

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
May 4, 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 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, and Mayor Pro Tem Bryan A. MacDonald were present via videoconference. Mayor Zaragoza participated in person.

Councilmember Teran joined the meeting at 4:55 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; Ken Rozell, Chief Assistant City Attorney; Paul Early, Assistant City Attorney; Jason Benites, Police Chief; Commander; Alexander Hamilton, Fire Chief; Craig Beck, Interim Public Works Director; Brian Yanez, Assistant Public Works Director; Steve Howlett, Assistant Public Works Director; Jan Hauser, Wastewater Division Manager; Omar Castro, Water Division Manager; 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; Todd Vasquez-Housley, Environmental Resources Division Manager; Joe Pearson II, AICP, Senior Planner; Renee Rakestraw, Community Services Manager; and Raja Bamrungpong, Interim IT Director; participated via videoconference.

Eden C. Casareno, Client Service Executive with Eadie + Payne LLP; Mary L. Maxion, Audit Supervisor with Eadie + Payne LLP; Michael Castro, Ventura Regional Sanitation District VRSD Interim Operations Manager; Robert Kwong, Legal Counsel for VRSD; Tina River, VRSD Director of Finance; Dr. Tom McCoy, Superintendent with Oxnard Unified High School District; Scott Tignac, District Manager with Waste Management of California also participated via videoconference.

THE FOLLOWING LEGISLATIVE BODIES ARE MEETING: City Council

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: Aaron Starr v. City of Oxnard

Ventura County Superior Court, Case No. 56-2017-00494475-CU-WM-VTA

Legislative Body: City Council

At 4:32 p.m., the City Council recessed to a closed session. At 5:18 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. 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 May, 2021 as "Older Americans Month."

Mayor Zaragoza read the proclamation and presented it to Renee Rakestraw, Recreation and Community Services Manager, who made some remarks.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Christopher Williams (Mental Health Awareness Month events) and Douglas D. Partello (Measure O, Sales Tax and General Fund).

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

H. CITY COUNCIL REPORTS

Councilmember Lopez thanked Police Chief Benites for his presentation. Attended a dedication ceremony at the Southwinds Library in South Oxnard. Received inquiries from Oxnard residents about hazard pay for grocery workers and would like to include this item for Council consideration.

Councilmember Teran attended the Eastside Little League clean-up event at the Colonia Park

baseball fields. Thanked the Local Carpenters 805 and a local contractor which volunteered to help revitalize the snack bar. Met with Councilmember Perello and Gerard Kapuscik, Special Projects Program Manager at the Ventura County Watershed Protection Agency to tour the levees located by Riverpark. Participated in a meeting with Councilmembers Lopez and Madrigal with Oxnard's Sister City Ocotlan, in Mexico. Requested an update on the City's Bicycle and Pedestrian Safety Master Plan.

Councilmember Perello thanked Manuel Herrera, with the Citizens for a Better Oxnard, for his comments.

Councilmember Madrigal wished all the moms a Happy Mother's Day and congratulated his students on their graduations.

Mayor Zaragoza also wished all the mothers a Happy Mother's Day.

I. REVIEW OF INFORMATION/CONSENT AGENDA

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

J. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Pat Brown (semi-trucks and traffic on Oxnard Boulevard) and Ray Blattel (Consent Item K.3).

K. INFORMATION/CONSENT AGENDA

1. Cultural & Community Services Department

SUBJECT: Ventura County Area Agency on Aging Senior Nutrition Program

RECOMMENDATION:

That City Council adopt **Resolution No. 15,435** authorizing:

1. The Cultural and Community Services Director or designee to submit an application for the next Ventura County Area Agency on Aging (VCAAA) Older Senior Nutrition Program grant cycle (July 2021 to June 2022); and
2. If funding is received, authorize the City Manager or designee to execute grant agreements; the Chief Financial Officer or designee to submit financial reports and grant claims and approve or amend budget appropriations for the use of the grant funds; and the City Manager or designee to submit non-financial reports. (This item did not originate in Committee).

2. Public Works Department

SUBJECT: First Amendment to Solenis LLC Agreement 8172-17-PW for Supply and Delivery of Polymer.

RECOMMENDATION: That the City Council approve and authorize the Mayor to

execute a First Amendment to Agreement 8172-17-PW with Solenis, LLC, in the amount of \$450,000 for a new not to exceed amount of \$1,462,000 and to extend the term to June 30, 2023 for supply and delivery of cationic polymer to the Oxnard Wastewater Treatment Plant. (Public Works and Transportation Committee approved 3-0).

3. Public Works Department

SUBJECT: Sixth Amendment to Agreement 7167-15-CM with Ventura Regional Sanitation District.

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a Sixth Amendment to Agreement 7167-15-CM with Ventura Regional Sanitation District in the amount of \$105,124.00 for a total not-to-exceed amount of \$723,867.91 and to extend the term to June 30, 2022 for monitoring and reporting of the closed Santa Clara Landfill. (Public Works and Transportation Committee approved 3-0).

4. Public Works Department

SUBJECT: Agreement A-8305 with California Wood Recycling, Inc. dba Agromin, for Organic Waste Recycling Services at Agromin Facilities.

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute Agreement A-8305 with California Wood Recycling, Inc. dba Agromin (Agromin) in the amount not to exceed \$4,200,000 for a three year term through June 24, 2024 to provide organic waste recycling services for the City of Oxnard at permitted Agromin facilities. (Public Works and Transportation Committee approved 3-0).

5. Public Works Department

SUBJECT: Agreement A-8320 with Good Guard Security Services for Unarmed Security Patrol Services at the Del Norte Regional Recycling and Transfer Station, the Oxnard Wastewater Treatment Plant and the Advanced Water Purification Facility.

