

MINUTES
OXNARD CITY COUNCIL
Council Meeting
October 5, 2021

A. ROLL CALL, POSTING OF AGENDA

At 6:03 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, and Gabriel (Gabe) Teran were present via videoconference. Mayor Zaragoza was present in person.

Housing Authority Commissioner Jose Andrade joined the meeting at 6:05 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; Adam Smith, Project Manager; Ken Rozell, Chief Assistant City Attorney; Jason Benites, Police Chief; Christopher Williams, Police Commander; Alexander Hamilton, Fire Chief; Betsy George, Chief Financial Officer; Michael Wolfe, Public Works Director; Brian Yanez, Assistant Public Works Director; Steve Howlett, Assistant Public Works Director; Jan Hauser, Wastewater Division Manager; Roberto Fuentes, Wastewater Operations Manager; Emilio Ramirez, Housing Director; Vyto Adomaitis, Community Development Director; Scott Kolwitz, Planning & Environmental Services Manager; Kathleen Mallory, Planning & Sustainability Manager; Isidro Figueroa, Principal Planner; and Eden Alomeri, Billing & Licensing Director participated via videoconference.

Amy Sinsheimer, AICP Senior Associate at PlaceWorks; Heather Davis, Senior Planner at Rincon Consultants, Inc.; Todd C. Mooney, Successor Agency Special Counsel; Fernando Villa, Partner at Allen Matkins; John Muggridge, Principal at Fehr & Peers; Sara Mares, Director at NBS Local Government Consultants; Scott Bordogna, Vice President at GTIS Partners, and Maryann L. Goodkind, CFD Counsel at Norton Rose Fullbright also participated via videoconference.

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

B. OPENING CEREMONIES (6:00 PM)

The flag salute was followed by a moment of silence.

C. CEREMONIAL ITEMS

1. SUBJECT: Presentation of a Proclamation Designating the Month of October, 2021 as "Domestic Violence Awareness Month."

Mayor Zaragoza read the proclamation and presented it to Sergeant Scott Aaron, Oxnard Police Department, who made some remarks.

2. SUBJECT: Presentation of a Proclamation Designating the Week of October 3 - 9, 2021 as "Fire Prevention Week."

Mayor Zaragoza read the proclamation and presented it to Fire Chief Alexander Hamilton, who introduced Fire Marshall Stephen McNaughten, who made some remarks.

3. SUBJECT: Presentation of a Proclamation Designating the Month of October, 2021 as "Breast Cancer Awareness Month."

Mayor Zaragoza read the proclamation and presented it to Jason Benites, Police Chief; Alexander Hamilton, Fire Chief; and Sylvia Rosolek, President of the Ventura County Ribbons of Life Foundation, who made some remarks.

D. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Alice Madrid (Adequate Parking for Seniors), Veronica Munoz (Peggy Rivera's Resignation), Lang Martinez (Homeless Advocate concerned about the Resignations of Peggy Ayala Rivera, Erica Manta, Grace Navarro, Patty Sanchez, and Rose Banuelos), Jose Barrera (Union Representation for Security Officers), Danny Carrillo, SEIU Organizer & Chief Negotiator (Concerned about Hostile Work Environment in particular the Housing Department employees), Jack R. Villa, Homeless Commission (Concerned about Peggy Rivera's resignation and thanked her for devotion to helping the homeless).

E. 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, and adoption of **Resolution #15,488** ratifying the proclamation of a local emergency and authorizing remote teleconference meetings of legislative bodies of the City of Oxnard (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. Adopt **Resolution #15,488** ratifying its proclamation of a local emergency on March 17, 2020, and authorizing remote teleconference meetings of the legislative bodies of the City of Oxnard in accordance with Assembly Bill 361.

Alexander Nguyen, City Manager, presented and answered questions. No public comments were received.

Discussion ensued among the Council and staff.

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

F. CITY COUNCIL REPORTS

Mayor Pro Tem MacDonald attended the Ventura County Transportation Commission meeting and announced that Darren Kettle has accepted a position as the Chief Executive Officer at Metrolink. Ventura County Transportation Commission is currently recruiting for its new Executive Director. Mayor Pro Tem MacDonald also attended the Gold Coast Transit District meeting and announced that Steven Brown, General Manager, announced his retirement. Gold Coast Transit District is also currently recruiting for its next General Manager.

Councilmember Lopez participated in Ormond Beach restoration work and cleanup event.

Councilmember Teran attended the “Celebrating 25 Years” Opening Ceremonies for the Relay for Life at Oxnard High School. He also attended the ground breaking ceremony for the Tru Hotel by Hilton. This hotel is majority black investors and first black owned hotel in the County of Ventura.

