

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
June 16, 2020

A. ROLL CALL, POSTING OF AGENDA

At 4:34 p.m., Mayor Flynn called to order the regular meeting of the Oxnard City Council (concurrently with the Oxnard Housing Authority) 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 Gabriela Basua, Vianey Lopez, Bryan A. MacDonald, Oscar Madrigal, Bert E. Perello, Mayor Pro Tem Carmen Ramirez, and Mayor Tim Flynn were present via videoconference. Housing Commissioner Jose Andrade arrived at 5:50 p.m. via videoconference; Commissioner Francisco Vega was absent.

Staff members present were Alexander Nguyen, City Manager; Stephen M. Fischer, City Attorney; Ashley Golden, Assistant City Manager; Scott Whitney, Police Chief; Darwin Base, Fire Chief; Tatiana Arnaout, City Engineer; Emilio Ramirez, Housing Director; Jeffrey Lambert, Community Development Director; and Michelle Ascencion, City Clerk.

B. OPENING CEREMONIES

The flag salute was followed by a moment of silence.

C. APPOINTMENT ITEM

City Manager Department

1. SUBJECT: City of Oxnard Overtime Usage Report.
RECOMMENDATION: That the City Council receive and file the City of Oxnard Overtime Usage Report. (Finance and Governance Committee approved 3-0)

The City Manager gave a report. Public comments were received from Lawrence Stein and Ray Blattel. Discussion ensued among the Council and staff. No formal action was required.

Public Works Department

2. SUBJECT: Five Year Capital Improvement Program for Fiscal Years 2020-2025.
RECOMMENDATION: That the City Council:
 1. Approve and authorize the Fiscal Year 2020-21 projects to be selected from the Proposed 2020-2025 City of Oxnard Five Year Capital Improvement Program ("CIP"); and
 2. Adopt the 2020-2025 City of Oxnard Five Year Capital Improvement Program. (Public Works and Transportation Committee approved 2-0-1)

The City Engineer gave a report. Public comments were received from Lawrence Stein. Written comments were received from Lawrence Stein. Discussion ensued among the Council and staff.

It was moved by Councilmember Perello, seconded by Councilwoman Basua, to approve the recommended action as presented. VOTE: Basua, Flynn, Lopez, Madrigal, Perello, and Ramirez voted in favor; MacDonald abstained, due to a potential real estate conflict of interest with the Campus Park project. The motion carried 6-0-1.

Housing Department

3. **SUBJECT:** Impact Fee Loan Agreement and Resolution for Las Cortes Phase III.
RECOMMENDATION: 1. That the City Council approve and authorize the Mayor to execute a loan agreement with A0592 Oxnard, L.P., a California limited partnership in the amount of \$1,916,880 for deferred impact fees related to the development of the Las Cortes Phase III affordable housing project (Agreement No. A-8226).
2. That the Housing Authority Board of Commissioners adopt **Resolution No. 1317** approving an amendment to the Public and Indian Housing Information Center (PIC) Application DDA0001989 at Colonia Village, CA031001 to allow for a decrease the number of units developed in Phase III of Las Cortes and an increase in the number of units developed in Phase IV.

The Housing Director gave a report. Public comments were received from Lawrence Stein and Barbara Macri-Ortiz. Discussion ensued among the Council and staff.

It was moved by Councilman MacDonald, seconded by Councilmember Perello, to approve the recommended action as presented. VOTE: Andrade, Basua, Flynn, Lopez, MacDonald, Perello, and Ramirez voted in favor; Madrigal abstained, due to a potential real estate conflict of interest. The motion carried 7-0-1.

D. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Lawrence Stein (affordable housing, Proposition 218), Sandi Henderson (the importance of wearing face masks), Peggy Rivera (homeless shelter placement), Irma Lopez (homeless shelter placement), Greg Runyon (urged protesters to remain peaceful), Guadalupe Murillo (homeless shelter placement), Rick Castaniero (homeless shelter placement), and Armando Delgado (project labor agreements). Written comments were received from John Jay (illegal fireworks), Robert Gray (illegal fireworks), Rob Marion (recent downtown protests), and Sandi Henderson (face masks).

E. REPORT OF CITY MANAGER

City Manager Department

1. **SUBJECT:** COVID-19 Update from Director of Emergency Services.
RECOMMENDATION: That the City Council receive and file an update from the Director of Emergency Services on the COVID-19 Local Emergency.

The City Manager gave a report. Discussion ensued among the Council and staff. No formal action was required.

