MINUTES
OXNARD CITY COUNCIL
Regular Meeting
March 2, 2021

A. ROLL CALL, POSTING OF AGENDA

At 5:01 p.m., Mayor John C. Zaragoza 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, Oscar Madrigal, Bert E. Perello, Gabriel (Gabe) Teran, and Mayor Pro Tem Bryan A. MacDonald were present via videoconference. Mayor Zaragoza participated in person.

Housing Authority Commissioners Jose Andrade and Francisco Vega also participated, and joined the meeting at 6:00 p.m. via videoconference.

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

Staff members Ashley Golden, Assistant City Manager; Shiri Klima, Deputy City Manager; Emilio Ramirez, Housing Director; Jason Benites, Police Chief; Alexander Hamilton, Fire Chief; Craig Beck, Interim Public Works Director; Brian Yanez, Assistant Public Works Director; Steve Howlett, Assistant Public Works Director; Omar Castro, Water Division Manager; Tatiana Arnaout, City Engineer; Jeri Cooper, Special Districts Project Manager; Jan Hauser, Wastewater Division Manager; Luis Ortega, Wastewater Management Analyst; Vyto Adomaitis, Community Development Director; Kevin Riper, Chief Financial Officer; Donna Ventura, Assistant Chief Financial Officer; Eden Alomeri, Billing & Licensing Director participated via videoconference.

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

C. CLOSED SESSION (5:00 PM)

1. 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

2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
(Government Code section 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

At 5:05 p.m. the City Council recessed to a closed session. Prior to the closed session for Item C.2., the City Attorney read the following statement: "The Council will discuss under Government Code section 54956.9(d)(2), based on existing facts and circumstances there is significant exposure to litigation in one potential case regarding an Americans With Disabilities Act compliance review of the Oxnard Transit Center by the U.S. Department of Justice."

At 5:45 p.m. the City Council reconvened in open session in the Council Chambers. The City Attorney read the following statement: "On Item C.1 on the closed session agenda, by unanimous vote, the City Council has given its legal counsel approval to seek appellate review or relief in the action entitled Starr vs. City of Oxnard which concerns the validity of the City's Infrastructure Use Fees. This authorization is restricted to appealing limitations potentially to be placed on the City's statutory options to repay the judgment in that matter."

D. OPENING CEREMONIES (6:00 PM)

The flag salute was followed by a moment of silence.

E. CEREMONIAL ITEMS

1. SUBJECT: Oath of Office for New Fire Chief Alexander Hamilton.

   Fire Chief Hamilton was sworn in by the City Clerk. Chief Hamilton was congratulated by Council and staff. Congratulatory public comments were received from Assembly member Jacqui Irwin, City of Pasadena Retired Chief Bryan Frieders, County of Ventura Fire Chief Mark Lorenzen, Mary Looby, Steven F. Froehlick, Ph.D., Ulises Castellanos, and Vanessa Beckhtel.

2. SUBJECT: Presentation of a Proclamation Designating the Month of March as "Women's History Month."

   Mayor Zaragoza read the proclamation and presented it to Jeannette Sanchez from the Ventura County Women's Political Council (VCWPC) who made some remarks.

3. SUBJECT: Presentation of a Proclamation Designating March 6, 2021 as "Soroptimist STOP Human Trafficking and Sexual Slavery Awareness Day".

   Mayor Zaragoza read the proclamation and presented it to local organizer Debbie Gohlke with Soroptimist International of Oxnard, who made some remarks.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Angel Garcia (Wendy Leung), Lawrence P. Stein (Parks Master Plan), and Joey Juhasz-Lukomski (Bicycle Rider and Pedestrian Safety).

G. REPORT OF CITY MANAGER

1. City Manager Department

   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

Councilmember Lopez thanked Councilmember Basua and staff for participating in the Ormond Beach Clean-up. Thanked Wendy Leung, Ventura County Star, for attending the Council meetings and representing the City well in her reporting.

Mayor Pro Tem MacDonald congratulated Wendy Leung on her new career and wished her well in her future endeavors.

