MINUTES
OXNARD CITY OUNCIL
Regular Meeting
January 25, 2021

A. ROLL CALL, POSTING OF AGENDA

At 4:30 p.m., Mayor John C. Zaragoza called to order the regular meeting of the Oxnard City Council (concurrently with Oxnard Community Development Successor Agency and the Oxnard Financing Authority), which had been adjourned from the January 19, 2021 regular Council meeting due to a City Hall power outage, 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, Bert E. Perello, and Mayor Pro Tem Bryan A. MacDonald were present via videoconference. Mayor John C. Zaragoza participated in person. Councilmember Madrigal was absent.

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; Emilio Ramirez, Housing Director; Jason Benites, Chief of Police; Alexander Hamilton, Interim Fire Chief; Tatiana Arnaout, City Engineer; Jeff Pengilley, Interim Community Development Department; Kathleen Mallory, Planning & Sustainability Manager; Kevin Riper, Chief Financial Officer; Adam Smith, Project Manager; Eden Alomeri, Billing and Licensing Director; and Raja Bamrungpong, Interim IT Director.

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

C. CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Government Code section 54956.9(d)(1))
Name of case: Patrick Dolan v. City of Oxnard
Workers' Compensation Case Nos: ADJ9891599; ADJ10119116; ADJ9798150; ADJ10119115; ADJ5565372; ADJ10373079; ADJ10373078
Legislative Body: City Council

2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Government Code section 54956.9(d)(1))
Name of case: Aaron Starr v. City of Oxnard
Ventura County Superior Court, Case No. 56-2017-00494475-CU-WM-VTA
Legislative Body: City Council

3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

(Government Codesection 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

In addition to the listed cases for items 1 and 2, the City Attorney announced the City Council would recess to a closed session for item 3 regarding a potential class action claim by Aaron Starr seeking a refund of certain utility charges.

At 4:45 p.m., the City Council recessed to a closed session. Councilmember Lopez arrived via videoconference at 5:00 p.m. At 5:37 p.m. the City Council reconvened in open session in the Council Chambers. The City Attorney announced that there were no reportable actions out of closed session.

D. APPOINTMENT ITEMS

1. Public Works Department

SUBJECT: Award Contract for Hueneme Road Recycled Water Pipeline - Phase II.

RECOMMENDATION: That the City Council:

1. Award and authorize the Mayor to execute Agreement A-8241 with Blois Construction, Inc. in the amount of $13,713,961 (base bid + additive items) for the Hueneme Road Recycled Water Pipeline Phase II (Rebid 2) PW 17-42R2 (Project No. 106002).

2. Approve $1,371,396 for project contingency for the Hueneme Road Recycled Water Pipeline Phase II; and

3. Approve $1,371,396 for engineering, inspection, survey and project management for the Hueneme Road Recycled Water Pipeline Phase II.

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

It was moved by Councilmember Perello, seconded by Councilmember Basua, to approve the recommended action as presented. VOTE: Lopez, Basua, Perello, MacDonald, and Zaragoza voted in favor; the motion carried 5-0. Councilmember Madrigal was absent.

2. Public Works Department

SUBJECT: Award Contract for Aquifer Storage and Recovery (ASR) Completion Project PW 20-08R. (0/5/5)

RECOMMENDATION: That the City Council:

1. Award and authorize the Mayor to execute Agreement A-8261 with Spiess

Construction Co., Inc. in the amount of $4,167,000 for the Aquifer Storage and Recovery (ASR) Completion Project (206502);
2. Approve $416,700 for project contingency for the ASR Completion Project; and
3. Approve $416,700 for engineering, inspection, survey and project management for the ASR Completion Project.

Tatiana Arnaout, City Engineer, gave a report. No public comments were received. Discussion ensued among the Council and staff.

It was moved by Councilmember Lopez, seconded by Councilmember Basua, to approve the recommended action as presented. VOTE: Zaragoza, Perello, Basua, and Lopez voted in favor; the motion carried 4-0-1. Mayor Pro Tem MacDonald abstained and did not participate, due to the proximity of his residence to the location of the project. Councilmember Madrigal was absent.

