

Written materials relating to an item on this agenda that are distributed to the legislative bodies within 72 hours before the item is to be considered at its regularly scheduled meeting will be made available for public inspection at the City Clerk's Office, 300 West Third Street 4th Floor during customary business hours. Agenda reports are also on the City of Oxnard web site at www.oxnard.org.



AGENDA
OXNARD CITY COUNCIL
OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY
OXNARD FINANCING AUTHORITY
OXNARD HOUSING AUTHORITY
Council Chambers, 305 West Third Street
December 7, 2021
Closed Session - 4:30 PM
Appointment Items - 5:30 PM
Regular Meeting - 6:00 PM

Zoom details to call-in for public comment during a meeting:

Closed Session Only - Public Comments Dial: 805-276-4238

Appointment Items - 5:30 PM & Regular Meeting - 6:00 PM

- 1. Dial Phone Number: (888) 475-4499**
- 2. Enter Meeting ID: 828 5488 8608**
- 3. Passcode: 908571**

If you wish to speak during public comments or a particular item on the agenda, please sign-on by following the zoom calling in steps listed above. Once the Mayor calls for public speakers, press *9 to raise your hand to inform the clerk you would like to speak during the public speaking section for that particular item on the agenda, while in the zoom waiting room.

This meeting is being held in accordance with Assembly Bill 361, allowing members of the City Council, members of the public and staff to participate via teleconference.

Consistent with City policies imposed to promote social distancing, the facility where the City Council regularly meets is temporarily closed to the public. The public is encouraged to view the meeting from home on Spectrum channel 10, Frontier channel 35, or YouTube at [Youtube.com/oxnardnews](https://www.youtube.com/oxnardnews). Video recordings of the meeting are typically available online following the meeting at the City's website at www.oxnard.org/city-meetings.

*Please see the link for the Measure M pre-recorded presentation video for each item listed on this agenda.

YOU MAY PARTICIPATE IN THE MEETING IN THE FOLLOWING WAYS:

1. EMAILING COMMENTS OR REQUESTING TO SIGN UP TO SPEAK BEFORE THE MEETING

- a. Submit an email to cityclerk@oxnard.org no later than 3 p.m. on the day of the meeting (Please indicate the agenda item number in the subject line). All email correspondence will be forwarded to the City Council prior to the start of the meeting and made part of the legislative record.
- b. Submit a request to speak by no later than 3 p.m. on the day of the meeting by using the form available at www.oxnard.org/city-meetings, emailing the City Clerk at cityclerk@oxnard.org, or calling the City Clerk at (805) 385-7803.

2. PROVIDING PUBLIC COMMENTS DURING THE MEETING

- a. To provide public comment without requesting to speak prior to the meeting, during the meeting dial (888) 475-4499 and enter the Meeting ID and Passcode listed above as the Zoom details for this meeting.

In compliance with the Americans with Disabilities Act, if you require special assistance to participate in a meeting, please contact the City Clerk's Office at 385-7803. Notice at least 72 hours prior to the meeting will enable the City to reasonably arrange for your accessibility to the meeting.

Agenda Item time estimates: (Presentation / Council Discussion / Public Comment)

- b. Public comments on agenda items shall be taken following the announcement of the item. After all public speakers have been given an opportunity to speak on an agenda item, the public comment period shall be held open for three minutes to allow additional speakers to register or otherwise be recognized for the purpose of providing public comment. During this three minute time period, the City Council or staff may discuss the item being considered or briefly respond to previous comments.

Detailed participation instructions can be found at www.oxnard.org/city-meetings.

In the event of a disruption which prevents a legislative body of the City of Oxnard from broadcasting a meeting using a call-in option or internet-based service option, or in the event of a disruption within the City's control which prevents members of the public from offering public comment using the call-in option or internet-based service option, the legislative body shall take no further action on items appearing on a meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. However, if any of the broadcast options are disrupted, but any of the other broadcast options is still available to the public, the legislative body may take further action on items appearing on a meeting agenda without waiting for the disrupted broadcast option(s) to be restored.

