MINUTES
OXNARD CITY COUNCIL
Regular Meeting
January 5, 2021

A. ROLL CALL, POSTING OF AGENDA

At 5:00 p.m., Mayor John C. Zaragoza called to order the regular meeting of the Oxnard City Council (concurrently with the Oxnard Housing Authority, Oxnard Community Development Successor Agency, and Oxnard Financing 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, Oscar Madrigal, Bert E. Perello, and Mayor Pro Tem Bryan A. MacDonald were present via videoconference. Mayor Zaragoza participated in person.

Staff members present were Alexander Nguyen, City Manager; Stephen M. Fischer, City Attorney; and Rose Chaparro, City Clerk.

Staff members that participated via videoconference were Ashley Golden, Assistant City Manager; Shiri Klima, Deputy City Manager; Ken Rozell, Chief Assistant City Attorney; Emilio Ramirez, Housing Director; Jason Benites, Chief of Police; Alexander Hamilton, Interim Fire Chief; Rosemarie Gaglione, Public Works Director; Brian Yanez, Assistant Public Works Director; Steve Howlett, Assistant Public Works Director; Tatiana Arnaout, City Engineer; Kevin Riper, Chief Financial Officer; and Donna Ventura, Assistant Chief Financial Officer.

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

C. CLOSED SESSION

City Attorney Department

C.1 Mayor Zaragoza announced that the Closed Session was canceled.

D. OPENING CEREMONIES

The flag salute was followed by a moment of silence.

E. CEREMONIAL ITEMS

1. SUBJECT: Presentation of a Proclamation Designating January 18, 2021 as "Dr. Martin Luther King, Jr. Day."

Ms. Larita Montgomery accepted the proclamation. Public comments were received from Chris Hernandez.

2. SUBJECT: Swearing in of New Police Chief Jason Benites

Superior Court of Ventura County Judge Gilbert A. Romero swore in Police Chief Benites. Public comments were received from Manuel Herrera, Chris Hernandez, Adam Lopez, Chief Andrew

Salinas, and Armando Delgado. Written comments were received from Melissa Campbell-Langdell congratulating Police Chief Benites. Council and staff congratulated Chief Jason Benites on his appointment as the City's new Chief of Police. Council also thanked Retired Chief Whitney for his years of service.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Chris Hernandez (utility funds, encouraged neighborhood clean-up), Douglas Partello (utility funding court ruling), Aaron Starr (thanked voters for adopting the ballot measures), Alicia Percell (court ruling to return utility funds) and Lawrence Stein (requesting public documents, recommendations on agenda items).

G. 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 on the City's COVID-19 response. No formal action was required.

H. CITY COUNCIL REPORTS

Mayor Zaragoza directed staff to be more diligent in keeping track of the City's debts and to provide Council a quarterly report.

Mayor Pro Tem MacDonald reported on his participation on the Ventura County Transportation Commission.

Councilmember Perello thanked Chris Hernandez for his public comments and the City for implementing the virtual waiting room call-in feature to receive public comments during virtual meetings. He also thanked the Chief Financial Officer and the Assistant Chief Financial Officer for their efforts.

Councilmember Madrigal encouraged residents to get vaccinated and thanked the community for their help to others during the holiday season.

Councilmember Basua thanked residents for following the Covid-19 rules and relations and for social distancing during the pandemic.

Councilmember Lopez encouraged residents to protect themselves and their families from the pandemic.

I. REVIEW OF INFORMATION/CONSENT AGENDA

Items K-1 through K-3 were discussed among the Council and staff.

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

K. INFORMATION/CONSENT AGENDA

Housing Department

1. SUBJECT: Second Amendment to Agreement with Salvation Army for provision of Homeless Outreach and Case Management Services.
RECOMMENDATION: That the City Council approve and authorize the City Manager to execute the Second Amendment to Agreement 8838-19-HO with the Salvation Army for the provision of homeless outreach and case management services at the current monthly compensation rate, extending that agreement through June 30, 2022, and bringing the total cost of the Agreement to $379,114.