Councilmember Basua also attended the Opening Ceremonies for the Relay for Life at Oxnard High School. Asked the Council for their input on bringing back for consideration the Resolution to support the security officers. She also attended the League of Cities Conference in Sacramento to represent the City of Oxnard and found it motivating.

Councilmember Madrigal thanked Mariposa Landscape for their recent landscape work at District 3. Councilmember Madrigal was appointed to the Alumni Board at California Lutheran University and has been busy working with the students.

Councilmember Perello recently attended the Channel Islands Neighborhood Council meeting. He also attended the ground breaking ceremony for the Tru Hotel by Hilton and presented a proclamation on behalf of the City of Oxnard. He also thanked the residents for their public comments.

Mayor Pro Tem MacDonald attended the Walk to End Alzheimer’s event to raise awareness and funds for Alzheimer’s care, support and research at the RiverPark neighborhood. It was a great turn out and a nice event.

Mayor Zaragoza announced that he attended the 31st Annual El Concilio Leadership Awards.

G. REVIEW OF INFORMATION/CONSENT AGENDA

Items K-1 through K-3 were discussed among the Council and staff.

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

I. INFORMATION/CONSENT AGENDA

1. City Clerk Department

SUBJECT: Approval of Minutes.

RECOMMENDATION: That the City Council approve the meeting minutes of the July 6, 2021 and July 20, 2021 regular meetings as presented.

2. Public Works Department

SUBJECT: Agreement A-8369 with Holloway Environmental Solutions, LLC for Biosolids Hauling and Disposal Services.

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute Agreement A-8369 with Holloway Environmental Solutions, LLC, in the amount not to exceed \$5,000,000 for a three-year term ending October 31, 2024, for Biosolids Hauling and Disposal Services for the Wastewater Division. (Public Works and Transportation Committee approved 3-0.)

3. Police Department

SUBJECT: Trade Services Agreement with Professional Security Consultants (PSC) for Downtown Security Services.

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a four (4) - year agreement (contract number A-8370) for security services in the Central Business District, the Oxnard Public Library, and the Oxnard Service Center with Professional Security Consultants ("PSC") in the amount not to exceed \$1,260,000.00.

(The Community Services, Public Safety, and Housing & Development Committee approved 3-0 on September 14, 2021.)

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

At 9:58 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: Madrigal, Lopez, Teran, MacDonald, Basua, Perello, and Zaragoza; voted in favor; the motion carried 7-0.

J. PUBLIC HEARINGS

1. Housing Department

SUBJECT: Sale of Oxnard Community Development Commission Successor Agency-owned property located on 6th and 7th streets adjacent to Meta Street (APNs 201-0-213-140, 201-0-272-030, 201-0-272-020, and 201-0-213-130) for a total purchase price of \$212,740 to the Oxnard Housing Authority.

(0/10/10)

RECOMMENDATION: 1. That the Oxnard Community Development Commission Successor Agency adopt **SA Resolution #39** titled "A Resolution of the Governing Board of the Oxnard Community Development Commission Successor Agency, approving, and recommending to the Ventura County Consolidated Oversight Board approval of: 1) entry by the Oxnard Community Development Commission Successor Agency into a proposed Purchase and Sale Agreement with the Oxnard Housing Authority; (2) a Grant Deed to effectuate said purchase and sale of real property; (3) the remittance of the net purchase price proceeds received by the Oxnard Community Development Commission Successor Agency after close of escrow to the Ventura County Auditor-Controller for disposition to taxing entities; and (4) related actions."

2. That the Board of Commissioners of the Oxnard Housing Authority conduct a public hearing and adopt **Resolution #1327** titled "A Resolution of the Board of Commissioners of the Oxnard Housing Authority, approving: (1) entry by the Oxnard Housing Authority into a proposed Purchase and Sale Agreement with the Oxnard Community Development Commission Successor Agency; (2) a Grant Deed to effectuate said purchase and sale of real property and the Oxnard Housing Authority's acceptance thereof; and (3) related actions."

3. That the City Council:

i. Conduct a public hearing and consider the Summary Report prepared pursuant to California Health and Safety Code section 33433; and

ii. Adopt **Resolution #15,489** titled "A Resolution of the City Council of the City of Oxnard (1) making findings and taking action pursuant to the provisions of California Health and Safety Code sections 33431 and 33433; (2) approving: (a) the sale and transfer of certain real property from the Oxnard Community Development Commission Successor Agency to the Oxnard Housing Authority; (b) entry by the Oxnard Community Development Commission Successor Agency and the Oxnard Housing Authority into a proposed Purchase and Sale Agreement; and (c) a Grant Deed to effectuate said purchase and sale of real property; and (3) approving related actions."

