

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
December 21, 2021

A. ROLL CALL, POSTING OF AGENDA

At 5:02 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 and Commissioner Francisco Vega joined the meeting at 6:00 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; Jason Benites, Police Chief; Denise Shadinger, Assistant Chief of Police; Eric Sonstegard, Assistant Chief of Police; John Colamarino, Assistant Fire Chief; Michael Wolfe, Public Works Director; Steve Howlett, Assistant Public Works Director; Badaoui Mouderrès, Technical Services & Water Quality Manager; Jan Hauser, Wastewater Division Manager; Emilio Ramirez, Housing Director; Isidro Figueroa, Principal Planner; Jennifer Hiraoka, Sr. Manager of Internal Controls & Acting Controller; and Eden Alomeri, Revenue & Licensing Director & Assistant City Treasurer participated via videoconference.

Megan Quinn, Consultant with Harris and Associates 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 (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
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.
Legislative Body: City Council
3. CONFERENCE WITH REAL PROPERTY NEGOTIATORS – (Government Code section 54956.8)
Properties: 3139 South J Street, Oxnard (APN 205-0-041-115)
Agency Negotiator: Ashley Golden, Assistant City Manager
Negotiating Party: Emilio Ramirez, Housing Director, Oxnard Housing Authority

Under Negotiation: Price and terms of payment/transfer
Legislative Body: City Council

At 5:08 p.m., the City Council recessed to a closed session. At 6:03 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. OPENING CEREMONIES (6:00 PM)

The flag salute was followed by a moment of silence.

E. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA (None received.)

F. REPORT OF CITY MANAGER

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.

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

3. CITY COUNCIL REPORTS

Mayor Pro Tem MacDonald selected Pronto Brake and Muffler as his recommendation for a local business. He also reported that he has received complaints from residents that the 311 application is not functional.

Councilmember Lopez selected Tune Ups Plus as her recommendation for a local business. She thanked the Parks and Recreation Department staff for all the holiday events. She wished everyone a happy holiday season and very happy New Year.

Councilmember Teran selected La Mexicana Bakery as his recommendation for a local business. He thanked residents for their support and welcoming him back to the Council. He announced that anyone that may be experiencing mental health or substance abuse disorders can contact the Ventura County Access Line (844) 385-9200, these services are available at no cost. The Suicide Prevention Line is available at (800) 273-8255 and online at suicidepreventionline.org. He wished everyone a happy holiday season and a very happy New Year.

Councilmember Basua selected Xielo Artisan Desserts as her recommendation for a local business. She thanked the City staff that attended the South Oxnard Aquatic Center meeting at College Park. She thanked the participants for their hard work and involvement during this process. Wished everyone a Merry Christmas.

Councilmember Madrigal selected Xielo Artisan Desserts as his recommendation for a local family owned business. He thanked the Parks and Recreation Department staff for organizing all the events held during the holiday season, such as Santa and the tree lighting events. He attended the South Oxnard Aquatic Center meeting. He thanked everyone that organized and participated in the events and the

many organizations that made donation of food, toys, and gifts for the children throughout the City.

Councilmember Perello selected Masa Hair as his recommendation for a local business. He thanked Councilmember Teran for providing the mental health services information. He reported attending the Airport Noise meeting. He attended the holiday food and toy drive event at the Harbor. He also thanked the many organizations that donated food, toys, money, and other generous donations for the residents throughout the City of Oxnard. He thanked Terrel Harrison, Cultural & Community Services Director and his staff, for organizing the many events throughout the City during this holiday season. He also thanked Anderson Paak for performing a concert at Oxnard College Park and helping the community.

Mayor Zaragoza selected to recommend El Concilio Family Services as his local business. He attended the Oxnard Christmas Potluck at Rose Park with Councilmember Madrigal. He attended a fundraiser held to renovate the baseball fields at Channel Islands High School for the school's baseball program. He thanked the project's contractor, Rob Casillas, for his generous donations for this project. He wished the residents, Council members, Committee members, and staff a happy holiday season. He also thanked all the residents of Oxnard for supporting and voting yes on Measure E. There are many improvements being done throughout the City and it is making a positive change.

H. REVIEW OF INFORMATION/CONSENT AGENDA

Items J-1 through J-17 were discussed among the Council and staff.

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

J. INFORMATION/CONSENT AGENDA

1. City Clerk Department

SUBJECT: Approval of Minutes.

RECOMMENDATION: That the City Council approve the minutes of the October 19, 2021 and November 16, 2021 regular meetings as presented.

2. Police Department

SUBJECT: **Resolution #15,520** Commending Diana Burns for 38 Years of Service to the City of Oxnard.

RECOMMENDATION: That the City Council adopt **Resolution #15,520** commending Diana Burns for 38 Years of Service to the City of Oxnard. (This item did not originate in Committee.)