3. Finance Department
SUBJECT: 2021 Water Revenue Bonds. (15/10/10)
RECOMMENDATION:

1. That the City Council adopt **Resolution No. 15-411** approving an installment purchase agreement, indenture of trust, a continuing disclosure agreement, escrow agreements, and a bond purchase agreement with respect to the issuance by the City of Oxnard Financing Authority of bonds in an aggregate principal amount not to exceed $30,000,000, approving a preliminary official statement and authorizing preparation of a final official statement and other matters pertaining thereto; and

Kevin Riper, Chief Financial Officer, introduced Craig Hill from NHA Advisors,. Mr. Hill gave a report. 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: Lopez, Basua, Perello, MacDonald, and Zaragoza voted in favor; the motion carried 5-0. Councilmember Madrigal was absent.

2. That the Board of Directors of the City of Oxnard Financing Authority adopt **Finance Authority Resolution No. 54** approving an installment purchase agreement, indenture of trust, a continuing disclosure agreement, escrow agreements, and a bond purchase agreement with respect to the issuance of bonds in an aggregate principal amount not to exceed $30,000,000, appointing a trustee, approving a preliminary official statement and authorizing preparation of a final official statement and other matters pertaining thereto.

It was moved by Councilmember Perello, seconded by Councilmember Lopez, to approve the recommended action as presented. VOTE: Basua, Perello, MacDonald, Zaragoza, and Lopez voted in favor; the motion carried 5-0. Councilmember Madrigal was absent.

E. OPENING CEREMONIES

The flag salute was followed by a moment of silence.

F. CEREMONIAL ITEMS (None.)

G. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Gabriel Teran (Measure M), Douglas Partello (Consultant & Public Landscaping and Parks), Pastor Greg Runyon (Congratulated Council and Chief Benites, thanked them for their service, and encouraged residents to treat each other with respect and kindness), Larry Barbarine (RiverPark Park Fountain, Federal Funding, and Utility Funds), Lawrence Stein (Parks Master Plan/College Park), Sofia Vega (Street Vendors), Arianna Rabago (Climate Change Financial Impact), Peggy Rivera (Seven Deaths at the Vagabond Inn), Chris Hernandez (Street Vendors), and Regina Larios (Daughter of Peggy Larios, Project Room Key Program, died at the Vagabond Inn), Lucy Cartagena (Homeless Concerns and Deaths).

H. REPORT OF CITY MANAGER

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.

Alexander Nguyen, City Manager, gave a report on the City's COVID-19 response. No formal action was required.

I. CITY COUNCIL REPORTS

City Manager Department

SUBJECT: Appointment of Councilmembers to Serve on Various Boards, Commissions, and Committees.

RECOMMENDATION:

1. That the Mayor, with the approval of the City Council, appoint members and alternates from the City Council to the:

a) Association of Water Agencies for Ventura County (one primary and alternate);

b) Beach Erosion Authority for Control of Operation & Nourishment (one primary and alternate);

c) Clean Power Alliance Board of Directors (one primary and two alternates)*

d) Cultural Arts Committee (two primary);
e) Economic Development Collaborative - Ventura County (one primary)
f) Gold Coast Transit District (one primary and alternate);
g) Las Cortes Housing Development Corporation (two primary);
h) Oxnard Convention & Visitors Bureau (one primary and alternate);
i) Oxnard Plain/RiverPark Reclamation and Recharge Joint Powers Authority (two primary and alternate);
j) Regional Defense Partnership for the 21st Century (one primary and alternate);
k) Ventura Council of Governments (one primary and one alternate);
l) Ventura County Animal Regulation Commission (one primary and alternate);
m) Ventura County Regional Energy Alliance (one primary and alternate);
n) Ventura County Transportation Commission (one primary)
o) Ventura Regional Sanitation District (one primary and alternate);

*Alternate may be a staff member.

2. That the City Council, as a whole, appoints two Councilmembers to the Oxnard Airport Authority and one Councilmember as an alternate.

The City Manager presented the recommendation. Public comments were received from Ray Blattel.