The City Manager also made announcements on the 2020 Census and the postponed Insect Festival, and reported on attending recent protests and events surrounding the Black Lives Matter movement. Brief discussion ensued on resuming street sweeping now that some of the COVID-19 stay-home orders have been lifted.

F. CITY COUNCIL REPORTS

Councilmember Lopez commented on recent Black Lives Matter demonstrations, and requested the Council consider a resolution at a future meeting denouncing police brutality and declaring racism a public health emergency.

Councilmember Perello reported on the recent event “The Talk” and commented on accountability, the importance of wearing facemasks, the reopening of city parks, and later on illegal fireworks.

Mayor Pro Tem Ramirez congratulated the Fire Chief on his upcoming retirement after 30 years of service to the city. She commented on the CARES Act rental assistance and small business assistance programs, the importance of wearing face coverings and contact tracing to slow the spread of COVID-19, “The Talk” virtual town hall and historical injustices, project labor agreements, and recent Supreme Court cases on gay rights and DACA.

Councilmember Madrigal commented on slowing the spread of COVID-19 and upcoming new guidelines from the State on the use of facemasks.

Mayor Flynn encouraged conversations on racial equality and commented on “The Talk” virtual town hall. He commented on slowing the spread of COVID-19, and suggested reactivating Neighborhood Watch programs to reduce illegal fireworks activity.

G. REVIEW OF INFORMATION/CONSENT AGENDA

Item I-4 were discussed among the Council and staff.

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

I. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Approval of Minutes.

RECOMMENDATION: That the City Council approve the minutes of the June 2, 2020 regular meeting as presented.

Community Development Department

2. SUBJECT: Third Amendment to Agreement #7690-16-DS with Rincon Consultants for On-Call Planning and Permit Processing Services.

RECOMMENDATION: That City Council approve the third amendment to Agreement #7690-16-DS with Rincon Consultants (Rincon) for on-call planning and permit

processing services in the amount of \$400,000, bringing the total agreement cost to \$1,350,000. (Housing and Economic Development Committee approved 3-0)

3. SUBJECT: Adoption of Ordinance No. 2981 Planning & Zoning Permit No. 2020-580-02 - Amendments to Chapters 7 and 11 of the Oxnard City Code to Establish Fines for Violation of Commercial Cannabis Businesses Regulations.
RECOMMENDATION: That the City Council adopt **Ordinance No. 2981** (read by title only, waiving further reading) approving Planning & Zoning Permit No. 2020-580-02 amendments to Chapters 7 and 11 of the Oxnard City Code to establish fines for violation of commercial cannabis businesses regulations.

Finance Department

4. SUBJECT: Agreement with BerryDunn for Enterprise Resource Planning (ERP) System Implementation Support and Organizational Change Management Consulting Services.
RECOMMENDATION: That the City Council award and authorize the Mayor to execute Agreement No. A-8222 with BerryDunn for consulting services in connection with the implementation of the Tyler ERP system in an amount not to exceed \$687,000 over a three-year term, with optional renewals for two additional years thereafter.

Fire Department

5. SUBJECT: Authorization to Accept the Regional Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant (AFG) for Air Purification Respirators.
RECOMMENDATION: That the City Council adopt **Resolution No. 15,347** authorizing:
1. The City Manager to accept a grant award from Ventura County Fire Department as a subrecipient of the regional FEMA Assistance to Firefighters Grant (AFG) for air purification respirators (APR);
 2. The Chief Financial Officer or designee to submit financial reports and grant claims, and perform all other required financial actions; and
 3. The Fire Chief or designee to submit non-financial reports, and
 4. The City Council approve a budget appropriation recognizing and appropriating \$10,743 in Federal grant funds (Homeland Security Grant - Fund 238-2221) and \$1,074 in General Fund match (from Account 101-2201-802.81-04).

Public Works Department

6. SUBJECT: Rental Agreement A-8221 with Amrep for Rental of Refuse Collection Trucks for the Environmental Resources Division.
RECOMMENDATION: That the City Council approve and authorize the Mayor to execute Rental Agreement A-8221 with Amrep U.S.A., Inc. (Amrep) for a total amount not to exceed \$621,600 for the rental of refuse collection trucks through June 30, 2021. (Public Works and Transportation Committee approved 3-0)
7. SUBJECT: Special Tax Levy for Community Facilities District No. 2000-3 (Oxnard Boulevard/Highway 101 Interchange).
RECOMMENDATION: That the City Council adopt **Resolution No. 15,348** setting a special tax rate within Community Facilities District (CFD) No. 2000-3 (Oxnard

Boulevard/Highway 101 Interchange) for Fiscal Year 2020-21. (Public Works and Transportation Committee approved 3-0)

It was moved by Councilmember Perello, seconded by Councilman MacDonald, to approve the Information/Consent items as presented. VOTE: Basua, Flynn, Lopez, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 7-0.

