second by Council Member Rule, to approve the recommendations and authorize the City Manager to proceed, and delay the closure of the City Hall pickleball courts until the Soule Park pickleball courts are completed.

Roll Call:

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

Ayes: Stix, Rule, Francina, Whitman, Lang

Noes: None

Abstain: None

Absent: None

6. Concept Consideration – Artisan Market Community Stakeholder/Input Meeting

RECOMMENDATION: That the City Council receive the report and presentation by Staff, take public comment, and ask clarifying questions and consider a future community stakeholder/input meeting (townhall meeting) with a focus on education regarding the process, existing opportunities for upstart artists and crafts businesses, and potential future opportunities.

Motion:

It was moved by Council Member Rule, with a second by Council Member Francina, to approve the community stakeholder/input meeting (townhall meeting) for artisan markets.

Roll Call:

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

Ayes: Francina, Whitman, Lang, Stix, Rule

Noes: None

Abstain: None

Absent: None

COUNCIL MEMBER'S REPORTS

Council Member Lang reported on Arts Commissioners and the City Manager met with County staff to consider ways to connect the arts with the broader community.

Mayor Stix reported on the positive impact of the longstanding tennis tournament, The Ojai.

CITY MANAGER'S REPORT

FUTURE AGENDA ITEMS

CLOSED SESSION

7. Conference with Legal Counsel; Anticipated Litigation

(Gov. Code § 54956.9(d)(2) & (d)(3))

A point has been reached where, in the opinion of the City Council on the advice of its legal counsel, based on the below-described existing facts and circumstances, there is a significant exposure to litigation against the City:

The following facts and circumstances known to plaintiff or plaintiffs regarding a Transactional Occurrence – Request for Defense and Indemnity by Leslie Rule in the case of *Bryne, et al. v. Rule, et al.*, Ventura County Superior Court Case No. 2023CUMC008352, Second District Court of Appeal Case No. B332962.

(Gov. Code § 54956.9(e)(2))

City Attorney Summers recited the Closed Session language and reported no anticipated reportable action.

City Attorney Summers stated staff recommends that, as the claimant, Council Member Rule should recuse from the matter.

Council took no action to have Council Member Rule recuse from Closed Session.

The following were present in Closed Session: Mayor Stix, Mayor Pro Tem Whitman (present remotely via telewebinar), and Council Members Rule, Lang, and Francina.

Also present in the Closed Session: City Manager Harver and City Attorney Summers.

ADJOURNMENT

Mayor Stix adjourned the May 14, 2024, Regular Meeting into Closed Session, and until the May 28, 2024, Regular Meeting at 6:00 p.m.

Submitted by: Weston Montgomery, Chief Deputy City Clerk



CITY COUNCIL AGENDA

REGULAR MEETING

TUESDAY, MAY 14, 2024, 6:00 PM

KENT HALL – CITY HALL CAMPUS – 111 W SANTA ANA ST, OJAI, CA

BETSY STIX, MAYOR

COUNCIL MEMBERS:

DISTRICT 1 – LESLIE RULE
DISTRICT 2 – RACHEL LANG

DISTRICT 3 – ANDREW WHITMAN
DISTRICT 4 – SUZA FRANCINA

BEN HARVEY
CITY MANAGER

MATTHEW SUMMERS
CITY ATTORNEY

WESTON MONTGOMERY
CHIEF DEPUTY CITY CLERK

**Additional Teleconference Meeting Location Available to the Public to Accommodate
Teleconferencing Council Member per California Government Code § 54953(b)(3):
200 E 64th St #8D, New York, NY 10065**

VIEWING & ACCESS

THIS MEETING WILL BE CONDUCTED IN A HYBRID MODEL WITH BOTH IN-PERSON ATTENDANCE AND VIRTUAL PARTICIPATION. TO PARTICIPATE IN THE LIVE VIRTUAL MEETING VIA ZOOM, CLICK THIS LINK:

[Zoom Link – City Council Regular Meeting – Tuesday, May 14, 2024, 6:00 p.m.](#)

This meeting will also be available for viewing only, on the City's website through Granicus at ojai.ca.gov/525/2968/Public-Meetings, on YouTube at youtube.com/@ojaicity, or on Spectrum Channel 10.

In compliance with the *Americans with Disabilities Act*, if you need special assistance to participate in this meeting, please call (805) 646-5581. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

If you feel that a language interpreter is necessary for you to participate in this meeting, notification 48 hours prior to the meeting will enable the City to make reasonable arrangements for an interpreter to assure your participation/understanding of this meeting of the City Council.

Si considera que un intérprete de idiomas es necesario para participar en esta reunión, la notificación 48 horas antes de la reunión le permitirá a la Ciudad hacer arreglos razonables para que un intérprete asegure su participación / comprensión de esta reunión del Concejo Municipal.