* The City has filed pre-election and post-election lawsuits regarding the validity of Measure M.

A. ROLL CALL, POSTING OF AGENDA

THE FOLLOWING LEGISLATIVE BODIES ARE MEETING: City Council, Community Development Commission Successor Agency, Financing Authority, and Housing Authority.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

At this time, a person may address the legislative body only on matters appearing on the closed session agenda. The presiding officer shall limit public comments to three minutes.

C. CLOSED SESSION (4:30 PM)

1. CONFERENCE WITH LEGAL COUNSEL — EXISTING LITIGATION (Government Code Section 54956.9(d)(1))
Name of cases: National Prescription Opiate Litigation commonly known as the “Distributor” and “Janssen” settlements (see, www.nationalopioidsettlement.com and www.oag.ca.gov/opioids).
Legislative Body: City Council
2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Government Code section 54956.9(d)(2))
Based on existing facts and circumstances, there is significant exposure to litigation against the City in one potential case regarding change orders requested by Harbour Constructors, Inc. for specification No. PW 17-16.
Legislative Body: City Council

D. APPOINTMENT ITEMS (5:30 PM)

1. City Manager Department
SUBJECT: Ventura County Civic Alliance State of the Region Report. (5:30 p.m.)
RECOMMENDATION: That the City Council receive the State of the Region Report from the Ventura County Civic Alliance.
Legislative Body: City Council
Contact: Alexander Nguyen, (805) 385-7430

E. OPENING CEREMONIES (6:00 PM)

Pledge of allegiance to the flag of the United States.

F. CEREMONIAL ITEMS

1. SUBJECT: Declare Results of the Canvass of Returns of the November 2, 2021 District 2 Special Municipal Vacancy Election and Administer the Oath of Office. (5/10/10)
2. SUBJECT: Special Guest from the North Pole.

G. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

A person may address the legislative body only on matters not appearing on the agenda and within the subject matter jurisdiction of the legislative body. Speaker requests shall be submitted as set forth on the first page of this agenda. Speakers are limited to three minutes. After 30 minutes, if all speakers have not had the opportunity to speak, the remaining speakers will be given an opportunity to speak prior to adjournment of the meeting. The legislative body cannot enter into a detailed discussion or take action on any items presented during public comments at this time. Such items may only be referred to the City Manager/Executive Director/Secretary for administrative action or scheduled on a subsequent agenda for discussion. Persons wishing to speak on public hearing items should do so at the time of the hearing.

H. REPORT OF CITY MANAGER/EXECUTIVE DIRECTOR/SECRETARY

The City Manager/Executive Director/Secretary shall report on items of interest to the legislative body occurring since the last meeting. The legislative body cannot enter into detailed discussion or take action on any item presented during this report. Such items may only be referred to the City Manager/Executive Director/Secretary for administrative action or scheduled on a subsequent agenda for discussion.

1. City Manager Department

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

RECOMMENDATION: That the City Council:

1. Receive and file an update from the Director of Emergency Services on the COVID19 Local Emergency.

2. Approve the re-authorization of remote teleconference meetings of the legislative bodies of the City of Oxnard in accordance with Assembly Bill 361.

Legislative Body: City Council

Contact: Alexander Nguyen, (805) 385-7430

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

At this time, a member of the legislative body may make a brief announcement, or make a brief report on his or her activities. Further, members of the legislative body may request to schedule consideration of whether to place an item on a future agenda. The legislative body cannot enter into detailed discussion or take action on any item presented during this report. The member's report shall not exceed three minutes, unless additional time is granted by the presiding officer.

J. REVIEW OF INFORMATION/CONSENT AGENDA

The members of the legislative body will consider whether to remove Information/Consent Agenda items for discussion later during the meeting.

K. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

At this time, a person may address the legislative body only on matters appearing on the information/consent agenda. The presiding officer shall limit public comments to three minutes.

L. INFORMATION/CONSENT AGENDA

1. City Clerk Department

SUBJECT: Approval of Minutes.

RECOMMENDATION: That the City Council approve the minutes of the October 19, 2021 regular meeting as presented.

