MINUTES
OXNARD CITY COUNCIL
Regular Meeting
February 15, 2022

A. ROLL CALL, POSTING OF AGENDA

At 4:31 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.

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; Alexander Hamilton, Fire Chief; Jaime Villa , EMS Coordinator; Michael Wolfe, Public Works Director; Steve Howlett, Assistant Public Works Director; Tatiana Arnaout, Senior Civil Engineer; Jan Hauser, Wastewater Division Manager; Emilio Ramirez, Housing Director; Elsa Brown, Affordable Housing Manager; Vyto Adomaitis, Community Development Director; Scott Kolwitz, Planning & Environmental Services Manager; Joe Pearson II, AICP, Senior Planner; Jose Coyotl, Associate Planner; Kumar Neppalli, Traffic Operations; Betsy George, Chief Financial Officer; Helen Miller, IT Director; Eden Alomeri, Revenue & Licensing Director & Assistant City Treasurer; participated via videoconference.

Dr. Thomas Duncan, Trauma Center Director; Mike Powers, County Executive Officer; Dr. John Fankhauser, CEO; Steve Carroll, EMS Administrator; Barry Zimmerman, Director of Ventura; Mary L. Maxion, Sr. Manager; Tony Hall, Founder & CEO; Cindy Maurer; Hollee King Winegar, Land Use Planning Consultant with Sites Pacific Planning; Matt Friedrich, Property Owner; Beverly Metz, Project Manager; Anthony Valdez, Regional Manager; Christine Fong, Project Architect; Jesus Torres, CEO & Public Affairs with LEAD Public Strategies; Doug Gans, Chief Operating Officer; Dave Dallal, Chief Financial Officer; Ruthie Edelson, Community Relations; Randy Latimer, Security Consultant; Alfred Fraijo, Jr.; Land Use Counsel; Kristi Byers, Architect; Mark Irving, Developer Representative; Robert Murphy, Walter Hagedohm, and Cindy Maurer, Members of Common Sense; and Scott Swenson, Safer Neighborhood; 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: Ventura County Fire Protection District; et al. v. Santa Clara Waste Water Company; et al.
   Ventura County Superior Court, Case No. 56-2016-00484523-CU-PO-VTA
   Legislative Body: City Council

2. CONFERENCE WITH LABOR NEGOTIATORS (Government Code section 54957.6)
   Agency designated representatives: Alex Nguyen, City Manager, Steve Naveau, Director of

Human Resources; and Jennie Kelly, Assistant City Attorney.
Employee organization: Service Employees International Union CTW, CLC, Local 721 (SEIU Local 721); International Union of Operating Engineers AFL-CIO, Local No. 501 (IUOE Local 501); International Association of Firefighters, AFL-CIO (IAFF), Local No. 1684; Oxnard Public Safety Managers Association (OPSMA); Oxnard Peace Officers Association (OPOA); Oxnard Mid-Managers' Association; (OMMA); and unrepresented employees: City Manager; City Attorney; Assistant City Manager; Chief Financial Officer; City Clerk; Assistant City Treasurer/Director of Revenue and Licensing; Deputy City Manager; Community Development Director; Fire Chief; Housing Director; Human Resources Director; I.T. Director; Cultural and Community Services Director; Police Chief; Public Works Director (Department Directors); Chief Assistant City Attorney; Assistant City Attorney; Deputy City Attorney.
Legislative Body: City Council

At 4:36 p.m., the City Council recessed to a closed session. At 5:06 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

1. City Manager Department
SUBJECT: Update on Trauma Center Hospital Designation.
RECOMMENDATION: That the City Council receive a verbal presentation from Ventura County Medical Center / Santa Paula Hospital, CEO Dr. John Fankhauser and Trauma Director, Dr. Thomas Duncan, on Trauma Center Hospital Designation.

Mr. Mike Powers, County Executive Officer, introduced Dr. John Fankhauser, CEO for the Ventura County Medical Center; and Dr. Thomas Duncan, VCMC Trauma Center Director. They presented and provided Council an update on the Trauma Center hospital designation. Discussion ensued among the Council and staff. Report was received and filed, no formal action was required.

E. OPENING CEREMONIES

The flag salute was followed by a moment of silence.

