MINUTES
OXNARD CITY COUNCIL
Regular Meeting
May 18, 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. Mayor Pro Tem Bryan A. MacDonald and Councilmembers Vianey Lopez, Oscar Madrigal, Bert E. Perello, and Gabriel (Gabe) Teran were present via videoconference. Mayor John C. Zaragoza participated in person.

Councilmember Gabriela Basua joined the meeting virtually at 7:20 p.m. via videoconference call.

Staff members present in person were Alexander Nguyen, City Manager; Stephen M. Fischer, City Attorney; Terrel Harrison, Cultural & Community Services Director; and Rose Chaparro, City Clerk.

Staff members Ashley Golden, Assistant City Manager; Shiri Klima, Deputy City Manager; Ken Rozell, Chief Assistant City Attorney ; Denise Shadinger, Assistant Chief of Police; Alex Arnett, Commander; John Colamarino, Assistant Fire Chief; Steve Naveau, Human Resources Director; Mike More, Human Resources Risk Manager; Craig Beck, Interim Public Works Director; Brian Yanez, Assistant Public Works Director; Steve Howlett, Assistant Public Works Director; Tatiana Arnaout, City Engineer; Omar Castro, Water Division Manager; Joseph Rodriguez, Fleet Services Manager; 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; Renee Rakestraw, Community Services Manager; Kevin Riper, Chief Financial Officer; and Eden Alomeri, Billing & Licensing Director 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: 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 – 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 two (2) potential cases.
Legislative Body: City Council

At 4:32 p.m., the City Council recessed to a closed session. At 5:02 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. APPOINTMENT ITEMS (5:30 PM)

1. Cultural & Community Services Department
   SUBJECT: Senior Services Commission Annual Report. (10/5/5)
   RECOMMENDATION: That City Council receives the Senior Services Commission annual report. (This item did not originate in Committee.)

Alice Sweetland, Senior Services Commissioner gave a report. Renee Rakestraw, Community Services Manager, was available for questions. No public comments were received. No formal action was required.

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 May 16 - 23, 2021 as "Public Works Week."

Mayor Zaragoza read the proclamation and presented it to Craig Beck, Public Works Director, who made some remarks.

2. SUBJECT: Presentation of a **Resolution No. 15,437** Commending Deirdre Frank for Over Eleven Years of Dedicated Service on the Planning Commission.

Council congratulated and thanked former Planning Commissioner Deirdre Frank for her years of dedication to the Planning Commission. Commissioner Frank accepted the acknowledgement and made a few remarks.

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

G. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Johanna Anim Caviezel (Introduced herself as the new publisher for Citizen's Journal), Reverend Greg Runyon (Acknowledged Police Chief Benites for his leadership, transparency, and availability), and Douglas D. Partello (Waste pick-up by Environmental Services). Written comments were received from Irene Rauschenberger and James Hines (pesticide ban).

H. REPORT OF CITY MANAGER

1. City Manager Department

SUBJECT: COVID-19 Update, Ratification of Director of Emergency Services Orders. (10/5/5)

RECOMMENDATION: That the City Council:

1. Receive and file an update from the Director of Emergency Services on the COVID-19 Local Emergency.

2. Adopt **Resolution No. 15,438** ratifying orders issued by the Director in response to the COVID-19 Local Emergency.

The City Manager gave a report on the City's COVID-19 response.

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

I. CITY COUNCIL REPORTS

Councilmember Teran reported that on May 1, 2021, it was May Day and he attended several community events in honor and recognition of our essential workers. Thanked Channel Islands Neighborhood Council for their efforts on the Water Quality Update. Attended the Ventura County Airports Master Plan meeting with Mayor Zaragoza.

Councilmember Perello announced that he serves on the Ventura County Airports Authority for the City of Oxnard. He provided an update on future plans to possibly bring commercial flights to the Oxnard Airport. He also talked about the current Covid-19 status and the concerns.

Councilmember Madrigal recognized the Bright Youth Group for all of their work and community outreach in the Colonia neighborhood, and bringing up issues to City staff. Congratulated all college graduates. He thanked Tatiana Arnaout, Senior Civil Engineer; Tim Bochum, City Traffic Engineer; and Alexander Nguyen, City Manager; for taking a walk around the Colonia neighborhood with him. He also recognized the Health and Science Academy at Pacifica High School for opening a pop-up vaccine location. He congratulated all the graduates in the community.