Councilmember Basua thanked Wendy Leung for her work in covering the City Council meetings and wished her the best. Thanked Councilmember Lopez, Mayor Zaragoza, City Manager Nguyen, and staff in particular Todd Vasquez-Housley, Environmental Resources Division Manager and Isidro Figueroa, for organizing the Ormond Beach Clean-up event. Also, is looking forward to participating in the "Read Across America" event at the Oxnard School District.

Councilmember Madrigal thanked the County of Ventura and City staff working at the vaccination sites. Thanked the local business for staying strong during the pandemic. Francisco Barajas for his support in Housing at the City of Oxnard. He congratulated and thanked Rose Bañuelos, who retired from the City Oxnard Housing Authority. He thanked her for her hard work in the community and putting people first for the past twenty years.

Councilmember Teran reported that the Medical Examiner's Office released a report regarding an increase in deaths due to opioids. He is also concerned about the safety of cyclists and pedestrians, and the loss of life increase in the City of Oxnard. He attended the District 2 Town Hall meeting and encouraged residents to sign up to participate for the upcoming meetings. Attended the Fremont South and the Fremont North Neighborhood Council meetings. Thanked Councilmember Perello for bringing up the topic of Violence Against the Asian Community. Also, thanked Wendy Leung.

Councilmember Perello thanked Councilmember Teran for his comments about the Violence Against the Asian Community. He met with Ana Carrillo with the Colonia Community

Center and thanked her for sharing her concerns with Council. He also expressed his concerns about bicyclists and pedestrians safety. Wished Wendy Leung and her husband all the best.

Mayor Zaragoza also expressed his concerns for the safety of cyclists and pedestrians in the City of Oxnard.

H. CITY COUNCIL REPORTS

1. City Manager Department

SUBJECT: Appointment of Members to Serve on the City's Commissions and Committees.

RECOMMENDATION: That the Mayor, with the approval of the City Council, make the following appointments:

1. To Community Relations Commission: Andres Paniagua (D4);
2. To Parks and Recreation and Community Services Commission: Dr. Carlo Aaron Purther (D3) and Paul Lemos (D6);
3. To Cultural Arts Commission: Javier Gomez (D4);
4. To Planning Commission: Ronald Arruejo (D3); and
5. To Measure O Citizen Oversight Committee: Deirdre Frank (City at large), Christopher Taccone (D2), Dan Pinedo (D3), Ruby Durias (D4), Angel Garcia (D5), Joe Munoz (D6), Nancy Lindholm (business organization), and Leonard Shulman (Neighborhood Council).

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

2. City Manager Department

SUBJECT: Appointment of Voting Delegate and Alternate for Southern California Association of Governments General Assembly.

RECOMMENDATION: That the City Council appoint a delegate and an alternate representative to the 2021 Southern California Association of Governments (SCAG) General Assembly scheduled for May 6, 2021 virtual conference.

It was moved by Councilmember Lopez, seconded by Mayor Zaragoza, to appoint Mayor Pro Tem MacDonald as delegate, and Councilmember Perello as alternate representative. VOTE: Perello, MacDonald, Madrigal, Basua, Zaragoza, Lopez, and Teran voted in favor; the motion carried 7-0.

I. REVIEW OF INFORMATION/CONSENT AGENDA

Items K-1 through K-9 were discussed among the Council and staff.

J. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Angel Garcia, Joey Juhasz-Lukomski, and Lawrence Stein.

K. INFORMATION/CONSENT AGENDA

1. Public Works Department

SUBJECT: Agreement for Water System SCADA Improvement Project PW 20-97.

RECOMMENDATION: That the City Council:
1. Approve and authorize the Mayor to execute Agreement A-8243 with Northern Digital, Inc. in the amount of $266,200 for engineering design services for the Water System SCADA Improvement Project (206509); and
2. Approve the use of $26,620 for Project contingency for the Water System SCADA Improvement Project (206509).

2. Housing Department

SUBJECT: Award of Contract for the Boiler Replacement at Plaza Vista

RECOMMENDATION: That the City of Oxnard Housing Authority Board of Commissioners approve and authorize the Chairman to execute a firm-fixed price contract in the amount of $291,308 with HPS Mechanical, Inc. (Agreement number A-8297), using funds previously appropriated from the 2020 Capital Fund grant, for the Boiler Replacement project at Plaza Vista apartments located at 401 South C Street.

