AGENDA

CITY COUNCIL REGULAR MEETING

TUESDAY, APRIL 14, 2026, 6:00 PM

KENT HALL COUNCIL CHAMBERS - CITY HALL CAMPUS - 111 W SANTA ANA ST, OJAI, CA

OJAI CITY COUNCIL

ANDY GILMAN, MAYOR

DISTRICT 1 - LESLIE RULE
DISTRICT 2 - RACHEL LANG
DISTRICT 3 - ANDREW WHITMAN
DISTRICT 4 - KIM MANG

BEN HARVEY	BETHANY BURGESS	WESTON MONTGOMERY
CITY MANAGER	CITY ATTORNEY	CHIEF DEPUTY CITY CLERK

VIEWING & ACCESS

Public participation is encouraged! The Ojai City Council meets regularly on the second and fourth Tuesdays of the month at 6:00 p.m. The meetings are conducted in a hybrid model, providing both in-person attendance and virtual public comment via the Zoom link below. Virtual attendance via Zoom is the only way to remotely provide public comment. Pre-registration is not required for public comment via Zoom. Instead, Zoom participants will utilize the “hand-raise” function to indicate their desire to speak on an item. The meeting is also livestreamed on the City's website at ojai.ca.gov/525/2968/Public-Meetings, on YouTube at youtube.com/@ojaicity, and on Spectrum Channel 10. See “Public Comment Options” below for further instruction.

AGENDA PACKET - This link is to the complete Agenda Packet in PDF.

ZOOM LINK - April 14, 2026 - Regular Meeting

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

PRESENTATIONS

1. **Quarterly Progress Update on Findings of the City of Ojai's Targeted Forensic Review**

Administrative Report - Quarterly Progress Update - Targeted Forensic Review
Attachment A - Targeted Forensic Review Findings
PowerPoint

2. **Green Valley Project and C.R.E.W. – Tree Planting Presentation**
PowerPoint - Green Valley Project Tree Planting

COMMISSION REPORTS

CITY MANAGER'S REPORT

PUBLIC COMMUNICATIONS

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

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

3. **Minutes - City Council meetings held March 24, 2026**
RECOMMENDATION: Approve minutes.
03-24-26 Minutes Special Meeting
03-24-26 Minutes Regular Meeting

4. **City of Ojai Warrants for March 9, 2026 - March 29, 2026**
RECOMMENDATION: Receive and file.
Administrative Report - Warrant Report
Attachment A - Warrant Register Report
Attachment B - Disbursement by Category
Warrant Cover Letter

5. **Fiscal Year 2026/27 List of Road Maintenance and Rehabilitation Projects Required by State Senate Bill 1 (SB1)**
RECOMMENDATION: Adopt Resolution No. 2026-8 to provide the list of road maintenance and rehabilitation projects to the California Transportation Commission (CTC) as required by California State Senate Bill 1 (SB1) to secure access to State grant funds for road rehabilitation projects in Fiscal Year 2026/27.
Administrative Report - List of Road Maintenance and Rehabilitation
Attachment A - Resolution No. 2026-8

6. **Appointment to Fill Mid-Term Vacancy on the Parks and Recreation Commission**
RECOMMENDATION: Confirm nomination of applicant Jim Bailey as Parks and Recreation Commissioner to fill a mid-term vacancy (term ending May 2029).
Administrative Report - Parks and Recreation Commissioner
Attachment A - Commissioner Application Form, J. Bailey

DISCUSSION

7. Ojai Permanent Supportive Housing Project/DignityMoves Project Bid Affirmation (City Council Direction)
RECOMMENDATION:

Consider selecting from options one or two below:

1. Affirm DignityMoves' determination of lowest responsive bidder of Specialty Construction for the Ojai Permanent Supportive Housing Project for a total project cost of $10.5M with a 10% contingency; designate five (5) of the thirty (30) units for Transitional Age Youth (TAY) thereby allowing DignityMoves to accept and apply a private donation of $1M towards the Project; accept the corresponding Development Budget and Schedule; waive City project fees; and authorize the City Manager to execute an amendment to the City's Development Management Agreement with DignityMoves (DMA) to incorporate such documents into the DMA along with terms for use of the private donation of $1M towards the Project; and, Direct the City Manager to modify the ERF Grant Application based upon City Council direction and submit to the California Department of Housing and Community Development (HCD) for review and anticipated approval to reflect the dedication of five (5) units of the project for use for TAY.

OR

2. Affirm DignityMoves' determination of lowest responsive bidder of Specialty Construction for the Ojai Permanent Supportive Housing Project for a total project cost of $9.5M including a 4% contingency; waive City project fees; accept the corresponding Development Budget and Schedule; and authorize the City Manager to execute an amendment to the City's DMA to incorporate such documents into the DMA; and decline designating five (5) of the thirty (30) units for TAY and DignityMoves' offer to accept and apply a private donation of $1M towards the Project.

If option one or two is selected, **THEN ALSO**:

3. Direct the City Manager to initiate a request for proposal (RFP) process for an engineer or construction project manager to act as the City's representative for the Ojai Permanent Supportive Project, with funding for the position drawing from City Housing Trust Funds.

If option one or two is **NOT** selected, then:

4. Provide alternative direction to the City Manager.

Administrative Report - Dignity Moves Bid Affirmation
Attachment A - Project Budget to Actual, Option 1 - $10.5M with TAY
Attachment B - Project Budget to Actual, Option 2 - $9.5M without TAY
Attachment C - Donation Letter - Balay Ko Foundation to DignityMoves
Attachment D - Proposed Design Construction Schedule
PowerPoint

8. Adopt Revisions to the City Council Protocols to Establish Quasi-Judicial Hearing Procedures *(City Council Direction)*

RECOMMENDATION: Adopt Resolution No. 2026-9 approving revisions to the City Council Protocols and adopting a policy for Quasi-Judicial Hearings as an attachment to the Council Protocols.
Administrative Report - Council Protocols, Quasi-Judicial Hearings
Attachment A - Resolution No. 2026-9
Attachment B - Ojai Council Protocols
Attachment C - Draft Ojai Council Hearing Procedures

9. **Award of Maintenance Agreement for Pest Control Services *(Operational Need)***
RECOMMENDATION:
   1. Authorize the City Manager to execute PW Maintenance Agreement No. 2026-05 with Ventura Pest Control, Inc. for pest control services in the amount of $10,425 through June 30, 2026, and in the amount of $42,300 beginning July 1, 2026 through June 30, 2027 for a total authorized expenditure of $52,725; and
   2. Authorize the City Manager to execute, in his sole discretion, future amendments to extend the term of the Agreement for up to three (3) additional one-year terms not exceeding four (4) years and three (3) months.

Administrative Report - Award Maintenance Agreement for Pest Control
Attachment A - Agreement Pest Control Services

10. **Approval of a Budget Appropriation for Installation of Air Conditioning Unit at the Libbey Bowl Ticket Booth *(Operational Need)***
RECOMMENDATION: Approve a budget appropriation of $21,000 from the Libbey Bowl Maintenance Fund Balance (Fund 011) to fund the purchase and installation of an air conditioning (A/C) unit at the Libbey Bowl ticket booth and authorize the City Manager to execute the task order with Green Globe HVAC for the work.
Administrative Report - Libbey Bowl Ticket Booth AC
Attachment A - Task Order No. 2026-TO-19 Green Globe

COUNCIL MEMBER'S REPORTS

FUTURE AGENDA ITEMS

ADJOURNMENT

Posted April 10, 2026, at 5:00 p.m.
Weston Montgomery, Chief Deputy City Clerk

WRITTEN PUBLIC COMMENTS

Written public comments will be published here for public access. Please see PUBLIC COMMENT OPTIONS below for instructions on how to submit.

Written Comments

Written Public Comments - 04 14 26 Regular Meeting
Material Received at Dais

ACCOMMODATIONS

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.

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. 100 o por correo electronico a cityclerk@ojai.ca.gov.

PUBLIC PARTICIPATION

Agenda reports and other disclosable public records related to agenda items are available on the City's website at ojai.ca.gov/525/2968/Public-Meetings and at City Hall located at 401 S. Ventura St., Ojai, Ca., during regular business hours, Monday through Friday, 8:00 a.m. to 5:00 p.m.

PUBLIC COMMENT OPTIONS

Written Comments: In order for staff to provide the City Council with written public comments timely, written/emailed public comments must be submitted no later than 3:00 p.m. on the day before the meeting.

You may always submit written comments to the City Clerk via mail, in person at City Hall, or via email to cityclerk@ojai.ca.gov. If your written comment is received by 3:00 p.m. on the day before the meeting date, the City Clerk will distribute copies of your comments to all Council Members and recorded on the City website. Written comments received after 3:00 p.m. may not be distributed to the Council Members and recorded on the City website until after the meeting.

Verbal Comments: Verbal Comments will be received on any item on the agenda at the time the agenda item is heard. Comments may be made in person at the meeting or through Zoom, via the link at the top of the Agenda. Pre-registration is not required for public comment via Zoom. Instead, Zoom participants will utilize the hand-raise function to indicate their desire to speak on an item.

IMPORTANT NOTES:
All materials related to an item on this agenda, including written public comments, will be available for public inspection in the City Clerk's Office at City Hall, and following the meeting, will be accessible on the City of Ojai's website at ojai.ca.gov.

As a government agency, the City of Ojai is subject to the California Public Records Act (Government Code § 6250 et seq.). Please be advised that all communications submitted to

City officials and staff are subject to public disclosure under the California Public Records Act. There are limited exceptions that allow the City to redact personal information under the California Public Records Act. If you have concerns regarding privacy, please do not include your personal identifying information, such as your name, e-mail, phone number, and home address in your correspondence to the City, including, but not limited to, public comment.

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 (California Government Code Section 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.

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 $500 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 $500 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 a contribution of more than $500 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.

Administrative Report

TO: **Honorable City Council**

FROM: **Ben Harvey, City Manager**

MEETING DATE: **April 14, 2026**

SUBJECT: **Quarterly Progress Update on Findings of the City of Ojai's Targeted Forensic Review**

RECOMMENDATION

Informational only, quarterly progress update on findings of the City of Ojai's targeted forensic review.

DISCUSSION

At the December 9, 2025, City Council meeting, Kroll Associates, Inc. presented the City Council with the results of the forensic review performed for the City of Ojai (City). This report, which is available on the City's website under the Finance Department landing page, emphasized that while no fraudulent activity had been found during their review, there were several findings with recommendations for improvement.

Following the presentation, the City Council directed staff to work on the recommendations and to provide quarterly progress updates. Of the 23 findings, six are in progress, ten have been reviewed but solutions have not been completed, and seven have been completed (see Attachment A).

CITY COUNCIL GOALS ALIGNMENT

Goal No. 8 - Financial Stability

OPTIONS

1. Take no action;
2. Provide alternative direction to staff.

FISCAL IMPACT

There is no fiscal impact.

Prepared by: Christy Billings, Special Projects Manager

ATTACHMENT(S)

A. Targeted Forensic Review Findings

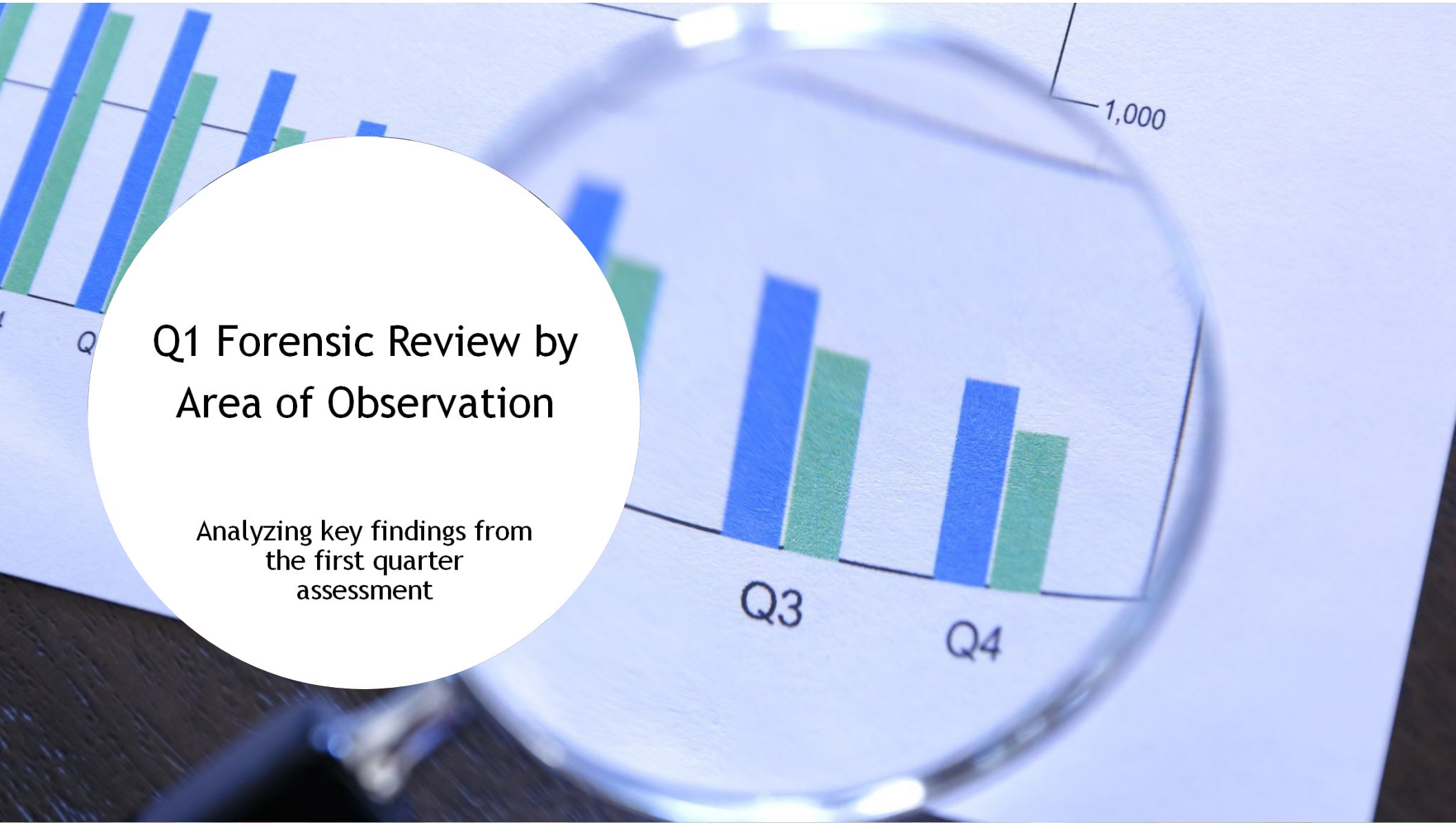
City of Ojai
Targeted Forensic Review Findings
First Quarterly Update - April, 2026

Area of Observation	Subject	Areas of Review & Findings Description	Status	Task Lead
Accounts Payable	Accounts Payable	Batch check runs used as descriptions	In discussion	Finance
Accounts Payable	Accounts Payable	Accounts Payable procedures documented	In progress	Finance
Accounts Payable Budget Management	Purchasing	Move to Purchase Order requisition process	In progress	Finance
Accounts Receivable	Revenue collection	Reallocate resources for mail/revenue collection. Separate the functions of mail opening, distribution, recording, reconciling	Completed	City Manager Finance Recreation Comm Dev Public Works
Accounts Receivable	Accounts Receivable Aging	Review accounts receivable aging and pursue collections of old accounts	In discussion	City Manager Finance Recreation Comm Dev Public Works
Budget Management	Budget Management	Finance to have better oversight of spending	In progress	Finance
Claims Process	Claims Process	Document costs for damage repairs	In discussion	Public Works
Claims Process	Claims Process	Establish formal claims process	In progress	City Manager
Digital Security	Update Microsoft Office 365 settings	Update settings for logging and data retention	Completed	City Manager
Employee Management	Employee Listing Management	Audit report run each payroll and reviewed for changes	In discussion	City Manager Finance
Employee Management	Employee Listing Management	Review employee list more frequently	In discussion	City Manager Finance
Employee Separation	Employee departure check list	Develop a checklist for employee departure	In progress	City Manager City Attorney
Grant Management	Grant Management	Grant listing	Completed	City Manager
Grant Management	Grant Management	Grant tracking on general ledger	In discussion	Finance
Hiring Process	New Hire employee background checks	Update new hire background check requirements to include requiring reference checks with prior employers, particularly finance and other high level employees	Completed	City Manager
Mail Receipt/Distribution	Mail process and access	Dedicated individual to collect mail and distribute	Completed	City Manager Finance Recreation Comm Dev Public Works

City of Ojai
Targeted Forensic Review Findings
First Quarterly Update - April, 2026

Area of Observation	Subject	Areas of Review & Findings Description	Status	Task Lead
Physical Security	Check stock security	Ensure that City check stock is in a secure area	In progress	Finance
Positive Pay	Positive Pay	Establish Positive Pay for both payee and amount	Completed	Finance
Record Keeping	Accounts Payable	Standardize g/l input for invoices	In discussion	Finance
Vendor Management	Conflict of Interest	Conflict of interest forms for new hires	Completed	City Manager
Vendor Management	Vendor Management	Review master vendor listing for stale accounts and	In discussion	Finance
Vendor Management	Vendor Management	Implement system generated process with new vendors	In discussion	Finance
Vendor Management	Conflict of Interest	Conflict of interest review by Finance	In discussion	City Manager Finance

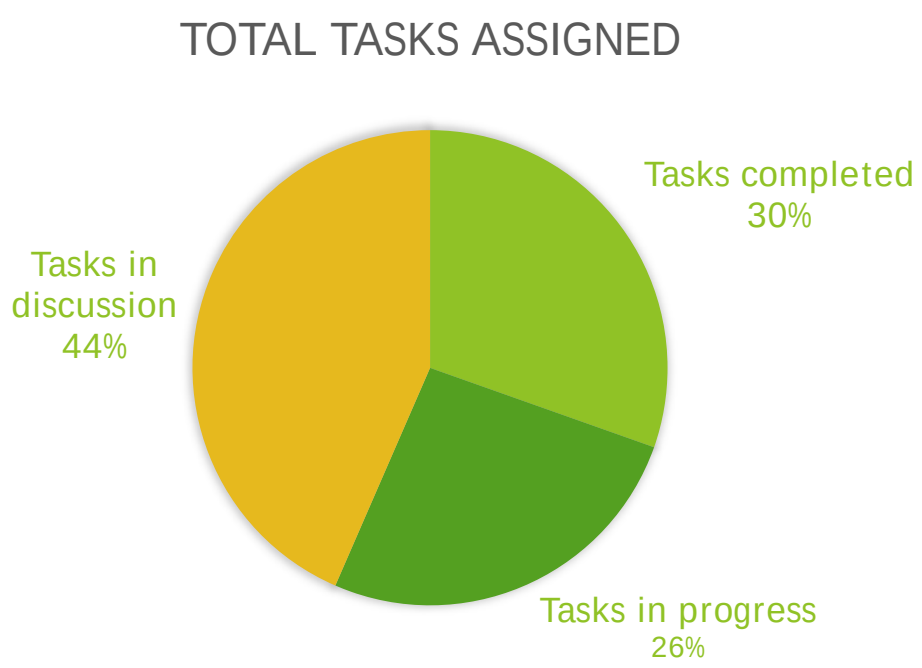
Total Tasks	
Tasks completed	7
Tasks in progress	6
Tasks in discussion	10
	23



Q1 Forensic Review by Area of Observation

Analyzing key findings from the first quarter assessment

Task Summary Overview



Status meanings



In discussion – staff has met on the task and is working with vendors or contractors towards solutions.



In progress – task has been started but hasn't been fully implemented or implemented long enough to consider complete.



Complete – task is implemented.

Accounts Payable

3 Findings
1 In discussion
2 In progress

Accounts Payable Findings

Batch Check Description Issue

Use of batch check runs as descriptions reduces clarity and causes inefficiencies in tracking transactions. – In discussion

Procedure Documentation

Documenting Accounts Payable procedures ensures continuity, reduces errors, and aids staff onboarding. – In progress

Purchasing System

Implement purchase order requisition process. – In progress



Accounts Receivable

2 Findings
1 Completed
1 In discussion

Accounts Receivable Findings

Segregation of Duties

Reallocating staff to separate mail opening, distribution, recording, and reconciliation strengthens internal controls. - Completed

Review of Aging Accounts

Reviewing accounts receivable aging report helps identify old accounts for collection to reduce revenue leakage. – In discussion



Budget Management

1 Finding
1 In progress

Budget Management Findings

Need for Stronger Oversight

Improved oversight by the Finance department is essential to align spending with approved budget limits and prevent misallocation. – In progress



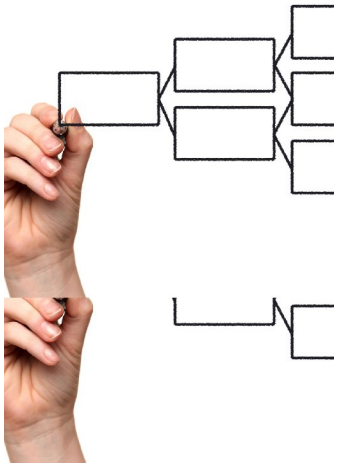
Claims Process

2 Findings
1 In progress
1 In discussion



Documenting Repair Costs

Accurate documentation of repair costs is essential for insurance recoveries, budgeting, and financial transparency. – In discussion



Formal Claims Process

Establishing a formal claims process ensures consistency, efficiency, and regulatory compliance in claim handling. – In progress

Digital Security

1 Finding
1 Completed

Digital Security Findings

Enhanced Logging & Retention Compliance

Improved logging provides detailed system activity insights and strengthens incident response capabilities and updated data retention settings ensure adherence to legal and administrative record-keeping requirements. - Completed



Employee Management

2 Findings
2 In discussion

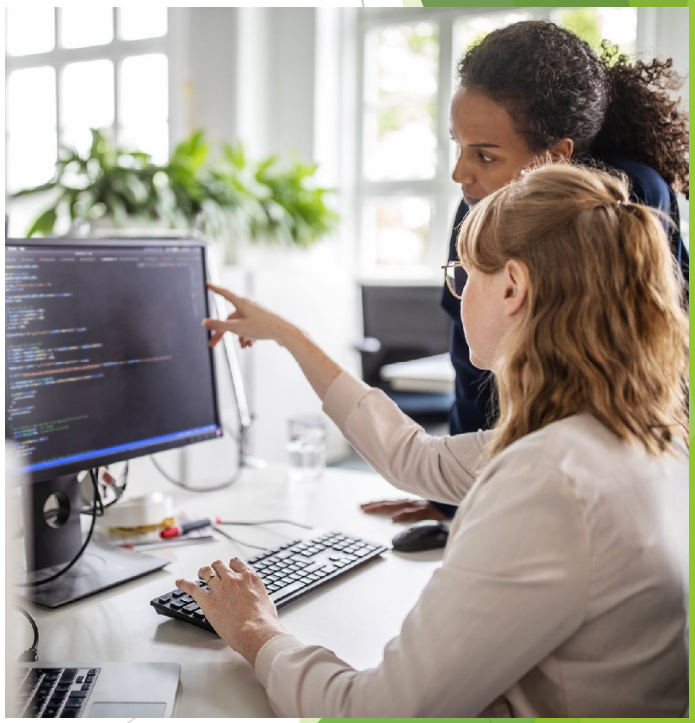
Employee Listing Management Findings

Audit Reports for Payroll

Running audit reports each payroll cycle ensures employee changes are reviewed and records remain accurate. – In discussion

Frequent Employee List Reviews

Increasing the frequency of employee list reviews helps maintain up-to-date and accurate personnel data. – In discussion



Employee Separation

1 Finding
1 In progress

Employee Departure Findings

Checklist Development

A checklist is being developed to outline essential steps for employee departure, ensuring organized separation processes. – In progress



Grant Management

2 Findings
1 Completed
1 In discussion

Grant Management Findings

Centralized Grant Listing

Completed centralized grant inventory improves planning, reporting, and monitoring of grant-funded activities effectively. - Completed

Grant Tracking Improvements

Ongoing discussions aim to enhance grant tracking within the general ledger for accurate financial reporting and audit compliance. - In discussion



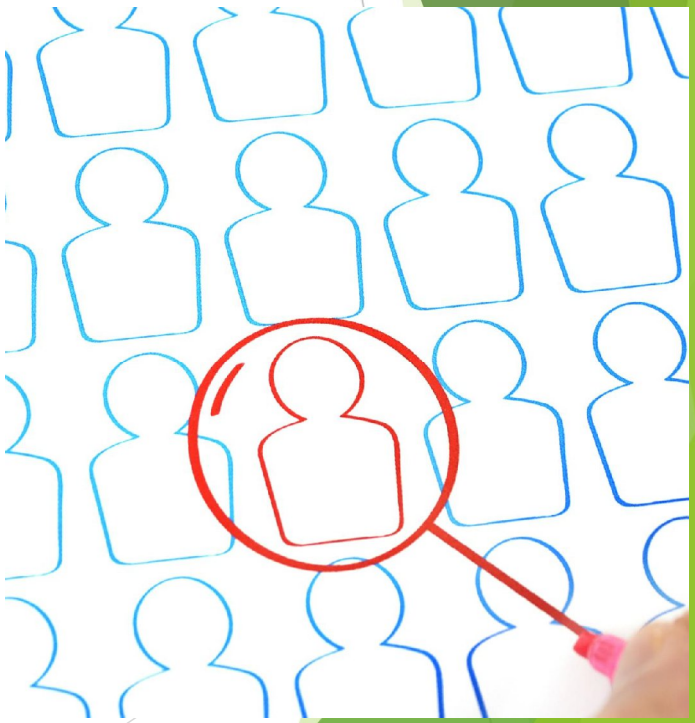
Hiring Process

1 Finding
1 Completed

Hiring Process Findings

Updated Background Checks

Background check requirements were updated focusing on verifying references for high-level and finance employees. - Completed



Mail Receipt and Distribution

1 Finding
1 Completed

Mail Process Findings

Centralized Mail Handling

Dedicated personnel now manage mail collection and distribution, improving internal control and efficiency. - Completed



Physical Security

1 Finding
1 In progress

Observations on Physical Security

Secure Check Stock Storage

Ensuring City check stock is stored securely is critical to prevent fraud and unauthorized use. - In progress



Positive Pay

1 Finding
1 Completed

Positive Pay Findings

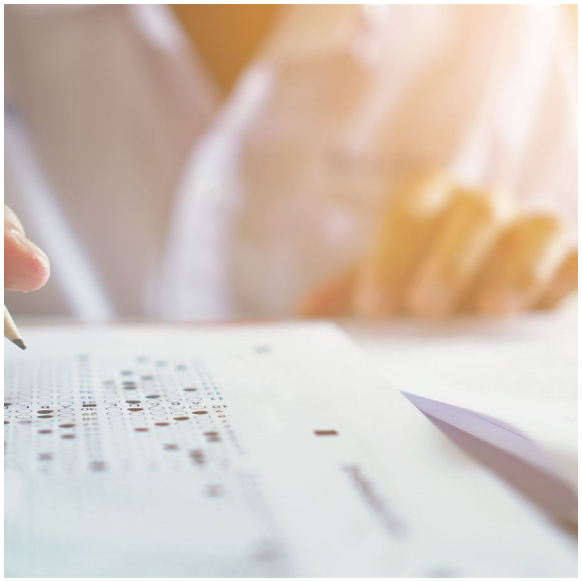
Verification Controls Established

Positive Pay verifies payee and amount, ensuring checks match the issued-check list for fraud prevention. - Completed



Record Keeping

1 Finding
1 In discussion



Need for Standardization

Inconsistencies in ledger inputs cause reconciliation and reporting challenges, requiring standardized data entry. – In discussion

Vendor Management

4 Findings
1 Completed
3 In discussion

Vendor Management Findings

New hires complete conflict of interest forms
New hires in key positions complete conflict of interest forms - Completed

Master Vendor List Maintenance

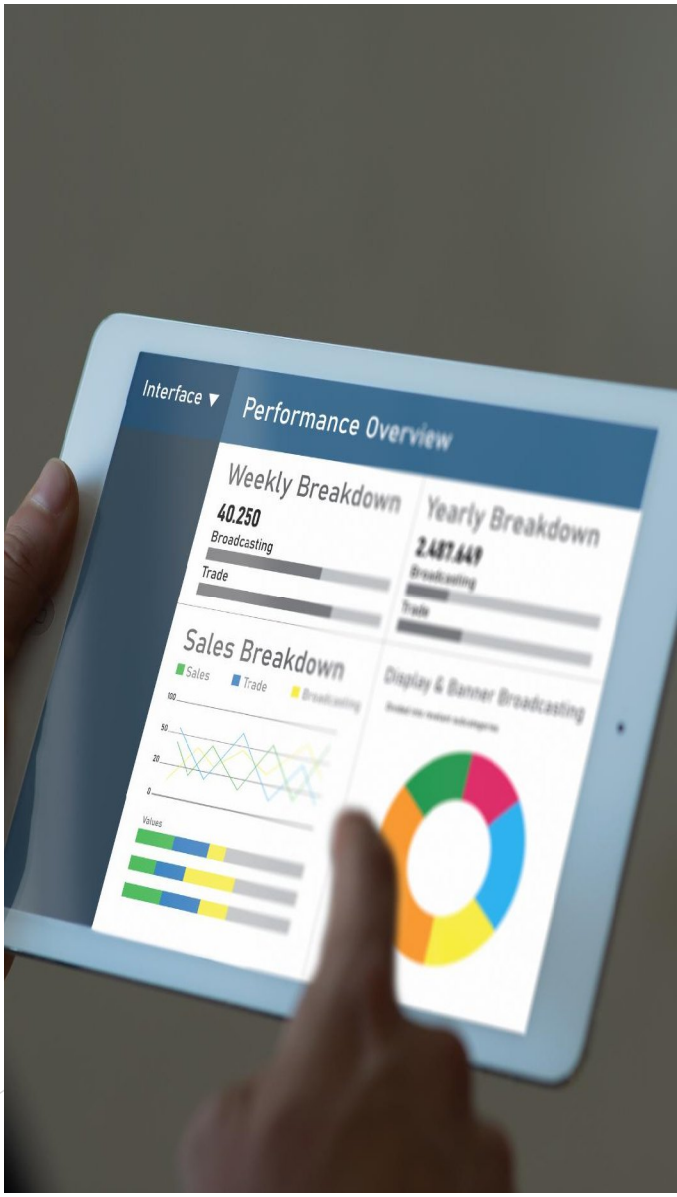
Reviewing and removing stale vendor accounts enhances procurement efficiency and reduces payment risks. – In discussion

System-Generated Onboarding

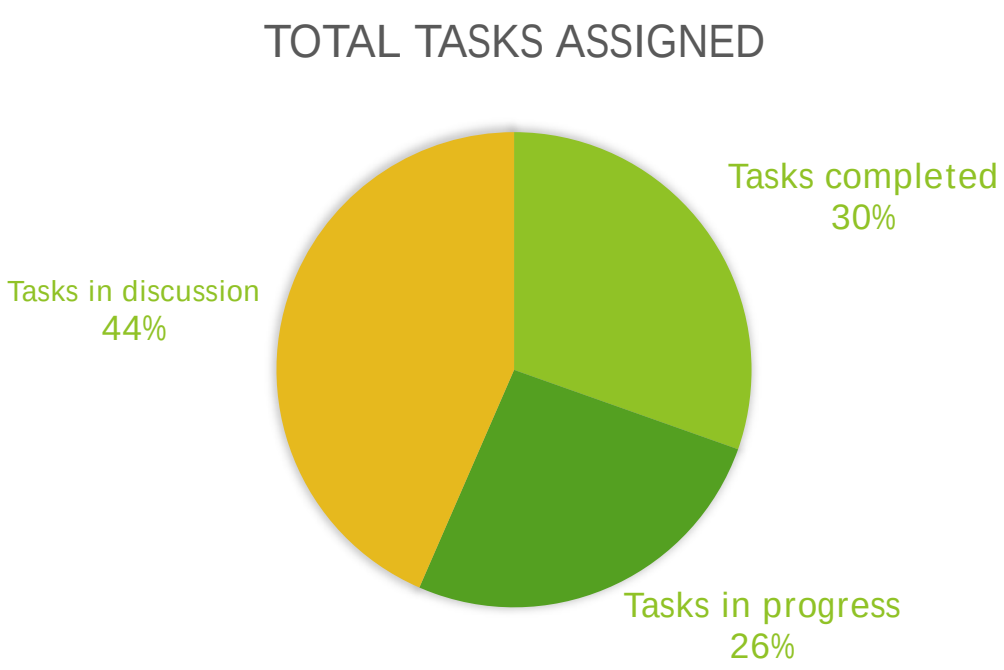
Automated onboarding processes streamline vendor creation and prevent unauthorized setups. – In discussion

Conflict-of-Interest Reviews

Conducting conflict-of-interest checks ensures ethical procurement practices and transparency. – In discussion



Task Summary Overview

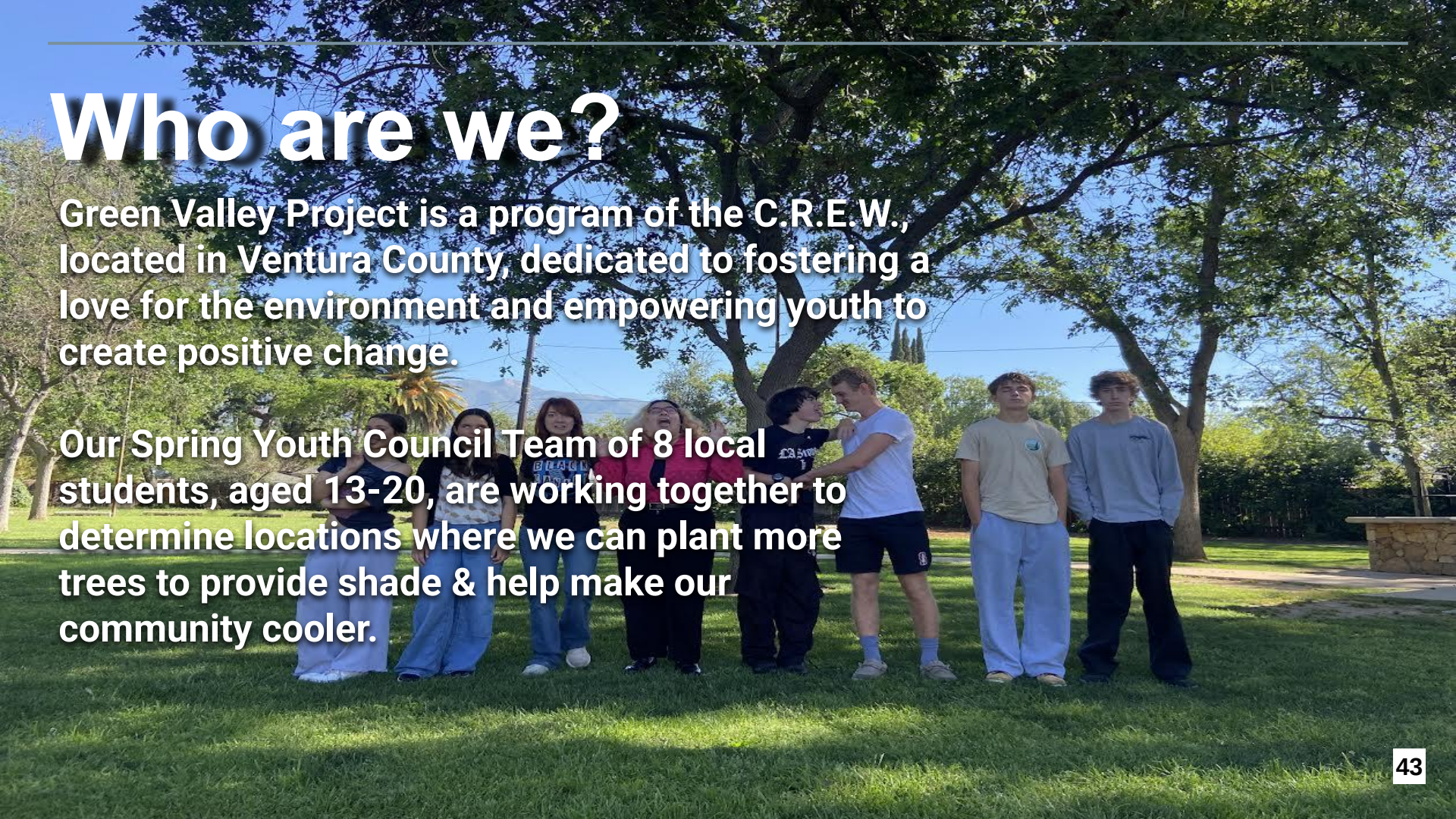



GREEN VALLEY PROJECT
Ojai Tree Planting Project
THE C.R.E.W.
EST. 1991, OJAI CA
GREEN VALLEY PROJECT

Who are we?

Green Valley Project is a program of the C.R.E.W., located in Ventura County, dedicated to fostering a love for the environment and empowering youth to create positive change.

Our Spring Youth Council Team of 8 local students, aged 13-20, are working together to determine locations where we can plant more trees to provide shade & help make our community cooler.



Why Trees Matter

Trees are essential for life on Earth, providing critical benefits such as combating climate change, improving air quality, supporting biodiversity, and enhancing human well-being.

Why oak trees?

