

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
June 29, 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. Mayor Pro Tem Bryan A. MacDonald and Councilmembers Gabriela Basua, Vianey Lopez, Oscar Madrigal, Bert E. Perello, and Gabriel (Gabe) Teran were present via videoconference. Mayor Zaragoza was present in person.

Housing Authority Commissioners Jose Andrade and Francisco Vega 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; Paul Early, Assistant City Attorney; Jason Benites, Police Chief; Eric Sonstegard, Assistant Chief of Police; Marc Amon, Police Commander; Alexander Hamilton, Fire Chief; Craig Beck, Interim Public Works Director; Brian Yanez, Assistant Public Works Director; Steve Howlett, Assistant Public Works Director; Emilio Ramirez, Housing Director; Vyto Adomaitis, Community Development Director; Kevin Riper, Chief Financial Officer; Beth Vo, Budget Manager; Steve Naveau, Human Resources Director; Mike More, Human Resources Risk Manager; Eden Alomeri, Billing & Licensing Director; Raja Bamrungpong, Interim IT Director; participated via videoconference.

THE FOLLOWING LEGISLATIVE BODIES ARE MEETING: City Council and Housing Authority.

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

C. CLOSED SESSION (4:30 – 6:15 PM)

1. CONFERENCE WITH LEGAL COUNSEL — EXISTING LITIGATION
(Government Code Section 54956.9(d)(1))
Name of case: John Curtis Newman, III v. City of Oxnard; et al.

United States District Court, Central District, Case No. 2:20-cv-03173-ODW-JC
Legislative Body: City Council

2. CONFERENCE WITH LEGAL COUNSEL — EXISTING LITIGATION
(Government Code Section 54956.9(d)(1))
Name of case: Oscar Vazquez; et al. v. City of Oxnard; et al.
Ventura County Superior Court, Case No. 56-2020-00547164-CU-PO-VTA
Legislative Body: City Council
3. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
(Government Code Section 54956.9(d)(1))
Name of case: Michael Marostica v. City of Oxnard
Workers' Compensation Case No. ADJ12896677
Legislative Body: City Council
4. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
(Government Code Section 54956.9(d)(1))
Name of case: Pedro Rodriguez v. City of Oxnard
Workers' Compensation Case Nos.: ADJ11048212; ADJ11048195
Legislative Body: City Council

At 4:30 p.m., the City Council recessed to a closed session. At 6:15 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 (6:19 PM)

The flag salute was followed by a moment of silence.

E. CEREMONIAL ITEMS (None.)

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Douglas Partello (Measure M & Ballot Initiatives), Walter J. Snyder (Police Incident and Complaint/Body Camera), Gary Wright (Fireworks), Larry Pollock (Landlord Rules during Pandemic), Chris Hernandez (5 Points Neighborhood Council, Thank you to the City of Oxnard for all the work being done at the 5 Point Gateway), Alicia Percell (Measure M & N, Ballot Initiatives).

G. REPORT OF CITY MANAGER

1. City Manager Department

SUBJECT: COVID-19 Update, Ratification of Director of Emergency Services Order. (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. 15,464** ratifying an order issued by the Director in response to the COVID-19 Local Emergency rescinding subsections E through G of prior Director Order 20-02, which suspended penalties for late renewals and applications for business tax certificates, termination of utility services for non-payment, penalties for late utility services payments, and the requirement that a contractor holds a valid City business tax certificate as a prerequisite for issuance of a building permit.

Alexander Nguyen, City Manager, gave a report on the City's COVID-19 response. The City Manager and the City Attorney answered questions. No public comments were received.

It was moved by Mayor Pro Tem MacDonald, seconded by Councilmember Lopez, 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. Police Department

SUBJECT: Adopt **Resolution No. 15,465** in support of SB 277 (Archuleta) to address illegal fireworks in California.

RECOMMENDATION: That City Council adopt **Resolution No. 15,465** supporting California Senate Bill 277 that seeks to present added ways to help get illegal fireworks off the streets of California.

Eric Sonstegard, Assistant Chief of Police, presented and answered questions. Public comments were received from Susan Hartzler. 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: Zaragoza, MacDonald, Perello, Lopez, Madrigal, Basua, and Teran voted in favor; the motion carried 7-0.

H. CITY COUNCIL REPORTS

Councilmember Lopez commented on the fireworks issues being experienced in the community and thanked the City's Police and Fire Departments for their efforts. She provided an update on the State budget progress and reported that State Senator Monique Limon advocated including \$5 million dollars in the budget for an aquatic center in the City of Oxnard.

Councilmember Teran thanked State Senator Monique Limon for her support of the aquatic center. He recognized the residents of the River Park Neighborhood Council for attending and participating in their neighborhood meetings and for being involved in their community. He also thanked Steve Howlett, Assistant Public Works Director, for his presentation during this meeting. He also thanked the artist of the new mural in Downtown Oxnard.