Mayor Zaragoza announced that he presented at the CRC Community Relations Commission meeting. He thanked Tiffany Lopez for her years of service as the former CRC Chair and acknowledged Adam Lopez in his new appointed as the new incoming CRC Chair. Mayor Zaragoza also met with Dr. Tom McCoy, Oxnard Union High School District Superintendent.

J. REVIEW OF INFORMATION/CONSENT AGENDA

Items L-1 through L-8 was discussed among the Council and staff.

K. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Pat Brown (Safety concerns about the trucks on Oxnard Blvd.) and Roger Poirier (L.8).

L. INFORMATION/CONSENT AGENDA

1. Housing Department

SUBJECT: Mobile Home Park Rent Stabilization System Annual Activity Report for 2020

RECOMMENDATION: That the City Council receive and file the 2020 Annual Activity Report for the Mobile Home Park Rent Stabilization System, as adopted by the Mobile Home Park Rent Review Board. This item did not originate in Committee.

2. Fire Department

SUBJECT: US Digital Purchase Order for $332,674.87 to Purchase Five (5) G2 Fire Station Alerting Systems.

RECOMMENDATION: That the City Council authorize the Mayor to execute a Purchase Order with US Digital Designs in the amount of $332,674.87 for the purchase of five (5) G2 Fire Station Alerting Systems. This item did not originate in Committee.

3. Cultural & Community Services Department

SUBJECT: Appointment of Two Representatives to the Ventura County Area Agency on Aging Advisory Council.

RECOMMENDATION: That City Council approve the recommendation from the Senior Services Commission and appoint two Senior Services Commissioners to the Ventura County Area Agency on Aging Advisory Council. This item did not originate in Committee.

4. Public Works Department

SUBJECT: Award Agreement A-8323 to Ardalan Construction Company, Inc., for Garden City Acres Park Improvement Project, Specification No. PW 20-54.

RECOMMENDATION: That the City Council:

1. Award and authorize the Mayor to execute Agreement A-8323 with Ardalan Construction Company, Inc. in the amount of $479,379 for the Garden City Acres Park Improvement Project, Specification No. PW 20-54 (Project No. 145702);
2. Approve $47,938 for project contingency for the Garden City Acres Park Improvement Project (Project No. 145702); and
3. Approve $47,938 for engineering, inspection, survey and project management for the Garden City Acres Park Improvement Project (Project No. 145702).

This item did not originate in Committee as this is a capital improvement project specifically listed in the City's Capital Improvement Program.

5. Public Works Department

   SUBJECT: First Amendment to Agreement A-8135 with Conico Toro, Inc. for Delivery of Lubricants and Antifreeze to City Facilities.

   RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a First Amendment to Agreement A-8135 with Conico Toro, Inc., in the amount of $500,000 for a new not to exceed amount of $856,100 and to extend the term to June 30, 2024 for the delivery of lubricants and antifreeze to City facilities. (Public Works and Transportation Committee approved 3-0.)

6. Police Department

   SUBJECT: Office of Traffic Safety - Selective Traffic Enforcement Program Grant

   RECOMMENDATION: That the City Council adopt **Resolution No. 15,439** authorizing:

   1. The City Manager to apply for $478,018.52 in grant funds from the State of California, Office of Traffic Safety (OTS), to be used for FY 2021-2022 Selective Traffic Enforcement Program (S.T.E.P);
   2. The City Manager or designee to execute grant agreements and appropriate funds upon confirmation of grant award;
   3. The Chief Financial Officer or designee to submit financial reports and grant claims and approve budget appropriations for the use of OTS grant funds; and
   4. The Chief of Police or designee to submit all program-related progress or status reports. (Public Safety Committee approved 3-0.)

7. Police Department

   SUBJECT: Office of Traffic Safety - Pedestrian and Bicycle Safety Grant

   RECOMMENDATION: That the City Council adopt **Resolution No. 15,440** authorizing:

   1. The City Manager to apply for $25,694.49 in grant funds from the State of California, Office of Traffic Safety (OTS), to be used for FY 2021-2022 Pedestrian and Bicycle Safety;
   2. The City Manager or designee to execute grant agreements and appropriate funds upon confirmation of grant award;
   3. The Chief Financial Officer or designee to submit financial reports and grant claims and approve budget appropriations for use of the OTS funds; and
   4. The Chief of Police or designee to submit all program-related progress or status reports. (Public Safety Committee approved 3-0.)