The City Clerk announced the affidavit of publication and stated that no written communications were received.

The following ex parte communications were reported by Council: Councilmember Perello stated that he was contacted by Angela Whitcomb, Chair of the Parks and Recreation Community Services District. Councilmember Teran reported that he was also contacted by Angela Whitcomb, Chair of the Parks and Recreation Community Services District; Chris Hernandez, Parks and Recreation Community Services District; as well as Roger Poirier, Commissioner and Vice Chair of the Parks and Recreation Community Services District. Councilmember Basua reported that she received a text from Angela Whitcomb, Chair of the Parks and Recreation Community Services District and a letter from a resident regarding the subject. Mayor Pro Tem MacDonald reported that he was contacted by Angela Whitcomb, Chair of the Parks and Recreation Community Services District; and received an email from Roger Poirier, Commissioner and Vice Chair of the Parks and Recreation Community Services District.

Haley Golden, Assistant City Manager and Todd C. Mooney, Successor Agency Special Counsel answered questions from Council.

Mayor Zaragoza opened the public testimony portion of the public hearing. Public comments were received from Chris Hernandez, Angela Whitecomb, Roger Poirier, Daniela Aguirre, and Manuel Herrera.

Without objection, the Council approved closing the public testimony portion of the public hearing. Discussion ensued among the Council and staff.

J.1.1. Oxnard Community Development Commission Successor Agency

It was moved by Councilmember Basua, 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.

J.1.2. Oxnard Housing Authority

It was moved by Councilmember Basua, seconded by Councilmember Lopez, to approve the recommended action as presented. VOTE: Basua, Madrigal, MacDonald, Teran, Lopez, Perello, Zaragoza, and Housing Authority Commissioner Andrade voted in favor; the motion carried 8-0.

J.1.3. Oxnard City Council

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

2. Community Development Department

SUBJECT: Adoption of 2021-2029 Housing Element, text and map changes to the General Plan Land Use Element, Zoning Map Amendment, and five Oxnard City Code/Zoning Text Amendments related to the 2021-2029 Housing Element. (0/15/10)

RECOMMENDATION: That the City Council:

1. Conduct a public hearing; and
2. Approve Initial Study and Mitigated Negative Declaration (IS/MND - No. 2021-01); and
3. Approve **Resolution #15,490** adopting the 2021-2029 Final Housing Element ("Housing Element") update to replace in its entirety the current 2013-2021 Housing Element as Chapter 8 within the 2030 General Plan (PZ No. 20-620-03) with revisions listed under City of Oxnard Final Housing Element Errata No. 1, and text and map changes to the General Plan Land Use Element (PZ Nos. 21-620-02 & 21-620-03) related to the Amendment and Adoption of the 2021-2029 Housing Element; and
4. Approve **Resolution #15,491** approving Zoning Map Amendments (PZ No. 21-580-04) to change zoning designations on 106 parcels to be consistent with Supplement 1 of the Final Housing Element and facilitate construction of housing units as stipulated in the Final Housing Element; and
5. Introduce the following five ordinances for first reading (by title only, waiving further reading)(PZ 21-580-03):
 - a. **Ordinance #2999** of the City Council of the City of Oxnard to Repeal the All-affordable Housing Opportunity Program (AAHOP) and replace these regulations with

- newly created Affordable Housing, Permitted (-AHP) And Affordable Housing, Discretionary (-AHD) Additive Zone Definitions, Designations and Regulations in OCC Sections 16-420a through 16-420k; and
- b. **Ordinance #3000** of the City Council of the City of Oxnard amending the General Commercial zone permitted and related uses in OCC Section 16-135 & 16-136; and
 - c. **Ordinance #3001** of the City Council of the City of Oxnard amending the Business And Research Park (BRP) zone permitted uses in OCC Section 16-162 & 16-163; and
 - d. **Ordinance #3002** of the City Council of the City of Oxnard amending the Density Bonus ordinance approval authority and appeal provision in OCC Section 16-410; and
 - e. **Ordinance #3003** of the City Council of the City of Oxnard Creating a Ministerial Site Plan Review process OCC Sections 16-523 through 16-523.12.; and
6. Direct City Staff to finalize with noted revisions in Errata No. 1, incorporate the 2021-2029 Housing Element into the 2030 General Plan as Chapter 8 of Goals and Policies document, incorporate zone code text amendments into the OCC, and forward the 2021-2029 Housing Element to the State of California Department of Housing and Community Development (HCD) for certification.