J. PUBLIC HEARINGS

Community Development Department

1. SUBJECT: Public Hearing and Election for the City of Oxnard Community Facilities District No. 8 (Sakioka Farms Business Park).
RECOMMENDATION: That the City Council:
 1. Conduct a public hearing on the (a) formation of Community Facilities District No. 8 (Sakioka Farms Business Park), (b) levy of special taxes, and (c) designation of Future Annexation Area;
 2. Adopt **Resolution No. 15,349** determining the validity of prior proceedings, establishing City of Oxnard Community Facilities District No. 8 (Sakioka Farms Business Park), authorizing the levy of a special tax within said District, and approving the designation of future annexation area;
 3. Adopt **Resolution No. 15,350** calling a special election;
 4. Hold election;
 5. Adopt **Resolution No. 15,351** canvassing the results of the election held within said District; and
 6. Approve the first reading of an Ordinance (by title only, waiving further reading) authorizing the levy of a special tax.

The City Clerk announced the affidavit of publication and stated that one written communication had been received. The Community Development Director gave a report.

Mayor Flynn opened the public testimony portion of the public hearing. Public comments were received from Lawrence Stein. Written comments were received from Aaron Wedemeyer and Lawrence Stein. With no further requests to speak and without objection, the Council approved closing the public testimony portion of the public hearing. Discussion ensued among the Council and staff.

It was moved by Councilman MacDonald, seconded by Mayor Pro Tem Ramirez, to approve recommendation #2 (the Resolution of Formation) as presented. VOTE: Basua, Flynn, Lopez, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 7-0.

It was moved by Councilmember Perello, seconded by Councilmember Lopez, to approve recommendation #3 (Resolution calling a special election) as presented. VOTE: Basua, Flynn, Lopez, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 7-0.

The City Clerk opened the one ballot received from property owner AMS Craig and announced that it was in favor of forming the District.

It was moved by Councilman MacDonald, seconded by Mayor Pro Tem Ramirez, to approve recommendation #5 (Canvass of election results) as presented. VOTE: Basua, Flynn, Lopez, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 7-0.

It was moved by Mayor Pro Tem Ramirez, seconded by Councilmember Lopez, to approve recommendation #6 (Ordinance introduction) as presented. VOTE: Basua, Flynn, Lopez, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 7-0.

2. SUBJECT: Sakioka Farms Business Park Tentative Tract Map, Road Naming, and Development Agreement Resulting in 129 Lots and 5 Roads on a 430 Acre Project Site, Located in the Sakioka Farms Business Park Specific Plan Area South of US 101, East of Rice Avenue, North of Latigo Avenue, and Coterminous with the City's Eastern Boundary. RECOMMENDATION: That the City Council:
 1. Conduct a public hearing;
 2. Find the Project is not subject to additional environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15168 (Consistency Evaluation);
 3. Adopt **Resolution No. 15,352** approving Planning and Zoning Permit Nos. 20-300-01 (Tentative Subdivision Map for Tract No. 5996) and 20-650-01 (Road Naming), subject to certain findings and conditions; and
 4. Introduce an Ordinance (by title only, waiving further reading) approving PZ Permit No. 20-670-01 (Development Agreement) the Development Agreement between the City of Oxnard, Sakioka Farms and AMS Craig, LLC, subject to certain findings.

The City Clerk announced the affidavit of publication and stated that one written communication had been received. The Community Development Director gave a report, specifying a 15-year term to the Development Agreement and recommending a modification to Condition 192 pertaining to the Gonzales Road/Rice Avenue interchange improvements.

Mayor Flynn opened the public testimony portion of the public hearing. Public comments were received from Lawrence Stein and Nancy Lindholm. Craig Kaihara and Scott Uhles spoke on behalf of the applicant. Written comments were received from Lawrence Stein. With no further requests to speak and without objection, the Council approved closing the public testimony portion of the public hearing. Discussion ensued among the Council and staff.

It was moved by Councilmember Perello, seconded by Councilmember Lopez, to approve the recommended action as recommended by staff. VOTE: Basua, Flynn, Lopez, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 7-0.