3. Community Development Department

SUBJECT: Adoption of Ordinance No. 3006 - Planning & Zoning (PZ) Permit No. 21-580-05 Bed and Breakfast Parking Regulations (Zone Text Amendment).

RECOMMENDATION: That the City Council adopt Ordinance No. 3006 amending 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. (On July 27, 2021, the Community Services, Public Safety and Housing and Development Committee received a summary report and referred the item to the Planning Commission. On October 21, 2021, the Planning Commission conducted a public hearing.)

4. Billing and Licensing Department

SUBJECT: Ratification of the First Amendment to Agreement with Paymentus, Inc. for Credit Card Services.

RECOMMENDATION: That the City Council ratify the first amendment to Agreement 9046-20-CT with Paymentus, Inc. to add the function of credit card merchant processor in the scope of services to be performed by Paymentus, Inc.

(The Finance and Governance Committee approved 2-0 on November 23, 2021.)

5. Public Works Department

SUBJECT: Agreement A-8403 to GSE Construction Company, Inc. for the Total Organic Carbon Analyzer Project (Rebid), Specification No. PW 21-15R.

RECOMMENDATION: That the City Council approve and authorize the following for a total of \$285,240 in Project funds for the Total Organic Carbon (TOC) Analyzer Project (Rebid), Specification No. PW 21-15R (Project No. 216505):

1. The Mayor to execute Agreement A-8403 with GSE Construction Company, Inc. in the amount of \$237,700 for the Project;
2. A Project contingency amount of \$23,770;
3. A Project allocation of \$23,770 for engineering, inspection, survey and project management; and
4. A budget appropriation in the amount of \$95,087 from the available fund balance in the Water Operating Fund (601) for the Project.

(This item did not originate in Committee as this is a capital improvement project specifically listed in the City's Capital Improvement Program.)

6. Fire Department

SUBJECT: Formal Adoption of 2021 City of Oxnard Emergency Operations Plan (EOP) Update.

RECOMMENDATION: That the City Council adopt **Resolution #15,521** adopting the 2021 Emergency Operations Plan (EOP) Update and authorize the Mayor to sign the Letter of Promulgation.

(The Community Services, Public Safety, and Housing & Development Committee approved 3-0 on November 23, 2021.)

7. Fire Department

SUBJECT: Ratification to submit seven (7) grant applications to Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant (AFG) for \$1,999,836 for the purpose of purchasing an Aerial Apparatus (Ladder Truck), Medical Squad, Tactical Emergency Medical Services (TEMS) Training, Wildland Gear, Extractors, Battery Operated Extrication Equipment, and Thermal Imaging Cameras. (Matching requirement of up to \$180,819.)

RECOMMENDATION: That the City Council adopt **Resolution #15,522**:

1. That ratifies the submission of seven (7) grant applications to the Federal Emergency Management (FEMA) Assistance to Firefighters Grant (AFG) for \$1,999,836, including a 10% local match for the purpose of purchasing an aerial apparatus, medic squad, extractors, battery-operated extrication equipment, thermal imaging cameras, wildland gear and Tactical Emergency Medical Services (TEMS) training;
2. That authorizes the City Manager or designee to execute the grant 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 for the use of match and grant funds and perform all other required financial actions; and
4. That authorizes the Fire Chief or designee to submit non-financial reports.
(The Community Services, Public Safety, and Housing & Development Committee approved 3-0 on November 23, 2021.)

8. Public Works Department

SUBJECT: Agreement A-8377 with U.S. Metro Group, Inc. to Provide Custodial Services for Citywide Park Restrooms.

RECOMMENDATION: That the City Council approve and authorize the:

1. Mayor to execute Agreement A-8377 with U.S. Metro Group, Inc. for a term of one (1) year and the option to extend for two (2) consecutive periods of one (1) year each, not to surpass January 31, 2025, and for a total contract not-to-exceed amount of \$1,800,000, for custodial services for citywide park restrooms; and
2. Purchasing Agent to execute amendments to Agreement A-8377 for a total term of three (3) years with a possible ultimate termination date of January 31, 2025 and a total not-to-exceed amount of \$1,800,000. (Public Works and Transportation Committee approved 3-0 on November 23, 2021.)

9. Public Works Department

SUBJECT: Second Amendment to County of Ventura and Ventura County Watershed Protection District Agreement A-8295 - Harbor Beaches of Ventura County Bacteria TMDL Special Studies and Compliance Actions.

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a Second Amendment to Agreement A-8295 with the County of Ventura and the Ventura County Watershed Protection District in the amount of \$71,288.54 for a new not to exceed contract amount of \$232,958.54 and to extend the term to December 31, 2022, for the City of Oxnard's share of Harbor Beaches of Ventura County Total Maximum Daily Load special studies and compliance actions. (Public Works and Transportation Committee approved 3-0 on November 23, 2021.)