3. Fire Department

SUBJECT: Authorization to Submit a Grant Application to Federal Emergency Management Agency (FEMA) Fire Prevention and Safety (FP&S) for $362,175 for the Purchase and Installation of Smoke and Carbon Monoxide Detectors.

RECOMMENDATION: That the City Council adopt **Resolution No. 15,424** that:
1. Ratifies the submission of an application to the Federal Emergency Management Agency (FEMA) Fire Prevention and Safety (FP&S) for $362,175 for the purchase and installation of smoke and carbon monoxide detectors with no matching fund requirement;
2. Authorizes the City Manager or designee to execute the grant agreements if grant funds are awarded to the City;
3. Authorizes he Chief Financial Officer or designee to submit financial reports and grant claims, approve budget appropriations for the use of grant funds and perform all other required financial actions; and
4. Authorizes the Fire Chief or designee to submit non-financial reports.

4. Public Works Department

SUBJECT: Statewide Park Development and Community Revitalization Program Grant

Application **Resolution No.15,425** and **Resolution No. 15,426.**

RECOMMENDATION: That the City Council adopt **Resolution No. 15,425** and **Resolution No. 15,426.**

1. Authorizing the City Manager to submit an application for an amount not to exceed $8,500,000 in Statewide Park Development and Community Revitalization Program grant funds for the Durley Park Expansion and Improvement Project; and
2. Authorizing the City Manager or designee to execute grant agreements.

5. Public Works Department

SUBJECT: Award Agreement for Southbank Park Walking Path Improvement Project Specification No. PW 21-22.

RECOMMENDATION: That the City Council:

1. Award and authorize the Mayor to execute Agreement A-8304 with FS Contractors, Inc. for $216,500 for the Southbank Park Walking Path Improvement Project PW 21-22 (Project No. 135710);
2. Approve a Project contingency amount of $21,650 for the Southbank Park Walking Path Improvement Project PW 21-22 (Project No. 135710); and
3. Approve a Project allocation of $21,650 for engineering, inspection, survey and project management for the Southbank Park Walking Path Improvement Project PW 21-22 (Project No. 135710).

6. Public Works Department

SUBJECT: Agreement for Storm Vault Scheduled Maintenance and On-Call Services (Rebid) PW 20-65R for Special Districts.

RECOMMENDATION: That the City Council:

1. Approve and authorize the Mayor to execute Agreement A-8282 with Downstream Services, Inc. for an amount not to exceed $1,500,000 for a three-year term ending March 1, 2024 for storm vault scheduled maintenance and on-call services for Community Facilities Districts (CFD) including Westport CFD 2, Seabridge CFD 4, and Riverpark CFD 5;
2. Authorize the City Manager to approve a budget appropriation of $85,000 for Westport CFD 2 Fund 175 from available fund balance; and
3. Authorize the City Manager to approve a budget appropriation of $185,000 for Seabridge CFD 4 Fund 173 from available fund balance. (Public Works and Transportation Committee approved 3-0.)

7. Public Works Department

SUBJECT: Purchase of Heavy Equipment for Wastewater Division.

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute the following Purchase Orders:

1. Purchase Order #7989 with Nixon-Egli in the amount of $232,001.13 for a new Crane Truck;
2. Purchase Order #7967 with Velocity Truck Centers in the amount of $219,914.81 for a new Rolloff Truck;
3. Purchase Order #7988 with Quinn Company in the amount of $266,274.81 for a new Excavator;
4. Purchase Order #7990 with Quinn Company in the amount of $146,894.52 for a new Backhoe; and
5. Purchase Order #7987 with Quinn Company in the amount of $35,910.92 for a new Forklift. (Public Works and Transportation Committee approved 3-0.)

8. Billing and Licensing Department

SUBJECT: Third Amendment to Agreement for Utility Bill and Business Tax Form Printing, Inserting and Mailing Services.

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a Third Amendment to the Agreement with InfoSend, Inc. for utility bill and business tax form printing, inserting and mailing services (No. A-7828) to extend the term for one year to June 30, 2022, and increase the amount by $318,000 for a total amount not to exceed $2,140,423.

