

Written materials relating to an item on this agenda that are distributed to the legislative bodies within 72 hours before the item is to be considered at its regularly scheduled meeting will be made available for public inspection at the City Clerk's Office, 300 West Third Street 4th Floor during customary business hours. Agenda reports are also on the City of Oxnard web site at www.oxnard.org.



AGENDA
OXNARD CITY COUNCIL
OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY
OXNARD FINANCING AUTHORITY
OXNARD HOUSING AUTHORITY
Council Chambers, 305 West Third Street
November 5, 2019
Closed Session - 4:30 PM
Appointment Items - 5:30 PM
Regular Meeting - 6:00 PM

A. ROLL CALL, POSTING OF AGENDA

THE FOLLOWING LEGISLATIVE BODIES ARE MEETING: City Council, Successor Agency, Financing Authority, and Housing Authority.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

At this time, a person may address the legislative body only on matters appearing on the closed session agenda. The presiding officer shall limit public comments to three minutes.

C. CLOSED SESSION (4:30 PM)

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Government Code section 54956.9 (d)(1)) (City Council)
Name of Case: April Kittel v. City of Oxnard; et al.
United States District Court Case No. CV-17-6709-MWF (GJSx)
2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Government Code section 54956.9 (d)(1)) (City Council)
Name of Case: County of Alameda; et al. v. Richard S. Sackler; et al.
Orange County Superior Court Case No. 30-2019-01101802-CU-BT-CXC
3. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Government Code section 54956.9 (d)(1)) (City Council)
Name of Case: County of Alameda; et al. v. Richard S. Sackler; et al.
Orange County Superior Court Case No. 30-2019-01101802-CU-BT-CXC
4. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Government Code section 54956.9(d)(2)) (City Council)
Based on existing facts and circumstances, there is significant exposure to litigation against the City in one potential case.

In compliance with the Americans with Disabilities Act, if you require special assistance to participate in a meeting, please contact the City Clerk's Office at 385-7803. Notice at least 72 hours prior to the meeting will enable the City to reasonably arrange for your accessibility to the meeting.

Agenda Item time estimates: (Staff Presentation / Council Discussion / Public Comment)

5. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Government Code section 54956.9(d)(4)) (City Council)

Based on existing facts and circumstances, the City Council shall decide whether to initiate litigation in one potential case.

6. CONFERENCE WITH LABOR NEGOTIATORS (Government Code section 54957.6) (City Council)

Agency designated representatives: Alex Nguyen, City Manager, Steve Naveau, Director of Human Resources; and Jennie Kelly, Assistant City Attorney. Employee organization: Service Employees International Union CTW, CLC, Local 721 (SEIU Local 721); International Union of Operating Engineers AFL-CIO, Local No. 501 (IUOE Local 501); and unrepresented employees: Assistant City Manager, Chief Financial Officer, City Clerk, City Treasurer, Deputy City Manager, Community Development Director, Fire Chief, Housing Director, Human Resources Director, I.T. Director, Cultural and Community Services Director, Police Chief, Public Works Director (Department Directors); Chief Assistant City Attorney, Assistant City Attorney, Deputy City Attorney; Accountant II (C80), Accounting Technician (C67), Administrative Assistant (C70), Administrative Legal Assistant (C70), Administrative Legal Secretary I (C25), Administrative Legal Secretary II (C35), Administrative Legal Secretary III (C50), Administrative Secretary I (C15), Administrative Secretary II (C30), Administrative Secretary III (C40), Administrative Services Assistant (C70), Administrative Technician (C60), Employee Relations Coordinator (C67), Executive Assistant I (C80), Executive Assistant II (C85), Human Resources Technician (C70), Office Assistant I (C10), Office Assistant II (C20), Paralegal (C75), Senior Administrative Secretary (C55), Senior Human Resources Coordinator (C75), (Confidential Employees).

D. APPOINTMENT ITEMS (5:30 PM)

1. City Manager Department

SUBJECT: Presentation by Oxnard School Superintendent Karling Aguilera-Fort.

RECOMMENDATION: Informational presentation only.

Legislative Body: City Council

Contact: Alexander Nguyen, (805) 385-7430

2. City Manager Department

SUBJECT: Ventura County Civic Alliance State of the Region Report.

RECOMMENDATION: That the City Council receive the State of the Region Report from the Ventura Civic Alliance.

