MINUTES

OXNARD CITY COUNCIL
Regular Meeting
February 2, 2021

A. ROLL CALL, POSTING OF AGENDA

At 5:02 p.m., Mayor John C. Zaragoza called to order the regular meeting of the Oxnard City Council, 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; Emilio Ramirez, Housing Director; Alexander Hamilton, Fire Chief; Eric Sonstegard, Assistant Police Chief; Brian Yanez, Assistant Public Works Director; Steve Howlett, Assistant Public Works Director; Jeff Pengilley, Interim Community Development Director; Jan Hauser, Wastewater Division Manager; Kevin Riper, Chief Financial Officer, Tonya Cheng, Controller; and Raja Bamrungpong, Interim IT Director. Sara Mares from NBS also participated via videoconference.

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

C. CLOSED SESSION (5:00 PM)

City Attorney Department

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
(Government Codesection 54956.9(d)(4))
Based on existing facts and circumstances, the City Council shall decide whether to initiate litigation in one potential case.
Legislative Body: City Council

At 5:05 p.m., the City Council recessed to a closed session. At 5:45 p.m., the City Council reconvened in open session in the Council Chambers. The City Attorney made the following announcement: "The City Council by a unanimous vote has directed the City Attorney to initiate an action. The action, the defendants, and the other particulars shall, once unsealed, be disclosed to any person upon inquiry, unless to do so would jeopardize the City's ability to effectuate service of process on one or more unserved parties, or that to do so would jeopardize its ability to conclude existing settlement negotiations to its advantage."

D. OPENING CEREMONIES 6:00 PM)

The flag salute was followed by a moment of silence.

E. CEREMONIAL ITEMS

1. SUBJECT: Presentation of a Proclamation Designating the Month of February, 2021 as "Black History Month."

Mayor Zaragoza read the proclamation and presented it to Regina K. Hatcher-Crawford, President of the Ventura County Chapter of the NAACP, who made some remarks.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Henry Alvarado Sapien (Cost of Living), Manuel Herrera (Council Vacancy District 2/Gabriel Teran), Steven Nash (Climate Change Crisis/Clean Energy), Pat Brown (New Community Development Director), Greg Runyon (Homeless Issue), Lawrence Stein (Request for Records/Payment of Invoices), Chris Hernandez (Five Point Intersection Accidents/Concerned for Public Safety), Lang Martinez (Homeless Issue), and Noemi Valdes (Council Vacancy District 2 - Gabriel Teran).

G. 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.

The City Manager gave a progress report on the City's COVID-19 response. No formal action was required.

H. CITY COUNCIL REPORTS

Councilmember Madrigal announced that a La Colonia Neighborhood meeting will be held virtually on February 10, 2021, to discuss the streets repair and encouraged residents to sign up to participate. Councilmember Madrigal thanked Saint John's Hospital and Community Memorial Hospital for their care and services provided during his hospitalization.

Mayor Pro Tem MacDonald announced that he attended the transportation commission meetings this week and reported that transportation services are doing everything they can to continue to provide as many services as possible during the pandemic. Gold Coast Transit and Ventura County Transportation Commission are temporarily waiving fares and are ensuring that operators, drivers, employees and passengers are staying safe.

Councilmember Basua congratulated new Fire Chief, Alexander Hamilton, and new Community Development Director, Vyto Adomaitis. Councilmember Basua also wished Peggy Rivera a happy birthday.

Councilmember Perello expressed concerns about large group gatherings for Super Bowl and celebrations during the pandemic.

Mayor Zaragoza encouraged residents to avoid large gatherings during the pandemic, to continue to use face coverings, social distance, and wash hands frequently. He also congratulated new Fire Chief Alexander Hamilton and new Community Development Director, Vyto Adomaitis on their new appointments.

I. REVIEW OF INFORMATION/CONSENT AGENDA

Items K-1 through K-8 were discussed among the Council and staff.

J. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Marilu Gonzalez (La Colonia neighborhood streets need repair), Ray Blattel (Item K.3 Downtown Improvement Program Settlement Funds), and Pat Brown (K.3. Downtown Improvement Program plans).

K. INFORMATION/CONSENT AGENDA

1. Community Development Department

   SUBJECT: Third Amendment to License Agreement for Plaza Park Farmers Market.

   RECOMMENDATION: That the City Council approve a Third Amendment to the License Agreement with the Oxnard Downtowners (6910-14-CD) for Plaza Park Farmers Market.

2. Fire Department

   SUBJECT: Authorization to Accept a Donation from the Martin V. and Martha K. Smith Foundation for Ten (10) LUCAS Chest Compression Systems.

   RECOMMENDATION: That the City Council adopt **Resolution No. 15-415** authorizing:
   1. The City Manager to accept funds from Martin V. and Martha K. Smith Foundation via Oxnard Firefighters Foundation;
   2. The Chief Financial Officer or designee to submit financial reports, 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 $100,000 in private donation funds (Contributions Trust - Fund 571-2290) and $60,000 in Measure O funds match (from Account 104-2208-802.86-06, Project MO2201) and $40,000 in CDBG funds match (from Account 285-2280-826.86-06).

3. Community Development Department

   SUBJECT: Downtown Improvement Program Settlement Funds (DIPSF) Update.

   RECOMMENDATION: That the City Council receive an update on the implementation of the approved projects funded with the Downtown Improvement Program Settlement Funds.