9. Housing Department

SUBJECT: City Participation in the State Rental Assistance Program and the federal Emergency Rental Assistance Program.

RECOMMENDATION: That the City Council:
1. Adopt **Resolution No. 15-427** Authorizing the City's Participation in the State Rental Assistance Program ("SRAP") and Directing the City Manager to Take Actions to Effectuate the City's Participation;
2. Authorize and Direct the City Manager or his designee to accept an allocation of an amount between $6,683,889.67 and $18,631,184.67 of SRAP funds, appropriated pursuant to California Senate Bill 91 ("SB 91");
3. Authorize and Direct the City Manager or his designee to allocate and take the necessary steps to facilitate the transmittal or assignment of $6,117,238 of the federal Emergency Rental Assistance Program ("ERAP") funds previously granted directly to the City pursuant to the Consolidated Appropriation Act of 2021, plus the entire amount of SRAP funds received allocated to the City pursuant to SB 91, to the Department of Housing and Community Development or State Business, Consumer Services and Housing Agency for the joint administration and disbursement of said funds;
4. Authorize the City Manager or his designee to execute and submit the Standard Agreement from the State of California, and any other agreements necessary for the implementation of this program, to State and Federal agencies and to facilitate the

transfer or assignment of funds provided under either Senate Bill 91 or the Federal Consolidated Appropriation Act of 2021; and

5. Authorize and direct the City Manager or his designee to do any and all things and to execute and deliver any and all documents which they may deem necessary or advisable in order to consummate the execution of the ERAP/SRAP program, or otherwise to effectuate the purpose of the Resolution, including but not limited to the execution of a Memorandum of Understanding with the County of Ventura establishing the parameters of the joint City-County regional ERAP/SRAP program.

6. Approve and authorize a budget appropriation for the City's participation in the Federal ERAP in the amount of $6,210,395 (Fund 261-5139-801.82-09).

EXECUTIVE SUMMARY

On December 27, 2020, the federal Consolidated Appropriations Act of 2021, a $908 billion COVID-19 relief bill, was signed into law, and $25 billion was allocated to the United States Treasury for the Emergency Rental Assistance Program (ERAP) to assist households that are unable to pay rent or utilities due to the COVID-19 pandemic. California will receive $2.6 billion in federal ERAP funds. To implement these rental assistance resources, the State of California worked with the state legislature to develop a programmatic framework that eases administrative burden and most effectively deploys these resources to those most in need.

Oxnard is eligible for a total nearly $12.9 million. The City's total represents $6,210,394.89 in direct federal ERAP funds plus $6,683,889.67 in state ERAP funds. All indications are that thousands of Oxnard tenants are delinquent in rent as a result of the COVID-19 pandemic, and that hundreds or thousands of landlords are facing severe financial difficulties due to the impact of the pandemic. The City of Oxnard proposes to accept a State offer to administer all ERAP funds in partnership with the City Housing Department and the County of Ventura.

Consent Agenda Items: K.1., K.3 – K.9:

It was moved by Mayor Pro Tem MacDonald, seconded by Councilmember Perello, to approve the Information/Consent items K.1, K.3 – K-9 as presented. VOTE: MacDonald, Perello, Basua, Madrigal, Zaragoza, Teran, and Lopez voted in favor; motion passed 7-0.

Consent Agenda Item: K.2:

It was moved by Commissioner Lopez, Commissioner Teran, to approve the Information/Consent item K.2 as presented. VOTE: Zaragoza, MacDonald, Perello, Lopez, Madrigal, Basua, Teran, Housing Authority Commissioner Andrade voted in favor, Housing Authority Commissioner Vega voted against, motion passed 8-1.

L. REPORTS

1. Finance Department

SUBJECT: Adoption of City Council's Policy for Development and Implementation of Internal Controls (0/10/5)

RECOMMENDATION: That the City Council adopt **Resolution No. 15-428** adopting the Policy for Development and Implementation of Internal Controls to define the City Council's internal control activities as they relate to development and implementation of internal controls. (Finance and Governance Committee approved 3-0.)

Donna Ventura, Assistant Chief Financial Officer, presented. Discussion ensued among the Council and staff.