They are:

- **Native**
  - **Environmentally safe**
  - **Helps pollinators and local wildlife**
- **Great shade givers**
  - **Normally 60-100 feet tall**
  - **Normally 30-60 feet wide**
- **Cools down the environment**
- **Produces clean air**
- **Help to reduce runoff during rainstorms**

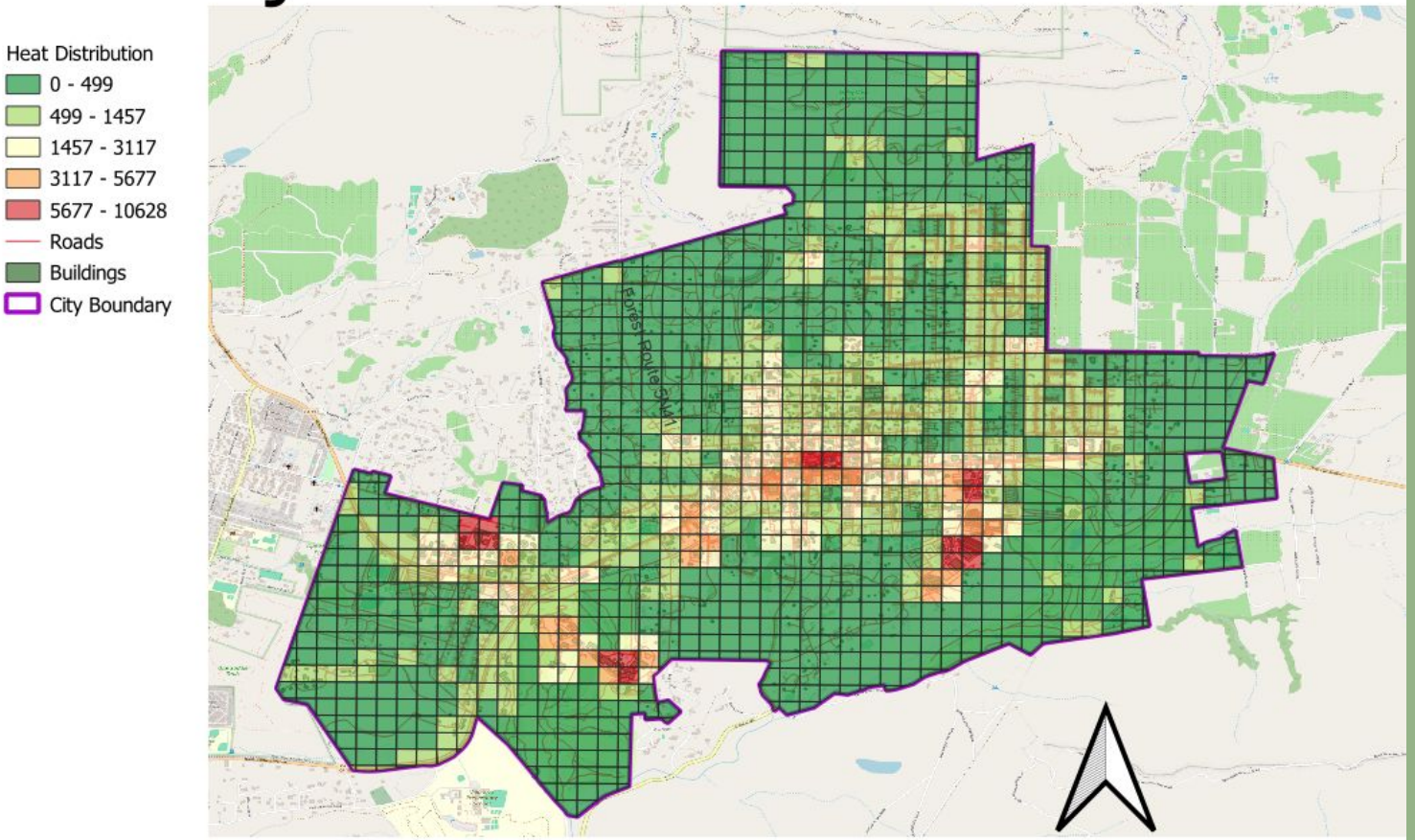


Project Summary

- Our group has been working to better understand and address heat islands in Ojai.
- We created a map of Ojai highlighting major heat islands.
- The map also shows local areas that absorb and retain more heat than others.

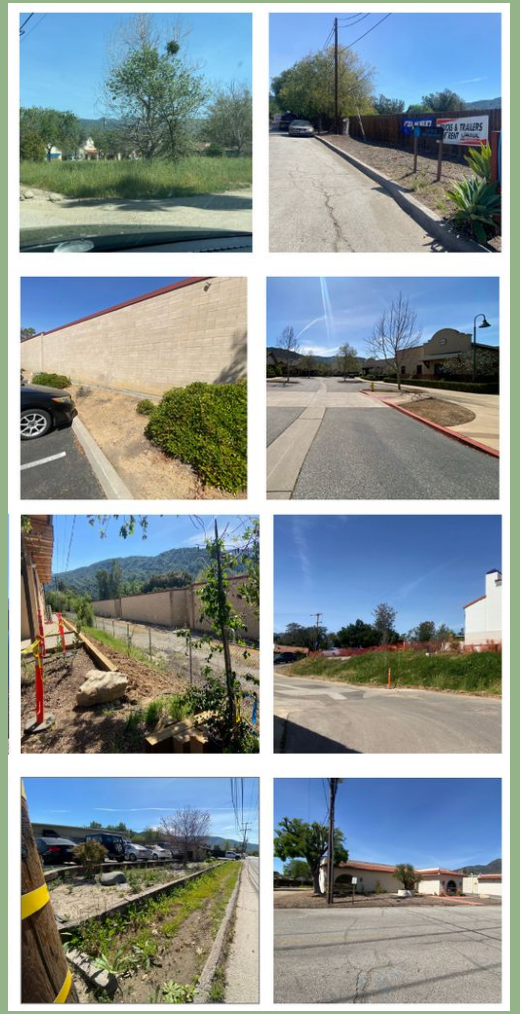


Ojai's Urban Heat Islands



Project Summary

- After identifying these hotspots, we selected several potential locations where planting trees could help reduce heat in the community.
- We visited these hotspot locations in person to observe the areas and take photos.
- We evaluated each location to determine where tree planting might be possible and most effective.



Next Steps

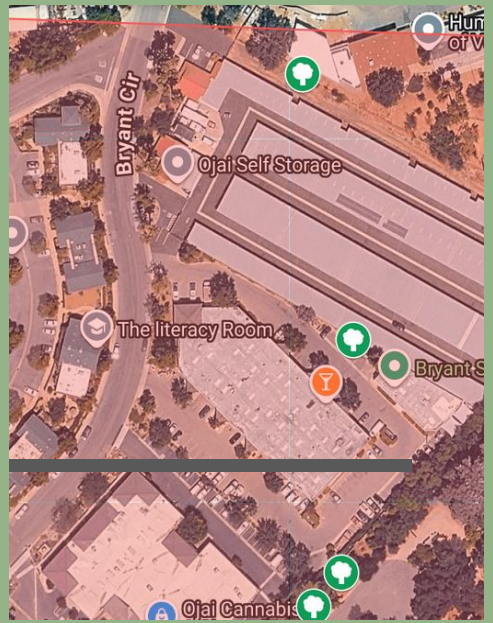
- Our next step will be to present our findings to the Ojai City Council and Ojai Trees.
- Obtain permission to plant trees on the various properties.
- We hope to lead 3 tree planting community events in mid Fall 2026
- We will work with the C.R.E.W. to maintain and water our trees until they are established.





Identified Hotspots

- We plan to reach out to these local businesses to ask if we can plant trees onsite



Adamson's Towing

- Has a plot that holds heat

Ojai Self Storage

- Tops of buildings aren't covered and holds heat

Ojai Valley Inn

- Covers a large piece of land that absorbs heat.

Community Hospital

- Holds extreme heat, due to the large cluster of buildings

2026 Green Valley Project Timeline



Spring

Fall



- Determining locations
- Getting permissions
- Gathering resources

- Planting trees!
- Leading community events

End goals

- Decrease urban heat density
- More shade
- Cleaner air
- More nature in Ojai



To Ojai City Council:

We would love your thoughts and recommendations. Do you have any questions?



Thank you for your time!

MINUTES

CITY COUNCIL SPECIAL MEETING
TUESDAY, MARCH 24, 2026, 5:00 PM
KENT HALL - CITY HALL CAMPUS -111 W SANTA ANA ST, OJAI, CA

Mayor Gilman called the meeting to order at 5:00 p.m.

ROLL CALL

The following members were present: Mayor Gilman, Mayor Pro Tern Mang, and Council Members Rule, Lang, and Whitman.

Also present: City Manager Harvey, City Attorney Burgess, Assistant to the City Manager Cervantes, Community Development Director Seibert, and Acting Deputy City Clerk Mara.

PLEDGE OF ALLEGIANCE

Acting Deputy City Clerk Mara led the Pledge of Allegiance.

APPROVAL OF AGENDA

MOTION: It was moved by Council Member Rule seconded by Council Member Lang, to approve the agenda.

The motion carried unanimously.

CLOSED SESSION

The City Council recessed into Closed Session to discuss the following matter:

1. Conference with Legal Counsel — Anticipated Litigation

Significant exposure to litigation pursuant to §§ 54956.9(d)(2) and (e)(1) in one (1) case and a point has been reached where, in the opinion of the legislative body of the local agency on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the local agency, and such facts and circumstances are not yet known to a potential plaintiff or plaintiffs.

The City Council reconvened from Closed Session.

CITY ATTORNEY'S REPORT OUT OF CLOSED SESSION

City Attorney Burgess provided the City Council with information regarding anticipated litigation. No direction or action was taken and no direction on further action was provided.

ADJOURNMENT

Mayor Gilman adjourned the meeting at 6:05 p.m.

_____
Bridget Mara, Acting Deputy City Clerk
Approved:

MINUTES

CITY COUNCIL REGULAR MEETING
TUESDAY, MARCH 24, 2026, 6:00 PM
KENT HALL - CITY HALL CAMPUS -111 W SANTA ANA ST, OJAI, CA

Mayor Gilman called the meeting to order at 6:08 p.m.

ROLL CALL

The following members were present: Mayor Gilman, Mayor Pro Tern Mang, and Council Members Rule, Lang, and Whitman.

Also present: City Manager Harvey, City Attorney Burgess, Assistant to the City Manager Cervantes, Community Development Director Seibert, Finance Director Cho, Human Resources Manager Holman, Recreation Manager Rivera, and Acting Deputy City Clerk Mara.

PLEDGE OF ALLEGIANCE

Acting Deputy City Clerk Mara led the Pledge of Allegiance.

APPROVAL OF AGENDA

MOTION: It was moved by Council Member Lang, seconded by Mayor Gilman, to approve the Agenda.

The motion carried unanimously.

PRESENTATIONS

1. Spark the Night - Proclamation Recognizing World Parkinson's Day April 11, 2026

Johnny Johnston accepted the proclamation in honor of Spark the Night.

COMMISSION REPORTS - None

CITY MANAGER'S REPORT

Assistant to the City Manager Cervantes presented a Claymation video promoting the City's My Ojai application.

PUBLIC COMMUNICATIONS

The Council received comments from the public.

CONSENT CALENDAR

2. Minutes - City Council Meetings of March 10, 2026
RECOMMENDATION: Approve minutes.

3. City of Ojai Warrants for February 23, 2026 - March 8, 2026
RECOMMENDATION: Receive and file.

4. Treasurer's Monthly Report of Cash and Investments for the City of Ojai as of February 28, 2026
RECOMMENDATION: Receive and file.

5. General Plan Annual Progress Report - 2025 (City Council Direction)
RECOMMENDATION: Receive the General Plan Annual Progress Report and direct staff to file the General Plan Annual Progress Report with the Office of Land Use and Climate Innovation, and the Department of Housing and Community Development (HCD).

6. Housing Element Annual Progress Report - 2025 *(City Council Direction)*
RECOMMENDATION: Receive the General Plan Annual Progress Report and direct staff to file the General Plan Annual Progress Report with the Office of Land Use and Climate Innovation, and the Department of Housing and Community Development (HCD).

Council Member Rule pulled Item No. 3.

MOTION: It was moved by Council Member Lang, seconded by Mayor Gilman, to approve Item Nos. 2, 4, 5 & 6.

The motion carried unanimously.

MOTION: It was moved by Mayor Gilman, seconded by Council Member Lang, to approve Item No. 3

The motion carried 4-0-1 (Rule abstaining).

PUBLIC HEARING

7. **Design Review Permit (DRP 24-007) and Tentative Tract Map (TTM 24-001) I Consider Approving the Proposed Five-Unit Single-Story Deed-Restricted 100% Affordable Housing Project Located at 408-410 North Montgomery Street; Assessor's Parcel Number: 021-0-092-010; Zoning Classification is Multi-Family Residential (R-2) — Site No. 23 of the Housing Element; General Plan Land Use Designation is Medium High-Density Residential (MHR) and includes a Special Housing Overlay designation (SPL overlay); Property Owner: City of Ojai; Applicant: Linda Blackbern, RRM Design Group; Representative: Habitat for Humanity of Ventura County *(City Council Direction)***

Following a staff report by Director Seibert, a presentation by Habitat for Humanity and Council discussion, the Mayor opened the public hearing and received public comments.

MOTION: It was moved by Mayor Gilman, seconded by Council Member Rule, to continue the Public Hearing to April 16, 2026, Special Meeting 1. to define land use agreement to be a lease or gift 2. including priority residency to Ojai residents/workers 3. examples of CC & R's, draft homeowner agreement provided ahead of meeting and 4. staff to bring back preliminary stop sign determination

The motion carried unanimously.

DISCUSSION

Mayor Gilman moved Item Nos. 10, 11 and 12 up for discussion first.

10. Feasibility Review for Proposed Ojai Permanent Supportive Housing Project at 503 S. Ventura Street *(City Council Direction)*

Item was informational only; no action taken.

11. Ojai Permanent Support Housing Project/Dignity Moves Project Expenditures Review *(City Council Direction)*

Item was informational only; no action taken.

12. Ojai Permanent Supportive Housing Project - Development Management Agreement Review *(Operational Need)*

Item 12 was deferred to a future agenda

8. Council Member Town Hall and Panel Policy *(Requested by Gilman and Rule)*

This item was deferred to a future agenda

9. Proposed Community Town Hall: Local Law Enforcement and ICE - Theory and Practice *(Requested by Council Member Rule)*

MOTION: It was moved by Mayor Gilman, seconded by Council Member Lang, to approve Council Member Rule's request to host a City-sponsored community town hall on local law enforcement interactions with federal immigration agencies, authorize the use of Kent Hall and City support for televising the event, and direct staff to assist with coordination.

The motion carried 4-1 (Mang dissenting).

13. Remedial Soil Excavation Located at 611 South Montgomery Street - Award of Contract *(City Council Direction)*

MOTION: It was moved by Council Member Lang, seconded by Mayor Gilman, to:

1. Authorize the City Manager to execute the Community Development Specification No. 25-CDD-03 with Pacific Petroleum California, Inc., for the Remedial Soil Excavation in an amount not-to-exceed $123,146 located at 611 South

Montgomery Street; and

2. Authorize the City Manager to execute the Community Development Agreement for the monitoring of work performed at the subject site in a not-to-exceed amount of $39,161.

The motion carried 4-0-1 (Whitman abstaining).

14. Professional Services Agreement Amendment No. 2 with Eide Bailly LLP to Expand the Scope of Services *(Operational Need)*

MOTION: It was moved by Mayor Gilman, seconded by Council Member Whitman, to authorize the City Manager to execute Professional Services Agreement Amendment No. 2 with Eide Bailly LLP to expand the scope of services to include accounting services support for the current fiscal year.

The motion carried unanimously.

COUNCIL MEMBER'S REPORTS - None

FUTURE AGENDA ITEMS

Mayor Gilman - At Large Voting.

ADJOURNMENT

Mayor Gilman adjourned the meeting at 11:06 p.m.

_____

Bridget Mara, Acting Deputy City Clerk
Approved:

Administrative Report

TO: **Honorable City Council**

FROM: **Ben Harvey, City Manager**
Brenda Cho, Finance Director

MEETING DATE: **April 14, 2026**

SUBJECT: **City of Ojai Warrants for March 09, 2026 – March 29, 2026**

RECOMMENDATION
Receive and file.

DISCUSSION
Disbursement Warrant Check Numbers: 80339-80462
Payroll Warrant Check Numbers: 38379-38381
Number of Direct Deposits:

City of Ojai Disbursement Warrants for General Fund and Special Revenue Funds		$ 1,027,499.62
Payroll – March 19, 2026		126,572.81
	Total	$ 1,154,072.43

CITY COUNCIL GOALS ALIGNMENT
Goal No. 8 - Financial Stability

OPTIONS
1. Take no action.
2. Provide alternative direction to staff.

FISCAL IMPACT
There is no fiscal impact associated with this action. The list of warrants is presented for informational purposes only and reflects payments previously authorized and budgeted.

Prepared by: Scott Avila

ATTACHMENT(S)
A. Check Register
B. Disbursement by Category

Check Register

Check Summary By Check Number

Check No	Vendor Name	Check Date	Check Amount
80339	**Kathleen Abasi** Recreation Class - Weightroom	03/12/2026	182.00
80340	**Agromin** Organic Compost for City Parks	03/12/2026	4,708.30
80341	**ArborPro, Inc** Annual Tree Management Software Subscription	03/12/2026	4,500.00
80342	**AT&T** February 2026 Telephone	03/12/2026	31.83
80343	**Daniela Brown** Reimbursement for Recreation Ballet Class	03/12/2026	121.00
80344	**Brenda Cho** Employee Reimbursement	03/12/2026	306.74
80345	**Christy Billings** Employee Reimbursement	03/12/2026	231.83
80346	**County of Ventura** March 2026 Soule Park Pickleball Rent	03/12/2026	515.00
80347	**Max Dickenson** Recreation Class - Weight Room	03/12/2026	1,235.00
80348	**Division of the State Architect** State Disability Access and Education Fund Fees	03/12/2026	880.50
80349	**EideBailly LLP** January & February 2026 Accounting Services & Purchase Orders	03/12/2026	33,022.20
80350	**Emmanuel A Mendez** March 2026 City Transit Wash	03/12/2026	1,000.00
80351	**Envision Ford Linc of Oxnard** Supplies for Trolley Maintenance	03/12/2026	693.62
80352	**Fillmore Area Transit Corporation** February 2026 Trolley Driver Services	03/12/2026	3,445.00
80353	**Frank's Underground Utilities, Inc.** Gas Pipe Replacement Project	03/12/2026	3,809.29

Check Register

Check Summary By Check Number

Check No	Vendor Name	Check Date	Check Amount
80354	**Fred's Tire Man** February 2026 PW Truck Tire Repair	03/12/2026	25.00
80355	**Darrell Gooden** Recreation Class - Kung Fu	03/12/2026	624.00
80356	**Lucy Walker Grace** Recreation Class - Dog Training	03/12/2026	1,552.50
80357	**Greg Rents** January & February 2026 PW Equipment Rental	03/12/2026	703.59
80358	**E.J. Harrison & Sons** June & October 2025 Dumpster Rentals	03/12/2026	17,425.33
80359	**HdL Coren & Cone** FY25-26 Ojai Library Assessment District	03/12/2026	2,081.80
80360	**Help of Ojai Inc.** February 2026 ADA Program	03/12/2026	4,500.00
80361	**JMG Security Systems, Inc.** Quarterly Burglar & Fire Alarm at Recreation Center	03/12/2026	297.69
80362	**Johannes M Pouw** Recreation Class - Flag Football & Baseball	03/12/2026	3,619.85
80363	**Kelly Cleaning & Supplies, Inc.** March 2026 Janitorial Services	03/12/2026	3,139.33
80364	**Lane 4 Fundraising, LLC** Programming Research for Nordhoff High School Pool	03/12/2026	10,000.00
80365	**Mark Cranes Tree Inc** February 2026 Oak Tree Pruning	03/12/2026	3,800.00
80366	**Meiners Oaks Hardware** Supplies for Citywide Maintenance	03/12/2026	83.24
80367	**Meyers Nave, A Professional Corporation** January 2026 Special Counsel	03/12/2026	7,681.10
80368	**Andrew Nelson** Employee Reimbursement	03/12/2026	10.00

Check Register

Check Summary By Check Number

Check No	Vendor Name	Check Date	Check Amount
80369	**NetFile Inc** Annual E-Filing & Admin System Subscription	03/12/2026	3,200.00
80370	**Ojai Auto Supply** February & March 2026 Supplies for Trolley Maintenance	03/12/2026	323.76
80371	**Ojai True Value Hardware** Supplies for Citywide Maintenance	03/12/2026	10.06
80372	**Ojai Valley Chamber of Commerce** February 2026 Professional Services Agreement	03/12/2026	9,100.00
80373	**Ojai Valley News** March 2026 Display Ad & Legal Ad Bid for Janitorial Services	03/12/2026	398.25
80374	**Ojai Valley Sanitary District** February - March 2026 Sewer Services	03/12/2026	3,271.24
80375	**Prudential Overall Supply** Public Works Cleaning Supplies & Clothing Allowance	03/12/2026	391.07
80376	**Quinn Company** February 2026 Supplies for General Maintenance	03/12/2026	1,862.73
80377	**Ready Refresh by Nestle** February 2026 Drinking Water for City Departments	03/12/2026	525.73
80378	**Jan C. Scow** February 2026 Street Tree Site Evaluations	03/12/2026	1,550.00
80379	**Secural Security Corporation** February 2026 City Unhoused Security	03/12/2026	6,228.32
80380	**Myron "Doojie" Seliger** November 2025 - January 2026 Libbey Bowl Operations Support	03/12/2026	2,000.00
80381	**Sinclair Sanitary Supply, Inc.** Supplies for Citywide Maintenance	03/12/2026	2,127.75
80382	**Jeff Sivas** Ojai Cabin Village Soil Report (grant reimbursable)	03/12/2026	3,700.00
80383	**So Cal Gas** February 2026 Gas	03/12/2026	1,766.84

Check Register

Check Summary By Check Number

Check No	Vendor Name	Check Date	Check Amount
80384	**Solid Waste Solutions Inc.** March 2026 Hazardous Waste Program	03/12/2026	4,414.75
80385	**Springbrook Holding Company, LLC** October 2025 - December 2025 Purchase Order Implementation	03/12/2026	4,620.00
80386	**Starlight Dance Academy** Recreation Class - Ballet & Jazz	03/12/2026	1,512.00
80387	**StoreRite** February 2026 City Storage Retrieval	03/12/2026	52.00
80388	**Traffic Technologies, Inc.** Supplies for Citywide Street Maintenance	03/12/2026	1,406.59
80389	**Trails By Potter, LLC** Recreation Class - Pickleball	03/12/2026	707.85
80390	**Ventura Pest Management** March 2026 Pest Control	03/12/2026	3,915.00
80391	**Ventura Signs & Screen Printing** City Logo Apparel	03/12/2026	646.50
80392	**Ventura Urgent Care Center** Trolley Driver Pre-Employment Physical Exam	03/12/2026	258.00
80393	**Westridge Market Inc** Supplies for City Council & Department Meetings	03/12/2026	247.91
80394	**Witherspoon Industries Inc** March 2026 City Unhoused Storage	03/12/2026	90.00
80395	**AmeriNational Community Services** Annual Loan Servicing Fee - Successor Housing Agency	03/17/2026	4,000.00
80396	**Alta Planning & Design** January 2026 General Plan Update	03/19/2026	3,505.86
80397	**Aqua-Flo Supply** Supplies for Citywide Maintenance	03/19/2026	1,249.35
80398	**AT&T** February 2026 Telephone	03/19/2026	254.59

Check Register

Check Summary By Check Number

Check No	Vendor Name	Check Date	Check Amount
80399	**Ben Harvey** Employee Reimbursement	03/19/2026	270.34
80400	**Eilam Byle** Employee Reimbursement	03/19/2026	30.16
80401	**California State Disbursement Unit** March 2026 Payroll Expense	03/19/2026	82.15
80402	**Casitas Municipal Water District** January 2026 Water	03/19/2026	4,976.27
80403	**CoreLogic** Property Valuation & Residential Cost Handbooks	03/19/2026	2,012.16
80404	**County of Ventura** City Street Radius Map for CDD	03/19/2026	183.00
80405	**Data Ticket, Inc.** December 2025 & January 2026 Parking Citation Fees	03/19/2026	386.00
80406	**Deckard Technologies, Inc** February 2026 & March 2026 City Short-Term Rental Monitoring	03/19/2026	6,300.00
80407	**Emmanuel A Mendez** March 2026 City Transit Wash	03/19/2026	1,000.00
80408	**Gregory Kiley** Government Relations Services	03/19/2026	3,000.00
80409	**Juan Morales** Employee Reimbursement	03/19/2026	668.64
80410	**MV Cheng & Associates Inc.** February 2026 Finance Consulting Services	03/19/2026	6,937.50
80411	**Ojai Business Center Inc** Copy of Property Plans	03/19/2026	25.98
80412	**Ojai Lumber Company Inc** Supplies for Citywide Maintenance	03/19/2026	250.39
80413	**Ojai True Value Hardware** Supplies for Citywide Maintenance	03/19/2026	51.22

Check Register

Check Summary By Check Number

Check No	Vendor Name	Check Date	Check Amount
80414	**Ojai Unified School District** Matilija Gym Rental Fee for Youth Basketball	03/19/2026	7,940.00
80415	**Ojai Valley Inn & Spa** Reimbursement for Trolley Services Not Provided	03/19/2026	1,601.00
80416	**Ojai Valley News** February 2026 Display & Legal Ads	03/19/2026	1,844.50
80417	**Olivarez Madruga Law Organization, LLP** December 2025 & February 2026 TOT Attorney Fees	03/19/2026	224.50
80418	**Patrick Holmes** Employee Reimbursement	03/19/2026	30.16
80419	**Prudential Overall Supply** Public Works Cleaning Supplies & Clothing Allowance	03/19/2026	131.77
80420	**Ready Refresh by Nestle** February 2026 Drinking Water for City Departments	03/19/2026	391.67
80421	**Rick Raine** Employee Reimbursement	03/19/2026	87.15
80422	**Rogers, Anderson, Malody & Scott, LLC** February 2025 Progress Billing	03/19/2026	17,000.00
80423	**Jan C. Scow** February 2026 Tree Site Evaluations	03/19/2026	2,132.76
80424	**Southern CA Edison** February 2026 Electricity	03/19/2026	21,388.77
80425	**Jamie Stratford** My Ojai App Animation Services	03/19/2026	640.00
80426	**Total Restoration** March 2026 OTT Tent Cleanout	03/19/2026	1,950.00
80427	**Tripepi Smith and Associates, Inc.** February - March 2026 My Ojai App & Monthly Retainer for Communication Services	03/19/2026	9,172.50
80428	**Westridge Market Inc** February 2026 Newspaper for City Hall	03/19/2026	2.00

Check Register

Check Summary By Check Number

Check No	Vendor Name	Check Date	Check Amount
80429	**California State Disbursement Unit** March 2026 Payroll Expense	03/20/2026	82.15
80430	**Colonial Life & Accident Ins** March 2026 Payroll Expense	03/20/2026	838.50
80431	**Franchise Tax Board** March 2026 Payroll Expense	03/20/2026	100.00
80432	**Lincoln National Life Insurance Co** March 2026 Payroll Expense	03/20/2026	2,814.71
80433	**Metropolitan Life Insurance Company** March 2026 Payroll Expense	03/20/2026	5,376.82
80434	**7 Day Tire LLC** March 2026 Supplies for Trolley Repair	03/26/2026	1,584.00
80435	**Adamsons Towing Inc** February 2026 PW Truck Towing Service	03/26/2026	125.00
80436	**Agromin** Organic Compost for City Parks	03/26/2026	5,705.73
80437	**Airgas West** November 2025 - January 2026 PW & Transit Gas Cylinder Rental	03/26/2026	797.32
80438	**AllConnected, Inc.** March 2026 IT Support & Annual Microsoft 365 Software Renewal	03/26/2026	52,417.25
80439	**BKS Law Firm, PC** February 2026 Common Interest & Ventura Watershed Litigation	03/26/2026	17,816.86
80440	**Carlos Ceron** Employee Reimbursement	03/26/2026	50.32
80441	**Emmanuel A Mendez** March 2026 City Vehicles Wash	03/26/2026	1,718.00
80442	**Mireya Esquivel** Employee Reimbursement	03/26/2026	41.76
80443	**Greg Rents** March 2026 PW Equipment Rental	03/26/2026	187.69

Check Register

Check Summary By Check Number

Check No	Vendor Name	Check Date	Check Amount
80444	**Hoffman, Vance & Worthington** Appraisal Services for 503 S. Ventura Street	03/26/2026	5,000.00
80445	**Hometown Trolley** Supplies for Trolley Maintenance	03/26/2026	456.25
80446	**J.J. Keller & Associates, Inc** March 2026 Transit Encompass Fee	03/26/2026	106.18
80447	**Kelly Cleaning & Supplies, Inc.** March 2026 Janitorial Service	03/26/2026	6,282.75
80448	**Living Aikido** Recreation Class - Aikido for Adults	03/26/2026	143.00
80449	**Mark Cranes Tree Inc** February 2026 Street Tree Maintenance	03/26/2026	8,100.00
80450	**Meiners Oaks Hardware** Supplies for Citywide Maintenance	03/26/2026	1,334.08
80451	**National Graphics, LLC** March 2026 City Hall Envelopes & Business Cards	03/26/2026	834.24
80452	**Ojai Valley Fire Safe Council, Inc.** Fire Safety Grant Installment Payment	03/26/2026	28,951.88
80453	**Ojai Valley News** March 2026 Display Ads	03/26/2026	346.00
80454	**Prudential Overall Supply** Public Works Cleaning Supplies & Clothing Allowance	03/26/2026	264.17
80455	**Puretec Industrial Water** January 2026 Transit Water Tank Rental	03/26/2026	146.43
80456	**Sinclair Sanitary Supply, Inc.** Supplies for Citywide Maintenance	03/26/2026	349.06
80457	**TelVue Corporation** IT Streaming Equipment for City Council Meetings	03/26/2026	13,474.00
80458	**Trail Rides of Ojai DBA Infinite Horsemanship** Recreation Class - Horsemanship	03/26/2026	665.00

Check Register

Check Summary By Check Number

Check No	Vendor Name	Check Date	Check Amount
80459	**Ventura County Sheriff's Dept** February 2026 Patrol & Traffic Services	03/26/2026	331,137.14
80460	**Ventura Pest Management** March 2026 Pest Control	03/26/2026	995.00
80461	**Verizon Wireless** February 2026 City Cell Phones	03/26/2026	1,173.33
80462	**Western NRG Inc** March 2026 Email Security	03/26/2026	65.00
ACH	**Ameriflex: Claims ACH** March 2026 Payroll Expense	03/09/2026	128.24
ACH	**CalPERS Retirement ACH** March 2026 Payroll Expense	03/09/2026	26,239.60
ACH	**EDD ACH** March 2026 Payroll Expense	03/09/2026	7,326.38
ACH	**IRS ACH** March 2026 Payroll Expense	03/09/2026	45,077.21
ACH	**Amazon.com/Sales, Inc** March 2026 Miscellaneous Supplies	03/13/2026	4,109.76
ACH	**Phoenix Civil Engineering, Inc.** February 2026 Citywide Projects (Paving, Pedestrian & Bike Safety Improvements, and Street Beacons)	03/13/2026	25,471.00
ACH	**Pax Environmental Inc** February 2026 On-Call Arborist Services	03/13/2026	286.00
ACH	**Christopher Reno** March 2026 Trolley Repair	03/13/2026	950.00
ACH	**Health and Human Resource Center Inc** March 2026 Payroll Expense	03/13/2026	287.28
ACH	**J & H Engineering** December 2025 Downtown & Arcade Paving Project	03/13/2026	19,836.12
ACH	**Ameriflex: Claims ACH** March 2026 Payroll Expense	03/16/2026	987.72

Check Register

Check Summary By Check Number

Check No	Vendor Name		Check Date	Check Amount
ACH	**Ameriflex: Admin Fee ACH**		03/16/2026	116.00
	March 2026 Payroll Expense			
ACH	**Mission Square 457 ACH**		03/18/2026	10,376.30
	March 2026 Payroll Expense			
ACH	**Mission Square RHS ACH**		03/18/2026	21,206.47
	March 2026 Payroll Expense			
ACH	**EDD ACH**		03/19/2026	7,445.00
	March 2026 Payroll Expense			
ACH	**IRS ACH**		03/19/2026	47,041.40
	March 2026 Payroll Expense			
ACH	**CalPERS Retirement ACH**		03/19/2026	26,611.86
	March 2026 Payroll Expense			
ACH	**Charter Communications Holdings, LLC**		03/23/2026	112.90
	February & March 2026 Enterprise TV for City Council Meetings			
ACH	**Christopher Reno**		03/23/2026	2,050.00
	March 2026 Trolley Repair			
ACH	**Ameriflex: Claims ACH**		03/23/2026	451.03
	March 2026 Payroll Expense			
ACH	**Amazon.com/Sales, Inc**		03/23/2026	225.05
	March 2026 Miscellaneous Supplies			
ACH	**Willdan Engineering**		03/23/2026	3,407.00
	February 2026 Plan Checking Services			
	Project 1013.001 216 Park Avenue	227.00		
	Project 1018.002 923 E Ojai Ave	908.00		
	Project 1019.001 923 E Ojai Ave	340.50		
	Project 1021.001 107 N Ventura/ 103 W Matilija St	454.00		
	Project 1022.001 112 W Aliso	1,477.50		
ACH	**U.S Bank National Association**		03/24/2026	24,005.20
	February 2026 City Credit Card Miscellaneous			
				1,027,499.62

Check Register

Check Summary By Check Number

Check No	Vendor Name	Check Date	Check Amount
ACH	**Payroll**		
	Pay Period 3/2/2026 - 3/15/2026	03/19/2026	126,572.81
		Wire & Paper Check Total	**126,572.81**
		Grand Total	**$ 1,154,072.43**

City of Ojai

Disbursement by Category

Category	Amount
Advertisement	**2,588.75**
Ojai Valley News	2,588.75
Lease and Rentals	**9,158.59**
County of Ventura	515.00
Greg Rents	703.59
Ojai Unified School District	7,940.00
Legal	**25,722.46**
BKS Law Firm, PC	17,816.86
Meyers Nave, A Professional Corporation	7,681.10
Olivarez Madruga Law Organization, LLP	224.50
Payroll and Benefits	**329,161.63**
Ameriflex: Admin Fee ACH	116.00
Ameriflex: Claims ACH	1,566.99
California State Disbursement Unit	164.30
CalPERS Retirement ACH	52,851.46
Colonial Life & Accident Ins	838.50
EDD ACH	14,771.38
Franchise Tax Board	100.00
Health and Human Resource Center Inc	287.28
IRS ACH	92,118.61
Lincoln National Life Insurance Co	2,814.71
Metropolitan Life Insurance Company	5,376.82
Mission Square 457 ACH	10,376.30
Mission Square RHS ACH	21,206.47
Pay Period 3/2/2026 - 3/15/2026	126,572.81
Professional/Contract Services	**689,546.56**
7 Day Tire LLC	1,584.00
Adamsons Towing Inc	125.00
Agromin	10,414.03
Airgas West	797.32
AllConnected, Inc.	52,417.25
Alta Planning & Design	3,505.86
AmeriNational Community Services	4,000.00
Christopher Reno	3,000.00
CoreLogic	2,012.16
County of Ventura	183.00
Data Ticket, Inc.	386.00
Deckard Technologies, Inc	6,300.00
Division of the State Architect	880.50
E.J. Harrison & Sons	17,425.33
EideBailly LLP	33,022.20
Emmanuel A Mendez	3,718.00
Fillmore Area Transit Corporation	3,445.00
Frank's Underground Utilities, Inc.	3,809.29
Fred's Tire Man	25.00
Gregory Kiley	3,000.00
HdL Coren & Cone	2,081.80
Help of Ojai Inc.	4,500.00
Hoffman, Vance & Worthington	5,000.00
J & H Engineering	19,836.12
J.J. Keller & Associates, Inc	106.18

City of Ojai

Disbursement by Category

Jamie Stratford	640.00
Jan C. Scow	3,682.76
Jeff Sivas	3,700.00
JMG Security Systems, Inc.	297.69
Kelly Cleaning & Supplies, Inc.	9,422.08
Lane 4 Fundraising, LLC	10,000.00
Mark Cranes Tree Inc	11,900.00
MV Cheng & Associates Inc.	6,937.50
Myron "Doojie" Seliger	2,000.00
National Graphics, LLC	834.24
Ojai Valley Chamber of Commerce	9,100.00
Ojai Valley Fire Safe Council, Inc.	28,951.88
Pax Environmental Inc	286.00
Phoenix Civil Engineering, Inc.	25,471.00
Puretec Industrial Water	146.43
Quinn Company	1,862.73
Rogers, Anderson, Malody & Scott, LLC	17,000.00
Secural Security Corporation	6,228.32
Solid Waste Solutions Inc.	4,414.75
StoreRite	52.00
TelVue Corporation	13,474.00
Total Restoration	1,950.00
Tripepi Smith and Associates, Inc.	9,172.50
Ventura County Sheriff's Dept	331,137.14
Ventura Pest Management	4,910.00
Ventura Signs & Screen Printing	646.50
Ventura Urgent Care Center	258.00
Willdan Engineering	3,407.00
Witherspoon Industries Inc	90.00
Recreation Classes	**10,241.20**
Darrell Gooden	624.00
Johannes M Pouw	3,619.85
Kathleen Abasi	182.00
Living Aikido	143.00
Lucy Walker Grace	1,552.50
Max Dickenson	1,235.00
Starlight Dance Academy	1,512.00
Trail Rides of Ojai DBA Infinite Horsemanship	665.00
Trails By Potter, LLC	707.85
Reimbursement and Refunds	**3,449.10**
Andrew Nelson	10.00
Ben Harvey	270.34
Brenda Cho	306.74
Carlos Ceron	50.32
Christy Billings	231.83
Daniela Brown	121.00
Eilam Byle	30.16
Juan Morales	668.64
Mireya Esquivel	41.76
Ojai Valley Inn & Spa	1,601.00
Patrick Holmes	30.16
Rick Raine	87.15
Subscription and Software	**12,385.00**
ArborPro, Inc	4,500.00
NetFile Inc	3,200.00
Springbrook Holding Company, LLC	4,620.00
Western NRG Inc	65.00

City of Ojai

Disbursement by Category

Supplies	**37,925.97**
Amazon.com/Sales, Inc	4,334.81
Aqua-Flo Supply	1,249.35
Envision Ford Linc of Oxnard	693.62
Greg Rents	187.69
Hometown Trolley	456.25
Meiners Oaks Hardware	1,417.32
Ojai Auto Supply	323.76
Ojai Business Center Inc	25.98
Ojai Lumber Company Inc	250.39
Ojai True Value Hardware	61.28
Prudential Overall Supply	787.01
Sinclair Sanitary Supply, Inc.	2,476.81
Traffic Technologies, Inc.	1,406.59
U.S Bank National Association	24,005.20
Westridge Market Inc	249.91
Utilities	**33,893.17**
AT&T	286.42
Casitas Municipal Water District	4,976.27
Charter Communications Holdings, LLC	112.90
Ojai Valley Sanitary District	3,271.24
Ready Refresh by Nestle	917.40
So Cal Gas	1,766.84
Southern CA Edison	21,388.77
Verizon Wireless	1,173.33
Grand Total	**1,154,072.43**

Warrant Register for the Meeting Date April 14, 2026

Per Section 37208 of the Government Code, I hereby certify that the referenced demands conform to the approved budget except as noted and have been paid. These demands are hereby submitted to the City Council for receipt and file.

Brenda Cho, Finance Director

Administrative Report

TO: **Honorable City Council**

FROM: **Ben Harvey, City Manager**
Lindy Palmer, Public Works Director

MEETING DATE: **April 14, 2026**

SUBJECT: **Fiscal Year 2026/27 List of Road Maintenance and Rehabilitation Projects Required by State Senate Bill 1 (SB1)** ***(Operational Need)***

RECOMMENDATION

Adopt Resolution No. 2026-8 to provide the list of road maintenance and rehabilitation projects to the California Transportation Commission (CTC) as required by California State Senate Bill 1 (SB1) to secure access to State grant funds for road rehabilitation projects in Fiscal Year 2026/27.

