MINUTES
OXNARD CITY COUNCIL
Regular Meeting
July 20, 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 Gabriela Basua, Vianey Lopez, Oscar Madrigal, Bert E. Perello, Gabriel (Gabe) Teran were present via videoconference. Mayor Zaragoza was present 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; John Colamarino, Assistant Fire Chief; Brian Yanez, Acting Public Works Director; Steve Howlett, Assistant Public Works Director; Juanita Guzman, Administrative Services Manager; Tatiana Arnaout, Senior Civil Engineer; Jan Hauser, Wastewater Division Manager; Badaoui Mouderres, Technical Services & Water Quality Manager; Timothy Beaman, Supervising Civil Engineer; Emilio Ramirez, Housing Director; Vyto Adomaitis, Community Development Director; Isidro Figueroa, Principal Planner; Kathleen Mallory, Planning & Sustainability Manager; Kevin Riper, Chief Financial Officer; Eden Alomeri, Billing & Licensing Director; and Albert Gauthier, IT Director; participated via videoconference.

Lilly Rudolph with Rincon Consultants; Ethan Edwards and Gena L. Guisar with CSG Consultants; Nick Kral with Harris & Associates Consultants; John Loftus, Developer; and Tanner Shelton with Jensen Design 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: City of Oxnard v. Brownstein, Hyatt, Farber, Schreck, LLP
Los Angeles County Superior Court, Case No. 20STCV19575
Legislative Body: City Council

2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS – (Government Code section 54956.8)
Property: 1800 Solar Drive, Oxnard, CA (APN 213-0-070-055)
Agency Negotiators: Omar Castro, Tim Genske and Brian Hutchenson
Negotiating Parties: City of Oxnard and Mission Produce Inc.
Under Negotiation: Price and terms of payment
Legislative Body: City Council

At 4:32 p.m., the City Council recessed to a closed session. At 5:45 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. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Douglas Partello (homeless concerns/people living in their vehicles). Written comments were received from Bryan Bondy, Executive Director at Mound Basin Groundwater Sustainability Agency (MBGSA).

F. REPORT OF CITY MANAGER/EXECUTIVE DIRECTOR/SECRETARY

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.

G. CITY COUNCIL/HOUSING AUTHORITY/SUCCESSOR AGENCY/FINANCING AUTHORITY BUSINESS/COMMITTEE REPORTS

1. City Manager Department

SUBJECT: Appointment of Members to Serve on the City's Downtown Design Review Committee. (0/5/5)

RECOMMENDATION: That the City Council make the following appointments to the Downtown Design Review Committee: David Ferrin and Tyson Cline. (This is item did not originate in Committee).

Shiri Klima, Deputy City Manager presented and answered questions. Public comments were received from Lucy Cartagena. Discussion ensued among the Council and staff.

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

H. REVIEW OF INFORMATION/CONSENT AGENDA

Items J-1 through J-7 were discussed among the Council and staff.

I. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA (None received.)

J. INFORMATION/CONSENT AGENDA

1. City Clerk Department

SUBJECT: Approval of Minutes.

RECOMMENDATION: That the City Council approve the minutes of the February 2, 2021; February 4, 2021; February 16, 2021; and February 25, 2021 regular meetings as presented.

2. Community Development Department

SUBJECT: Agreement #9201-21-CD with Rincon Consultants and Agreement #9202-21-CD with CSG Consultants, Inc. for On-Call Planning and Permit Processing Services.

RECOMMENDATION: That the City Council approve Agreement #9201-21-CD with Rincon Consultants (Rincon) in the amount of $750,000 and Agreement #9202-21-CD with CSG Consultants, Inc. (CSG) in the amount of $250,000, for on-call Planning and Permit Processing Services for a period of three-years with up to two one-year extensions. (Community Services, Public Safety, Housing & Development Committee approved 3-0.)

3. Public Works Department

SUBJECT: Amendments to On-Call Professional Services Agreements.

RECOMMENDATION: That the City Council authorize the Mayor to execute the following Amendments totaling $1,250,000 for on-call professional service agreements:

1. First Amendment to Agreement 8699-19-PW with Filippin Engineering, Inc. to increase the contract by $150,000 for a new contract value amount of $400,000 with a term date of September 3, 2022;
2. First Amendment to Agreement 8795-19-PW with Casamar Group, LLC to increase the contract by $300,000 for a new contract value amount of $500,000 with a term date of October 14, 2022;
3. Second Amendment to Agreement 8256-18-PW with Twining, Inc. to increase the contract by $250,000 for a new contract value amount of $600,000 with a term date of December 31, 2021;
4. Second Amendment to Agreement A-8079 with Leighton Consulting, Inc. to

increase the contract by $250,000 for a new contract value amount of $600,000 with a term date of December 31, 2021; and
5.Third Amendment to Agreement A-8177 with Encompass Consultant Group, Inc. to increase the contract by $300,000 for a new contract value amount of $800,000 with a term date of October 1, 2022.
(Public Works and Transportation Committee approved 3-0.)