Legislative Body: City Council

Contact: Alexander Nguyen, (805) 385-7430

E. OPENING CEREMONIES (6:00 PM)

Pledge of allegiance to the flag of the United States.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

At this time, the legislative body will consider public comments for a maximum of thirty minutes. A

person may address the legislative body only on matters not appearing on the agenda and within the subject matter jurisdiction of the legislative body. Speaker cards will not be accepted after the beginning of the general public comment period. Based on the number of speaker cards submitted, the presiding officer may impose time limits per speaker. Typically, speakers are limited to three minutes, but shorter time may be established as deemed necessary. A person not able to address the legislative body at this time because the thirty minutes expires may do so just prior to adjournment of the meeting. The legislative body cannot enter into a detailed discussion or take action on any items presented during public comments at this time. Such items may only be referred to the City Manager/ Executive Director/Secretary for administrative action or scheduled on a subsequent agenda for discussion. Persons wishing to speak on public hearing items should do so at the time of the hearing.

G. REPORT OF CITY MANAGER/EXECUTIVE DIRECTOR/SECRETARY

The City Manager/Executive Director/Secretary shall report on items of interest to the legislative body occurring since the last meeting. The legislative body cannot enter into detailed discussion or take action on any item presented during this report. Such items may only be referred to the City Manager/Executive Director/Secretary for administrative action or scheduled on a subsequent agenda for discussion.

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

At this time, a member of the legislative body may make a brief announcement, or make a brief report on his or her activities. Further, members of the legislative body may request to schedule consideration of whether to place an item on a future agenda. The legislative body cannot enter into detailed discussion or take action on any item presented during this report. The member's report shall not exceed three minutes, unless additional time is granted by the presiding officer.

I. REVIEW OF INFORMATION/CONSENT AGENDA

The members of the legislative body will consider whether to remove Information/Consent Agenda items for discussion later during the meeting.

J. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

At this time, a person may address the legislative body only on matters appearing on the information/consent agenda. The presiding officer shall limit public comments to three minutes.

K. INFORMATION/CONSENT AGENDA

1. City Attorney Department

SUBJECT: First Amendment to Agreement for Special Counsel on Water and Wastewater Issues.

RECOMMENDATION: That City Council approve and authorize the Mayor to execute a First Amendment to the Attorney Services Agreement with Meyers, Nave, Riback, Silver & Wilson ("Meyers Nave") (Agreement No. 8603-19-CA, Purchase Order 7340) for services relating to water and wastewater issues for an increase of \$300,000 for a total contract amount not to exceed \$500,000.

Legislative Body: City Council

Contact: Stephen Fischer, (805) 385-7483

2. City Clerk Department

SUBJECT: Approval of Minutes.

RECOMMENDATION: That the City Council approve the minutes of the October 1, 2019 and October 15, 2019 regular meetings as presented.

Legislative Body: City Council

Contact: Michelle Ascencion, (805) 385-7805

3. City Manager Department

SUBJECT: 2020 Meeting Schedule for Legislative Bodies.

RECOMMENDATION: That City Council, Community Development Commission Successor Agency, Financing Authority, and Housing Authority approve the proposed meeting dates for the calendar year 2020.

Legislative Body: City Council, Community Development Commission Successor
Agency, Financing Authority, Housing Authority Board

Contact: Alexander Nguyen, (805) 385-7430

4. Community Development Department

SUBJECT: Planning and Zoning Permit No. 18-680-01 (Mills Act Agreement-Henry T. Oxnard-Landmark No. 161), Daniel Barcela House at 320 South F Street. Filed by Jake Donaldson and Nicole Janelle, Property Owners.

RECOMMENDATION: That the City Council authorize the Mayor to execute a Mills Act Contract (Agreement No. A-8185) with Jake D. Donaldson and Nicole S. Janelle (Property Owners) to maintain and preserve a historic property located at 320 S F Street (Oxnard-Landmark No. 161).

Legislative Body: City Council

Contact: Jeffrey Lambert, (805) 385-7882

5. Community Development Department

SUBJECT: California Department of Housing and Community Development Senate Bill (SB) 2
Planning Grant Application.

RECOMMENDATION: That the City Council:

1. Adopt a resolution authorizing the City Manager to submit an application for \$625,000 in SB2 grant program funds to be used for 2021-2029 Housing Element Sites Inventory, Downtown Infrastructure Study, and Comprehensive Zoning Ordinance Update and Development of Web Based Zoning Code; and
2. Approve a budget appropriation, to be executed upon award, in the amount of \$625,000 to be funded with SB2 State Grant Funds.

Legislative Body: City Council

Contact: Jeffrey Lambert, (805) 385-7882

6. Police Department

SUBJECT: Service Authority for Freeway Emergencies (SAFE) Grant Program.

