

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.



AMENDED AGENDA

(Item H-2 added 9/28/20)

OXNARD CITY COUNCIL

OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY

OXNARD FINANCING AUTHORITY

OXNARD HOUSING AUTHORITY

Council Chambers, 305 West Third Street

October 6, 2020

Closed Session - 4:30 PM

Appointment Item - 5:00 PM

Regular Meeting - 6:00 PM

This meeting is held pursuant to the State Emergency Services Act, the Governor's Emergency Declaration, and Governor's Executive Order N-29-20 to allow members of the City Council or staff to participate via teleconference.

Pursuant to the Ventura County Public Health Official's order and Governor's Executive Order N-33-20, all city buildings are temporarily closed to the public. The public is encouraged to view the meeting from home on the City's website at Oxnard.org/city-meetings, Spectrum channel 10, Frontier channel 35, or YouTube at Youtube.com/oxnardnews. Video recordings are typically available online immediately following the meeting.

The public may provide comments to the City Council via email at cityclerk@oxnard.org no later than 3:00 p.m. on the day of the meeting. Please identify the meeting date and agenda item in the Subject line.

A telephone option for public comments is also available at this time due to the State of California "Stay At Home" order. Requests to speak must be submitted no later than 3:00 p.m. on the day of the meeting. Use the form on the city's website to submit your request: Oxnard.org/city-meetings, or call the City Clerk's Office at (805) 385-7803, or email your request to cityclerk@oxnard.org.

A. ROLL CALL, POSTING OF AGENDA

THE FOLLOWING LEGISLATIVE BODIES ARE MEETING: City Council

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))**
Name of case: James Langford v. City of Oxnard
Workers' Compensation Case No. ADJ11048868
Legislative Body: City Council

D. APPOINTMENT ITEM (5:00 PM)

1. **Public Works Department**

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)

SUBJECT: Resolution to Affirm City Commitment to Seawall Funding. (10/10/5)

RECOMMENDATION: That the City Council adopt a resolution affirming the City of Oxnard's commitment to share the repair/replacement costs associated with the Mandalay Bay seawalls in the amount of 50% of the total repair/replacement costs with the funding mechanism to be determined at a later date. (Public Works and Transportation Committee approved 3-0)

Legislative Body: City Council

Contact: Rosemarie Gaglione, (805) 385-8055

E. OPENING CEREMONIES (6:00 PM)

Pledge of allegiance to the flag of the United States.

F. CEREMONIAL ITEMS

1. SUBJECT: Presentation of a Proclamation Designating the Month of October 2020 as "Domestic Violence Awareness Month" in the City of Oxnard.
2. SUBJECT: Presentation of a Proclamation Designating the Week of October 4-10, 2020 as "Code Enforcement Officer Appreciation Week."
3. SUBJECT: Presentation of a Proclamation Designating the Week of October 4-10, 2020 as "Fire Prevention Week."

G. 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 requests shall be submitted as set forth on the first page of this agenda. Based on the number of speaker requests 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. 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.

H. 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.

1. City Manager Department

SUBJECT: COVID-19 Update from Director of Emergency Services. (10/5/5)

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

Legislative Body: City Council

Contact: Alexander Nguyen, (805) 385-7430

2. City Manager Department **(NEW ITEM)**

SUBJECT: Public Safety Budgets, State Reporting of City Payroll Data, Response from State Fair Political Practices Commission, and Local Political Campaign Signage Regulations. (10/5/5)

RECOMMENDATION: That the City Council receive a verbal report from the City Manager regarding the City's public safety budgets compared to other cities, the status of City payroll data reported to the California Secretary of State in June 2020, Fair Political Practices Commission's response to complaint of Phillip Molina (COM-09162020-01716), and local political campaign signage regulations.

Legislative Body: City Council

Contact: Alexander Nguyen, (805) 385-7430

I. 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.

J. 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.

K. 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.

L. INFORMATION/CONSENT AGENDA

1. City Clerk Department

SUBJECT: Approval of Minutes.

RECOMMENDATION: That the City Council approve the minutes of the September 3, 2020 special meeting, September 15, 2020 regular meeting, and September 22, 2020 special meeting as presented.

Legislative Body: City Council

Contact: Michelle Ascencion, (805) 385-7805

2. Public Works Department

SUBJECT: Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program Recognition and Budget Appropriations.