DISCUSSION

On April 28, 2017, the Governor signed SB1, formally known as the Road Repair and Accountability Act (RRAA) of 2017, to address basic road maintenance, rehabilitation, and critical safety needs on both the state highway and local road systems.

Among other changes, SB1 added section 2032.5 to the Streets and Highways Code. This section requires recipients of SB1 funds to be accountable for the efficient use of public funds for maintenance of local streets through performance goals that are tracked and reported. Additionally, Streets and Highways Code Section 2034 requires that the City submit a list of projects using the proposed SB1 funding to the California Transportation Commission (CTC) by July 1st of each year, including a proposed schedule for the projects' completion with the estimated useful life, a description of the projects, and the location of the projects.

Also under Section 2034, proposed projects that receive SB1 funds must be included in a resolution that is adopted by the City Council at a regular public meeting. The proposed resolution is included here as Attachment A. The project list does not limit the City's ability to fund and complete projects in an order based on City priorities as long as the projects are consistent with SB1's stated list of priorities, and it can be modified. Highway Users Tax Account (HUTA) funding does not require adoption of a resolution. HUTA funding is included in the table 2 below for reference.

The new California Transportation Commission Local Streets and Roads Funding Program Annual Reporting Guidelines adopted on March 24, 2021, require submission of a list of projects using the proposed SB1 funding to the California Transportation Commission

(CTC) by July 1st of each year.

Table 1: List of Street Segments Approved in the 2026 Pavement Rehabilitation Project (ST-3007)

City Streets	From	To
N Signal St	Grand Ave	Shelf Rd
Grand Ave	Gridley Rd	City Limits
Rincon St	W Ojai Ave	W Aliso St
Franklin Dr	N Montgomery St	East End
Pard Rd-Ayers Ave	Grand Ave	Pleasant Ave
Oak Glen Ave	South End	E Ojai Ave
Carillo Rd-Creekside Way	Maricopa Hwy	North End
E Oak St	N Montgomery St	N Fulton St
Anita-Gregory-Lark Ellen	Golden West Ave	East End
S Signal St	Santa Ana St	Ojai Valley Bike Trail
N Montgomery St	E Ojai Ave	Grand Ave
McKee St	West End	Canada St
Foothill Ln	CDS	Foothill Rd
N Montgomery St Parking Lot		
El Toro Rd-El Camino Rd	Tico Rd	North End
Sunset Pl	Grandview Ave	Grandview Ave
Olive Mill Ln	S Fulton St	Pearl St
W Eucalyptus St	West End	N Ventura St
Sunny Glen-Martindale-Anita	Oriole St	Golden West Ave
Santa Ana St Parking Lot		
E Aliso St	Park Rd	East End
Park Rd Parking Lot		
S Signal St	CDS	Santa Ana St
Canada St	Raymond St	North End
Alley	Gregory St	Anita Ave
S Signal St Parking Lot		
Mallory Way	W Aliso St	W Eucalyptus St
Mercer Ave-Mountain View Ave	Grand Ave	Pleasant Ave
Alley	West End	Golden West Ave
N Fulton St	E Ojai Ave	Grand Ave
S Montgomery St Parking Lot		

Table 2: RMRA and HUTA Funding Amounts

Fiscal Year	FY 25/26	FY 26/27
SB1- Road Maintenance & Rehabilitation Account	$203,469	$215,714
Highway Users Tax Account (HUTA)	$227,444	$231,537
TOTAL	**$430,913**	**$447,251**

CITY COUNCIL GOALS ALIGNMENT
Goal No. 4 - Infrastructure Maintenance and Improvement

OPTIONS
1. Take no action;
2. Provide alternative direction to staff.

FISCAL IMPACT
The recommended action assures the estimated SB1 funding of $215,714 for FY 2026/27 comply with state guidelines in support of funding for the City's planned 2026 (ST-3007) paving project.

Prepared by: Lindy Palmer, Public Works Director

ATTACHMENT(S)
A. Resolution No. 2026-8

CITY OF OJAI
RESOLUTION NO. 2026-8

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OJAI, CALIFORNIA, ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2026/27 FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017

WHEREAS, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and Signed into law by the Governor in April 2017 to address the significant multi-modal transportation funding shortfalls statewide; and

WHEREAS, SB 1 includes accountability and transparency provisions that will ensure the residents of our City are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year; and

WHEREAS, the City must adopt by resolution a list of projects proposed to receive fiscal year funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement; and

WHEREAS, the City, will receive an estimated $215,714.00 in RMRA funding in Fiscal Year 2026/27 from SB 1; and

WHEREAS, this is the 10th year in which the City is receiving SB 1 funding and will enable the City to continue essential road maintenance and rehabilitation projects, safety improvements, repairing and replacing aging bridges, and increasing access and mobility options for the traveling public that would not have otherwise been possible without SB 1; and

WHEREAS, the City has undergone a robust public process to ensure public input into our community's transportation priorities/the project list; and

WHEREAS, the City used a Pavement Management Program to develop the SB 1 project list to ensure revenues are being used on the most high-priority and cost-effective projects that also meet the community's priorities for transportation investment; and

WHEREAS, the funding from SB 1 will help the City maintain and rehabilitate various streets, throughout the City this year and similar projects into the future; and

WHEREAS, the 2023 California Statewide Local Streets and Roads Needs Assessment found that the City's streets and roads are in an "at-risk" condition and this

revenue will help us increase the overall quality of our road system and over the next decade will bring our streets and roads into a “good” condition; and

WHEREAS, the SB 1 project list and overall investment in our local streets and roads infrastructure with a focus on basic maintenance and safety, investing in complete streets infrastructure, and using cutting-edge technology, materials and practices, will have significant positive co-benefits statewide.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF OJAI, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The foregoing recitals are true and correct and hereby incorporated by reference.

SECTION 2. The following list of newly proposed projects will be funded in-part or solely with Fiscal Year 2026/27 Road Maintenance and Rehabilitation Account revenues:

Project Title: 2026 Citywide Pavement Rehabilitation Project (ST-3007)

Project Description: The work consists of asphalt resurfacing and handicap ramp improvements on the streets listed below.

Project Location: (Please see the table below)

City Streets	From	To
N Signal St	Grand Ave	Shelf Rd
Grand Ave	Gridley Rd	City Limits
Rincon St	W Ojai Ave	W Aliso St
Franklin Dr	N Montgomery St	East End
Pard Rd-Ayers Ave	Grand Ave	Pleasant Ave
Oak Glen Ave	South End	E Ojai Ave
Carillo Rd-Creekside Way	Maricopa Hwy	North End
E Oak St	N Montgomery St	N Fulton St
Anita-Gregory-Lark Ellen	Golden West Ave	East End
S Signal St	Santa Ana St	Ojai Valley Bike Trail
N Montgomery St	E Ojai Ave	Grand Ave
McKee St	West End	Canada St
Foothill Ln	CDS	Foothill Rd
N Montgomery St Parking Lot		
El Toro Rd-El Camino Rd	Tico Rd	North End
Sunset Pl	Grandview Ave	Grandview Ave
Olive Mill Ln	S Fulton St	Pearl St
W Eucalyptus St	West End	N Ventura St
Sunny Glen-Martindale-Anita	Oriole St	Golden West Ave
Santa Ana St Parking Lot		
E Aliso St	Park Rd	East End

Park Rd Parking Lot		
S Signal St	CDS	Santa Ana St
Canada St	Raymond St	North End
Alley	Gregory St	Anita Ave
S Signal St Parking Lot		
Mallory Way	W Aliso St	W Eucalyptus St
Mercer Ave-Mountain View Ave	Grand Ave	Pleasant Ave
Alley	West End	Golden West Ave
N Fulton St	E Ojai Ave	Grand Ave
S Montgomery St Parking Lot		

Estimated Project Schedule: Start (08/26)– Completion (12/26) based on the component being funded with RMRA funds.

Estimated Project Useful Life: 10-20 years

SECTION 3. Certification. The City Clerk shall certify to the adoption of this Resolution.

SECTION 4. Effective Date. This Resolution shall take effect upon its adoption.

PASSED, APPROVED AND ADOPTED on April 14, 2026.

CITY OF OJAI, CALIFORNIA

_____
Andy Gilman, Mayor

Date: _____

ATTEST:

_____
Steve Quilici, City Clerk

APPROVED AS TO FORM:

_____
Bethany A. Burgess, City Attorney

I, Weston Montgomery, Chief Deputy City Clerk of the City of Ojai, certify that Resolution No. 2026-8 was adopted at a regular meeting held April 14, 2026, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

_____
Weston Montgomery, Chief Deputy City Clerk

Administrative Report

TO: **Honorable City Council**

FROM: **Ben Harvey, City Manager**

MEETING DATE: **April 14, 2026**

SUBJECT: **Confirm Appointment to Fill Mid-Term Vacancy on the Parks and Recreation Commission**

RECOMMENDATION

Confirm nomination of applicant Jim Bailey as Parks and Recreation Commissioner to fill a mid-term vacancy (term ending May 2029).

DISCUSSION

The Parks and Recreation Commission is currently experiencing two mid-term vacancies following the resignation of former Commissioner Tabach-Bank (who is now sitting on the Arts Commission). This administrative report and nomination will address only one mid-term vacancy. Council Member Rule assisted as rotating Council Member included in this seat's current term and original nomination. Because of this, Council Member Rule served again with Mayor Gilman and Commission Chair Suzi Taylor on the Nominating Committee. The City's Local Appointments ("Maddy Act") List, which is mandated and updated throughout the year on the City website, outlines the commission seats and Council Member involved in each appointment.

The City performed numerous acts of outreach to the Council and the public. Public outreach included updating the Maddy Act Local Appointments List, updating the City website for Commission Vacancies, posting public notice of the vacancies, advertising in the Ojai Valley News, and providing communications to the full Council, Commissioners, and staff.

Section 2-4.102(b) of the Ojai Municipal Code for the Parks and Recreation Commission outlines the process for a mid-term vacancy. This process has been followed for each candidate under consideration. As required by Ojai Municipal Code, the Nominating Committee unanimously recommends:

1. **Jim Bailey** (Appointment to fill mid-term vacancy. Term ending May 2029)

If the City Council rejects this nominee, the nominating committee will reconvene to select another candidate. This process continues until a nominee is confirmed.

CITY COUNCIL GOALS ALIGNMENT

Goal No. 9 - Communication and Relationships

OPTIONS

1. Take no action;
2. Provide alternative direction to staff.

FISCAL IMPACT

There is no fiscal impact as a result of this action.

Prepared by: Weston Montgomery, Chief Deputy City Clerk

ATTACHMENT(S)

A. Commissioner Application Form – J. Bailey

City of Ojai
City Clerk's Office
401 South Ventura Street
Ojai, CA 93023
Telephone: 805-646-5581, Ext. 120
www.ojai.ca.gov

RECEIVED
MAR 27 2026
Community Development Department

FACT SHEET FOR COMMISSION AND BOARD APPLICANTS

Name: Jim Bailey Date: 3/27/26

[redacted]

Employer: Rock Tree Sky Business Phone: NA

Business Address: 650 Carne Rd Ojai, CA 93023 Type of Business: Education Services

Education: Bachelors degree in Liberal Studies, Cal Poly SLO, 2000
Multi Subject Teaching Credential Cal Poly SLO, 2001
& Masters degree in Educational Leadership exp. Fall 2026
from Arizona State University - Online

Number of years as a resident of the Ojai Valley: 25

Are you a registered voter of the City of Ojai? Yes

List Civic Activities, Clubs, Associations, Etc.: Past: OVYF, Food for Thought - Board Member, Rotary of Ojai - Living Treasure, Ojai Astronomy Club
Current: Adult advisor Mayor's Youth Council, Founder of the Ojai Learning Ecosystem, Ojai Chamber of Commerce member

Additional information, qualifications and/or references:
I have over 25 years of youth and civic engagement in Ojai. More and more I have come to believe that a community's Park + Rec is the heart of how we can engage youth and families to feel known, seen, and that the belong in our city. I believe that Park-n-Rec is the way to improve civic life for our community.

(You may attach additional pages if you wish)

I will attach references.

Advisory Boards and Commissions

Please check your preference(s)

City of Ojai Commissions/Committee:	County of Ventura Citizens Advisory Committees:
☐ Arts Commission	☐ Area Agency on Aging
☐ Historic Preservation Commission	☐ Area Housing Authority
☒ Parks & Recreation Commission	☐ Ventura County Air Pollution Control District Advisory Commission
☐ Planning Commission	☐ Citizens Transportation Advisory Committee (CTAC)
☐ Fiscal Policy Budget Committee	☐ Building Appeals Board

PLEASE NOTE: *The State of California Fair Political Practices Commission* ***requires*** *Conflict of Interest filings for City of Ojai commissioners and board members. See attached information.*

Signature

Please return this completed application to: City Clerk
City of Ojai
Street: 401 S. Ventura Street, Ojai, CA 93023

JIM BAILEY

[redacted]

Education System Leader · Community Ecosystem Builder · Self-Directed Learning Innovator

rocktreesky.org

Ojai, California

LEADERSHIP PROFILE

Visionary education leader with 25+ years of experience spanning public school teaching, progressive private education, and the founding of learner-centered institutions. Co-founder and Executive Director of Rock Tree Sky —a nationally recognized self-directed learning community that has grown 13.9× over seven years to serve 220+ youth in Ventura County. Founder of the Ojai Learning Ecosystem, a community-wide initiative weaving together schools, nonprofits, government, and civic organizations around a shared vision of youth development. Featured by Education Reimagined and the Clayton Christensen Institute as a model for student-motivation-driven learning. Brings deep expertise in community organizing, ecosystem design, public-private partnership, and learner-centered pedagogy.

CORE COMPETENCIES

Education Ecosystem Design	**Self-Directed Learning Models**	**Community Partnership Development**
Organizational Leadership & Growth	**Youth Development & Equity**	**Public-School District Partnerships**
Grant Writing & Fundraising	**Curriculum & Program Design**	**Strategic Vision & Systems Thinking**

LEADERSHIP EXPERIENCE

Executive Director & Co-Founder | Rock Tree Sky | *2016 – Present*

- Scaled a youth learning community from 20 homeschool families in a 600 sq ft makerspace to 220+ learners on a historic elementary school campus, achieving 13.9× enrollment growth in seven years.
- Established 4 public and charter school district vendor partnerships, enabling learners to attend 1–2 days/ week using district-allocated enrichment funds—a nationally notable public-private integration model.
- Built a multi-site learning ecosystem, including partnerships with Foundry805, Poco Farm, Ventura College, and Mission Honey, creating real-world apprenticeship and entrepreneurship pathways for youth.
- Recruited and developed a staff of mentors and co-educators grounded in self-determination theory, positive youth development, and learner-centered pedagogy.
- Selected as one of Education Reimagined's first cohort for inventors of community-based learning ecosystems, representing RTS at a national level among pioneering education innovators.
- 40% of current high school learners are dual-enrolled in college courses, reflecting deep academic confidence and outcomes from a fully self-directed model.
- Featured by the Clayton Christensen Institute as a national model for student-motivation-driven learning alongside peer institutions in Massachusetts.

Founder & Lead Organizer | Ojai Learning Ecosystem (OLE) | *2021 – Present*

- Founded a community-wide education initiative connecting youth, mentors, and civic organizations across Ojai Valley under a shared vision of equitable, learner-centered education.
- Designed and launched a youth-led civic mapping project in partnership with the City of Ojai and Ojai Youth Council to identify and expand access to out-of-school learning opportunities.
- Built and stewarded partnerships with Poco Farm, Ventura Wild, Turtle Conservancy, Green Valley Project, OUSD, Ventura College, and City of Ojai, among others.
- Connected OLE to national peer networks, including ReSchool Colorado, Denver Learning Ecosystem, and FabNewport through Education Reimagined's Learner-Centered Ecosystem Lab.
- Articulated a community-wide vision for competency-based, place-based education that centers individual strengths and local assets.

Elementary Science Specialist | Ojai Unified School District | *2006 – 2010*

- Raised elementary science assessment scores 25% across five school sites in the first two years through inquiry-based instructional redesign.

- Managed science curriculum, equipment procurement, and professional development across a district-wide initiative.

Sixth Grade Teacher | Oak Grove School (Progressive Independent) | *2010 – 2016*

- Implemented Big History Project curriculum and project-based learning across all subject areas in a progressive, multi-age school environment.
- Led multi-age science summer camps and developed experiential curriculum aligned with student interest.

Physical Science Teacher | Matilija Junior High, OUSD | *2001 – 2010*

- Taught physics, chemistry, and astronomy to diverse junior high learners; developed standards-based science songs and project-based curriculum.
- Founded an astronomy club and organized public telescope nights in Libbey Park, building community science engagement.
- Voted Teacher of the Year by Ojai Valley News: 2008, 2013, 2014, 2015, 2016.

NATIONAL RECOGNITION & MEDIA

- Education Reimagined Featured Site — Rock Tree Sky profiled as a national model for learner-centered community education (education-reimagined.org)
- Clayton Christensen Institute — Featured in "What Does Learning Fueled by Student Motivation Look Like?" (2023) by senior researcher Thomas Arnett
- Getting Smart Podcast — "Jim Bailey on Rock Tree Sky and Experiential Education"
- Ojai Valley News — Ojai Valley is an Ecosystem of Learning
- Ventura County Star — "Ojai alternative school offers blueprint for salvaging enrollment"
- ASDE Resource Directory — Rock Tree Sky listed as a national self-directed learning resource
- Education Reimagined Voyager — "A Conversation with Jim Bailey and Natasha Efross"

CIVIC & COMMUNITY LEADERSHIP

- City of Ojai Partnership — Co-leading youth-led civic mapping initiative with the Ojai Youth Council and city government.
- NSTA National Presenter — "Creating Standards-Based Music for the Classroom," Boston 2008.
- Ojai Valley Youth Foundation — Mentored junior and senior high school teens; developed curriculum for the OVYF Leadership Project (2003–2010).
- Food For Thought Ojai — Board Member (2006–2011), supporting food access and community health.
- Rotary Group Study Exchange — Team Member, Bangladesh, 2010; named Ojai Living Treasure by Rotary Clubs of Ojai, 2009.
- California Naturalist (Certified) — Leads community star parties and astronomy events at Rock Tree Sky's campus observatory and Libbey Park.

EDUCATION

B.A., Liberal Studies (Commencement Address) | California Polytechnic State University, San Luis Obispo | *2000*

Multiple Subject Teaching Credential / CLAD · Single Subject Authorization: Science & English (K–9)

SELECTED THOUGHT LEADERSHIP & VISION

Jim's work is grounded in the intersection of self-determination theory, loose parts theory (Simon Nicholson), and the learner-centered ecosystem framework developed by Education Reimagined. He is a practitioner-researcher who publishes regularly on community-based education, equitable access to out-of-school learning, and the design of learning environments that honor children's intrinsic motivation.

- Founder and primary author, ojailearningecosystem.org — ongoing thought leadership on community education design.
- "An Invitation to Ojai: Join Us in Mapping the Bright Spots for Youth" — Letter to the Editor, Ojai Valley News.
- Participant, Education Reimagined Learner-Centered Ecosystem Lab — first national cohort of community-based ecosystem inventors.

Administrative Report

TO: **Honorable City Council**

FROM: **Ben Harvey, City Manager**

MEETING DATE: **April 14, 2026**

SUBJECT: **Ojai Permanent Supportive Housing Project/DignityMoves Project Bid Affirmation *(City Council Direction)***

RECOMMENDATION

Consider selecting from options one or two below:

1. Affirm DignityMoves' determination of lowest responsive bidder of Specialty Construction for the Ojai Permanent Supportive Housing Project for a total project cost of $10.5M with a 10% contingency; designate five (5) of the thirty (30) units for Transitional Age Youth (TAY) thereby allowing DignityMoves to accept and apply a private donation of $1M towards the Project; accept the corresponding Development Budget and Schedule; waive City project fees; and authorize the City Manager to execute an amendment to the City's Development Management Agreement with DignityMoves (DMA) to incorporate such documents into the DMA along with terms for use of the private donation of $1M towards the Project; and

   Direct the City Manager to modify the ERF Grant Application based upon City Council direction and submit to the California Department of Housing and Community Development (HCD) for review and anticipated approval to reflect the dedication of five (5) units of the project for use for TAY.

   OR

2. Affirm DignityMoves' determination of lowest responsive bidder of Specialty Construction for the Ojai Permanent Supportive Housing Project for a total project cost of $9.5M including a 4% contingency; waive City project fees; accept the corresponding Development Budget and Schedule; and authorize the City Manager to execute an amendment to the City's DMA to incorporate such documents into the DMA; and decline designating five (5) of the thirty (30) units for TAY and DignityMoves' offer to accept and apply a private donation of $1M towards the Project.

If option one or two is selected, **THEN ALSO**:

3. Direct the City Manager to initiate a request for proposal (RFP) process for an engineer or construction project manager to act as the City's representative for the Ojai Permanent Supportive Project, with funding for the position drawing from City Housing Trust Funds.

If option one or two is **NOT** selected, then:

4. Provide alternative direction to the City Manager.

DISCUSSION

ERF Grant Award and Project Location Background

In April of 2024, the City of Ojai was awarded $12.7M by the State of California in the third round of the Encampment Resolution Fund (ERF) grant process. The City's approved grant award designated DignityMoves as the non-profit developer of a twenty-unit permanent supportive housing project to be located at Kent Hall, on the greater City Hall campus.

At the time of ERF Grant submittal, the City Council and community expressed concerns regarding the grant application's proposed location of Kent Hall. Accordingly, an effort to determine a potential new location was undertaken. Ultimately, more than ten (10) different locations were reviewed and considered (for reference, please review the Site Selection section of the Ojai Permanent Supportive Housing project landing page). On May 27, 2025, the City Council selected the City's Lower Public Works Yard for the project location. The City received HCD approval for the new site on August 25, 2025, contingent upon the City's commitment to increase the unit count from twenty (20) to thirty (30) units.

Project Design

Based upon input received over two different Planning Commission meetings and multiple City Council meetings, a thirty-unit sustainably-constructed hacienda-style design was developed by DignityMoves. At a Special City Council Meeting on September 30, 2025, the City Council received a walk through of the final plan documents and design and provided feedback to DignityMoves to finalize the construction documents for contractor bidding.

Construction Bid Process

Over the past two years, DignityMoves and the design team have applied their best professional judgement to develop a project that incorporates the requirements of the ERF Grant, the Planning Commission, and the City Council, all while staying within the Development Budget established in the DMA of $9.5M, including all costs necessary for construction of the project.
In July of 2025, DignityMoves conducted a Request for Proposal (RFP) process (under the City's supervision) to pre-qualify potential construction bidders for the project bid process.

Following the prequalification process, four (4) potential construction bidders were determined to be qualified to submit construction bids for the project. The project was put out to bid to the pre-qualified contractors in November of 2025, and the City received three (3) bids in January of 2026 for the "hard" construction costs (tangible expenses for physical construction, such as materials, labor, and equipment) only:

Construction Bid Comparison

Contractor	Base Bid (Hard Cost)	Soft Costs	Total
Scenario 1 — Base bid			
Specialty Construction	$8,916,615	$1,891,268	**$10,807,883**
McGillivray Construction	$9,465,629	$1,913,228	**$11,378,857**
Staples Construction	$10,485,556	$1,954,025	**$12,439,581**
Scenario 2 — With all cost-saving alternates			
Specialty Construction	$8,471,743	$1,873,473	**$10,345,216**
McGillivray Construction	$8,869,320	$1,889,376	**$10,758,696**
Staples Construction	$9,625,646	$1,919,629	**$11,545,275**

Soft costs include a 4% contractor contingency.

Contractor's proposals are valid through May 16, 2026, which is 120 days after the bid submittal date.

Unfortunately, given current construction market conditions, all of the bids for the project as originally designed drove the total budget above $9.5M. Even with all cost-saving alternates applied, total project costs necessitated further value engineering.

In accordance with Sections 3.1 and 3.5 of the DMA, if it becomes apparent that the Development Budget will be exceeded or that funding is insufficient, after being advised of that by DignityMoves, the City and DignityMoves are required to meet and confer to identify and obtain sources of additional funding or agree upon changes to the project to accomplish cost savings and efficiencies to allow the project to be completed with the available funding.

Over the past few months, the teamclosely evaluated the bids, bid alternates, and potential value engineering opportunities, resulting in two versions of the project that meet the core requirements of the ERF grant and the DMA. Following a thorough review and bid clarification process with all 3 participating contractors, Specialty Construction remains the lowest responsive bidder for recommended Options 1 and 2 after accepting certain bid alternates and certain value engineering measures.

Both recommended project options include:

- 30 accessible Permanent Supportive Units with en-suite bathrooms
- A gathering space with a compressed straw panel ceiling
- Hemp insulation throughout
- Administrative and laundry areas
- A peaceful courtyard
- Fenced dog play area
- Accessible pedestrian ramp and stairs to South Ventura Street
- Fire hardened building and landscaping to meet current Very-High Fire Hazard Severity Zone standards

$1M Donation from The Balay Ko Foundation/5 units for Transitional Age Youth (TAY)

In April of 2026, Dignity Moves informed the City that a $1M donation towards project construction had been offered to DignityMoves by The Balay Ko Foundation (please see Attachment 3). As detailed within the attached letter, the donation is for the project as proposed (30-unit hacienda-style structure) at the City's Lower Public Works Yard (611 South Montgomery Street) with the caveat that five (5) of the project's 30 units be designated for Transitional Age Youth (TAY). After learning of the grant opportunity, the City initiated a preliminary discussion with HCD as to whether designating five units for TAY within the project would be allowed under the City's ERF Grant. HCD's preliminary response to the City's inquiry was that HCD was receptive to this proposal since it results in providing housing to an unhoused population, but stated that the City would need to submit a revised ERF Grant Application to formally propose this change to HCD for consideration/approval.

Recommended Bid Affirmation – Specialty Construction

Based on the foregoing evaluation, staff recommends that City Council affirm Specialty Construction as the lowest responsible bidder for the project. Two project options have been developed for City Council consideration, each meeting the core requirements of the ERF grant and DMA. Each project option reflects a different balance of scope and cost savings achieved through bid alternates and value engineering.

1. Recommended Option 1 - $10.5M Project Bid Overview

Under this recommended option, if Council approves the dedication of five (5) TAY units, the remaining costs above $9.5M will be paid for with $1M grant funding from The Balay Ko Foundation. This option includes a 10% contingency and contemplates the following project modifications:

- **Foundation Drainage**
  - Exclusion of foundation drains along the south and east (downhill) sides of the building.
  - Exclusion of a sub-slab drainage system.

- **Materials**
  - In addition to the ceiling of the Gathering Space, compressed straw panels will be used only on one side of the partition walls between the units, increasing the acoustic performance of the walls.
  - Tile roof substituted for lower cost clay tile.
  - Acoustic ceiling panels reduced to 50%.

- **Site and Landscaping**
  - Removal of raised courtyard planters.
  - Removal of steel screens around HVAC equipment.
  - Removal of sandstone address column at Montgomery Street.
  - Removal of storage container and all associated site work.
  - Simplification of trash enclosure to a three-sided structure without a roof or gates.

- **Scope Shifted to Future Operator or Fundraising**
  - Electronic keycard access system.
  - Common area appliances (dishwasher, refrigerator, and freezer).
  - Steel courtyard gates.

Should the City Council select recommended Option 1 ($10.5M project) and authorize five (5) of the units to be designated for TAY, the City's contribution would remain $9.5M of ERF funds in accordance with the DMA. The Balay Ko Foundation donation would allow for a healthy project contingency of 10%, and additional design features such as, compressed straw on interior walls and landscaping, to remain. The donation would be held by DignityMoves and the City would agree on terms for use of funds towards the project consistent with The Balay Ko Foundation's terms. The Development Budget for this option is consistent with the DMA.

The Development Budget and additional details regarding recommended Option 1 expenditures are provided within Attachment 1.

2. Recommended Option 2 - $9.5M Project Bid Overview

Recommended Option 2 fits within the allotted $9.5M budget by selecting additional bid alternates or by further value engineering measures. This option does not include additional grant funding from The Balay Ko Foundation or TAY units. This scope of work is similar to recommended Option 1, but makes these changes:

- Removal of all the planting and irrigation and these elements will be installed as future funding or volunteer resources become available.
- Replaces the courtyard pavers with decomposed granite.
- Compressed straw panels removed from both sides of interior partition walls for units.
- Removal of soffit beams and corbels.
- Colored and stamped concrete replaced with standard grey concrete inside and outside.

- Removal of all acoustic ceiling panels from the General Contractor's scope and installation of such elements by operator or as future funding or volunteer resources become available.
- Contingency reduced to 4%.

Recommended Option 2 ($9.5M project) does not include authorization of TAY units or the $1M donation. The Development Budget for this option is consistent with the DMA. This Development Budget would require either fundraising or future funds to provide landscaping and certain project features, while certain other design features are removed. The contingency for this option is reduced to 4%.

The Development Budget and additional details regarding recommended Option 2 expenditures are provided within Attachment 2.

Next Steps

Should the City Council **select recommended Option 1 or 2** and approve the Development Budget (Attachment 1 or 2) and Development Schedule (Attachment 4):

1. The selected option's Budget and Schedule will be appended to the DMA;
2. If TAY is approved:
    a. City Council will also need to authorize the City Manager to execute an amendment to the City's DMA regarding the use of the $1M donation towards the Project (i.e., either for contingency or other project improvements as described above);
    b. City staff will submit a revised ERF Grant Application for proposed TAY units to HCD for anticipated review/approval; and
3. Issue a Request For Proposals (RFP) for an engineer or construction project manager to act as City's representative for the Ojai Permanent Supportive Project, with funding for the position drawing from City Housing Trust Funds, subject to City Council review/approval of the contract award; and
4. A concept review item for the scope of work for a third-party property manager/program operator for the Ojai Permanent Supportive Housing Project will be brought back for City Council consideration at a near-term City Council meeting.

Should the City Council **provide alternative direction** (not selecting recommended Option 1 or 2) next steps are to:

1. To be determined, based upon specific direction provided.

Should the City Council **take no action**, the City Council must provide direction to the City Manager for:

a. The future plans for Ojai Tent Town (OTT);
b. The status of the City's ERF Grant, and corresponding communication with California Department of Housing and Community Development (HCD) for any proposed future permanent supportive housing project: and

c. Corresponding requisite amendments to the City's adopted FY 25-26 Budget to reflect any required refunds of ERF Grant funds to the State as directed by the California Department of Housing and Community Development (HCD).

CITY COUNCIL GOALS ALIGNMENT
Goal No. 1 - Affordable Housing

OPTIONS
1. Take no action;
2. Provide alternative direction to staff.

FISCAL IMPACT
The Ojai Permanent Supportive Housing Project is funded through the City's $12.7M ERF Grant. Should the City Council select Option 1 or 2, and direct an RFP process for an owner's engineer or construction project manager to act as the City's representative for the Ojai Permanent Supportive Project, the City has approximately $700k in eligible funding within the City's Housing Trust Fund that may be used for this purpose.

The fiscal impact of providing alternative direction or taking no action is not known (some possibilities are outlined within this agenda report). Should the City Council take either of these steps, the City Manager will return to the City Council with an update providing details regarding the fiscal impact.

Prepared by: Ben Harvey, City Manager

ATTACHMENT(S)
A. **Project Budget to Actual, Option 1- $10.5M with TAY**
B. **Project Budget to Actual, Option 2 - $9.5M without TAY**
C. **Donation Letter - Balay Ko Foundation to DignityMoves**
D. **Proposed Design Construction Schedule**

Option 1 (with TAY)

DIGNITYMOVES
REIMAGINING SCALABLE SOLUTIONS TO HOMELESSNESS

City of Ojai
611 S. Montgomery St.
DM Ojai PSH
4/10/2026
30

Original Budget as presented 11/9/25

Awarded GC

Specialty Construction

SITE & BUILDING IMPROVEMENTS

	Division						
Site Work	2 & 31	$766,232	$	25,541	Add allowance for haul off	$604,150	$ 20,138
Concrete & Masonry	3 & 4	$926,385	$	30,880		$783,955	$ 26,132
Metals	5	$120,942	$	4,031		$331,273	$ 11,042
Rough Carpentry, Plastics & Composites	6	$1,295,013	$	43,167		$804,876	$ 26,829
Thermal & Moisture Protection	7	$451,914	$	15,064		$530,688	$ 17,690
Finish Carpentry	8	$588,446	$	19,615		$345,150	$ 11,505
Finishes & Signage	9 & 10	$416,917	$	13,897		$972,128	$ 32,404
Equipment	11	$0	$	-		$7,500	$ 250
Specialties & FFE	12	$2,647	$	88		$74,698	$ 2,490
Special Construction	13	$0	$	-		$0	$ -
Plumbing	22	$972,645	$	32,422		$1,196,441	$ 39,881
Mechanical- HVAC	23	$300,000	$	10,000		$432,000	$ 14,400
Fire Protection	21	$122,033	$	4,068	FP transferred from Div 1	$91,875	$ 3,063
Electrical	16 (26)	$720,655	$	24,022		$513,972	$ 17,132
Exterior Improvements- incl landscape & irrigation, paving, fencing	32	$363,838	$	12,128		$762,373	$ 25,412
Utilities	33	$0	$	-		$12,291	$ 410
SUBTOTAL SITE & BUILDING		**$7,047,667**	$	234,922	**SITE & BUILDING**	**$7,463,370**	$ 248,779

GC FEES & CONTINGENCY

Payment, Performance & Maintenance Bonds	0.50%	$35,238	$	1,175	1.13%	$96,397	$ 3,213
Insurance and Warranty	1.25%	$88,096	$	2,937		included	
General Conditions:	1.87%	$131,740	$	4,391	less solar array	$775,701	$ 25,857
OH & FEE:	5.00%	$352,383	$	11,746	6.00%	$481,147	$ 16,038
GC Contingency/Escalation:	allowance	$200,000	$	6,667	allowance	$100,000	$ 3,333
SUBTOTAL GC FEES & CONTINGENCY		**$807,458**	$	26,915	**GC FEES & CONT.:**	**$1,453,245**	$ 48,442
SUBTOTAL SITE, BUILDING, GC FEES & CONTINGENCY		**$7,855,125**	$	261,837	**SUBTOTAL GC COST:**	**$8,916,615**	$ 297,221

BID ALTERNATES

		Selected?					
Add footing drainings on uphill side of building	1A	NO			$40,130	$0	$ -
Add subslab drainage system	1B	NO			$127,591	$0	$ -
Omit straw panels at interior face of exterior walls	2A	YES			$66,924	-$66,924	$ (2,231)
Omit straw panels from one side of interior partition walls	2B	YES			$59,151	-$59,151	$ (1,972)
Omit straw panels from both sides of interior partition walls	2C	NO			$118,302	$0	$ -
Soffit assembly - replace stucco with 3/8" cement board	3A	NO			$37,315	$0	$ -
Soffit assembly - omit faux beams	3B	NO			$64,372	$0	$ -
Omit storage container; provide footings and power for future	4A	NO			$17,616	$0	$ -
Omit storage container and all associate site work	4B	YES			$36,208	-$36,208	$ (1,207)
Landscape - omit all CMU planters	5A	YES			$73,580	-$73,580	$ (2,453)
Landscape - replace courtyard paving to match concrete at	5B.1	NO			$19,349	$0	$ -
Landscape - replace courtyard paving with decomposed granite	5B.2	YES			$48,171	-$48,171	$ (1,606)

POST-BID VALUE ENGINEERING

Alternate clay tile roofing	1	YES			$78,607	-$78,607	$ (2,620)
Omit dishwasher, fridge & freezer provided at common area from GC Scope	2	YES			$8,040	-$8,040	$ (268)
Omit Keycard Access System from GC Scope	3	YES			$45,856	-$45,856	$ (1,529)
Omit all Plantings and Irrigation from GC Scope	4	NO			$228,993	$0	$ -
Omit Trash enclosure, slab and CMU walls from GC Scope	5	NO			$78,812	$0	$ -
Omit Trash enclosure roof, gates, lighting and steel mesh from GC Scope	6	YES			$78,875	-$78,875	$ (2,629)
Omit Steel gates from GC Scope	7	YES			$77,394	-$77,394	$ (2,580)
Omit steel screens around HVAC units from GC Scope	8	YES			$34,832	-$34,832	$ (1,161)
Replace stamped and colored concrete at exterior areas with grey broom finish typical	9	NO			$22,260	$0	$ -
Replace colored concrete at building interior areas with grey typical	10	NO			$1,286	$0	$ -
Omit sandstone address column	11	YES			$31,029	-$31,029	$ (1,034)
Omit Acoustic Ceiling Panels	12	YES	*Reduced 50%		$94,334	-$47,167	$ (1,572)
Omit ADA ramp, stair and sidewalk return to Ventura St.	13	NO			$666,955	$0	$ -
					SUBTOTAL ALTERNATES:	**-$685,834**	$ (22,861)
TOTAL HARD COSTS & CONTINGENCY AND ALTERNATES:		**$7,855,125**	$	261,837	**HARD COSTS:**	**$8,230,781**	$ 274,359

SOFT COSTS

					UPDATED Soft Costs		
Development Fee	$ 500,000	$	16,667		$ 500,000	$	16,667
Consultants	$ 658,000	$	21,933		$ 658,000	$	21,933
Permit Allowance	$ 75,000	$	2,500		$ 40,000	$	1,333
FFE	$ 0	$	0		$ 0	$	0
Utilities- Sewer, Water, SCE	$ 205,000	$	6,833	Current Sewer Connection	$ 311,603	$	10,387
Legal Fees	$ 30,000	$	1,000		$ 0	$	0
Testing and Special Inspections allowance	$ 25,000	$	833		$ 25,000	$	833
Developer Contingency	$ 126,875	$	4,229	10%	$ 827,895	$	27,597
General Liability Insurance	$ 25,000	$	833		$ 0	$	0
Interest gained shown in negative	$ 0.00	$	-	**As of 2/28/26**	$ (149,891)	$	(4,996)
TOTAL SOFT COSTS :	**$ 1,644,875**	$	54,829	**SOFT COSTS:**	**$ 2,212,607**	$	73,754

SUBTOTAL HARD COSTS & CONTINGENCY	**$ 7,855,124.52**			**$8,230,781**	$ 274,359
SUBTOTAL SOFT COSTS & FFE	**$ 1,644,875**			**$ 2,212,607**	$ 73,754
TOTAL PROJECT COST:	**$9,500,000**	$	316,667	**TOTAL:**	**$10,443,388**	$	348,113
				Difference	$943,388	$	31,446

DIGNITYMOVES
REIMAGINING SCALABLE SOLUTIONS TO HOMELESSNESS

City of Ojai
611 S. Montgomery St.
DM Ojai PSH
4/10/2026
30

Original Budget as presented 11/9/25

Awarded GC

Specialty Construction

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Finishes & Signage	9 & 10	$416,917	$	13,897		$972,128	$	32,404
Equipment	11	$0	$	-		$7,500	$	250
Specialties & FFE	12	$2,647	$	88		$74,698	$	2,490
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SUBTOTAL SITE & BUILDING		**$7,047,667**	$	234,922	**SITE & BUILDING**	**$7,463,370**	$	248,779

GC FEES & CONTINGENCY

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SUBTOTAL GC FEES & CONTINGENCY		**$807,458**	$	26,915	**GC FEES & CONT.:**	**$1,453,245**	$	48,442
SUBTOTAL SITE, BUILDING, GC FEES & CONTINGENCY		**$7,855,125**	$	261,837	**SUBTOTAL GC COST:**	**$8,916,615**	$	297,221

BID ALTERNATES

		Selected?						
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Add subslab drainage system	1B	NO			$127,591	$0	$	-
Omit straw panels at interior face of exterior walls	2A	YES			$66,924	-$66,924	$	(2,231)
Omit straw panels from one side of interior partition walls	2B	NO			$59,151	$0	$	-
Omit straw panels from both sides of interior partition walls	2C	YES			$118,302	-$118,302	$	(3,943)
Soffit assembly - replace stucco with 3/8" cement board	3A	NO			$37,315	$0	$	-
Soffit assembly - omit faux beams	3B	YES			$64,372	-$64,372	$	(2,146)
Omit storage container; provide footings and power for future	4A	NO			$17,616	$0	$	-
Omit storage container and all associate site work	4B	YES			$36,208	-$36,208	$	(1,207)
Landscape - omit all CMU planters	5A	YES			$73,580	-$73,580	$	(2,453)
Landscape - replace courtyard paving to match concrete at arcade	5B.1	NO			$19,349	$0	$	-
Landscape - replace courtyard paving with decomposed granite	5B.2	YES			$48,171	-$48,171	$	(1,606)

POST-BID VALUE ENGINEERING

Alternate clay tile roofing	1	YES			$78,607	-$78,607	$	(36,969)
Omit dishwasher, fridge & freezer provided at common area from GC Scope	2	YES			$8,040	-$8,040	$	(268)
Omit Keycard Access System from GC Scope	3	YES			$45,856	-$45,856	$	(1,529)
Omit all Plantings and Irrigation from GC Scope	4	YES			$228,993	-$228,993	$	(7,633)
Omit Trash enclosure, slab and CMU walls from GC Scope	5	NO			$78,812	$0	$	-
Omit Trash enclosure roof, gates, lighting and steel mesh from GC Scope	6	YES			$78,875	-$78,875	$	(2,629)
Omit Steel gates from GC Scope	7	YES			$77,394	-$77,394	$	(2,580)
Omit steel screens around HVAC units from GC Scope	8	YES			$34,832	-$34,832	$	(1,161)
Replace stamped and colored concrete at exterior areas with grey broom finish typical	9	YES			$22,260	-$22,260	$	(742)
Replace colored concrete at building interior areas with grey typical	10	YES			$1,286	-$1,286	$	(43)
Omit sandstone address column	11	YES			$31,029	-$31,029	$	(1,034)
Omit Acoustic Ceiling Panels	12	YES			$94,334	-$94,334	$	(3,144)
Omit ADA ramp, stair and sidewalk return to Ventura St.	13	NO			$666,955	$0	$	-
					SUBTOTAL ALTERNATES:	**-$1,109,063**	$	(36,969)
TOTAL HARD COSTS & CONTINGENCY AND ALTERNATES:		**$7,855,125**	$	261,837	**HARD COSTS:**	**$7,807,552**	$	260,252

SOFT COSTS

UPDATED Soft Costs

Development Fee		$ 500,000	$	16,667		$ 500,000	$	16,667
Consultants		$ 658,000	$	21,933		$ 658,000	$	21,933
Permit Allowance		$ 75,000	$	2,500		$ 40,000	$	1,333
FFE		$ 0	$	0		$ 0	$	0
Utilities- Sewer, Water, SCE		$ 205,000	$	6,833	Current Sewer Connection	$ 311,603	$	10,387
Legal Fees		$ 30,000	$	1,000		$ 0	$	0
Testing and Special Inspections allowance		$ 25,000	$	833		$ 25,000	$	833
Developer Contingency		$ 126,875	$	4,229	4%	$ 307,736	$	10,258
General Liability Insurance		$ 25,000	$	833		$ 0	$	0
Interest gained shown in negative		$ 0.00	$	-	**As of 2/28/26**	$ (149,891)	$	(4,996)
TOTAL SOFT COSTS :		**$ 1,644,875**	$	54,829	**SOFT COSTS:**	**$ 1,692,448**	$	56,415

SUBTOTAL HARD COSTS & CONTINGENCY	**$ 7,855,124.52**	**$7,807,552**	$	260,252
SUBTOTAL SOFT COSTS & FFE	**$ 1,644,875**	**$ 1,692,448**	$	56,415
TOTAL PROJECT COST:	**$9,500,000** $ 316,667	**TOTAL:**	**$9,500,000** $	316,667
		Difference	$0 $	0

April 7, 2026

City Manager- Ben Harvey
City of Ojai
401 South Ventura Street
Ojai, California 93023

Re: Balay Ko Foundation — $1 Million Commitment to the Ojai Permanent Supportive Housing Project and Proposed Designation of Five Units for Transitional Age Youth

I am writing to share the extraordinary news of a $1 million grant commitment to the proposed 30-unit Ojai Permanent Supportive Housing (PSH) development at 611 South Montgomery Street on the City's Lower Public Works Yard. This grant is exclusively for the 611 South Montgomery Street project site and requires that five of the thirty units be available for homeless Transitional Aged Youth (TAY) (young people between the ages of eighteen and twenty-five who are experiencing homelessness in Ojai and the surrounding Ventura County region).