4. Public Works Department

SUBJECT: Operational Technical Services, LLC, Agreement A-8335 for On-Call Operations Support for Water, Recycled Water and Wastewater.

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute Agreement A-8335 with Operational Technical Services, LLC, (OTS) in the amount not to exceed $400,000 for a three-year term ending July 20, 2024, for on-call operational support services for Water, Recycled Water and Wastewater Divisions. (Public Works and Transportation Committee approved 3-0.)

5. Public Works Department

SUBJECT: Agreement A-8330 with Carollo Engineers, Inc. for Studies Related to Food Waste Preprocessing and Implementation of Co-digestion Project PW 21-49.

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute Agreement A-8330 with Carollo Engineers, Inc. in the amount not to exceed $246,744 and a term date of July 19, 2022 for professional services for the OWTP Reliability Improvement Projects.
(This item did not originate in Committee as this is a capital improvement project specifically listed in the City's Capital Improvement Program.)

6. Public Works Department

SUBJECT: Annual Reports and **Resolution No. 15,475** on Development Impact Fees (AB1600) for Fiscal Years Ended June 30, 2018, June 30, 2019 and June 30, 2020 and Five-Year Report.

RECOMMENDATION: That the City Council:
1. Receive and file the annual development impact fee reports (AB1600) for the fiscal years ended June 30, 2018, June 30, 2019 and June 30, 2020; and
2. Adopt **Resolution No. 15,475** of the City Council making findings and reaffirming the necessity of certain Development Impact Fees.
(This item did not originate in Committee.)

7. Human Resources Department

SUBJECT: Termination of City of Oxnard City Corps Social Security Replacement Plan.

RECOMMENDATION: That the City Council adopt **Resolution No. 15,476** terminating the already-frozen City of Oxnard City Corps Social Security

Replacement Plan, authorizing distribution of all refunds and benefits under the Plan following such termination, and delegating authority to take all necessary and appropriate actions to effectuate the Plan's termination.
(The Finance and Governance Committee approved 3-0 on June 22, 2021, to approve the staff recommendation and to forward the item for Council approval.)

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

K. REPORTS

1. Community Development Department

   SUBJECT: Avalon Homes Project Affordable Housing In-Lieu Fee Request: Planning and Zoning (PZ) Permit No. 20-600-07 (Pre-Application) located southeast of the corner of South Harbor Boulevard and West Fifth Street and just north of the existing Oxnard Dunes subdivision (APNs: 196-0-010-275, -225, and -235). (0/10/10)

   RECOMMENDATION: That the City Council receive a summary report and provide comments on a Pre-Application request by Oxnard Dunes, LLC to pay the City's Affordable Housing In-Lieu Fee estimated at $2,016,000 instead of constructing six (6) affordable housing units onsite for a proposed residential subdivision project consisting of a maximum of 56 residential dwelling units on 8.75 acres of a 38.33 acre property consistent with Ordinance No. 2980.
   (This item did not originate in Committee.)

Isidro Figueroa, Principal Planner, presented and answered questions. Public comments were received from Roger Poirier, Oxnard Parks, Recreation, and Community Services Commissioner. Discussion ensued among the Council and staff. Report was received and filed, no formal action was required.

2. Community Development Department

   SUBJECT: Master License Agreement For Wireless Installation on Municipal Facilities. (0/10/10)

   RECOMMENDATION:
   That the City Council Approve **Resolution No. 15,477** for the MLA, inclusive of the Site Permit Process and Design Standards, for Wireless Installation on Municipal Facilities. (Public Works and Transportation Committee provided input and recommended Council Consideration of the subject matter with a 3-0 vote).

Ken Rozell, Chief Assistant City Attorney, answered questions. Public comments were received from Daisy M. Uy Kimpang, Municipal Engagement Partner at Verizon Wireless and

Diana Rojas, Real Estate and Regulatory Affairs Manager at Verizon Wireless. 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: MacDonald, Perello, Lopez, Zaragoza, Madrigal, Teran, and Basua voted in favor; the motion carried 7-0.