Para Español por favor llame al (805) 646-5581 ext. 101 o por correo electronico a cityclerk@ojai.ca.gov

PUBLIC COMMENT

Written/emailed public comments must be submitted no later than 3:00 p.m. on the day before the meeting.

Members of the public who wish to make public comments may do so in person at the meeting, comment live via telewebinar software, or submit written public comments in advance of the meeting. Written public comment emails should be sent to cityclerk@ojai.ca.gov

No pre-registration is required for public comment via telewebinar (Zoom). Instead, during the live meeting, telewebinar participants who wish to speak on an agenda item will be asked to use the Zoom software's hand-raise function at the beginning of each item.

LEVINE ACT WARNING

Applicants and their agents before the City Council are subject to the campaign disclosure provisions detailed in Government Code Section 84308. No City Council Member may accept, solicit, or direct a contribution of more than \$250 from any party or agent for 12 months subsequent to the date a final decision is rendered by the City. This prohibition commences when your application has been filed, or the proceeding is otherwise initiated.

A party to a City proceeding—which includes both applicants and agents--shall disclose on the record of the proceeding any contribution of more than \$250 made to any Council Member by the applicant or agent, during the preceding 12 months. No party to a City proceeding, or agent, shall make a contribution to a Council Member during the proceeding and for 12 months following the date a final decision is rendered by the City.

Prior to rendering a decision on a City proceeding, any Council Member who received contribution of more than \$250 within the preceding 12 months from any party, or agent, to a proceeding shall disclose that fact on the record of the proceeding, and shall be disqualified from participating in the proceeding. However, if any Council Member receives a contribution that otherwise would require disqualification, and returns the contribution within 30 days of knowing about the contribution and the relevant proceeding, the Council Member shall be permitted to participate in the proceeding.

If you believe that these provisions apply to you or a Council Member, please inform the City Clerk at the earliest possible opportunity. Failure to do so may affect the City's ability to process your application.

IMPORTANT NOTES

Materials related to an item on this agenda submitted to the City Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office at City Hall during normal business hours (Monday through Friday from 8:00 a.m. to 5:00 p.m.). Such documents are also available on the City of Ojai's website at ojai.ca.gov, subject to staff's ability to post the documents prior to the meeting.

If you challenge the actions of the City Council in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in the public notices, or in written correspondence delivered to the City Council at, or prior to, the public hearing (Calif. Gov't Code Sec. 65009).

Any legal action by an applicant seeking to obtain a judicial review of the City Council's decision on a Hearing listed on this Agenda may be subject to the 90-day filing period of, and governed by Code of Civil Procedure Section 1094.6.

ROLL CALL

ABSENCES

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

PRESENTATION

A representative from Ojai International City of Peace to provide a presentation on the organization.

COMMISSION REPORTS

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.

CONSENT CALENDAR (Items 1.a – 1.i)

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 April 01, 2024 – April 14, 2024](#)
RECOMMENDATION: Receive and file.
- c) [Minutes of the City Council for the: March 12, 2024, Regular Meeting; March 26, 2024 Regular Meeting; and April 9, 2024 Regular Meeting](#)
RECOMMENDATION: Approve.
- d) [Minutes of the Planning Commission for the: March 30, 2024, Regular Meeting; April 3, 2024 Regular Meeting; and April 17, 2024 Regular Meeting](#)
RECOMMENDATION: Receive and file.
- e) [Minutes of the Historic Preservation Commission for the: March 14, 2024, Regular Meeting](#)
RECOMMENDATION: Receive and file.

f) **Authorize First Amendment with Kelly's Cleaning Supplies, Inc. – PW Agreement No. 2022-13A**

RECOMMENDATION: That the City Council Authorize the City Manager to execute the First Amendment to PW Agreement No. 2022-13 with Kelly's Cleaning Supplies, Inc. to modify approved fee schedule in Section 6.1 of the Agreement.

g) **Authorize Third Amendment with Solid Waste Solutions, Inc. – PW Agreement No. 2024-02C**

RECOMMENDATION: That the City Council Authorize the City Manager to execute the Third Amendment to PW Agreement No. 2024-02 with Solid Waste Solutions to extend the term by two years, expiring June 30, 2026, with the rates listed in Exhibit "A" of the Amendment.

h) **State of California Department of Parks and Recreation Grant Contract Resolution for the City of Ojai's Construction of Sarzotti Park Infrastructure**

RECOMMENDATION: That the City Council adopt the resolution to accept the Grant Contract from the State of California Parks and Recreation Department for the construction of Sarzotti Park infrastructure.

i) **Authorize the Solicitation for Request for Proposals for Construction Management Services for the Pedestrian and Bike Safety Improvements Project: Maricopa Hwy (SR-33) ATP 02-07-168M - Federal Project #ATPL-5251(026) – ST-3047**

RECOMMENDATION: Authorize the solicitation for request for proposals for construction management services for the Pedestrian and Bike Safety Improvements Project: Maricopa Hwy (SR-33) ATP 02-07-168M - Federal Project #ATPL-5251(026), ST-3047.