RECOMMENDATION: That the City Council adopt a resolution:

1. Authorizing the City Manager to execute \$50,000 in grant funds from the Service Authority for Freeway Emergencies (SAFE) Grant Program, to be used for the purchase of two variable

message trailers;

2. Authorizing the City Manager or designee to execute grant agreements and appropriate funds upon confirmation of grant award;
3. Authorizing the Chief Financial Officer or designee to submit financial reports and grant claims and approve special budget appropriations for use of SAFE grant funds; and
4. Authorizing the Chief of Police or designee to submit all program related progress or status reports. (Public Safety Committee approved 3-0)

Legislative Body: City Council

Contact: Scott Whitney, (805) 385-7624

7. Police Department

SUBJECT: Department of Alcoholic Beverage Control / Office of Traffic Safety (ABC/OTS) Grant.

RECOMMENDATION: That the City Council adopt a resolution:

1. Authorizing the City Manager to execute and apply for \$20,000 in grant funds from the Department of Alcoholic Beverage Control/Office of Traffic Safety (ABC/OTS) Grant Program, to be used for overtime to conduct four (4) Minor Decoy Operations, four (4) Shoulder Tap Operations, and two (2) IMPACT Inspections.
2. Authorizing the City Manager or designee to execute grant agreements and appropriate funds upon confirmation of grant award.
3. Authorizing the Chief Financial Officer or designee to submit financial reports and grant claims and approve special budget appropriations for use of ABC/OTS grant funds.
4. Authorizing the Chief of Police or designee to submit all program related progress or status reports. (Public Safety Committee approved 3-0)

Legislative Body: City Council

Contact: Scott Whitney, (805) 385-7624

8. Public Works Department

SUBJECT: Award Contract to Taft Electric for Flashing Pedestrian Beacon Project.

RECOMMENDATION: That City Council:

1. Award and authorize the Mayor to execute Agreement No. A-8186 in the amount of \$540,581.56 with Taft Electric Company for the Flashing Pedestrian Beacon Project;
2. Approve \$54,058.16 for project contingency for the Flashing Pedestrian Beacon Project;
3. Approve \$54,058.16 for engineering, inspection, survey and project management for the Flashing Pedestrian Beacon Project; and
4. Approve a Budget Appropriation in the total amount of \$297,864 for the Flashing Pedestrian Beacon Project. This amount includes \$181,188 from the Air Pollution Buy Down fund (118) and, an increase in Congestion Mitigation Air Quality (CMAQ) grant revenue fund (275) in the amount of, \$116,676 for project 163105.

Legislative Body: City Council

Contact: Rosemarie Gaglione, (805) 385-8055

9. Public Works Department

SUBJECT: Award of a Three-Year Contract for Landscape and Ballfield Maintenance in RiverPark Community Facilities District 5.

RECOMMENDATION: That the City Council approve and authorize the Mayor to:

1. Execute Agreement A-8171 with Garcia's Landscaping Maintenance, Inc. to provide landscape

and ballfield maintenance services to RiverPark Community Facilities District 5 in the total amount of \$3,120,435 for a three year term;

2. Approve a contingency in the amount of \$150,000 for Agreement A-8171 for landscape and irrigation rehabilitation services with Garcia's Landscaping Maintenance, Inc., identified at the time of transfer of services from the previous contractor; and

3. Authorize the Public Works Director or designee to change service levels within the Agreement based on the available funding in the facilities district.

Legislative Body: City Council

Contact: Rosemarie Gaglione, (805) 385-8055

10. Public Works Department

SUBJECT: Approval of Second Amendment to Trade Services Agreement 8446-18-PW with U.S. Peroxide, LLC.

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a Second Amendment to Agreement 8446-18-PW with USP Technologies, Inc. to increase the amount by \$754,950 for a new total Agreement value of \$947,232 through June 30, 2022, to control sulfide at the headworks and clarifiers of the Oxnard Wastewater Treatment Plant. (The Public Works and Transportation Committee approved 3-0)

Legislative Body: City Council

Contact: Rosemarie Gaglione, (805) 385-8055

L. PUBLIC HEARINGS

1. Housing Department

SUBJECT: Public Hearing for Issuance of Exempt Facility Bonds for a Qualified Residential Rental Project for The Holiday Manor Apartments. (5/10/5)

RECOMMENDATION: That the City Council:

1. Hold a public hearing regarding the issuance by the California Statewide Communities Development Authority of up to \$68,000,000 of exempt facility bonds for a qualified residential rental project pursuant to Section 142(a)(7) of the Internal Revenue Code of 1986 to finance or refinance the acquisition, rehabilitation and development of a 252-unit multi-family rental housing project located at 1924 and 1928 Camino Del Sol, 1805 and 1915 San Gorgonio, and 100 and 320 North Rose Avenue, Oxnard, California (known as The Holiday Manor Apartments); and
2. Adopt a resolution approving the issuance of bonds.

