

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
April 20, 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, 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 Ashley Golden, Assistant City Manager; Shiri Klima, Deputy City Manager; Ken Rozell, Chief Assistant City Attorney; Jason Zaragoza, Deputy City Attorney; Jason Benites, Police Chief; Eric Sonstegard, Assistant Chief of Police; Alex Arnett, Commander; Sharon Giles, Commander; Alexander Hamilton, Fire Chief; John Colamarino, Assistant Fire Chief; Craig Beck, Interim Public Works Director; Brian Yanez, Assistant Public Works Director; Steve Howlett, Assistant Public Works Director; Tatiana Arnaout, City Engineer; Tim Bochum, City Traffic Engineer; Emilio Ramirez, Housing Director; Vyto Adomaitis, Community Development Director; Jeff Pengilley, Community Development Assistant Director; Scott Kolwitz, Planning & Environmental Services Manager; Roger Brooks, Code Compliance Manager; Joe Pearson II, AICP, Senior Planner; Kevin Riper, Chief Financial Officer; Eden Alomeri, Billing & Licensing Director; and Raja Bamrungpong, Interim IT Director; and Gary Krumian, IT Analyst participated via videoconference.

Charles Genkel, Environmental Health Director and Graciela Garcia, Supervising Environmental Health Specialist, with the Ventura County Environmental Health Division also participated via videoconference.

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

C. CLOSED SESSION (4:30 PM)

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

Name of case: City of Oxnard v. County of Ventura

Ventura County Superior Court, Case No. 56-2021-00552428-CU-WM-VTA

Legislative Body: City Council

2. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
(Government Code Section 54956.9(d)(1))
Name of case: Paul Knapp v. City of Oxnard
Workers' Compensation Case No. ADJ12427191
Legislative Body: City Council
3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
(Government Code section 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 4:30 p.m., the City Council recessed to a closed session. At 5:05 p.m., the City Council reconvened in open session in the Council Chambers. The City Attorney made the following statement: "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. APPOINTMENT ITEMS (5:00 PM)

1. Community Development Department
SUBJECT: Mobile Food Vendor Permitting Presentation By Ventura County Environmental Health. (20/15/25)
RECOMMENDATION: That the City Council receive and file a presentation from the Ventura County Environmental Health in regards to mobile food vendor permitting.

Roger Brooks, Code Compliance Manager, introduced Charles Genkel, Environmental Health Director and Graciela Garcia, Supervising Environmental Health Specialist, with the Ventura County Environmental Health Division. Ms. Garcia presented about the requirements to obtain a mobile food vendor permit and answered questions.

E. OPENING CEREMONIES (6:00 PM)

The flag salute was followed by a moment of silence.

F. CEREMONIAL ITEMS

1. SUBJECT: Presentation of a Proclamation Designating the Week of April 18 - 21, 2021 as "National Crime Victims' Rights Week."

Mayor Zaragoza read the proclamation and presented it to Commander Sharon Giles from the Oxnard Police Department, accepted the proclamation on behalf of Paul Lemos, Chair of the Parks and Recreation Commission, and made some remarks. Public comments were received

from Teresa (Terry) Telles (family victims of homicide, brother Angel murdered 2017).

2. SUBJECT: Presentation of a Proclamation Designating April 22, 2021 as "Earth Day."

Mayor Zaragoza read the proclamation and presented it to Isabel Ayala from Coastal Keepers of Oxnard, who made some remarks.

G. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Armando Delgado (Tax Fraud), Douglas D. Partello (Landscape Maintenance Districts), Max Ghenis (Bicyclists Safety Concerns), and Pat Brown (7th Street/Oxnard Boulevard/Commercial Avenue Railroad Tracks/Signage for Trucks). Written comments were received from Jean Tong (Hero Hazard Pay).

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 Member to Serve on the City's Commissions on Homelessness. (0/5/5)

RECOMMENDATION: That the Mayor, with the concurrence of the City Council, make the following appointment to the Commission on Homelessness: Jack Villa (D3). (This item did not originate in Committee).

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

CITY COUNCIL REPORTS

Councilmember Teran expressed that he is happy justice was served today in the George Floyd case. Thanked Deirdre Frank for her service as former Chair of the Planning Commission. Congratulations to newly appointed Chair Daniel Chavez, Jr. and Vice Chair Arnold Arruejo to the Planning Commission.

Councilmember Lopez also expressed that she is glad about the verdict in the George Floyd case. Thanked the Economic Development Department for their work to support the local

small businesses being impacted by the pandemic and providing resources. Over 240 businesses in the City of Oxnard have received over \$2.5 million dollars in grant funds, to assist in keeping local businesses open.

