

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
November 16, 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 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; Terrel Harrison, Cultural & Community Services Director; and Rose Chaparro, City Clerk.

Staff members Ashley Golden, Assistant City Manager; Shiri Klima, Deputy City Manager; Jason Benites, Police Chief; Eric Sonstegard, Assistant Chief of Police; Alex Arnett, Police Commander; Delia Campbell, Police Finance Manager; John Colamarino, Assistant Fire Chief; Michael Wolfe, Public Works Director; Brian Yanez, Assistant Public Works Director; Steve Howlett, Assistant Public Works Director; Chris Peyton, Water Operations Manager; Omar Castro, Water Division Manager; Todd Vasquez-Housley, Environmental Resources Division Manager; Emilio Ramirez, Housing Director; Vyto Adomaitis, Community Development Director; Steve Naveau, Human Resources Director; Betsy George, Chief Financial Officer; Eden Alomeri, Revenue & Licensing Director & Assistant City Treasurer; and Phillip Molina, City Treasurer; participated via videoconference.

Lance Sterling, CEO for Sterling Venue Ventures LLC 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: Jose Alvarez; et al. v. City of Oxnard
United States District Court, Central District, Case No. 2:19-cv-08044-PSG-JC
Legislative Body: City Council
2. CONFERENCE WITH LEGAL COUNSEL — EXISTING LITIGATION (Government Code Section 54956.9(d)(1))
Name of case: Aaron Starr v. Rose Chaparro
Court of Appeal of the State of California, Second Appellate District, Case No. 2d Civ. No. B307585
Legislative Body: City Council
3. 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 a claim for utility payment refund or credit filed by Dandy Cooling Co.

Legislative Body: City Council

At 4:33 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. APPOINTMENT ITEMS (5:47 PM)1. Cultural & Community Services Department

SUBJECT: Oxnard Performing Arts and Convention Center Annual Report.

RECOMMENDATION: That the Oxnard City Council receive the annual report from Sterling Venue Ventures on the Oxnard Performing Arts Center management agreement.

(This item did not originate in Committee.)

Terrel Harrison, Cultural & Community Services Director introduced Lance Sterling, CEO for Sterling Venue Ventures LLC, who presented and answered questions. Public comments were received from Manuel Herrera and Larita Montgomery. Discussion ensued among the Council and staff. Report was received and filed, no formal action was required.

E. OPENING CEREMONIES (6:05 PM)

The flag salute was followed by a moment of silence.

F. CEREMONIAL ITEMS1. SUBJECT: Presentation of the Annual Community Relations Commission Community Recognition Awards.

Mayor Zaragoza read the proclamation and presented it to Adam Lopez, Community Relations Committee Chair, who made some remarks. Mayor Zaragoza read the list of awardees. Public comments were received from Drew Rodriguez and Chris Hernandez.

2. SUBJECT: Presentation of a Proclamation Designating December 1, 2021 as "World AIDS Day."
Mayor Zaragoza read the proclamation.

G. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Lucy Cartagena (Homeless concerns, Housing Department meeting scheduled to discuss fall weather shelter and safety program), Chris Hernandez (Bicycle and Road Safety event), and Walter J. Snyder (Housing Department Inspection Complaint/Voucher concerns), and Ray Blattel (Police Department to enforce children bicycle safety and enforce wearing a helmet).

H. REPORT OF CITY MANAGER1. City Manager Department

SUBJECT: COVID-19 Update from Director of Emergency Services.

RECOMMENDATION: That the City Council:

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

2. Re-authorize 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 from Council. No public comments were received.

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

I. CITY COUNCIL REPORTS

Councilmember Madrigal expressed his condolences to Mayor Zaragoza and his family. He thanked everyone that attended and participated in the La Colonia Community clean-up event. He also thanked staff for organizing this event. Expressed concerns about the County map distribution. Shared the transportation issues experienced by a Cal Lutheran student due to the bus service going to Thousand Oaks is being cancelled. Attended the food truck event in Downtown.

Councilmember Lopez also expressed her condolences to Mayor Zaragoza and his family. Acknowledged the landscape and maintenance work being done throughout the City, and thanked staff and vendors. Attended the Alzheimer's Association West Ventura County Reception which rose over \$120,000 in funds for research and education. Also, attended the Ventura County Farm Day event. Announced that Ormond Beach Restoration Partners are holding a virtual public outreach meeting to share the preliminary design plan. Wished everyone a happy Thanksgiving.

Councilmember Perello also expressed his condolences to Mayor Zaragoza and his family. Attended the Oxnard Airport Ribbon Cutting Ceremony for the Runway Repavement at the Oxnard Airport. Attended the Oxnard Shores Community meeting. He also acknowledged the landscape and maintenance work being done throughout the City, and thanked the community for passing Measure E. He attended the Veteran's Day event with Mayor Zaragoza and Mayor Pro Tem MacDonald. Asked that a future agenda item be added to provide an update on the gopher control item.

