MINUTES
OXNARD CITY COUNCIL
Regular Meeting
July 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, 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.

Councilmember Basua joined the meeting at 5:00 p.m.

Housing Authority Commissioners Andrade and Vega joined the meeting at 6:00 p.m., via videoconference as well.

Staff members present in person were Alexander Nguyen, City Manager; Stephen M. Fischer, City Attorney; Ken Rozell, Chief Assistant City Attorney; and Rose Chaparro, City Clerk.

Staff members Ashley Golden, Assistant City Manager; Shiri Klima, Deputy City Manager; Adam Smith, Project Manager; Jason Zaragoza, Deputy City Attorney; Jason Benites, Police Chief; Eric Sonstegard, Assistant Chief of Police; John Colamarino, Assistant Fire Chief; Brian Yanez, Acting Public Works Director; Tatiana Arnaout, Senior Civil Engineer; Jan Hauser, Wastewater Division Manager; Emilio Ramirez, Housing Director; Vyto Adomaitis, Community Development Director; Jeffrey Pengilley, Community Development Assistant Director; Scott Kolwitz, Planning & Environmental Services Manager; Jay Dobrowalski, Senior Planner; Kevin Riper, Chief Financial Officer; Eden Alomeri, Billing & Licensing Director; and Albert Gauthier, IT Director participated via videoconference.

Ava Ediger, P.E., QSD Civil Design Engineer/Project Manager with Jensen Design & Survey, Inc.; Jeffrey Wayne Maulhardt, Oxnard Historic Farm Park Director; Dani Anderson, SCE Government Relations Manager; John King, SCE Street Light Acquisition and Projects Manager; Kristen Parks, National Demographics Corporation Consultant; and Mike Penrod, Partner at Parkstone Companies also 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 PM)

1. CONFERENCE WITH LEGAL COUNSEL — EXISTING LITIGATION
(Government Code Section 54956.9(d)(1))
Name of case: Moving Oxnard Forward, Inc. v. Michelle Ascencion, in her official Capacity as City Clerk, et al.
United States District Court Case No. 2:20-cv-04122
Legislative Body: City Council

2. PUBLIC EMPLOYEE ANNUAL PERFORMANCE EVALUATION (Government Code section 54957)
Title: City Manager
Legislative Body: City Council

3. PUBLIC EMPLOYEE ANNUAL PERFORMANCE EVALUATION (Government Code section 54957)
Title: City Attorney
Legislative Body: City Council

At 4:31 p.m., the City Council recessed to a closed session. At 5:23 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 (5:24 – 6:01 PM)

1. City Manager Department

SUBJECT: Preliminary American Rescue Plan Act Investment Ideas. (5/30/25)

RECOMMENDATION: That the City Council begins the discussion about American Rescue Plan Act (ARPA) preliminary investment ideas.

Alexander Nguyen, City Manager, presented and answered questions. No public comments were received. Discussion ensued among the Council and staff. No formal action was required.

E. OPENING CEREMONIES (6:02 PM)

The flag salute was followed by a moment of silence.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Francisco Jaena (Bicycle Lane Safety), and Salvador Perez (Accidents on C Street and Bicycle Safety).

G. 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.

2. City Manager Department

   SUBJECT: Verbal Update on Illegal Use of Fireworks in the Community. (5/10/10)

   RECOMMENDATION: That the City Council receive a verbal update by the Chief of Police on the 4th of July illegal fireworks.

Police Chief Benites reported on the fireworks activity during the 4th of July holiday. No formal action was required.

H. CITY COUNCIL REPORTS

Councilmember Teran provided an update on his attendance at the SCR-1 project meeting in partnership with the Ventura County Watershed Protection District staff, Public Works and Planning department staff. Councilmember Perello and Ventura County Supervisor Matt LaVere were also in attendance. He also provided an update on meetings and conversations held in the community for his upcoming Council campaign and announced future events coming up. Also, wished his wife a happy 15th wedding anniversary on August 5th.

Mayor Pro Tem MacDonald announced that Darren Kettle, Executive Director of the Ventura County Transportation Commission (VCTC) was named to serve as Chief Executive Officer of Metrolink by Southern California Regional Rail Authority and wished him well. Gold Coast Transit District Board of Directors will hold a special meeting in August to ensure that the new financial system is fully implemented. He will also be celebrating his 36th wedding anniversary on August 3rd and thanked his wife.