Councilmember Basua was also happy about the George Floyd case verdict. She sent her condolences to the family of the 17-year-old bicyclist that was hit by a vehicle. On April 7 and 8, she was able to walk around the Cypress neighborhood with Police Chief Benites and City Manager Nguyen. They knocked on doors and interacted with the residents in the Cypress neighborhood. She thanked the Oxnard Police Department for their efforts in the South Oxnard community.

Councilmember Madrigal received complaints from Colonia neighborhood residents that businesses have been taken advantage and assured them that this is being worked on. He attended the Oxnard Eastside Little League with Mayor Zaragoza. Thanked all the volunteers that were involved in helping to clean-up and make repairs for the Oxnard Eastside Little League fields. Thanked the City staff and local business for their help to clean up the community. Also, thanked the Gold Coast Local 805 Carpenters for helping to give the fields a face lift and preparing the park for the 2021 season. Thanked everyone involved for their efforts and volunteering their time to install a new fence, backboards, and bleacher seats. Reminded the community to work together, stay safe, wear masks, and avoid large gatherings during the pandemic.

Councilmember Perello thanked Terry Telles for her comments about her brother, Angel Ortiz, a murder victim. Thanked Commander Sharon Giles for her comments and accepting a proclamation on behalf of Paul Lemos, Chair of the Parks and Recreation Commission. Thanked the Oxnard Police Department for removing illegal guns and their efforts in solving murders in the community. Also, thanked Armando Delgado for his comments.

Mayor Zaragoza visited the Oxnard Eastside Little League fields over the weekend. Thanked Paul Lemos, Chair of the Parks and Recreation Commission, for inviting him to participate in the clean-up and fundraising event. A big thank you to all the volunteers involved that donated their time and materials to make this happen. He also thanked the Gold Coast Local 805 Carpenters for their work and helping to prepare the field for the new season. Thanked Deirdre Frank for the many years of service and volunteerism to the Planning Commission. Congratulated Daniel Chavez, Jr. for being appointed the new Planning Commission Chair. Also, thanked the Oxnard Police Department and Assistant Police Chief Eric Sonstegard for his involvement concerning a traffic safety situation, and working with the residents to move their vehicles and a boat parked on Caliente Street to prevent a traffic accident.

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 Joey Juhasz-Lukomski (L.1. Bicyclist and Pedestrian Safety Concerns/Repavement Funding). Written comments were received from Tom Holstein (L.1. California Office of Traffic Safety Rankings).

L. INFORMATION/CONSENT AGENDA

1. Public Works Department

SUBJECT: Agreement for Professional Services for the Local Roadway Safety Plan PW 21-35 and the Sustainable Transportation Planning Project PW 21-33.

RECOMMENDATION: That the City Council:

1. Approve and authorize the Mayor to execute Agreement A-8306 with Fehr & Peers in the amount of \$144,776 to develop a Local Roadway Safety Plan, Project 213102;
2. Approve and authorize the Mayor to execute Agreement A-8307 with Fehr & Peers in the amount of \$457,646 to develop a Sustainable Transportation Plan, Project 213103;
3. Recognize and appropriate \$60,300 from State Transportation Grant Fund 210 and approve a budget appropriation of \$19,753 from Transportation Development Act Article 8a Fund 212 to Local Roadway Safety Plan Project 213102; and
4. Appropriate \$53,121 from Transportation Development Act Article 8a Fund 212 and reclassify project budget appropriation allocations and expenditures of \$53,121 from Roadway Maintenance and Rehabilitation Account Fund 185 to Transportation Development Act Article 8a Fund 212 for the Sustainable Transportation Planning Project 213103. (Allocation of the initial grant funding for the two projects, as well as discussion on the need to contract with consulting firms for this work, went to the Public Works & Transportation Committee on July 28, 2020 (approved 3-0) and was followed by City Council on September 1, 2020 (approved 7-0). The recommended action to allocate additional grant funding, local match, and award of the consultant contracts did not originate at Committee.

2. Public Works Department

SUBJECT: Senate Bill 1 (SB1) Local Streets and Road Maintenance and Rehabilitation Account (RMRA) Funding and Project List for Fiscal Year 2021-22.

RECOMMENDATION: That the City Council adopt **Resolution No. 15,433** to:

1. Adopt the Fiscal Year 2021-22 project list of Senate Bill 1 (SB1) proposed projects which will be funded in part or solely with Road Maintenance and Rehabilitation Account revenues; and
2. Authorize the City Manager to take whatever actions are necessary and appropriate to carry out the purpose and intent of the resolution. (Public Works and Transportation Committee approved 3-0).

3. Police Department

SUBJECT: Agreement for Animal Safety Services with Ventura County Animal Services (VCAS).

RECOMMENDATION: That City Council approve a budget appropriation with a total cost projection in the amount of \$\$2,479,135.18 for FY 21-22, total cost projection for the second year of a five year agreement (A-8151) with the County of Ventura to provide animal safety services. (Public Safety Committee approved 3-0).