F. CEREMONIAL ITEMS

1. Cultural & Community Services Department
SUBJECT: Presentation of **Resolution #15,538** Commending Debbie Estrada for over 20 Years of Service to the City of Oxnard.
RECOMMENDATION: That the City Council adopt **Resolution #15,538** commending Debbie Estrada for over Twenty Years of Service to the City of Oxnard's Recreation Division of the Cultural and Community Services Department.

Mayor Zaragoza read the resolution and presented it to Debbie Estrada, who retired after working in the Recreation Division of the Cultural and Community Services Department for over 20 years. Terrel Harrison, Cultural & Community Services Director, acknowledged and thanked Debbie for her years of service to the City of Oxnard. Debbie also made a few remarks.

It was moved by Councilmember Perello, seconded by Councilmember Teran, to approve **Resolution #15,538** as presented. VOTE: Lopez, MacDonald, Madrigal, Perello, Teran, Zaragoza, and Basua voted in ıvor; the motion carried 7-0.

G. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Chris Plasencia (Inquired about Youth Gang Prevention Programs), Audrey Keller (Community Clean-up Event), Diana Velzy, Orchard Park Neighborhood Council (Requesting support for Neighborhood Council events), Chuck Carter (Channel Islands Harbor Water Quality), Armando Delgado (Recognized and Congratulated Debbie Estrada on her retirement on behalf of the Carpenters Local 805), and Douglas Partello, Cabrillo Neighborhood Council Chair (new plan for the neighborhood cleanup vs. volunteer events); Jack Villa (Concerns about the new Neighborhood Clean-up Plan).

H. 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. Report was received and filed. No formal action was required.

I. CITY COUNCIL REPORTS

Councilmember Teran selected Jump 'n Jammin, as his recommendation for a local business. He announced that he attended the Fremont North Neighborhood Council meeting at the request of their Chair. He thanked the neighborhood residents for participating and attending the meeting. He plans to attend the next Carriage Square Neighborhood Council meeting as well. He thanked Mr. Marvin Boos and all the volunteers for their work during the clean-up event on Patterson Road. He asked for a future agenda item, he received a number of complaints from residents about the street car racing and excessive exhaust noise from vehicles, and asked that the Police Department provide Council an update on these items. He also asked for an update on the curb cut permits and how the parking issues are being addressed.

Councilmember Basua selected Los Remedios Steak House as her recommendation for a local business. She also requested that the curb cut item be brought back to Council at a future meeting.

Mayor Pro Tem MacDonald selected the Downtown Café Restaurant as his recommendation for a local business. He also announced that he has been selected as the new Vice Chair for the Ventura County Transportation Commission for this year and is hopeful to be the new Commission Chair next year.

Councilmember Perello selected Flowers by Paulann as his recommendation for a local business. He also discussed the local neighborhood clean-ups that are happening throughout the City. He acknowledged and thanked the Neighborhood Councils, the many different groups throughout the community, and the volunteers that are doing a great job at the events being held throughout the City. He thanked Mr. Marvin Boos, Casa De Vida organization, and all the volunteers for their work during the clean-up event on Patterson Road.

Councilmember Lopez selected 4 Way Meat Market located near the Oxnard Transportation Center, as her recommendation for a local business. She thanked the City Manager for working on organizing programming for youth in the City of Oxnard.

Councilmember Madrigal selected A Burger as his recommendation for a local business. He reminded the residents and parents of the Little League participants to support the children that enjoy the sport and to keep the environment respectful and positive for all involved.

Mayor Zaragoza also thanked Mr. Marvin Boos, members of the community, numerous volunteers and City employees for all the work and clean-up events happening throughout the City.

J. REVIEW OF INFORMATION/CONSENT AGENDA

Items L-1 through L-4 were discussed among the Council and staff.

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

L. INFORMATION/CONSENT AGENDA

1. City Clerk Department
   SUBJECT: Approval of Minutes.
   RECOMMENDATION: That the City Council approve the minutes of the January 18, 2022 regular meeting and the January 22, 2022 special meeting as presented.

2. Information Technology Department
   SUBJECT: Insight Public Sector Inc.
   RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a blanket purchase order for an amount not to exceed $770,000 with Insight Public Sector, Inc. over a two-year period for information technology infrastructure. (Finance and Governance Committee approved 3-0.)