Councilmember Madrigal announced that he and Mayor Zaragoza attended a meeting with

Ventura County officials including Supervisor Carmen Ramirez at the Public Health Institute to discuss health and safety issues for the farmworker community and public parks. County and City government officials attended, as well as outside nonprofit agencies were also in attendance. He also attended two virtual meetings with other local city officials to discuss affordable housing were the City's Housing Director Ramirez presented.

Mayor Zaragoza attended the 2021 Dallas Cowboys Training Camp opening ceremony at the River Ridge Fields in Oxnard. He will also be attending a special event with Councilmember Basua and Councilmember Lopez to accept $5 million in state funding from State Senator Monique Limon to the Oxnard City Council to assist with the construction of an aquatic center at Oxnard College. He will also attend a farewell event for Consulate of Mexican members Jonathan Elias Alvarez Alzua, Consul for Community Affairs and Javier Cerritos de los Santos, Consul for Protection and Legal Affairs, at the Port of Hueneme.

Councilmember Perello also attended the opening ceremony for the Dallas Cowboys with Mayor Zaragoza, Councilmember Basua, Councilmember Lopez, and Councilmember Madrigal. He congratulated Mayor Pro Tem MacDonald and Councilmember Teran on their anniversaries. He thanked the public for supporting Measure E and mentioned several projects and improvements being done throughout the City. He announced that he attended the SCR-1 project meeting in partnership with the Ventura County Watershed Protection District and mentioned a few of the bicycle path options being considered. He attended a Ventura Regional Sanitation District Board of Directors Executive Committee meeting. He also encouraged the public to continue to be safe and protect themselves from Covid-19.

I. REVIEW OF INFORMATION/CONSENT AGENDA

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

J. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Christina Zubko (K.6).

K. INFORMATION/CONSENT AGENDA

1. City Clerk Department
   SUBJECT: Approval of Minutes.
   RECOMMENDATION: That the City Council approve the minutes of the March 2, 2021; March 16, 2021, and March 30, 2021 regular meetings as presented.

2. Public Works Department

SUBJECT: Environmental Protection Agency Grant Award and Budget Appropriation for the Food Waste and Anaerobic Digestion Feasibility Study Project.

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a budget appropriation recognizing grant revenue in the amount of $182,630 of U.S. Environmental Protection Agency grant funds and $37,126 of City matching funds to the Food Waste and Anaerobic Digestion Feasibility Study Project. (This item did not originate in Committee. The grant application was approved by the City Council at the July 7, 2020, meeting.)

3. Public Works Department

SUBJECT: Approval of an LS-1 Option E Agreement A-8356 with Southern California Edison to Replace High Pressure Sodium Vapor Street Lights with Light Emitting Diode Street Lights Citywide.

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute the LS-1 Option E Agreement A-8356 with Southern California Edison (SCE), for a term of 20 years, to replace SCE owned street lights from High Pressure Sodium Vapor (HPSV) to Light Emitting Diode (LED) with no out-of-pocket cost to the City. (Public Works and Transportation Committee approved 3-0.)

4. Public Works Department

SUBJECT: Hueneme Road Recycled Water Pipeline - Phase II Right of Way Agreements and Easement Deeds.

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

1. Right of Way Agreement with Banjo Ranch, LLC, in the amount of $18,800 as the entire consideration for the easement deed for the property identified by the County Assessor as APN 232-0-041-380, as particularly described in the Easement Deed;
2. Certificate of Acceptance for an Easement Deed with Banjo Ranch, LLC, for the property identified by the County Assessor as APN 232-0-041-380;
3. Right of Way Agreement with Dingaling Ranch, LLC, in the amount of $19,200 as the entire consideration for the easement deed for the property identified by the County Assessor as APN 232-0-041-390, as particularly described in the Easement Deed;
4. Certificate of Acceptance for an Easement Deed with Dingaling Ranch, LLC, for the property identified by the County Assessor as APN 232-0-041-390;
5. Right of Way Agreement with GH Land Holdings, LLC, in the amount of $47,200 as the entire consideration for the easement deed for the properties identified by the County Assessor as APN 223-0-031-190 and APN 223-0-031-210, as particularly described in the Easement Deed;
6. Certificate of Acceptance for an Easement Deed with GH Land Holdings, LLC,