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute Agreement A-8320 with Good Guard Security Services in the amount not to exceed \$777,600 for a three year term through June 30, 2024 for unarmed security patrol services at the Del Norte Regional Recycling and Transfer Station, the Oxnard Wastewater Treatment Plant, and the Advanced Water Purification Facility. (Public Works and Transportation Committee approved 3-0).

6. Public Works Department

SUBJECT: Award Agreement A-8321 to Carollo Engineers, Inc. for Consulting Services for Water and Recycled Water Distribution Process Support.

RECOMMENDATION: That the City Council approve and authorize the Mayor to

execute Agreement A-8321 with Carollo Engineers, Inc. in the amount not to exceed \$450,000 for a three-year term ending May 3, 2024 for consulting services for water and recycled water distribution process support. (Public Works and Transportation Committee approved 3-0).

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

L. REPORTS

1. Housing Department

SUBJECT: Management and Disbursement Agreement with the Downtown Oxnard Improvement Association (5/10/10)

RECOMMENDATION: That the City Council approve the Management and Disbursement Agreement (A-8328) with the newly formed Downtown Oxnard Improvement Association for the operation and administration of the Oxnard Downtown Management District (ODMD), and implementation of the ODMD District Plan and disbursement of ODMD revenues on an annual basis until terminated. (This item did not originate in Committee).

Emilio Ramirez, Housing Director, and Marco Li Mandri, President of New City America, gave a report and answered questions. Public comments were received from Pat Brown and Ray Blattel. 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: Zaragoza, MacDonald, Perello, Lopez, Madrigal, Basua, and Teran voted in favor; the motion carried 7-0.

2. Community Development Department

SUBJECT: Off-Site Improvement Agreement between the City of Oxnard and The Oxnard Union High School District for Public Improvements associated with the Construction of the Del Sol High School located near the northeast corner of Rose Avenue and Camino Del Sol (APN: 214-0-020-635). (0/10/10)

RECOMMENDATION: That the City Council:

1. Finds that the Project is not subject to additional environmental review pursuant to the provisions of the California Environmental Quality Act (CEQA-Public Resources Code, Section 21083 et. seq.) Guidelines Section 15168(c)(4)-(5) and (e); and
2. Approve the Off-Site Improvement Agreement between the City of Oxnard and the Oxnard Union High School District for Public Improvements associated with the Construction of the Del Sol High School.

Ken Rozell, Chief Assistant City Attorney and Scott Kolwitz, Planning & Environmental Services Manager answered questions. Public comments were received from Dr. Tom McCoy, Superintendent of the Oxnard Union High School District. Discussion ensued among the Council and staff.

It was moved by Mayor Pro Tem MacDonald, seconded by Councilmember Lopez 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. Councilmember Madrigal voted against due to the main entrance of the school not shown or proven to coincide with Gibraltar Street and Rose Park.

3. Public Works Department

SUBJECT: Agreement A-8280 with Waste Management of California, Inc. for Solid Waste Disposal. (0/10/20)

RECOMMENDATION: That the City Council:

1. Approve Addendum No. 6 to the Simi Valley Landfill and Recycling Center Expansion Project Final Environmental Impact Report: and
2. Approve and authorize the Mayor to execute Agreement A-8280 with Waste Management of California, Inc. for an estimated value of \$53,210,723 for a five (5) year term from May 15, 2021 to May 14, 2026 for solid waste disposal at the Simi Valley Landfill. (Public Works and Transportation Committee approved 3-0).

Todd Vasquez-Housley, Environmental Resources Division Manager; Scott Kolwitz, Planning & Environmental Services Manager; answered questions. Public comments were received from Chris Theisen, Ventura Regional Sanitation District (VRSD) General Manager; and Robert N. Kwong, VRSD General Legal Counsel. Discussion ensued among the Council and staff.

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

4. City Treasurer

SUBJECT: Quarterly Investment Report for the period ending March 31, 2021. (0/5/5)

RECOMMENDATION: That the City Council receive and file the quarterly investment report.

Please click the following link to view the required Measure M pre-recorded presentation video: <https://youtu.be/nVmqlQ9iZg>

The City Treasurer gave a report. No formal action was required.

5. Finance Department

SUBJECT: 2020 Single Audit Report and Update on the Corrective Action Plan (CAP) (10/5/5)

RECOMMENDATION: That the City Council receive the 2020 Single Audit Report from the audit firm Eadie + Payne, and update on the Corrective Action Plan (CAP) from staff. (Finance and Governance Committee approved 3-0).

Kevin Riper, Chief Financial Officer, introduced Eden C. Casareno, Client Service Executive with Eadie + Payne LLP; Mary L. Maxion, Audit Supervisor with Eadie + Payne LLP, which gave a report and answered questions. No formal action was required.

6. City Attorney Department

SUBJECT: Infrastructure Use Fee Reimbursement (0/10/10)

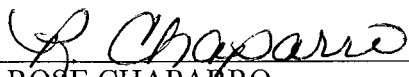
RECOMMENDATION: That the City Council adopt **Resolution No. 15,436** finding that the City would suffer an unreasonable financial hardship if it is not permitted to reimburse its three utilities in the amount of approximately \$36.5 million over the course of several years for all infrastructure use fee transfers made since March 27, 2014.

Stephen M. Fischer, City Attorney, answered questions. Public comments were received from Douglas D. Partello and Ray Blattel. 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: Basua, Madrigal, MacDonald, Teran, Lopez, 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 9:01 p.m.


ROSE CHAPARRO
City Clerk


JOHN C. ZARAGOZA
Mayor