10. Public Works Department

SUBJECT: Agreement A-8381 with Woodard & Curran, Inc., for the Utility Master Plan Update Project PW 21-83.

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute Agreement A-8381 with Woodard & Curran, Inc., in the amount of \$899,239 for a term of two years for the Utility Master Plan Update Project, Specification No. PW 21-83.
(Public Works and Transportation Committee approved 3-0 on November 23, 2021.)

11. Public Works Department

SUBJECT: Agreements for On-Call Professional Engineering Services.

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute the following on-call professional engineering agreements:

1. Agreement A-8384 with Twining, Inc. in the amount not to exceed \$750,000 for a three-year term;
2. Agreement A-8385 with Earth Systems Pacific in the amount not to exceed \$500,000 for a three-year term;
3. Agreement A-8386 with Construction Testing and Engineering, Inc. in the amount not to exceed \$500,000 for a three-year term;

4. Agreement A-8387 with Black, O'Dowd, and Associates, Inc. in the amount not to exceed \$1,000,000 for a three-year term;
 5. Agreement A-8389 with Roesling Nakamura Terada Architects, Inc. in the amount not to exceed \$1,000,000 for a three-year term;
 6. Agreement A-8390 with SVA Architects, Inc. in the amount not to exceed \$1,000,000 for a three-year term.
 7. Agreement A-8396 with LSY Enterprise Inc. in the amount not to exceed \$1,000,000 for a three-year term; and
 8. Agreement A-8397 with TJKM Transportation Consultants in the amount not to exceed \$1,000,000 for a three-year term.
- (Public Works and Transportation Committee approved 3-0 on November 23, 2021.)

12. Public Works Department

SUBJECT: Second Amendment to Agreement A-8221 with Big Truck Rental, LLC for Short-Term Rental of additional Compressed Natural Gas (CNG) Residential Refuse Collection Vehicles for the Environmental Resources Division.

RECOMMENDATION: That the City Council:

1. Approve and authorize the Mayor to execute a Second Amendment to Rental Agreement A-8221 with Big Truck Rental, LLC in the amount of \$464,000 for a new total not to exceed \$1,707,200 for a term of six months for the short-term rental of eight additional compressed natural gas (CNG) residential refuse collection vehicles; and
2. Approve a budget appropriation in the amount of \$464,000 from the available fund balance in the Solid Waste Operating Fund (631).

(Public Works and Transportation Committee approved 3-0 on November 23, 2021.)

13. Finance Department

SUBJECT: Second Amendment to Agreement A-8012 with NHA Advisors for financial advisory services, disclosure compliance, and CDIAC reporting services.

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a Second Amendment to Professional Services Agreement No. A-8012 with NHA Advisors for a five-year extension in the amount of \$100,000 per year (\$500,000 total for the amendment or, including the prior amount, \$800,000 total contract).

(The Finance and Governance Committee approved 2-0 on November 23, 2021.)

14. Fire Department

SUBJECT: Resolution Commending Roy Peacock for 37 Years of Exemplary Service to the City of Oxnard.

RECOMMENDATION: That the City Council adopt **Resolution #15,523** commending Roy Peacock for 37 years of exemplary service to the City of Oxnard Fire Department.

(This item did not originate in Committee.)

15. Finance Department

SUBJECT: Fiscal Year 2020-21 Annual Report on Development Impact Fees (AB1600).

RECOMMENDATION: That the City Council receive and file the annual development impact fee report (AB1600) for the fiscal year ended June 30, 2021.

16. City Manager Department

SUBJECT: First Amendment with Vasquez & Company LLP for On-Call Internal Auditing Services.

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a First Amendment to the Professional Services Agreement with Vasquez & Company, LLP (9051-20-CM) in the amount of \$75,000 for a not to exceed contract amount of \$100,000 and to extend the term 3 more years until December 31, 2024, for On-Call Internal Auditing Services. (The Finance and Governance Committee approved 2-0 on November 23, 2021.)

17. Public Works Department

SUBJECT: **Resolution #15,524** Commending Reyes Covarrubias for 20 Years of Services to the City of Oxnard.

RECOMMENDATION: That the City Council adopt a resolution commending Reyes Covarrubias for 20 Years of Services to the City of Oxnard. (This item did not originate in Committee.)

Councilmember Teran noted a correction needed to consent item J.13, that the Finance and Governance Committee approved by a 2-0 vote, on November 23, 2021. This correction will be made to the meeting agenda and the meeting minutes.