Councilmember Madrigal also thanked Senator Monique Limon for her support of the aquatic center in South Oxnard. He thanked Terrel Harrison, Cultural & Community Services Director, for his assistance in coordinating logistics to prepare the parks for little league sports. He also expressed that he is excited now that funding is available, he is looking forward to being able to address some items that had been placed on hold due to lack of funding. He is looking forward to being able to address the lighting issues at the local parks.

Mayor Pro Tem MacDonald will be attending the Ventura County Transportation Commission and the Gold Coast Transportation meetings this week. He is starting to see an increase in ridership and said that people are starting to travel again. Metrolink started providing services from Moorpark to Los Angeles and most of the riders are from Oxnard. He will be recommending that they also start Metrolink service from Oxnard to Los Angeles. He thanked the Police, Fire, Public Works, and Code Compliance departments for their incredible work and efforts to assist with the fireworks situation in the community.

Councilmember Basua also thanked State Senator Monique Limon and Councilmember Lopez for their outreach and support of the City of Oxnard and South Oxnard Aquatic Center. She also thanked the Council for their support as well. She thanked the coaches for their time and volunteering to coach soccer and softball to the youth in the community. She asked that coaches be patient and work with each other to find public space to practice these sports.

Councilmember Perello also thanked State Senator Monique Limon. He attended the mural unveiling in Downtown Oxnard and thanked everyone that attended this event including the artist. He thanked Brian Yanez, Assistant Public Works Director, for his efforts to clean-up the sand at Oxnard Shores and also thanked City staff for the clean-up efforts being done at the local parks.

Mayor Zaragoza thanked Mr. Manuel Gonzales, Mr. Jess Ramirez, the Vietnam Veterans Association, the Knights of Columbus, and numerous other agencies that helped to provide 40-wheelchairs to disabled veterans at the Port of Hueneme event. Also, thanked the Ventura County Food Share for providing and handing out food to the residents of Oxnard. He attended a ribbon cutting for a mega electric power plant in El Rio, located off of Vineyard Avenue, and announced that they will be able to help residents and provide power, if needed.

I. REVIEW OF INFORMATION/CONSENT AGENDA

Items K-1 through K-13 were discussed among the Council and staff.

J. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Douglas Partello (paying back utility funds), Walter J. Snyder (incubator program), Pat

Brown (K.5 and K.6), and Armando Delgado (K.5 and K.6).

K. INFORMATION/CONSENT AGENDA

1. City Clerk Department

SUBJECT: Approval of Minutes.

RECOMMENDATION: That the City Council approves the minutes of the December 15, 2020 regular meeting as presented.

Mayor Pro Tem MacDonald requested a revision to the name of the Mayor to John C. Zaragoza and remove former Mayor Flynn's name on the December 15, 2020 Regular Council Meeting minutes.

2. Police Department

SUBJECT: Fourth Amendment to Axon International Contract.

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a Fourth Amendment to Agreement for Body Worn Cameras with Axon International, Inc. (A-7858) to extend and add to the scope of services regarding evidence management, bringing the total value of the Agreement to \$2,451,318.01. (Due to time constraints, this went to print before the Committee outcome was announced.)

3. Finance Department

SUBJECT: Annual Delegation of Investment Authority and Investment Policy.

RECOMMENDATION: That the City Council adopt **Resolution No. 15,466**:

1. Delegating investment authority to the City Treasurer; and
 2. Adopting the FY 2021-22 investment policy for the City.
- (This item did not originate in Committee.)

4. Human Resources Department

SUBJECT: Purchase of Liability and Property Insurance Policies for FY 2021-2022.

RECOMMENDATION: That the City Council:

1. Approve and authorize the City Manager to execute the Memorandum of Understanding - Excess Liability Program with the PRISM Joint Powers Authority for excess liability insurance coverage.
 2. Approve and authorize the Mayor to execute a Purchase Order in the amount of \$898,522 with Alliant Insurance Services, Inc. for property insurance coverage during Fiscal Year 2021-22.
 3. Approve and authorize the City Manager to execute the Memorandum of Understanding - Property Program with the PRISM Joint Powers Authority for prospective property insurance coverage beginning in FY 2022-23.
- (This item did not originate in Committee.)

5. Housing Department

SUBJECT: Third Amendment to Agreement A-8194 (Mercy House) for Shelter and Navigation Center Operations.