We believe this grant opportunity merits the City's attention and enthusiasm and we are grateful for the opportunity to share the Balay Ko Foundation's story, its track record, and the significance of its presence at this pivotal moment in Ojai's achievement of the important goals established by the Housing Element of the City General Plan.

About the Balay Ko Foundation

The Foundation takes its name from the Tagalog phrase meaning "My Home"— a declaration of both purpose and philosophy. Its mission is unambiguous and focused: to support nonprofit organizations across California working to solve housing and food insecurity for those experiencing homelessness and hunger. The Foundation does not accept unsolicited grant applications. It conducts its own research, identifies strategic partners, and invests where it believes the greatest and most lasting impact can be achieved. Its grantmaking spans major capital projects, multi-year operational commitments, and targeted matching campaigns. With total assets exceeding $139 million and annual grantmaking of approximately $6.7 million, the Balay Ko Foundation has emerged in just a few years as one of the most consequential private funders addressing homelessness on California's Central Coast. Its geographic heart is the Central Coast — San Luis Obispo, Santa Barbara, and now Ventura Counties — and its presence in a project signals seriousness, organizational strength, and alignment with best practices in the field.

A Proven Partnership: Balay Ko Foundation and DignityMoves

The Balay Ko Foundation's partnership with DignityMoves is one of the defining collaborations in California's response to unsheltered homelessness. Together, they have developed multiple projects across the Central Coast that have moved hundreds of individuals from the street into stability and ultimately into permanent housing. In Grover Beach, in San Luis Obispo County, the Foundation funded permitting, development, and construction costs for the Balay Ko on Barca project, a 30-unit interim housing community built by DignityMoves and operated by the 5Cities Homeless Coalition. In Santa Barbara, the Foundation was a key funding partner for a 35-unit DignityMoves interim housing community developed in partnership with the County of Santa Barbara and Good Samaritan Shelter. In the City of San Luis Obispo, the Foundation contributed to the Calle Joaquin Apartments — a 76-unit Homekey project converting a former Motel 6 into permanent supportive housing — working alongside HCD's Homekey Program, the City and County of San Luis Obispo, and Wells Fargo. In each of these projects, the Balay Ko Foundation has not simply written a check. It has shown up — volunteers from the Foundation have painted sites, prepared rooms, and worked alongside community members to bring dignity into every detail of the physical environment. That ethic of presence and care is as much a part of the Foundation's identity as its capital.

The $1 Million Commitment to the Ojai Permanent Supportive Housing Project

The Balay Ko Foundation's $1 million commitment to the Ojai Permanent Supportive Housing project is a signal — to HCD, to future funders, and to our community — that this project has been evaluated and vetted by one of the most discerning and mission-aligned private foundations working on homelessness in California. The Foundation does not invest lightly, and it does not invest where it does not believe in either the model or the people executing it. **It bears emphasis that this gift is committed specifically to the proposed hacienda-style development at the 611 South Montgomery Street site — it is not a general contribution to homelessness services in Ojai nor it is not transferable to any other project or location within the City.** This investment will directly support the development and implementation of the project, bringing the Foundation's unique combination of capital, community engagement, and institutional credibility to Ojai's effort to permanently house its most vulnerable residents.

Council Direction and the Path to TAY Designation

Among the thirty units proposed for the Ojai Permanent Supportive Housing development, we are requesting that the City Council provide direction to modify the project to designate five units as Permanent Supportive Housing specifically reserved for TAY.

The City has already taken an important step in this direction. Staff spoke with the California Department of Housing and Community Development (HCD) regarding the inclusion of five TAY rooms within the thirty-unit development. HCD indicated that they are supportive of this approach, and that they would likely approve an ERF grant application modification requesting the TAY designation — provided the City Council first provides direction to modify the project accordingly. Council action is the necessary first step. HCD's expressed receptiveness to the modification follows from it.

While Ojai has Mesa Ojai — a transitional housing program serving young adults eighteen to twenty-four — the community currently has no permanent supportive housing designated for transitional age youth. Five units of TAY-designated permanent supportive housing within the Lower Public Works Yard development would be, for this community, an entirely new resource — and a gateway to future funding that would not otherwise be available. TAY designation opens eligibility for a range of state and federal funding streams specifically linked to youth homelessness and young adult services. Once the project is complete and operational with designated TAY units, the City and its service partners will be positioned to access those additional resources. Without the TAY designation, that door remains closed. Including these five units now is not only the right thing for the young people who need them — it is a strategic investment in the long-term funding health of the entire project.

The Balay Ko Foundation's commitment to this project reflects its recognition that the TAY designation deepens, not complicates, the project's mission — it ensures that among those who come home, some of the youngest and most vulnerable will be there too.

Conclusion

Ojai has an opportunity before it that few small cities ever receive: a $1 million private investment from one of California's most focused and mission-driven philanthropic foundations, paired with a proven developer, a community-rooted services partnership, and a population — our transitional age youth — who are ready to come home.

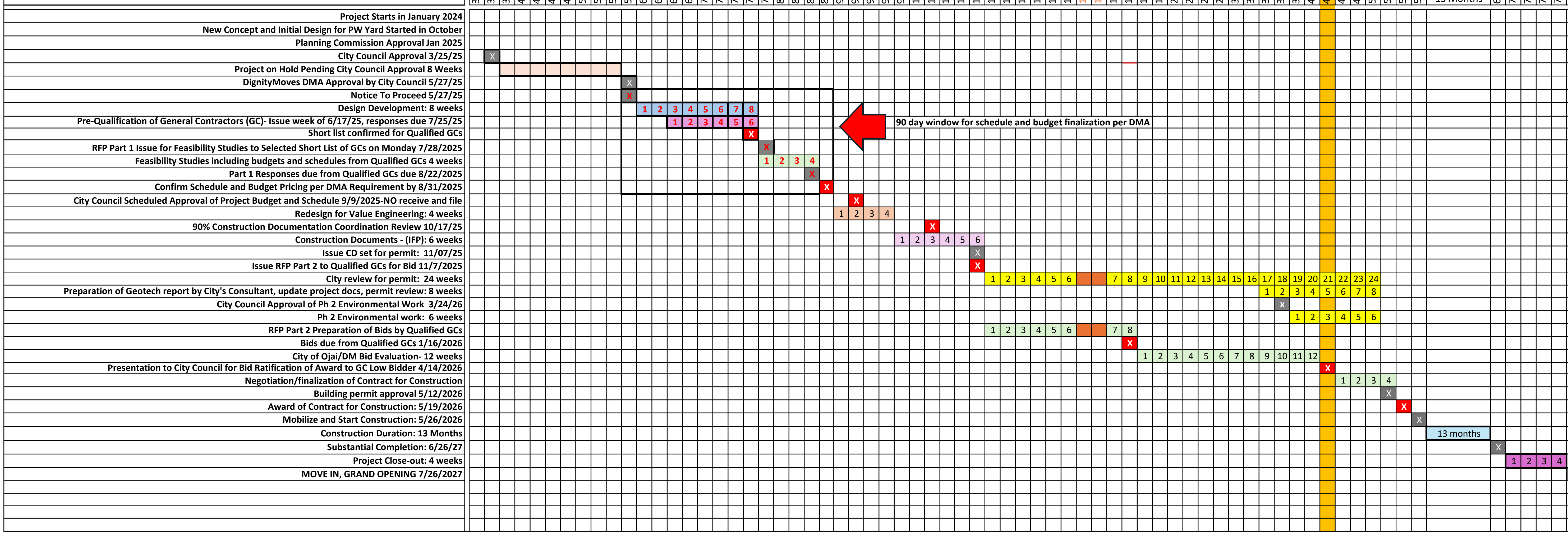
We are grateful for the City's partnership in this effort and for the Council's consideration of direction to modify the project to include five TAY-designated units — a step that would unlock HCD's likely approval of the ERF modification, open the door to future TAY-specific funding, and make five of these thirty homes a lifeline for young people in Ojai who have nowhere else to turn. We welcome any questions, and we look forward to continuing to build this project together.

Respectfully,

David Grunwald

David Grunwald
Managing Director
DignityMoves

OJAI Permanent Supportive Housing
611 South Montgomery St, Ojai CA 93023



Permanent Supportive Housing/DignityMoves Project Bid Affirmation

City of Ojai - City Council Meeting
April 14, 2026

INTRODUCTION AND BACKGROUND

Presented by: Ben Harvey, City Manager
City of Ojai

ERF GRANT OVERVIEW

Award Amount: $12.7M Encampment Resolution Fund (ERF) grant

Award Date: April 2024

Funding Purpose: Transition individuals living in homeless encampments into safe, stable housing

PROJECT BACKGROUND

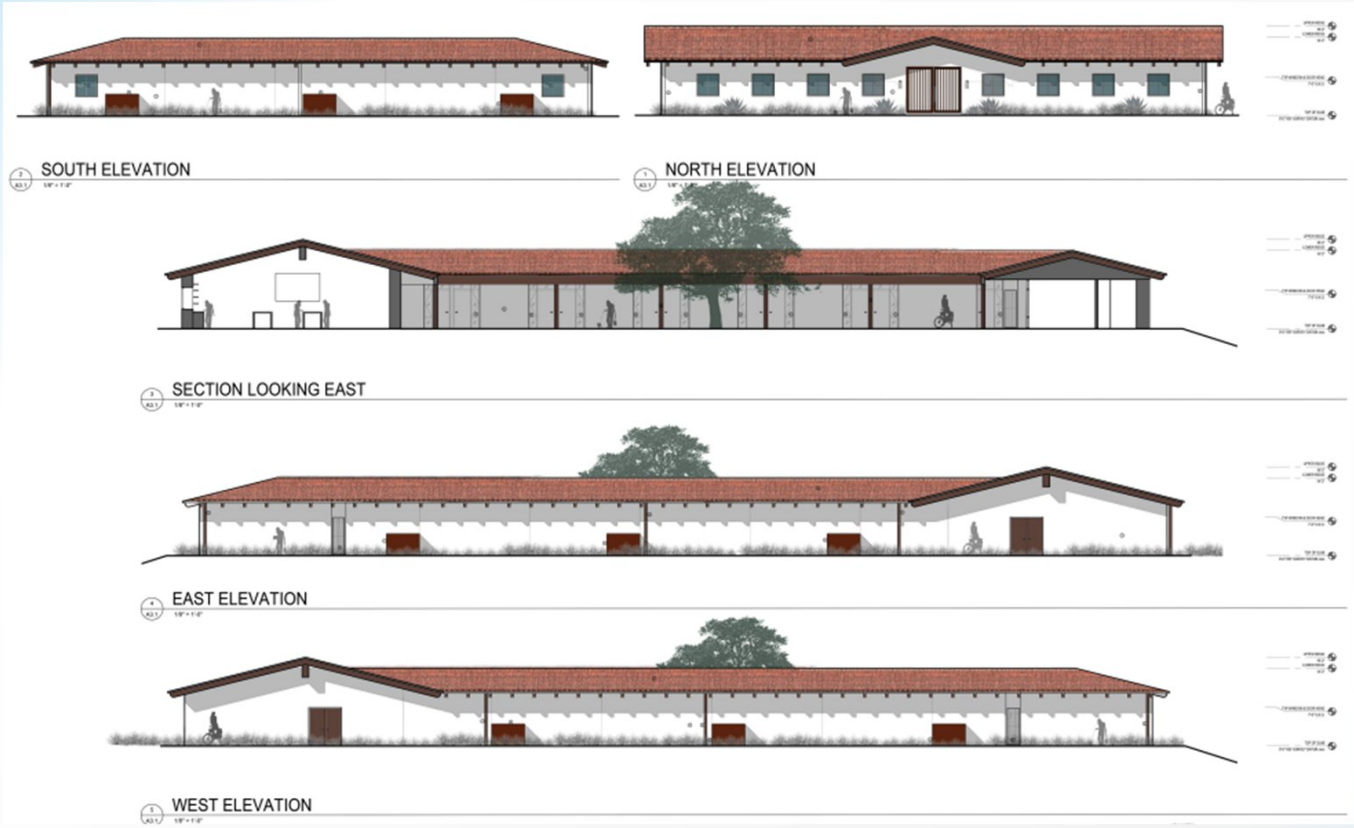
Sites Vetted: More than 10 potential sites were evaluated

Site Selected: Lower Public Works Yard Approved by City Council, May 27, 2025

PROJECT OVERVIEW

Presented by: Ben Harvey, City Manager
City of Ojai

DESIGN AND KEY HOUSING FEATURES



Private Supportive Housing Units

30 units hacienda style feature en-suite bathrooms ensuring privacy and dignity for residents.

Community Amenities and Layout

The site includes offices, laundry, gathering spaces, courtyard, and a small fenced dog area for community interaction.

Sustainable and Fire-Resistant Design

Design employs fire-hardened structures, compressed straw paneling, hemp insulation, and efficient site circulation for resilience.

Resident Support and Independence

Onsite supportive services promote resident stability, independence and community cohesion.

BID PROCESS & BUDGET CONSIDERATIONS

Presented by: Ben Harvey, City Man
City of Ojai

BID PROCESS

4 pre-qualified contractors identified following RFP under City supervision

Competitive Bid Process undertaken

Specialty Construction Lowest Responsive Bidder

CONSTRUCTION BID COMPARISON

Contractor	Base Bid (Hard Cost)	Soft Costs	Total
Scenario 1 — Base bid			
Specialty Construction	$8,916,615	$1,891,268	**$10,807,883**
McGillivray Construction	$9,465,629	$1,913,228	**$11,378,857**
Staples Construction	$10,485,556	$1,954,025	**$12,439,581**
Scenario 2 — With all cost-saving alternates			
Specialty Construction	$8,471,743	$1,873,473	**$10,345,216**
McGillivray Construction	$8,869,320	$1,889,376	**$10,758,696**
Staples Construction	$9,625,646	$1,919,629	**$11,545,275**

Soft costs include a 4% contractor contingency.

$1M DONATION TO DIGNITY MOVES FROM THE BALAY KO FOUNDATION

Presented by: Jeff Gaddess, DignityMoves

OPTION 1 - $10.5M WITH 5 TAY UNITS AND $1M DONATION

Presented by: Dylan Johnson, AIA, LEED AP
DignityMoves

OPTION 2 - $9.5M WITHOUT TAY UNITS WITHOUT $1M DONATION

Presented by: Dylan Johnson, AIA, LEED AP
DignityMoves

OTHER OPTIONS

- Provide Alternative Direction to Staff
- Take No Action

QUESTIONS/COMMENTS

Administrative Report

TO: **Honorable City Council**

FROM: **Ben Harvey, City Manager**
Bethany Burgess, City Attorney

MEETING DATE: **April 14, 2026**

SUBJECT: **Adopt Revisions to the City Council Protocols to Establish Quasi-Judicial Hearing Procedures *(City Council Direction)***

RECOMMENDATION

Adopt Resolution No. 2026-9 approving revisions to the City Council Protocols and adopting a policy for Quasi-Judicial Hearings as an attachment to the Council Protocols.

DISCUSSION

In the fall of 2025, City Council received an appeal following its audit of Transient Occupancy Tax receipts. The City Council initially opened the appeal for a public hearing, but due to the lack of a formally adopted public hearing policy that established procedures for appeals, there was lack of clarity regarding certain aspects of the appeal procedure. As a result of this hearing, City Council requested that the City Attorney bring a formal policy to City Council for use on quasi-judicial matters where the Ojai Municipal Code (OMC) is silent as to the specific procedures that must be followed.

The proposed policy attempts to add clarity for the City Council, City staff, applicants for City approvals, and appellants to ensure that the process is fair and equitable for all parties and to also ensure that City Council is provided with sufficient time to review materials submitted by the parties in advance. Adoption of this policy will also help ensure that applicants and appellants are informed regarding the specific procedures that will be used by the City with respect to City approvals that may be subject to either a requirement for a public hearing, or that may be subject to appeal.

The policy will apply to appeals filed under Chapter 1-4 of the Ojai Municipal Code and may apply to other quasi-judicial public hearings and appeals under other sections of the OMC where the OMC fails to otherwise establish procedural requirements. Where the OMC provides different requirements for specific types of appeals, the more specific procedures will apply.

Additionally, the Resolution will approve an additional change to the Council Protocols to reflect that City Council follows Rosenberg's Rules of Order, as provided by the Ojai Municipal Code.

CITY COUNCIL GOALS ALIGNMENT

Goal No. 9 - Communication and Relationships

OPTIONS

1. Do not adopt revisions to the Council Protocols and the Quasi-Judicial Hearings policy.
2. Provide alternate direction.

FISCAL IMPACT

Adoption of the policy will not have a fiscal impact on the City. City staff and potentially outside contractor time may be required related to quasi-judicial hearings and appeals covered by this policy, but adoption of this policy is not expected to have a greater financial impact on the City.

Prepared by: Bethany Burgess, City Attorney

ATTACHMENT(S)

A. Resolution No. 2026-9
B. City Council Protocols – Revised (Exhibit A to Resolution No. 2026-9)
C. Quasi-Judicial Hearing Procedures (Exhibit B to Resolution No. 2026-9)

CITY OF OJAI

RESOLUTION NO. 2026-9

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OJAI, CALIFORNIA, ADOPTING REVISIONS TO THE CITY OF OJAI COUNCIL PROTOCOLS IN ORDER TO ESTABLISH QUASI-JUDICIAL HEARING PROCEDURES

WHEREAS, pursuant to the Ojai Municipal Code ("OMC") the City Council for the City of Ojai ("City Council"), certain City advisory boards and commissions, and City staff are required to conduct quasi-judicial public hearings from time-to-time as the review body or related to appeals filed by an applicant or appellant; and

WHEREAS, in order to facilitate a more transparent process, the City Council desires to formally adopt a policy establishing procedures for public hearings; and

WHEREAS, the formal adoption of public hearing procedures helps ensure that applicants for City approvals and appellants of administrative and quasi-judicial decisions are provided sufficient due process; and

WHEREAS, the City Council desires that these public hearing procedures should be included as an attachment to the City Council's adopted Council Protocols; and

WHEREAS, the City Council also desires to make other clean-up revisions to the Council Protocols to ensure consistency between the OMC and the Council Protocols, specifically to update the references to the Council Rules of Procedure from Robert's Rules of Order to Rosenberg's Rules of Order, as further reflected in Exhibit "A" to this Resolution;

WHEREAS, the revised Council Protocols attached hereto as Exhibit "A" further incorporate the Quasi-Judicial Hearings policy attached hereto as Exhibit "B."

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF OJAI, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The recitals set forth above are hereby incorporated by reference to the same extent as if restated herein.

SECTION 2. The City Council adopts the revised Council Protocols attached hereto as Exhibit "A."

SECTION 3. The City Council further adopts the Quasi-Judicial Hearings policy attached hereto as Exhibit "B" which such policy will be an attachment to the Council Protocols.

SECTION 4. This Resolution shall be effective upon its approval.

PASSED, APPROVED AND ADOPTED on ____, 2026.

CITY OF OJAI, CALIFORNIA

_____
Andy Gilman, Mayor

Date: _____

ATTEST:

_____
Steve Quilici, City Clerk

APPROVED AS TO FORM:

_____
Bethany A. Burgess, City Attorney

I, Weston Montgomery, Chief Deputy City Clerk of the City of Ojai, certify that Resolution No. 2026-9 was adopted at a regular meeting held _____, 2026, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

_____
Weston Montgomery, Chief Deputy City Clerk



City of Ojai

Council Protocols

Presented June 10, 2025,

rev. April 14, 2026

Presented June 10, 2025

Adopted by the Ojai City Council on June 10, 2025, Resolution No. 25-22

Andy Gilman, Mayor
Rachel Lang, Mayor Pro Tem, District 2
Leslie Rule, Council Member, District 1
Andrew Whitman, Council Member, District 3
Kim Mang, Council Member, District 4

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Purpose and Intent of Protocols

The residents of the City of Ojai are entitled to have fair, ethical and accountable local government. It is necessary that the public have confidence in the integrity of its government and in those who represent them. The purpose of these protocols is to set forth policies and provisions, including rules of decorum beyond those required by state law.

City Council Members bear responsibility to make decisions that are in the best interest of the City. The City Council must be independent, impartial and fair in its judgment and actions and will conduct public deliberations and processes openly, in an atmosphere of civility. All City Council deliberations shall be conducted respectfully.

Redevelopment Successor Agency

Ojai's City Council also serves as its Redevelopment Successor Agency; therefore, these protocols are intended for use by both the City Council and Redevelopment Agency Successor Agency.

I. Statutory Requirements/Regulatory Guidelines

Certain state laws and other established regulations exist which govern various responsibilities of the City Council.[1] Therefore, this protocol document is not intended to be comprehensive in scope, but contains those issues and topics generally not covered by other laws or statutes.



This document will grow to include new items as they are identified at the request of the Council. This protocol document is not intended to supersede any existing statutes or regulations, but does reiterate some requirements to increase its value as a tool for new Council Members.

These protocols may be amended by a majority vote of the Council Members. In the event of any conflict between these protocols and applicable state or federal law, the applicable state or federal law shall control.

[1] California Government Code § 54953(a).

A. The Brown Act

The Ralph M. Brown Act is a law which provides that all meetings of a legislative body, whether meetings of the City Council or its appointed commissions and committees, shall be open and public and all persons shall be permitted to attend.[2]

Notices of such meetings must be given 72 hours prior to the meeting for regular meetings and 24 hours prior to the meeting for special meetings.[3]

What is Considered a Meeting?

A "meeting" takes place whenever a quorum is present and subject matter related to the City's business is heard, discussed, or deliberated upon.[4] The presence of more than two Council Members at any City commission meeting, a meeting of general interest to the public or a social event shall not be construed to be a violation of the Brown Act, so long as the Council Members present do not discuss, among themselves, issues within City Council jurisdiction.[5]

Non-public Meetings: Most are Prohibited under the Brown Act

The Brown Act prohibits non-public meetings, except for lawful closed sessions. It also prohibits a majority of the Council Members from using, "a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body."[6]

These prohibitions are to be kept in mind by Council Members when communicating via email. A Council Member's "reply all" to an e-mail related to City business and sent from a constituent to all Council Members, if it contains substantive discussion of the matter, could be construed as a "meeting" taking place with a quorum present outside of public view. To avoid this risk, Council Members should exercise caution when emailing the entire City Council.

B. Political Reform Act

The Political Reform Act states that public officials shall perform their duties in an impartial manner, free from bias caused by their own financial interests or the financial interests of persons who have supported them. The Political Reform Act establishes regulations regarding Conflicts of Interests and Campaign Disclosure Provisions.[7]

Ojai's City Clerk provides forms and information to assist Council Members and candidates in complying with the Political Reform Act.

[2] California Government Code § 54954.2(a)(1).
[3] California Government Code §§ 54954.2(a)(1), 54954.2(a)(1) and 54956(a) and (c).
[4] California Government Code § 54954.2(a)(1).
[5] Ibid.
[6] California Government Code § 54952.2.
[7] California Government Code §§ 81000-91015.

C. Ojai Municipal Code

The City of Ojai Municipal Code consists of those codified ordinances pertaining to the development of the City and its environs, and of general municipal regulations and laws, together with Secondary Codes adopted by reference.

Each and all of the provisions, terms and penalties of the Code are on file in the office of the City Clerk of the City of Ojai.

D. Rosenberg's Rules of Order

Section 2-1.202 of the City of Ojai Municipal Code states that all meetings of the Council shall be conducted in accordance with Rosenberg's Rules of Order. However, no ordinance, resolution, or other action of the City Council shall be invalidated or the legality thereof otherwise affected by the failure or omission of the City Council to observe or follow such Rules.[8]

[8] City of Ojai Municipal Code § 2-1.202.

II. Council Powers and Responsibilities

A. General Council Powers and Responsibilities

The Council acts as a body. Policy or protocols are established by a majority vote; a decision of the majority binds the Council to a course of action. No Council Member has extraordinary powers beyond those of other Members except as specified for the Mayor or Mayor Pro Tem in the Ojai Municipal Code, these protocols, or applicable law.

1. Confidential Information

Council Members shall respect the confidentiality of information concerning City property, personnel or proceedings of the City. Council Members shall not disclose confidential information without proper legal authorization or use such information to advance their personal interests or the interests of other parties.

2. Handling of Litigation

Council Members shall keep all written materials and verbal information provided to them concerning litigation in complete confidence to ensure that the City's position is not compromised. No disclosure or mention of information in these matters shall be made to anyone other than Council Members, the City Attorney, City Manager or City Clerk, or as otherwise allowed by applicable law.

3. City Council Absences

If a City Council Member is going to be absent from a City Council meeting, the Member shall notify the City Manager, who shall advise the Mayor and City Clerk.

At the beginning of each City Council meeting there will be a roll call. Any absences will be recorded and absences from the City Council meeting for that evening will be deemed approved and excused, absent an objection by a fellow Council person, which shall be seconded and voted on by the entire City Council.

B. Council Organization

1. Mayor

In November of 2014, Ojai voters approved changing the Council's leadership structure from an appointed Mayor chosen via rotation from among Council Members, to having a directly elected Mayor.



Beginning November 2016, the Mayor is elected for a two-year term. The directly elected Mayor is a Member of the City Council and has all of the powers and duties as a Council Member, in addition to the powers and duties provided for by applicable law,[9] the Ojai Municipal Code, and these protocols.

Additional Mayoral Powers

The Mayor's additional powers and duties beyond those of a Council Member are the following:

1. The power to call a Special Meeting of the Council.[10]
2. The power to add items to the Council agenda without the need for concurrence by another Member of the City Council, as provided by these protocols;
3. The power to make appointments to the various City commissions and boards, subject to approval by the Council and these protocols;[11]
4. The duty to sign ordinances, resolutions, and contracts as approved by the Council,[12] the power to administer oaths and affirmations and to acknowledge the execution of any City contract or instrument.[13]
5. In coordination with the City Manager, provide advance approval of any special projects assigned to the City requiring 10 hours of work or more. These projects may be approved by the City Manager and the Council, or by the City Manager and the Mayor.[14]

[9] California Government Code §§ 40601 through 40605.
[10] California Government Code §§ 54956.
[11] California Government Code § 40605, Ojai Municipal Code § 4-16.101 [Arts Commission], §§ 10-1.01 & 10-104 [Planning Commission], § 2-4.102 [Parks and Recreation Commission] and § 4-8.03 [Historic Preservation Commission].
[12] California Government Code §§ 36932, 40602 and 40204.
[13] California Government Code §§ 40603 and 40604.
[14] Fourth Amendment to Legal Services Agreement with Colantuono, Highsmith & Whatley, PC, Exhibit A, Scope of Services and Applicable Billing Rates, effective August 1, 2024.

2. Newly Elected Members

Even before being sworn into office, newly elected Council Members are subject to the provisions of the Brown Act. Newly elected Council Members shall not be allowed to attend closed sessions of the Council before being sworn into office.[15]

Staff, including the City Manager, City Clerk, and City Attorney, shall provide newly elected Council Members with an orientation sufficient to familiarize them with the following:

- Subjects covered in these protocols
- The structure and organization of the City and its Departments
- The City's operative budget and financial characteristics
- The Brown Act
- The Public Records Act
- The Political Reform Act and other conflicts of interest laws
- Tasks and procedures Council Members will need to know to conduct their work as Council Members

The City Manager will also facilitate introductory meetings for newly elected Council Members and each department head, to allow Council Members the opportunity to meet the City's management staff and to begin to understand the work of each department.

3. Installation of New Council Members

The City of Ojai holds its municipal elections in even-numbered years. The terms are staggered so that in one election year, two Council Members are elected, and three are elected the next election year. This results in stability and experience for the Council, since the Council always includes at least two experienced Members.

City elections are usually consolidated with statewide elections. After a canvass of the votes cast and certification of the results, newly elected Council Members, as well as the elected Mayor, are installed at the first regularly scheduled Council meeting in December following a Council election.

Annually in December, the City Council shall re-organize with, if appropriate, the empaneling of the elected Mayor and any new Council Members.

4. Mayor Pro Tempore

At this time the Council selects the Mayor Pro Tempore (Mayor Pro Tem). The selection of Mayor Pro Tem is discretionary by the Council.

5. Presiding Officer of Meeting

The elected Mayor is the presiding officer of the City Council and shall facilitate Council meetings. In this role, the Mayor assists the Council to focus on the agenda, discussions and deliberations. In the absence of the Mayor, the Mayor Pro Tem presides over the meeting.

[15] California Government Code § 54952.1.

6. Ceremonial Representative(s)

The Mayor is the official head of the City for all ceremonial purposes. Should an individual Council Member other than the Mayor be asked to make a ceremonial presentation that Member should redirect the request to the Mayor.

In the absence of the Mayor, the Mayor Pro Tern or another Council Member appointed by the Mayor shall assume these responsibilities.

7. Seating Order

At the time of the annual Council reorganization, the Mayor shall have the prerogative to designate the seating order for the Council dais.

C. Council Communications

1. Communications Representing the Council's Position or Policy

All Council Members when representing the Council should present the Council's position or policy, even if personal opinion is different on the item or issue and there was not a unanimous vote.

A. Stating Personal or Non-representative Opinions

Council Members should use caution in stating an opinion that is contradictory to or an expansion of the Council body's views. He or she should specifically state that the Council Member is offering a personal opinion and that the statements do not represent the position of the City Council.

Council Members should also remain mindful of the fact that a Council Member speaking before another panel is an act that is political in nature, regardless of whether the Council Member speaks personally or as a representative of the Council.

Additionally, legal questions could arise if a Council Member were to fail to act as directed by the Council. For example, if a Council Member sits on another panel as a representative of the Council and fails to vote as directed by the Council.[16]

Please refer to Section 2, below, *Representation by Council Members for Other Agencies or Groups*, for additional information.

B. Legislative and Quasi-judicial Questions

The residents of Ojai deserve Council Members who are neutral decision-makers, make decisions based solely on the evidence in the record, and not before a case is heard in full. Therefore Council Members should use extra caution when speaking before a City commission or another agency's panel, on issues that the City Council has not yet discussed or taken a position on.

[16] See California Government Code § 36813 [Council may adopt rules for its members]. A Council action, lawfully taken, to direct the vote of one of its members who sits on another body as a representative of the City is enforceable under this provision.

Generic or General Questions

If a matter is legislative and lacks an applicant with a due process right—for example, if the topic in question is generic in nature such as a general discussion about a certain type of ordinance—then the Council Member may speak freely and state his or her preferred position.[17]

Questions Involving a Potential Applicant or Appellant

However, if a matter is legislative or quasi-adjudicative and involves an applicant or appellant on a specific matter, then the Council Member should refrain from stating an opinion before close of the public hearing.

Doing so preserves the Council Member's role as a neutral decision maker and ensures that his or her decision is based solely and the evidence in the record, including the entire public hearing.

The legal risk is such that a Council decision could be overturned if a biased or pre-decided Council Member participated in it.[18]

Tools: Speak with Caution, Recuse if Necessary

To avoid such risks, Council Members should speak cautiously, if at all, on matters involving an individual where the matter may be appealed to the Council.

If a Council Member finds him- or herself in a situation where it is imperative to take a public position, the Council Member should later recuse him- or herself from any vote on the matter once it reaches the Council. Doing so protects the City by preventing an argument of bias or pre-decision being used to challenge the Council's decision.[19]

C. Legislative and Quasi-judicial Matters and Council Electronic Communications

Also in the interest of neutrality, Council Members should avoid communicating via e-mail, social media or other forms of electronic communication, on quasi-judicial questions that might eventual come before the Council.

As noted above, Council Members should stay aware of the nature of matters as they arise, and tailor their comments depending upon whether the matter is general or generic government and legislative in nature, or whether an individual's potential due process rights might be at stake.

2. Communications Representing the Council to Other Agencies or Groups

Council Members should serve as representatives of the Council body and as such should reflect the official policies and positions of the City Council.

---

[17] *Nasha LLC v. City of Los Angeles* (2004) 125 Cal.App.4th 470, 482 ["Quasi-legislative acts are not subject to procedural due process requirements while those requirements apply to quasi-judicial acts regardless of the guise they may take."][citations omitted].

[18] *Nasha LLC v. City of Los Angeles* (2004) 125 Cal.App.4th 470, 483-484 [Planning Commission decision overturned due to article authored by Planning Commissioner that stated negative opinion regarding a project].

[19] *Nasha LLC v. City of Los Angeles* (2004) 125 Cal.App.4th 470, 482 ["Procedural due process in the administrative *setting* requires that the hearing be conducted before a reasonably impartial, noninvolved reviewer."].

If a Council Member appears before another governmental agency or organization to give a statement on an issue affecting the City, the Council Member should indicate whether the Council has taken a vote on the matter, whether that position if extant, and whether the Council Member is speaking as a representative of the Council or is instead speaking as an individual Council Member.

This is particularly important if a Council Member was in the minority on a matter, to ensure that the other agency is told the majority position of the Council.

For example, say a Member of the Council were to speak before the Ventura County Transportation Commission on a transportation issue that affects residents of the City of Ojai. The Council Member should state the Council's view on the matter if the Council has adopted a majority position, in addition to stating the Council Member's views.

3. Ex Parte Communications



Ex parte communications are defined as: written or oral statements that are unilateral, which do not allow all officials to have an equal opportunity to receive the information.[20] This includes electronic communications, such as emails and text messages.

Council Members are expected to communicate and receive information from their constituents regarding City matters. The receipt of information alone on a matter does not necessitate recusal or disqualification from considering a matter.