It was moved by Mayor Pro Tem MacDonald, seconded by Councilmember Basua to approve the recommended action items 1and 2. VOTE: Zaragoza, MacDonald, Perello, Basua, and Lopez voted in favor; motion passed 5-0. Councilmember Madrigal was absent.

CITY COUNCIL REPORTS

Councilmember Lopez thanked staff and volunteers for the clean-up work done at Ormond Beach and Port Huèneme Beach; and asked staff to continue to address the illegal dumping issues in that area. An announcement was made that the City of Oxnard is launching the Oxnard Employee Pipeline which will train local residents to get the skills they need and guarantee them an interview with Oxnard companies. The program was created in partnership with Oxnard College and the Chamber of Commerce, and offers residents the chance to take three classes and receive a certificate that will guarantee them an interview with an Oxnard company.

Councilmember Perello thanked the City Manager for his comments. Encouraged residents to get involved and help find solutions to the homeless problem in our community.

Mayor Pro Tem MacDonald commented on the Halico and Port Hueneme Road cleanup efforts. He has been meeting with other groups and outside agencies to find a positive potential approach to deal with Halico.

Mayor Zaragoza announced that he participated in the selection committee comprised of all the Mayors in Ventura County. Mayor Zaragoza has been selected to participate as a board member on the Air Pollution Control (LAFCO). He also virtually participated in the Martin Luther King Celebration event and reminded the public and staff to wear their masks.

J. REVIEW OF INFORMATION/CONSENT AGENDA

Items L-1 through L-6 were discussed among the Council and staff.

K. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Ray Blattel, Pat Brown, and Chris Hernandez.

L. INFORMATION/CONSENT AGENDA

1. Police Department
SUBJECT: Resolution Approving Extension of CalVIP Grant 2018-2020.
RECOMMENDATION: That the City Council adopt **Resolution No. 15-412**:
1. Authorizing the City Manager to approve an extension for use of the $500,000 in Board of State and Community Corrections (BSCC) grant funding for the 2018-2020 California Violence Intervention and Prevention (CalVIP) project to reduce gang and youth violence through direct intervention, youth employment, and community engagement;
2. Authorizing the City Manager or designee to execute a grant agreement for funding from the State of California/BSCC for the CalVIP Program from May 1, 2020 to December 31, 2021;
3. Authorizing the Chief Financial Officer or designee to submit financial reports and grant claims; and
4. Authorizing the Oxnard Police Department/Office of Youth Safety to submit non-financial reports.

2. Police Department
SUBJECT: Resolution Approving of CalVIP Grant 2020-2023.
RECOMMENDATION: That the City Council adopt **Resolution No. 15-413**:
1. Authorizing the City Manager to approve the grant application of $500,000 in Board of State and Community Corrections (BSCC) grant funding for the 2020-2023 California Violence Intervention and Prevention (CalVIP) project to be used for the Drag Racing Against Gangs and Graffiti (DRAGG) after school program offering high school youth mentorship, career exploration, employment preparation, social emotional learning, workplace soft skills, community engagement, and scholarships to its participants for continuing education;
2. Authorizing the City Manager or designee to execute a grant agreement for funding from the State of California/BSCC for the CalVIP Program from October 1, 2020 to December 31, 2023;
3. Authorizing the Chief Financial Officer or designee to submit financial reports

and grant claims; and
4. Authorizing the Oxnard Police Department/Office of Youth Safety to submit non-financial reports.

3. Community Development Department

SUBJECT: Sixth Annual Recognized Obligation Payment Schedule 2021-2022 - Total Amount: $9,976,894.

RECOMMENDATION: That the Community Development Commission Successor Agency adopts **CDCSA Resolution No. 38** approving the Sixth Annual Recognized Obligation Payment Schedule (ROPS) 21-22 covering the period of July 1, 2021 - June 30, 2022.