3. Public Works Department
   SUBJECT: Agreement A-8428 with Blackpointe Group Construction & Management Inc., for Catch Basin Cleaning Services.
   RECOMMENDATION: That the City Council approve and authorize the Mayor to execute Agreement A-8428 with Blackpointe Group Construction & Management Inc. (Blackpointe), in the amount not to exceed $900,000 for a three-year term ending February 15, 2025, for catch basin cleaning services. (Public Works and Transportation Committee approved 3-0.)

4. Fire Department
   SUBJECT: SAFER Grant Application - no match required.
   RECOMMENDATION: That City Council adopt **Resolution #15,539**:

1. Ratifying the submission of a grant application for the Federal Emergency Management Agency (FEMA) FY2021 Staffing for Adequate Fire and Emergency Response (SAFER) Grant in the amount of $2,192,342 to be used for the hiring of six additional firefighters, no local match is required;
2. That authorizes the City Manager or designee to execute the grant agreement 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 FY2022-2023 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.

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

M. PUBLIC HEARINGS

1. Community Development Department
SUBJECT: TD Enterprise LLC dba Oxnard Holistics - Commercial Cannabis Business Retail Special Use Permit (SUP). (10/15/15)
RECOMMENDATION: That the City Council:

1. Conduct a public hearing:

2. Find the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities), and

3. Adopt **Resolution #15,540** Approving the Appeal and overturning the Planning Commission's Denial of Planning and Zoning Permit No. 21-516-24 (Special Use Permit- Cannabis Retail), subject to certain conditions and findings. (This item did not originate in Committee.)

The City Clerk announced the affidavit of publication and stated that written communications were received and forwarded to Council.

The City Council members disclosed and reported on the ex parte communications that they received. Each councilmember provided a summary of the ex parte communications received.

Scott Kolwitz, Planning & Environmental Services Manager; Jose Coyotl, Associate Planner; Scott Swenson, Safer Neighborhoods and Alcohol Compliance Specialist; Kumar Neppalli, Traffic Engineer; and Ken Rozell, Chief Assistant City Attorney; gave a report and answered questions.

Mayor Zaragoza opened the public testimony portion of the public hearing. Representatives of the Appellant/Applicant (Alfred Fraijo, Land Use Counsel; Doug Gans, Chief Operating Officer; Kristi Byers, Architect; Dave Dallal, Chief Financial Officer; and Randy Latimer, Security Consultant) made a presentation.

Robert Murphy, Walter Hagedohm, and Cindy Maurer, Representatives of an unincorporated association named "Common Sense" gave a presentation.

Public comments were received from Audrey Keller, Michael Smith, Holly Hayes-Rey, Cesar Hernandez, Jose Barrera, Anthony Mireles, Daniel Nicholas, Bob Launius, Chris Hernandez, Josh Garretson, Forrest Forbes, Francine Castanon, Sarah Peterson, Jenna Lieberman, Tom Cady, Joe Peterson, Cleland (Lee) Hoff, Yvonne De La Rosa Green, Deirdre Frank, Jason Stover, Nancy Lindhom, Ed Gutierrez, Kara Hanley, Julie Pena, Alexandra Porter, Kenneth Clark, Shane Kimbrough, Mike Marlow, Tony Lanzara, David Johnston, David Bejarano, Mark Caviezel, Kathy Guerrero, John Loftus, Mayra Delgado, Clifford M. Maurer, Chief Al Davis, Rob Fallon, Dr. Beth Shillito, Diane Delaney, Arthur Reyna, Rachel Torres, Herb Summers, Leslie Kiefner, Manuel Herrera, Daniel Chavez, Maria Navarro, and Armando Delgado.

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 Basua, seconded by Councilmember Lopez, to approve the recommended action. VOTE: Teran, Basua, Zaragoza, Lopez, MacDonald, and Madrigal voted in favor; Perello voted against, the motion carried 6-1.