Council Members may consider information from any source when evaluating legislative matters.

Council Members must base decisions on quasi-judicial matters, including the findings supporting that decision, on the information available in the record of that proceeding, such as the application, written and oral comments at the public hearing, and the staff report.[21]

Ex parte communications designed to influence an official decision or to obtain a more favored treatment or special consideration should not be encouraged by the Council.

It is the responsibility of Council Members to publicly share specific substantive information that is relevant to a matter under consideration that they have received from sources outside the decision-making process. This is particularly true for quasi-judicial

[20] See *English v. City of Long Beach* (1950) 35 Cal.2d 155, 158 ["Administrative tribunals which are required to make a determination after a hearing cannot act upon their own information, and nothing can be considered as evidence that was not introduced at a hearing of which the parties had notice or at which they were present."].
[21] See *Topanga Association for a Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d 506, 511.

matters if the Council Member relies on that information derived from an ex parte source as part of the basis of a quasi-judicial decision.[22]

For example, on a land-use appeal, the Council is required by law to decide based solely on the evidence in the record.[23] The Council's decision on such a quasi-adjudicative matter could be subject to litigation and over-turning if a challenger could prove the decision was made using ex parte communications as described above.

Specifically, the decision could be overturned if a challenger proved it was based on information that was not within the record and was instead acquired via an ex parte communication outside the public hearing and which all Council Members did not receive and the applicant or appellant did not have a chance to respond to.[24]

To minimize this risk, Council Members should disclose ex parte communications on any matter subject to due process, for example, a land use permit hearing, on the record by stating, briefly, who they communicated with and a synopsis of the substance of the communication.[25]

A. Correspondence from the Public and Ex Parte Communication

A correspondence concerning only the status of a pending matter shall not be regarded as an ex parte communication. While communication from the public to Council is encouraged, ex parte communications received by one Council Member should be shared with all Council Members and the public before or during the public discussion on the matter.

B. Tools for Ensuring Open Communication

If a Council Member is unsure about the availability of information they have received to the entire Council; the Council Member should ask that staff assist in disseminating such communications to the entire Council and to the public, via inclusion in the packet or on the dais as public communications received.

Council Members should be cautious in their replies to constituent communications sent to the entire Council, ensuring that responses from a Council Member to those communications do not inadvertently become a serial meeting with substantive discussion of a matter by a majority of the Council outside of a public meeting.[26]

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[22] Compare *Todd v. City of Visalia* (1967) 254 Cal.App.2d 679, 692 [City Council members are expected to receive information from constituents regarding City issues; absent evidence that Council member relied on specific information outside the record the decision was affirmed], with *Clark v. City of Hermosa Beach* (1996) 48 Cal.App.4th 1152, 1171 [land use decision reversed, in part, because Council Members' concerns with project were raised based on information outside record and after public hearing closed, depriving applicant of chance to respond to that additional information].

[23] *Topanga Association for a Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d 506, 511.

[24] *Clark v. City of Hermosa Beach* (1996) 48 Cal.App.4th 1152, 1171.

[25] See The California Municipal Law Handbook (Cal CEB) § 10.420 [Recommending disclosure of ex parte contacts and information received in quasi-judicial matters, allowing interested parties and public opportunity to comment on that information].

[26] California Government Code § 54952.2, subdivision (b)(1).

4. Communications Using City Stationery – Physical and Electronic

A. Definition of City Stationery, Letterhead or Logo

The City's stationery refers to the City's letterhead or simply the City logo displayed on paper or digital correspondence. The City's "letterhead" refers to a heading at the top of a correspondence that includes the City's logo and contact information. The City's logo is also sometimes used alone in correspondence.

B. Importance of City Stationery

City stationery is more than merely a means of correspondence. It is a physical and digital representation of the City or the Council. Use of the letterhead or logo connotes official City business and City endorsement.

Council Members may use City stationery if directed by the Council on a particular matter of Council business. All such correspondence using City resources and City stationery shall be copied to the full Council.

C. Personal use of City Stationery or Logo is Prohibited

No Council Member shall use City stationery or the City logo, whether in hard-copy or in electronic form, for personal business or to offer a personal endorsement of any service, product or candidate. It is also inappropriate for a Council Member to offer a letter of referral or personal reference using City stationery, except as authorized by the Council.

5. Communications Regarding Staff Performance

Any concerns by a Council Member over the behavior or work of a City employee should be directed to the City Manager privately. Council Members shall not reprimand employees directly, or communicate their concerns to anyone other than the City Manager.[27]

[27] Ojai Municipal Code § 2-3.07.

D. Council Commissions and Committees

City commissioners serve as advisory bodies to facilitate public input and citizen participation in the determination of public policies. This is accomplished by formulating recommended courses of action and policy to the City Council with whom final determination rests. City commissions are established by ordinances that are part of the City of Ojai Municipal Code.[28]

1. Representation by Council Members at City Commission Meetings

Council Members serve as Council representatives for City commissions with on a three- month rotation. This provides the Council with an overview of the issues and methodologies used by City commissions to make recommendations to the Council. Typically Council Member liaisons attend commission meetings in person but are not required to.

Council Members, in this liaison capacity, should remain neutral in any actions and should refrain from stating opinions that might influence an action or decision by the commission. Appeals of commission decisions are heard by the City Council which should remain unbiased.

Generally, no more than two Council Members should attend commission or committee meetings due to potential violations of the Brown Act. However, if more than two Council Members do attend a noticed meeting of a City commission or committee, they shall not discuss, among themselves, any subject matter under City Council jurisdiction.

2. Appointments to Commissions, Committees and Citizen Advisory Groups

City commissions, committees and citizen advisory groups are comprised of residents of the Ojai Valley and are appointed by the City Council.When a vacancy occurs or a term expires, the following steps are taken to fill the vacated seat:

- When a vacancy or term expiration occurs for City commissions, committees and citizen advisory groups or for local and regional groups for which the City fills vacancies, such as County of Ventura citizen commissions, the City Clerk department shall advertise for open positions in the local newspaper, the City's web site, and by posting notice on a bulletin board at City Hall.
- The City Clerk department shall advertise vacancies and term expirations according to the following timeline:
- For unexpected vacancies, advertisements should be posted as soon as possible, following notification of the pending vacancy.
- For vacancies due to term expiration of active commissioners or committee members, the City Clerk Department shall post as soon as possible following the meeting immediately prior to the term expiration date.
- The City Clerk Department will list the application deadline with the objective of providing as much lead time as anticipated to give residents time to response and for the City to obtain a reasonable applicant pool.

[28] California Government Code § 40605, Ojai Municipal Code § 4-16.101 [Arts Commission], §§ 10-1.01 & 10-2.104 [Planning Commission], § 2-4.102 [Parks and Recreation Commission] and § 4-8.03 [Historic Preservation Commission].

- Residents who desire to be considered for appointment to a commission, committee or citizen advisory group should contact the City Clerk department to receive an application or download an application from the City's website.
- Commissioners whose terms have expired will receive notification from the City Clerk department. If a commissioner wishes to be reappointed, the City Clerk department shall have the commissioner confirm this request in writing.
- The City Clerk department shall receive applications and confirm applicants meets any applicable residency requirements to fill the vacancy. The Ojai Municipal Code outlines the number of City residents and non-residents who can serve at one time on each commission.[29]
- The City Clerk department will notify the Mayor, the City Council and pertinent commission Chair of any vacancies and number of received applications.
- Commission interviews and appointments shall be made under the applicable provisions of the Ojai Municipal Code as it reads at the time of the vacancy.
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3. City Commission and Committee Recognitions upon Leaving Office



The City of Ojai recognizes that commissioners and committee members put in long hours on a volunteer basis working in the interests of the public and the City for the betterment of the community. Some serve on their commission for years or even for decades.

It is important and appropriate that these dedicated volunteers' dedication be recognized.

Therefore, upon leaving office, the City honors commissioners and committee members who have served for certain time periods via the following:[30]

- Commissioners and committee members who have completed less than five years of office shall be presented with a certificate of commendation.
- Commissioners and committee members who have completed at least five years but less than ten years will be presented with a proclamation.

[29] Ojai Municipal Code § 4-16.101 [Arts Commission], §§ 10-1.01 [Planning Commission], § 2-4.102 [Parks and Recreation Commission] and § 4-8.03 [Historic Preservation Commission].
[30] Added April 12, 2011 via City Council Resolution No. 11-15.

- Commissioners and committee members who have completed at least ten years or more of service will be presented with a City tile plaque containing name, commission name, and dates of service and placement of a brass plate containing name, commission name, and dates of service on the City's "Wall of Honor."

III. City Council Meetings

Meetings of the Council are open to the public and shall be conducted in accordance with the laws of the State of California and the City of Ojai. The proceedings shall be guided by Rosenberg's Rules of Order (latest revised edition), but failure or omission to observe or follow such Rules will not deem invalid or otherwise affect the outcome or action of the City Council.[31]

Council Members shall conduct themselves in an orderly and business-like manner, to ensure that the business of the City is attended to efficiently and thoroughly, and to ensure that the integrity of the deliberative process is maintained at all times.

A. Regular Meetings

1. Time, Location and Length of Regular Meetings

Regular meetings of any statutory city council are held at times established by that council. Regular meetings of the Ojai City Council shall be held on the second and fourth Tuesdays of each month commencing at 6:00 p.m. in the City Council Chambers, located at Ojai City Hall, 401 S. Ventura Street, Ojai, California. Meetings shall be adjourned by 9:30 p.m., or upon completion of agenda matters under consideration at time for adjournment. Other meetings of the Council are not considered regular meetings.

The exception to the 9:30 p.m. adjournment rule is that closed sessions may continue past this hour. Any agenda item remaining to be considered shall be automatically continued to the next regular City Council Meeting unless otherwise directed by the City Council.[32]

2. Other Locations

The Council may elect to meet at other locations within the City as practical. Any meeting held at an alternative location shall be publicized by means of a public notice printed in the local newspaper and in accordance with the Government Code.[33]

3. Canceled Meetings

Any meeting of the Council may be canceled by a majority vote of the Council, or because of a lack of a quorum.

[31] Ojai Municipal Code § 2, Ord. 212.
[32] Ojai Municipal Code § 2-1.201.
[33] California Government Code § 54952.2(c).

B. Special Meetings, Emergency Meetings and other types of Council Meetings

Special meetings of the Council may only be called and held as deemed necessary by the presiding officer or a majority of the Council, pursuant to the procedures set forth in the Ralph M. Brown Act.[34] Emergency meetings of the Council may be called as held as deemed necessary by the Mayor, a majority of the Council, or the City Manager under the Brown Act's procedures.[35]

1. Location during a Local Emergency

If, by reason of fire, flood or other emergency, it shall be unsafe to meet in Ojai City Hall, then Council meetings maybe be held for the duration of the emergency at such other place as may be designated by the Mayor, or if the Mayor does not so designate, by the City Manager or the Mayor Pro Tem.[36]

2. Adjourned Meetings

The Council may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment pursuant to the procedures set forth in the Ralph M. Brown Act.[37] [38]

3. Study Sessions/Workshops

Study sessions or workshops are information-gathering opportunities the Council may set from time to time, to allow for a detailed review or discussion of a specific matter or topic.

These sessions are usually informal, though public, and may be conducted as a separate, special meeting of the Council, or as a segment of a regular meeting. Study sessions and workshops may also be held at a place other than the Council chambers.

They may be conducted jointly with another City commission or committee or another governmental agency.[39]

Formal action is typically not taken at a study session or workshop unless the agenda indicates that action may be taken. All study session meetings are open to the public.

A study session or workshop may be called by a majority of the Council. During such sessions, Council Members may ask questions of staff. Council may also choose to hear comments from the public. Should staff be unable to answer a question, the question will be recorded by staff, so that staff might provide a written answer for submission to the Council at a later time or subsequent meeting.

C. Meeting Components

Council Meetings are the Council's primary means of conducting City business. As such, Council Members should be aware of the meeting components, from the meeting agenda to the meeting

[34] California Government Code § 54956.
[35] California Government Code § 54956.5.[36] California Government Code § 54956.5.
[36] California Government Code § 54956.5.
[37] California Government Code § 54956.
[38] California Government Code §§ 54950, et seq.
[39] *"The Brown Act,"* California Attorney General (2003), p. 10.

itself, so as to ensure an effective process.

1. Agenda Development, Content, Posting and Packet Distribution

The purpose of an agenda is to provide a framework within which a meeting can be conducted. An agenda for each Council Meeting is prepared by the City Manager's Department in advance of the meeting. At the beginning of the meeting the presiding officer or a majority of the Council may rearrange the order of the agenda.

The agenda packet consists of the agenda itself, which lists the business of the meeting in summary form, much like a table of contents, followed by the staff reports and attachments for each agenda item, in the order they are listed on the agenda.

Agenda Development

The City Manager determines, in consultation with the Mayor, which items are placed on the Council agenda and the timing for scheduling such items.

Staff Presentations/Reports

Staff presentations addressing agendized items should be brief - preferably not longer than 10 minutes. It is unnecessary and undesirable for staff to offer a verbal report to the Council that merely restates the information found in a staff report furnished in the Council's packet. Staff reports will contain a recommendation for the Council's consideration, except in information- only reports and reports placed on the agenda for discussion at the request of two or more members of the Council.

In order for the Council to become fully informed, contents of agendized items other than routine matters such as minutes and information-only items should, when possible, include the following information:

- A complete administrative report, which lists staff recommendations and, when possible, at least two decision options
- Commission or committee recommendations, if any
- Documentation of any required noticing
- Information on how the agenda item advances the City Council's goals, as applicable.

Requests by Council Members to Place an Item on Agenda

Should two or more City Council Members request—in writing ahead of a meeting or orally during a meeting—that an item be agendized, the City Manager will place the item on the agenda in a reasonable timeframe as staff workload permits.

Agenda Content

The agenda lists meeting activities in the order they are expected to occur. See Section 4, *Order of Business*, below for this information.

Agenda Posting

The Brown Act, California Government Code § 54-9542, requires that agendas containing a brief general description of each item of business be posted 72 hours before a regular meeting and 24 hours before a special meeting. Staff will post the agenda as required in

the Brown Act.[40]

Agenda Packet Distribution

Hard-copy agenda packets are printed for the City Council and designated department representatives. A courtesy copy is also produced for the Ojai Library. Staff will deliver the Ojai Library's hard-copy; all other hard copies will be left in each Council Member's and department representative's in-box at City Hall.

Council Members and designated department representatives using electronic tablet devices may obtain an electronic link to a digital, bookmarked copy of the agenda packet from the City Clerk Department upon request.

The agenda packet is also made available to the public electronically on the City's website prior to Council meetings. Notification of the website posting is sent via e-mail to all persons who have signed up for the City's mailing list for City Council agenda notification. In addition, a hard-copy packet is placed on the front counter at City Hall that is available for review by the public.

2. Public Attendance at Meetings



As stated in the Brown Act, no meeting can be held in a facility that prohibits attendance based on race, religious creed, color, national origin, ancestry or sex, or which is inaccessible to the disabled.[41]

There can be no "semi-closed" meetings which some members of the public are permitted to attend as spectators while others are not; meetings are either open or closed.[42]

Please also refer to Section D.1. below, *Addressing the Council*, for more information.

3. Closed Meetings (Closed Sessions)

Meetings may be closed only by specific authority in the Brown Act. In general, the most common purpose of a closed session is to avoid revealing confidential information that may, in specified circumstances, prejudice the legal or negotiating position of the Council or compromise the privacy interests of employees.

It is not enough that a subject is sensitive, embarrassing or controversial. Without specific

[40] California Government Code § 549542(a)(1) and 54954.2(d).
[41] California Government Code § 54952.2(c)(2) and54953(a).
[42] Ibid.

authority in the Brown Act for a closed session, a matter must be discussed in public.[43]

The Council may adjourn to a closed session during a meeting but more often it will attend to closed session-related business at a separate closed meeting, typically held one hour before a regular meeting.

As first step in closed session and prior to discussion of any agenda items, the City Manager or City Attorney shall provide a concise briefing to the Council detailing the legal and factual basis for convening in closed session, citing the specific exemptions under the Brown Act. Following this briefing, the Council shall vote on whether to proceed with the closed session as proposed. A majority vote is required to hold the closed session and continue any discussion.

4. Order of Business

The usual order of business for the City Council shall be as follows:

- Roll Call
- Absences
- Pledge of Allegiance
- Moment of Silence (when appropriate due to circumstances)
- Approval of the Agenda
- Presentations /Proclamations
- Public Comments (not required for Special Meetings)
- Consent Calendar
- Public Hearings
- Discussion Items
- Closed Session (if necessary)
- Reports from Council Members
- Reports from the City Managers
- Proposals for Future Agenda Items
- Adjournment

5. Scheduling Presentations by Individuals or Groups

All presentations will be calendared through the City Manager's Department. Generally, presentations shall be no more than 10 minutes unless approved in advance by the City Manager, or unless the Mayor grants additional time at the meeting. Only one presentation shall be made per meeting unless prior approval is granted by the City Manager and the Mayor.

Use of City Multi-Media Equipment

All presentations requiring multi-media use, such as PowerPoint presentations to be projected over the chambers' television monitors, must be scheduled in advance through the City Manager's Department. Presenters must provide City staff with their multi-media materials at least 24 hours in advance.

[43] California Government Code § 54962.

This is to ensure that meetings are conducted without unnecessary interruption and to allow enough advance time for staff to test electronic presentation materials to ensure that they play properly on City equipment.

Additionally, it is vital that staff have adequate time to transfer data securely, to protect the City's technical equipment from computer viruses and other complications, unintended or otherwise, which might arise from data-transfer devices and data from an outside source.

For this reason, it is also imperative that no impromptu requests for multi-media use be allowed during meetings.

6. Proclamations and Resolutions of Appreciation

Ceremonial in nature, proclamations are presented by the Mayor on behalf of the Council to recognize a variety of special programs, events or people. These ceremonial materials are prepared by the City Manager's Department and shall be read by the Mayor or the Mayor's designee at the appropriate time.

Upon approval by the Mayor, proclamations and/or resolutions of appreciation may be requested by other Council Members, on behalf of the Council, for presentation at venues other than at City Council meetings.

For example, if a Council Member wishes to present, on behalf of the Council, a proclamation acknowledging the volunteer work of a resident or organization at an event, the Council Member may do so with the Mayor's permission. Said proclamations or resolutions of appreciation must still be prepared by the City Manager's department.

7. Consent Calendar

In an effort to conduct more efficient meetings, City Council and commission meeting minutes and disbursements from the Finance Department are placed on the Consent Calendar.

The City Manager may also elect to place routine matters such as authorization for the City Manager or other management to sign simple agreements or contracts for services.

The Consent Calendar is generally approved in one motion, although items can be pulled from the Consent Calendar for discussion as a stand-alone item and moved to the Discussion (action) portion of the agenda at the request of Council).

Items appropriate for placement on the Consent Calendar include those that implement work programs and objectives previously approved by the Council as a part of the budget and, in some instances, final adoption of ordinances.

Matters to be set for a public hearing at a later date may also be placed on the Consent Calendar. Items of significant neighborhood or community public interest should not be placed on the Consent Calendar.

8. General Public Comments

At this point in the meeting, members of the general public are allowed to address the Council on any subject for a period of three minutes or less. Those wishing to speak should complete a Speakers Card and present it to the City Clerk prior to the meeting or before the call of the item.

The Clerk shall pass the cards to the Mayor who will recognize speakers by inviting them to the podium. Although the Council has the right to extend the speaking time of a member of the public, regulations regarding time limits should be enforced fairly, consistently, and without regard to speakers' viewpoints.

Please also refer to Section D.1. below, *Addressing the Council,* for more information.

9. Public Hearings

In general, a public hearing is an open consideration of an issue for which special notice has been given and may be required. Public hearings are generally required by state and/or local law for all quasi-judicial matters.[44]

Parties with an interest at stake in the Council's decision must be granted the right to be heard before a decision is rendered by the Council. Examples of quasi-judicial matters include the issuance of discretionary land use permits and other similar actions in which a property interest is at stake and the Council is charged with applying legal standards to a specific situation. Quasi-judicial proceedings shall be conducted in accordance with the City Council Policy for Quasi-Judicial Hearings. That policy is attached to these protocols as Attachment "A".

Certain legislative acts, such as the adoption of a general or specific plan, broad policies, or zoning ordinances and related resolutions of general application, also require a public hearing.[45] In addition, certain federal and state programs require a public hearing (i.e., transit problems, Community Development Block Grant funding and law enforcement grants).[46]

10. Discussion Items

At the heart of Council meetings are discussion items. These items require an action by the Council. Discussion items include a recommendation from City Staff and should include alternatives for the Council's consideration. Also, the Council may direct staff to perform or take action that is outside of or in some contradiction to a recommendation. Public comments are allowed on Discussion items.

[44] California Government Code §§ 65090, et seq. [public hearing noticing requirements]; Ojai Municipal Code § 10-2.2902 [City public hearing noticing requirements].
[45] See, e.g., California Government Code §§ 65353, 65355 [Planning Commission and City Council public hearings required for General Plan adoption and amendments], §§ 65853, et seq. [Planning Commission and City Council public hearings required for zoning ordinance amendments].
[46] See, e.g., 42 USC § 5306, subdivision (d)(5)(C) [requiring hearings for CDBG fund allocation decisions].

11. Reports from Council Members

This time is offered for verbal and/or written reports in order to inform other Council Members and the public of newsworthy events, problems or issues.

12. Report from the City Manager

This time is for the City Manager to provide verbal and/or written information to the Council and the public of newsworthy events, problems or issues.

13. Future Agenda Items

This is a time when Council Members discuss items they wish to be placed on a future agenda.

D. Meeting Conduct

To ensure a successful meeting, the following rules for orderly conduct should be followed:

1. The Public: Addressing the Council

Comments from the pubic are an important part of any Council meeting. Members of the public may address the Council during a public comments section of each agenda item, as well as during the Public Comments portion of the agenda, which is reserved for general comments or for comments on items not on the agenda.

The Mayor shall announce the opening of the time for public comments and then will close the public comment period. Comments are generally limited to three minutes per person, per agenda item.

Tool for Multiple Members of the Public wishing to express the Same Viewpoint

In order to expedite matters and to avoid repetitious presentations or viewpoints, whenever any group of persons wishes to address the Council on the same subject matter, it is proper for the Mayor to request that a spokesperson(s) be chosen from the group to address the Council.

If additional matters are to be presented by any other members of the group, the Mayor may limit the number of such speakers and limit the comments to information not already expressed by the group spokesperson. However, no individual wishing to address the Council shall be denied that opportunity during this portion of the meeting.

Any of the foregoing rules may be waived by majority vote of the Council Members when it is deemed that there is good cause to do so based upon the particular facts and circumstances involved.

These rules are not exclusive and do not limit the inherent power and general legal authority of the Council, or its presiding officer, to govern the conduct of the Council or Redevelopment Successor Agency for purposes of orderly and effective conduct of the affairs of the City.

2. The Council: Council Deliberations Prohibited during Public Comments

In compliance with the Brown Act, the Council may not deliberate or vote on any matter raised during Public Comments. The Mayor or any Council Member may, however, request

that the City Manager provide additional information on a matter of general interest to the full Council or the public at large.[47]

3. Council Interaction with the Public

If a Council Member believes that a material misstatement of fact has been made by a person during the Public Comment portion of the agenda, the Council Member may ask the City Manager or City Attorney to correct or otherwise clarify the matter. Alternately, the Council Member may provide a direct response at that time through the Chair.

If a spontaneous response is not possible, correction or clarification may be provided at the earliest opportunity during the meeting or at the next regular meeting of the Council.

4. Council Member Procedures for Obtaining the Floor

Any Council Member wishing to speak must first obtain the floor by being recognized by the Mayor. The Mayor must recognize any Council Member who seeks the floor when appropriately entitled to do so.

5. Council Member Procedures for Motions

Making and acting on motions are the primary means by which the Council conducts its business. Council Members may make motions, second motions, vote for them, against them, abstain or recuse themselves, depending on the situation.

A. Original Motions

Motions may be made by any Council Member including the Mayor, provided that before the Mayor—acting as presiding officer—offers a motion, the opportunity to make a motion should be offered to other Council Members.

B. Seconding Motions

Any Council Member may second a motion. Before a motion can be considered, it must be seconded. A motion must be seconded before it can be discussed.

C. Abstention and Recusal

To abstain is to formally decline to vote either for or against a proposal or motion. To recuse oneself is to excuse oneself from acting on a motion because of a possible conflict of interest or lack of impartiality.

Council Members should declare their intention to abstain or recuse on an item on the agenda as soon as the agenda item is announced.

Abstention

If a Council Member intends to abstain from a decision for a reason other than a conflict of interest, then the Council Member may remain on the dais for the matter.

A Council Member may state that he or she intends to abstain from a decision due to a conflict of interest that does not require recusal. For example, a past financial relationship that is outside the purview of the Political Reform Act, but which creates the impression of a potential conflict. In this case, the Council Member should leave the dais but may remain

[47] California Government Code § 54954.2, subd. (a)(3).

in the chamber.

Recusal

A Council Member may state that he or she intends to recuse him- or herself from a decision due to a financial conflict of interest required by the Political Reform Act. In this case, the Council Member must leave the dais *and* chamber, unless a specific exception applies. For example, if the agenda item pertains to a project on which the Council Member is the applicant, the Member may speak to the Council regarding the Member's application.[48]

If a Council Member must recuse from a matter due to a financial conflict of interest under the Political Reform Act and the matter is on the consent calendar, then the Council Member must recuse from voting on that item and disclose the nature of the conflict, but may remain on the dais and vote on the other consent calendar items.[49]

6. Precedence of Motion

When a motion is before the City Council, no motion shall be entertained except as follows:

A. To Adjourn (not debatable)

A motion to adjourn shall be in order at any time, except as follows:

1) When repeated without intervening business or discussion
2) When made as an interruption of a Member while speaking
3) When the previous question has been ordered
4) While a vote is being taken.

A motion to adjourn "to another time" is debatable only as to the time to which the meeting is to be adjourned.

B. To Fix the Hour of Adjournment

The purpose of this motion is to set a definite time at which to adjourn. Undebatable and unamendable except as to the time set, which shall not be beyond the time and date of the next regular meeting.

C. To Table a Motion

The purpose of tabling a motion is to temporarily by-pass the subject. A motion to "lay on the table" is undebatable and shall preclude all amendments or debate of the subject under consideration. If the motion shall prevail, the matter may be "taken from the table" at any time prior to the end of the meeting, or the next regular meeting, if the item is listed on the agenda for the next regular meeting.

D. For the Previous Question

This motion is used to close debate on main motion and is undebatable. Just indicating "question" does not accomplish the same thing. If the motion fails, debate is reopened; if the motion passes, a vote on the main motion is in order.

E. To Amend (debatable only as to amendment)

This motion is made when a motion to amend an amendment is in order, but a motion to

[48] California Government Code §§ 87105; 2 Cal. Code Regs, § 18707.
[49] 2 Cal. Code Regs, § 18707, subdivision (a)(3)(A).

amend an amendment to an amendment is not.

An amendment modifying the intention of a motion is in order, but an amendment relating to a different matter shall not be in order. A substitute motion on the same subject is acceptable.

Motions to amend are voted on first, then the main motion as amended or not.

F. To Postpone to a Certain Day or Indefinitely

A motion to postpone indefinitely is fully debatable. Motions to postpone to a definite time are amendable and debatable as to propriety of postponement and time set.

G. No Explanations of Vote

Discussion or debate regarding an item must be made prior to a vote. Council Members are encouraged to express their reasoning for a position (during discussion of a matter), especially when it is contrary to a position set forth by staff. However, no Council Member may explain his or her vote or attempt to show support or objection to a vote during the voting action.

For example it is inappropriate for a voting Member to respond, "Reluctantly, Yes" or, "Yes, but I agree with the concerns voiced by Council Member X."

H. Failure to Vote

Every Member should vote unless disqualified for cause or by opinion of the City Attorney.

7. Agenda Language for Introduction and Adoption of Ordinances.

A standing motion shall be placed in the Consent Calendar as follows:

"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 City Clerk to Assign an Ordinance Number Upon Successful Introduction".

Agenda Language for Recommendations for the Introduction and Adoption of Ordinances shall be as follows:

a. Introduce an ordinance which (brief description of purpose), and ask the City Clerk to read the title of the ordinance.
b. Adopt Ordinance No. _____.

In Closing

As stated at the beginning of this document, these protocols establish policies and provisions to help the Council conduct its business and best serve the public.

This is a living document. Should the needs of the Council change, it should not hesitate to update these protocols so that the right tools are always at hand for the Council to guide the City and effectively serve the people of Ojai.





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OJAI CITY COUNCIL POLICY
QUASI- JUDICIAL HEARINGS

1. Statement of Policy.

It is the policy of the Council to ensure that the due process rights of all persons are protected during City hearings. A "quasi-judicial" hearing is a hearing that requires a higher level of procedural due process because of the potential impact on life, liberty or property. Usually, quasi-judicial hearings involve applying facts and evidence in the context of existing law. Findings must be stated to explain the evidentiary basis for a decision.

2. Application

This policy shall apply to all quasi-judicial hearings and appeals allowed by the Ojai Municipal Code (OMC), inclusive of appeals to City Council, the Tax Collector, City Manager, any department head, and any City Commission or Board. References to the "City Council" in this policy shall be inclusive of such persons and bodies.

3. Decisions that Can Be Appealed to the City Council

Generally, OMC Chapter 1-4 allows any person to appeal these decisions to the City Council:

- Any permit denial, suspension, or revocation; and
- Administrative decisions made by any City Official under the OMC.

Other sections of the OMC allow for appeals under circumstances pertaining to a specific type of matter or decision (e.g., appeals pursuant to the City's Zoning Code).

4. **Special Rules for Certain Appeals.**

Most City Council appeals follow the rules in OMC Chapter 1-4 (Appeals). However, some types of appeals may have different procedures including, but not limited to:

- **Decisions of the Tax Collector** regarding the amount of tax, interest, and penalties for transient occupancy taxes in OMC Chapter 8-1 (Taxation).
- **Decisions of the Historic Preservation Commission** regarding the Community Development Director's or Commission's decision to approve or disapprove minor or major work permits in OMC Chapter 4-8 (Historic Preservation Law).
- **Decisions to issue or revoke outdoor gathering permits** in OMC Chapter 4-17 (Outdoor Gatherings).
- **Decisions of the Finance Director** regarding business license taxes in OMC Chapter 6-1 (Business License Tax).
- **Decisions of the Planning Commission**. See OMC Chapter 10-2 (Zoning Regulations).

Where a more specific OMC provision establishes appeal procedures that differ from those provided in Chapter 1-4, the more specific procedures shall control.

5. **Appeals by Council Members, City Officers, and Other Governmental Agencies.**

The City Council as a body, any City official, and other governmental agencies have the same right as any person to appeal permit denials, suspensions, revocations, or administrative decisions made by a City official or City board/commission under the Ojai Municipal Code. (OMC § 1-4.05(a)).

Pursuant to the OMC, a Council Member that brings an appeal is prohibited from voting or participating in Council's deliberations on the appeal as a Council Member. The appellant Council Member may testify and provide public comment at the hearing on the appeal (OMC § 1-4.05(b)). This limitation on voting or participation does not apply when the City Council appeals a decision as a body.

When the City Council appeals a decision as a body, the Council is not required to prove why the appeal should be granted based upon the grounds specified in the appeal. The Council instead has full authority to sustain, reject, or partially overrule the appealed decision. (OMC § 1-4.05(c)).

6. Deadline for Filing an Appeal

Unless the Municipal Code requires a different timeframe, an appeal must be filed with the City Clerk within 14 days after receipt of written notice of the decision being appealed, but no later than 30 days from the date of the decision.

7. Scope of Hearing

For the initial hearing on a matter, the City Council or other presiding body or official shall consider only the scope of the particular application pending before the that body or official, applicable statutory law, caselaw, and the relevant provisions of the Ojai Municipal Code.

With respect to appeals, the City Council will decide if the original decision followed Ojai's Municipal Code and other applicable laws. The City Council has no authority to decide whether a city ordinance or resolution is illegal, unenforceable, or unconstitutional. It **will not** consider these arguments when reviewing an appeal.

8. Hearing Process

- ***Before the Hearing***

So long as notice of a hearing has been provided at least 14 days in advance, the appellants and applicants may send a written explanation of their case and any evidence to the City Clerk at cityclerk@ojai.ca.gov **at least 10 calendar days before the hearing date, by 4:00 p.m**. For hearings provided with less than 14 days' advance, written materials must be submitted at least 5 days in advance, except where notice is only provided 5 days in advance, in which case materials must be submitted at least 3 days' in advance.

Where an appeal is filed by a third party (other than the applicant or the City), the applicant may also submit a written explanation of their case and any evidence to the City Clerk within these timeframes.

- ***Conduct at City Council Hearings***

The presiding officer will lead the hearing. They will make sure the hearing follows the rules in the Municipal Code and is conducted in a respectful and businesslike manner. An applicant or appellant may have an attorney represent them, but it is not required.

- *Rules of Evidence*

Council hearings do not need to follow formal rules of evidence. Any relevant evidence may be considered if it is the sort of evidence upon which responsible persons rely in the conduct of serious affairs.

The presiding officer may exclude irrelevant or redundant testimony and make other necessary rulings to maintain order during the proceedings, while ensuring the hearing remains fair and all issues are fully considered. Evidentiary objections may be stated for the record, but they will not be ruled on.
The appellant and the applicant may present physical evidence during the hearing, but it is not required. There are three categories of physical evidence.

- **Documentary Evidence:** Writings relevant to the appeal. Writings include all forms of recorded information, including letters, words, pictures, sounds, video recordings, or combinations thereof.
- **Demonstrative Evidence:** Evidence created specifically for the hearing and presented as a visual aid to help the City Council understand the appeal, such as models, charts, or diagrams.
- **Real Evidence:** Real items relating to the appeal.

All documentary evidence must be marked as an "Exhibit" in numerical (1, 2, 3, etc.) or alphabetical (a, b, c, etc.) order.

All physical evidence is admissible. All evidence submitted during the public hearing will become part of the public record and may be released under the California Public Records Act unless an exception applies. All documents provided to the City Council will be distributed to the public consistent with the Brown Act with limited exceptions.

Evidence may be considered without regard to its admissibility under the rules of evidence applicable to judicial proceedings. However, hearsay evidence (evidence not based on a witness' personal knowledge) by itself carries no weight when Council makes a finding of fact.

- *Burden of Proof*

The appellant bears the burden of proof on all aspects of the action or relief they seek. This means the appellant has the burden to present evidence to the City Council to support its position.

- ***Witnesses***

Each party may offer oral evidence through the testimony of witnesses. Neither party has the power to subpoena witnesses to the hearing, so each party must arrange for their witnesses to be present at the hearing. Appellants, the applicant, the City, and the City Council may cross-examine any witnesses called by the other party.

If an appellant or applicant wishes to call a City employee as a witness, they must file a written request for the City employee to attend the hearing with the City Clerk at least 10 **business days** before the hearing. The City will cause the City employee to attend the hearing if they are available or notify the appellant or applicant if the City employee is unavailable for the hearing at least 5 **calendar days** before the hearing.

- ***Presentation of Arguments***

Appellants, applicants, and the City will present in the following order:

- The City will present its side of the case, explain the project, or decision being appealed and applicable law, policies or regulations.
- Appellant will present their side of the case.
- (For Third Party Appeals) Applicants may present their side of the case.
- Break for Public Comment
- City rebuttal/closing argument.
- Appellant rebuttal/closing argument.
- Applicant Rebuttal/closing argument.
- Council Questions
- Close Public Hearing

Generally, each party will be allowed up to 20 minutes for presentation of its case and 5 minutes for rebuttal/closing argument, with public comment limited to 3 minutes per speaker; however, based on the circumstances of a particular hearing, the presiding officer may establish different time limits for presentation of arguments so long as equal time is provided to City staff, the applicant, and/or the appellant. Where the presiding officer makes a determination regarding time limits for evidence and testimony that differs from this policy prior to a hearing, such information shall be provided to all parties in advance.

If there are two or more appellants, the time allowed for presentation and rebuttal shall be divided among all appellants. However, under no circumstances shall an individual appellant be given less than 5 minutes for presentation and 3 minutes for rebuttal.

In the event a request is made and the need for additional time is clearly established, the presiding officer shall independently, or may upon advice of the City Attorney, grant sufficient additional time to allow an adequate presentation by the appellant in a hearing required by law.

- ***Procedures for Further Hearing***

The City Council may ask the appellant, applicant, or City staff for additional information and/or may adjourn and continue the hearing in order to reconvene at a later date, before reaching a decision.

- ***Written Findings Required***

When state law or City ordinance requires written findings for a decision, the staff report will include proposed findings for the Council to adopt. If the Council rejects or disagrees with the proposed findings, the motion must either:

- Include alternative or modified findings, OR
- Continue the matter for a reasonable time so staff can prepare new findings that match the evidence presented and the Council's anticipated decision.

The City Clerk will provide the appellant, applicant, and anyone else entitled to notice of the decision under the Ojai Municipal Code with a copy of the City Council's decision in accordance with time frames set by the Code.

9. **<u>Identification of Quasi-Judicial Matters</u>**

The City Attorney, in conjunction with the City Clerk and City Manager, will identify agenda items involving quasi-judicial decisions on both the tentative and regular Council agendas. This identification is intended to inform the Council, interested parties, and the public that this policy will apply to the item**.**

10. ***Ex Parte* Contacts**

An *ex parte* contact is an oral or written communication with someone about a matter to be considered at a public hearing outside of the public hearing without notifying all parties in advance.

Council Members should make every effort to document all contacts related to a quasi-judicial matter. This includes any conversations, meetings, site visits, texts, e-mails, or presentations where they receive or gather significant factual information about the matter outside of the hearing.

Council Members should publicly state the contact on the record of the hearing, including:

- For conversations, who they spoke with about the matter and briefly summarize what was discussed.
- For site visits, when the visit occurred and if anyone was present, including anything discussed.
- For materials, what information is included in the materials and given/sent by whom.

Administrative Report

TO: **Honorable City Council**

FROM: **Ben Harvey, City Manager**
Lindy Palmer, Public Works Director

MEETING DATE: **April 14, 2026**

SUBJECT: **Award of Maintenance Agreement for Pest Control Services (*Operational Need)***

RECOMMENDATION

1. Authorize the City Manager to execute PW Maintenance Agreement No. 2026-05 with Ventura Pest Control, Inc. for pest control services in the amount of $10,425 through June 30, 2026, and in the amount of $42,300 beginning July 1, 2026 through June 30, 2027 for a total authorized expenditure of $52,725; and
2. Authorize the City Manager to execute, in their sole discretion, future amendments for up to three (3) additional one-year terms not exceeding four (4) years.