3. Public Works Department

   SUBJECT: Introduction of an Ordinance Amending Chapter 19: Public Works, Article I: Sewerage System; Wastewater Disposal of the Oxnard City Code. (0/10/10)

   RECOMMENDATION: That the City Council approve the first reading by title only and waive further reading of an ordinance amending Oxnard Code of Ordinances, Chapter 19: Public Works, Article I: Sewerage System; Wastewater Disposal, sections:
   - 19-3 Abbreviations;
   - 19-4 Definitions;
   - 19-25 Prohibited; discharge standards;
   - 19-26 Local limits;
   - 19-36 Additional pretreatment measures;
   - 19-43 Discharges from food establishments, vehicle maintenance facilities, and commercial and industrial laundries; and
   - 19-51 Industrial wastewater discharge permit requirements

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

Brian Yanez, Acting Public Works Director and Badaoui Mouderres, Technical Services & Water Quality Manager presented and answered questions. No public comments were received. Discussion ensued among the Council and staff.

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

4. Public Works Department

   SUBJECT: Award Agreement A-8354 to Toro Enterprises, Inc., for La Colonia Green Alleys Improvement Project, Specification No. PW 18-63. (0/5/5)

   RECOMMENDATION: That the City Council:

   1. Approve and authorize the Mayor to execute Agreement A-8354 with Toro Enterprises, Inc. in the amount of $1,472,882.50 for the La Colonia Green Alleys Improvement Project, Specification No. PW 18-63 (Project No. 183104).
   2. Approve $147,288 for project contingency for the La Colonia Green Alleys Improvement Project (Project No. 183104);

3. Approve $147,288 for engineering, inspection, survey and project management for the La Colonia Green Alleys Improvement Project (Project No. 183104);
4. Approve a budget appropriation transfer of $873,216 from the Street Maintenance Operations General Fund (101) budget to the General Fund Capital Outlay Fund (301) budget for these improvement projects.
(This item did not originate in Committee as this is a capital improvement project specifically listed in the City's Capital Improvement Program.)

Brian Yanez, Acting Public Works Director, was available to answer questions. No public comments were received. Discussion ensued among the Council and staff.

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

5. Public Works Department

SUBJECT: Award Agreements to Granite Construction Company: A-8353 for On-Call Arterial Streets Improvement Project, Specification No. PW 21-88, Agreement A-8352 for On-Call Concrete Improvement Project, Specification No. PW 21-90 and Agreement A-8351 for On-Call Local and Collector Streets Improvement Project, Specification No. PW 21-87. (0/5/5)

RECOMMENDATION: That the City Council approve and authorize the City Manager to:
1. Execute Agreement A-8353 with Granite Construction Company in the not to exceed amount of $12,000,000 for a one year term ending August 31, 2022, with the option to extend for up to two (2) consecutive periods of one year each, for a total contract not to exceed amount up to $36,000,000, for On-Call Arterial Streets Improvements, Specification No. PW 21-88 (Project No. 223102);
2. Execute Agreement A-8352 with Granite Construction Company in the not to exceed amount of $10,000,000 for a one year term ending August 31, 2022, with the option to extend for up to two (2) consecutive periods of one year each, for a total contract not to exceed amount up to $30,000,000, for On-Call Concrete Improvements, Specification No. PW 21-90 (Project No. 215709);
3. Execute Agreement A-8351 with Granite Construction Company in the not to exceed amount of $12,000,000 for a one year term ending August 31, 2022, with the option to extend for up to two (2) consecutive periods of one year each, for a total contract not to exceed amount up to $36,000,000, for On-Call Local and Collector Streets Improvements, Specification No. PW 21-87 (Project Nos. 183106, 203102, 205702, 215707, 215708, 223106); and
4. Approve budget appropriation transfers of $3,863,784 from the Street Maintenance Operations General Fund (101) budget to the Capital Outlay Fund (301) budget for these improvement projects in FY 2021-22.

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

Brian Yanez, Acting Public Works Director and Tatiana Arnaout, Senior Civil Engineer, presented and answered questions. Public comments were received from Douglas Partello. 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: Perello, MacDonald, Madrigal, Basua, Zaragoza, Lopez, and Teran voted in favor; the motion carried 7-0.

L. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Zaragoza adjourned the meeting at 8:07 p.m.

R. Chaparro
ROSE CHAPARRO
City Clerk

John Zaragoza
JOHN C. ZARAGOZA
Mayor