MINUTES
OXNARD CITY COUNCIL
February 18, 2025

A. ROLL CALL, POSTING OF AGENDA

At 4:37 p.m., Mayor Luis Mc Arthur presided and called to order the regular meeting of the Oxnard City Council convened in the Council Chambers at 305 West Third Street, Oxnard, California. Councilmembers Gabriela Basua; Luis Mc Arthur; Bert E. Perello; Michaela Perez; Gabriela Rodriguez; Aaron Starr and Gabriel Teran were present. The City Clerk stated that the agenda was posted on Thursday, February 6, 2025 and the amended agenda was posted on Tuesday, February 11, 2025 at the Library, City Hall kiosk, City Administrative Offices and on the website.

CONSIDERATION OF TELECONFERENCE PARTICIPATION PURSUANT TO ASSEMBLY BILL 2449

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

No public comments were received.

Councilman Starr recused himself from C-1 because he is a party to the litigation.

Councilwoman Basua recused herself from C-3 because she has done business with G2K Construction in her capacity at the City of Port Hueneme.

At 4:40 p.m., the City Council recessed into a closed session.

C. CLOSED SESSION (4:30 PM)

1. CONFERENCE WITH LEGAL COUNSEL — EXISTING LITIGATION (Government Code Section
54956.9(d)(1))
Name of case: *Moving Oxnard Forward, Inc. and Aaron Starr v. City of Oxnard*
Ventura County Superior Court, Case No. 2023CUWM011768
Legislative Body: City Council

2. CONFERENCE WITH LEGAL COUNSEL — EXISTING LITIGATION (Government Code Section
54956.9(d)(1))
Name of case: *Justin Martinez v. City of Oxnard*
Ventura County Superior Court, Case No. 56-2020-00545134-CU-PO-VTA
Legislative Body: City Council

3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Government Code
Section 54956.9(d)(2))
Based on existing facts and circumstances, there is significant exposure to litigation against the City in one
potential case.

Legislative Body: City Council

Stephen Fischer, City Attorney announced that no reportable actions resulted from closed session.

D. OPENING CEREMONIES

At 6:15 p.m. Mayor Luis Mc Arthur presided and called to order the regular meeting of the Oxnard City Council in the City Hall Council Chambers at 305 West Third Street, Oxnard, California. Councilmembers Gabriela Basua; Luis Mc Arthur; Bert E. Perello; Michaela Perez; Gabriela Rodriguez; Aaron Starr; and Gabriel Teran were present. The City Clerk stated that the agenda was posted on Thursday, February 6, 2025 and the amended agenda on Tuesday, February 11, 2025 at the Library, City Hall kiosk, City Administrative Offices and on the website.

Mayor Mc Arthur announced that Agenda Item Nos. M-2, M-5 and L-1 will be heard following Item H.

Councilman Starr shared that on Monday, February 17^{th} his father passed away.

The meeting opened with the pledge of allegiance to the flag of the United States led by Jimena Lopez, a student at Channel Islands High School, followed by a moment of silence in honor of Mr. Starr's father who passed away.

Staff members present were Alexander Nguyen, City Manager; Ashley Golden, Assistant City Manager; Eric Sonstegard, Assistant City Manager; Katie Casey, Deputy City Manager; Stephen Fischer, City Attorney; Michael Wolfe, Public Works Director; Javier Chagoyen-Lázaro, Chief Financial Officer; Terrel Harrison, Cultural & Community Services Director; Renee Rakestraw, Assistant Cultural & Community Services Director; Brenda Lopez, Interim Housing Director; and Lourdes A. López, City Clerk.

E. CEREMONIAL ITEMS

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Isaac Michael Morales; KC Rodriguez, Roy Prince; Pat Brown; Grey Runyon; Dan Pinedo; Eileen Tolteca; Caller 1622; and Caller 4018.

G. REPORT OF CITY MANAGER/EXECUTIVE DIRECTOR/SECRETARY

H. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

The members of the Council provided brief announcements regarding their various activities and expressed their condolences to Councilman Starr on the passing of his father.

Councilwoman Perez requested an update on her previous request of the undocumented community.

Councilman Starr requested: 1) the progress and updated on the sober living facilities ordinance. 2) status of the million dollar grant for Gabriel's House; 3) defunding sanctuary cities and a target date where staff provide the analysis; 4) update on recent Wastewater Treatment Plant operational/mechanical issue that resulted in an estimated 880,000 gallon discharge of primary effluent into the ocean pipeline; and 5) staff presentation on Information Technology resources and what projects are in the pipeline along with priorities.

