

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
March 30, 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, 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.

Staff members present in person 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; Emilio Ramirez, Housing Director; Jason Benites, Police Chief; Eric Sonstegard, Assistant Police Chief; Denise Shadinger, Assistant Chief of Police; Alexander Hamilton, Fire Chief; Craig Beck, Interim Public Works Director; Steve Howlett, Assistant Public Works Director; Vyto Adomaitis, Community Development Director; Scott Kolwitz, Planning & Environmental Services Manager; Kathleen Mallory, Planning & Sustainability Manager Joe Pearson II, AICP, Senior Planner; and Eden Alomeri, Billing & Licensing Director.

Larry Haynes, Mercy House Executive Director; Linda Wilson, Mercy House Chief Housing Officer; Timothy Huynh, Mercy House Chief Program Officer; Alexander Russell, Housing Trust Fund Ventura County Executive Vice President; Linda Braunschweiger, Housing Trust Fund Ventura County CEO; Kyle Paine, Community Development Partners President; and Brittany Seniff, Community Development Partners; Christy Madden, County of Ventura Homeless Grants Management; Tara Carruth, County of Ventura Program Management Analyst; also participated via videoconference.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

Public comments were received from Greg Runyon.

C. CLOSED SESSION (4:30 PM)

1. 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

2. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
(Government Code Section 54956.9(d)(1))

Name of case: City of Oxnard v. Brownstein, Hyatt, Farber, Schreck, LLP

Los Angeles County Superior Court, Case No. 20STCV19575

Legislative Body: City Council

At 4:32 p.m., the City Council recessed to a closed session. At 5:38 p.m., the City Council reconvened in open session in the Council Chambers. The City Attorney announced that closed session item C.1 was discussed. However, item C.2 was not discussed during closed session. There were no reportable actions out of closed session.

D. OPENING CEREMONIES (6:00 PM)

The flag salute was followed by a moment of silence.

E. PRESENTATION

1. City Manager Department

SUBJECT: Special Presentation by the County of Ventura District Attorney's Office, Erik Nasarenko.

RECOMMENDATION: That the City Council receive and file an update from Erik Nasarenko, District Attorney for the County of Ventura.

District Attorney Erik Nasarenko presented to the City Council and introduced Michael R. Jump, Chief Deputy District Attorney. No action was required.

F. CEREMONIAL ITEMS

1. SUBJECT: Presentation of a Proclamation Designating March 31, 2021 as "Cesar E. Chavez Day."

Mayor Zaragoza read the proclamation and presented it to Javier Gomez, Founder of Inlakech Cultural Arts Center and 33 Years as Educator, who made some remarks. Public comments were received from Chris Hernandez and Armando Delgado.

2. SUBJECT: Presentation of a Commendation to Graciela Casillas, World Champion Athlete.

Mayor Zaragoza read the proclamation and presented it to Graciela (Grace) Casillas, past world champion, the only athlete to hold world titles in both boxing and full-contact karate, who made some remarks. Public comments were received from Manuel Herrera, Chris Hernandez, Armando Delgado, and Brenda Zaragoza.

G. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Ray Blattel, Douglas D. Partello, Maria Navarro, Zuleth Lucero, Cecilia Cruz, Teresa, Lucila Cruz, Soledad Montoya, Arturo Villanueva, Greg Runyon, Lawrence Stein, and Chris Hernandez.

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.

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

I. CITY COUNCIL REPORTS

1. City Manager Department

SUBJECT: Appointment of Members to Serve on the City's Commissions and Committees. (0/10/10)

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

1. To Community Relations Commission: Angel Garcia (D6);
2. To Parks and Recreation and Community Services Commission: Angela Whitecomb (D4);
3. To Planning Commission: Katherine Connelly (D6); and
4. To Downtown Design Review Committee: Arthur Valenzuela, Jr. (City at large). (This item did not originate in Committee.)

Shiri Klima, Deputy City Manager, presented. Public comments were received by Chris Hernandez. Discussion ensued among the Council and staff.

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

2. City Manager Department

SUBJECT: Request of Councilmembers Perello and Teran: Consider Adoption of **Resolution No. 15,430** Condemning Racism, Xenophobia, Violence, and Hate Crimes Against Asian Americans and Pacific Islanders.

RECOMMENDATION: That the City Council consider the adoption of **Resolution No. 15,430** condemning racism, xenophobia, violence, and hate crimes against Asian

Americans and Pacific Islanders. (This item did not originate in Committee.)

Alexander Nguyen, City Manager, presented. Public comments were received by Daniel Chavez, Jr., Lauraine R. Effress, Erik Fruth, Angel Garcia, Ronald Arruejo, Odette, Greg Runyon, Manuel Herrera, Chris Hernandez, Armando Delgado, and Karla Alejandra Ramirez. Discussion ensued among the Council and staff.

