OXNARD CITY COUNCIL
Regular Meeting
September 21, 2021

A. ROLL CALL, POSTING OF AGENDA

At 4:39 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 only participated in closed session and left the meeting at 5:55 p.m.

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; Adam Smith, Project Manager; Ken Rozell, Chief Assistant City Attorney; Jason Benites, Police Chief; Denise; Eric Sonstegard, Assistant Chief of Police; Alexander Hamilton, Fire Chief; Betsy George, Chief Financial Officer; Brian Yanez, Acting Public Works Director; Steve Howlett, Assistant Public Works Director; Tatiana Arnaout, Senior Civil Engineer; Chris Peyton, Water Operations Manager; Emilio Ramirez, Housing Director; Vyto Adomaitis, Community Development Director; Jeff Pengilley, Community Development Assistant Director; Scott Kolwitz, Planning & Environmental Services Manager; Isidro Figueroa, Principal Planner; Terrel Harrison, Cultural & Community Services Director; 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 (4:40 – 5:00 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

At 4:40 p.m., the City Council recessed to a closed session. At 5:00 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 (5:04 – 5:55 PM)

1. City Manager Department
SUBJECT: Presentation by Southern California Edison on Wildfire Mitigation. (10/10/5)
RECOMMENDATION: That City Council receive a presentation by Southern California Edison on Wildfire Mitigation.
(Live presentation at the request of Southern California Edison).

Dani Anderson, Government Relations Manager, with Southern California Edison, presented and answered questions. No public comments were received. Discussion ensued among the Council and staff. The presentation was received and filed, no formal action was required.

2. City Manager Department
SUBJECT: Oxnard Convention & Visitors Bureau (OCVB) Annual Report. (15/10/5)
RECOMMENDATION: That the City Council receive the OCVB FY19/20 and FY20/21 Annual Report.
(Live presentation by Oxnard Convention & Visitors Bureau President & CEO Julie Mino)

Ashley Golden, Assistant City Manager, introduced Brittney Hendricks, Vice President of Marketing & Communications; and Julie Mino, President/CEO, with Visit Oxnard (previously Oxnard Convention & Visitors Bureau) who presented and answered questions. No public comments were received. Discussion ensued among the Council and staff. No formal action was required.

E. OPENING CEREMONIES (6:01 PM)

The flag salute was followed by a moment of silence.

F. CEREMONIAL ITEMS

1. SUBJECT: Presentation of **Resolution #15,486** to Joseph M. Rodriguez for over 37 Years of Outstanding Service to the City of Oxnard.

Mayor Zaragoza read **Resolution #15,486** and presented it to Joseph M. Rodriguez, who made some remarks.

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

2. SUBJECT: Presentation of a Proclamation Designating September 15 - October 15, 2021 as "Hispanic Heritage Month."

Mayor Zaragoza read the proclamation and presented it to Javier Gomez, founder and Artistic Director of Teatro Inlakech, who made some remarks. Javier Gomez retired from the Oxnard School District in 2006, after 33 years of teaching elementary and junior high school youngsters. He continues to educate and motivate youth through the Inlakech Cultural Arts Center.

G. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Henry Alvarado Sapien (Cost of Living), Douglas Partello (Housing Department employees working in a hostile work environment, harassment, and discriminatory abuse/asking for a full investigation), Max Ghenis (carbon emissions/air pollution), Ray Blattel (bicycle safety/educate students to wear helmets); Maria Margarita Navarro (climate change), Danny Carrillo (bullying and hostile work environment of the Housing Department employees), Jack R. Villa, Hobson Way Park Neighborhood (Performance Arts Center property neglected), Manuel Herrera (utilities funds lawsuit court ruling), Lang Martinez (Peggy Ayala River's Resignation), and Nathan Alexander Castillo (carbon emissions/climate change).

Written comments were received from Douglas Partello (Housing Department Staff Turn-over, Housing Complaints, Housing Tenant Concerns), and the First 5 Ventura County (American Rescue Plan/ARPA Investment Projects).

H. 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.

I. CITY COUNCIL REPORTS

Councilmember Perello thanked the public speakers. He reminded the public to wear a mask in public places. He attended with Councilmember Lopez, the 911 Ceremony at the Fire Station located on Vineyard Avenue. He also attended the Airport Authority and the Ventura Regional Sanitation District meetings.

Councilmember Teran asked that staff research the HR2307 item and see what can be done as a Council. He thanked the staff for the aesthetics work being done at the Performing Arts Center.

