MINUTES

OXNARD CITY COUNCIL

OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY

OXNARD FINANCING AUTHORITY

OXNARD HOUSING AUTHORITY

October 29, 2024

A. ROLL CALL, POSTING OF AGENDA

At 4:31 p.m., Mayor John C. Zaragoza called to order the regular meeting of the Oxnard City Council in the City Hall Council Chambers at 305 W. Third Street, Oxnard, California. The City Clerk called the roll and announced the posting of the agenda. Councilmembers Oscar Madrigal, Bert E. Perello, Gabriel (Gabe) Teran, Arthur Valenzuela, Mayor Pro Tem Bryan A. MacDonald, and Mayor John C. Zaragoza were present in person. Councilmember Basua was absent.

Councilmember Madrigal arrived late and joined the meeting at 7:00 p.m.

THE FOLLOWING LEGISLATIVE BODIES ARE MEETING: City Council.

CONSIDERATION OF TELECONFERENCE PARTICIPATION PURSUANT TO ASSEMBLY BILL 2449.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS (None received.)

C. CLOSED SESSION (4:30 PM)

1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code section 54956.9(d)(1)).
   Name of case: City of Oxnard v. Fox Canyon Groundwater Management Agency
   Ventura County Superior Court, Case No. 201900536759CUMC
   Legislative Body: City Council

2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code section 54956.9(d)(1)).
   Name of case: People of the State of California v. Rastegar
   Ventura County Superior Court, Case No. 201900536729CUMC
   Legislative Body: City Council

At 4:33 p.m., the City Council recessed to a closed session. At 5:14 p.m., the City Council reconvened in open session in the Council Chambers. The City Attorney announced that items C.1 and C.2 were reviewed and made the following statement: "By an affirmative vote of all the Councilmembers present (Councilmember Madrigal and Councilmember Basua were absent), the City Council has given its legal counsel approval to seek appellate review or relief in City of Oxnard v. Fox Canyon Groundwater Management Agency, regarding the partial denial of the City's motion to compel compliance with the trial court's order on writ of mandate concerning the GMA's groundwater allocation ordinance."

D. APPOINTMENT ITEMS (5:00 PM)

1. City Manager Department
SUBJECT: Oxnard Convention & Visitors Bureau (OCVB) Annual Report.
RECOMMENDATION: That the City Council receive the OCVB Fiscal Year 23-24 Annual Report.

(Live presentation by Oxnard Convention & Visitors Bureau Vice President of Marketing & Communications, Brittney Hendricks.)

Julie Buffo, President and CEO; Brittney Hendricks, Vice President of Marketing and Communications; and Daniel Cabrera, Digital & Multicultural Marketing Manager at Visit Oxnard presented and provided an annual report. Public comments were received from Pat Brown. The presentation was received and filed; no formal action was taken.

2. City Manager Department
SUBJECT: Presentation by Community Action of Ventura County (CAVC).
RECOMMENDATION: That the City Council receive an update on CAVC services and including the Low Income Household Water Assistance Program (LIHWAP).

Susana Lopez-Garcia, Executive Director at Community Action of Ventura County presented and provided an update about the community market, food hub, and community workshops. She also spoke about the partnerships with Chase Bank, Food Share, and VCCU. Public comments were received from Pat Brown. The presentation was received and filed; no formal action was taken.

E. OPENING CEREMONIES (6:00 PM)
The flag salute was followed by a moment of silence.

F. CEREMONIAL ITEMS

1. Presentation of a Proclamation Designating November 11, 2024 as "Veterans Day."

Mayor Zaragoza read the proclamation and presented it to Sal Gonzalez and other members of the Ventura DAV (Disabled American Veterans). They accepted the proclamation on behalf of the organization in honor of Veteran's Day.

2. Presentation by Oxnard-Ocotlan Sister Cities Committee of Visitation.

Mayor Zaragoza read the proclamation and presented it to Debra Cordes, Priscilla Herrera, Andres and Margaret Herrera, Melissa Garcia, Carol and Bruce Flores-Beck, and Dorina Padilla; members of the Oxnard-Ocotlan Sister Cities Committee came to the dais to accept the proclamation. The Oxnard-Ocotlan Sister City is active and always welcoming new members.

G. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Alfred Flores (Wastewater Operator Wages), Steve Nash (election), and Alfred Zepeda (Wastewater Operator Wages).