The City Manager stated that the City has about $60 million in grant funding in place ($25 million for Housing/$25 million for Public Works/$10 million in Public Safety, Parks, etc. The impacts will affect the City, potentially schools, hospitals, and any grants that are received by non-profit organizations and the Port of Hueneme.

Councilwoman Basua requested: 1) anti-harassment ordinance and a discrimination ordinance that will apply to our Just Cause Tenant Protection; and 2) using temporary union members as temporary labor for the City of Oxnard.

M. REPORTS

2. Cultural & Community Services Department
SUBJECT: Amendment to Extend the Operating Agreement for the Oxnard Performing Arts & Convention Center Auditorium and Meeting Rooms. (10 minutes)
RECOMMEDNATION: That the City Council authorize the Mayor to execute the facility management agreement between the City and Sterling Venue Ventures (A-8209 and (A-8210) for:

1. A five (5) year amendment extension for the operation, maintenance, and management of the Oxnard Performing Arts and Convention Center Auditorium and Meeting Rooms.

Councilwoman Rodriguez stated that she represents District 4 and is recusing herself from discussion on Item M-2 because she owns real property and lives within the 1,000 feet of the Oxnard Performing Arts Center. At 7:13 p.m., Councilwoman Rodriguez left the dais.

Councilwoman Basua, Councilman Starr, Councilwoman Perez, Councilmember Perello, Mayor Pro Tem Teran, and Mayor Mc Arthur had ex-parte communications with Carolyn Mullin, Sterling Venue Ventures representatives and community members.

Public comments were received from: Gabriel Hoffman; Amber Norton; Gary Davis; Gary Blum; Carolyn Mullin; Carol Flores Beck; Christian Ramirez; Patricia Cortex Washington; Manuel Herrera; Strelitzia Gallardo; Victor Valadez; JD Stephanes; Marianne Cothern; Teo Lopez; Elisa Torres; Cindy Mendoza; Christian Aguero Quirino; Tommy Nast; Rosie Cervantes; Rafael Perea de la Cabada; Demithriouz.

RECESS
At 8:15 p.m., the Council recessed and at 8:33 p.m. the City Council reconvened.

Public comments continued:

Myriah Ramos; Robert Auclair; Jack Villa; Veronica Miranda; Steven Auclair; KC Rodriguez; Victoria Aves; Marvin Boos; Juana Martinez; Andy Coli; Dwayne Holland; Evelyn Herrera; Kevin Brannon; Dana Morris; Amy Differ; Myles Canan; Daniel Altamira; Diego Castaneda; Hailey Martinez; Arcelia Martinez; Pam Hooarth; Chuy Leon; Maria Durant; Janice Wise; Sophia Liliana Inez; Lorenzo Castillo; Roger Poirer; Pat Brown; Miguel Fernandez; Angela Whitecomb; Greg Runyon; Maria Elena Saldana Aldana; Luann Rocha; Crystal Pak; Juan Flores; Nicole Taylor; Roxanne Trujillo; Nick Bryden.

At 9:49 p.m., the Council voted to continue the meeting past 10:00 p.m., and take action on the remainder of the items on the agenda.

It was moved by Mayor Pro Tem Teran, seconded by Councilwoman Perez, to continue the meeting past 10:00 p.m. VOTE: Teran, Perez, Basua, Mc Arthur, Perello, and Starr voted in favor; motion passed 6-0-1. Councilwoman Rodriguez was absent.

Terrel Harrison, Cultural & Community Services Director, Katie Casey, Deputy City Manager and Renee Rakestraw, Assistant Cultural & Community Services Director presented and answered questions. Discussion ensued among the Council, staff, Lance Sterling and Dr. Davis.

It was moved by Councilman Starr, seconded by Councilmember Perello, to approve staff's recommendation and direct staff to come back with a side agreement with OPAC. The motion includes staff's modification of section 4.1 "each event in the auditorium and performing arts center rooms Sterling Venue Ventures shall pay 15% of the gross margin for food and beverage less cost of sales for concessions and then the continuation of excluding taxes and gratuities on concessions."

It was moved by Mayor Pro Tem Teran, seconded by Councilwoman Perez to amend Councilman's Starr's motion to extend the contract for 5 years to include the language in section 2.1 to indicate that "it is in coordination with, instead of at the sole discretion of," with a requirement of a side letter in six months. Concurrently, both entities to explore the possibility of having separate contracts, but it would not be a contractual obligation.

It was moved by Councilman Starr to call the question on Mayor Pro Tem's motion amendment. Vote: Teran, Perez, Mc Arthur, and Starr voted in favor; motion passed 4-2-1. Councilmembers Perello and Basua voted no. Councilwoman Rodriguez was absent.