Legislative Body: City Council

Contact: Rose Chaparro, (805) 385-7805

2. City Manager Department

SUBJECT: State of California Grant for the South Oxnard Aquatic Center.

RECOMMENDATION: That the City Council:

1. Adopt a resolution approving the filing of project applications for \$5,000,000 in State of California Specified Grant funds for the South Oxnard Aquatic Center at College Park, delegating authority to the City Manager regarding negotiations and execution of all documents necessary for the completion of the project scopes, and making required certifications and agreements to comply; and
2. Approve a budget appropriation for the use of the awarded grant funds.

Legislative Body: City Council

Contact: Alexander Nguyen, (805) 385-7430

3. Police Department

SUBJECT: Resolution Commending John Brisslinger for 21 Years of Exemplary Service to the City of Oxnard.

RECOMMENDATION: That the City Council adopt a resolution commending John Brisslinger for twenty-one years of outstanding service to the City of Oxnard Polic Department.

Legislative Body: City Council

Contact: Jason Benites, (805) 385-7624

4. Police Department

SUBJECT: Federal and State Asset Forfeiture Funds.

RECOMMENDATION: That City Council approve a budget appropriation in the amount of \$217,000 for the use of Federal (\$60,000) and State (\$157,000) asset forfeiture funds allocated to the City of Oxnard's Police Department.

(The Community Services, Public Safety, Housing and Development Committee approved 2-0 on November 9, 2021.)

Legislative Body: City Council

Contact: Jason Benites, (805) 385-7624

5. City Manager Department

SUBJECT: 2022 Meeting Schedule for Legislative Bodies.

RECOMMENDATION: That City Council, Community Development Commission Successor Agency, Financing Authority, and Housing Authority approve the proposed meeting dates for the calendar year 2022.

Legislative Body: City Council, Community Development Commission Successor Agency,

Financing Authority, and Housing Authority Board

Contact: Alexander Nguyen, (805) 385-7430

M. PUBLIC HEARINGS

1. Community Development Department

SUBJECT: Project Name: FGH Retail Services, LLC. - Appeal of the Planning Commission's Decision to Approve Planning and Zoning Permit No. 21-516-36 (Special Use Permit- Cannabis Retail) regarding property at 2320 North Rose Avenue (APN: 213-0-011-255). (20/10/10)

RECOMMENDATION: That the City Council:

1. Conduct a public hearing;
2. Find the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities); and
3. Adopt a Resolution denying the appeal and upholding the Planning Commission's approval of Planning and Zoning Permit No. 21-516-36 (Special Use Permit- Cannabis Retail), subject to certain conditions and findings.

Please click the following link to view the required Measure M pre-recorded presentation video:

<https://youtu.be/KMtSWbZH4kg>

Legislative Body: City Council

Contact: Vyto Adomaitis, (805) 385-7882

2. Community Development Department

SUBJECT: Planning & Zoning (PZ) Permit No. 21-580-05 Bed and Breakfast Parking Regulations (Zone Text Amendment) – Amendment to the Oxnard City Code Section 16-374 “Standards for Traditional Bed and Breakfast (Homestay)” allowing Bed and Breakfast Homestays (containing no more than two guest bedrooms) located on corner lots may credit the nonprimary street frontage toward the parking requirement, with 25 linear feet equal to one parking space, subject to approval of the decision maker associated with the underlying permit. (5/5/5)

RECOMMENDATION: That the City Council:

1. Conduct a public hearing;
2. Determine the Zone Text Amendment is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines 15060(c)(2) and (3) and 15061(b)(3); and
3. Introduce an Ordinance for first reading (by title only, waiving further reading) allowing Bed and Breakfast Homestays (containing no more than two guest bedrooms) located on corner lots may credit the nonprimary street frontage toward the parking requirement, with 25 linear feet equal to one parking space, subject to approval of the decision maker associated with the underlying permit.