City Manager Department

3. SUBJECT: Public Hearing on the Fiscal Year 2020-21 Operating Budget. RECOMMENDATION: That the City Council and Housing Authority Board conduct a public hearing on the Fiscal Year 2020-21 proposed budget for the City of Oxnard and Oxnard Housing Authority and provide staff direction regarding any adjustments to the proposed budget, in preparation for final budget adoption on June 30, 2020.

The City Clerk announced the affidavit of publication and stated that six written communications had been received. The City Manager gave a report.

Mayor Flynn opened the public testimony portion of the public hearing. Public comments were received from Jacob Juarez, Douglas Partello, Lawrence Stein, Ray Blattel, Andres Garcia, and Michael Mercurio. Written comments were received from Antonio Ramirez, Kaitlin Haley, Lawrence Stein, and Aurora Carcamo.

With no further requests to speak and without objection, the Council approved closing the public testimony portion of the public hearing. Discussion ensued among the Council and staff. No formal action was required.

(As it was after 10:00 p.m., the City Council voted unanimously for the remaining agenda items to be heard.)

Housing Department

4. SUBJECT: 2020-2024 Ventura County Regional Consolidated Plan, 2020 Ventura County Analysis of Impediments to Fair Housing Choice, and 2020 Annual Action Plan.

RECOMMENDATION: That the City Council:

1. Conduct a public hearing to receive comments from the public relating to the following drafts of documents to be submitted to the United States Department of Housing and Urban Development, Office of Community Planning and Development;
 - a. 2020-2024 Ventura County Regional Consolidated Plan,
 - b. 2020 Ventura County Analysis of Impediments to Fair Housing Choice, and
 - c. Plan Year 2020 Annual Action Plan;
2. Approve the 2020-2024 Ventura County Regional Consolidated Plan and the 2020 Ventura County Analysis of Impediments to Fair Housing Choice, and direct staff to forward documents to Ventura County Executive Office;
3. Approve the 2020 Annual Action Plan with funding recommendations of select activities that conform with City of Oxnard consolidated plan goals as defined in the Ventura County Regional Consolidated Plan for the three entitlement grants, Community Development Block Grant, Home Investments Partnership grant and the Emergency Solutions Grant, as prescribed;
4. Authorize the City Manager to incorporate any recommended changes resulting from public input to the Annual Action Plan, Ventura County Regional Consolidated Plan and the Ventura County Analysis of Impediments to Fair Housing Choice as directed by the City Council, including amending any budget appropriations approved by the City Council;
5. Authorize the City Manager to execute the required applications, certifications, and other pertinent documents for the submission of the Regional Consolidated Plan and Annual Action Plan to the United States Department of Housing and Urban Development; and
6. Authorize the City Manager to execute HUD agreements and sign all agreements for the implementation of the Regional Consolidated Plan and Annual Action Plan including sub-recipients, interdepartmental, and intradepartmental agreements.

The City Clerk announced the affidavit of publication and stated that no written communications had been received. The Housing Director gave a report.

Mayor Flynn opened the public testimony portion of the public hearing. Public comments were received from Lawrence Stein and Barbara Macri-Ortiz. With no further requests to speak and

without objection, the Council approved closing the public testimony portion of the public hearing. Discussion ensued among the Council and staff.

It was moved by Mayor Pro Tem Ramirez, seconded by Councilmember Madrigal, to approve the recommended action as presented. VOTE: Basua, Flynn, Lopez, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 7-0.

K. REPORTS

Housing Department

1. SUBJECT: Conditional Approval of HOME Program Funding for Cabrillo Economic Development Corporation for the Etting Road Affordable Housing Development.
RECOMMENDATION: That the City Council adopt **Resolution No. 15,353** granting conditional approval to the Oxnard Housing Department to provide gap financing to Cabrillo Economic Development Corporation in the amount of \$1,000,000 using federal HOME Investments Partnership Program funds for construction of a multi-family affordable housing development project, known as the Etting Road Apartments, consisting of forty-one affordable rental units and one manager's unit.

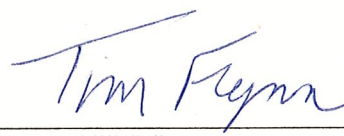
The Housing Director gave a report. Public comments were received from Barbara Macri-Ortiz. Discussion ensued among the Council and staff.

It was moved by Mayor Pro Tem Ramirez, seconded by Councilmember Lopez, to approve the recommended action as presented. VOTE: Basua, Flynn, Lopez, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 7-0.

L. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 11:50 p.m.


MICHELLE ASCENCION, CMC
City Clerk

 6/30/20
TIM FLYNN
Mayor