It was moved by Councilwoman Basua, seconded by Councilman Starr to amend Mayor Pro Tem's motion amendment to extend the contract for 5 years, both entities to have separate contracts within 1 year, and for staff to return with an update in 6 months. VOTE: Basua, Starr, Teran, Mc Arthur, Perez and Perello voted in favor; the motion passed 6-0-1. Councilmember Rodriguez was absent.

VOTE: Teran, Basua, Mc Arthur, Starr, Perez, and Perello; the motion passed 6-0-1.

At 12:12 a.m. Councilwoman Rodriguez joined the Council at the dais.

RECESS
At 12:13 a.m., the Council recessed and at 12:26 a.m. the City Council reconvened.

5. City Attorney Department
SUBJECT: Implementation of Specific Provisions of the Court of Appeal's Decision Regarding the City Treasurer
RECOMMENDATION: That the City Council:

Approve the first reading by title only and waive further reading of an ordinance titled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD AMENDING SPECIFIC PROVISIONS OF THE OXNARD CITY CODE TO TRANSFER THE DUTIES RELATING TO THE COLLECTION OF FEES AND TAXES FROM THE CITY TREASURER TO THE POLICE CHIEF, AND MODIFY THE PROCEDURE FOR THE PAYMENT OF DEMANDS, WARRANTS AND CHECKS SO THAT CERTAIN DUTIES HELD BY THE CITY TREASURER ARE TRANSFERRED TO THE ASSISTANT CITY TREASURER

or

Alternatively, although not recommended by City staff, direct staff to return with the necessary proposed ordinance and resolution to reorganize and reinstate the duties of the City Treasurer, so the person in that position will serve as the administrative head of staff now associated with the separate Division of Billing and Licensing and as a department head.

Ken Rozell, Chief Assistant City Attorney and Jennie Kelly, Assistant City Attorney presented and answered questions.

Public comments were received from Michael Walker, Phil Molina, Ray Blattel, Lorenzo Castillo, Manuel Herrera, Doug Partello, Alicia Percell, Greg Runyon, Lauren Bueling, and Larry Stein.

Discussion ensued among the Council and staff.

It was moved by Councilman Starr, seconded by Councilwoman Rodriguez directing staff to return with an item restoring the City Treasurer the staff budget and access he had prior to the actions by the predecessor Council in 2020. VOTE: Starr voted in favor; motion failed 1-6. Basua, Perello, Perez, Rodriguez, Teran, and Mayor Mc Arthur voted no.

It was moved by Councilwoman Basua, seconded by Councilwoman Rodriguez to approve staff's recommended action as presented. VOTE: Basua, Perello, Perez, Rodriguez, Teran, and Mayor Mc Arthur voted in favor; motion passed 6-1. Councilman Starr voted no.

I. REVIEW OF INFORMATION/CONSENT AGENDA

J. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

No public comments were received.

K. INFORMATION/CONSENT AGENDA

1. City Clerk Department
SUBJECT: Approval of Minutes.
RECOMMENDATION: That the City Council approve the regular minutes of January 21, 2025 and February 4, 2025.

2. Public Works Department
SUBJECT: Public Project Agreement 32500403 with Jaynes Brothers Construction, Inc. for Citywide Playground Replacement Project - Ololkoy Beach Park (Rebid), Specification No. PW 25-49R.
RECOMMENDATION: That the City Council approve and authorize:

1. A total of $489,759.00 in Project funds for the Citywide Playground Replacement Project - Ololkoy Beach Park (Rebid), Specification No. PW 25-49R;
2. The Mayor to execute an Agreement with Jaynes Brothers Construction, Inc. in the amount of $408,133.00 and a Project contingency amount of $40,813.00 (~10%) with Jaynes Brothers Construction, Inc. for a total not to exceed value of $448,946.00 for the Project; and
3. A Project allocation amount of $40,813.00 (~10%) for engineering, inspection, survey and project management for the Project.

3. Public Works Department
SUBJECT: Additional Project Contingency Authority to Agreement 32500074 with LDP Associates, Inc. for the Replacement of the City's Data Center Cooling System.
RECOMMENDATION: That the City Council approve and authorize an increase of $50,000 in project contingency authority to an agreement with LDP Associates, Inc. for a new not-to-exceed value of $351,663, for use with the Data Center Cooling System Replacement Project IT 24-134.