4. Fire Department

SUBJECT: Approve submission of application for 2020 Emergency Management Performance Grant (EMPG)

RECOMMENDATION: That City Council adopts **Resolution No. 15-414**:
1. That ratifies the submission of the application for 2020 Emergency Management Program Grant (EMPG);
2. That authorizes the City Manager or designee to execute grant agreements in the amount of $46,604.75 for the purpose of offsetting the salary of the Emergency Services Manager;
3. That authorizes the Chief Financial Officer or designee to submit financial reports and grant claims, approve special budget appropriations for the use of the grant funds and perform all other required financial actions; and
4. That authorizes the Fire Chief or designee to submit non-financial reports.

5. City Attorney Department

SUBJECT: Council Vacancy Ordinance Adoption

RECOMMENDATION: That the City Council adopt Ordinance No. 2995 adding Section 2-3.1 to Chapter 2 of the Oxnard City Code regarding the filling of Council vacancies.

6. Public Works Department

SUBJECT: Third-party Water Purveyor Pass-through Rate Adjustment Analysis.

RECOMMENDATION: That the City Council receive and file the third-party water purveyor pass-through rate adjustment analysis.

It was moved by Mayor Zaragoza, seconded by Mayor Pro Tem MacDonald, to approve the Information/Consent items as presented. VOTE: Lopez, Basua, Perello, MacDonald, and Zaragoza voted in favor; motion passed 5-0. Councilmember Madrigal was absent.

M. PUBLIC HEARINGS (None.)

N. REPORTS

1. Community Development Department
SUBJECT: Update on the City of Oxnard's Participation in The Clean Power Alliance.
RECOMMENDATION: That the City Council receive and file an update on the Clean Power Alliance.

Jeff Pengilley, Interim Community Development Department Director, was available to answer questions. Public comments were received from Pat Brown. Discussion ensued among the Council and staff. No formal action was required.

2. Housing Department
SUBJECT: Encampment Response Project Plan Utilizing CARES Act for Coronavirus Response Grants
RECOMMENDATION: That the City Council:
1. Receive and approve a plan to respond to an existing homeless encampment near Ormond Beach; and
2. Authorize the City Manager to procure and contract third party to administer temporary housing assistance to effectuate the objectives of the Encampment Response Project Plan.

Emilio Ramirez, Housing Director, reported and answered questions. Public comments were received from Douglas Partello, Pat Brown, Lucy Cartagena, Peggy Rivera, and Chris Hernandez. Discussion ensued among the Council and staff.

It was moved by Mayor Pro Tem McDonald, seconded by Councilmember Lopez, to approve the recommended action as presented. VOTE: Zaragoza, MacDonald, Perello, Basua, and Lopez voted in favor; the motion carried 5-0. Councilmember Madrigal was absent.

3. City Attorney Department
SUBJECT: Bridge Jumping Ordinance Introduction.
RECOMMENDATION: That the City Council approve the first reading by title only and waive further reading of an ordinance adding Article XXIII to Chapter 7 of the Oxnard City Code prohibiting bridge jumping.

Stephen Fischer, City Attorney, presented. Public comments were received from Gabriel Teran. Discussion ensued among the Council and staff.

It was moved by Mayor Zaragoza, seconded by Councilmember Perello, to approve the recommended action as presented. VOTE: Lopez, Basua, Perello, MacDonald, and Zaragoza voted in favor; the motion carried 5-0. Councilmember Madrigal was absent.

4. Billing and Licensing Department

SUBJECT: Agreements with Elavon for Credit Card Merchant Services.
RECOMMENDATION: That the City Council award and authorize the Mayor to execute the three-year agreements A-8268 (for over the counter non-utility payments), A-8269 (for over the counter utility payments) and A-8270 (for online utility payments) between Elavon, Inc. and the City of Oxnard for credit card merchant services in the amount of $954,000.

Eden Alomeri, Billing and Licensing Director, presented. No public comments were received. 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: Zaragoza, MacDonald, Perello, Basua, and Lopez voted in favor; the motion carried 5-0. Councilmember Madrigal was absent.

O. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Zaragoza adjourr the meeting at 8:28 p.m.

R. Chaparro
ROSE CHAPARRO
City Clerk

JOHN C. ZARAGOZA
Mayor