4. Information Technology Department

SUBJECT: Renewal of Tyler/New World 911 System (0/5/5)

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a Sixth Amendment to Agreement No. 5463-11-PD with Tyler Technologies through June 30, 2026, increasing the agreement amount from \$7.5 million to \$9.7 million (\$2.2 million increase over 5 years) for the renewal of public safety calls dispatch software licenses and services. (Finance & Governance Committee approved 3-0).

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

M. PUBLIC HEARINGS

1. Community Development Department

SUBJECT: Recovery of Nuisance Abatement Costs. (0/10/5)

RECOMMENDATION: That the City Council:

1. Conduct a public hearing to consider objections to the cost report of the property owners whose property is to be assessed for nuisance abatement costs;
2. Approve the cost report; and
3. Direct the City Manager or designee to file a certified copy of the cost report with the Ventura County Auditor-Controller.

The Council postponed public hearing agenda item M.1 to a future meeting.

2. Community Development Department

SUBJECT: Tru Hilton Hotel Project – Appeal of the Planning Commission’s Decision to Approve Planning and Zoning Permit No. 19-500-03 (Special Use Permit) located at 180 West Esplanade Drive (APN: 142-0-310-045), Subject to Certain Findings and Conditions. (0/15/10)

RECOMMENDATION: That the City Council:

1. Conduct a public hearing, and
2. Approve Addendum No. 1 to Final Mitigated Negative Declaration No. 12-01, and
3. Adopt **Resolution No. 15,434** Denying the Appeal and upholding the Planning Commission’s Approval of Planning and Zoning Permit No. 19-500-03 (Special Use Permit), subject to certain findings and conditions, because the record shows that there is evidence necessary to make all of the Findings required by Oxnard City Code Section 16-531 in order to grant a Special Use Permit.

The City Clerk announced the affidavit of publication and stated that written communications were received from Matticus Hospitality Group, Inc. and Gold’s Gym. Scott Kolwitz, Planning & Environmental Services Manager, gave a report.

Mayor Zaragoza opened the public testimony portion of the public hearing. Public comments were received from Armando Delgado, Jon Duran, Willy Banos, Gold's Gym Representative; Glenn T. Sherman, Freeman, Freeman, Smiley (Attorney for Gold's Gym); Marcus Frisco, Developer with Matticus Hospitality Group, Inc. (Representing Tru by Hilton); Sake Reindersma, and Chris Ott.

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 Teran, to approve the recommended action as presented. VOTE: Zaragoza, MacDonald, Perello, Lopez, Basua, and Teran voted in favor, Madrigal voted against, the motion carried 6-1.

N. REPORTS

1. Fire Department

SUBJECT: Agreement A-8317 with Falck Mobile Health Corporation ("Falck") for three years, with an option to renew for an additional two years, not to exceed \$7,143,621 (Year 1), \$6,862,321 (Year 2), \$6,514,727 (Year 3), \$6,683,131 (Year 4), and \$6,826,999 (Year 5) for ambulance transport services and Purchase Order with Stryker Medical. (0/10/10)

RECOMMENDATION: That City Council:

1. Approve and authorize the Mayor to execute Agreement A-8317 with Falck Mobile Health Corporation ("Falck") for three years, with an option to renew for an additional two years, not to exceed \$7,143,621 (Year 1), \$6,862,321 (Year 2), \$6,514,727 (Year 3), \$6,683,131 (Year 4), and \$6,826,999 (Year 5) for ambulance transport services; and
2. Approve and authorize the Mayor to execute a purchase order and a conditional sales agreement in the amount of \$492,381.11 for the purchase of 10 EKG Monitors and 10 Stair-Pro Chairs using Stryker Flex Pay to be placed on ambulances operated by Falck in the City; and
3. Authorize the City Manager to approve and execute amendments to Agreement A-8317 within the City Manager's annual authorization as may be amended from time to time.

Alexander Hamilton, Fire Chief, gave a report and answered questions. Public comments were received from Douglas D. Partello and Pat Brown. 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: MacDonald, Perello, Lopez, Zaragoza, Madrigal, Teran, and Basua voted in favor; the motion carried 7-0.

2. Public Works Department

SUBJECT: Railroad Quiet Zone Establishment. (0/10/10)

RECOMMENDATION: That the City Council receive and file a report on the

Federal Railroad Administration's Railroad Quiet Zone process and potential application within the City of Oxnard. (Public Works and Transportation Committee approved 3-0.)

Tim Bochum, Traffic Engineer, gave a report and answered questions. Public comments were received from Pat Brown. Discussion ensued among the Council and staff. No action was required.

O. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Zaragoza adjourned the meeting at 9:15 p.m.


ROSE CHAPARRO
City Clerk


JOHN C. ZARAGOZA
Mayor