4. Public Works Department
SUBJECT: Public Project Agreement 32500393 with CSI Services for Central Park Fountain Renovation Project, Specification No. SD 25-23.
RECOMMENDATION: That the City Council approve and authorize:

1. A total of $723,511.00 in Project funds for the Central Park Fountain Renovation Project, Specification No. SD 25-23;
2. The Mayor to Execute an Agreement with CSI Services in the amount of $602,925.00 for the Project and approve a Project contingency amount of $60,293.00 (~10%) with CSI Services for a total not to exceed value of $663,218.00 for the Project;
3. A Project allocation amount of $60,293.00 (~10%) for engineering, inspection, survey and project management for the Project; and
4. A budget appropriation in the amount of $268,511 from the available fund balance in the Community Facilities District (CFD) 5 Fund (120, sub-fund 6050) to the Central Park Fountain Control Room Renovation Project (C2012) and corresponding Capital Outlay Fund

(301) transfer in/appropriation in the same amount.

5. Public Works Department
SUBJECT: Multiple Agreements for On-Call Geotechnical Engineering/Environmental Material Testing and Inspection Services Professional Engineering Services.
RECOMMENDATION: That the City Council approve and authorize the Mayor to execute the following four Agreements, each with an initial term of one year, from February 19, 2025, to February 18, 2026, with options for exercising four consecutive one-year period extensions ending February 18, 2030, for on-call professional engineering geotechnical services:

   1. Agreement 32500365 with Earth Systems Pacific for a total amount not to exceed $1,000,000;
   2. Agreement 32500368 with Twining, Inc. for a total amount not to exceed $1,000,000;
   3. Agreement 32500375 with Geocon West, Inc. for a total amount not to exceed $1,000,000; and
   4. Agreement 32500379 with Shannon & Wilson, Inc. for a total amount not to exceed $1,000,000.

6. Public Works Department
SUBJECT: Multiple Agreements for On-Call Architectural Design Professional Engineering Services.
RECOMMENDATION: That the City Council approve and authorize the Mayor to execute the following Agreements, each with an initial term of two years from February 19, 2025, to February 18, 2027, with an option for three consecutive one-year period extensions ending February 18, 2030, for on-call professional engineering services for architectural design:

   1. Agreement 32500354 with Black, O'Dowd and Associates, Inc. DBA BOA Architecture for a total amount not to exceed $750,000;
   2. Agreement 32500359 with Jeff B. Zook, A Professional Architectural Corporation DBA Coastal Architects for a total amount not to exceed $750,000;
   3. Agreement 32500364 with Roesling Nakamura Terada Architects, Inc. for a total amount not to exceed $750,000; and
   4. Agreement 32500361 with Wallace Group, A California Corporation for a total amount not to exceed $750,000.

7. Human Resources Department
SUBJECT: A Resolution Adding a CalPERS Medical Plan for NonPERS Elected Officials.
RECOMMENDATION: That the City Council adopt **Resolution No. 15,846** authorizing the City to add a medical plan for NonPERS Elected Officials.

8. Housing Department
SUBJECT: Community Development Block Grant (CDBG) Loan Agreement for Casa Aliento.
RECOMMENDATION: That the City Council adopt **Resolution No. 15,847** authorizing the Housing Director or Designee to execute a $792,999 CDBG Loan Agreement (32500402), and any and all related documents thereto, with Casa Aliento LP for the rehabilitation and conversion of an existing motel into 70 Permanent Supportive Housing Units located at 1245

N. Oxnard Boulevard.

9. Housing Department
SUBJECT: CDBG and In-Lieu Loan Agreement for Dolores Huerta Gardens Apartments, a 58-Unit Affordable Rental Project located at 2161 Etting Road.
RECOMMENDATION: That the City Council:

1. Adopt **Resolution No. 15,848** authorizing the Housing Director or Designee to execute a $268,074 CDBG Loan Agreement (32500404) and a $631,900 In-Lieu Loan Agreement (32500406), and any and all related documents thereto, with Etting Road LLC for the construction of fifty-eight affordable rental units located at 2161 Etting Road; and

2. Approve and authorize a budget appropriation of $631,900 from the Affordable Housing In-Lieu Fees Fund to support the $631,900 In-Lieu Loan Agreement.

Consent Items K.1 – K.6 and K.9
It was moved by Councilwoman Rodriguez, seconded by Mayor Pro Tem Teran, to approve the Information/Consent items as presented. VOTE: Rodriguez, Teran, Perez, Starr, Basua, Mc Arthur and Perello voted in favor; the motion passed 7-0.

Consent Items K.7
It was moved by Councilwoman Rodriguez, seconded by Mayor Pro Tem Teran, to approve the Information/Consent item as presented. VOTE: Rodriguez, Teran, Perez, Basua, Mc Arthur and Perello voted in favor; the motion passed 6-1. Councilman Starr voted no.