H. REPORT OF CITY MANAGER/EXECUTIVE DIRECTOR/SECRETARY

City Manager Nguyen provided the following community updates: El Día De Los Muertos will be held at the Carnegie Art Museum on November 1-3, and at the Main Library Branch on November 2; Free Del Norte Drop-off Days for unwanted items at the Del Norte Regional Recycling & Transfer Station on November 2; and Election Day on Tuesday, November 5, for ballot box information call 805-654-2664.

I. CITY COUNCIL/HOUSING AUTHORITY/SUCCESSOR AGENCY/FINANCING AUTHORITY BUSINESS/COMMITTEE REPORTS

The members of the Council provided brief announcements regarding their various activities.

J. REVIEW OF INFORMATION/CONSENT AGENDA

Items L-1 through L-9 were reviewed and discussed among the Council and staff.

K. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA (None received.)

L. INFORMATION/CONSENT AGENDA

1. City Clerk Department
   SUBJECT: Approval of Minutes.
   RECOMMENDATION: That the City Council approve the minutes of October 1, 2024, regular meeting as presented.

2. Finance Department
   SUBJECT: Monthly Investment Report as of September 30, 2024.
   RECOMMENDATION: This is an information item for the City Council to receive and file.

3. City Manager Department
   SUBJECT: Public Project Agreement 32500211 with Square Signs, LLC for the Gateway Monument Project, Specification No. CM 24-05.
   RECOMMENDATION: That the City Council approve and authorize:

1. A total of $315,720.15 in Project funds for the Gateway Monument Project, Specification No. CM 24-05;
2. The Mayor to execute an Agreement with Square Signs, LLC in the amount of $263,100.15 for the Project;
3. A Project contingency amount of $26,310 (10%) with Square Signs, LLC for a total not to exceed value of $289,410.15 for the Project;
4. A Project allocation amount of $26,310 for engineering, inspection, survey and project management for the project; and
5. A budget appropriation, and corresponding transfer in revenue, in the Capital Outlay Fund (301), in the total amount of $315,720.15, funded from existing General Fund (101) FY2024-25 appropriation.

This item did not originate in Committee as this is one of the four gateway monument signs approved by City Council in June 2023.

4. City Manager Department
SUBJECT: Public Project Agreement 32500212 with Square Signs, LLC for the Citywide Wayfinding Sign Program Specification No. CM 24-132.
RECOMMENDATION: That the City Council approve and authorize:

1. A total of $608,169.13 in Project funds for the Citywide Wayfinding Sign Program Project Specification No. CM 24-132;
2. The Mayor to Execute an Agreement with Square Signs, LLC in the amount of $506,807.61 for the Project;
3. A Project contingency amount of $50,680.76 (10%) with Square Signs, LLC for a total not to exceed value of $557,488.37 for the Project; and
4. A Project allocation amount of $50,680.76 for engineering, inspection, survey and project management for the Project.

This item did not originate in Committee as this is a capital improvement project specifically listed in the City's Capital Improvement Program budget, which was previously approved by the City Council.

5. Public Works Department
SUBJECT: Agreement 32500151 with Filippin Engineering, Inc. for Construction Management Services for Ventura Road and Rice Avenue Sewer Main Replacement Project, Specification No. PW 23-119.
RECOMMENDATION: That the City Council approve and authorize the Mayor to execute an Agreement with Filippin Engineering, Inc. in the amount of $415,947.64 with a term from November 1, 2024, to June 30, 2026, for construction management services for Ventura Road and Rice Avenue Sewer Main Replacement Project, Specification No. PW 23-119.

(This item did not originate in Committee as this is a capital improvement project specifically listed in the Capital Improvement Program budget, which was previously approved by the City Council.)

6. Public Works Department
SUBJECT: Annual Purchase Orders with Badger Meters, Inc. for Advanced Metering Infrastructure (AMI) Capable Water Meters.
RECOMMENDATION: That the City Council approve and authorize the Purchasing Agent to execute annual purchase orders with Badger Meter, Inc. for a total amount not to exceed value of $975,000 through June 30, 2029, for the supply of Advanced Metering Infrastructure (AMI) Capable Water Meters.

(Public Works and Transportation Committee approved 3-0 on October 8, 2024.)