DISCUSSION

The Public Works Department requires the outsourcing of pest control services to ensure that all City-owned facilities receive consistent, professional, and effective treatment. Contracting with a specialized provider allows the City to benefit from expert knowledge, advanced equipment, and proven methods that may not be available in-house. This approach helps maintain a safe environment for employees and the public and ensures compliance with the city's Earth Friendly Management Policy.

On January 30, 2026, the Public Works Department solicited a request for informal bids for Pest Control Services of all City-Owned facilities to secure a qualified contractor to provide routine pest control services. On month, date, year staff received three (3) bids as shown in the chart below:

Name of Bidder	Amount Per Year
Ventura Pest Control, Newbury Park, CA	$42,300.00
Carpinteria Valley Exterminating, Oak View, CA	$45,880.00
Mary's Pest Control, Bakersfield, CA	$47,588.00

After reviewing all submitted bids, staff recommends entering into a PW Maintenance Agreement No. 2026-05 with Ventura Pest Control, Inc (VPC). to provide pest control services in the amount of $10,425 through June 30, 2026, due to the current agreement expiration date of March 31, 2026, and $42,300 for the period of July 1, 2026 through June 30, 2027, for a total authorized expenditure of $52,725, and authorize the City Manager, in

their sole discretion, to approve amendments to extend the agreement for up to three (3) additional one-year terms, for a maximum agreement term not to exceed four (4) years.

The prices will remain firm for the initial contract term through June 30, 2027. Thereafter, any price increase for renewals must include detailed documentation and will be reviewed by the Public Works Department. The Public Works Department may accept, reject, or negotiate requests, which cannot exceed cost-of-living adjustments based on the February CPI-U Los Angeles. VPC must submit adjustment requests to the Public Works Department by April 30th; approved increases take effect on the contract anniversary.

CITY COUNCIL GOALS ALIGNMENT

Goal No. 4 - Infrastructure Maintenance and Improvement

OPTIONS

1. Take no action;
2. Provide alternative direction to staff.

FISCAL IMPACT

Funding for pest control services are available this fiscal year (FY 25/26) in Public Works operating fund accounts for parks, facilities, and the plaza arcade. Funds are also budgeted in the Public Works operating fund for next fiscal year (FY 26/27).

Prepared by: Lindy Palmer, Public Works Director

ATTACHMENT(S)

A. PW Agreement No. PW 2026-05 with Ventura Pest Control

ATTACHMENT A

AGREEMENT FOR PEST CONTROL SERVICES CITY-OWNED FACILITIES

This contract ("**Contract**") is effective as of April 1, 2026 ("**Effective Date**"), and is between the CITY OF OJAI, a California general law city and municipal corporation (City), and Ventura Pest Control, a California Corporation ("**Contractor**"), collectively referred to as the "**Parties**."

Section 1. **Recitals**. This Contract is entered into with respect to the following facts:

1.1 Contractor represents it is qualified to perform all of the Work (defined below) required under this Contract.

1.2 Contractor agrees to perform all such Work in the time and manner set forth in the Contract Documents (defined below).

1.3 The City have determined that the public interest, convenience and necessity require the execution of this Contract and its implementation.

Section 2. **Contract Documents**. This Contract consists of the following documents ("**Contract Documents**"), all of which are made a part of this Contract:

2.1 This Contract

2.2 Verification of California Contractor's License

2.3 Certificate of DIR Registration

2.4 Contractor's Certificate Regarding Workers' Compensation

2.5 Certificate(s) of Insurance

2.6 Prevailing Wage Scales

2.7 Other documents (list here)

Exhibit A – Scope of Work

Exhibit B – Key Personnel & Compensation

Exhibit C – Insurance

Exhibit D – Earth Friendly Management Policy and Approved Pesticide List

Section 3. **The Work.**

3.1 The work ("**Work**") to be performed by Contractor is described in the Contract Documents.

3.2 In completing the Work, Contractor must employ, at a minimum, the applicable generally accepted professional standards of its industry in existence at the time of performance as utilized by persons engaging in similar work.

3.3 Except as specifically provided in the Contract Documents, Contractor must furnish, at its sole expense, all of the labor, materials, tools, equipment, services and transportation necessary to perform all of the Work.

3.4 Contractor must perform all of the Work in strict accordance with the Contract Documents.

3.5 Contractor must make every reasonable effort to maintain the stability and continuity of Contractor's key personnel to perform the Work required under this Contract.

3.6 Contractor must obtain City's prior approval before utilizing any subcontractors to perform Work under this Contract. Approval must include the identity of the subcontractor and the terms of compensation and noted on the attached List of Subcontractors.

3.7 Contractor will not be compensated for any services rendered in connection with its performance of this Contract that are in addition to or outside of those set forth in the Contract Documents, unless such additional services or work are authorized in advance by City.

Section 4. Term and Termination.

4.1 Subject to Sections 4.2 and 4.3 below, the term of this Contract will be for a fifteen (15) month period commencing on the Effective Date and may be extended for up to three (3) additional one (1)-year periods, based on the mutual agreement of the Parties.

The City requires firm pricing during the initial Contract period through June 30, 2027. Thereafter, any proposed price increases for follow-on renewal periods will only be allowed with detailed supporting documentation from the contractor. The requested increase will be evaluated by the City, and the City reserves the right to accept, reject, or negotiate such requests not to exceed the Bureau of Labor Statistics Consumer Price Index (CPI) data as follows: Contractor may submit a request for adjustment to compensation for cost-of-living increase each year based on the February Consumer Price Index for All Urban Consumers (CPI-U) Los Angeles. The request for increase must be submitted to the Public Works Department by April 30th of each year and such increase shall not become effective until the anniversary of this contract.

4.2 City may terminate this Contract, with or without cause, at any time by written notice of termination to Contractor. If such notice is given, Contractor must cease immediately all Work in progress.

4.3 Contractor may terminate this Contract at any time upon 90 days' prior written notice of termination to City.

4.4 Upon termination of this Contract by either Contractor or City, all property belonging exclusively to City which is in Contractor's possession must be returned to City. Contractor must promptly deliver to City a final invoice for all outstanding services performed and expenses incurred by Contractor as of the date of termination. Compensation for Work in progress not based on an hourly rate will be prorated based on the percentage of Work completed as of the date of termination.

4.5 Contractor acknowledges City's rights to terminate this Contract as provided in this section, and hereby waives any and all claims for damages that might otherwise arise from City's termination of this Contract.

Section 5. Time to Perform the Work.

5.1 Time is of the essence with respect to Contractor's Work. Contractor agrees to

diligently pursue performance of the Work within the time specified by the Contract Documents.

5.2 Contractor will be excused from any delay in performance or failure to perform due to causes beyond the control of Contractor. Such causes include, but are not limited to, acts of God, acts of terrorism, acts of federal, state or local governments, acts of City, court orders, fires, floods, epidemics, strikes, embargoes, and unusually severe weather.

5.3 If Contractor is delayed by any cause beyond Contractor's control, City may, but is not required to, grant a time extension for the completion of the Work. If delay occurs, Contractor must notify City in writing within 48 hours of the cause and the extent of the delay and how such delay interferes with Contractor's performance of the Work.

Section 6. Compensation and Payment.

6.1 Subject to any limitations provided in the Contract Documents, City agrees to pay Contractor as full consideration for the faithful performance of all of the Work the compensation set forth in Exhibit B ("**Compensation**"), which is made a part of this Contract. If during the term of this contract the applicable prevailing wage rate increases, the Contractor may request a contract modification as outlined in Section 15.5 annually on the anniversary date of the contract.

6.2 Contractor must furnish City with an invoice for the Work performed in accordance with the Contract Documents. Contractor may not submit an invoice mate more often than once every 30 days.

6.3 City will review each invoice and determine whether the Work performed is in accordance with the Contract Documents. The Director of Public Works ("**Director**") may require Contractor to provide a release of all undisputed Contract amounts contained in the invoice.

6.4 If City disputes any item on an invoice, City will give Contractor notice stating the reasons for the dispute. The Parties will meet and confer in good faith to attempt to resolve the dispute.

6.5 Except as to any charges for the Work performed that City disputes, City will cause Contractor to be paid within 30 days of the date of the invoice or the date that Contractor furnishes City with a release of all undisputed Contract amounts, whichever occurs later.

6.6 In the event there is any claim specifically excluded by Contractor from the operation of any release, City may retain an amount not to exceed the amount of the excluded claim.

Section 7. Labor Code and Prevailing Wage Requirements.

7.1 Contractor agrees to comply with the requirements of California Labor Code sections 1810 through 1815. Eight hours of labor constitutes a legal day's work per Labor Code section 1810. Contractor will forfeit the statutory penalty to City for each worker employed in the execution of this Contract by Contractor or any subcontractor for each calendar day during which such worker is required or permitted to work more than eight hours in any one calendar day and 40 hours in any one calendar week in violation of the provisions of Labor Code sections

1810 through 1815.

7.2 Copies of the determination of the Director of the Department of Industrial Relations of the prevailing rate of per diem wages for each craft, classification or type of worker needed to execute this Contract are available for download from the State website:

http://www.dir.ca.gov/OPRL/dprewagedetermination.htm.

7.3 Contractor must post at the work site, or if there is no regular work site then at its principal office, for the duration of the Contract, a copy of the determination by the Director of the Department of Industrial Relations of the specified prevailing rate of per diem wages. (Labor Code § 1773.2.) When applicable, copies of the prevailing rate of per diem wages will be on file at City's Department of Public Works and available to Contractor and any other interested party upon request.

7.4 Contractor, and any subcontractor engaged by Contractor, may pay not less than the specified prevailing rate of per diem wages to all workers employed in the execution of the contract. (Labor Code § 1774.) Contractor is responsible for compliance with Labor Code section 1776 relative to the retention and inspection of payroll records.

7.5 Contractor must comply with all provisions of Labor Code section 1775. Under Section 1775, Contractor will forfeit the statutory penalty to City for each worker employed in the execution of the Contract by Contractor or any subcontractor for each calendar day, or portion thereof, in which the worker is paid less than the prevailing rates. Contractor may also be liable to pay the difference between the prevailing wage rates and the amount paid to each worker for each calendar day, or portion thereof, for which each worker was paid less than the prevailing wage rate.

7.6 Nothing in this Contract prevents Contractor or any subcontractor from employing properly registered apprentices in the execution of the Contract. Contractor is responsible for compliance with Labor Code section 1777.5 for all apprenticeable occupations. This statute requires that contractors and subcontractors must submit contract award information to the applicable joint apprenticeship committee, must employ apprentices in apprenticeable occupations in a ratio of not less than one hour of apprentice's work for every five hours of labor performed by a journeyman (unless an exception is granted under § 1777.5), must contribute to the fund or funds in each craft or trade or a like amount to the California Apprenticeship Council, and that contractors and subcontractors must not discriminate among otherwise qualified employees as apprentices solely on the ground of sex, race, religion, creed, national origin, ancestry or color. Only apprentices defined in Labor Code section 3077, who are in training under apprenticeship standards and who have written apprentice contracts, may be employed on public works in apprenticeable occupations.

7.7 Contractor has reviewed and agrees to comply with any applicable provisions for any public work subject to Department of Industrial Relations (DIR) Monitoring and Enforcement of prevailing wages, including the registration requirements of Labor Code Section 1771.1(a). City hereby notifies Contractor that Contractor is responsible for submitting certified payroll records directly to

the State Compliance Monitoring Unit (CMU). For further information concerning compliance monitoring please visit the website location at:

http://www.dir.ca.gov/dlse/cmu/cmu.html.

7.8 Contractor must comply with Labor Code section 1771.1(a), which provides that Contractor may award any contracts and subcontracts for work that qualifies as a "public work" only to subcontractors which are at that time registered with the DIR and qualified to perform public work pursuant to Labor Code section 1725.5. Contractor must obtain proof of such registration from all such subcontractors."

7.9 If federal funds are used to pay for the Work, Contractor and any subcontractor agree to comply, as applicable, with the labor and reporting requirements of the Davis-Bacon Act (40 USC § 276a-7), the Copeland Act (40 USC § 276c and 18 USC §874), and the Contract Work Hours and Safety Standards Act (40 USC § 327 and following).

Section 8. Non-Discrimination.

Contractor, its officers, agents, employees, and subcontractors may not discriminate in the employment of persons to perform the Work in violation of any federal or state law prohibiting discrimination in employment, including based on the race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, of any person, except as provided under California Government Code section 12940. Contractor is responsible for compliance with this section.

Section 9. General Legal Compliance; Contractor Claims.

9.1 In performing the Work, Contractor must comply with all applicable statutes, laws and regulations, including, but not limited to, OSHA requirements and the Ojai Municipal Code.

9.2 Contractor must, at Contractor's sole expense, obtain all necessary permits and licenses required for the Work, and give all necessary notices and pay all fees and taxes required by law, including, without limitation, any business license tax imposed by City.

9.3 Contractor must maintain a valid California Contractor's License throughout the term of this Contract.

9.4 In the event Contractor has any claims (as such term is defined in Public Contracts Code section 9204) against City, the Parties will follow the applicable dispute resolution process set forth in Section 9204 which, among other things, establishes procedures for the submission of a claim to the City, including the submission of reasonable documentation to support the claim, time periods for the City to respond in writing to the claim, a meet and confer process, and a non-binding mediation process.

Section 10. Clayton and Cartwright Act Assignments.

In entering into this Contract or a contract with a subcontractor to supply goods, services, or materials pursuant to this Contract , Contractor and any subcontractor

will be deemed to have offered and agreed to assign to City all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Sec. 15) or under the Cartwright Act (Chapter 2, commencing with Section 16700 of Part 2 of Division 7 of the California Business and Professions Code), arising from purchases of goods, services, or materials for the Work. This assignment will be deemed made and will become effective at the time City tenders final payment to Contractor, without further acknowledgement by the Parties.

Section 11. Independent Contractor.

Contractor is and will at all times remain as to City a wholly independent contractor. Neither City nor any of its officers, employees, or agents will have control over the conduct of Contractor or any of Contractor's officers, employees, agents or subcontractors, except as expressly set forth in the Contract Documents. Contractor may not at any time or in any manner represent that it or any of its officers, employees, agents, or subcontractors are in any manner officers, employees, agents or subcontractors of City.

Section 12. Indemnification.

12.1 Contractor agrees to the fullest extent permitted by law to (1) immediately defend and (2) indemnify City from and against, any and all claims and liabilities, regardless of the nature or type, that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of Contractor, or its officers, employees, agents, or subcontractors committed in performing any Work under this Contract or the failure to comply with any of the obligations of this Contract (collectively, "**Claims**"). The Claims subject to Contractor's duties to defend and indemnify include, without limitation, all claims, actions, causes of action, proceedings, suits, losses, damages, penalties, fines, judgments, liens, levies, and associated investigation and administrative expenses. Such Claims also include defense costs, including reasonable attorneys' fees and disbursements, expert fees, court costs, and costs of alternative dispute resolution.

12.2 Contractor's duty to defend is a separate and distinct obligation from Contractor's duty to indemnify. Contractor is obligated to defend City in all legal, equitable, administrative, or special proceedings, with counsel approved by City, immediately upon tender to Contractor of the Claim in any form or at any stage of an action or proceeding, whether or not liability is established. An allegation or determination that persons other than Contractor are responsible for the Claim does not relieve Contractor from its separate and distinct obligation to defend under this section. The obligation to defend extends through final judgment, including exhaustion of any appeals. The defense obligation includes an obligation to provide independent defense counsel if Contractor asserts that liability is caused in whole or in part by the negligence or willful misconduct of any City indemnified party. If it is finally adjudicated that liability was caused by the comparative active negligence or willful misconduct of any City indemnified party, then Contractor may submit a claim to City for reimbursement of reasonable attorneys' fees and defense costs in proportion to the established comparative liability of the City indemnified party.

12.3 Contractor agrees that its defense and indemnification obligation under this section, includes the reasonable costs of attorneys' fees incurred by the City Attorney's office to monitor and consult with Contractor regarding the defense

of any Claims, including providing direction with regard to strategy, preparation of pleadings, settlement discussions, and attendance at court hearings, mediations, or other litigation related appearances. City will use its best efforts to avoid duplicative attorney work or appearances in order to keep defense costs to a reasonable minimum.

12.4 Contractor agrees that settlement of any Claim will require the consent of City. City agrees that its consent will not be unreasonably withheld provided that Contractor is financially able (based on demonstrated assets) to fulfill its obligation to indemnify City for the costs of any such settlement as required under this Contract.

12.5 Contractor's obligation to indemnify City applies unless it is finally adjudicated that the liability was caused by the sole active negligence or sole willful misconduct of a City indemnified party. If a Claim is finally adjudicated and a determination made that liability was caused by the sole active negligence or sole willful misconduct of a City indemnified party, then Contractor's indemnification obligation will be reduced in proportion to the established comparative liability.

12.6 For the purposes of this section, "City" includes City's officers, officials, employees and agents.

12.7 The provisions of this section will survive the expiration or earlier termination of this Agreement.

Section 13. Insurance.

Contractor agrees to have and maintain in full force and effect during the term of this Contract the insurance coverages listed in Exhibit C ("**Insurance**"), which is made a part of this Contract.

Section 14. Notice.

14.1 All written notices required or permitted to be given under this Contract will be deemed made when received by the other Party at its respective address as follows:

To City:
City of Ojai
401 S Ventura St
Ojai, California 93023
Attn: Lindy Palmer
(Tel.) 805-646-5581

To Contractor:
Ventura Pest Control
Attn: Ryan Moberly
(Tel.) (805) 656-1545

14.2 Notice will be deemed effective on the date personally delivered or transmitted by facsimile or email. If the notice is mailed, notice will be deemed given three days after deposit of the same in the custody of the United States Postal Service, postage prepaid, for first class delivery, or upon delivery if using a major courier service with tracking capabilities.

14.3 Any Party may change its notice information by giving notice to the other Party in compliance with this section.

Section 15. Project Documents.

All data, drawings, maps, models, notes, photographs, reports, studies and other documents (collectively, "**Project Documents**") prepared, developed or discovered by Contractor in the course of performing any of the Work under this Contract will become the sole property of City. Upon the expiration or termination of this Contract, Contractor must turn over all original Project Documents to City in its possession, but may retain copies of any of the Project Documents it may desire.

Section 16. General Provisions.

16.1 Authority to Execute. Each Party represents and warrants that all necessary action has been taken by such Party to authorize the undersigned to execute this Contract and to bind it to the performance of its obligations.

16.2 Assignment. Contractor may not assign this Contract without the prior written consent of City, which consent may be withheld in City's sole discretion since the experience and qualifications of Contractor were material considerations for this Contract.

16.3 Binding Effect. This Agreement is binding upon the heirs, executors, administrators, successors and permitted assigns of the Parties.

16.4 Integrated Contract. This Contract, including the Contract Documents, is the entire, complete, final and exclusive expression of the Parties with respect to the Work to be performed under this Contract and supersedes all other agreements or understandings, whether oral or written, between Contractor and City prior to the execution of this Contract.

16.5 Modification of Contract. No amendment to or modification of this Contract will be valid unless made in writing and approved by Contractor and by the City Council or City Manager, as applicable. The Parties agree that this requirement for written modifications cannot be waived and that any attempted waiver will be void.

16.6 Electronic Signatures; Counterparts. This Agreement and any amendment will be considered executed when the signature page of a party is delivered by electronic transmission. Such electronic signatures will have the same effect as an original signature. This Agreement may be executed in multiple counterparts.

16.7 Waiver. Waiver by any Party of any term, condition, or covenant of this Contract will not constitute a waiver of any other term, condition, or covenant. Waiver by any Party of any breach of the provisions of this Contract will not constitute a waiver of any other provision, or a waiver of any subsequent breach or violation of any provision of this Contract. Acceptance by City of any Work performed by Contractor will not constitute a waiver of any of the provisions of this Contract.

16.8 Interpretation. This Contract will be interpreted, construed and governed according to the laws of the State of California. Each party has had the

opportunity to review this Contract with legal counsel. The Contract will be construed simply, as a whole, and in accordance with its fair meaning. It will not be interpreted strictly for or against either party.

16.9 Severability. If any term, condition or covenant of this Contract is declared or determined by any court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of this Contract will not be affected and the Contract will be read and construed without the invalid, void or unenforceable provision.

16.10 Venue. In the event of litigation between the parties, venue in state trial courts will be in the County of Ventura. In the event of litigation in a U.S. City Court, venue will be in the Central City of California, in Los Angeles.

The Parties have caused this Contract to be executed by their undersigned authorized agents as follows:

CITY OF OJAI

_____

Ben Harvey, City Manager

VENTURA PEST CONTROL, a California Corporation

_____

Ryan Moberly, General Manager

_____

Charles Cooley, Owner

Ojai Business Tax Certificate Number: 10219 Expiration Date:12/31/2025

EXHIBIT A
SCOPE OF WORK

SCOPE OF WORK AND SPECIFICATIONS

The City is requesting proposals to provide pest control services at the following locations:

City Facilities Include:

Building	Address
Arcade Plaza	212 E Matilija St
City Hall	401 S Ventura St
Oak Tree House (Finance Department)	111 W Santa Ana St
Kent Hall	111 W Santa Ana St
Police Station	402 S Ventura St
Public Works Buildings	408 S Signal St
Sarzotti Park	510 Park Rd
Libbey Park	210 S Signal St
Libbey Bowl	210 S Signal St

Specifications for City Facilities

A. Pest Coverage
   a. Insect Control: Control and prevention of ants, spiders, wasps, crickets, American & oriental cockroaches, earwigs, silverfish, pill bugs, and black widows.
   b. Rodent Control: Rodent control on the exterior and interior will include rats, mice, and ground squirrels.

B. Initial Scope of Work
   a. A complete exterior treatment will then be performed initially and includes the following:
      i. This service consists of a thorough inspection of each building to locate and eliminate infestations, provide exclusion to each building to prevent rodent entry into and under buildings, and install needed equipment.
      ii. A complete inspection and treatment of exterior areas of all buildings listed in Item 1.
      iii. A complete sweeping down of all spider webs that have accumulated along exterior walls, doors, and eaves.
      iv. Special emphasis will be given for ants around all trash enclosures, planters, and building perimeters.
      v. Installation of many new RBS (Rodent Bait Stations) to strategic areas of the buildings.
      vi. Interior snap traps placed in drop ceilings, attics, basements, and sub-areas, etc.
      vii. Specifics on each will be shown in Item C below.

C. All services will occur on weekdays (Mon-Fri) between the hours of 7:00 am and 5:00 pm
   a. On the initial visit, each of the buildings will be treated for rodent exclusion.
   b. The exterior grounds and areas will be inspected for insects listed in scope, and any necessary treatments will be provided one (1) time per week.

c. All rodent bait stations will be inspected, cleaned out, replenished with fresh bait as needed, and documented two (2) times per month (approximately 2 weeks apart).
d. All interior rodent traps will be checked one (1) time per week.
e. All exterior rodent devices will be treated with non-poison control methods.
f. Libbey Park and Libbey Bowl will be treated for pests, with an emphasis on spiders, quarterly.

B. Additional Services/Call Backs
   a. In the event additional services are necessary between regularly scheduled visits for pests included in item A, such service will be rendered again without any additional charge and will be on site within 24 hours during Mon-Fri for all callback-related requests.

C. Ancillary Services at Additional Charge
   a. Please provide a listing of all of the ancillary services that your company provides in addition to the items noted in item A.

EXHIBIT B

KEY PERSONNEL & COMPENSATION

1. Contractor's designated representative who is authorized to act on its behalf and to make all decisions in connection with the performance of the Work under this Contract is Ryan Moberly.

2. Total compensation under this Contract shall not exceed $42,300.00.

BID SCHEDULE

The undersigned declares that he/she has carefully examined the Scope of Work, and hereby agrees to provide the following: To furnish all labor, materials, equipment, transportation, and services and to do all the work required for pest control services and in strict conformity with the Scope of Work at the following total lump sum price (final price to include all taxes and fees).

BID Schedule A: City Facilities Weekly Service

Building	Service Frequency	Price Per Month	Annual Cost
Arcade Plaza Trash Enclosures	Once per week	$100/month	$1,200
City Hall	Once per week	$500/month	$6,000
Oak Tree House (Finance Department)	Once per week	$300/month	$3,600
Kent Hall	Once per week	$400/month	$4,800
Police Station	Once per week	$175/month	$2,100
Public Works Buildings	Once per week	$500/month	$6,000
Sarzotti Park	Once per week	$500/month	$6,000
Annual Total for Bid Schedule A			$29,700
Written Annual Amount in Words:			
Twenty Nine Thousand Seven Hundred Dollars.			

BID Schedule B: City Facilities Bi-Weekly Service

- ***c. All rodent bait stations will be inspected, cleaned out, and replenished with fresh bait as needed two (2) times per month (approximately 2 weeks apart).***

Building	Service Frequency	Price Per Month	Annual Cost
Arcade Plaza Trash Enclosures	Twice per month	$50/month	$600
City Hall	Twice per month	$200/month	$2,400
Oak Tree House (Finance Department)	Twice per month	$150/month	$1,800
Kent Hall	Twice per month	$150/month	$1,800
Police Station	Twice per month	$50/month	$600

Public Works Buildings	Twice per week	$200/MONTH	$2,400
Sarzotti Park	Twice per week	$200/MONTH	$2,400
Annual Total for Bid Schedule B			$12,000
Written Annual Amount in Words:			
TWELVE THOUSAND DOLLARS			

BID Schedule C: City Facilities Quarterly Service

Building	Service Frequency	Price Per Month	Annual Cost
Libbey Park	Quarterly	$75.00/QUARTER	$300
Libbey Bowl	Quarterly	$75.00/QUARTER	$300
Annual Total for Bid Schedule C			$600
Written Annual Amount in Words:			
SIX HUNDRED DOLLARS			

BID SCHEDULE TOTALS (A, B, C)

BID Schedule	Annual Total
A	$29,700
B	$12,000
C	$600
Grand Total of BID Schedule (A, B, C)	$42,300
Written Annual Amount in Words:	
FORTY TWO THOUSAND THREE HUNDRED DOLLARS.	

The undersigned understands that the City of Ojai has the reserves the right to accept or reject any or all bids submitted, as well as re-advertise at its discretion. I the undersigned agree that The bid shall state the total cost for the service as specified in this document. Prices are firm and fixed for the duration of this agreement.

VENTURA PEST CONTROL
Bidder's Company

RYAN MOBERLY, GENERAL MANAGER
Full Name, Title

Signature

2-9-26
Date

EXHIBIT C

INSURANCE

1. **General Requirements**. Contractor must procure and maintain in full force and effect during the term of this Contract the following types of insurance with coverage limits complying, at a minimum, with the limits set forth below:

Type of Insurance	Limits (combined single)
Commercial General Liability	$1,000,000 / $2,000,000 Aggregate
Business Automobile Liability	$1,000,000
Workers' Compensation	Statutory Requirements

2. **Commercial General Liability Insurance.** This policy must meet or exceed the requirements of Insurance Services Office (ISO) CGL Form No. CG 00 01. The amount of insurance set forth above will be a combined single limit per occurrence for bodily injury, personal injury, and property damage for the policy coverage**.** The insurance must be on an "occurrence" not a "claims-made" basis. Defense costs must be paid in addition to limits. There must be no cross-liability exclusion for claims or suits by one insured against another.

   Liability policies must be endorsed to name **City of Ojai its officials, employees and agents** as "**additional insureds**" under the insurance coverage.

   The policy must state that such insurance will be deemed "primary" such that any other insurance that may be carried by City will be deemed "excess" to that of Contractor. This endorsement must be reflected on ISO Form No. CG 20 01 or equivalent form as determined by City.

   Coverage must be applicable to City for injury to employees of Contractor, subcontractors, agents or others performing any part of the Work required under this Contract. Each policy must be endorsed to provide a separate limit applicable to this Project.

   The Commercial General Liability policy must not contain any endorsements limiting coverage beyond the basic policy coverage for any of the following:

   1. Explosion, collapse or underground hazard (XCU);
   2. Products and completed operation;
   3. Pollution liability; or
   4. Contractual liability.

3. **Business Auto Coverage.** This policy must be on ISO Business Auto Coverage Form CA 00 01 including symbol 1 (Any Auto) and Endorsement CA 0025, or equivalent forms approved in writing by City. If Contractor neither leases nor owns vehicles, this requirement may be satisfied by a non-owned auto endorsement to the general liability policy described above. If Contractor or Contractor's employees will use personal autos in any way on this Project, Contractor must provide evidence of personal auto liability coverage for each such person.

4. **Workers Compensation.** Contractor must have a State of California approved policy form providing the statutory benefits required by law with employer's liability limits or Contractor must provide evidence of an approved self-insurance program.

5. **Other Insurance; Revisions to Insurance.** Contractor may be required to obtain such

other insurance coverage as may be required by applicable law or by City. City reserves the right at any time during the term of the Contract to change the amounts and types of insurance required by giving Contractor 60 days advance written notice of such change. If such change results in substantial additional cost to Contractor, City and Contractor may renegotiate Contractor's compensation.

6. **Acceptable Insurers.** All required insurance policies must be issued by an insurance company currently authorized by the California Insurance Commissioner to transact the business of insurance in the State of California, with an assigned policyholders' Rating of A- (or higher) and Financial Size Category Class VII (or larger) in accordance with the latest edition of Best's Key Rating Guide, unless otherwise approved by the City's Risk Manager.

7, **Excess or Umbrella Liability Insurance (Over Primary).** If an excess or umbrella liability policy is used to meet limit requirements, the insurance must provide coverage at least as broad as specified for the underlying coverages. Any such coverage provided under an excess or umbrella liability policy must include a "drop-down provision" providing primary coverage above a maximum $25,000 self-insured retention for liability not covered by primary but covered by the umbrella. Coverage must be provided on a "pay-on-behalf" basis, with defense costs payable in addition to policy limits. There may be no cross-liability exclusion precluding coverage for claims or suits by one insured against another. Coverage must be applicable to City for injury to employees of Contractor, its subcontractors or others performing work to satisfy Contractor's obligations under this Contract. The scope of coverage provided is subject to approval of City following receipt of proof of insurance as required herein.

8. **Certificates of Insurance and Endorsements**. Prior to commencing any Work under this Contract, Contractor must file with the City Certificates of Insurance and Endorsements evidencing the existence of all insurance required by this Contract, along with such other evidence of insurance or copies of policies as may reasonably be required by City. Such Certificates of Insurance and Endorsements must be in a form approved by City's Attorney. Contractor must maintain current certificates and endorsements on file with City during the term of this Contract reflecting the existence of all required insurance. Each of the certificates must expressly provide that no material change in the policy, or termination thereof, will be effective except upon 30 days' prior written notice to City.

9. **Failure to Maintain Required Insurance**. If Contractor, for any reason, fails to have in place at all times during the term of this Contract all of the required insurance coverage, City may, in addition to any other available remedies, (a) obtain such coverage at Contractor's expense and deduct the cost from the sums due Contractor, (b) make a claim against the Contractor's surety, or (c) terminate the Contract.

10. **Effect of Coverage**. The existence of the required insurance coverage under this Contract will not be deemed to satisfy or limit Contractor's indemnity obligations under this Contract.

11. **Higher Limits of Insurance**. If Contractor maintains higher limits of insurance than the required amounts shown in Section 1 above, then such amounts will be the minimum required under this Agreement.

EXHIBIT D

EARTH FRIENDLY MANAGEMENT POLICY AND APPROVED PESTICIDE LIST

“Exhibit D”

City of Ojai
Earth Friendly Management Policy

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I. PREAMBLE

The Ojai Earth Friendly Management (EFM) Policy establishes best management practices for City-owned properties in an efficient, effective, and environmentally responsible manner while paying careful attention to public safety.

EFM is a problem-solving strategy that prioritizes an organic regenerative approach to the total environment – turf, landscape, and structure management – without the use of toxic pesticides. EFM mandates the use of preventative practices and enrichment strategies that promote healthy soil, plant life, wildlife, and the safeguarding of structures.

The intent of the EFM policy is to align the City's management practices with the City's vision and mission statement and to create and foster a program that is sensitive to impacts on the environment and the public in the use of harmful maintenance products.

The City will strive to preserve natural resources in the airshed and watershed, which include the ocean, marine life, creeks, canyons, plant life, mountains, wildlife, and open spaces.

EFM prioritizes **STEP UP!**: **S**anitation, **T**eaching, **E**nvironment enrichment, **P**reventative measures, and **U**niversal policy, the **P**recautionary principle. The **STEP UP!** protocol utilizes an understanding of Repel, Exclude, and Deter (**RED**) tactics.

- **Sanitation**, ensuring secure and clean trash management;
- **Teaching**, promoting pesticide alternatives like Repel, Exclude, Deter techniques;
- **Environmental Enrichment**, fostering drought-resistant trees, pollinator gardens, and soil health;
- **Prevention**, banning chemical pesticides on public property and encouraging natural alternatives; and
- **Universal Policy**, following the Precautionary Principle, which shifts the burden of proof to pesticide producers to demonstrate their products' safety, acknowledging that no pesticide is risk-free. The policy recognizes that when we poison nature, we ultimately harm ourselves.
- The **Precautionary Principle** recognizes:
  - No toxic, synthetic pesticide product is free from risk or threat to human health, and
  - Industrial producers shall be required to prove that their pesticide products demonstrate an absence of risks rather than requiring that the government or the public prove that human health is being harmed.

EFM incorporates the principles of Integrated Pest Management. EFM strictly prohibits the use of synthetic fertilizers and chemical pesticides including herbicides, insecticides, fungicides and rodenticides.

The City is committed to ensuring the health, safety, and biological integrity of its citizens and environment through the development of EFM practices.

It is also the purpose and intent of this policy to outline how City departments are to perform EFM strategies and to ensure compliance with the City's EFM resolution.

The City recognizes that toxic, synthetic pesticides are potentially hazardous to human health, wildlife, and the environment, and shall give preference to available, safe, and effective non-pesticide alternatives and cultural practices when considering options for pest management on City property.

II. City Policy

A. EFM Goals

The integration of physical, cultural, biological, and mechanical practices that foster cycling of resources, promote ecological balance, and conserve biodiversity are our goals.

1. To protect public health by restricting the use of hazardous chemicals and pesticides on city-owned property.

2. To ensure that citizens are able to safely use city structures and recreation areas.

3. To designate all parks, turf grass, playgrounds, City structures, and City property as pesticide-free zones.

4. Organic pesticides used only on an emergency basis. The selected pesticide shall be effective, least toxic, and used only for a limited time.

5. Development of site-specific management plans and specific plans to prevent or reduce the incidence of problems, with careful consideration given to protecting public health and safety, wildlife, and the environment.

B. Definitions.

For purposes of this Policy, these definitions apply:

1. “Department” means the Ojai Public Works Department.

2. “Eco-Exempt Products” means products exempt under Section 25(b) – *Minimum Risk Pesticides* of the Federal Insecticide Fungicide and Rodenticide Act (FIFRA) (7 USC § 136, et seq.), established by the United States Environmental Protection Agency.

3. “Integrated Pest Management or IPM” means Integrated Pest Management. IPM promotes the use of non-chemical methods for the prevention and management of pest issues utilizing methods such as physical, mechanical, cultural, and biological controls.

4. “National Organic Program” or “NOP” means the United States Department of Agriculture organic accreditation program that outlines organic certification standards, including a list of allowed and prohibited substances for organic production and processing.

5. “Organic Materials Research Institute” or “OMRI” means an organization that determines which input products are allowed for use in organic production and processing.

6. “Pesticide” means pesticide is a general term that includes herbicides, insecticides, fungicides, and rodenticides.

7. "Precautionary Principle” means the precautionary principle (or precautionary approach) to risk management states that if an action or policy has a suspected risk of causing harm to the public or the environment, in the absence of scientific consensus (that the action or policy is not harmful), the burden of proof that it is not harmful falls on those taking an action that may or may not be a risk.

The principle is used by policy makers to justify discretionary decisions in situations where there is the possibility of harm from making a certain decision (e.g., taking a particular course of action) when extensive scientific knowledge on the matter is lacking. The principle implies that there is a social responsibility to protect the public from exposure to harm when scientific investigation has found a plausible risk. These protections can be relaxed only if further scientific findings emerge that provide sound evidence that no harm will result.

The key elements of the Precautionary Principle approach to decision-making include:

- Anticipatory Action: There is a duty to take anticipatory action to prevent harm. Government, businesses, and community groups, as well as the general public, share this responsibility.

- Right to Know: The community has a right to know complete and accurate information on potential human health and environmental impacts associated with the selection of products, services, operations, or plans. The burden to supply this information lies with the proponent, not with the general public.

- Alternatives Assessment: An obligation exists to examine a full range of alternatives and to select the alternative with the least potential impact on human health and the environment, including doing nothing.

- Full Cost Accounting: When evaluating potential alternatives, there is a duty to consider all the reasonably foreseeable costs, including raw materials, manufacturing, transportation, use, cleanup, final disposal, and health costs, even if such costs are not reflected in the initial price. Short- and long-term benefits and time thresholds should be considered when making decisions.

- Participatory Decision Process: Decisions applying the Precautionary Principle must be transparent, participatory, and informed by the best available science and other relevant information.

8. "Toxicity Categories – I, II, III, IV" means pesticides, as defined in this section, meeting the appropriate toxicity categories and bearing on the front label panel the word Danger, Warning, or Caution, as specified in 40 CFR § 156.10.

9. "Trap and Release" means live trapping animals for immediate release to the appropriate surrounding area when necessary and allowed by law.

C. Administration of the EFM

It is the policy of the City that the EFM program will be administered by the Public Works Director or their designee and will apply Best Management Practices (BMPs) to prevent pest infestations while eliminating pesticide use. These BMPs) focus on preventive and non-chemical methods.

All City Departments will comply with the City of Ojai's EFM resolution and policy. This policy will apply to all property owned, leased, or managed by the City. City Departments that require pest management services will comply with the City's EFM resolution and policy, including:

1. **Practices Generally**

- **Review and consideration** of all available non-chemical options.
- **Identification and evaluation** of conditions that encourage problems.
- **Careful and efficient inspection, monitoring, and assessment** of problems by designated personnel knowledgeable of EFM methods.
- **Maintenance of records by City departments on EFM methods** considered and used to prevent and control issues.
- **Compliance** with all applicable state and federal regulations.

2. **Cultural Controls (Modify the environment to make it less hospitable for pests)**

- **Sanitation and Waste Management**: Remove food sources, standing water, and debris that attract pests.
- **Proper Planting and Spacing**: Choose pest-resistant plant varieties and ensure proper spacing to reduce disease risk and improve airflow.
- **Crop Rotation and Diversification**: For gardens or agricultural settings, rotate crops to disrupt pest life cycles and use companion planting to repel pests.
- **Create Healthy Soil**: Create a soil microbial community through the use of compost, compost tea, and inoculation.
- **Use native and/or climate appropriate plants** to reduce the amount of water, fertilizers, and soil amendments used.
- **Consider alternatives** to pesticide use such as doing nothing, or conducting manual weed and insect removal.
- **Minimize irrigation run-off** by using efficient irrigation practices to limit evapotranspiration.
- **Prohibited products:** Synthetic fertilizers, chemical pesticides, irradiation, and genetically engineered products or products containing genetically engineered ingredients may not be used, including fungicides, herbicides, insecticides, and rodenticides.