Consent Items K.8
It was moved by Councilwoman Rodriguez, seconded by Mayor Pro Tem Teran, to approve the Information/Consent item as presented. VOTE: Rodriguez, Teran, Perez, Starr, Basua, and Perello voted in favor; the motion passed 6-0-1. Mayor Mc Arthur recused himself because he owns property within 1,000 ft. of the project.

L. PUBLIC HEARING

1. Housing Department
SUBJECT: Fiscal Year 2020-2021 Annual Action Plan Amendment - Community Development Block Grant CARES Act. (10 minutes)
RECOMMENDATION: That the City Council:

1. Conduct a public hearing regarding the fiscal year 2020-2021 Annual Action Plan Amendment;

2. Approve the fiscal year 2020-2021 Annual Action Plan Amendment for the CARES Act reallocations;

3. Authorize the City Manager, and his designees, to incorporate the amended grant allocations into the 2020-2021 Annual Action Plan Amendment for the CARES Act, and allow adjustments within ten percent of the grant allocation or $200,000, whichever is greater;

4. Authorize the City Manager, and his designees, to execute the required documents to submit the 2020-2021 Annual Action Plan Amendment to the United States Department of Housing and Urban Development; and,

5. Authorize the City Manager, and his designees, to execute all of the agreements necessary for the implementation of the 2020-2021 Annual Action Plan Amendment.

The City Clerk announced the affidavit of publication and stated that no written communications were received.

Mayor Mc Arthur opened the public testimony portion of the public hearing.

Brenda Lopez, Interim Housing Director presented and answered questions. Discussion ensued among the Council and staff. No public comments were received.

Without objection, the Council approved closing the public testimony portion of the public hearing.

It was moved by Councilman Starr, seconded by Mayor Pro Tem Teran, to approve the recommended action item as presented. VOTE: Starr, Teran, Perez, Rodriguez, Basua, Mc Arthur, and Perello voted in favor; the motion passed 7-0.

M. REPORTS

1. Housing Department

SUBJECT: Second Amendment and Extension of the Agreement with the County of Ventura and local hotel operators in support of the Encampment Resolution Funding Program. (10 minutes)

RECOMMENDATION: That the City Council:

1. Approve and authorize the Mayor to execute a Second Amendment to Agreement No. 32400434 with the County of Ventura for partnership in delivery of encampment response outreach and case management services via the Ventura County Health Care Agency in the amount of $250,000 for a total agreement amount not to exceed $1,558,614.34, and to extend the term of the agreement to August 31, 2025;

2. Authorize the City Manager, or designee, to negotiate and execute agreements with local hotel operators through August 31, 2025 to offer non-congregate shelter.

Brenda Lopez, Interim Housing Director presented and answered questions. Discussion ensued among the Council and staff. No public comments were received.

It was moved by Councilmember Perello, seconded by Councilwoman Rodriguez, to approve the recommended action item as presented. VOTE: Perello, Rodriguez, Starr, Basua, Mc Arthur, and Perez voted in favor; the motion passed 6-0-1. Mayor Pro Tem recused himself due to a potential remote conflict of interest arising from professional work he does for the County of Ventura.

3. Finance Department
SUBJECT: FY 2024-25 Mid-Year Budget. (15 minutes)
RECOMMENDATION: That the City Council:

1. Receive an update on the FY 2024-25 revenue and expenditure projections for major funds; and
2. Approve budget amendments to the General Fund (101), Street Maintenance Infrastructure Use Fee Fund (105), Special Districts Fund (120), Transportation Development Act Fund (212), Capital Outlay Fund (301), Developer & Other Deposits Fund (541), Environmental Resources Operating Fund (631), Public Liability and Property Insurance Fund (701), and the Facilities Maintenance Fund (735) as explained in this report.

ACTION: Continued to March 4, 2025.

4. Human Resources Department
SUBJECT: Memorandum of Understanding - Oxnard Public Safety Managers Association. (10 minutes)
RECOMMENDATION: That the City Council of the City of Oxnard adopt a Resolution approving the attached tentative agreement between the City of Oxnard and the Oxnard Public Safety Managers Association (OPSMA) that are proposed to be integrated with the terms of the existing Memorandum of Understanding (MOU) between the City and OPSMA. The integrated document shall be the successor MOU for the term July 1, 2024 through June 30, 2027.

ACTION: Continued to March 4, 2025.

L. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Mc Arthur adjourned the meeting at 3:41 a.m.

LOURDES A. LÓPEZ
City Clerk

LUIS MC ARTHUR
Mayor