7. Public Works Department
SUBJECT: Amend Department-Wide Blanket Purchase Orders for a Not to Exceed (NTE) Amount Greater than $200,000 Each.
RECOMMENDATION: That the City Council approve and authorize the Purchasing Agent to amend purchase orders, consistent with the City's purchasing requirements, with the following vendors:

1. Allstar Fire Equipment Co. for an additional $150,000 for a new not to exceed amount of $350,000 through June 30, 2025;
2. Amazon.com Services LLC for an additional $150,000 for a new not to exceed amount of $350,000 through June 30, 2025;
3. Applied Industrial Technologies for an additional $100,000 for a new not to exceed amount of $300,000 through June 30, 2025;
4. Bauer Compressors, Inc. for an additional $250,000 for a new not to exceed amount of $450,000 through June 30, 2025;
5. Grainger, Inc. for an additional $250,000 for a new not to exceed amount of $450,000 through June 30, 2025;
6. Hach Company for an additional $135,000 for a new not to exceed amount of $285,000 through June 30, 2025;
7. Home Depot U.S.A., Inc. for an additional $200,000 for a new not to exceed amount of $400,000 through June 30, 2025;
8. L.N. Curtis & Sons for an additional $250,000 for a new not to exceed amount of $450,000 through June 30, 2025;
9. Lowes for an additional $250,000 for a new not to exceed amount of $450,000 through June 30, 2025;
10. O'Reilly for an additional $50,000 for a new not to exceed amount of $250,000 through June 30, 2025;
11. Office Depot, Inc. for an additional $100,000 for a new not to exceed amount of $300,000 through June 30, 2025;
12. Sunbelt Rentals, Inc. for an additional $125,000 for a new not to exceed amount of $325,000 through June 30, 2025;
13. Ventura County Auto Supply (NAPA) for an additional $100,000 for a new not to exceed amount of $300,000 through June 30, 2025; and

14. Waxie's Sanitary Supply, Inc. dba Waxie Sanitary Supply for an additional $150,000 for a new not to exceed amount of $350,000 through June 30, 2025.

(Public Works and Transportation Committee approved 3-0 on October 8, 2024.)

8. Public Works Department
SUBJECT: Agreement 32500106 with UniFirst Corporation for Uniform Rental and Laundry Services for Public Works.
RECOMMENDATION: That the City Council approve and authorize the Mayor to execute an Agreement with UniFirst Corporation for an initial three-year term from November 1, 2024, to October 31, 2027, with the option for two consecutive one-year period extensions ending October 31, 2029, for a total amount not to exceed $1,090,000 for uniform rental and laundry services for various City Departments utilizing Sourcewell contract #011124-UFC.

(Public Works and Transportation Committee approved 3-0 on October 8, 2024.)

9. Housing Department
SUBJECT: MNS Engineers Inc. Labor and Environmental Compliance Agreement.
RECOMMENDATION: That the City Council approve and authorize the Mayor to execute Agreement Number 32500194 with MNS Engineers, Inc., with a term from October 30, 2024, to December 31, 2025, with a not to exceed amount of $343,739.00, for labor and environmental compliance services.

(This item did not originate in committee.)

It was moved by Councilmember Teran, seconded by Councilmember Valenzuela, to approve the Information/Consent items as presented. VOTE: MacDonald, Madrigal, Perello, Teran, Valenzuela, and Zaragoza voted in favor; motion passed 6-0. Councilmember Basua was absent.

M. REPORTS

1. Public Works Department
SUBJECT: Public Project Agreement 32500182 with Security Paving Company, Inc. for Rice Avenue/Fifth Street/State Route 34 Grade Separation Project, Specification No. PW 18-47.
RECOMMENDATION: That the City Council approve and authorize:

1. A total amount of $80,349,567.20 in Project funds for the Rice Avenue/Fifth Street/Route 34 Grade Separation Project, Specification No. PW 18-47; and
2. The Mayor to Execute an Agreement with Security Paving Company, Inc. in the amount of $76,523,397.20 and a Project contingency amount of $3,826,170 (5%) with Security Paving Company, Inc. for a total not to exceed value of $80,349,567.20

for the Project.

(This item did not originate in Committee as this is a capital improvement project specifically listed in the City's Capital Improvement Program budget, which was previously approved by the City Council.)

Michael Wolfe, Public Works Director introduced Assemblymember Jacqui Irwin and Martin Erickson, Public Transit Director at Ventura County Transportation Commission, presented and answered questions. No public comments were received. Discussion ensued among the Council and staff.