RECOMMENDATION: That the City Council:

1. Approve the Third Amendment to Agreement A-8194 with Mercy House for the provision of shelter and navigation center operations in Fiscal Year 2021-2022, in the amount not-to-exceed \$2,696,600, bringing the total cost for the Amended Agreement to a not-to-exceed amount of \$5,027,349.00 for the 30-month period, plus an additional COVID-19 Emergency Contingency Cost Increment for FY 2021-22 in an amount not to exceed \$700,020; and
2. Authorize the Chief Financial Officer to implement an administrative budget adjustment for utilization of \$939,782 of Permanent Local Housing Allocation grant funds for FY 2021-22 upon receipt thereof; and approve the use of \$1,200,000 of Coronavirus Aid, Relief and Economic Security Act (CARES) funds for FY 2021-22 shelter operations. (This item did not originate in Committee.)

6. Housing Department

SUBJECT: **Resolution No. 15,467** Approving Levy and Collection of Assessments for Fiscal Year 2021-22 within the Downtown Oxnard Property Business Improvement District (Oxnard Downtown Management District).

RECOMMENDATION: That the City Council adopt **Resolution No. 15,467** ordering the levy and collection of assessments within the Oxnard Downtown Management District Plan (the "District") for Fiscal Year (FY) 2021-22. (This item did not originate in Committee.)

7. Police Department

SUBJECT: Purchase of Portable Handheld Emergency Radios from Day Wireless Systems.

RECOMMENDATION: That the City Council authorize the Mayor to execute a purchase order with Day Wireless Systems in the amount of \$375,000 for the purchase of approximately eighty-four (84) Motorola APX-8000 portable radios. (This item did not originate in Committee.)

8. Cultural & Community Services Department

SUBJECT: Agreement with the Hueneme School District for the operations of the After School Education and Safety (ASES) program in FY 2021-22, FY 2022-23 and FY 2023-24.

RECOMMENDATION: That the Council approve and authorize the Mayor to execute the Partnership Agreement (A-8336) and Memorandum of Understanding (A-8337) with the Hueneme Elementary School District (HESD) for the City of Oxnard to receive the total amount of \$3,159,896 to provide services under the California After School Education and Safety (ASES) program at ten (10) HESD

schools during FY 21-22, FY 22-23 and FY 23-24.

9. Public Works Department

SUBJECT: Agreements A-8324, A-8325, and A-8326 with Garcia's Tree Maintenance Services, Inc. for Arterial Tree Pruning Services for Citywide Arterial Streets.

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute agreements with Garcia's Tree Maintenance Services, Inc. for tree grid pruning maintenance services within citywide arterial streets for a total amount of \$566,100 for a one-year term ending June 30, 2022:

1. Agreement A-8324 with Garcia's Tree Maintenance Services, Inc. for a total amount of \$182,665 in Region 1;
2. Agreement A-8325 with Garcia's Tree Maintenance Services, Inc. for a total amount of \$182,410 in Region 2; and
3. Agreement A-8326 with Garcia's Tree Maintenance Services, Inc. for a total amount of \$201,025 in Region 3. (Public Works and Transportation Committee approved 3-0.)

10. Public Works Department

SUBJECT: Agreements A-8339, A-8340, A-8341, and A-8342 with Mariposa Landscapes, Inc. for Weekly Park Mowing Services for Citywide General Fund Parks.

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute agreements with Mariposa Landscapes, Inc. for weekly mowing of the citywide General Fund parks for a total amount of \$2,405,000 for a three-year term ending June 30, 2024:

1. Agreement A-8339 with Mariposa Landscapes, Inc. for a total amount of \$475,000 in Region 1;
2. Agreement A-8340 with Mariposa Landscapes, Inc. for a total amount of \$430,000 in Region 2;
3. Agreement A-8341 with Mariposa Landscapes, Inc. for a total amount of \$950,000 in Region 3; and
4. Agreement A-8342 with Mariposa Landscapes, Inc. for a total amount of \$550,000 in Region 4. (Public Works and Transportation Committee approved 3-0.)

11. Fire Department

SUBJECT: Stryker Flex Financial Purchase Order for \$196,639.26 to purchase 10 (ten) LUCAS chest compression systems.

RECOMMENDATION: That the City Council authorize the Mayor to execute a Purchase Order with Stryker Flex Financial in the amount of \$196,639.26 for the purchase of ten (10) LUCAS chest compression systems.
(This item did not originate in Committee.)

12. Human Resources Department

SUBJECT: Delegation of Retirement Plan Functions.

RECOMMENDATION: That the City Council adopt **Resolution No. 15,468**:

1. Appointing the Administrator for the City's 457(b) and 401(a) plans; and
2. Delegating amendment authority over the City's 457(b) and 401(a) plans.
(Finance & Governance Committee approved 3-0.)

13. Finance Department

SUBJECT: Initial Repayment of Infrastructure Use Fee Monies.