for the properties identified by the County Assessor as APN 223-0-031-190 and APN 223-0-031-210;
7. Right of Way Agreement with Marathon Land Inc., in the amount of $40,500 as the entire consideration for the easement deed for the property identified by the County Assessor as APN 232-0-032-090, as particularly described in the Easement Deed;
8. Certificate of Acceptance for an Easement Deed with Marathon Land Inc., for the property identified by the County Assessor as APN 232-0-032-090;
9. Right of Way Agreement with P & R Properties, a California General Partnership, in the amount of $70,000 as the entire consideration for the easement deed for the property identified by the County Assessor as APN 232-0-041-405, as particularly described in the Easement Deed; and
10. Certificate of Acceptance for an Easement Deed with P & R Properties, a California General Partnership, for the property identified by the County Assessor as APN 232-0-041-405.
(This item did not originate in Committee as this is associated with a capital improvement project specifically listed in the City's Capital Improvement Program, page 172.)

5. Housing Department

SUBJECT: Award of Contract for the Residential Rehabilitation & Remodel Project at Pleasant Valley Village.

RECOMMENDATION: That the Board of Commissioners of the Housing Authority of the City of Oxnard approve and authorize the Chairman to execute a firm-fixed price contract in the amount of $757,683.20 with Waisman Construction Inc. (Agreement Number A-8343 using funds previously appropriated from the 2019 Capital Fund grant for Section 504 compliance (Americans with Disabilities Act). (Community Services, Public Safety, Housing & Development Committee approved 3-0 on July 13, 2021.)

6. Housing Department

SUBJECT: Encampment Response Project and Related Agreement.

RECOMMENDATION: That the City Council:
1. Review Encampment Response Project Plan;
2. Approve a plan and updated timeline for encampment response to an existing encampment near Ormond Beach; and
3. Approve and authorize the Mayor to execute an agreement with the County of Ventura/Ventura County Health Care Agency to provide encampment outreach, case management and motel voucher administration services.
(As of the date of this City Council agenda being posted, there is not yet an outcome from the July 27, 2021, Community Services, Public Safety, Housing & Development Committee.)

7. Public Works Department

SUBJECT: Award Agreement A-8359 to Avidex Industries, LLC for Council Chambers Production System Improvement Project PW 21-97.

RECOMMENDATION: That the City Council:
1. Approve and authorize the Mayor to execute Agreement A-8359 with Avidex Industries, LLC in the amount of $833,227.20 for the Council Chambers Production System Improvement Project, Specification No. PW 21-97 (Project No. 211401).
2. Approve $83,322 for project contingency for the Council Chambers Production System Improvement Project (Project No. 211401); and
3. Approve $83,322 for engineering, inspection, survey and project management for the Council Chambers Production System Improvement Project (Project No. 211401).
(This item did not originate in Committee as this is a capital improvement project specifically listed in the City's Capital Improvement Program.)

Consent Agenda Items: K.1 – K.4 and K.6 - K.7:
It was moved by Mayor Pro Tem MacDonald, seconded by Councilmember Madrigal, to approve the Information/Consent items K.1 - K.4, K.6, and K.7 as presented. VOTE: MacDonald, Perello, Basua, Madrigal, Zaragoza, Teran, and Lopez voted in favor; motion passed 7-0.

Consent Agenda Item: K.5:
It was moved by Mayor Pro Tem MacDonald, seconded by Councilmember Madrigal, to approve the Information/Consent item K.5 as presented. VOTE: MacDonald, Perello, Basua, Madrigal, Zaragoza, Teran, Lopez, Housing Authority Commissioner Andrade and Commissioner Vega voted in favor, motion passed 9-0.

L. PUBLIC HEARINGS

1. City Attorney Department

SUBJECT: Public Hearing regarding Redistricting of City Council Districts. (15/20/20) - **Time Certain 7:00 PM.**

RECOMMENDATION: That the City Council conduct a public hearing to:
1. Receive a report on the redistricting process for City Council Districts and the criteria to be considered to redraw City Council district boundaries; and
2. Receive public input regarding the composition of one or more Council districts.

The City Clerk announced the affidavit of publication and stated that a written communication was received from Jon Huycke, and it was submitted to Council.

Ken Rozell, Chief Assistant City Attorney, and Kristen Parks, Consultant with National Demographics Corporation, gave a report and answered questions from Council.

Mayor Zaragoza opened the public testimony portion of the public hearing. Public comments were received from Ronald Arruejo.

Without objection, the Council approved closing the public testimony portion of the public hearing. Discussion ensued among the Council and staff. Report was received and filed, no formal action was required.