Public Works Department

2. SUBJECT: Agreement with Garcia's Landscaping Maintenance Inc. for Landscape Maintenance Service for Various Landscape Maintenance Districts.
RECOMMENDATION: That City Council Council:
1. Approve and authorize the Mayor to execute Agreement A-8245 with Garcia's Landscaping Maintenance Inc. (Garcia's) in the amount of $2,566,062 for a three-year term ending on December 31, 2023 for landscape maintenance services within various Landscape Maintenance Districts;
2. Approve and authorize an additional contract allocation in the amount of $256,606 to be used for any needed increased level of service in a Landscape Maintenance District dependent on funding availability; and
3. Authorize the City Manager to approve a budget appropriation in the amount of $113,059 from available fund balance from various Landscape Maintenance Districts.

Public Works Department

3. SUBJECT: Agreement with UniFirst Corporation for Rental, Purchase, and Laundry Services for City Uniforms.
RECOMMENDATION: That the City Council:
Approve and authorize the Mayor to execute Agreement A-8263 with UniFirst Corporation in the amount not to exceed $670,000 for a three-year term ending January 31, 2024, for uniform rental, purchase and laundry services for various City departments

It was moved by Mayor Pro Tem MacDonald, seconded by Councilmember Basua, to approve the Information/Consent items as presented. VOTE: MacDonald, Perello, Basua, Madrigal, Zaragoza, and Lopez voted in favor; the motion carried 6-0.

L. REPORTS

Finance Department

1. SUBJECT: Adoption of City Council's Risk Assessment Responsibilities Policy.

RECOMMENDATION: That the City Council:
1. Receive a presentation on a City Council's Risk Assessment Responsibilities Policy; and
2. Adopt **Resolution No. 15-409** adopting Risk Assessment Responsibilities Policy to define the City's risk tolerance and overseeing how the organization manages and responds to risks.

Donna Ventura, Assistant Chief Financial Officer, gave a report. No public comments were received. Discussion ensued among the Council and staff.

It was moved by Councilmember Perello, seconded by Councilmember Lopez, to approve the recommended action as presented. VOTE: Zaragoza, MacDonald, Perello, Lopez, Madrigal, and Basua voted in favor; the motion carried 6-0.

Finance Department

2. SUBJECT: Amendment to the Existing City Debt Policies.
RECOMMENDATION: That the City Council:
1. Receive a presentation on an amendment to the existing City Debt Policies; and
2. Adopt **Resolution No. 15-410** amending the existing City's Debt Policies in Resolution No. 15,359 to address bond continuing disclosure and compliance requirements and ensuring debt compliance.

Kevin Riper, Chief Financial Officer, gave a report. 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 as presented. VOTE: MacDonald, Perello, Lopez, Zaragoza, Madrigal, and Basua voted in favor; the motion carried 6-0.

City Manager Department

3. SUBJECT: City Council 2016-2020 Five-Year Priorities Summary and Looking Ahead to the 2021-2015 Priority Setting Proposed Framework.
RECOMMENDATION:
   1. That the City Council receive a summary report on the 2016-2020 five-year Council priorities adopted by Council resolution on May 17, 2016, look ahead at the 2021-2025 priority setting framework, and provide feedback.

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

City Manager Department

4. SUBJECT: Appointment of Council Committee Membership, including Committee Chairs.
RECOMMENDATION:
That the City Council discuss Council Committee Membership, including Committee Chairs, and make appointments to fill the committees.

Alexander Nguyen, City Manager, gave a report. No public comments were heard. Discussion ensued among the Council and staff.

It was moved by Councilmember Basua, seconded by Councilmember Lopez, to approve the recommended action as presented. VOTE: MacDonald, Perello, Lopez, Zaragoza, Madrigal, and Basua voted in favor; the motion carried 6-0.

City Attorney Department

5. SUBJECT: Options to Fill Council Vacancy.
RECOMMENDATION: That the City Council receive a report regarding the vacancy in the District 2 City Council seat and take one of the following options for filling the vacancy:

1. Direct staff to commence an appointment process.
2. Direct staff to prepare an agenda item to call a special election.
3. Approve the first reading by title only and waive further reading of **Ordinance No. 2995** amending the City Code to allow for an appointed councilmember to serve until a special election is held.