RECOMMENDATION: That the City Council approve a budget appropriation request for the current fiscal year, FY 2020-21, to transfer \$5,000,000 from the General Fund to the utility enterprise funds as an initial repayment of Infrastructure Use Fee monies. (Item did not originate in Committee.)

City Manager Nguyen asked for an amendment to Consent item K.4. Mike More, Human Resources Risk Manager, reported and answered questions. This item was discussed among the Council and staff. Council approved to amend the purchase order amount from \$1.7 million dollars to \$1.935 million dollars (due to a rate increase of \$235,000), with Alliant Insurance Services Inc. for property insurance coverage during Fiscal Year 2021-22.

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

L. PUBLIC HEARINGS (None.)M. REPORTS1. Public Works Department

SUBJECT: Special Tax Levy for Community Facility District No. 5 for Fiscal Year 2021/22.

RECOMMENDATION: That the City Council acting as the legislative body for Community Facilities Districts (CFD) No. 5, approve the special tax rate of \$2,987,495.10 within CFD No. 5 (Riverpark) for Fiscal Year 2021/22 and to amend the FY 2021/22 Proposed Budget to:

1. Decrease the Proposed Revenues (Maximum Special Tax) for CFD No. 5 in Fund 174 by \$2,062,638 from \$5,050,134 to \$2,987,496;
2. Decrease the Proposed Expenditures for CFD No. 5 in Fund 174 by \$2,012,552 from \$5,732,468 to \$3,719,916; and
3. Decrease the General Fund Transfer-In Revenue by \$1,607,520 for the Fire Protection Services.

Craig Beck, Interim Public Works Director, was available to answer questions. Public

comments were received from Douglas Partello and Tai M. Hartley. Discussion ensued among the Council and staff.

Council requested that a resolution be drafted and be brought back for Council approval to take this decision out of the City Manager's and require a vote of the City Council going forward. This item will be agendized for a next City Council meeting.

It was moved by Mayor Zaragoza, 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.

2. City Manager Department

SUBJECT: Adoption of Fiscal Year 2021-22 Operating and Capital Improvement Budget. (0/20/20)

RECOMMENDATION:

1. That the City Council adopt the following resolutions:

a. **Resolution No. 15-469** of the City Council of the City of Oxnard Approving the City Operating and Capital Improvement Budget for Fiscal Year 2021-22;

b. **Resolution No. 15-470** of the City Council of the City of Oxnard Authorizing Full-Time Equivalent Positions in the City Service Effective July 1, 2021 in accordance with the Operating Budget for the Fiscal Year 2021-22;

c. **Resolution No. 15-471** of the City Council of the City of Oxnard Authorizing Classification and Salary Schedules and Approving the Attached Classification and Salary Schedule;

d. **Resolution No. 15-472** of the City Council of the City of Oxnard Establishing Financial Management Policies;

e. **Resolution No. 15-473** of the City Council of the City of Oxnard Establishing an Appropriation Limit for the Fiscal Year 2021-22; and

2. That the Housing Board of Commissioners adopt **Housing Authority Resolution No. 1326** Approving the Housing Authority's Operating Budget for the Fiscal Year 2021-22.

(This item did not originate in Committee.)

City Manager Nguyen answered questions. Public comments were received from Walter J. Snyder and Douglas Partello. 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: Lopez, Basua, Teran, Zaragoza, MacDonald, Perello, Madrigal, Housing Commissioner Vega, and Housing Commissioner Andrade voted in favor. The Council actions were approved 7-0 and the Housing Authority actions were approved 9-0.

3. Public Works Department

SUBJECT: Agreements A-8344 and A-8346 with Garcia's Landscaping Maintenance, Inc. and Agreement A-8345 Mariposa Landscapes, Inc. for Monthly

Median Landscape Services. (0/5/5)

RECOMMENDATION: That City Council approve and authorize the Mayor to execute agreements with Garcia's Landscaping Maintenance, Inc. and Mariposa Landscapes, Inc. for a total amount of \$6,025,000 for a three-year term ending June 30, 2024:

1. Agreement A-8344 with Garcia's Landscaping Maintenance, Inc. for a total amount of \$1,900,000 in Region 1;
2. Agreement A-8345 with Mariposa Landscapes, Inc. for a total amount of \$2,125,000 in Region 2; and
3. Agreement A-8346 with Garcia's Landscaping Maintenance, Inc. for a total amount of \$2,000,000 in Region 3. (This item did not originate in Committee.)

Steve Howlett, Assistant Public Works Director, answered questions. No public comments were received. Discussion ensued among the Council and staff.

It was moved by Mayor Pro Tem MacDonald, 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.

N. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Zaragoza adjourned the meeting at 9:10 p.m.



ROSE CHAPARRO
City Clerk



JOHN C. ZARAGOZA
Mayor