Councilmember Basua also expressed his condolences to Mayor Zaragoza and his family for their loss. She selected Lupita's Restaurant as her local business to support. She wished everyone a happy Thanksgiving as well.

Mayor Zaragoza selected Radio Lazer Broadcasting as his local business to support. Thanked everyone that attended and participated in the Veteran's Day events. He also acknowledged the landscape and maintenance work being done throughout the City. He also thanked everyone that organized the La Colonia neighborhood beautification project. Paul Lemos was nominated as the President of the Youth Baseball League.

J. REVIEW OF INFORMATION/CONSENT AGENDA

Items L-1 through L-13 were discussed among the Council and staff.

K. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Sofia Bellos-Kimsey, City Librarian (L.6) and Gabriel Teran (L.12).

L. INFORMATION/CONSENT AGENDA

1. City Clerk Department

SUBJECT: Approval of Minutes.

RECOMMENDATION: That the City Council approve the minutes of the September 21, 2021, and October 5, 2021 regular meetings; and the September 30, 2021 special meeting as presented.

2. Police Department

SUBJECT: Ventura County SAFE Incident Responder Grant Program.

RECOMMENDATION: That the City Council adopt **Resolution #15,505**:

1. Authorizing the City Manager to execute and apply for \$176,200 in grant funds from the Service Authority for Freeway Emergencies (SAFE) Grant Program, to be used for the purchase of an emergency response vehicle, handheld FARO scanner, traffic control devices, and a UAV with mapping software.

2. Authorizing the City Manager or his designee to execute grant agreements and appropriate funds upon confirmation of the grant award.

3. Authorizing the Chief Financial Officer or designee to submit financial reports and grant claims and approve budget appropriations for use of SAFE grant funds.

4. Authorizing the Chief of Police or designee to submit all program-related progress or status reports. (This item did not originate in Committee.)

3. Public Works Department

SUBJECT: Grant Application for Tree Mortality Event CDAA-2015-05.

RECOMMENDATION: That the City Council adopt **Resolution #15,506**:

1. Authorizing the City Manager to submit an application for \$75,000 in federal financial assistance under the Disaster Relief Act of 1974 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act to be used for the Tree Mortality Event CDAA-2015-05 response;

2. Authorizing the Chief Financial Officer or designee to submit financial reports and grant claims for the use of grant funds;

3. And approve a budget appropriation recognizing \$82,500 in grant revenue and appropriation of grant funds.

4. Fire Department

SUBJECT: Authorization to Submit a Grant to Ventura County Service Authority for Freeway Emergencies (SAFE) for \$440,627 for the Purchase of Battery-Operated Extrication Equipment for Ventura County Fire Protection District, and the Cities of Oxnard, Ventura and Fillmore Fire Departments. (No matching funds required).

RECOMMENDATION: That City Council adopts **Resolution #15,507**:

1. That ratifies the submission of an application to the Ventura County Transportation Commission for \$440,627 for the purchase of battery-operated extrication equipment for Ventura County Fire Protection District, and the Cities of Oxnard, Ventura, and Fillmore Fire Departments;

2. That authorizes the City Manager or designee to execute the agreements if grant funds are awarded to the City;

3. That authorizes the Chief Financial Officer or designee to submit financial reports and grant

claims, approve budget appropriations during FY2021-2023 for the use of grant funds and perform all other required financial actions; and

4. That authorizes the Fire Chief or designee to submit non-financial reports.

5. Public Works Department

SUBJECT: Budget Appropriation for the PAL Gymnasium South Wing Roof Replacement Project PW 20-11.

RECOMMENDATION: That the City Council approve and authorize:

1. The City Manager to execute a budget appropriation transfer in the amount of \$180,385 from the Saviers Road Street Resurfacing Project (203007) to the PAL Gym Roof Replacement Project (205501) in the 2006 TAB HERO Fund (315); and

2. An increase of \$50,000 in Project contingency from \$20,649 to \$70,649 for use in this Project and to extend the completion date to February 28, 2022.

6. Cultural & Community Services Department

SUBJECT: **Resolution #15,508** Commending Lisa Marie Ayala for over 37 Years of Exemplary Service to the City of Oxnard.

RECOMMENDATION: That the City Council adopt a resolution commending Lisa Marie Ayala for over 37 years of exemplary service to the City of Oxnard.

7. Police Department

SUBJECT: Edward Byrne Memorial Justice Assistance Grant FY2018 Local JAG.

RECOMMENDATION: That City Council adopt **Resolution #15,509**:

1. Authorizing the City Manager to execute a submitted application for the U.S. Department of Justice (DOJ) grants funds in the revised amount of \$117,551 from the Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program's FY2018 Local Solicitation;

2. Authorizing the City Manager to execute a revised Memorandum of Understanding with the County of Ventura and the Cities of San Buenaventura and Simi Valley designating the City of Oxnard as the lead agency and fiscal agent for the 2018 JAG.; and

3. Authorizing the City Manager or designee to execute grant agreements and appropriate funds upon notification of the grant award.