Legislative Body: City Council

Contact: Emilio Ramirez, (805) 385-8094

2. Community Development Department

SUBJECT: Planning and Zoning Permit No. 19-580-04 - Zoning Text Amendment to Create Regulations for Short Term Rentals, to include recommendations of the City Council Housing and Economic Development Committee (HEDC). (10/30/20)

RECOMMENDATION: That the City Council:

1. Receive a report regarding the regulations for Short Term Rentals;
2. Open a public hearing;
3. Determine the zoning text amendment is exempt from the California Environmental Quality Act

(CEQA) pursuant to Sections 15061 and 15305 of Title 14, Division 6, Chapter 3 of the California Code of Regulations;

4. Introduce by title only and waive further reading of the following Ordinances by title only approving the following amendments to Chapters 7 (Nuisances), 16 (Zoning Code) and 17 (Coastal Zoning) of the Oxnard City Code:

a. Chapter 7: modify Section 7-56 (Civil Fines: Amounts) to establish fine amounts for violations;

b. Chapter 16: add Article XI to Chapter 16 regarding short-term rentals; add Subsection (19) to Section 16-21 (B) to the Residential Single-Family Zone and amend Section 16-148, Table 16-148 of the Downtown Code, add short-term rentals as an allowed, by right residential use in the DT-E, DT-G and DT-C zones subject to Article XI of Chapter 16;

c. Chapter 17: add Section 17-53 to Chapter 17 in Article IV regarding short term rentals and amend Chapter 17 of the Oxnard City Code by adding Subsection (B) (10) to Section 17-10; R-B-1, Single-Family Beach, Sub-Zone; Subsection (B) (10) to Section 17-11. R-W-1, Single-Family Water-Oriented, Sub-Zone; Subsection (B) (10) to Section 17-12. R-W-2, Townhouse Water-Oriented, Sub-Zone; Subsection (B) (10) Section 17-13; R-2-C, Coastal Multiple-Family, Sub-Zone; Subsection (B) (10) to Section 17-14; R-3-C, Coastal Medium Density Multiple-Family, Subsection (B) (3) to Section 17-15; CPC, Coastal Planned Community Sub-Zone; and Subsection (B) (9) to Section 17-25; R-BF, Beachfront Residential, Sub-Zone regarding allowing short-term rental units subject to Section 17.53;

d. Incorporate the following revisions to the proposed ordinances: (1) include a 100' separation between STRs, (2) add a 5% cap to the R-BF zone, (3) limit annual rental days to 100, (4) require property manager/owner to be within 25 miles of the STR, (5) prohibit outdoor amplified music during quiet hours, (6) include parking limitations on STR advertisements, and (7) increase fines as noted; and

5. Set the Ordinances for a second reading and adoption at the City Council meeting of November 19, 2019.

Legislative Body: City Council

Contact: Jeffrey Lambert, (805) 385-7882

3. Community Development Department

SUBJECT: California Building Standards Regulations. (10/10/10)

RECOMMENDATION: That City Council approve the first reading by title only and subsequent adoption of an ordinance repealing and reenacting Articles II through XI, XV, and XVI of Chapter 14 of the Oxnard City Code, pertaining to the California Building Code, California Residential Code, California Green Building Standards Code, International Property Maintenance Code, Uniform Code for the Abatement of Dangerous Buildings, California Historical Building Code, California Electrical Code, California Existing Buildings Code, California Mechanical Code, California Referenced Standards Code, California Plumbing Code, Fire Codes, and Fire Sprinklers.

Legislative Body: City Council

Contact: Jeffrey Lambert, (805) 385-7882

M. REPORTS

1. Community Development Department

SUBJECT: Exception to CalPERS 180 day Wait Period for Appointment of a Retired Annuitant to Perform Limited Term Specialized Project Work. (5/10/5)

RECOMMENDATION: That City Council adopt a resolution approving an exception to the CalPERS 180 day wait period for Paul Wendt.

Legislative Body: City Council

Contact: Jeffrey Lambert, (805) 385-7882

2. City Attorney Department

SUBJECT: Ballot Arguments for the Oxnard Government Accountability and Ethics Act. (5/5/5)

RECOMMENDATION: 1. That the City Council determine that City Council will file the written argument in support of the Oxnard Government Accountability and Ethics Act (measure designation to be determined) with five Councilmembers signing on behalf of the City; and
2. That the City Council determine that the Councilmembers that do not sign the argument in favor of the measure are authorized to sign the rebuttal argument along with representatives of organizations or members of the public designated by the Mayor.

Legislative Body: City Council

Contact: Stephen Fischer, (805) 385-7483

N. ADJOURNMENT