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

2. Public Works Department

SUBJECT: Award Agreement for Bryce Canyon North and South Neighborhood and Fremont North Neighborhood Street Resurfacing Project (Rebid) Specification No. PW 18-05R. (0/5/5)

RECOMMENDATION: That the City Council:
1. Approve and authorize the Mayor to execute Agreement A-8302 with All American Asphalt, in the amount of $4,174,871.26, for the Bryce Canyon North and South Neighborhood and Fremont North Neighborhood Street Resurfacing Project (Rebid) Specification No. PW 18-05R (Project Nos. 183108 & 153117);
2. Approve $417,487 for project contingency for the Bryce Canyon North and South Neighborhood and Fremont North Neighborhood Street Resurfacing Project (Rebid) (Project Nos. 183108 & 153117); and
3. Approve $417,487 for engineering, inspection, survey and project management for the Bryce Canyon North and South Neighborhood and Fremont North Neighborhood Street Resurfacing Project (Rebid) (Project Nos. 183108 & 153117); and
4. Approve a budget appropriation in the amount of $529,801 from the available fund balances in the Road Maintenance and Rehabilitation Account (RMRA) Gas Tax (185) Fund and the Water Operating Fund (601).

Tatiana Arnaout, City Engineer, presented. Discussion ensued among the Council and staff.

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

3. Public Works Department

SUBJECT: Water Infrastructure Finance and Innovation Act (WIFIA) Loan Application. (0/5/5)

RECOMMENDATION: That the City Council adopt **Resolution No. 15-429** authorizing the City Manager to submit an application for an amount not to exceed $27,600,000 from the Water Infrastructure Finance and Innovation Act Loan program administered by the U.S. Environmental Protection Agency; designating the amount of project expenditures to be reimbursed by proceeds from the Water Infrastructure Finance and Innovation Act loan; and dedicating and pledging revenues and funds for the repayment of the Water Infrastructure Finance and Innovation Act loan from the U.S. Environmental Protection Agency.

Tatiana Arnaout, City Engineer, presented. Discussion ensued among the Council and staff.

It was moved by Councilmember Teran, seconded by Councilmember Lopez, to approve the recommended action as presented. VOTE: Teran, Basua, Zaragoza, Lopez, Madrigal, and Perello voted in favor; the motion carried 6-0-1. Mayor Pro Tem MacDonald abstained and did not participate, due to the proximity of his residence to the location of the project.

4. Public Works Department

SUBJECT: Procurement of Vehicles and Trailers for the Environmental Resources Division. (0/10/10)

RECOMMENDATION: That the City Council approve and authorize:

1. The Mayor to execute Purchase Orders in the total amount of $10,189,921.49 for the purchase of new vehicles and accessories:

a. Purchase Order 7991 with Velocity Truck Center of VC for an amount not to exceed $8,360,298.80 for the purchase of:

i. Ten (10) new residential, compressed natural gas (CNG) vehicles with accessories for a cost of $3,343,980.80;

ii. Nine (9) new commercial, compressed natural gas (CNG) vehicles with accessories for a cost of $3,016,424.97;

iii. Five (5) new industrial, compressed natural gas (CNG) vehicles with accessories for a cost of $1,375,855.65;

iv. Two (2) new rear-loader, compressed natural gas (CNG) vehicles with accessories for a cost of $624,037.38;

b. Purchase Order 7993 with Pape' Kenworth for an amount not to exceed $906,092.30 for the purchase of seven (7) new semi-tractor transfer vehicles with accessories;

c. Purchase Order 7992 with The Trailer Company for an amount not to exceed $923,530.39 for the purchase of ten (10) new transfer trailers with accessories; and

2. The City Manager to approve a budget appropriation in the amount of $10,189,922 to recognize proceeds from a lease purchase to finance the acquisition of refuse collection vehicles and transfer trailers for the Environmental Resources Division (Project 216804). (Public Works and Transportation Committee approved 3-0.)

Brian Yanez, Assistant Public Works Director, was available to answer questions. Discussion ensued among the Council and staff.

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

M. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Zaragoza adjourned the meeting at 8:20 p.m.

R. Chaparro

ROSE CHAPARRO
City Clerk

John C. Zaragoza

JOHN C. ZARAGOZA
Mayor