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

J. REVIEW OF INFORMATION/CONSENT AGENDA

Items L-1 through L-4 were discussed among the Council and staff.

K. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Ray Blattel and Lawrence Stein.

L. INFORMATION/CONSENT AGENDA

1. Fire Department

SUBJECT: Purchase Order with McKesson Medical-Surgical for Personal Protective Equipment.

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a Purchase Order with McKesson for medical and sanitation supplies in the amount of \$250,000 for a one year term. (This item did not originate in Committee.)

2. Fire Department

SUBJECT: Affiliation Agreement with The Regents of the University of California for a Prehospital Care Program at No Cost for a Five Year Term.

RECOMMENDATION: That the City Council authorize the Mayor to enter an agreement with The Regents of the University of California for a Prehospital Care Paramedic Program at no cost for a five year term. (This item did not originate in Committee.)

3. Fire Department

SUBJECT: Appropriation of Wildland Fire Reimbursement Revenue.

RECOMMENDATION: That the City Council amend the FY 2020-21 Budget to recognize \$960,865 of General Fund revenue from wildland fire reimbursement, and appropriate \$431,532 to the Fire Department to restore the Department's original training budget; to improve and expand training related to mutual aid response; and to acquire vehicles needed for mutual aid response to wildland fire events. (This item did not originate in Committee.)

4. Fire Department

SUBJECT: Submission of FY2020 Staffing for Adequate Fire and Emergency Response (SAFER) Grant Application.

RECOMMENDATION: That the City Council adopts **Resolution No. 15,431**:

1. Ratifying the submission of a grant application for the Federal Emergency Management Agency (FEMA) FY2020 Staffing for Adequate Fire and Emergency Response (SAFER) Grant in the amount of \$1,058,013 to be used for the hiring of three additional firefighters, no local match is required;
2. That authorizes the City Manager or designee to execute the grant agreement if grant funds are awarded to the City;
3. That authorizes the Chief Financial Officer or designee to submit financial reports and grant claims, approve budget appropriations during FY2021-2022 for the use of grant funds and perform all other required financial actions; and
4. That authorizes the Fire Chief or designee to submit non-financial reports.
(This item did not originate in Committee.)

Written comments were received by Lawrence Stein regarding item L4.

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

M. PUBLIC HEARINGS

Housing Department

1. SUBJECT: Agreements and Funding for the Homeless Solutions Center (HSC) at 241 West Second Street. (0/20/20)

RECOMMENDATION: That the City Council:

1. Conduct a public hearing to adopt **Resolution No. 15-432** authorizing the Mayor to execute a Development and Disposition Agreement by and between Housing Trust Fund Ventura County, Community Development Partners Developers, LLC, and the City of Oxnard, and further authorizing the City Manager or Designee to execute and take all needed actions in consultation with the City Attorney relative to entering into a Donation Agreement by and between Housing Trust Fund Ventura County and the City of Oxnard, Agreement Containing Covenants, and Entering into a Loan Agreement with CDP Developers, LLC for the construction of the Homeless Solutions Center at 241 West Second Street and other matters pertaining thereto; and
2. Authorize the Mayor to execute a Memorandum of Understanding by and between the City of Oxnard and the County of Ventura regarding the financial sharing

arrangement for the development and operation of the permanent year-round shelter to be located on the ground floor of the Homeless Solutions Center; and

3. Approve a budget appropriation of \$1,500,000 to provide CDP Developers LLC with a gap-financing loan for the development of the Homeless Solution Center from the Low-and-Moderate Income Housing Fund of the former redevelopment agency; and

4. Approve a budget appropriation of \$94,000 for personnel expenses to pay for City staff time to carry out and administer eligible Low-and-Moderate Income Housing asset fund activities from the Low- and Moderate-Income Housing Asset Fund of the former redevelopment agency, which will allow staff to monitor, provide loan-servicing, and oversight of the Homeless Solutions Center's PSH units and loan agreement as well as provide the same services for other existing projects that were previously funded with the use of Low-and-Moderate Income Housing Asset Funds, but for which no budget was previously allocated for this purpose.

(Housing and Economic Development Committee (HEDC) recommended the Exclusive Negotiating Agreement to the City Council with a 3-0 vote. City Council approved with a 7-0 vote. On September 22, 2020 HEDC members each stated their preference to move forward with the entitlement process (DDR and SUP), followed by Council consideration of the DDA and memorandum of understanding (MOU) with the County for funding. No formal action was required.)

The City Clerk announced the affidavit of publication and stated that written communications were received from Anthony Mireles, Laborers International Union of North America; Mindy Greenberg; Max Ghenis, Ventura County YIMBY, , and submitted to Council. Emilio Ramirez, Housing Director, gave a report.