3. **Physical Barriers and Exclusion**

- **Seal Entry Points**: Ensure buildings or structures are sealed tightly by fixing cracks, gaps, and holes where pests may enter.
- **Install Screens and Nets**: Use screens on windows, doors, and vents to prevent insects from entering.
- **Row Covers and Mulches**: Use natural mulches and row covers to protect plants from insect infestations.
- **Eliminating habitats and conditions supportive of population increase** such as accessible dumpsters, weeds, and pathogens. All dumpsters must have tightly closed lids with no overflow.

4. **Mechanical Controls (Remove or disrupt pests directly)**

- **Traps and Baits**: Use non-toxic, non-lethal traps for rodents or insect monitoring traps to capture pests. Glue traps are prohibited due to their inhumane nature by the Ojai Municipal Code Chapter 5-16 (Use and Sale of Glue Traps). Trap and release when appropriate.
- **Manual Removal**: In gardens, manually remove pests such as slugs, caterpillars, or insects when infestation is small and it is safe to do so.
- **Vacuuming**: For indoor pests like mites or small insects, vacuuming can be effective.

5. **Biological Controls (Use natural predators or other biological interventions)**

- **Encourage Natural Predators**: Attract beneficial insects (like ladybugs and lacewings) that prey on pests.
- **Use Biocontrol Agents**: Introduce natural enemies of pests, such as predatory nematodes, bacteria (e.g., Bacillus thuringiensis for caterpillars), parasitic wasps, raptor poles, and owl nesting boxes.
- **Create Habitats for Wildlife**: Promote habitats for birds of prey, bats, and beneficial insects that feed on pests.

6. **Environmental Controls (Manage conditions to prevent pest development)**

- **Moisture Control**: Fix leaks, avoid overwatering, and ensure good drainage to minimize pest-friendly environments.
- **Landscape Maintenance**: Regularly prune plants, mow lawns, and remove dead or decaying plant matter.
- **Composting Practices**: Maintain compost piles properly, ensuring they are well-aerated to prevent pest breeding.
- **Apply and maintain mulch** to suppress weed seed germination.
- **Remove unwanted plants** before they set seed to reduce weed populations.
- **Consider emergency use only** of Eco-exempt products and those approved by the Organic Materials Research Institute (OMRI) or by the National Organic Program.

7. **Monitoring and Inspection**

- **Routine Inspections**: Conduct regular inspections for signs of pests, focusing on vulnerable areas (e.g., cracks, moisture spots, food storage).
- **Pest Identification**: Properly identify pests before implementing controls to ensure effective management.

8. **Education and Community Engagement**

- **Training**: Educate staff on prevention techniques, proper sanitation, and recognizing early signs of pests, including IPM methodology.
- **Shared Responsibility**: Encourage neighbors or other property users to adopt similar practices to create a larger pest-free zone when appropriate.

III. GUIDELINES FOR ORGANIC PESTICIDE SELECTION

A. Development of list of organic pesticides allowed for in an emergency on City property.

The City Council may adopt by resolution a list of organic pesticides (Pesticide List) that may be used in case of an emergency on City property in accordance with this policy. The Public Works Department shall develop and recommend an initial Pesticide List to the City Council and may recommend additions to the list to the City from time to time. The Pesticide List shall give preference to eco-exempt products, those approved by the Organic Materials Research Institute (OMRI), by the National Organic Program, or similar program accepted by the Public Works Department.

Exhibits A and B provide a framework for what pesticides to choose for inclusion on the Pesticide List. Eco-friendly options are to be used first. "Eco-friendly options" includes, but is not limited, horticultural oils; insecticidal soaps; diatomaceous earth; neem oil; bacillus thuringiensis (Bt) (NON GMO); spinosad; sulfur; iron phosphate; beauveria bassiana; pyrethrins (natural); horticultural vinegar; and organic soil fertilizer (foliar spray or soil drench). "Eco-friendly options" does not include products that have been irradiated or contain genetically engineered ingredients may not be used. Other emergency-use pesticides will be added to the Pesticide List by resolution of the City Council as and when determined necessary or desired by the City Council.

Any pesticide use will be in accordance with state and federal laws and in accordance with this policy and the EFM resolution, whichever is most restrictive.

Any proposed changes are to be supervised by the Public Works Department before being submitted to the City Council for consideration for approval.

B. Chemical Prohibitions for the Pesticide List

Pesticides included in the Pesticide List shall not contain ingredients identified in the following sources:

1. Products listed as Toxicity Category I, II or III.

2. California's Proposition 65 list (the Safe Drinking Water and Toxic Enforcement Act of 1986, materials known to the State to cause cancer or reproductive or developmental toxicity).

3. California's Department of Pesticide Regulation's Groundwater Protection List (Food and Agriculture Code § 13145(d); 3 CCR § 6800)

4. Organophosphates, or organochlorines, or carbamates listed by the California Environmental Protection Agency, Department of Pesticide Regulation databases

5. A known carcinogen, probable carcinogen, or possible carcinogen by the United States Environmental Protection Agency as per "List of Chemicals Evaluated for Carcinogenic Potential."

6. Any known endocrine disruptor listed by the United States Environmental Protection Agency or the European Union Endocrine Disruptors website.

C. Limited Use Emergency Exemptions

City departments shall submit a request for an exemption to the Public Works Department to use an organic pesticide that is not on the Pesticide List. The Public Works Department may approve a limited use emergency or exceptional circumstance exemption request if the material is being used in association with an active EFM program and the department, through submittal of an exemption request form, has demonstrated:

1. An emergency or exceptional circumstance need to use the pesticide, such as public health or safety, or substantial economic detriment.

2. The investigation of all available options and finding no viable alternatives.

3. The development of a plan to preclude the need for future use.

4. The department's intent to use the material for a limited period.

Notice of such waiver will be posted, in the manner provided for notice of public meetings, within two business days following the issuance of the waiver. Any waiver granting the use of pesticide on City land shall require the use of EFM protocol and shall specify the use of specific pesticides determined to be the least toxic material for the specific application. This information shall be included as part of the annual report to the City Council.

IV. CONTRACTS, NOTIFICATIONS, AND RECORD KEEPING

A. EFM Contracts

All contractors on City-owned or leased property shall be required to adhere to the guidelines established in the City's EFM resolution and policy

- The Public Works Department shall assist City departments in developing contract language and in the selection of the successful pest control contractor.

- Contractors are required to maintain records of activities and submit a summary of activities to the Department upon completion of the job. Contractors providing regular and ongoing service shall submit summaries to the Department quarterly. Records are to include the date, name of the pest, the site/location where the work was done, name of the technician performing the work, and corrective action(s) taken. If a pesticide was used, the product name and amount applied must also be reported.

- Contractors are required to comply with the notification requirements as listed in this policy.

B. Notification

The City shall provide the public and its employees with notification of exceptional circumstances or emergency organic pesticide applications through the use of signs.

1. Signs shall be posted at all regular public and employee points of entry to the treated area pursuant to state and federal law, the City of Ojai's EFM resolution and policy, and according to product label instructions.

2. Signs shall be posted four days in advance of application and remain in place for four days following the application unless the manufacturer's product label specifies a longer posting period.

3. Signs shall contain the name and active ingredient(s) of the product, the re-entry interval as determined by the product label or regulation, the name and contact number for the City department responsible for the application, and the web address of the City EFM webpage.

4. Signs shall be of a standardized design that is easily recognizable to the public and employees.

5. When using approved Category IV, Eco-exempt or OMRI approved pesticides, posting may be on the day of application and remain in place for at least four days.

6. City departments may obtain authorization from the Public Works Department to apply an organic pesticide without providing a one- to four-day advance notice if there is a compelling need to use the pesticide, such as a threat to public health, safety, City property, or substantial economic detriment. Signs meeting the requirements as outlined above (#2), shall be posted as soon as possible before application, and remain posted four days following the application.

7. The City will endeavor to give 72-hour notice if a pesticide is being used on City property.

C. Record Keeping and Reporting

The City shall maintain all records of the EFM methods and pesticide applications used for a period consistent with the City's record retention policy. Records of pesticide applications shall include:

1. The name of the entity responsible for applying the pesticide.

2. The specific site of the application.

3. The target pest.

4. The date the pesticide was used and re-entry if applicable.

5. Date of expiration of the pest control advisor recommendation.

6. Schedule, timing, and conditions.

7. The name and active ingredients of the pesticide applied and its EPA registration number

8. The Director of the Public Works Department will report in a timely manner to the City Council if any pesticides are used on City property by City staff or City contractors and will also submit an annual report of any pesticides used on City property.

"Exhibit D"

City of Ojai
Earth Friendly Management Policy

Approved Pesticide List

Type	Active Ingredient	Brand/Common Name
Herbicide	Acetic acid (horticultural vinegar)	Weed Pharm
Fungicide	Allyl isothiocyanate (AITC)	Dominus
Fungicide	Bacillus amyloliquefaciens	Stargus
Insecticide / fungicide	Bacillus subtilis	Serenade
Insecticide	Bacillus thuringiensis	Xentari, Agree, DiPel, Javelin
Insecticide	Beauveria bassiana	BotaniGard
Fungicide	Bicarbonates (sodium bicarbonate (baking soda) and potassium bicarbonate)	Kaligreen
Insecticide	Boric acid/borax (structural pest control, no direct contact with food or crops)	Boric acid / Borax
Insecticide / repellant	Canola oil	Canola oil
Insecticide / repellant	Castor oil	Castor oil
Insecticide / repellant	Cedar oil	CedarCide
Fungicide / insecticide	Cinnamaldehyde	Cinnerate
Insecticide / fungicide / herbicide	Clove oil	Clove oil
Herbicide	Corn gluten meal	Corn gluten
Insecticide	Diatomaceous earth	Diatomaceous earth
Insecticide / fungicide / repellant	Garlic oil	Garlic oil
Insecticide / fungicide	Horticultural oils	JMS Stylet Oil
Insecticide / fungicide	Insecticidal Soaps	M-Pede
Insecticide	Isaria fumosorosea Apopka strain 97	Preferal
Insecticide / repellant	Limonene / D-limonene	Orange Guard, Avenger
Insecticide / herbicide	Mint oil	Mint oil
Insecticide	Neem oil / azadirachtin	Neemix, Trilogy
Insecticide	Pyrethrins (natural)	PyGanic, Azera
Insecticide / herbicide	Soybean oil	Soybean oil
Insecticide / repellant	Spearmint oil	Spearmint oil
Insecticide	Spinosad	Entrust
Fungicide	Sulfur	Sulfur, Microthiol
Fungicide	Tea tree oil	Tea tree oil
Insecticide / repellant	Wintergreen oil	Wintergreen oil

VERIFICATION OF CALIFORNIA CONTRACTOR'S LICENSE

I certify, under penalty of perjury, that I have a valid California Contractor's license issued pursuant to Business and Professions Code section 7000 and following, and was so licensed at the time that the bid was awarded:

California Contractor's License:

License Number	Class	Expiration Date

CONTRACTOR (PRINT OR TYPE)

Date

Signature

(Public Contract Code § 6100)

CERTIFICATE REGARDING
WORKERS' COMPENSATION

I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract.

_____
Name (print or type)

_____ _____
Date Signature

CERTIFICATE REGARDING DEPARTMENT OF INDUSTRIAL RELATIONS CONTRACTOR REGISTRATION

I certify, under penalty of perjury, that Contractor is registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5.

Contractor's Department of Industrial Relations registration number is _____.

_____
Name & Title (print or type)

_____ _____
Date Signature

(Labor Code section 1725.5)

LIST OF SUBCONTRACTORS

WORK IDENTIFICATION: HVAC Full-Service Maintenance and Remedial Repair Contract, AS-2020-15

NAME AND ADDRESS OF BIDDER: _____

Name/Address/Phone No./State License Number of Subcontractor/City of Ojai Business License Number	Department of Industrial Relations Registration Number*	Items of Work	Portion of Work (% of Contract Price)
		% of Total Contract Price by Subcontract	
		% of Total Contract Price by Contractor	

*Pursuant to Division 2, Part 7, Chapter 1, (commencing with section 1720 including section 1725.5) of the Labor Code

Administrative Report

TO: **Honorable City Council**

FROM: **Ben Harvey, City Manager**
Lindy Palmer, Public Works Director

MEETING DATE: **April 14, 2026**

SUBJECT: **Approval of a Budget Appropriation for Installation of Air Conditioning Unit at the Libbey Bowl Ticket Booth *(Operational Need)***

RECOMMENDATION

Approve a budget appropriation of $21,000 from the Libbey Bowl Maintenance Fund Balance (Fund 011) to fund the purchase and installation of an air conditioning (A/C) unit at the Libbey Bowl ticket booth and authorize the City Manager to execute the task order with Green Globe HVAC for the work.

DISCUSSION

The City has received requests from Ojai Valley Music (a primary user of Libbey Bowl), as well as The Ojai Music Festival, to install an air conditioning unit in the Libbey Bowl ticket booth. The ticket booth serves as the primary point of contact for patrons attending events at the venue and is staffed during performances, which frequently occur during warm weather months. The lack of climate control in the ticket booth creates uncomfortable working conditions for staff and volunteers during peak summer events.

The cost for labor and installation is approximately $21,000. While the cost falls within the authority of the City Manager, this expenditure was not included in the adopted Fiscal Year 2025-26 budget. Accordingly, City Council action is required to appropriate the necessary funds.

The city recently completed Phase I of its Energy Modernization Program at Libbey Bowl, which included replacement of one packaged HVAC unit and one mini-split system. The ticket booth A/C unit was not part of that scope and represents a separate, standalone improvement to support venue operations and user comfort.

The work will be performed by Green Globe HVAC Inc. under the City's existing on-call maintenance agreement, PW Agreement No. 2025-03. A task order against PW Agreement No. 2025-03 will be issued by the City Manager for this scope of work, consistent with the authority granted at the time of agreement award.

Therefore, staff recommends authorizing an appropriation of $21,000 to fund the purchase and installation of an A/C unit at the Libbey Bowl ticket booth and authorize the City Manager to execute the task order to Green Globe HVAC for the work.

CITY COUNCIL GOALS ALIGNMENT

Goal No. 3 - Arts, Culture and Recreation Funding
Goal No. 4 - Infrastructure Maintenance and Improvement

OPTIONS

1. Take no action;
2. Provide alternative direction to staff.

FISCAL IMPACT

An appropriation of $21,000 for the purchase and installation of an A/C unit is required. Staff recommends use of the Libbey Bowl Maintenance Fund. There is approximately $46,000 available in this fund to support the maintenance and capital needs of Libbey Bowl.

Prepared by: Lindy Palmer, Public Works Director

ATTACHMENT(S)

A. Task Order No. 2026-TO-19 to Green Globe HVAC

ATTACHMENT A

City of Ojai

Department of Public Works

408 South Signal St, Ojai, CA 93023
Office: 805.646.5581 ext. 200

On-Call Services Task Order

Contractor:	**Green Globe HVAC Inc**				Date:	4/14/2026
Address:	2057 Goodyear Ave., Ste. A				Agreement Number:	PW 2024-24
Phone:	(805) 535-4375				DIR Project ID (if applicable):	
Budget Code Numbers:	Fund	Dept	Activity	Elem/Obj	Task Order Number:	2026-TO-19
	010	1602	0147	417		
Project Title:	**Libbey Bowl Ticket Booth**				Purchase Order Number:	

Public Works

On-Call Agreement Amount for Public Works	$75,000.00
Previous Task Orders for Public Works	$21,750.00
This Task Order	**$20,504.70**
On-Call Agreement Balance for Public Works	$32,745.30

Contractor shall perform the following-described work per the Agreement:

Installation of 3 new Samsung, Wind free technology, high efficiency, wall mount, ductless mini split systems.

Time for completion for services to be performed under this Task Order: **4/30/2026**

The maximum fee for services performed under this Task Order shall not exceed:

Bonds Included (if project > $25K): ☐ Yes ☑ N/A

Title	Name	Phone Number
City's Project Manager	**Lindy Palmer**	(805) 669-0171
Contractor Project Manager	**Jose Cerda**	(805) 535-4375

Send invoices to AP@ojai.ca.gov or mail to:
City of Ojai, Attention: Accounts Payable, 401 S. Ventura St., Ojai, CA 93023

Task Order Approval:

Project Manager: Admin: VP

Ben Harvey
City Manager

Insurance Verified: Yes

Distribution: Contractor
Project Manager
Task Order File

Green Globe HVAC, Inc.
2889 Bunsen Ave Unit D
Ventura, CA 93003
8058898927
greenglobeac@yahoo.com

Estimate LI5180

ADDRESS
City of Ojai
408 S Signal St.
Ojai, CA 93023

SHIP TO
City of Ojai
City of Ojai
408 S Signal St.
Ojai, CA 93023

DATE 03/20/2026

TOTAL $20,504.70

	DESCRIPTION	QTY	RATE	AMOUNT
	RE: Multi purpose room Libby Bowl Installation of 3 new Samsung, Wind free technology, high efficiency, wall mount, ductless mini split systems. Indoor model # RNX18AMD Outdoor model # RXX18AMD Installation of new refrigerant lines with vinyl cover (indoors) and metal cover (outdoors). Installation of new drain lines. Installation of 3 new Samsung thermostat adapter kits, model # MIM-A60UN Installation of 3 electrical circuits for all systems, including conduit, wire, breakers and service disconnects. Installation of 3 new Venstar, commercial programmable, WiFi thermostats, T8850 series. Systems start up.			
Labor	Labor	1	8,760.00	8,760.00
Equipment	Equipment and materials	1	11,744.70	11,744.70

Accepted By:

Accept Date:

TOTAL $20,504.70

THANK YOU.

Accepted By

P.O. No. _____

Acct. No. 010-1602-0147-200

Acct. No. _____

Task Code: _____

Reviewed by/Date: 4/2/2026 VP

Approved by/Date: _____

Accepted Date

TO: **Honorable City Council**

FROM: **Weston Montgomery, Chief Deputy City Clerk**

MEETING DATE: **April 14, 2026**

SUBJECT: **Written Public Comments**

The attached public comments were submitted to the City Clerk prior to 3:00 p.m. the date before the meeting (referenced above) and are being posted to the City's website for public access.

Posted: April 13, 2026

PUBLIC COMMENT FOR CITY COUNCIL MEETINGS

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

The City encourages public participation. 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.

Communications to the City Council are public records and will become part of the City's electronic records, which are accessible through the City's website. Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to the City Council, will become part of the public record. If you do not want your e-mail address or any other contact information to be made public, you may deliver communications to the City Clerk's Office at 401 S Ventura St, Ojai Ca, 93023, or you may email the comment as an attached PDF to the email and request in the email to only include the attachment. If you do not want your contact information included in the public record, please do not include that information in your communication.

As a government agency, the City of Ojai is subject to the California Public Records Act (Government Code § 6250 et seq.). Please be advised that all communications submitted to City officials and staff are subject to public disclosure under the California Public Records Act. There are limited exceptions that allow the City to redact personal information under the California Public Records Act. If you have concerns regarding privacy, please do not include your personal identifying information, such as your name, e-mail, phone number, and home address in your correspondence to the City, including, but not limited to, public comment.

Outlook

Item #7, April 14, 2026 City Council Meeting

From Clay Creasey <claycreasey@gmail.com>
Date Sat 4/11/2026 5:44 PM
To Andy Gilman <ojaichat@gmail.com>; Leslie Rule <Leslie.Rule@ojai.ca.gov>; Rachel Lang <ojairachel@gmail.com>; Kim Mang <jkmangnsons@aol.com>; Andrew Whitman <Andrew.Whitman@ojai.ca.gov>
Cc Bethany Burgess <bburgess@awattorneys.com>; City Clerk <cityclerk@ojai.ca.gov>

City Council Members-
Discussion item #7 asks you to consider two general contractor construction contract options for continuing forward with the development of the Permanent Supportive Housing project at the Maintenance Yard location.

EXECUTIVE SUMMARY

Both of the proposed options are fatally flawed, as detailed below. Therefore, you should accept neither.

Instead, you should give staff the assignment to come back to the City Council on April 28 with two options:

1. A functionally viable project, consistent with the features included in Ojai Resolution 25-19 and the ERF grant application, located at the Maintenance Yard, with a good faith estimate of the amount the project will cost above the $9.5 million budget.

2. A functionally viable project, located just to the west of the Kent Hall parking lot, with a good faith estimate of how much that project would cost. For this alternative, two scenarios should be considered: a replica of the existing one-story plan, and a plan with similar characteristics, but constructed as two stories.

DISCUSSION

Both of the proposed options in this item #7 involve substantial compromises relative to the project specifications that were included in the grant application and your resolution 25-19 which formed the basis for the Development Management Agreement with DignityMoves.

As a result, you now find yourselves in exactly the predicament your City Manager and City Attorney said would not happen. Specifically, last August 26 you were assured by them that the “guaranteed price component” of the DMA meant that DignityMoves had to deliver the specified project for $9.5 million, even if the bids came in higher. In fact, the City Manager predicted they would come in higher, and that DignityMoves would "lose money on the project". This failure of the City's administration to properly guide you on a more timely basis with regard to the provisions of the DMA is inexcusable, and you have every right to feel hoodwinked.

Essentially, you are now faced with four choices:

a. Existing project with $1 million Balay Ko grant (with substantially compromised scope, as detailed below, and uncertain additional operating complexities).

b. Existing project without additional funding (with an even more substantially compromised scope, as detailed below).

c. Contribute more than $1 million of general funds to allow the project to be built in the Maintenance Yard to specifications.

d. Consider an alternative location to the immediate west of the Kent Hall parking lot, which would produce sufficient savings to bring the project back below the $9.5 million allocation. (In fact, just eliminating the need for the ADA ramp will save nearly $0.7 million, according to the bid documents.)

Note that the first three options also contain the risk that an adverse outcome with the toxic lead removal project could eat further into the funding available for this project.

My specific observations and questions regarding the two presented options are included in the following sections. They present in detail why neither of these options are acceptable in their current forms.

OPTION 1: ACCEPT A BID INCLUDING $1 MILLION SUPPLEMENTAL GRANT FUNDING

This option is a very late-breaking scenario, ostensibly made possible by a proposed grant from Balay Ko Foundation, as described in a letter from DignityMoves to the Ojai City Manager dated April 7, 2026. However, it introduces the potential for future additional financial obligations and project management complexities of uncertain magnitudes. ***Given the problematic timing of this proposal, it does not seem like a practical option.*** Nonetheless, below is my recap of the major aspects of this option.

A. Balay Ko Foundation (BKF) Background Information

1. BKF was founded by Amie and Scott Godfrey on 29-Nov-21 and funded on 21-Dec-21 with $149 million in proceeds from their $0.5 billion net-of-tax lottery prize. It is headquartered in Santa Barbara.

2. The charitable purpose of BKF as defined in their articles of incorporation "…shall be to provide food and housing security to benefit the homeless."

3. As of their latest filing (30-Nov-24), BKF had total assets of $151 million.

4. In their three years of reported operations, BKF has made contributions, grants, and gifts totaling $21.7 million to 20 different organizations.

5. Of the $21.7 million, $4.7 million was paid to DignityMoves. This makes DignityMoves the single largest recipient of funds from BKF since their founding.

6. In addition to the amount granted to DignityMoves, BKF also loaned DignityMoves $1.2 million on 25-Mar-24. According to the financial statements of DignityMoves, that loan was repaid by 30-Jun-25.

7. Other major recipients of funding from BKF include Food Bank of Santa Barbara ($4.0 million), Transition House in Santa Barbara ($2.2 million), Good Samaritan Shelter in Santa Maria ($2.1 million), Salt Light Works in Visalia ($1.9 million), San Luis Obispo Food Bank ($1.2 million), and My Friend's Place in Hollywood ($1.1 million).

8. BKF activity past 30-Nov-24 has not yet been publicly released.

B. The BKF Grant Proposal for the Ojai Permanent Supportive Housing Project

1. Before any decision is made in reliance on this grant offer, the City must review the written BKF grant offering to make sure all provisions are acceptable. The April 7 letter from DignityMoves is obviously insufficient to base this decision on.

2. It is indeed a puzzlement how a grant offering of this magnitude and import could come to be placed in front of the City without prior public discussion by the City Council. This does not reflect well on the City's commitment to conduct their affairs in a transparent and inclusive manner.

3. The City should not enter into a construction contract that relies on the proceeds of this grant until the grant funds have been received pursuant to a grant agreement and the necessary approvals have been received from HCD.

4. Given the significant assets of BKF, it would make sense for a delegation of City officials to meet with BKF to explore future funding possibilities.

5. The "carving out" of five places for 18–24-year-old individuals in the BKF proposal detracts from the operating flexibility of the Ojai PSH facility and its capacity to serve the target Ojai residents. Given that the age range of the OTT residents was stated in the original grant application to be from 35 to 74, it is highly likely that the allocation of five spots to lower ages will be restrictive.

6. The neighborhood dynamic of a youthful resident cohort is substantially different than the one that has heretofore been contemplated. It is easy to imagine that this would exacerbate local consternation over this project.

7. The presence of a cohort of youthful residents would introduce management complexities and risks that would need to be well understood. For example, in view of the recent lawsuit arising from a drug overdose in a local private school, the potential liability associated with such residents will need to be carefully managed.

8. It is puzzling why BKF would condition their grant on the Maintenance Yard location of the PSH project. In view of the as-yet unresolved risk of an expanded toxic remediation condition at the Maintenance Yard and the costs for that location, this condition does not appear acceptable.

9. It is likely that the numerous complexities associated with this grant opportunity would take several weeks to be resolved. Therefore, any decision to go in this direction should include the requirement that Specialty Construction waive the May 16 deadline for accepting their bid.

10. Notwithstanding the additional $1 million funding provided by this grant, this option would still involve the following compromises / omissions to the scope of the project, as compared to those called for in the City's resolution 25-19 (important omissions emphasized):

a. Omit straw panels at interior face of exterior walls.
b. Omit straw panels on one side of interior partition walls.
c. Omit storage container and all associated site work.
d. Omit all planter boxes.
e. Replace courtyard pavers with decomposed granite.
f. Alternate clay roof tiling (aesthetic impact?)
g. Omit dishwasher, refrigerator, and freezer from common area.
h. Omit key card access system.
i. Omit roof, gates, lighting, and steel mesh from trash enclosure.
j. Omit steel gates (presumably from entrance to compound?)
k. Omit steel screens from HVAC units.
l. Omit sandstone address column.
m. Omit acoustic ceiling panels.

11. Some of the above scope compromises could have adverse implications for the viability of the project from the point of view of HCD. Among other things, the provisions for communal dining and storage of resident belongings were specifically called out as features of the project in the grant application.

OPTION 2: ACCEPT A BID WITH NO SUPPLEMENTAL FUNDING

Although this option is presented as a viable alternative, it is not functionally acceptable.

It has a massive list of omitted features (see below). It also has an unusually slim contingency provision, which increases the chances that the normal complexities of construction will produce budget overruns. It also has mysteriously eliminated the provision for legal expense (as did option 1), even though DignityMoves has already charged the project with $33,349 of legal bills.

Features compromised / omitted in this version:

a. Omit straw panels at interior face of exterior walls.
b. Omit straw panels on both sides of interior partition walls.
c. Omit faux beams from soffit assembly.
d. Omit storage container and all associated site work.
e. Omit all planter boxes.
f. Replace courtyard pavers with decomposed granite.
g. Alternate clay roof tiling (aesthetic impact?)
h. Omit dishwasher, refrigerator, and freezer from common area.
i. Omit key card access system.
j. Omit all plantings and irrigation.
k. Omit roof, gates, lighting, and steel mesh from trash enclosure.
l. Omit steel courtyard gates
m. Omit steel screens from HVAC units.
n. Replace stamped and colored concrete in exterior areas with grey broom finish.
o. Replace colored concrete in interior areas with grey typical.
p. Omit sandstone address column.
q. Omit acoustic ceiling panels.

One could theoretically envision a process whereby the City Council could conduct a real-time smorgasbord selection of features to put back, tracking the financial implications as they go. But such an effort would be certain to fail, given the exigencies of the public meeting process.

ERRATA

1) Page 2 of 7 of the City Manager's Administrative Report states "On May 27, 2025, the City Council selected the City's Lower Public Works Yard for the project location." In actuality, the City Council voted to approve that location on August 27, 2024 (as described in the minutes of that meeting), in the first City Council meeting when that location was discussed, after a mere 37 minutes of City Council debate.

2) Page 4 of 7 of the City Manager's Administrative Report states "Both recommended project options include: ... Fire hardened building and landscaping to meet current Very-High Fire Hazard Severity Zone standards." However, the value engineered list for Option 2 states that it will "Omit all Plantings and Irrigation".

3) Pages 6 and 7 state that, should the City Council take no action on this item, the City Council "must provide direction to the City Manager for ... corresponding requisite amendments to the City's adopted FY 25-26 Budget to reflect any required refunds of ERF Grant funds to the State as directed by the California Department of Housing and Community Development (HCD)." There is obviously no

requirement for such a budget amendment, and the City Manager's disingenuous attempt to put such a task on the City Council should be ignored.

4) Attachment D to the City Manager's Administrative Report is a construction schedule, showing that construction will start in May of this year and be completed in July of 2027. However, it is highly unlikely that the lead remediation clearance will be given by the State DTSC in time for that construction start date. Moreover, the construction timeline has been inexplicably shortened from 16 months to 13 months. Thus, the project completion date of 26-Jul-27 is unrealistic.

Respectfully,

Clay Creasey

Ojai Resident

Outlook

City Council Mtg

From Nutmeg's OjaiHouse <mgojai62@gmail.com>
Date Sat 4/11/2026 11:40 PM
To City Clerk <cityclerk@ojai.ca.gov>

Hi Sheri,
Comment for Item # 10 on Tuesday the 14th City Council Meeting;
$21,000 for an A/C unit for the ticket booth at the Bowl sounds excessive. That sounds more like the cost to cool the whole Backstage and Dressing rooms of Libbey Bowl.
James Lazlo could probably put in a couple of units for less than $10,000.
Call him for an estimate, 805.340.6219.
Meg Goodwin
304 N Montgomery St, Ojai, CA 93023

Outlook

Support for the Cabin Village project

From Anne Carper <anniecarper22@gmail.com>
Date Sun 4/12/2026 6:33 AM
To City Clerk <cityclerk@ojai.ca.gov>

Dear Mayor and City Council,

We are writing to share our wholehearted support for the Cabin Village project and the $1 million grant that will make housing for Transitional Age Youth in our valley possible. These young adults—especially those aging out of foster care—deserve the stability and dignity that safe housing brings.

With solid funding, County and State support opportunities, and the City's own operating reserves, this project is built on firm financial ground. It also represents the compassion and forward-thinking values Ojai is known for.

We want to thank the City Council and City Manager Ben Harvey for the hard work and perseverance that brought this project so close to reality. Your dedication to addressing homelessness and supporting our community truly matters.

We urge you to approve the bidder, the bid, and the Balay Ko donation so we can move forward together and make Cabin Village a reality.

With appreciation,

Anne & Chad Carper

Outlook

Public Comment for Ojai City Council Regular Meeting on April 14, 2026 Rearding Agenda Item # 7

From Gene Sharaga <genesharaga@gmail.com>
Date Sun 4/12/2026 11:05 AM
To City Clerk <cityclerk@ojai.ca.gov>

I have been a resident of the City of Ojai for the past 3 years.

As you may know from my prior public comments, I have had a 32 year career as a successful trial attorney and since then I have been a very effective mediator for the past 8 years. In addition to giving me extensive knowledge regarding ADA accessibility, this experience has also helped me to nurture and develop my strong ability to read people and situations.

I am submitting this public comment to urge the City Council to vote no on either Agenda Item 7 alternative option regarding approving the affirmation of DignityMoves' determination of lowest responsive bidder of Specialty Construction for the Ojai Permanent Supportive Housing Project. Both options are fatally flawed because the Maintenance yard site is the worst possible location for ADA access for its many future disabled and elderly residents. **Both options include a costly 325 foot abomination of a ramp that leads to South Ventura Street. For the reasons I explained in my public comment for the March 24, 2026 City Council Meeting, this is a "RAMP TO NOWHERE" because there are numerous ADA barriers that would PREVENT wheelchair bound residents from being able to travel as pedestrians to downtown Ojai. In addition, a 325 foot ramp is not only wastefully expensive, it is also a callous major daunting imposition for disabled residents to traverse simply to get to South Ventura Street.**

The following is both a significant factual and psychologically true comment. **The City knew when it started the PSH location selection process that many of the potential residents were elderly and disabled. Therefore, ADA friendly access should have been on the top of its selection list when it first started looking to find a PSH location. The ongoing reluctance to pivot to a friendly ADA accessibility site is significantly motivated by its refusal to acknowledge its huge blunder of choosing one of the worst possible ADA accessible sites, the Maintenance Yard. Its current reluctance to choose the site adjacent to Kent Hall (which does not require any ADA ramp to access South Blanche Street and has ZERO ADA barriers in the pedestrian route to downtown Ojai) is a textbook example of bureaucratic inertia bias.** Inertia bias is never a good look, particularly, for those City Council Members and the Mayor who are up for re-election this year.

It appears that City Council Member Leslie Rule has decided not to be a victim of this inertia bias and wants to pivot and find a friendly ADA Accessible site coupled with less expensive and larger prefabricated units. I urge the rest of you to do the same. **The City Council needs to immediately start a feasibility study for the PSH location at a site adjacent to Kent Hall.** I have already sent you 2 prior emails that explain that such a site would have no internal ADA accessibility barriers and also would have no ADA accessibility barriers for pedestrian travel to and from downtown Ojai. Please do this for the well-being and welfare of your future elderly and disabled PSH residents.

Sincerely,

Gene Sharaga

Outlook

Speed bumps on Cuyama Rd

From Alan Mintz <alangailmintz@gmail.com>
Date Sun 4/12/2026 12:19 PM
To City Council <citycouncil@ojai.ca.gov>

ALERT This email looks suspicious and may have been automatically generated. Be careful as this is likely spam. If you disagree, mark as Safe/Phishing using the Outlook Add-In. Powered by CyberSentriq.

Two weeks ago there was a collision in front of our house. A 14 year old boy sped around the blind corner in his father's car and ran into a car traveling in the opposite direction. Imagine if it had been a child on a bike…or one of us at our mail box. It's great that the legal speed limit has been lowered to 20 mph, as long as the limit is obeyed.



I have enclosed a photo of my wife, Gail, standing at our mailbox, taken from the street opposite our house. Can you see Gail at the mailbox? No? Neither would someone in a car. A distracted driver or

someone speeding could not stop in time at avoid hitting her.
We need a way to force vehicles to slow down. Really, what's the downside of speed bumps? Cost? Imagine the city's liability if a cyclist or walker is hit by a distracted or speeding car.
Can we discuss this at the 4/14 meeting?

Alan and Gail Mintz
909 Cuyama Road

Outlook

Council meeting 4/14/26 item 7 change homeless cabin goal

From Bill <wdmiley32@gmail.com>
Date Mon 4/13/2026 12:12 AM
To Bridget Mara <Bridget.Mara@ojai.ca.gov>

4/13/26
To: Ojai City Council
From: Bill Miley
Subject. Council meeting 4/14/26 item 7 One Million thru Dignity…a gift????

Hello:

Without analysis this sounds helpful. Wow, one million to dignity to Ojai City. If… the city agrees to designate 5 of the 30 Cabin Village living units to a program for "Mesa" type graduates. (Transitional Age Youth)

A FACT…The latest homeless count by County Government had over 70 homeless folks living in the Ojai Valley. We expanded the Cabin plan years ago from 20 to 30. Permanent rather than transitional.

Who gets the best part of this contract? At 10.9 million for a total program supporting 30 residential units thus each living unit costs (dividing 30 into the total price) cost about 330,000$ to create. The 1 million dollar donation is for 5 such units supported by the entire program. This comes to 200,000$ for each of the requested 5 units. One hundred thirty thousand (130,000$) less than the cost for each of the others. Thus raising the price of the rest.

The one million (1,000,000$) does not cover the total cost of building and supporting the 5 requested units. To be fair they should only ask for 3. What does their money buy…only building units…if 3. (Or as being asked 5) No on-going costs eg. daily support, etc are offered. A program would then be the ongoing responsibility of the city. And reducing the number of homes for homeless folks by about 17%.

It seems there is no financial benefit to the city from this "donation". Factually it starts with a loss and continues with daily losses. And it reduces the service provisions for the target population we have focused on since the start.

Remember the latest county homeless count…70 + in the Ojai Valley.

A interesting question to ask? Why just before selecting a contractor, is Dignity Moves suggesting a change to the City's purpose for a homeless program to provide permanent homes for folks historically living in the Ojai Valley? Our purpose over the past 4 -+ years has been what I just said.

What, I wonder, is our "developer"s motivations for such a move.? My suggestion for the donator is to direct such funding to a non-profit providing TAY services and followup support which apparently they now need.

I see us as being firm in our goal of assisting local homeless folks. We are close. Let's finish what we started…and believe and feel good about what we are accomplishing. Please do not deviate from our commitment.

My attempted words of wisdom…Waffles are for eating … not decision making.

Sincerely, Bill Miley

Outlook

Public Comment-April 14th Council Mtg - Discussion Item #7

From D KiwiCal <kiwi4831cal@gmail.com>
Date Mon 4/13/2026 11:45 AM
To City Clerk <cityclerk@ojai.ca.gov>

Honorable Mayor and Council Members:

I am writing to voice my support for the selection of the Bidder, the Bid and the Private Donation to support the youth in our city; to enable the start of the Cabin Village build at the public works yard. On behalf of the caring community of Ojai, I ask that all council members put any objections behind them, and vote to get this project moving forward.

Council should vote to select the bid, bidder and donation from the Balay Ko Foundation. The reasons are manyfold:

1. The private donation allows the project to move forward with a healthy contingency fund, removing any objections based on possible shortfalls.

2. The $1 million dollar grant provides much needed housing for Transitional Age Youth in the valley. This includes those young adults aging out of foster care who are losing their housing, support system and government funds. These units, unlike the Mesa Project, are reserved specifically for valley residents.

3. The $1 million grant negates most of the arguments that have been levied against this program. There is no rational reason to continue to oppose this project. We urge City Council to vote to approve the bidder, the bid and acceptance of the TAY units.

4. Once the Cabin Village is a reality and residents are in place, funding through Ventura County's Continuum of Care, as well as State grants, are available for operational and support needs. The addition of the five Transitional Age Youth units opens up additional funding opportunities. With the $2 million grant money the City has reserved to provide a 3-4 year runway of operating costs, along with the increased grant opportunities, this project is on firm financial footing.

5. Regardless of the outcome of the vote, Dignity Moves deserves our gratitude for their tireless championing of this project, for their willingness to provide test fits on a multitude of sites, their initial design and countless iterations of the design as changes were made by the City.