Consent Items J.1, J.2 and J.4 – J.17

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

Consent Item J.3

It was moved by Councilmember Lopez, seconded by Councilmember Perello, to approve the Information/Consent item as presented. VOTE: Perello Basua, Madrigal, Zaragoza, Teran, and Lopez voted in favor, MacDonald voted against, motion passed 6-0-1. Mayor Pro Tem MacDonald abstained due to owning property near the project location for item J.3.

K. PUBLIC HEARINGS – (Public hearing agenda item was continued.)1. Housing Department

SUBJECT: Amendment to the Housing Authority Annual Agency Plan and Housing Choice Voucher Program Administrative Plan. (0/10/10)

RECOMMENDATION: That the Board of Commissioners:

1. Conduct a public hearing to receive comments concerning recommended amendments to the 2021 Annual Agency Plan and the Housing Choice Voucher Administrative Plan;
2. Adopt the attached Resolution approving the amended 2021 Annual Agency Plan and the Housing Choice Voucher Administrative Plan; and
3. Authorize the Oxnard Housing Authority to submit the amended 2021 Annual Agency Plan and the Housing Choice Voucher Administrative Plan to the United States Department of Housing and Urban Development. (This item did not originate in Committee.)

Council made a motion to continue this public hearing to the January 18, 2022 Council meeting.

It was moved by Councilmember Perello, seconded by Councilmember Lopez, to approve the recommended action. VOTE: Lopez, Basua, Teran, Zaragoza, MacDonald, Perello, Madrigal and Housing Commissioner Andrade voted in favor; motion passed 8-0. Commissioner Vega was not available to vote due to technical issues.

L. REPORTS

1. Finance Department

SUBJECT: Proposed City Council Policy for Internal Control Integrated Framework - Monitoring Activities. (0/10/10)

RECOMMENDATION: That the City Council adopt a resolution adopting the Policy for Monitoring Activities of Internal Controls to define the City Council's internal control activities as they relate to monitoring activities of internal controls.

(The Finance and Governance Committee approved 2-0 on November 23, 2021.)

(Presentation will be live upon consultant's request.)

Jennifer Hiraoka, Senior Manager of Internal Controls & Acting Controller, presented and answered questions. No public comments were received. Discussion ensued among the Council and staff.

Councilmember Teran noted a correction needed to the agenda for this report, that the Finance and Governance Committee approved by a 2-0 vote, on November 23, 2021. This correction will be made to the meeting agenda and the meeting minutes.

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

2. Public Works Department

SUBJECT: Agreement A-8404 to Toro Enterprises, Inc. for the Water Cast Iron Pipe Replacement Project at Various Locations and Storm Drainage Improvement Project at Hueneme Road, Specification No. PW 21-98. (0/5/5)

RECOMMENDATION: That the City Council approve and authorize the following for a total of \$3,643,818 in Project funds for the Water Cast Iron Pipe Replacement Project at Various Locations and Storm Drainage Improvement Project at Hueneme Road, Specification No. PW 21-98 (Project Nos. 206506, 216502 & 215707):

1. The Mayor to execute Agreement A-8404 with Toro Enterprises, Inc. in the amount of \$3,036,516 for the Project;
2. A Project contingency amount of \$303,651 for the Project; and
3. A Project allocation of \$303,651 for engineering, inspection, survey and project management for the Project.

(This item did not originate in Committee as this is a capital improvement project specifically listed in the City's Capital Improvement Program.)

Michael Wolfe, Public Works Director introduced Tatiana Arnaout, Senior Civil Engineer who presented and answered questions. No public comments were received. 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: Teran, Basua, Zaragoza, Lopez, MacDonald, Madrigal, and Perello voted in favor; motion passed 7-0.

3. Police Department

SUBJECT: Report on Police Department's Automated License Plate Reader (ALPR) Program. (0/5/5)

RECOMMENDATION: That the City Council receive and file a report on the Police Department's Automated License Plate Reader (ALPR) Program.

(The Community Services, Public Safety, Housing & Development Committee approved 3-0 on November 23, 2021.)

Denise Shadinger, Assistant Chief of Police, presented and answered questions. No public comments were received. Discussion ensued among the Council and staff. Report was received and filed, no formal action was required.

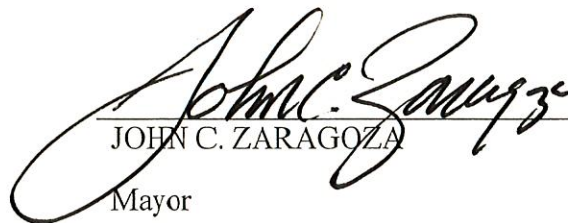
M. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Zaragoza adjourned the meeting at 7:13 p.m.



ROSE CHAPARRO

City Clerk



JOHN C. ZARAGOZA
Mayor