Stephen Fischer, City Attorney, gave a report. Public comments were received from Gabriel Teran, Daniel Chavez, Jr., Lauraine Effress, Manuel Herrera, Pat Brown, Douglas D. Partello, Ricardo Torres, Ariana Robles, Ronald Arruejo, Armando Delgado, Francisco Dominguez, and Alicia Percell. Written comments were received from Gabriel Teran, Chair of the Fremont South Neighborhood Council and Diana Velzy, District 2 Resident. Discussion ensued among the Council and staff.

First Motion (Option #3):
It was moved by Councilmember Perello, seconded by Councilmember Madrigal, to approve the recommended action, Option No. 3, as presented. VOTE: Perello, Madrigal, and Basua voted in favor; MacDonald, Zaragoza, and Lopez voted against, the motion failed 3-3.

Second Motion (Option #1):
It was moved by Mayor Zaragoza, seconded by Mayor Pro Tem MacDonald, to approve the recommended action, Option No. 1, as presented. VOTE: MacDonald, Zaragoza, and Lopez voted in favor; Perello, Madrigal, and Basua voted against, the motion failed 3-3.

Third Motion (Option #2):
It was moved by Councilmember Basua, seconded by Councilmember Madrigal, to approve the recommended action, Option No. 2, as presented. VOTE: Madrigal and Basua in favor; Perello, MacDonald, Zaragoza, and Lopez voted against, the motion failed 2-4.

Fourth Motion (Option #3):

3. Approve the first reading by title only and waive further reading of **Ordinance No. 2995** amending the City Code to allow for an appointed councilmember to serve until a special election is held.

Mayor Pro Tem MacDonald made a motion to reconsider the vote on Option No. 3, seconded by Councilmember Perello.

It was moved by Mayor Pro Tem MacDonald, seconded by Councilmember Perello, to approve the recommended action, option number 3, as presented. VOTE: Zaragoza, MacDonald, Perello, Madrigal, Basua voted in favor; Lopez voted against, the motion carried 5-1.

Fire Department

6. SUBJECT: Fire Academy FY20/21.
RECOMMENDATION: That the City Council:
1. Receive a report from the Interim Fire Chief discussing the current level of vacancies, the need to re-establish our recruit training academy, and adding additional recruit firefighters to the academy cadre; and
2. Approve a budget appropriation of $755,461 from Fund 104 Measure O (Half-cent Sales Tax).

Alexander Hamilton, Interim Fire Chief, gave a report. Public comments were received from Pat Brown and Lawrence Stein. Discussion ensued among the Council and staff.

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

Public Works Department

7. SUBJECT: Award Agreement A-8266 to Teichert Energy & Utilities Group, Inc. for La Colonia Neighborhood Cast Iron Pipe Replacement Project PW 20-58.
RECOMMENDATION: That the City Council approve and authorize:
1. The Mayor to award and execute Agreement A-8266 with Teichert Energy & Utilities Group, Inc. for $4,118,300 (base bid + additive items #32-37) for the La Colonia Neighborhood Cast Iron Pipe Replacement Project PW 20-58 Project No. 183107;
2. A Project contingency amount of $411,830 for the La Colonia Neighborhood Cast Iron Pipe Replacement Project PW 20-58 Project No. 183107;
3. A Project allocation of $411,830 for engineering, inspection, survey and project management for the La Colonia Neighborhood Cast Iron Pipe Replacement Project PW 20-58 Project No. 183107; and
4. Approve a budget appropriation in the amount of $4,760,260 from the Water Operating Fund (601).

Tatiana Arnaout, City Engineer, gave a report. Public comments were received from Gabriel Teran. 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: Basua, Zaragoza, Lopez, MacDonald, and Perello voted in favor; the motion carried 5-0-1. Councilmember Madrigal abstained and did not participate, due to the proximity of his residence to the location of the project.

P. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Zaragoza adjourned the meeting at 9:48 p.m.

R. Chaparro
ROSE CHAPARRO
City Clerk

John C Zaragoza
JOHN C. ZARAGOZA
Mayor