RECOMMENDATION: That the City Council approve and authorize the City Manager:

1. To recognize FEMA Hazard Mitigation Grant Program funding for the Mandalay Bay Seawall Retrofit Project (FEMA Project #DR-4353-47-41) in the amount of \$176,750.00 with a grant award of \$132,562.50 and an existing appropriation of City match of \$44,187.50 (Project No. 191601) from Waterway Assessment District Fund 12;
2. To recognize FEMA Hazard Mitigation Grant Program funding for the Central Trunk Sanitary Sewer Reconstruction Project (FEMA Project #DR-4707-431-097R) in the amount of \$217,466.00 with a grant award of \$163,100.00 and an existing appropriation of City match of \$54,366.00 (Project No. 206602) from WW Collection Fund 611; and
3. To approve budget appropriations for the FEMA Hazard Mitigation Grant Program to the corresponding projects as needed for these grants.

Legislative Body: City Council

Contact: Rosemarie Gaglione, (805) 385-8055

3. Public Works Department

SUBJECT: Notice of Completion for Flashing Pedestrian Beacon Project PW 19-71 in 14 Locations Citywide.

RECOMMENDATION: That the City Council receive an update following a Notice of Completion for the Flashing Pedestrian Beacon Project executed on May 14, 2020.

Legislative Body: City Council

Contact: Rosemarie Gaglione, (805) 385-8055

4. Public Works Department

SUBJECT: City of Oxnard Proposed Truck Route Modifications.

RECOMMENDATION: That the City Council adopt a resolution, pursuant to Oxnard City Code Section 8-3, amending the City of Oxnard Truck Route Map and removing the following road segments from the designated truck routes in the City: Oxnard Boulevard from the US 101 Freeway to Gonzales Road, and Vineyard Avenue from the US 101 Freeway to Oxnard Boulevard. (Public Works and Transportation Committee approved 3-0)

Legislative Body: City Council

Contact: Rosemarie Gaglione, (805) 385-8055

5. Public Works Department

SUBJECT: Letters of Support for Designation of United States Bicycle Route 95 and Clean Mobility Options Grant Application.

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

1. Submit a letter of support for bicycling and non-motorized use by designating United States Bicycle Route 95; and
2. Submit a letter of support for Bike Ventura's Application from California Climate Investments,

Clean Mobility Options, for a Community Transportation Needs Assessment, in the City of Oxnard.

(Public Works and Transportation Committee approved 3-0)

Legislative Body: City Council

Contact: Rosemarie Gaglione, (805) 385-8055

6. Public Works Department

SUBJECT: Agreement for Citywide Street Sweeping Service.

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute Agreement A-8230 with Venco Power Sweeping, Inc. in the amount not to exceed \$1,800,000 for a three-year term ending September 30, 2023 for street sweeping services for citywide streets, alleyways, parking lots and City facilities. (Public Works and Transportation Committee approved 3-0)

Legislative Body: City Council

Contact: Rosemarie Gaglione, (805) 385-8055

7. Public Works Department

SUBJECT: Amendment to Agreement for Geotechnical Investigation and Seismic Analysis of Seawalls.

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a Second Amendment to Agreement 8554-19-PW with TetraTech, Inc. for geotechnical investigation and seismic analysis of seawalls in the amount of \$121,319 for a new not to exceed contract amount of \$296,801 and to extend the term from March 14, 2021 to March 14, 2022. (Public Works and Transportation Committee approved 3-0)

Legislative Body: City Council

Contact: Rosemarie Gaglione, (805) 385-8055

8. Public Works Department

SUBJECT: Caltrans Landscape Maintenance Agreement and Wagon Wheel Reimbursement Agreement.

RECOMMENDATION: That the City Council authorize the City Manager to execute:

1. Agreement Number A-8238 between the State of California Department of Transportation (Caltrans) and the City of Oxnard (City) for landscape maintenance within the right-of-way of State Highway 101 within the City; and

2. Agreement Number A-8239 between Wagon Wheel Master Property Owners Association (Master Association) and the Wagon Wheel Community Facilities District (CFD) No. 2018-01, an agency formed by the City for Landscape Maintenance funding.