2. City Manager Department

SUBJECT: Sale of the Oxnard Historic Farm Park. (0/10/10)

RECOMMENDATION: That the City Council:
1. Conduct a public hearing and consider the Summary Report prepared pursuant to California Government Code section 52201;
2. Adopt **Resolution No. 15,478** and approve Purchase and Sale Agreement No. A-8295 between the City of Oxnard (City) and the Oxnard Historic Farm Park Foundation (Foundation) for the sale of the Gottfried Maulhardt/Albert Pfeiler Farm Site (Farm Park); and
3. Approve the attached Budget Appropriation recognizing the revenue from the sale of the Farm Park. (The Public Works and Transportation Committee approved 3-0).

The City Clerk announced the affidavit of publication and stated that no written communications were received. Adam Smith, Project Manager, answered questions from Council.
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 Councilmember Perello, 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.

3. Billing and Licensing Department

SUBJECT: Discontinuing the Approximately $500,000 Subsidy for Convenience Fee Costs Associated with Accepting Credit Cards, Debit Cards and Electronic Checks as Payment Methods for Certain City Services and Fees. (0/10/10)

RECOMMENDATION: That the City Council:
1. Conduct a public hearing to consider the establishment of fees to cover the costs of banking convenience fees for the use of credit card, debit card and electronic check transactions for certain City services, and for certain fees, charges or taxes due to the City; and
2. Following the public hearing, adopt **Resolution No. 15,479** establishing fees to cover the costs of banking convenience fees for the use of credit card, debit card and electronic check transactions for certain City services, and for certain fees, charges or taxes due to the City. (Finance and Governance Committee approved 3-0).

The City Clerk announced the affidavit of publication and stated that no written communications were received. Eden Alomeri, Billing & Licensing Director, presented and answered questions from Council.

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 Councilmember Madrigal, seconded by Councilmember Perello, to approve the recommended action with an amendment to **not** implement these fees until the local declaration of emergency has been suspended. VOTE: Basua, Madrigal, Teran, Lopez, Perello, and Zaragoza voted in favor; the motion carried 6-0. Mayor Pro Tem MacDonald was not able to vote on this item, due to internet connection technical issues.

M. REPORTS

1. Community Development Department

SUBJECT: Maulhardt Ranch South Temporary Water Connection Agreement. (0/10/10)

RECOMMENDATION: That the Oxnard City Council approve and authorize the City Manager to execute the attached Agreement to provide a single water connection to the Maulhardt Ranch South parcel, near the northeast corner of Rose Avenue and Camino Del Sol, for a limited duration of time.(This item did not originate in Committee as it is supportive of the May 4, 2021 Council action to approve an Off-Site Improvement Agreement and thus facilitate the construction of Del Sol High School.)

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

An amendment to the motion was requested by Councilmember Perello, as follows:
On Section 3, of the Water Connection Agreement, between the City of Oxnard and Maulhardt Ranch, "that the City Council, acting on behalf of the City, ***may*** at its sole discretion extend the term of the agreement for an additional 5 year term." The change is to replace the word ***shall*** with ***may.***

It was moved by Councilmember Perello, seconded by Mayor Zaragoza, to approve the recommended action as amended. VOTE: Lopez, Basua, Teran, Zaragoza, Perello, and Madrigal voted in favor; the motion carried 6-0. Mayor Pro Tem MacDonald was not able to vote on this item, due to internet connection technical issues.

2. Community Development Department

SUBJECT: Teal Club Development Agreement Preliminary Authorization. (0/10/10)
RECOMMENDATION:

That the City Council:

1. Determine if entering into a Development Agreement with Borchard Family Interests (the "Developer") is warranted and desirable for the project in the Teal Club Specific Plan Area; and2. Direct City staff to negotiate a Development Agreement with the Developer for recommendation by the Planning Commission and consideration by the City Council. (This item did not originate in Committee.)

Ashley Golden, Assistant City Manager, presented and answered questions from Council. Public comments were received from Barbara Macri-Ortiz and Dennis Hardgrave. Discussion ensued among the Council and staff.

It was moved by Councilmember Madrigal, seconded by Councilmember Teran, to approve the recommended action as presented. VOTE: Perello, Madrigal, Basua, Zaragoza, Lopez, and Teran voted in favor; the motion carried 6-1. Mayor Pro Tem MacDonald voted against.

N. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Zaragoza adjourned the meeting at 8:55 p.m.

ROSE CHAPARRO
City Clerk

JOHN C. ZARAGOZA
Mayor