Mayor Pro Tem MacDonald acknowledged Supervisor Matt LaVere and Supervisor Carmen Ramirez with the County of Ventura for the work being done at the Santa Clara river bottom. He is also glad that the City of Oxnard is working in partnership with the County. He participated in several meetings to discuss and review the new bill signed by the Governor. He also attended the Ventura County Transportation Commission meeting and the Visit Oxnard (formerly the Oxnard

Convention Visitor's Bureau) meeting as well.

Councilmember Lopez participated in the Beacon and the Airport Authority meetings. She also participated in the California Coastal Cleanup Day event at Hueneme Beach with the Coastal Keepers and the Port of Hueneme. Condolences to Oxnard Resident to Letha Washington's family.

Councilmember Madrigal extended his condolences to a childhood friend, Fred Cisneros family who recently passed. Thanked everyone that helped his family during this difficult time. He also attended the 911 Ceremony at Station 5 in the Colonia neighborhood.

Mayor Zaragoza thanked Manuel Gonzales for extending an invitation to attend an event to recognize the Ventura Veterans. He also attended a 911 Ceremony at Station 1 with Mayor Pro Tem MacDonald, Councilmember Teran, and City Manager's Office staff. He thanked the Fire Department for a great ceremony. He also thanked Police Chief Benites for meeting with him to find options to resolve the parking issues at the Villa Victoria neighborhood, along Victoria Avenue.

J. REVIEW OF INFORMATION/CONSENT AGENDA

Items K-1 through K-5 were discussed among the Council and staff.

K. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Douglas D. Partello.

L. INFORMATION/CONSENT AGENDA

1. City Clerk Department
   SUBJECT: Approval of Minutes.
   RECOMMENDATION: That the City Council approve the minutes of the May 18, 2021, June 1, 2021, June 15, 2021, and June 29, 2021 Regular Council Meetings and the May 12, 2021 and June 7, 2021 Special Council Meetings, as presented.

2. Public Works Department
   SUBJECT: CalRecycle Rubberized Pavement Grant Program Application.
   RECOMMENDATION: That City Council adopt **Resolution #15,487** authorizing:
   1. The City Manager or Public Works Director, or his/her designee to execute in the name of the City of Oxnard all grant documents, including but not limited to, applications, agreements, amendments and requests for payment, necessary to secure grant funds and implement the approved grant project for an amount not to exceed $250,000 in California Department of Recycling and Recovery (CalRecycle) Rubberized Pavement Grant Program funds, to be used for the resurfacing of several streets identified in the FY 2021-26 Capital Improvement Plan (CIP). (This item did not originate in Committee.)

3. Public Works Department
   SUBJECT: Execute Purchase Order to Commodity Trucking Acquisition, LLC dba Tri-County Transportation for Backfill and Resurfacing Material Sales, Delivery and Haul Away Services PW 21-82.

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a Purchase Order with Tri-County Transportation for Backfill and Resurfacing Material Sales, Delivery and Haul Away Services in the amount not to exceed $270,000 for a three-year term from January 1, 2022 to December 31, 2024.
(Public Works and Transportation Committee approved 3-0.)

4. Housing Department
SUBJECT: First Amendment with Major Event Trailers for Rental of Mobile Restrooms, Showers, and Laundry Facilities for the K Street Temporary Emergency Shelter.
RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a First Amendment with Major Event Trailers (A-8277) to provide the rental of mobile restrooms, showers, and laundry facilities for the Temporary Emergency Shelter at 351 South K Street for an increased amount of $98,043.59 for a total contract amount $383,043.59.

5. Public Works Department
SUBJECT: Additional Budget Appropriation for Civic Annex 3rd Floor Tenant Improvement Project PW 20-21R.
RECOMMENDATION: That the City Council approve and authorize the City Manager to approve a budget re-appropriation in the amount of $175,000 from General Fund contingency to the General Fund Capital Outlay Fund 301 for the Civic Annex 3rd Floor Tenant Improvement Project PW 20-21R (Project No. 171601).

It was moved by Councilmember Teran, seconded by Councilmember Lopez, to approve the Information/Consent items as presented. VOTE: MacDonald, Perello, Madrigal, Zaragoza, Teran, and Lopez voted in favor; motion passed 6-0. Councilmember Basua was absent.