DISCUSSION

2. **Approval of Memorandum of Understanding with Habitat for Humanity Ventura County, Inc. Regarding the Development and Management of Five Tiny Homes on the Property located at 408-410 North Montgomery Street, Ojai, with the City Retaining the Land**

RECOMMENDATION: That the City Council:

1. Receive a Habitat for Humanity Presentation; and
2. Approve a Memorandum of Understanding with Habitat for Humanity Ventura County, Inc. Regarding the Development and Management of Five Tiny Homes on the Property located at 408-410 North Montgomery Street, Ojai, with the City Retaining the Land. The City's Approval of this MOU is exempt from review under the California Environmental Quality Act, per the California Code of Regulations, Title 14, CEQA Guidelines Section 15532 as an infill project.

PUBLIC COMMUNICATIONS (REMAINDER)

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 HEARING

3. [Levy and Collection of Assessments for Landscape and Lighting District No. 1, Plaza Maintenance Assessment District No. 2, and Landscape and Lighting District No. 3 for FY 2024/25](#)

RECOMMENDATION: That the City Council:

1. Conduct a Public Hearing to receive public testimony relative to the established assessments for Landscape and Lighting District No. 1, Plaza Maintenance Assessment District No. 2, and Landscape and Lighting District No. 3; and
2. Adopt a resolution ordering the work and levying the assessments for Landscape and Lighting District No. 1, Plaza Maintenance Assessment District No. 2, and Landscape and Lighting District No. 3 without an increase for FY 2024/25; and
3. Direct the City Clerk to transmit the necessary documents to the County of Ventura for the levying and collection of property assessments for said Districts.

DISCUSSION

4. [Initiative Measure to Keep Pickleball Courts Open at City Hall – Sufficient Petition Results Verified and City Council Consideration of Options Per Elections Code Section 9215](#)

RECOMMENDATION: That the City Council:

1. Receive the City Clerk's Signature Verification Certificate and Petition Result Breakdown from the Ventura County Elections Division regarding the sufficient petition titled, "Initiative Measure to Keep Pickleball Courts Open at City Hall;" and
2. Take public comment on this matter; and
3. Provide direction regarding of the following options per Elections Code Section 9215 regarding the Certified Petition for a Pickleball Initiative Ordinance:
 - a. Adopt the Pickleball Initiative Ordinance,
 - b. Submit the Pickleball Initiative Ordinance to the City's voters at the November 5, 2024 General Municipal Election, or
 - c. Order Staff to Prepare a Report on the Pickleball Initiative Ordinance's Impacts per Elections Code section 9212.

5. Pickleball Soule Park (PK-3041) – Award of Public Works Contract

RECOMMENDATION: That the City Council:

1. Authorize the City Manager to execute Public Works Contract No. 2024-07 with Pacific Tennis Courts, Inc. in the amount of \$524,500.00 and authorize a 15% contingency in the amount of \$78,675.00 for unforeseen change orders that may be required for a total authorized expenditure of \$603,175.00, for a Pickleball Facility at Soule Park.
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6. Concept Consideration – Artisan Market Community Stakeholder/Input Meeting

RECOMMENDATION: That the City Council receive the report and presentation by Staff, take public comment, and ask clarifying questions and consider a future community stakeholder/input meeting (townhall meeting) with a focus on education regarding the process, existing opportunities for upstart artists and crafts businesses, and potential future opportunities.

CLOSED SESSION

7. Conference with Legal Counsel; Anticipated Litigation

(Gov. Code § 54956.9(d)(2) & (d)(3))

A point has been reached where, in the opinion of the City Council on the advice of its legal counsel, based on the below-described existing facts and circumstances, there is a significant exposure to litigation against the City:

The following facts and circumstances known to plaintiff or plaintiffs regarding a Transactional Occurrence – Request for Defense and Indemnity by Leslie Rule in the case of *Bryne, et al. v. Rule, et al.*, Ventura County Superior Court Case No. 2023CUMC008352, Second District Court of Appeal Case No. B332962.

(Gov. Code § 54956.9(e)(2))

COUNCIL MEMBER'S REPORTS

CITY MANAGER'S REPORT

FUTURE AGENDA ITEMS

ADJOURNMENT

Agenda Posted By:


Weston Montgomery
Chief Deputy City Clerk


Agenda Approved
Ben Harvey
City Manager

Date: **May 10, 2024**
Time: **12:00 PM**