It was moved by Mayor Pro Tem MacDonald, seconded by Councilmember Perello, to approve the recommended action as presented. VOTE: MacDonald, Perello, Teran, Valenzuela, and Zaragoza voted in favor; motion passed 5-0. Councilmember Madrigal was absent during this vote. Councilmember Basua was absent.

2. Public Works Department
   SUBJECT: Agreement 32500217 with MNS Engineers, Inc. for Construction Management Services for Rice Avenue/Fifth Street/State Route 34 Grade Separation Project, Specification No. PW 18-47.
   RECOMMENDATION: That the City Council approve and authorize the Mayor to execute an Agreement with MNS Engineers, Inc. in the amount of $12,298,039.51 with a term from October 29, 2024, to October 29, 2029, for construction management services for Rice Avenue/Fifth Street/Route 34 Grade Separation Project, Specification No. PW 18-47.

   (This item did not originate in Committee as this is a capital improvement project specifically listed in the City's Capital Improvement Program budget, which was previously approved by the City Council.)

Michael Wolfe, Public Works presented and was available to answer questions. No public comments were received. Discussion ensued among the Council and staff.

It was moved by Mayor Pro Tem MacDonald, seconded by Councilmember Perello, to approve the recommended action as presented. VOTE: MacDonald, Madrigal, Perello, Teran, Valenzuela, and Zaragoza voted in favor; motion passed 6-0. Councilmember Basua was absent.

3. Public Works Department
   SUBJECT: Seventh Amendment to Agreement A-8094 with HDR, Inc. for Rice Avenue/Fifth Street/State Route 34 Grade Separation Project, Specification No. PW 18-47.
   RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a Seventh Amendment with HDR, Inc. in the amount of $1,938,398.28, for

a new not to exceed contract value of $11,816,253.53 to perform engineering design support during construction for the Rice Avenue/Fifth Street/Route 34 Grade Separation Project, Specification No. PW 18-47.

(This item did not originate in Committee as this is a capital improvement project specifically listed in the City's Capital Improvement Program budget, which was previously approved by the City Council.)

Michael Wolfe, Public Works presented and was available to answer questions. No public comments were received. Discussion ensued among the Council and staff.

Council made a motion to approve the recommended action with an amendment due to a correction to a minor grammatical error.

It was moved by Councilmember Valenzuela, seconded by Mayor Pro Tem MacDonald, to approve the recommended action as amended. VOTE: MacDonald, Madrigal, Perello, Teran, Valenzuela, and Zaragoza voted in favor; motion passed 6-0. Councilmember Basua was absent.

4. Community Development Department
SUBJECT: Planning and Zoning Permit No. 24-600-02 (Pre-Application); Pre-Application Review of the Harrison Avenue Apartments Project, Located at 145-155 Harrison Avenue.
RECOMMENDATION: That the City Council review and provide preliminary comments on a pre-application for a General Plan Amendment, Zone Change, Special Use Permit, Density Bonus, and Lot Merger to allow for the construction of a 100-unit all-affordable apartment project.

Jeff Pengilley, Community Development Director and Joe Pearson II, AICP, Planning and Environmental Services Manager presented and were available to answer questions. Public comments were received from Brad Dickason. Council provided input to staff; no formal action was taken at this time.

5. Community Development Department
SUBJECT: Grant of Easement to Southern California Edison on a portion of city-owned property located at 1101 Viewpoint Drive.
RECOMMENDATION: That the City Council:

1. Find the project Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3); and
2. Grant an easement to Southern California Edison (SCE), consistent with Exhibit A and Exhibit B, and for the purposes stated in such; and
3. Authorize the Mayor to sign the Grant of Easement.

Jeff Pengilley, Community Development Director and Joe Pearson II, AICP, Planning and Environmental Services Manager were available to answer questions. No public comments were received. Discussion ensued among the Council and staff.

It was moved by Councilmember Perello, seconded by Councilmember Madrigal, to approve the recommended action. VOTE: MacDonald, Madrigal, Perello, Teran, Valenzuela, and Zaragoza voted in favor; motion passed 6-0. Councilmember Basua was absent.

N. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Zaragoza adjourned the meeting at 7:44 p.m.

ROSE CHAPARRO
City Clerk

JOHN C. ZARAGOZA
Mayor