M. PUBLIC HEARINGS

1. Community Development Department
SUBJECT: Planning & Zoning (PZ) Permit No. 20-580-05 (Zone Text Amendment) – An Amendment to the Oxnard City Code, Chapter 16 (Zoning Code) adding Medical Clinics and Hospitals as sensitive uses requiring separation from Firearm Ranges and Businesses Engaged in the Sale of Firearms and Ammunition. The proposed regulations would apply Citywide (Inland Zone) and pertain to the General Commercial (C-2) and Limited Manufacturing (M-L) zoning districts. (0/10/10)
RECOMMENDATION: That the City Council:

    1. Conduct a public hearing;
    2. Determine the Zone Text Amendment is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15060(c)(2) and (3) and 15061(b)(3); and
    3. Introduce **Ordinance #2998** for first reading (by title only, waiving further reading) adding Medical Clinics and Hospitals as sensitive uses requiring separation from establishing regulations to address Firearm Ranges and the Sales of

Firearms and Ammunition. (Planning Commission recommends approval 6-0).

The City Clerk announced the affidavit of publication and stated that no written communications were received. Isidro Figueroa, Principal Planner and Ken Rozell, Chief Assistant City Attorney presented 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 Councilmember Perello, seconded by Councilmember Teran, to approve the recommended action as presented. VOTE: Zaragoza, Perello, Lopez, and Teran voted in favor; MacDonald and Madrigal voted against; the motion carried 4-2. Councilmember Basua was absent.

At 9:59 p.m. City Council voted to continue the meeting past 10:00 p.m., and take action on the remainder of the items on the agenda.

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

N. REPORTS

1. City Manager Department
   SUBJECT: Selection of American Rescue Plan Act Investment Projects
   RECOMMENDATION: That the City Council begins making final decisions on American Rescue Plan Act (ARPA) investments. Staff recommends that the City Council makes tranche 1 investment decisions and as many tranche 2 investment decisions as the City Council deems appropriate. If the City Council does not decide on investment decisions totaling $59,540,662, the City Council can decide on the balance at a later date.
   ARPA costs must be incurred or encumbered by December 31, 2024, and all projects must be completed by December 31, 2026.

Alexander Nguyen, City Manager, presented and answered questions. Public comments were received from Douglas Partello, Chris Hernandez, Ray Blattel, Anthony Mireles, Jesus Torres, Max Ghenis, and Joshua Medrano. Discussion ensued among the Council and staff.

A separate vote was made for item #18, Gold Course Event (Wedding) Venue:
It was moved by Councilmember Perello, seconded by Mayor Zaragoza, to approve the recommended action as presented. VOTE: Madrigal, MacDonald, Teran, Lopez, Perello, and Zaragoza voted in favor; Madrigal voted against; motion passed 5-1. Councilmember Basua was absent.

<u>Council's vote for the remainder of the items, as follows</u>:
It was moved by Mayor Zaragoza, seconded by Councilmember Teran, to approve the recommended action as presented. VOTE: MacDonald, Perello, Lopez, Zaragoza, Madrigal, and Teran voted in favor; motion passed 6-0. Councilmember Basua was absent.

2. <u>Fire Department</u>
   <u>SUBJECT</u>: Purchase Order for Bauer Compressors Inc. in the amount of $1,255,173 for replacement Self Contained Breathing Apparatus (SCBA)
   <u>RECOMMENDATION</u>: That the City Council authorize the Mayor to execute a Purchase Order with Bauer Compressors, Inc. in the amount of $1,255,173 for the purchase of 118 Self-Contained Breathing Apparatus (SCBAs) and related accessories and training. (Presentation will be live upon consultant's request).

Alexander Hamilton, Fire Chief, was available to answer 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, Teran, Zaragoza, MacDonald, Perello, and Madrigal voted in favor; motion passed 6-0. Councilmember Basua was absent.

3. <u>Community Development Department</u>
   <u>SUBJECT</u>: Joint Use Agreement with Southern California Edison Company. (0/10/10)
   <u>RECOMMENDATION</u>: That City Council approve and authorize the Mayor to execute the attached Joint Use Agreement with Southern California Edison Company, denoted as JUA203904272, pertaining to the Rice Avenue right of way adjacent to the westerly boundary of the Sakioka Farms Specific Plan area. (This item did not originate in Committee.)

Vyto Adomaitis, Community Development 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 Mayor Zaragoza, to approve the recommended action as presented. VOTE: Perello, MacDonald, Madrigal, Zaragoza, Lopez, and Teran voted in favor; motion passed 6-0. Councilmember Basua was absent.

O. <u>ADJOURNMENT</u>

There being no further business on the agenda, and without objection, Mayor Zaragoza adjourned the meeting at 11:35 p.m.

R. Chaparro
ROSE CHAPARRO
City Clerk

John C. Zaragoza
JOHN C. ZARAGOZA
Mayor