8. Public Works Department

SUBJECT: Adopt **Ordinance No. 3005** for the Dissolution of the City of Oxnard Community Facilities District No. 6 (Northshore at Mandalay Bay).

RECOMMENDATION: That the City Council adopt **Ordinance No. 3005** Ceasing Levy of Special Tax, Extinguishing Lien and Dissolving Community Facilities District No. 6 (Northshore at Mandalay Bay).

(This item was introduced at the October 19, 2021 City Council meeting, therefore this item did not originate in Committee.)

9. Housing Department

SUBJECT: City Participation in the Emergency Rental Assistance Program.

RECOMMENDATION: That the City Council:

1. Adopt **Resolution #15,510** Authorizing the City's Participation in the State Rental Assistance Program - 2 ("SRA - 2") and Directing the City Manager to Take Actions to Effectuate the City's Participation;

2. Authorize and Direct the City Manager or his Designee to enter into an Agreement with the State of California Housing and Community Development Department ("HCD") governing the administration of the City's direct allocation of federal Emergency Rental Assistance Program ("ERAP-2") on behalf of the City; and

3. Authorize and Direct the City Manager or his Designee to accept an allocation of \$93,155.92 from the HCD for the purpose of defraying the costs of administration of the ERAP-1 program, and approve and authorize a budget appropriation in that amount (to Fund 261-5139, project 775235).
10. Public Works Department
SUBJECT: Agreement A-8368 with Toter, LLC for the Purchase of Residential Containers and Parts for the Environmental Resources Division.
RECOMMENDATION: That the City Council approve and authorize the Mayor to execute Agreement A-8368 with Toter, LLC in the amount not to exceed \$750,000 for a three-year term ending December 31, 2024 for the purchase of residential containers and parts.
(Public Works and Transportation Committee approved 3-0)
11. Public Works Department
SUBJECT: Agreement A-8380 with Chrisp Company for On-Call Street Striping and Marking Services PW 22-17.
RECOMMENDATION: That the City Council approve and authorize the Mayor to execute Agreement A-8380 with Chrisp Company in the amount not to exceed \$435,000 for a three-year term for On-Call Street Striping and Marking Services PW 22-17.
(Public Works and Transportation Committee approved 3-0.)
12. Public Works Department
SUBJECT: Purchase Order with PB Loader Corporation for Two New Asphalt Patch Truck Purchases for Streets Division.
RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a Purchase Order with PB Loader Corporation in the amount not to exceed \$496,346 for the purchase of two (2) new Asphalt Patch Trucks for the Street Maintenance Division.
(Public Works and Transportation Committee approved 3-0.)
13. Public Works Department
SUBJECT: Purchase Order with Quinn Company for Heavy Equipment for the Water Division.
RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a Purchase Order with Quinn Company in the amount not to exceed \$407,128.75 for heavy equipment for the Water Division.
(Public Works and Transportation Committee approved 3-0.)

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

M. PUBLIC HEARINGS

1. Housing Department
SUBJECT: Consolidated Annual Performance and Evaluation Report (CAPER) for Fiscal Year 2020-21. (0/10/10)
RECOMMENDATION: That the City Council:
1. Conduct a public hearing to receive comments regarding the Consolidated Annual Performance and Evaluation Report for Fiscal Year 2020-21 to be submitted to the United States Department of Housing and Urban Development, Office of Community Planning and Development; and
 2. Review and file the City of Oxnard's Consolidated Annual Performance and Evaluation Report

for FY 2020-21.

The City Clerk announced the affidavit of publication and stated that no written communications were received. Emilio Ramirez, Housing Director gave a report 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 Basua, to approve the recommended action as presented. VOTE: Perello, MacDonald, Madrigal, Basua, Zaragoza, and Lopez voted in favor; the motion carried 6-0.

N. REPORTS

1. City Manager Department

SUBJECT: **Resolution #15,511** of the City Council of the City of Oxnard authorizing the City Manager to refund employee givebacks to former employees.

RECOMMENDATION: That the Oxnard City Council adopt **Resolution #15,511** authorizing the City Manager to refund benefit givebacks made by former City employees.

Alexander Nguyen, City Manager, presented and answered questions. No public comments were received. 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: MacDonald, Zaragoza, Perello, Madrigal, Basua, and Lopez voted in favor; motion passed 6-0.

2. City Treasurer

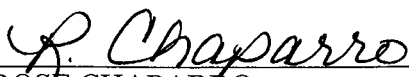
SUBJECT: City Treasurer's Quarterly Investment Report for the Period Ending September 30, 2021.

RECOMMENDATION: That the City Council receive and file the quarterly report for the period ending September 30, 2021. (This item did not originate in Committee.)

Phillip Molina, Treasurer presented the report. No public comments were received. Report was received and filed, no formal action was required.

O. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Zaragoza adjourned the meeting at 8:27 p.m.



ROSE CHAPARRO

City Clerk



JOHN C. ZARAGOZA
Mayor