(Public Works and Transportation Committee approved 3-0)

Legislative Body: City Council

Contact: Rosemarie Gaglione, (805) 385-8055

M. PUBLIC HEARINGS

1. Housing Department

SUBJECT: First Amendment of the 2020 Annual Action Plan CARES Act for Coronavirus Response Grants and Adoption of an addendum to the Citizen Participation Plan. (10/10/10)

RECOMMENDATION: That the City Council:

1. Conduct a public hearing to receive comments from the public relating to the following documents to be submitted to the United States Department of Housing and Urban Development, Office of Community Planning and Development;
 - a. 2020 Annual Action Plan CARES Act Amendment;
 - b. Addendum to the Citizen Participation Plan;
2. Approve the 2020 Annual Action Plan CARES Act Amendment, inclusive of proposed activities that conform with Community Development Block Grant and Emergency Solutions Grant requirements, as well as CARES Act requirements described below;
3. Authorize the City Manager to incorporate any recommended changes resulting from public input to the Annual Action Plan CARES Act Amendment and Addendum to the Citizen Participation Plan as directed by the City Council;
4. Authorize the City Manager to execute the required applications, certifications, and other pertinent documents for the submission of the Annual Action Plan CARES Act Amendment to the United States Department of Housing and Urban Development; and
5. Authorize the City Manager to execute HUD agreements and sign all agreements for the implementation of the Annual Action Plan Substantial Amendment including subrecipients, interdepartmental, and intradepartmental agreements.

Legislative Body: City Council

Contact: Emilio Ramirez, (805) 385-8094

2. Community Development Department

SUBJECT: Zoning Text Amendment to Create Regulations for Short Term Rentals and Acceptance of Three California Coastal Commission Modifications. (10/10/10)

RECOMMENDATION: That the City Council:

1. Acknowledge receipt of the California Coastal Commission's (CCC) Action Letter of Local Coastal Plan (LCP) Amendment No. LCP-4-oxn-20-0008-1 and the Planning Commission's adopted Resolution 2020-15 recommending that the City Council accept three modifications recommended by the CCC;
2. Find the proposed project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060 (C)(2) and (3) and 15061(b)(3) of the CEQA Guidelines; and
3. Introduce an Ordinance (by title only, waiving further reading) amending Section 17-53 of the Oxnard City Code (OCC) consistent with the CCC's modifications suggested for final certification relating to Vacation Rental Permit Cap, Separation Requirement and Ineligible Dwellings, Structures and Spaces into the City's Short Term Rental regulations for the Coastal Zone; agree to issue Coastal Development Permits for the total area included in the certified LCP, and direct the Planning & Environmental Services Manager to transmit said Ordinance to the Commission Executive Director as requested.

Legislative Body: City Council

Contact: Jeff Pengilley, (805) 385-8208

N. REPORTS

1. Community Development Department

SUBJECT: Preparation of the 2021-2029 Housing Element and Policy Direction. (10/10/10)

RECOMMENDATION: That the City Council:

1. Receive a report on the preparation of the 2021-2029 Housing Element (6th Cycle Housing Element); and
2. Concur with Housing and Economic Development Committee (HEDC) direction and provide further direction on if the City Council supports utilizing up to 1,000 ADUs and Jr. ADUs during the next 2021-2029 Housing Element to achieve compliance with the 2,903 lower income RHNA.

Legislative Body: City Council

Contact: Jeff Pengilley, (805) 385-8208

2. Human Resources Department

SUBJECT: Amendment to City Attorney Employment Agreement. (5/5/5)

RECOMMENDATION: That the City Council adopt a resolution approving and authorizing the Mayor to execute the Second Amendment to the employment agreement between the City and Stephen Fischer (Agreement No. A-7880) to extend the term by two years to April 8, 2023, and update references to the resolution establishing executive and unrepresented employee benefits.

Legislative Body: City Council

Contact: Steve Naveau, (805) 385-7947

3. Human Resources Department

SUBJECT: Amendment to City Manager Employment Agreement. (5/5/5)

RECOMMENDATION: That the City Council adopt a resolution approving and authorizing the Mayor to execute the First Amendment to the employment agreement between the City and Alexander Nguyen (Agreement No. A-8087) to extend the term by three years to July 8, 2024, update references to the resolution establishing executive and unrepresented employee benefits, specify that annual leave shall accrue according to the schedule for Executive Employees, delete the relocation expense provision, and change the severance payment for termination without cause from six months salary to nine months salary.

Legislative Body: City Council

Contact: Steve Naveau, (805) 385-7947

O. ADJOURNMENT