Larry Haynes, Mercy House Executive Director; Linda Wilson, Mercy House Chief Housing Officer; Timothy Huynh, Mercy House Chief Program Officer; Alexander Russell, Housing Trust Fund Ventura County Executive Vice President; Linda Braunschweiger, Housing Trust Fund Ventura County CEO; and Kyle Paine, Community Development Partners President were available to answer questions from Council.

Mayor Zaragoza opened the public testimony portion of the public hearing. Public comments were received from Max Ghenis, Jackson Piper, Tim Helton, Jessica Petrillo, Tom Cady, Douglas D. Partello, Angel Garcia, Nancy Lindholm, Pat Brown, Yukio Okano, Timothy McDonell, Desha Woods, Pastor Fernie Franco, Anthony Mireles, Greg Runyon, Armando Delgado, Alex Perez, Jonathan Duran, Joshua Medrano, Martin Rodriguez, and Mindy Greenberg.

Without objection, the Council approved closing the public testimony portion of the public hearing. 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: Basua, Madrigal, MacDonald, Teran, Lopez, Perello, and Zaragoza voted in favor; the motion carried 7-0.

(As it was after 10:00 p.m., the City Council voted unanimously for the remaining agenda items to be heard.)

N. REPORTS

1. Public Works Department

SUBJECT: Request of Mayor Zaragoza: Appropriation of Funds for Park Maintenance. (0/10/15)

RECOMMENDATION: That the City Council approve and authorize the City Manager to appropriate funds for park maintenance in the amount of \$300,000 from the available fund balance in the General Fund (101). (Finance and Governance Committee approved 3-0.)

Steve Howlett, Assistant Public Works Director, presented. Public comments were received from Daniel Chavez, Jr., Janette, Jacob C., Jackyln Munoz, Manuel Herrera, Chris Hernandez, Armando Delgado, Angel Garcia. Written comments were received by Brenda Briones. 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: Perello, MacDonald, Madrigal, Basua, Zaragoza, Lopez, and Teran voted in favor; the motion carried 7-0.

2. Community Development Department

SUBJECT: Update on the Preparation of the Climate Action and Adaptation Plan. (0/5/10)

RECOMMENDATION: That the City Council receive an update on work to prepare and engage the community in the preparation of the City's Climate Action and Adaptation Plan (CAAP).
(This item did not originate in Committee.)

Kathleen Mallory, Planning & Sustainability Manager, presented. Public comments were received from Daniel Chavez, Jr., Janette, Jacob C., Jackyln Munoz, Angel

Garcia. 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: MacDonald, Zaragoza, Perello, Madrigal, Basua, Teran, and Lopez voted in favor; the motion carried 7-0.

3. Community Development Department

SUBJECT: City of Oxnard 2020 General Plan Annual Progress Report. (0/5/5)

RECOMMENDATION: That the City Council receive and file the City of Oxnard 2020 General Plan and Housing Element Annual Progress Report.

(This item did not originate in Committee.)

Scott Kolwitz, Planning & Environmental Services Manager and Kathleen Mallory, Planning & Sustainability Manager presented. Public comments were received from Pat Brown. 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: Teran, Basua, Zaragoza, Lopez, MacDonald, Madrigal, and Perello voted in favor; the motion carried 7-0.

4. Public Works Department

SUBJECT: Award Agreement for Del Norte Regional Recycling Center and Transfer Station Waste Tipping Floor Restoration Project Specification No. 20-33. (0/5/5)

RECOMMENDATION: That the City Council approve and authorize:

1. The Mayor to award and execute Agreement A-8313 with American Restore, Inc. for \$1,084,053.14 for the Del Norte Regional Recycling Center and Transfer Station Waste Tipping Floor Restoration Project Specification No. 20-33 (Project No. 216802);

2. Approve a Project contingency amount of \$108,405 for the Del Norte Regional Recycling Center and Transfer Station Waste Tipping Floor Restoration Project Specification No. 20-33 (Project No. 216802);

3. Approve a Project allocation of \$54,202 for engineering, inspection, survey and project management for the Del Norte Regional Recycling Center and Transfer Station Waste Tipping Floor Restoration Project Specification No. 20-33 (Project No. 216802); and

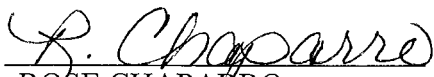
4. Approve a budget appropriation in the amount of \$150,941 from the available fund balance in the Solid Waste Operating Fund (631).

Craig Beck, Interim Public Works Director, was available to answer questions. Public comments were received from Pat Brown. Discussion ensued among the Council and staff.

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

O. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Zaragoza adjourned the meeting at 12:13 a.m.


ROSE CHAPARRO
City Clerk


JOHN C. ZARAGOZA
Mayor