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

2. Community Development Department
SUBJECT: Vineyard Starbucks Site Renovations Appeal. (10/15/15)
RECOMMENDATION: That the City Council:

1. Conduct a public hearing:

2. Find the Project to be Statutorily Exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15270 ("Projects Which are Disapproved"); and

3. Adopt a resolution denying the Appeal and upholding the Planning Commission's Denial of Planning and Zoning Permit No. 21-550-01 (Major Modification to U-916 (Special Use Permit)), because the record does not contain the evidence necessary to make all of the Findings required by Oxnard City Code Section 16-531 in order to grant a Special Use Permit. (This item did not originate in Committee.)

The City Clerk announced the affidavit of publication and stated that written communications were received and forwarded to Council.

The City Council members disclosed and reported on the ex parte communications that they received. Each councilmember provided a summary of the ex parte communications received.

Scott Kolwitz, Planning & Environmental Services Manager; Ken Rozell, Chief Assistant City Attorney; and Joe Pearson II, AICP, Senior Planner; gave a report and answered questions.

Mayor Zaragoza opened the public testimony portion of the public hearing. The Appellant (Friedrich Family Limited Partnership, Matt Friedrich, Property Owner; Anthony Valdez, Regional Manager for Starbucks; Hollee King Winegar, Planning Consultant; Christine Fong, Project Architect; and Beverly Metz, Project Manager for Starbucks) provided a presentation.

Public comments were received from Jewel Harris and Jessica Otani.

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

Mayor Pro Tem MacDonald made a motion of intent to approve the Appeal and approve the project, and requested that staff prepare a resolution and bring it back to the March 15, 2022 Council meeting.

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

N. REPORTS

1. Finance Department
SUBJECT: FY 20-21 Annual Comprehensive Financial Report and Summary Presentation. (15/15/10)
RECOMMENDATION: That City Council receive the Fiscal Year 2020-21 Annual Comprehensive Financial Report (ACFR) and summary presentation from the City's external financial auditors, Eadie + Payne, LLP.
(Finance and Governance Committee approved 2-0)
(Presentation will be live upon consultant's request).

This item was pulled from this meeting's agenda and will be brought back to Council at a future date.

2. City Manager Department
SUBJECT: Update on Status and Accomplishments of Current Measure O Projects and Opening the Conversation regarding the Weaning Schedule. (0/10/10)
RECOMMENDATION: That the City Council:

   1. Receive and file the annual update; and
   2. Open the conversation regarding the Measure O weaning schedule

This item was pulled from this meeting's agenda and will be brought back to Council at a future date.

3. Cultural & Community Services Department
SUBJECT: Amendment to an Agreement with the Oxnard School District (A-8318) for the Operations of the After School Education and Safety Grant (ASES) to increase the total value of the agreement by $5,030,000 bringing the total agreement amount to $2,950,000 in year one (FY 2021-2022) and $4,830,000 in year two (FY 2022-2023). (0/10/5)
RECOMMENDATION: That the City Council approve and authorize the Mayor to execute an amendment to the agreement (A-8318) with the Oxnard School District (OSD) for the

operations of the Oxnard After School Education and Safety (ASES) Grant to:

(1) Increase the agreement amount by $5,030,000 resulting in a total agreement amount of $7,780,000, not to exceed $2,950,000 in year one (FY2021-2022) and $4,830,000 in year two (FY2022-2023) with an additional City match of $130,000 of in-kind services per fiscal year,
(2) Extend the expiration date for one year to June 30, 2023; and
(3) Approve a budget appropriation recognizing $200,000 of additional FY21-22 Fund 272 (21st Century CLCP-ASESP) grant funding.

Terrel Harrison, Cultural & Community Services Director, presented and answered questions. No public comments were received. Discussion ensued among the Council and staff.

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

4. Housing Department
SUBJECT: Impact Fee Loan Agreement Amendment Las Cortes Phase III. (0/5/5)
RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a First Amendment to the Loan Agreement with A0592 Oxnard, L.P., a California limited partnership (Agreement No. A-8226), for an increase in deferred impact fees related to the development of the Las Cortes Phase III affordable housing project.

Emilio Ramirez, Housing Director, presented and answered questions. No public comments were received. Discussion ensued among the Council and staff.

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

O. ADJOURNMENT
There being no further business on the agenda, and without objection, Mayor Zaragoza adjourned the meeting at 12:57 a.m.

R. Chaparro
ROSE CHAPARRO
City Clerk

John C. Zaragoza
JOHN C. ZARAGOZA
Mayor