4. Public Works Department

   SUBJECT: Transportation Development Act Article 3 Appropriation and Returns.

   RECOMMENDATION: That the City Council approve and authorize the City Manager to:
   1. Appropriate $31,877 of funding from Transportation Development Act Article 3 Fund (214) to the Bicycle and Pedestrian Class I Maintenance Program Project (#103103);
   2. Return $55,163, plus interest, of funding from the Transportation Development Act Article

3 Fund (214) to Ventura County Transportation Commission; closing the B Street Sidewalk Enhancement Project (#093106);
3. Return $142,000, plus interest, of funding from the Transportation Development Act Article 3 Fund (214) to Ventura County Transportation Commission, closing the Vineyard Avenue and Esplanade Drive Bicycle and Pedestrian Project (#163102); and
4. Approve budget appropriations to the proper accounts, funds and projects as needed for the return of funds and closure of projects.

5. Public Works Department

SUBJECT: Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program Recognition and Budget Appropriation for Electrical Improvements at Wastewater Treatment Plant.

RECOMMENDATION: That the City Council approve and authorize the City Manager to recognize and approve a budget appropriation for FEMA Hazard Mitigation Grant Program funding for the Oxnard Wastewater Treatment Plant Generator Project (FEMA Project #DR-4353-189-036R) in the amount of $3,840,902.00 with a grant award (75% of the project costs) of $2,880,676.00 and a City match (25% of the project costs) of $960,226 from Wastewater Treatment Fund 621 for Project No. 186625.

6. Public Works Department

SUBJECT: Solenis LLC Purchase Order for Supply and Delivery of Anionic Polymer.

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute Purchase Order #7966 with Solenis LLC, in the amount not to exceed $450,000 for a three-year term ending June 30, 2024, for supply and delivery of anionic polymer to the Oxnard Wastewater Treatment Plant. (Public Works and Transportation Committee approved 3-0.)

7. Public Works Department

SUBJECT: Approval of Fourth Amendment with NBS Government Finance Group for Assessment District Consulting Services.
RECOMMENDATION: That the City Council authorize the City Manager to:
1. Execute the Fourth Amendment to Agreement No. A-7950 with NBS Government Finance Group (NBS) in the amount of $113,000 for a total not-to-exceed amount of $1,123,765.42 to provide construction costs reimbursement and consulting services for Community Facilities District No. 2018-01 (Wagon Wheel); and
2. Approve a budget appropriation to recognize the developer's fund deposits and expenditures for $113,000 from the Wagon Wheel Community Facility District 2018-01 fund. (Public Works and Transportation Committee approved 3-0.)

8. Finance Department

SUBJECT: Correction of a typo in the Agreement for State Administration of City Transactions and Use Taxes.

RECOMMENDATION: That the City Council authorize correction of a typographical error in the Agreement for State Administration of City Transactions and Use Taxes, executed with the California State Department of Tax and Fee Administration (CDTFA) on December 15, 2020.

It was moved by Mayor Pro Tem MacDonald, seconded by Councilmember Perello, 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

1. Finance Department

SUBJECT: FY 2019-20 Comprehensive Annual Financial Report and Summary Presentation.

RECOMMENDATION: That the City Council receive the FY 2019-20 Comprehensive Annual Financial Report (CAFR) and summary presentation from the City's external financial auditors, Eadie + Payne, LLP. (Presentation will be live upon consultant's request.)(Finance & Governance Committee approved 2-0.)

Kevin Riper, Chief Financial Officer, introduced Eadie + Payne financial auditors Don Ecker, Hong N. Nguyen, Mary Maxion, and Eden Casareno which gave a report. Discussion ensued among the Council and staff. No formal action was required.

2. Finance Department

SUBJECT: FY 2020-21 Budget Mid-Year Review and Appropriation Request.

RECOMMENDATION: That the City Council:
1. Receive an update on the latest FY 2020-21 revenue and expenditure projections for major funds;
2. Approve a budget appropriation request in the amount of $16,066,093 across 37 different funds for a combination of primarily capital expenditures and reductions, and also operational expenditures;
3. Adopt **Resolution No. 15-416** approving amendments to the position control resolution to modify staffing in several departments for a net increase of four positions;
4. Adopt **Resolution No. 15-417** approving amendments to the classification and salary resolution for the Information Technology Director and Paramedic classifications; and
5. Authorize changes to the list of equipment financed by the existing Bank of America line of credit for IT and Police Department equipment.

Kevin Riper, Chief Financial Officer, introduced Craig Hill from NHA Advisors. Mr. Hill gave a report. Public comments were received from Gabriel Teran, Pat Brown, and Lawrence Stein. Discussion ensued among the Council and staff.

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

3. City Manager Department

SUBJECT: Enterprise Resource Planning (ERP) System Annual Report (0/10/10)

RECOMMENDATION: That the City Council receive and file the Enterprise Resource Planning (ERP) System Annual Report.

Shiri Klima, Deputy City Manager, presented. No public comments were heard. Discussion ensued among the Council and staff.

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

ITEMS FOR FUTURE AGENDAS

Councilmember Perello requested a presentation regarding the costs of pensions.

M. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Zaragoza adjourned the meeting at 7:56 p.m.

R. Chaparro
ROSE CHAPARRO
City Clerk

John C Zaragoza
JOHN C. ZARAGOZA
Mayor