8. Cultural & Community Services Department

   SUBJECT: Agreement with the Oxnard School District for the Operations of the After

School Education and Safety Grant.

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute an agreement (A-8318) with the Oxnard School District (OSD) for the City to receive an amount not to exceed $2,750,000 with a City match of $130,000 of in-kind services. (Community Services Committee approved 3-0.)

It was moved by Councilmember Teran, seconded by Councilmember Perello, to approve the Information/Consent items as presented. VOTE: Zaragoza, MacDonald, Perello, Lopez, Madrigal, Basua, and Teran voted in favor; motion passed 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 City Clerk announced the affidavit of publication and stated that no written communications were received.

Roger Brooks, Code Compliance Manager, gave a report and answered questions.

Mayor Zaragoza opened the public testimony portion of the public hearing. No public comments were received.

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 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.

At 9:54 p.m. Council voted to continue the Council meeting past 10:00 p.m.

N. REPORTS

1. City Manager Department

SUBJECT: County of Ventura: Channel Islands Harbor Cooperation Agreement; First Amendment to Lease Agreement (Channel Islands Harbor Fire Station); Resolution regarding Property Tax Sharing. (0/15/15)

RECOMMENDATION: That the City Council:
1. Approve a Cooperation Agreement (A-8338) with the County of Ventura (County) as it relates to the Channel Islands Harbor (Harbor), inclusive of Fire Station No. 6, and a city-wide tax sharing agreement.
2. Approve the First Amendment to Lease Agreement (Channel Islands Harbor Fire Station) {A-7294}.
3. Adopt **Resolution No. 15,441** for tax sharing related to annexations entitled: "JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD AND THE BOARD OF SUPERVISORS OF THE COUNTY OF VENTURA AGREEING TO THE NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUES FOR TRANSFERS OF SERVICE RESPONSIBILITIES AND BOUNDARY CHANGES BETWEEN THE CITY AND THE COUNTY".

Ashley Golden, Assistant City Manager, answered questions. Public comments were received from Lauraine Effress, Rene Aiu, Debbie Mitchell, and Mark Sandoval. Written comments were received from Steven Kinney, Dave Kinnoin, Jackie Pinson, Audrey Martinez-Keller, Jeffrey Wiese, Terri Odom, Glenn Noreen, Tom McInally, Tim and Leslie Wawrzeniak, Mary Kincaid, Allison Gabel, Mark D. Temkin, Mickey Shaevitz, Chris Provencher, Ellen Kramer, Ashley and Lynne Howden, Horst E. Hagner, Kathryn Grimes, Mal Gamble, Alessandro Fossaghi, Maureen Fletcher, Karla Dean, Lori Bates, Sandra Hayden McLaughlin, Julie Pena, and Rene Aiu on behalf of the Harbor & Beach Community Alliance.

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

2. Public Works Department

SUBJECT: Water Supply Outlook and Drought Condition Update. (0/10/10)

RECOMMENDATION: That the City Council receive and file the Water Supply Outlook and Drought Condition Update.

Omar Castro, Water Division Manager, was available to answer questions. Public comments were received from Lawrence Stein and Ray Blattel. Written comments were received from Lawrence Stein. Discussion ensued among the Council and staff. No formal action was required.

3. Community Development Department

SUBJECT: Exception to CalPERS 180 Day Wait Period for Appointment of a Retired Annuitant to Perform Limited Term Specialized Project Work. (0/5/5)

RECOMMENDATION: That City Council adopt **Resolution No. 15,442** appointing Earnel Bihis as Interim Assistant Traffic Engineer and certifying an exception to the CalPERS 180 day wait period for employment following retirement. This item did not originate in Committee as it is a routine operational item.

Jeff Pengilley, Community Development Assistant Director, answered questions. No public comments were received. Discussion ensued among the Council and staff.