The City Clerk announced the affidavit of publication and stated that written communications were received from Barbara Macri-Ortiz.

Vyto Adomaitis, Community Development Director, presented and introduced the team that worked on the object. Kathleen Mallory, Planning & Sustainability Manager; Heather Davis, Senior Planner at Rincon consultants, Inc.; Amy Sinsheimer, AICP Senior Associate at PlaceWorks; Emilio Ramirez, Housing Director; John Muggridge, Principal at Fehr & Peers; and Ken Rozell, Chief Assistant City Attorney. The team was available and answered questions from Council.

Mayor Zaragoza opened the public testimony portion of the public hearing. Public comments were received from Sukhi Sandhu, Jackson Piper, Kristi Turner, Tom S. Cohen, Paul Sheehan, Mark Petit, and Barbara Macri-Ortiz.

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 Mayor Zaragoza, seconded by Councilmember Lopez, 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: Formation of the City of Oxnard Community Facilities District No. 9 (Northshore at Mandalay Bay) and Approval of Funding and Acquisition Agreement. (0/5/5)

RECOMMENDATION: That the City Council:

The City Council took the following actions:

1. Conducted a Public Hearing on the: (a) formation of Community Facilities District 9 (Northshore

at Mandalay Bay); (b) levy of special taxes and; (c) issuance of special tax bonds secured by the special taxes;

The City Clerk announced the affidavit of publication and stated that no written communications were received.

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.

2. Adopted **Resolution #15,492** determining the validity of prior proceedings, establishing Community Facilities District 9 (Northshore at Mandalay Bay) and approving a funding and acquisition agreement (A-8376);

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

3. Adopted **Resolution #15,493** determining the necessity to incur bonded indebtedness within Community Facilities District 9 (Northshore at Mandalay Bay) and calling a special election;

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

4. Held Election;

5. Adopted **Resolution #15,494** canvassing the results of the election held within Community Facilities District 9 (Northshore at Mandalay Bay); and

Nine (9) votes were received in favor of the proposition, and no votes against; proposition passed.

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

6. Introduced **Ordinance #3004** (by title only, further reading waived), authorizing the levy of a special tax within Community Facilities District 9 (Northshore at Mandalay Bay).

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD, CALIFORNIA, ACTING AS THE LEGISLATIVE BODY OF THE CITY OF OXNARD COMMUNITY FACILITIES DISTRICT NO. 9 (NORTHSHORE AT MANDALAY BAY), AUTHORIZING THE LEVY OF SPECIAL TAXES.

Amendment to Ordinance #3004 - Additional language added to the First Recital of the Ordinance read by Ken Rozell, Chief Assistant City Attorney:

to finance facilities, including fees relating there to, with an estimated life of five years or longer which the CFD is authorized by law to construct, own, or operate and that are necessary to meet increased demands placed upon the City as a result of development occurring within the proposed CFD. And add to finance services, the clause: which the CFD is allowed by law to provide.

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

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

4. Community Development Department

SUBJECT: Peninsula Road Street Vacation and Acceptance of a Public Access Easement; Planning and Zoning (PZ) Permit No. 21-660-01 (Street Vacation)- A Resolution to vacate the southernmost 272 feet of Peninsula Road fronting 3605 Peninsula Road and acceptance of a public access easement to allow for the continuation of vehicular circulation. (0/10/10)

RECOMMENDATION: That the City Council:

1. Conduct a public hearing;
2. Find the project Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3); and
3. Adopt **Resolution #15,495** to vacate its right, title and interest in the southernmost 272 feet of the right-of-way fronting 3605 Peninsula Road and accept a public access easement to allow for the continuation of vehicular circulation.

The City Clerk announced the affidavit of publication and stated that no written communications were received. Isidro Figueroa, Principal Planner, gave a report and was available to answer 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.

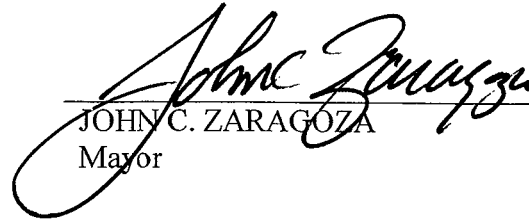
It was moved by Mayor Pro Tem MacDonald, seconded by Councilmember Basua, to approve the recommended action as presented. VOTE: Perello, MacDonald, Madrigal, Basua, Zaragoza, Lopez, and Teran voted in favor; the motion carried 7-0.

ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Zaragoza adjourned the meeting at 10:50 p.m.



ROSE CHAPARRO
City Clerk



JOHN C. ZARAGOZA
Mayor