6. Whatever the outcome of the vote, the City administration deserves recognition for their dogged commitment to moving this project forward. City manager Ben Harvey inherited a problem that had daunted previous city managers; the growing population of unhoused people on the City Hall campus. With his staff, Mr. Harvey has persevered to make the Cabin Village a reality. Let's hope that tonight's vote makes that happen.

7. As more and more affluent people move into our valley, Ojai's aging and young population is finding that putting a roof over their heads is out of reach financially. This project will help those people who have fallen into homelessness find housing security in projects like this one, like Bryant St. and others that the City has green lit for construction.

8. I urge the City Council tonight to make this project a reality. I see no rational argument against moving forward to accept the bidder, the bid and the Balay Ko donation, to provide housing for at risk youth.

9. Let's make Ojai the little city that can do big projects: projects that support the core ethos Ojai is known for; progressive thinking, compassion and care for our
neighbors.

David Chapman
Ojai Resident

April 13, 2026

Honorable Mayor and City Council,

We are at the finish line of what has been a complicated and emotionally charged project.

If we step back and remember what is at the core of the project, the lives and well being of 30 of our valley's most vulnerable neighbors, there is no question that this proposal should move forward to completion.

I urge the City Council tonight to vote to make the Cabin Village a reality. I see no rational argument against moving forward to vote YES to accept the bidder, the bid and the Balay Ko donation to provide housing and support for at risk youth in our valley.

Let's make Ojai the little city that **can** do big, substantive projects: projects that support the core ethos for which Ojai is known; progressive thinking, compassion and care for our neighbors. It will be a legacy of which you all can be proud.

Respectfully,
Leeana McNeilley
Ojai Resident

Outlook

Final Approval of contract for Cabin Village construction

From Marcy Toscher <mlstoscher@gmail.com>
Date Mon 4/13/2026 1:11 PM
To City Clerk <cityclerk@ojai.ca.gov>

Honorable Mayor and City Council,

During the upcoming City Council meeting please discuss how the City is prepared to pay back the grant and moneys already expended on this project to the tune of 1.8 million +. Your constituents deserve to know about wasted money. Also please be transparent about where the out of pocket annual funding for OTT of approximately $500,000 + will come from if you don't follow through with the Cabin Village project. Transparency also requires that you disclose the costs associated with the time and staff resources spent over the last few years for Cabin Village. Please also address what you intend for the future of the 30 residents of OTT in the event you kill Cabin Village. What are the plans? What will that cost? How much will it cost to repair/replace the aging tents?

Additionally, there may be unquantifiable costs to the reputation and reliability of the City of Ojai as future potential state, county and private project grant partners, regardless of the type of project intended if you abandon the $12+ million state grant and the additional $1 million grant supplied through Dignity moves.

We lose without humane housing for vulnerable residents, including the promised County annual funding for ongoing supportive costs for Cabin Village residents (which will come from general funds to support OTT in the absence of the Cabin Village and promised County support). We might also lose potential future grant funding of any type for any purpose with a non- performing history.

Finally, the various attempts we've witnessed to derail the Cabin Village project every step of the way is a perfect example of NIMBYism at its worst.

Please do the right thing and without delay select and approve the best contractor to build Cabin Village. The City decided to create OTT and at that point assumed responsibility for its residents, don't abandon them now to endure another winter or oppressive summer in a tent.

Thank you for all of your work to date.

Sincerely,

Marcy and Steve Toscher
Ojai

Outlook

Letter to city counsel regarding the Cabin Village

From Anne Jarchow <ahjarchow@yahoo.com>
Date Mon 4/13/2026 1:35 PM
To City Clerk <cityclerk@ojai.ca.gov>

Hello,

I am a resident of Ojai and I support approving the bid, the bidder and the generous Balay Ko donation to provide housing and support for at risk youth in the valley. Please vote yes on Option One. An opportunity like this will not be available again.

Best,

Anne Jarchow
207 S. Blanche Street
Ojai 93023

Outlook

Support for Permanent Supportive Housing Project

From Lauren Nilsson <nilssonlauren@gmail.com>
Date Mon 4/13/2026 1:46 PM
To City Clerk <cityclerk@ojai.ca.gov>

Hello,

I support approving the bid, the bidder and the generous Balay Ko donation to provide housing and support for at risk youth in the valley. Please vote yes on Option One.

Thank you!
Lauren Nilsson
Ojai resident and parent

Outlook

Agenda item 7 - support Cabin Village

From Chelsea Sutula <chelsea.sutula@gmail.com>
Date Mon 4/13/2026 1:50 PM
To City Clerk <cityclerk@ojai.ca.gov>

Dear City Council,

Everytime I see another potential delay or questioning of the Cabin Village project, I cringe.

Construction bids coming in higher than anticipated is not shocking. The fact that Dignity Moves has solicited additional grant funds to cover the added cost should be received with welcome relief and gratitude. We can make thier conditions for transitional youth work.

For anyone still questioning the selection of Dignity Moves for leading this project, I ask: who else has stepped up and said they could do it better or cheaper?

Please accept the additional funding from Balay Ko and allow Dignity Moves to move forward with Specialty Construction and their selected bid. There is no reason to delay any further.

Chelsea Sutula
Ojai Valley resident and Ojai business owner

Outlook

Please vote YES on Option ONE

From Caryn Bosson <caryndb@gmail.com>
Date Mon 4/13/2026 1:52 PM
To City Clerk <cityclerk@ojai.ca.gov>

Dear City Council Members,

What an opportunity! We support approving the bid, the bidder and the generous Balay Ko donation to provide housing and support for at risk youth in the valley. Vote yes on Option One.

Please make the important and valuable Cabin Village project a reality.

Thank you,

Caryn and Charlie Bosson
3763 Grand Avenue, Ojai, CA 93023

Outlook

CABIN VILLAGE

From Gmail <srdjanvejvoda@gmail.com>
Date Mon 4/13/2026 2:06 PM
To City Clerk <cityclerk@ojai.ca.gov>

i support approving the bid, the bidder and the generous Balay Ko donation to provide housing and support for at risk youth in the valley. Please vote yes on Option One.

Thank you!

Srdjan Vejvoda
207 S Blanche St.
Ojai, CA 93023

Outlook

Item #7 Ojai Permanent Supportive Housing Project/Dignity Moves Project Bid Affirmation, City Council Direction

From Suza Francina <suzaojaicitycouncil@gmail.com>
Date Mon 4/13/2026 2:26 PM
To City Clerk <cityclerk@ojai.ca.gov>

cityclerk@ojai.ca.gov

To: Mayor Andy Gilman and Honorable Members of the Ojai City Council
Leslie Rule, Rachel Lang, Andrew Whitman, Kim Mang
From: Suza Francina, council member and former mayor
1996-2000, 2016-2020, and 2020-2024

It has been over three years since I first sat down with Ruth Miller to discuss possible solutions to the ever growing problem of homelessness in Ojai. I still recall bringing yoga blankets and a tarp to a homeless Vietnam vet who I went to Nordhoff highschool with (Class of 1967).

He was camping in the rain with a friend in the parking lot behind the museum.

I'm writing to express my support approving the bid, the bidder and the generous donation of $1million from the Balay Ko Foundation to provide housing and support for at-risk youth in the valley.

Please vote yes on Option One.

There is no perfect place or perfect solution.
A Bird in the Hand is Worth Two in the Bush.

- This new private donation allows the project to move forward with a healthy contingency fund, removing any objections based on possible financial shortfalls.
-
- The $1 million dollar grant provides much needed housing for Transitional Age Youth (TAY) in the valley. This includes those young adults aging out of foster care who are losing their housing, support system and government funds. These units, unlike the Mesa Project, are *reserved specifically for valley residents.*
-
- The $1 million grant negates most of the arguments that have been levied against this program. I see no rational reason to continue to oppose this project.
-

- I urge the City Council to vote to approve the bidder, the bid and acceptance of the TAY units.
-
- Once the Cabin Village is a reality and residents are in place, funding through Ventura County's Continuum of Care, as well as State grants, are available for operational and support needs. **The addition of the five Transitional Age Youth units opens up additional funding opportunities.** With the $2 million grant money the City has reserved to provide a 3-4 year runway of operating costs, along with the increased grant opportunities, this project is on firm financial footing.
-
- While I recognize that the process at arriving at this final point has not been perfect, Dignity Moves deserves our gratitude for their tireless championing of this project, for their willingness to provide test fits on a multitude of sites, their initial design and countless iterations of the design as changes were made by the City.
-
- Likewise, the City administration deserves recognition for their dogged commitment to moving this project forward. I was on the council when City manager Ben Harvey inherited a problem that had daunted previous city managers; the growing population of unhoused people on the City Hall campus. With his staff, Ben Harvey has persevered to make the Cabin Village a reality.
-
- As more and more affluent people move into our valley, Ojai's aging and young population is finding that putting a roof over their heads is out of reach financially. This project is a HUGE step in the right direction to help those people who have fallen into homelessness find housing security in projects like this one, also like the approved projects on Bryant and North Montgomery Street, and possibly others that the City will approve for construction.

The thought of having to do all the work that has gone into this project all over again, **possibly under the direction of new council members** (three current members are up for election this November) runs the risk of killing the project.

If the council majority does not approve the bid, no matter what the well-intended rationale is, the public perception of council members who vote 'no" will be perceived as NIMBYISM.

Respectfully,
Suza Francina
Cell: 805 603 8635
suzaojaicitycouncil@gmail.com

Outlook

April 14, 2026 Ojai City Council meeting

From Darrell Ralston <darrell.a.ralston@gmail.com>

Date Mon 4/13/2026 2:30 PM

To Kim Mang <Kim.Mang@ojai.ca.gov>; Andrew Whitman <Andrew.Whitman@ojai.ca.gov>; Andy Gilman <Andy.Gilman@ojai.ca.gov>; Rachel Lang <Rachel.Lang@ojai.ca.gov>; Leslie Rule <Leslie.Rule@ojai.ca.gov>; City Clerk <cityclerk@ojai.ca.gov>

Dear Ojai City Council,

I urge you to reject both options relative to item #7 and advise the city manager to submit alternate plans accordingly. The Ojai Permanent Supportive Housing Project (Cabin Village) has morphed into a quagmire of challenges, poor decisions, delays and cost overruns. A lack of transparency and special interests have plagued this project from the beginning. As far back as the city manager suggesting Rotary Park as a location for Cabin Village until now when there is a consideration to change five units to Transitional Age Youth housing, this project has been controversial. The safety concerns have been well documented in past public comments to the City Council. Now is the time to send this project back and involve the entire City of Ojai in future planning.

Sincerely,

Darrell Ralston

Outlook

Approving the Cabin Village

From Maria Parisen <mparisen@krotonainstitute.org>
Date Mon 4/13/2026 2:41 PM
To City Clerk <cityclerk@ojai.ca.gov>

Dear Ojai City Council,
I have followed the enormous amount of research, analysis, soul-searching, and networking involved in this challenge. As an Ojai resident for 23 years, I support fully the Cabin Village bid, bidder, and the generous BK donation to provide further support. Please do the most reasonable, fiscally-responsible, and compassionate thing: vote YES on Option One,

Thank you,

Maria Parisen
24 Krotona St.
Ojai, CA 93023

805-336-5502

Outlook

Consent item-Green Valley Project - Proposal for planting trees

From Renee Roth <renee4ojai@gmail.com>
Date Mon 4/13/2026 2:46 PM
To Weston Montgomery <Weston.Montgomery@ojai.ca.gov>

Dear Council Members and Staff,

I appreciate the effort of the Green Valley Project to highlight the need for planting trees—especially in "hot spots".
But we have lost many trees in recent years. Maybe replacement trees are in order for those who have lost trees? And isn't the understory important also?

The Green Valley Project is proposing trees to be planted on private property, right?

The private property owners should be contacted directly, the Ojai Hospital, the Ojai Valley Inn, Adams's Towing, and the Ojai Self Storage.
And just planting the tree is only part of the work. There is the irrigation set up, and the maintenance (trimming of trees and removal of leaf litter off of the roof, drains to remove fire hazards.)
Very well meaning for sure but maybe this is best done by the Ojai Valley Green Coalition. Aren't they now absorbing the Ojai Trees organization?

Thank you,
Renee Roth
Ojai

Identified Hotspots

Outlook

Vote to APPROVE Cabin Village Project

From Helena Pasquarella <hpaskey@aol.com>
Date Mon 4/13/2026 2:55 PM
To City Clerk <cityclerk@ojai.ca.gov>

Dear Ojai City Council:

I would like to express my sincerest desire that you vote to approve the Cabin Village Project. These unhoused individuals deserve to have a home and we have the money to back the project, now with the $1 million private donation there should be no issues about possible financial shortfalls.

I have been to several City Council meetings since the first day it was proposed and I thought it should have been built by now so the residents could have the dignity they deserve. It is a shame that some of people in our community are afraid of this honorable project that can be an example to other communities in the county and state. The "not in my back yard" attitude is not what we want to dictate our city policies when it comes to housing.

This city belongs to all of us. I applaud those who have worked so hard to see this project through and look forward to celebrating the day that it will be used for housing for the folks in the Cabin Village and now the youth who are aging out of foster care.

Affordable housing should be a right, not a privilege. While we spend a $1 billion a day on the war in Iran, we neglect the unhoused here at home. This is a chance for us to make a difference in the lives of our community members so that they can remain here in Ojai, where they can have a chance for stability, peace, and quiet.

Thank you for considering my request. I look forward to seeing the project come to life that will change the lives of so many.

Peace,
Helena Pasquarella
Meiners Oaks

Outlook

Approve Cabin Village!!!

From Ojai Valley Green Coalition <contact@ojaivalleygreencoalition.org>
Date Mon 4/13/2026 2:55 PM
To City Clerk <cityclerk@ojai.ca.gov>

To the City Clerk,

I am emailing you to say that I support approving the bid, the bidder and the generous Balay Ko donation to provide housing and support for at-risk youth in the valley. I am urging the City Council to please vote yes on Option One.

Here are some of the reasons why I think this should go through

1. The private donation allows the project to move forward with a healthy contingency fund, removing any objections based on possible financial shortfalls.

2. The $1 million dollar grant provides much needed housing for Transitional Age Youth in the valley. This includes those young adults aging out of foster care who are losing their housing, support system and government funds. These units, unlike the Mesa Project, are *reserved specifically for valley residents.*

3. The $1 million grant negates most of the arguments that have been levied against this program. There is no rational reason to continue to oppose this project.

I urge the City Council to vote to approve the bidder, the bid and acceptance of the TAY units.
Sincerely,
Jennifer Richardson

Outlook

04.14.26 DISCUSSION 7. Ojai Permanent Supportive Housing Project/DignityMoves Project Bid Affirmation (City Council Direction)

From Renee Roth <renee4ojai@gmail.com>
Date Mon 4/13/2026 2:56 PM
To Weston Montgomery <Weston.Montgomery@ojai.ca.gov>

Dear Council and Staff,

DignityMoves is currently being paid to design the project, put it out to bid, and helping structure funding. But the City does not appear to have **independent representation** verifying costs, reviewing bids, and negotiating terms on its behalf.

That is not best practice for a project of this complexity and scope.

These are not just construction decisions—they are financial and legal structures. The City should consider bringing in an **independent development manager / owner's rep** to:

- review sunk costs, validate best location and pricing
- review bids
- negotiate on behalf of the City
- and protect public fund commitments into the future.

Without that, the City is relying on the same party that is delivering the project to also define its cost and structure.

This needs to be done quickly and independently so decisions can be made with confidence.

Please move to bring in qualified professional support and **expedite a workable solution**.

Respectfully,
Renee Roth

RECEIVED
APR 13 2026
City Of Ojai
City Manager Dept
401 S Ventura St
Ojai CA 93023

April 13, 2026

To: Ojai Mayor & City Council

From: Dulanie La Barre

What a remarkable gift has been offered to Ojai. We have just received a $1 million grant commitment for Ojai's Permanent Supportive Housing Project at the Public Works Yard. The grantor, Balay Ko Foundation's mission is to solve housing and food security for the homeless in California, focusing especially on the Central Coast. They have partnered with Dignity Moves on several successful projects.

Reading from the letter to Mr. Harvey and the City, I quote:

"The Foundation does not accept unsolicited grant applications. It conducts its own research, identifies strategic partners, and invests where it believes the greatest and most lasting impact can be achieved.

In each of these projects, the Balay Ko Foundation has not simply written a check. It has shown up — volunteers from the Foundation have built gardens, painted sites, prepared rooms, and worked alongside community members.

Balay Ko Foundation has made a request – that our City modify the ERF grant to designate 5 of the 30 rooms for Transitional Youth (ages 18-25) for homeless youth within Ojai and Ventura County. This not only expands the housing to our young adults at a pivotal time in their life, but it also opens up more State and federal funding opportunities.

It bears emphasis that this gift is committed specifically to the proposed hacienda-style development at the 611 South Montgomery Street site — it is <u>not</u> a general contribution to homelessness services in Ojai nor it is not transferable to any other project or location within the City.

Please, please, please do not allow a small special interest group quash the good work of the City and Dignity Moves, the high hopes of our neighbors still living in tents and the young adults getting a fresh start.

I urge Council to approve the grant modification for 5 Transitional Youth rooms and let us all move ahead with this funded opportunity to change people's lives for the better.

Outlook

I support approving the bidder

From Cassandra Jenner <cassandrajnnr@gmail.com>
Date Mon 4/13/2026 3:23 PM
To City Clerk <cityclerk@ojai.ca.gov>

Hello

I support approving the bid, the bidder and the generous Balay Ko donation to provide housing and support for at risk youth in the valley. Please vote yes on Option One.

Cassandra Jenner
303 South Blanche street
Ojai CA 93023

Outlook

Council meeting 4/14/26 item 7 A fourth option. Old but new.

From Bill <wdmiley32@gmail.com>
Date Tue 4/14/2026 5:14 AM
To Andy Gilman <ojaichat@gmail.com>; Kim Mang <Kim.Mang@ojai.ca.gov>; Andrew Whitman <Andrew.Whitman@ojai.ca.gov>; Leslie Rule <leslie@leslierule.com>; Rachel Lang <ojairachel@gmail.com>
Cc Ben Harvey <Ben.Harvey@ojai.ca.gov>; Norma Cervantes <Norma.Cervantes@ojai.ca.gov>; Weston Montgomery <Weston.Montgomery@ojai.ca.gov>; Ojai Valley Chamber of Commerce <carlaceo@ojaichamber.org>; Renee Roth <reneeroth@me.com>; Larry Steingold <larrysteingold@gmail.com>; Dale Hanson <dale@ojaivalleyrealestate.com>; Andra Belnap <andra.belknap@gmail.com>; Barbara Bowman <Bowman.barbara@gmail.com>; Brian Aikens <brian.f.aikens@gmail.com>; Clay Creasey <claycreasey@gmail.com>; Laura Ward <laura@ojaivalleynews.com>; Star Weivoda <star.weivoda@gmail.com>; William Weirick <wnweirick@wpllp.com>; Haney Landscape <randy@haneylandscape.com>; Jayn Walters <jaynw@helpofojai.org>; Matt LaVere <matt.laVere@ventura.org>; Jeremy McBride <jeremiah.mcbride@gmail.com>; Lucas Seibert <Lucas.seibert@ojai.ca.gov>; Judy Murphy <ojaijudy1025@yahoo.com>

1 attachment (21 KB)
8a78aed6-94b9-48a3-b03d-86ab4c532363.heic;

4/14/26
To: Ojai city council
From: Bill Miley
Subject: a new and 4th option for completing the cabin village as originally designed and approved.
Council meeting 4/14/26 item 7. *Use the set-aside money of 2+ million.*

Hello.

1. I my opinion None of the proposed building options are satisfactory. We have the funds…they are just in the wrong place.

2. Rereading the Ojai Valley News article about this evening's meeting reminded me of the 2 million dollar + set-off adopted a year or so ago to operate the Cabin Village when completed. See OVN budget section at end.

3. Out of the $12.4 million state grant award, $2 million+ was set aside for operating funds. Down to $10.4. (i do remember the city manager when asked about operating monies he said something like there will be grant opportunities and other funding…plus 30% from client income.)

4. ?? How did it get to $9.5 million max? (Which is today max budget. For the buildings construction budget) Start with $12.4 award…subtract $ 2 million for operations… equals $10.4. Then Offer dignity a $9.5 budget.

5. Where is the missing 900,000$? (10.4 minus $900,000 is $9.5. That almost makes up the missing money.

Opinion: i never remember the council willingly voting to remove about 15% of the grant funds for future operating expenses. NEVER! No one ever really knew what it would cost. We were going to work that out with the county Continuum of Care folks.

6. The cost to operate was of course not just for a few next years but forever. Way beyond any set aside funds of 2 million.

7. Actually, the drawdown from 12.4 was not 2 million but 2 million + 900,000$. Leaving 9.5 for the construction budget.

SUMMARY. WE HAVE THE MONEY TO DO THE ORIGINAL JOB AS WE CONCEIVED IT WITH PROPER FIRE HARDENING, LANDSCAPING, AMENITIES, AND PROPER SOUND REDUCING BUILDING MATERIALS. ITS NOW WAITING TO BE SPENT AFTER THIS REDUCED VERSION IS “HOBBLED TOGETHER”. TO OPERATE THE PLACE FOR A WHILE.

LETS REDIRECT THE “OPERATING MONEY” TO WHERE IT WAS SUPPOSE TO GO WHICH WAS CREATING GOOD HOMES FOR HOMELESS FOLKS. REMEMBER THE RECENT COUNTY GOVERNMENT COUNT SHOWED OVER 70 HOMELESS FOLKS LIVING IN THE OJAI VALLEY.

PLEASE BE FAIR, SMART, EQUITABLE AND LONG TERM CARING.

Sincerely, Bill Miley 

(Below is a copy of the OVN section referenced) 4/14/26 (Budget section of the article)

In 2024, the city received a $12.4 million grant from the state to build 30 units of permanent supportive housing for the individuals who are currently living in canvas wilderness tents on the Ojai City Hall campus. The nonprofit organization, DignityMoves, was designated as the project manager.

The city is retaining roughly $2 million of the grant to cover costs of the project anticipated following construction when the residents move in.

According to Ojai City Manager Ben Harvey’s report for the April 14 meeting, the budget of $9.5 million, previously presented by nonprofit project manager DignityMoves and accepted by the city, is “insufficient” to cover the current construction plan, even with proposed changes aimed at reducing the construction costs.

At the council’s April 14 meeting, Harvey is seeking direction to either modify the project, increasing the budget by $1 million, or keep the budget as is and decline the offer of the additional grant. Council also is being asked to accept the lowest construction bid on the project.

Two options Harvey presents to the council are:

“1. Affirm DignityMoves’ determination of lowest responsive bidder of Specialty Construction for the Ojai Permanent Supportive Housing Project for a total project cost of $10.5M with a 10% contingency;

designate five (5) of the thirty (30) units for Transitional Age Youth (TAY) thereby allowing DignityMoves to accept and apply a private donation of $1M towards the Project; accept the corresponding Development Budget and Schedule…"

or

"2. Affirm DignityMoves' determination of lowest responsive bidder of Specialty Construction for the Ojai Permanent Supportive Housing Project for a total project cost of $9.5M including a 4% contingency; … and decline designating five (5) of the thirty (30) units for TAY and DignityMoves' offer to accept and apply a private donation of $1M towards the Project."

End.

Newspaper… 4/14/26

In 2024, the city received a $12.4 million grant from the state to build 30 units of permanent supportive housing for the individuals who are currently living in canvas wilderness tents on the Ojai City Hall campus. The nonprofit organization, DignityMoves, was designated as the project manager.

The city is retaining roughly $2 million of the grant to cover costs of the project anticipated following construction when the residents move in.

According to Ojai City Manager Ben Harvey's report for the April 14 meeting, the budget of $9.5 million, previously presented by nonprofit project manager DignityMoves and accepted by the city, is "insufficient" to cover the current construction plan, even with proposed changes aimed at reducing the construction costs.

At the council's April 14 meeting, Harvey is seeking direction to either modify the project, increasing the budget by $1 million, or keep the budget as is and decline the offer of the additional grant. Council also is being asked to accept the lowest construction bid on the project.

Two options Harvey presents to the council are:

"1. Affirm DignityMoves' determination of lowest responsive bidder of Specialty Construction for the Ojai Permanent Supportive Housing Project for a total project cost of $10.5M with a 10% contingency; designate five (5) of the thirty (30) units for Transitional Age Youth (TAY) thereby allowing DignityMoves to accept and apply a private donation of $1M towards the Project; accept the corresponding Development Budget and Schedule…"

or

"2. Affirm DignityMoves' determination of lowest responsive bidder of Specialty Construction for the Ojai Permanent Supportive Housing Project for a total project cost of $9.5M including a 4% contingency;

… and decline designating five (5) of the thirty (30) units for TAY and DignityMoves' offer to accept and apply a private donation of $1M towards the Project."

Outlook

Follow Up to my March 28th email and the Public Records Request....CITY COUNCIL MEETING PUBLIC COMMENTS - 04-14-26

From Mike Donohue <mike.donohue@roadrunner.com>
Date Mon 4/13/2026 7:20 PM
To City Clerk <cityclerk@ojai.ca.gov>; Steve Quilici <Steve.Quilici@ojai.ca.gov>

City Clerk Office,

My email, submitted and sent on time today Monday April 13th prior to the deadline, hopefully gets recorded and disseminated.

I forgot to add, “City Council Meeting Public Comments” in the title.

But as you probably read, the content of the email, including Mr. Harvey’s reference to the 04/14 meeting are at the center, and Public Comments.

Thank you for including this submission in the minutes. - Mike

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From: Mike Donohue <mike.donohue@roadrunner.com>
Sent: Monday, April 13, 2026 12:49 PM
To: 'Ben Harvey' <Ben.Harvey@ojai.ca.gov>
Cc: 'Bethany Burgess' <bburgess@awattorneys.com>; 'Kim Mang' <Kim.Mang@ojai.ca.gov>; 'City Clerk' <cityclerk@ojai.ca.gov>
Subject: RE: Follow Up to my March 28th email and the Public Records Request....

Ben, Yesterday I asked you to *send me* the signed and dated document, the PSH “Development Budget” (**to be agreed to in writing by the Parties, per the contract**).

I believe you referred to it as “the executed document” in paragraph 3 of your email. I’m still struggling to locate it. 🤷

To make this easier, could you or the City Clerk **simply point me directly to where Budget, agreed to in writing, can be found, accessed, etc**.? No need to *send it*, just point in the right direction please.

Thanks! Mike

From: Mike Donohue <mike.donohue@roadrunner.com>
Sent: Sunday, April 12, 2026 3:14 PM
To: 'Ben Harvey' <Ben.Harvey@ojai.ca.gov>
Cc: 'Bethany Burgess' <bburgess@awattorneys.com>; 'Kim Mang' <Kim.Mang@ojai.ca.gov>
Subject: RE: Follow Up to my March 28th email and the Public Records Request....

Thanks for the reply. I am still a bit confused.

If the “Development Budget” is defined as a document that must be **“agreed to in writing by the Parties,”** can you please send me the executed/signed version? I have not seen any signatures or signature date (the due date was over seven months ago).
On September 9th, after vigorous and at times heated debate, the Council **did not accept** the proposed “Development Budget”. A motion by Mayor Gilman to “receive and file” was rejected and replaced with a motion **not** to receive and file the document. That substitute motion passed 3–2. In other words, the Development Budget was **not accepted, not received, and not approved (and not acceptable, in its then current form, to be agreed to in writing)**.
This was clearly a setback for DignityMoves and its supporters. So how did they recover? Was there a subsequent motion and vote? Was there another attempt- successful this time- to “receive and file” the Development Budget, similar to the motion Mayor Gilman attempted on 09-09-25? Did this occur after additional information was provided to bidders?
As far as I can tell, this remains **unfinished business - unfinished for seven months**. But perhaps I missed a motion and a successful vote to receive and file the Development Budget, followed by the required signatures (“agreed to in writing by the Parties”), as specified in Article 1. If my research - and that of other professionals who have reviewed the DMA - is correct, the signed Development Budget was not optional or aspirational. Under the DMA’s own definition, it is a document that must be **“agreed to in writing by the Parties.”** I believe that means a **signed, executed agreement** was, in effect, required to be produced (and filed) **no later than August 30, 2025.**
A few questions in closing…
If Council approval was not required, then why did the Council engage in a vigorous, hours-long debate on September 9th and take a formal vote on whether to receive and file the Development Budget? What was the purpose of that process if Council approval was irrelevant?
If Council approval truly wasn’t needed, then **who signed the Development Budget, and on what date?** And just as importantly, **who informed the Council that the most contentious component of the DMA — the Development Budget — had been resolved without their approval?**
Given the centrality of this issue over the last seven months, it would be highly unusual for such a document to be executed without a public update, a staff report, or even a brief notice to the Council. Can you help me understand this better?
Thanks - Mike

---------- **reference documents**----------

Article 1 "Development Budget" shall mean the budget for the Development Work to be agreed to in writing by the Parties in accordance with the terms of this Agreement, as it may be amended and/or updated from time to time as agreed to in writing by the parties, setting forth the anticipated costs, expenses, and income and other relevant financial projections to perform and complete the Development Work. Development Budget is attached hereto as Exhibit “D” and shall not exceed $9,500,000.

09-09-25 Meeting Minutes Excerpt

Motion: It was moved by Council Member Whitman, with a second by Council Member Rule, to not receive and file the DignityMoves Development Budget and Schedule for the Ojai Permanent Supportive Housing Project (OPSHP), and to direct staff and DignityMoves to return in the second Regular Meeting of October with a detailed review of project plans. Roll Call: On the call of the roll, the vote was three (3) in favor and two (2) against. Ayes: Noes: Abstain: Absent: Whitman, Mang, Rule Lang, Gilman. None MOTION PASSES

3.2.1.1 The City agrees to allow the DignityMoves until August 30, 2025, to provide the Development Budget and Development Schedule. Failure by the DignityMoves to provide such documents by the deadline set forth herein shall constitute a material breach of this Agreement. In such event, the City may immediately terminate the Agreement by providing written Notice of Termination. Upon termination, the DignityMoves shall not be entitled to any further compensation, and any outstanding invoices shall be paid in accordance with Section 10.3.3 of this Agreement.

From: Ben Harvey <Ben.Harvey@ojai.ca.gov>
Sent: Sunday, April 12, 2026 12:20 PM
To: Kim Mang <Kim.Mang@ojai.ca.gov>; Mike Donohue <mike.donohue@roadrunner.com>
Cc: Bethany Burgess <bburgess@awattorneys.com>
Subject: Re: Follow Up to my March 28th email and the Public Records Request....

Hi, Mayor Pro Tem Mang and Mike:

My apologies for not responding to this inquiry sooner. Here is the development budget DignityMoves submitted to the City at the September 9, 2025 City Council meeting:

https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/3584357/Attachment_A_-_Ojai_PSHP-_Project_Budget_-_9.9.25_Final.pdf

Please note that this budget was submitted to the City, consistent with the requirements of the City's Development Management Agreement (DMA) with DignityMoves (follow the hyperlink to access the executed document that may be accessed on the City's project landing page for the Ojai Permanent Supportive Housing project). At the time that this 9-9-25 budget was submitted to the City, contractor bids for the project had *not yet been received/reviewed (the project was not out to bid at that time)*.

At the upcoming City Council meeting for this Tuesday (4/14/26), the City Council is being asked to affirm the lowest responsive bidder to the project, Specialty Construction. Based upon the City Council's decision as to which project option they may wish to pursue (one that allows for the inclusion of transitional age youth and a $1M grant, or one that does not), the following budgets will subsequently be amended to the City's DMA with DignityMoves:

$10.5M Budget with TAY

$9.5M Budget without TAY

For ease of reference, here is a link to the agenda for the 4/14/26 City Council meeting (you may access the agenda report and the corresponding attachments by following the hyperlink to Discussion Item 7 on the agenda document). You'll note by reviewing the agenda report that in addition to deciding whether or not to affirm the lowest responsive project bidder, the City Council may also choose to provide alternative direction, or take no action on the project instead.

If either of you have any additional questions here in advance of the meeting, please advise. Thank you.

Ben Harvey
City Manager

City of Ojai
ben.harvey@ojai.ca.gov

From: Kim Mang <Kim.Mang@ojai.ca.gov>
Sent: Sunday, April 12, 2026 11:19 AM
To: Ben Harvey <Ben.Harvey@ojai.ca.gov>; Bethany Burgess <bburgess@awattorneys.com>
Subject: Fw: Follow Up to my March 28th email and the Public Records Request....

Good morning,
I am forwarding Mr. Donahues email. May I please have a copy of what he has been requesting? If that is not an option, will one or both of you please reply to him via email, with me included, explaining why or why not this isn't possible.
Thank you,
Kim

Get Outlook for iOS

From: Mike Donohue <mike.donohue@roadrunner.com>
Sent: Sunday, April 12, 2026 11:10:52 AM
To: Kim Mang <Kim.Mang@ojai.ca.gov>
Cc: 'Clay Private Creasey' <claycreasey@gmail.com>
Subject: Follow Up to my March 28th email and the Public Records Request....

Kim, I resending my request to see a copy of the "Development Budget". Since Agenda Item 12 of the March 24, 2026 City Council meeting did not get discussed, I need to know.

When I sent my request on March 28th below, you replied promptly (thank you) that Mr. Harvey was "out of the office" on vacation.

Now that Mr. Harvey has returned and Ms. Burgess and the City Clerk are all in the office, **can you forward me a copy of the signed agreement as soon as possible, preferably Monday** … or at minimum, get a copy yourself of the signed agreement ? (**signature required** per Article 2, page 48 of the DMA) Full Contract here: Att-A Resolution

Kim, you have now received two emails formally requesting the information and City received the public records request from Mr. Clay Creasy (properly filled out) weeks ago.

Mike Donohue and Other Concerned Citizens

---------- reference information----------
DMA contract, including the **definition of the "*Development Budget*" can be found in Article 2, page 48.** (also note the discussion at the 2:57 minute mark Ojai City Council Regular Meeting).
Details matter, and they are not matters of interpretation (there was a 3-2 vote and Development Budget was not accepted or filed or approved at that time, September 9, 2025). Subsequent to a Council review, acceptance and a vote (the standard practice), the contract requires the "Development Budget" to be **"… *agreed to in writing* by the Parties." (page 48).**
This quotation above was pulled directly from the DMA Contract. The due date for the submission of a Development Budget was August 30, 2025 (a budget was submitted on August 29, 2025).

From: Mike Donohue <mike.donohue@roadrunner.com>
Date: March 28, 2026 at 9:05:39 AM PDT
To: Kim Mang
Cc: Mike Donohue <mike.donohue@roadrunner.com>, Clay Creasey <claycreasey@gmail.com>
Subject: Follow Up…

Separate to my request, another citizen in your district submitted a "**public records request**" to see/ review the "Development Budget" described in Article One of the DMA (signed in late May 2025 by the city and DignityMoves).

But, we know such requests don't always get the proper attention they deserve.

So, can you please ask Mr. Harvey and Ms. Bethany Burgess (city attorney) for a copy of the contractually required " Development Budget"?

Your attention to this matter is sincerely appreciated.

Mike Donohue and Other Concerned Citizens

> On Mar 27, 2026, at 9:33 AM, Mike Donohue <mike.donohue@roadrunner.com> wrote:
>
> Kim, Would you mind following up with Mr. Harvey, or Bethany (or the City Clerk's office) ? Here is a revised draft note/idea to maybe help you.
>
> Since the March 24, 2026 Agenda Number 12 never got discussed during our meeting, can you follow up with one specific question and hopefully he will reply to your email… Thanks Mike
>
> ---
>
> Something like,
>
> Ben and/or Bethany,
>
> Can you tell me where the "Development Budget" defined in the DMA - I think on page 2 of DMA, stands?
>
> If it is signed, can you please send me a copy? Or if easier, I can ask the City Clerk for a copy.
>
> If it is not signed, will there be a revision submitted, subsequent to the ***Development Budget*** that was presented 09/07/25 ?
>
> Thanks for addressing my questions and an email reply is requested.
>
> KM

Kent Hall East Parcel — 30-Unit Modular Cabin Village

One-Page Summary · Planning-Level Analysis

The question

Can the full 30-unit ERF project be delivered on city-owned land east of the Kent Hall parking lot, using modular construction, within the $12.67M grant — with the kitchen, garden, and storage features that are being cut from the current path?

Short answer: the numbers say yes, with millions in headroom. It needs 45 days of verification before any commitment.

Budget at a glance

	Current path (Maintenance Yard)	East parcel + modular
Total project cost	$13.53M (post-VE, still over)	$7.2M – $9.8M
ERF grant	$12.67M	$12.67M
Surplus / (deficit)	($866K) deficit	+$2.9M to +$5.5M surplus
Units delivered	30	30
Communal kitchen	Removed in VE	Included
Timeline to occupancy	18–24 months	6–10 months
Land purchase	$0 (city-owned)	$0 (city-owned)

Why this works

- Modular cost structure. Factory-built SRO cabins run $45K–$70K per unit installed, versus roughly $280K on the current path. McKinsey documents 10–20% cost savings and 20–50% timeline reductions as typical.
- Existing outbuildings. Little House, Oak Tree House, or the barn can host the communal kitchen and showers at retrofit cost — much cheaper than new construction, which broke the current budget.
- ADA compliant (to be confirmed). East parcel is generally flat; full accessibility review still required.
- Better access to Town Center. Walkable and trolley-accessible to the bus route, grocery store, HELP of Ojai, and medical services — a real improvement for residents without vehicles.
- Pier foundations. Minimize grading on slopes and protect oak root zones better than slab-on-grade.
- Code-compliant, pre-permitted. Modular units meet IBC/IRC, are HCD-inspected at the factory, and arrive at the site pre-permitted.
- City-owned — no land purchase cost, unlike the $1.15M East Ojai Avenue alternative.

What still needs verification

- Survey of the east parcel — usable area, slope, boundaries.
- Arborist report with drip-line mapping.
- Outbuilding condition assessment.
- HCD concurrence on site revision within the approved project area.
- Green Coalition coordination and neighbor engagement.

Proposed motion

Continue this item and direct staff to:

- Issue an RFP to retain a third-party consultant for a comparative feasibility analysis of the Maintenance Yard path and the east parcel + modular alternative.
- Issue an RFI to qualified modular PSH providers (Nest Toolkit, NRB Modular, Connect Homes, Polaris/Stack) for planning-level proposals, single-story and two-story.
- Further investigate the $1M private foundation grant referenced by DignityMoves for Transitional Age Youth (TAY) housing — grantor, terms, transferability, and interaction with ERF eligibility.
- Schedule an HCD pre-application meeting to confirm any site revision would not trigger a 'decrease in service' finding.
- Return to council within 45 days with findings and a go/no-go recommendation. Estimated cost: $35K–$50K.

Planning-level analysis. Figures require verification via survey, HCD consultation, and competitive RFI before any binding decision.