(Planning Commission recommend approval 7-0)

Please click the following link to view the required Measure M pre-recorded presentation video:

<https://youtu.be/NnnpkWA0Hiw>

Legislative Body: City Council

Contact: Vyto Adomaitis, (805) 385-7882

N. REPORTS

1. Community Development Department

SUBJECT: DMV Oxnard Field Office Drainage Easement Vacation; Planning and Zoning (PZ) Permit No. 21-660-02 (Easement Vacation); A Resolution of Intention to vacate two forty (40) foot wide drainage easements, totaling approximately 24,600 square feet, located at 4050 South Saviers Road. (0/5/5)

RECOMMENDATION: That the City Council:

1. Find the project exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3);
2. Adopt a Resolution declaring its intention to vacate its right, title and interest in two forty (40) foot wide drainage easements, totaling approximately 24,600 square feet, crossing the two parcels located at 4050 South Saviers Road; and
3. Direct the City Clerk to schedule a public hearing in accordance with the vacation procedures contained in California Streets and Highway Code Section 8300 et seq to be held on Tuesday, January 4, 2022 at 6:00 p.m. at the at the City Council Chambers of the City of Oxnard located at 305 West Third Street in Oxnard, California.

Please click the following link to view the required Measure M pre-recorded presentation video:

<https://youtu.be/JRals4Gx1VU>

Legislative Body: City Council

Contact: Vyto Adomaitis, (805) 385-7882

2. Finance Department

SUBJECT: Update on Corrective Action Plan (CAP). (0/5/5)

RECOMMENDATION: That the City Council receive an update on the Corrective Action Plan (CAP).

(Finance and Governance Committee approved 3-0)

Please click the following link to view the required Measure M pre-recorded presentation video: <https://youtu.be/HBu5eAtGz88>

Legislative Body: City Council

Contact: Betsy George, 805-200-5400

3. City Manager Department

SUBJECT: American Rescue Plan Act budget appropriation, authorization of new FTEs for ARPA projects, and delegation of ARPA contract awarding and executing authority to the City Manager. (0/5/5)

RECOMMENDATION: That the City Council:

1. Approve a budget appropriation recognizing \$16,192,200 in federal grant revenue and appropriating \$48,192,200 for the Council approved City's American Rescue Plan Act (ARPA) funding of projects and programs that will respond to the COVID-19 pandemic, address its economic fallout, and lay the foundation for a strong and equitable recovery in

the City of Oxnard;

2. Adopt a resolution approving an amendment to the classification and salary range resolution for the Senior Project Manager classification to implement ARPA projects;
3. Adopt a resolution approving an amendment to the position control resolution to add four (4) Full-time Equivalent employees to implement ARPA projects; and
4. Adopt a resolution delegating contract awarding and executing authority to City Manager for non-public projects, and for subrecipient agreements funded in whole or in part by ARPA.

Please click the following link to view the required Measure M pre-recorded presentation video: <https://youtu.be/V9EKteDKEMY>

Legislative Body: City Council

Contact: Alexander Nguyen, (805) 385-7430

4. Public Works Department

SUBJECT: Agreement A-8400 to G2K Construction, Inc. for the Replacement of Truck Weigh Scales at the Del Norte Recycling Center and Transfer Station Project Specification No. PW 20-59. (0/5/5)

RECOMMENDATION: That the City Council approve and authorize the following for a total of \$3,576,216 in Project funds for the Replacement of Truck Weigh Scales at the Del Norte Recycling Center and Transfer Station Project, Specification No. PW 20-59 (Project No. 216803):

1. The Mayor to execute Agreement A-8400 with G2K Construction, Inc. in the amount of \$2,980,180 for the Project;
2. A Project contingency amount of \$298,018 for the Project;
3. A Project allocation amount of \$298,018 for engineering, inspection, survey and project management for the Project; and
4. A budget appropriation in the amount of \$1,126,216 from the available fund balance in the Solid Waste Operating Fund (631) for the Project.

Please click the following link to view the required Measure M pre-recorded presentation video: <https://youtu.be/ERtr8-J5TtU>

Legislative Body: City Council

Contact: Michael Wolfe, (805) 385-8055

O. ADJOURNMENT