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

4. Public Works Department

   SUBJECT: Pavement Management Update. (0/10/10)

   RECOMMENDATION: That the City Council receive a report on the Pavement Management Plan, provide input and direct staff to either:

   1. Fund ongoing street pavement conditions at an average Pavement Condition Index (PCI) level of 65. This can be achieved within the current budget, no additional funding required; or

   2. Identify funding to support improving pavement conditions to an average PCI level of 70. It is anticipated this will cost an additional $43.7M over the next three years ($14.6M annually); or

   3. Identify funding to support improving pavement conditions to an average PCI level of 75. It is anticipated this will cost an additional $116.1M over the next five years ($23.2M annually). (Public Works and Transportation Committee approved 3-0.)

Tatiana Arnaout, Senior Civil Engineer was available to answer questions. Public comments were received from Douglas D. Partello, Lawrence Stein, and Alicia Percell. Discussion ensued among the Council and staff.

Council made a motion to approve **Option No. 2** to support improving pavement conditions to an average PCI level of 70.

It was moved by Councilmember Basua, seconded by Councilmember Perello, to approve the recommended action, Option No. 2, as presented. VOTE: MacDonald, Zaragoza, Perello, Madrigal, Basua, Teran, and Lopez voted in favor; the motion carried 7-0.

5. Public Works Department

   SUBJECT: Five Year Capital Improvement Program for Fiscal Years 2021-2026. (0/10/10)

   RECOMMENDATION: That the City Council:

   1. Approve and authorize the Fiscal Year 2021-22 projects to be selected from the Proposed 2021-2026 City of Oxnard Five Year Capital Improvement Program; and

   2. Adopt the 2021-2026 City of Oxnard Five Year Capital Improvement Program.

   (Public Works and Transportation Committee approved 3-0.)

Tatiana Arnaout, Senior Civil Engineer, answered questions. Public comments were received from Ray Blattel and Lawrence Stein. Written comments were received from Raymond Blattel. 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.

6. Human Resources Department

   SUBJECT: Agreement No. A-8319 with George Hills Company, Inc. for Liability Claims Administration and Adjustment Services (0/10/10)

   RECOMMENDATION: That the City Council approve and authorize the Mayor to execute Agreement No. A-8319 with George Hills Company, Inc. in an amount not to exceed $1,084,182 for liability claims administration and adjustment services over a five-year term. (Finance and Governance Committee approved 3-0.)

Mike More, Human Resources Risk Manager, was available to answer questions. No public comments were received.

It was moved by Councilmember Lopez, 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.

7. Public Works Department

   SUBJECT: Parks and Landscape Maintenance Update. (0/10/10)

   RECOMMENDATION: That the City Council receive a report on the Parks and Landscape Maintenance plan, provide input and direct staff to:

   1. Identify funding to support improving parks and landscape maintenance at a **Base Level of Service**, which includes weekly mowing of parks, monthly mowing and trimming of parkways and medians within the arterial streets, and annual grid pruning of trees within the parkways and medians of the arterial streets. It is anticipated this will cost an additional **$2.98 million annually**; or
   2. Identify funding to support improving parks and landscape maintenance at an **Enhanced Level of Service** (includes Base Level of Service), which includes weekly mowing of parks, monthly mowing and trimming of parkways and medians within the arterial streets, annual grid pruning of trees within the parkways and medians of the arterial streets, annual grid pruning of the park trees, daily trash removal in the parks and daily janitorial services for the park restrooms. It is anticipated this will cost an additional **$3.8 million annually**; and
   3. Identify funding to repair playgrounds for **$485,000**; and
   4. Identify funding to renovate sports fields and amenities for **$549,000**; and
   5. Identify funding to increase water budget as well as funding for turf reduction projects for **$592,000**; and
   6. Identify funding to renovate gateway monuments for **$140,000**.

Steve Howlett, Assistant Public Works Director, was available to answer questions. Public comments were received from Ray Blattel, Roger Poirier, Christopher Hernandez, and Douglas Partello. Discussion ensued among the Council and staff.

Council made a motion to approve Options Nos. 2, 3, 4, 5, and 6 of staff's recommendation to support the Parks and Landscape Maintenance Plan.

It was moved by Mayor Zaragoza, seconded by Councilmember Perello, to approve the recommended action, Options Nos. 2 - 6, as presented. VOTE: Madrigal, Lopez, Teran, MacDonald, Basua, Perello, 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 10:35 p.m.

R. Chaparro
ROSE CHAPARRO
City Clerk

John C Zaragoza
JOHN C. ZARAGOZA
Mayor